

**CITY OF PITT MEADOWS
SOIL DEPOSIT AND REMOVAL BYLAW NO. 3000, 2024**

A Bylaw to regulate the removal or placement of soil or other material
on land within the City of Pitt Meadows

WHEREAS the *Community Charter* authorizes Council to regulate, prohibit, and impose requirements for the deposit and removal of soil and other material and also authorizes Council to make provisions regarding fees and permits, as well as different provisions for different areas, times, conditions, or circumstances for the deposit and removal of soil;

NOW THEREFORE the Council of the City of Pitt Meadows enacts as follows:

1. Index

Definitions.....	2
General Purpose	5
Restrictions	5
Performance Standards.....	6
Permit Exemptions.....	6
Agricultural Land Reserve Requirements	8
Council And Committee Resolutions.....	8
Permit Application	8
Fees	10
Security Deposit.....	11
Insurance And Indemnity	12
Permit Conditions	13
Permit Renewal And Amendments	14
Permit Completion Requirements.....	14
Administration And Enforcement	15
Penalties	16
Schedule A: Fees And Performance Security.....	178
Schedule B: Performance Standards.....	19
Schedule C: Assurance Of Professional Design And Commitment For Field Review.....	22
Schedule D: Qualified Professional Sign-Off And Letter Of Commitment - Drainage, Erosion And Sediment Control Plan (Descp) And Site Implementation	24
Schedule E: Special Fill Type Area.....	26

2. Citation

2.1 This Bylaw may be cited as the "Soil Deposit and Removal Bylaw".

3. Repeal

3.1 Soil Removal and Fill Deposit Regulation Bylaw No. 2593, 2013 and its amendments are repealed.

4. Severability & References

4.1 If any portion of the bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion will be severed and the remainder of the bylaw is deemed valid.

4.2 A reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.

5. Definitions

In this bylaw:

- a) **ALC** means the Agricultural Land Commission established by the ALC Act.
- b) **ALC Act** means the *Agricultural Land Commission (ALC) Act S.B.C. 2002*.
- c) **ALR** refers to the Agricultural Land Reserve and means the area within the City designated as protected agricultural land under the ALC Act.
- d) **ALR Regulation** means either or both of the following:
 - (1) the *Agricultural Land Reserve General Regulation*, B.C. Reg. 57/2020; and/or
 - (2) the *Agricultural Land Reserve Use Regulation*, B.C. Reg. 30/2019.
- e) **Applicable Laws** means all enactments, regulations, bylaws, standards, ordinances, codes, rules, orders, judgments, directions, directives, and policies enacted, adopted, issued or published by the City or a Governmental Authority which are applicable in the City.
- f) **Applicant** means an Owner or authorized agent thereof making application for a Permit.
- g) **Environmental Laws** means all Applicable Laws relating to fisheries, public health and safety, occupational health and safety, the protection or preservation of the environment, or the manufacture, operation, processing, distribution, use, treatment, storage, disposal, release, transport, handling, or remediation of contaminants as per the Environmental Management Act, S.B.C. 2003 c. 53, the Canadian Environmental Protection Act, 1999 S.C.

1999, c. 33, and the Fisheries Act, R.S.C. 1985, c. F-14, and any other similar Applicable Laws.

- h) **City** means the City of Pitt Meadows.
- i) **Code of Practice for Agricultural Environmental Management** means the *Code of Practice for Agricultural Environmental Management*, B.C. Reg. 8/2019.
- j) **Deposit** means the act of temporarily or permanently placing Soil or Other Material on any lands within the City other than that where it originated, including a stockpile or other storage facility.
- k) **Director** means the Director of Engineering and Operations for the City or their designate.
- l) **Dredged Sand** means sand material that is removed by either a suction dredge or hydraulic dredge from a river transported and deposited onto land by way of a pipe system.
- m) **Floodplain** means land contained within the boundary of an elevation contour line and lying below the elevation of the said elevation contour lines as shown in Map 9 of Schedule 3 to the Official Community Plan Bylaw No. 2864, 2020.
- n) **Governmental Authority** means the federal government, the provincial government, the City and any entity which by law is excluded from being subject to municipal bylaws.
- o) **Highway** includes:
 - (1) highways as defined in the Motor Vehicle Act, R.S.B.C. 1996, c. 318; and
 - (2) every street, roadway, boulevard, lane, alley, sidewalk, walkway, pathway, bridge, viaduct, tunnel, bicycle path, and any other way normally open to the use of the public.but does not include a private road on private land within the City.
- p) **Other Material** includes but is not limited to:
 - (1) construction, building or demolition wastes such as but not limited to masonry rubble, concrete rubble, asphalt, plaster, lumber, metal, shingles, glass, gyproc or any other material derived from building demolition and construction;
 - (2) wood waste as defined herein;
 - (3) fertilizers, manure, composts, mulches, soil conditioners;
 - (4) waste material derived from commercial, industrial and manufacturing activities;

(5) invasive or noxious species in any form, or combined with: topsoil, gravel, sand, rock, silt, clay, peat, sediment and other natural substances; and

(6) any materials listed in the Solid Waste Collection and Disposal Bylaw No. 2568, 2012;

but does not include Soil.

