



Summary of Bylaw 418
Soil Removal/Deposit Registration and Permit Requirements

Removal or deposit of soil anywhere on Salt Spring Island may require either **Registration** or a **Soil Removal and Deposit Permit**.

REGISTRATION Registration IS Required:	EXEMPTIONS Registration is NOT required if:
<ul style="list-style-type: none"> • To remove or deposit between 40 and 100 cubic metres of topsoil; • to remove between 40 and 100 cubic metres of rock; • to deposit between 40 and 1000 cubic metres of rock; • to remove or deposit a combined volume of soil, rock or topsoil between 40 and 1000 cubic metres. 	<ul style="list-style-type: none"> • Soil removal or deposit is done in accordance with a Permit under this bylaw; • soil removal or deposit directly relates to work authorized by a permit to install a sewage disposal system, or under the Agricultural Land Reserve Subdivision Regulation; • soil removal or deposit directly relates to the maintenance of an existing residential driveway or parking area (however, putting in a new driveway requires registration); • soil removal or deposit is required for the construction or repair of roads or other works done on behalf of the regional district, a water or sewer district, a public utility company, the Ministry of Transportation, or any of their agents; • soil removal or deposit is an agricultural or nursery use on the lot where that business is conducted; • soil removal or deposit is carried out in the operation of a concrete or asphalt plant, for the regular maintenance of a golf course or park, for a waste processing or disposal operation (including composting), on a lot where soil is legally stored for resale or for the regular maintenance of a garden.

- ☞ Ten cubic metres of material = approximately one truck load.
- ☞ If you need to register a soil removal and deposit activity, you need to abide by the Regulations and Operating Standards in Section 5 of Bylaw 418.
- ☞ Note that all registration forms must be accompanied by a site plan showing the location of the soil removal and deposit activity. Regardless of how the registration form is submitted, the site plan can be submitted as an attachment to an email (ssisoil@islandstrust.bc.ca), by fax, or by hard copy to the Islands Trust.
- ☞ A simple and free registration form is available on line. Registration forms can be submitted by email, by fax, or by hard copy to the Islands Trust. On-line registration forms are automatically sent to ssisoil@islandstrust.bc.ca.

Summary of Bylaw 418 Con't



Islands Trust

Removal or deposit of soil anywhere on Salt Spring Island may require a **Soil Removal and Deposit Permit**:

PERMITS A permit is required:	EXEMPTIONS No Permit is required for the removal or deposit of soil:
<ul style="list-style-type: none"> • To remove or deposit any soil, rock or topsoil within 30 metres of a water body or 15 metres of the sea; • to remove or deposit more than 100 cubic metres of topsoil or rock; • to deposit more than 1000 cubic metres of rock; • to remove or deposit a combined volume of soil, rock or topsoil over 1000 cubic metres. 	<ul style="list-style-type: none"> • When you have a building permit and the work is required in order to build a dwelling and related accessory buildings up to 2000 cubic metres; • is required for work authorized by a permit to install a private sewage disposal system, and the volume of material removed is less than 1000 cubic metres; • is authorized under the Agricultural Land Reserve Subdivision Regulations; • is required for the construction or repair of roads or other works done on behalf of the regional district, a water or sewer district, a public utility company, the Ministry of Transportation, or any of their agents; • is an agricultural or nursery use on the lot where that business is conducted; • is carried out in the operation of a concrete or asphalt plant, for the regular maintenance of a golf course or park, for a waste processing or disposal operation (including composting), or on a lot where soil is legally stored for resale; • is authorized by the Ministry of Environment for the remediation of contaminated soils.

- ☞ Application for a permit is made to the Islands Trust. Permits are issued by Islands Trust staff unless the proposed activity involves the removal or deposit of more than 5,000 cubic metres of soil. In that case, the decision to issue the permit is made by the Salt Spring Island Local Trust Committee.
- ☞ If a permit is required, the property owner must retain a registered professional engineer, landscape architect, or land surveyor, who will file a report that includes plans for the proposed permit area, a description of how the work will be carried out, an assessment of risk factors, and remediation and restoration plans.
- ☞ If a permit is required, the Regulations and Operating Standards in Section 5 of Bylaw 418 must be followed.
- ☞ Permits are valid for up to one year for volumes of under 5000 cubic metres and up to five years for volumes of over 5000 cubic metres.
- ☞ A letter of credit is required as security for full compliance with permit terms. The security amount is \$4000 for the first hectare, with an additional \$4000 per hectare. The additional amount is calculated based on the area to be disturbed and is pro-rated. For example, a 1.5 hectare disturbed area would require a \$6000 security.
- ☞ Obtaining a permit does not grant authority to conduct processing of any kind.

FREQUENTLY ASKED QUESTIONS:

Do I need to register or get a permit if I am building a driveway or a road?

Road building and new driveway construction requires either registration or a permit, depending on the amount of soil removal and deposit activity. You do not need to register to repair an existing driveway – but if the volume of rock or soil deposited exceeds 1000 cubic metres or the volume of rock removed exceeds 40 cubic metres you do need a permit.

Do I need to register or get a permit if I am digging a foundation for a new home and/or accessory building, even if I have a building permit?

Whether or not there is a building permit, you have to register the activity but may not need a permit. If the amount of soil to be removed is more than 2000 cubic metres, you will need a Soil Removal and Deposit Permit.

Do I have to get a permit to move soil from one spot to another on the same lot?

If the combined volume of soil removed and then deposited elsewhere on the same lot exceeds the level required for registration or permit then the soils activity must either be registered or have a valid permit.

Do I need to register or get a permit if I'm doing road work in a subdivision that has Preliminary Layout Approval (PLA) from the Ministry of Transportation and Infrastructure?

Activity associated with subdivision that has been given PLA must be registered or permitted with a Soil Removal and Deposit Permit.

Do I need to register or get a permit if I'm installing a new septic system?

As long as you have a permit to install the septic system, you don't need to register or get a Soil Removal and Deposit permit.

Do I need to register or get a permit if I'm taking soil from a property to a licensed gravel pit for storage and resale?

No. But you may need to register or get a permit for the soil removal depending on the circumstances and the amount.

What is a 'Qualified Professional'?

A qualified professional is an engineer, architect or surveyor who has no personal interest in the project.

Will I have to pay for the 'Qualified Professional'? If so, how much will it cost?

The property owner pays the Qualified Professional's fees, which will depend on the scope of the work.

How do you define 'minimize noise'?

Noise must be minimized by choosing the least noisy method of operation. The purpose of this section is to encourage reasonableness. It is not intended to be a strict definition of operating standards. Noise issues are further managed in the Bylaw by defining hours of work. The Capital Regional District Noise Control Bylaw also governs noise.

Why do I need to give assurance that I have read the Environmental Guidelines for Urban and Rural Land Development in British Columbia?

The information in the guidelines gives a thorough overview of the issues related to development in British Columbia. When viewed on the Ministry web site, the various hyper links in the document provide direct access to a large amount of useful and necessary information for contractors and others to perform due diligence.

Go to:

http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2006/develop_with_care_intro.html