- q) **Performance Standards** means the standards prescribed in Schedule B.
- r) **Permit** means the written authority granted by the Director for the Deposit of Soil or Other Material or the Removal of Soil on lands within the City, upon the terms, conditions, plans and specifications applicable to the application for such deposit or removal.
- s) **Permittee** means the holder of a Permit.
- t) **Person Responsible** means a person, Applicant, Permittee, contractor, occupant, leaseholder, or Owner of lands within the City who causes, transports, allows, permits, supervises or directs the Deposit of Soil or Other Material and/or Removal of Soil from or upon lands within the City or Highway.
- u) **Preloading** means the Deposit of Soil or Other Material on lands within the City to increase the substrate's bearing capacity.
- v) **Professional Engineer** means a professional engineer registered and in good standing with the Association of Professional Engineers and Geoscientists of British Columbia and maintaining professional liability and errors and omissions insurance in the amount of not less than \$5,000,000 per occurrence during the term of their engagement.
- w) **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 that particular area with respect to which services are being provided; and who maintains professional errors and omissions liability insurance.
- x) **Removal or Remove** means to take, excavate or extract Soil from lands within the City.
- y) **Soil** means clay, peat, silt, sand, gravel, cobbles, boulders, Topsoil or other substance of which land is naturally composed, down to and including bedrock, but does not include Other Material.
- z) **Topsoil** means the upper portion of soil, usually dark colored and rich in organic material, measured from the surface to a depth of 0.30 m.
- aa) **Wood Waste** includes:
 - (1) wood residue, as defined within the Code of Practice for Agricultural Environmental Management;

- (2) sawdust, hog fuel, bark, and bark mulch;
- (3) woods chips, slabs, shavings, mill ends, trimmings, edgings; and
- (4) other wood waste which is the result of any manufacturing process involved in the production of lumber or other wood products.

6. General Purpose

- 6.1 This Bylaw has been enacted for the purpose of regulating the Deposit and Removal of Soil within the City. The purpose of this Bylaw does not extend:
- a) to the protection of owners, occupiers or persons involved in the Soil Deposit or Removal from economic loss;
 - b) to the assumption by the City or any officer or employee of the City, of any responsibility for ensuring compliance by a person responsible for the Soil Deposit or Removal activity on any lands within the City, or any other enactments applicable to the Soil Deposit or Removal or the development of lands within the City;
 - c) to providing any person with a warranty that any Soil Deposit or Removal will not violate this Bylaw, any other enactment, or create any nuisance of any type; and
 - d) to relieve any person of the responsibility of bringing any Soil Deposit or Removal activity into compliance with this Bylaw, if the activity was conducted in contravention of any provision of this Bylaw, or contrary to the Permit issued under this Bylaw.
- 6.2 Nothing in this Bylaw precludes or relieves a person from complying with the requirements of any other applicable local, provincial, or federal enactment or regulation respecting the Deposit of Soil or Other Material or the Removal of Soil, and will be solely responsible to comply with those requirements.

7. Restrictions

- 7.1 No person will Deposit Soil on, or Remove Soil from, lands within the City unless:
- a) that person has been authorized to undertake the Deposit or Removal, as applicable, by a Permit;
 - b) that person does not require a Permit to undertake the Deposit or Removal pursuant to section 9 of this Bylaw; or
 - c) with regards to lands in the ALR , the person is compliant with the ALC Act and ALR Regulations, regardless of whether a City Permit is required.
- 7.2 Deposit of Other Material
- a) No person will Deposit Other Material on lands within the City unless:

- (i) that person has been authorized to undertake the Deposit, as applicable, by a Permit; or
 - (ii) that person does not require a Permit to undertake the Deposit pursuant to section 9 of this Bylaw.
 - b) The Director will only issue a Permit authorizing the Deposit of the following Other Materials:
 - (i) concrete rubble which is used to construct roadways and has a maximum diameter of 150mm;
 - (ii) asphalt rubble which is used to construct roadways and has a maximum diameter of 25mm; or
 - (iii) any Other Material as determined by the Director.
 - c) With regards to lands within the City in the ALR, the Director will only issue a Permit authorizing the Deposit of Other Material as permitted under the *ALC Act* or the *ALR Regulations*.
- 7.3 No person will Deposit Soil or Other Material or Remove Soil from lands within the City unless such Deposit or Removal is in accordance with an authorization, order or exemption under Environmental Laws.
- 7.4 No Soil other than dredged sand will be allowed to be deposited within the limits of the Special Fill Type Area as shown on Schedule E.

8. Performance Standards

- 8.1 Any Deposit of Soil or Other Material, or Removal of Soil, including a Deposit or Removal that is exempt from the requirement for a Permit, must be carried out in accordance with the Performance Standards.

9. Permit Exemptions

- 9.1 Subject to section 9.2, and provided the Deposit or Removal of soil is carried out in compliance with the relevant provisions in this Bylaw, all other City Bylaws and, where applicable, the provisions of the *ALC Act*, a permit is not required for the following purposes:
- a) when the Deposit or Removal is undertaken by a Governmental Authority;
 - b) when a Deposit or Removal is carried out in the course of construction, maintenance or operation of municipal works and services undertaken by or on behalf of the City;
 - c) when the Deposit or Removal is in relation to the sale of Soil pursuant to a valid and subsisting business license and is in accordance with Applicable Laws;

- d) when the Deposit or Removal of Soil is required for the construction or maintenance of a private sanitary system or septic field for which an approval has been granted by the appropriate Governmental Authority;
- e) for the Deposit of Wood Waste in accordance with the provisions of the *Code of Practice for Agricultural Environmental Management*;
- f) subject to section 9.3, for the Deposit of fertilizer, manure, compost, soil conditioners or soil amendments, in accordance with Applicable Laws;
- g) for the Deposit of sand for berry production, if done so in accordance with ALR Regulations;
- h) for the Deposit of Soil for the constructing of berms or dikes for producing cranberries, if done so in accordance with ALR Regulations;
- i) subject to section 9.3, when the Deposit or Removal is required to maintain or repair an access road, driveway, paved parking area, berm, or dike on private land within the City in accordance with Applicable Laws;
- j) when the Deposit or Removal involves the movement of Soil existing within the boundaries of a single parcel;
- k) subject to section 9.3, where the total quantity of Soil Deposited and Removed on any parcel is less than 1 m³ per year per 100 m² of area of that parcel, and does not exceed 0.25 m in height at any point;
- l) subject to sections 9.2 and 9.3, when such Deposit or Removal is in compliance with a building project on lands within the City where:
 - (i) the Deposit or Removal is necessary, in the opinion of the Director, for the project;
 - (ii) the project has been approved by the City;
 - (iii) if applicable, engineering drawings and a servicing agreement for the project have been approved by the City; or a building permit has been issued by the City;
 - (iv) sufficient security has been provided to the City in the amount and form acceptable to the Director;
 - (v) a non-refundable volume fee calculated in accordance with Schedule A of this Bylaw has been provided to the City at the time the building permit is issued by the City; and
 - (vi) all other terms and conditions required by the Director have been or will be, in the opinion of the Director, fulfilled by or on behalf of the Owner of the parcel; or
- m) when the Removal of Soil has been permitted pursuant to the *Mines Act* R.S.B.C. 1996, c. 293, and the Permit fees calculated in accordance with Schedule A are paid to the City monthly.

- 9.2 Despite section 9.1, Permit Exemptions do not apply when:
- a) the Soil Deposit or Removal is necessary in relation to the construction of a building or works authorized under a valid building permit within the Floodplain; or
 - b) For lands within the ALR, when the Soil Deposit or Removal is not a permitted use or considered an Exempted Activity as defined by the ALR Regulations.
- 9.3 The person undertaking the Soil Deposit or Removal based on an exemption under section 9 must provide to the Director, on request, sufficient documentation to demonstrate that the activities meet the conditions for the exemption.

10. Agricultural Land Reserve Requirements

- 10.1 A Permit will not be issued for a Deposit or Removal that requires the approval of the ALC until the ALC has granted such approval.
- 10.2 A Deposit or Removal referred to in section 10.1 must be carried out in accordance with any restrictions, limits or conditions specified for the Deposit or Removal by the ALC.

11. Council and Committee Resolutions

- 11.1 A supporting Council resolution will be required prior to issuance of a Permit for:
- a) Deposit or Removal within the ALR when required as per the *ALC Act and ALR Regulations*;
 - b) a Deposit or Removal with a proposed final grade elevation above or below the prescribed height requirements in the Floodplain Designation and Construction Control Bylaw No. 2384, 2008; and
 - c) an Application requesting a specific exemption contrary to any regulations in this Bylaw.
- 11.2 Applications for Deposit or Removal of Soil greater than 5000m³ will be presented to Council for information.
- 11.3 If an application within the ALR requires a supporting Council resolution, then that application will first be presented to the City's Agricultural Advisory Committee.

12. Permit Application

- 12.1 Unless exempted by the Director, an application for a Permit must:
- a) be made by the Applicant in the form prescribed by the Director;

- b) be accompanied by sufficient information, as required by the Director, to adequately review and assess the proposed Deposit or Removal, including information with respect to land ownership, land use, purpose for Deposit or Removal, site conditions, Soil or Other Material characteristics, metric volume, and proposed Deposit or Removal methodology;
- c) include a topographic survey of the subject parcel, prepared by a registered land surveyor depicting all pertinent topographic features including legal boundaries, covenant areas, natural grade in 1m intervals, all streams including stream boundaries, high water-mark, top of bank, buildings, structures, building envelopes, utilities, wells, onsite sewage disposal systems, and access routes;
- d) include cross-sections of the Soil Deposit or Removal area depicting existing and finished grades, including an east-west transect, north-south transect, and any additional profiles deemed necessary;
- e) include a Deposit and Removal plan, including an outline of the proposed stripping, storing, and redistributing of Topsoil during and upon completion of the proposed Deposit or Removal works on the subject parcel; and
- f) include the reclamation measures proposed to stabilize, landscape, and restore the parcel upon completion of the Soil Deposit or Removal.

12.2 After a preliminary review of any application for a Permit made pursuant to this Bylaw, the Director may require an Applicant to provide some or all of the following information, if the activities are not routine in nature and more complex, and in a form and substance acceptable to the Director:

- a) a report and plans signed and sealed by a Qualified Professional demonstrating that the proposed Deposit or Removal will meet the Performance Standards. Such report and plans must include, but not necessarily be limited to, the following:
 - (i) all proposed Soil Deposit or Removal activities including, as applicable: the proposed design of all permanent and temporary slopes, drainage, and landscaping in its final state upon completion of the Soil Deposit or Removal operation;
 - (ii) if applicable, the exact quantity, duration, and monitoring requirements of Preloading; and
 - (iii) assurance in the form provided in Schedule C, of design and commitment for field review of the Soil Removal and Deposit operations by a Qualified Professional.

12.3 Unless otherwise exempted by the Director, per the *Subdivision and Development Servicing Bylaw No. 2589, 2013*, the Permit application will incorporate a Drainage, Erosion and Sediment Control Plan (DESCP) prepared by a Qualified Professional showing drainage and sediment control works to be

implemented on the subject parcel; the plan must be accompanied by assurance in the form provided in Schedule D, of design and commitment for field review of the Drainage, Erosion and Sediment control operations by a Qualified Professional who has expertise with respect to the full scope of design and field review.

- 12.4 If the Director is of the opinion that the proposed Deposit or Removal may have adverse impacts on agriculture, environment, Highways, traffic, or any other matters of public interest, the Director may require an Applicant to provide some or all of the following information for the subject parcel, in a form and substance acceptable to the Director:
- a) a report prepared by a Professional Agrologist;
 - b) an environmental assessment and independent monitoring plan of the operation;
 - c) a traffic and road impact assessment and/or a traffic management plan;
 - d) copies of any other permits and approvals issued by Governmental Authorities, and required by Applicable Laws; or
 - e) any other information, reports, and certifications reasonably required by the Director to consider an application.
- 12.5 The Director may retain a Qualified Professional to provide an independent report assessing the proposed Soil Deposit or Removal operations. The cost of the assessment will be borne by the Applicant.
- 12.6 Applications that require more information, are unable to be processed, and remain incomplete, will expire 6 months after the original application date. After that time, a new application will be required.

13. Fees

- 13.1 An Applicant will submit with their Permit application a non-refundable application fee, in the amount as set out in Schedule A.
- 13.2 Prior to issuance of a Permit, an Applicant will pay to the City a volumetric soil permit fee, in the amount as set out in Schedule A.
- 13.3 If it is determined by the Director that Depositing or Removing has occurred without a valid Permit, as required by this Bylaw, all work must cease immediately and:
- a) a Permit application with a non-refundable application fee of twice the amount specified in Schedule A must be submitted within 7 days; and
 - b) the Applicant must submit a volumetric soil permit fee of twice the amount specified in section 13.2.

14. Security Deposit

- 14.1 As security for the due and proper compliance with all of the requirements and conditions of this Bylaw and the Permit, every Applicant will, before receiving a Permit or a renewal of a Permit, provide a security deposit in the amount of \$5/m³ of Soil or Other Material proposed to be Deposited and/or Soil Removed.
- 14.2 Despite section 14.1, the City will not issue further permits for Depositing Soil or Other Material on, or Removing Soil from, any lands within the City, to any person who:
- a) has been issued fines in relation to this Bylaw;
 - b) retroactively seeks a Permit; or
 - c) had a permit revoked;
- unless and until such time as that person, in addition to the security required pursuant to this Bylaw, submits an additional security of \$5/m³, up to a maximum of an additional \$50,000, as determined necessary by the Director.
- 14.3 The City will maintain the security deposit in full force and effect throughout the Permit period and will not release it until the Soil Deposit or Removal authorized under the Permit is complete and all conditions of this Bylaw and the Permit are met.
- 14.4 If the security deposit is not sufficient for the City to rectify any contravention or non-compliance with the Permit, this Bylaw, or any other City bylaw relevant to the Removal of Soil or Other Material, or Deposit of Soil that is the subject of the Permit, the Owner of the parcel will pay any deficiency to the City upon written notice by the City, within seven (7) days of such notice being made by the City. Any charge or rate imposed or payable pursuant to this Bylaw that remains unpaid on December 31st of the year in which such charges have been imposed or payable will be deemed to be taxes in arrears in respect of the property pursuant to the *Local Government Act*.
- 14.5 If a letter of credit will expire prior to the Permittee complying with the provisions of this Bylaw, or prior to the performance of all of the terms and conditions expressed in the Permit, the Permittee will deliver to the City, at least thirty (30) days prior to its expiry, a replacement letter of credit on the same terms, unless otherwise approved by the Director. If the Permittee fails to do so, the City may realize the letter of credit and hold the security deposit in lieu thereof.
- 14.6 Where the security deposit is drawn upon for any reason, the Permittee will, within fifteen (15) days of written notice from the City, replenish the security deposit to the amount required by section 14.1 of this Bylaw, unless otherwise exempted by the Director.

- 14.7 Subject to section 14.8, if the Permittee complies with the provisions of the Bylaw and performs all of the terms and conditions expressed in the Permit, the City will have up to six (6) months, after all completion requirements are met, as outlined in section 20, to return the security deposit upon written request by the Permittee.
- 14.8 If the return of the security deposit provided to the City pursuant to section 14.1 is not requested within two (2) years after the expiration of the Permit, the security deposit will be irrevocably forfeited to the City.
- 14.9 The City will not be required to release any security until all requirements of sections 18 and 20 of this Bylaw have been complied with.

15. Insurance

- 15.1 The Person Responsible for Soil Removal or Deposit is 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 or eliminated if, in the opinion of the Director, the activities involve low volumes and are generally routine in nature.

16. Indemnity

- 16.1 The Owner agrees to indemnify and hold harmless the City, its agents, employees and officers from and against any claims, demands, losses, costs (including legal), damages, actions, suits or proceedings whatsoever by whomsoever brought against the City, its agents, employees or officers by reason of the City issuing a Permit to conduct the work in accordance with the plan submitted and described in the application.

17. Issuance

- 17.1 The Director may:
- a) issue a Permit where the requirements of this Bylaw and all Applicable Laws have been met; and
 - b) add conditions to a Permit when required to ensure compliance with this or any municipal bylaw.
- 17.2 The Director must refuse to issue a Permit if the proposed Deposit of Soil or Other Material, or Removal of Soil, will conflict with the policies and guidelines established in the Official Community Plan or the permitted uses allowed on the parcel under the Zoning Bylaw.
- 17.3 A Permit issued under this Bylaw will expire after twelve (12) months from the date the Permit is issued, unless renewed in accordance with section 19 of this Bylaw. Permits are non-transferable.

18. Permit Conditions

- 18.1 Without limiting the Director's authority to impose other conditions under section 17.1, the conditions set out in sections 18.2 through section 18.7 will be deemed to apply to any Permit issued under section 17.
- 18.2 Final parcel elevations are not to exceed the height requirements in the Floodplain Designation and Construction Control Bylaw No. 2384, 2008, unless:
- a) a written report by a Qualified Professional stating the justification is submitted;
 - b) Council approves the height increase; and
 - c) the ALC approves the height increase if within the ALR.
- 18.3 Dirt, mud, and debris resulting from a Removal or Deposit operation which is tracked onto Highways so as to cause a hazard or a nuisance must be removed on a daily basis, or as directed by the Director. Should the Permittee fail to do so, the City may direct others to perform this work and the cost, plus a 30% administration fee, will be the responsibility of the Permittee. The Permittee must remit all payments within 14 days of receiving the invoice(s). If the Permittee fails to remit all payments within the specified time frame, the City may draw on all or part of the security deposit to cover the cost of the work or suspend the Permit until all invoices have been paid, or both.
- 18.4 Without limiting the generality of the foregoing, the Permittee will maintain a daily log of all Soil Deposit and/or Removal activity.
- 18.5 For Soil Deposit or Removal 500m³ or greater, except where the proposed operation will be completed within one month from the date the Permit is issued, the Permittee will maintain monthly reports, certified and sealed by a Qualified Professional, regarding the process of the Soil Removal or Deposit. The monthly report will include all of the following information:
- a) the quantity of Soil Removed and/or Deposited for the previous month and the total cumulative quantity for the duration of the Permit up to the month in question; and
 - b) the actual location of the Soil Removal and/or Deposit.
- The Permittee will submit their monthly reports to the City at the request of the Director.
- 18.6 During the Permit term, the Permittee will clearly and visibly display the Permit at the main access point to the subject parcel.
- 18.7 During the Permit term, the City will make available, upon request, a copy of the Permit.

- 18.8 Every Permit issued will be deemed to incorporate the plans, specifications, documents and information in the application as approved and attached to the application, and additional requirements as the Director may deem reasonably necessary.

19. Permit Renewal and Amendments

- 19.1 Application for renewal of a Permit will be made in the same manner as for a new Permit and must be received no later than thirty (30) days before the expiry date of the existing Permit and must include:
- a) the non-refundable Permit renewal fee as set out in Schedule A;
 - b) updated drawings and specifications for the Soil Removal and/or Deposit area(s);
 - c) identification of any material changes to site conditions ; and
 - d) demonstration of compliance with existing Permit conditions, bylaws and regulations.
- 19.2 There will be no obligation upon the City to renew any Permit upon expiry of the Permit.
- 19.3 A Permittee may apply to amend their Permit if they seek to increase the volume of the Soil Deposit and/or Removal or to expand the area where the Soil Deposit and/or Removal is contemplated under the existing Permit. The Permit amendment application must include:
- a) a non-refundable Permit amendment fee as set out in Schedule A;
 - b) any material changes to applicable drawings and specifications submitted as part of the original Permit issued;
 - c) an additional security deposit amount for any additional volume of Soil Deposited and/or Removed, determined in accordance with Schedule A; and
 - d) any other approval as required from other authorities.

20. Permit Completion Requirements

- 20.1 Upon expiry of the Permit (including any renewal of the Permit), or completion of the works which are the subject of the Permit, whichever occurs earlier, the Permittee, or if no longer authorized by the Owner, the Owner of the lands within the City, will undertake such works as required by the Director, including but not limited to:
- a) complete all requirements and conditions of the Permit;
 - b) for Removal or Deposit operations 500m³ or greater, submit a completion report prepared and sealed by a Qualified Professional to include:

- (i) the total cumulative quantity of Soil Removed or Deposited; and
- (ii) a post-construction topographic survey illustrating surface elevations and slopes.

20.2 Should the necessary completion requirements not be completed within a period of 60 days following expiration of the Permit, the Director will not be required to release any security, or issue a new Permit, or renew an existing Permit, until all requirements of section 18 and 20 of this Bylaw have been complied with.

21. Administration and Enforcement

21.1 The Director, the Bylaw Enforcement Officer, and all City employees under their direction, are authorized at all reasonable times and in a reasonable manner, to enter upon and inspect any lands within the City for the purpose of administering and enforcing this Bylaw and/or a Permit.

21.2 If Soil Removal and/or Deposit has occurred contrary to the provisions and conditions of a Permit, has occurred without a Permit when one is required, or activities have occurred in such a manner that contravenes the Performance Standards, the Director or a Bylaw Enforcement Officer may take any, all, or any combination of the following actions:

- a) Issue a notice of violation of the Bylaw or Permit to any or all Persons Responsible where the Soil Removal and/or Deposit occurred;
- b) Place notices on lands within the City where the contravention has occurred, or a parcel to or from which Soil is being transported, stating that the Soil Removal and/or Deposit at that location is contrary to this Bylaw or the Permit;
- c) Order the Person Responsible to immediately stop the contravention and to immediately cease and desist from further Soil Removal and/or Deposit until the contravention is remedied within the timeframe specified by and to the satisfaction of the Director;
- d) Order the Person Responsible to either apply for a Permit or to undertake remedial or rehabilitative works necessary to return the lands within the City to its original condition to the satisfaction of, and within the timeframe specified by, the Director and the ALC, as applicable;
- e) Suspend in whole or in part the authority of the Permittee under a Permit;
- f) Revoke the Permit; and/or
- g) Enter upon lands within the City where the contravention has occurred and carry out any works required to remedy the contravention, or repair any resultant damage at the expense of the Person Responsible, with an additional administrative cost of 30% of the expense incurred.

- 21.3 Every person will at all times comply with any lawful order, direction, signal or command made or given by the Bylaw Enforcement Officer in the performance of their duties enforcing the provisions of this Bylaw.
- 21.4 Any person having received a notice of order pursuant to section 21.2 of this Bylaw will, within the timeframe set forth by the Director or Bylaw Enforcement Officer, comply with the notice or order.
- 21.5 In the event that any person, having received a notice of order, fails to remedy the violation within the timeframe specified by the City, or continues to violate any provisions or conditions of the Permit, this Bylaw or both, the Permit will be revoked and all Permit fees collected will be forfeited. Once the violation has been corrected, the Permittee, or if the Permittee is no longer authorized by the Owner of the parcel, the Owner must apply for and obtain a new Permit and all fees set out in Schedule A will be due and payable as a condition of Permit issuance.
- 21.6 The City may cash and use the security deposit provided pursuant to section 14, for one or more of the following purposes:
- a) to remedy a contravention of this Bylaw, a Permit, or any other City bylaw relevant to the Deposit or Removal that is the subject of the Permit;
 - b) to remedy any emergency condition which, in the opinion of the Director, is associated with, arises from, or is the result of a contravention of this Bylaw, a Permit, or any other City bylaw relevant to the Deposit or Removal that is the subject of the Permit, and requires immediate action; and
 - c) to satisfy any outstanding fee payable under this Bylaw, including but not limited to, any outstanding volume fee as determined by a final topographical survey.
- 21.7 No person will make a false statement in relation to an application for a Permit or monthly compliance report submitted pursuant to this Bylaw. Any Permit issued or work conducted on the basis of false or misleading information will be subject to immediate revocation of the Permit by the Director.

22. Penalties

- 22.1 Any person who:
- a) violates any provision of this bylaw or neglects or fails to do anything required to be done by this bylaw, or
 - b) causes or permits any other person to violate any provision of this bylaw or neglects or fails to do anything required to be done by this bylaw with respect to the parcel of which they are the Owner,

commits an offence under this bylaw and is subject to the imposition of any and all penalties or remedies available to the City pursuant to this bylaw or to other applicable bylaws or legislation.

22.2 Any person who:

- a) acknowledges that they are the Owner of the parcel, or
 - b) is apparently the Owner and is in occupation of the parcel at the time of the offence, in respect of which the violation, neglect or failure has occurred,
- is deemed to be a person who falls within the definitions provided in section 22.1.

22.3 Any person who commits an offence pursuant to this Bylaw will be liable, upon conviction, to a minimum fine of two hundred dollars (\$200) and not more than the maximum fine provided by the Offence Act. Where the offence is a continuing one, each day that the offence is continued will constitute a separate offence.

23. Schedules

23.1 The following schedules are attached to, and form part of, this Bylaw:

- a) **Schedule A** – Fees and Performance Security;
- b) **Schedule B** – Performance Standards;
- c) **Schedule C** – Assurance of Professional Design And Commitment For Field Review;
- d) **Schedule D** – Qualified Professional Sign-off and Letter of Commitment on Drainage, Erosion and Sediment Control Plan (DESCP) and Site Implementation;
- e) **Schedule E**- Special Fill Type Area.

READ a FIRST, SECOND and THIRD time on [DATE].

ADOPTED on [DATE].

Nicole MacDonald
Mayor

Kate Barchard
Corporate Officer

SCHEDULE A: FEES AND PERFORMANCE SECURITY

Non-Refundable Permit Application Fees

Application Type	Section	Fee
Permit application for the Deposit and/or Removal of up to 5000 m ³ of soil	13	\$500
Permit application for the Deposit and/or Removal of 5000 m ³ or more of soil	13	\$700
Permit application for the Deposit and/or Removal of soil in conjunction with a ALC Application	13	\$750
Renewal Application	19.1	\$350
Amendment Application	19.3	\$200

Soil Fees

Unless otherwise permitted by the Director, fees will be paid prior to a Soil Deposit and/or Removal Permit being **issued**.

Soil Permit Fee	Section	Fee
Volumetric Levy- Standard	13.2	\$1.00/m ³
Volumetric Levy- Enforcement	13.3	\$2.00/m ³

Quarry Fee	Section	Fee effective immediately	Fee effective March 1, 2026
Volumetric Levy- In Pitt Deposit	13.2	\$0.75/m ³	\$1.00/m ³
Weight Levy- Removal (Mine)	9.1(m)	\$0.49/tonne	\$0.75/tonne

Security Deposits

- i. The security deposit will be provided to the City prior to a Permit being issued.
- ii. Per section 14.1 of this Bylaw, the security deposit will be in the amount of \$5/m³ of Soil proposed to be Deposited and/or Removed.

SCHEDULE B: PERFORMANCE STANDARDS

The standards set out in this Schedule B apply to all Soil Deposit and/or Removal activities, including activities exempt from Permit requirements.

Adjacent Property

1. The activities will not encroach upon, undermine or physically damage any public right of-way, public or third party infrastructure, or natural or tree protection covenant areas.
2. Persons who, in the course of the activities, cause, or allowed to be caused, any damage to drainage facilities, watercourses, utilities, natural or tree protection covenant areas, or Highways must repair the damage to the satisfaction of the Director at their own cost.

Drainage and Watercourses

3. The activities must not, in any way, interfere with the hydrological function and established above or below ground drainage pattern or capacity of any adjoining or reasonably adjacent properties and must not cause the groundwater table to rise on the subject property, or adjoining or reasonably adjacent properties, so as to cause flooding of those properties or malfunctioning of any private sanitary system.
4. All drainage facilities, watercourses, and ground water aquifers must be kept free of silt, clay, sand, rubble, debris, gravel and any other matter or thing originating from any of the activities.
5. No streams will be altered or diverted, unless such alteration or diversion is in accordance with the *Water Sustainability Act*, S.B.C. 2014, c. 15.
6. Floodplain capacities and storage volumes must be maintained at all times.

Wells and Sewage Disposal Systems

7. The activities must not occur over wells or sanitary disposal systems.

Environmental Protection

8. Damage to areas identified for environmental protection under Environmental Laws or other Applicable Laws that results from the activities must be repaired or restored.

Topsoil

9. Soil or Other Material must not to be placed on the existing Topsoil in the area to be filled, unless the Owner or Applicant has provided the Director with a report from a Qualified Professional providing justification

10. Topsoil must not be removed from lands within the City unless such use is a permitted use of the parcel, as defined in the Zoning Bylaw, or such removal is required as part of the works authorized under a building permit or development permit issued.
11. All Topsoil is to be stockpiled and replaced when the Soil Deposit activities have completed.

Slope

12. The finished slope of the area of the Deposit and Removal of Soil must:
 - a. have a maximum slope of 1m rise in 2m of run; or
 - b. if steeper than the slope set out above, must be designed by a Qualified Professional and reviewed by the Director.
13. The Soil will be graded to ensure positive gravity drainage, and a drainage system of sufficient capacity and extent must be installed to ensure that runoff onto adjacent properties will be no greater than prior to commencement of the activity. This does not extend to sedimentation ponds.
14. Any excavation greater than 0.6m in depth and all other hazards will have adequate fencing and be provided with suitable buffer zones or landscape screens, and suitable weather proof signs will be mounted and maintained on the fence at linear distances not to exceed 150m with wording to indicate the danger, the nature of the operation, the presence of the excavation and prohibiting the presence of the public.

Maximum Height of Stockpile

15. The maximum height of stockpiled Soil is 4m above the natural grade, unless otherwise authorized by the Director.

Highways, Utilities, Right-of-Ways

16. Soil or Other Material must not be Deposited within 7m of any Highway or over any statutory right-of-way or utility easement without first obtaining written approval from the authority having jurisdiction. A copy of this approval will be provided to the Director.
17. No Person Responsible will stockpile or permit Soil to remain stockpiled within 8m of any Highway for a period in excess of twelve (12) months.

Debris Control

18. Dust must be controlled such that dust is minimized; establish a dust mitigation plan; completely cover temporary stockpiles or spoiled material with polyethylene or tarps and surround with silt fence; Re-vegetate, cover or mulch disturbed areas as soon as practically possible.

19. Each Person Responsible will ensure that each truck transporting loose or dusty Soil has its load covered with a tarp dust cover to prevent the material from falling off the truck and that adequate moisture is provided to prevent dust from arising from the activities.

Invasive Species Control

20. Each Person Responsible will ensure that all machinery and vehicles used to excavate, load, move, Deposit, or Remove Soil do not transport plant material of invasive species or cause the spread of noxious weeds or invasive plant species.

Road Maintenance

21. Each Person Responsible will take all necessary measures, including as necessary the construction of a suitable haul road base or tire cleaning facility, to ensure that no mud, dirt or other material is tracked onto a Highway as a result of the Depositing and Removal operations.
22. Any mud, dirt or other material deposited or tracked onto a Highway as a result of the Depositing and Removal operations will be cleaned up and removed by the Person Responsible on a daily basis.

Equipment

23. All machinery and vehicles used on lands within the City s on which Soil is being Deposited or Removed, or that are used to transport Soil to and from such properties, will be in good and proper working order and contain sound reducing and dust elimination equipment, wherever reasonably possible.

Hours of Operation

24. No Soil Deposit or Removal activities of any kind whatsoever will occur on any Saturday, Sunday or statutory holiday.
25. Soil Deposit or Removal activities will only be carried out between the hours of 7:00 a.m. and 5:00 p.m.
26. An appeal can be made to the Director to alter restrictions based on exceptional circumstances, where compliance with the restrictions herein is not practical and the Applicant proposes conditions or restrictions so as to mitigate any negative impacts of such activities occurring outside the normal permitted days and hours of operation.

Use of Land

27. The activities must not result in the use of properties in a manner inconsistent with the permitted uses for such properties, as defined by the Zoning Bylaw.

**SCHEDULE C: ASSURANCE OF PROFESSIONAL DESIGN
AND COMMITMENT FOR FIELD REVIEW**

Date: (year, month, day)

Director of Engineering and Operations
City of Pitt Meadows
12007 Harris Road
Pitt Meadows, B.C. V3Y 2B5

Dear Sir/Madame:

Re: Application for a Soil Removal and Deposit Permit at:

(civic address)

I, the undersigned registered professional _____ hereby give assurance that the design, location, quality, nature, depth, volume and configuration of the Soil to be Removed and/or Deposited and works to be constructed and undertaken in support of and in relation thereto all as shown on the plans and supporting documents prepared and signed by me and attached to this letter are consistent with the Performance Standards provided in Bylaw No. [No. 3000, 2024] and sound industry practices related to Soil Removal and Deposit, and when and if carried out in conformance with such plans and specifications will not constitute any reasonably foreseeable risk or hazard to persons, property, waterways, aquifers or wildlife habitat; including, but not limited to the certification that: there is no reasonable foreseeable settlement or subsidence of any adjoining property, building or infrastructure on an adjoining property, than prior to the Deposit; the Deposit, and resulting settlement or subsidence, will not prevent any use permitted under the Zoning Bylaw; and the adjoining properties will not be subject to more flooding caused directly by storm water runoff from the subject property.

The undersigned undertakes to conduct such supervision, testing and field review to ensure Soil Removal and Deposit complies with the plans, specifications and supporting documents attached hereto.

I assure you that I have been given the authority by the owner of the property on which the Soil is to be Removed and/or Deposited and by the Applicant for the Permit to stop, remove or redirect the Removal and/or Deposit of Soil, as required in my judgment, and as required to comply with the plans, specifications and supporting documents attached hereto.

I will notify you in writing immediately if my contract for field review, testing or supervision is terminated or limited at any time before the completion of filling described in the plans, specifications and supporting documents attached hereto.

(affix professional seal)

Signature

Name

I, the applicant for the Soil Removal and/or Deposit Permit for the removal of soil and/or placement of Soil at the above address, acknowledge that I have read this letter and agree with its contents. I have also reviewed the plans, specifications and supporting documents attached to this letter and agree with them. I advise you that I have given

_____,
(name of registered professional)

the authority to conduct testing, field review and to supervise filling including the authority to stop the placement of fill, remove Soil or redirect it as set out in this letter. I acknowledge and understand that all authority and permission to place fill under any permit issued to me pursuant to any application will automatically cease and be suspended if the registered professional's services are terminated or limited and will not be reinstated until such time as another registered professional submits to you a signed and completed letter in this form.

Signature of Applicant

Name

Address

**SCHEDULE D: QUALIFIED PROFESSIONAL SIGN-OFF AND LETTER OF
COMMITMENT- DRAINAGE, EROSION AND SEDIMENT CONTROL PLAN (DESCP)
AND SITE IMPLEMENTATION**

Date (year, month, day)

To: Director of Engineering and Operations
City of Pitt Meadows
12007 Harris Road
Pitt Meadows, BC V3Y 2B5

Subject Property _____
(civic address and legal description)

Regarding (initial all that apply): ☐ Soil Removal and/or Deposit Application
 ☐ Lift Stop Work Order & reinstate works
 ☐ Other

I, _____ (Professional's name), confirm that I have been
retained by _____ (owner / applicant name).

I am an engineer, biologist, geoscientist, applied scientist, or technologist who is registered and in good standing in British Columbia with a professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association, and am trained in designing and implementing Erosion and Sediment Control Plans (ESCPs), and am responsible for inspecting, monitoring and reporting the subject property in accordance with the municipal, provincial and federal requirements of relevant bylaws, regulations and legislation. As a registered Qualified Professional, I hereby give assurance that:

1. I am familiar with and have advised the owner and/or applicant of the relevant bylaws, policies and guidance documents of the City of Pitt Meadows;
2. I am familiar with and have advised the owner and/or applicant of the relevant legislation, regulations, policies and guidance documents of other regulatory agencies, including but not limited to the Metro Vancouver Regional District, the Province of British Columbia, and the Government of Canada;
3. I have considered and informed the owner and / or the applicant of alternative designs for the proposed work that may avoid / reduce environmental impacts and transportation requirements of the proposed works;
4. I have determined that the attached Drainage, Erosion and Sediment Control Plan (DESCP) is the most appropriate plan given the project development requirements and considerations of environmental protection measures, and meets or exceeds best management practices and associated guidelines;
5. I have forwarded the attached DESCP to the City for review;

6. The attached DESCPC takes into consideration erosion and sediment control issues, provisions for adverse weather conditions, protected nests and associated buffers, slope stability of fill site, geotechnical vulnerable areas of fill site, adjacent land uses, fisheries windows and other environmental considerations;
7. Streamside Protection Enhancement Areas (SPEAs) and/or Riparian Assessment Areas (i.e., 30m default) and/or as otherwise authorized by relevant agency / deemed exempt by applicable agencies AND other identified environmentally sensitive areas (ESAs) are delineated and protected per Qualified Professional recommendations (e.g., with temporary fencing to prevent encroachment or disturbance into these areas);
8. The implementation and maintenance of erosion and sediment control measures will be monitored and reported on an ongoing basis by a Qualified Professional to the City; and
9. In the case of a request to lift a Stop Work Order and reinstate works, I have completed a site inspection on _____ (date YY/MM/DD) and ascertain that all control elements within the attached DESCPC are present, properly constructed and implemented, and functioning as intended. The DESCPC and its current state of implementation is expected to achieve environmental protection and will not constitute any reasonably foreseeable risk or hazard to persons, subject property, adjacent properties, or the environment – OR – this Section 9 is not applicable _____ (initial).

I also acknowledge the responsibility to notify the addressee of this letter of the date I cease to be retained by the Owner and/or Applicant.

Qualified Professional _____
Full Name Seal & Signature

Mailing Address _____
Address & Street City PC

Cell _____ Email _____

Owner/Applicant cc: _____
First & last name Company

Attachments checklist:

- DESCPC with Professional Seal and Signature dated _____ (YY/MM/DD)
- Other relevant documents _____

SCHEDULE E: SPECIAL FILL TYPE AREA

