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Soil Removal & Deposit

Information about Soil Removal and Deposit

Salt Spring Island Local Trust Committee Bylaw No. 418 regulates soil removal and deposit activities on **Salt Spring Island**.

Registration is required for activities involving the removal or deposit of more than 40 m³ of soil, topsoil or rock, unless a Soil Removal and Deposit is required.

A **Soil Removal and Deposit Permit** is required to be issued prior to commencing any of the following activities:

- Removal or deposit of soil, rock or topsoil at any location within 30 metres of the natural boundary of a water body, other than the sea, except if the removal or deposit activity is expressly authorized by a development permit
- Removal or deposit of soil, rock or topsoil at any location within 15 metres of the natural boundary of the sea, except if the removal or deposit is expressly authorized by a development permit
- Removal or deposit of a volume of topsoil exceeding 100 m³
- Removal of a volume of rock exceeding 100 m³
- Deposit of a volume of rock exceeding 1000m³
- Removal or deposit of a combined volume of soil, rock or topsoil exceeding 1000 m³

Note: Permits for the removal or deposit of up to 5,000 m³ of material are considered by Islands Trust staff and are valid for one year from the date of issuance. Permits for the removal or deposit of more than 5,000 m³ of material are considered by the Salt Spring Island Local Trust Committee and are valid for five years from the date of issuance.

Certain activities are exempt from the requirement for registration or a permit, or both, as noted in the following table.

Activity	Registration Exempt	Permit Exempt
Removal or deposit in accordance with a Soil Removal and Deposit Permit;	✓	
Construction of a dwelling and related accessory buildings authorized by a building permit and the total combined volume of soil, rock or topsoil removed does not exceed 2000 m ³		✓
Removal or deposit directly related to work authorized by a permit to install a sewage disposal system	✓	
Removal or deposit required for work authorized by a permit to install a private sewage disposal system, and the total combined volume of soil, rock or topsoil removed does not exceed 1000 m ³		✓
Maintenance of an existing residential driveway and/or parking area	✓	
Removal or deposit authorized by the <i>Agricultural Land Reserve Use, Subdivision and Procedure Regulation (section 4)</i>	✓	✓
An agriculture or nursery use	✓	✓
Construction or repair of works, roads, highways or services by a regional district, a water or sewer district, a public utility, under the jurisdiction of the Utilities Commission, the Ministry of Transportation and Infrastructure or any agent conducting work on their behalf	✓	✓
Operation of a concrete or asphalt plant	✓	✓
Regular maintenance of a golf course or park	✓	✓
Waste processing or disposal operation including composting	✓	✓
Storage of soil, rock or topsoil for resale in conjunction with a lawful use of the land	✓	✓
Regular maintenance of a garden	✓	
Remediation of contaminated soils authorized by the Ministry of Environment		✓

Before you register or apply:

Before registering your plans or applying for a permit for the soil removal or deposit, please review/confirm the following:

- The location of any riparian or marine riparian areas on the property, including the natural boundary of all watercourses (e.g. streams, creeks, wetlands, ditches, the sea)
- Is the property within a Development Permit Area (DPA) and requires a development permit for the work proposed
 - Please refer to Volume 2 of the Salt Spring Official Community Plan Bylaw No. 434 by following the links below or by enquiring at the Salt Spring Office of the Islands Trust
- Environmental Guidelines for Urban and Rural Development as they apply to Soil Removal and Deposit in the local ecosystem
- Title charges including but not limited to rights-of-way, easements, permits, or covenants that may restrict the use or development of the subject property
- The location of existing or potential archaeological sites on the subject property. Please contact the Province of BC Archaeological Branch to request information
- Approvals required by other agencies subject to the *Riparian Areas Regulation*, *Contaminated Sites Regulation*, *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, etc.

Soil Removal and Deposit Registration

Prior to commencing *removal* or *deposit* activity, the property owner or owner's agent must electronically submit a completed [Soil Removal & Deposit Registration Form](#), which includes details of the proposed activity including a site plan and written description of the work to the [Islands Trust Portal](#). There is no fee associated with the registration of this form.

Permit Application Requirements

Submit the following materials online via the [Islands Trust Portal](#):

- ☐ A completed [Planning Application Authorization Form](#)
- ☐ **Current title search** (issued within the last 30 days)
- ☐ Copies of all relevant **title charges** (restrictive covenants, easements, rights-of-ways, etc.)
- ☐ A **Project Narrative** describing the:
 - a. Proposed soil removal or deposit activities on the subject property
 - b. Proposed timing and duration of soil removal or deposit activities
 - c. Proposed revegetation and remediation of any areas to be disturbed by soil removal or deposit activities
 - d. Proposed measures to mitigate impacts of the proposed activities on neighbouring properties
- ☐ An **11"x17" Site Plan**, drawn to scale, showing the following:
 - a. All of the natural and developed features of the property, including but not limited to, buildings, structures and watercourses
 - b. The location of any proposed soil removal or deposit activities showing accurate dimensions of the area of land and volume of material to be removed or deposited, and distance between areas to be disturbed and existing natural and developed features of the property
- ☐ [Contaminated Sites Disclosure Statement](#)
- ☐ An [Assurance of Qualified Professional and Commitment for Field Review](#) prepared by a qualified professional in the form set out as Schedule B to Bylaw No. 418.
- ☐ A **report prepared by a professional** engineer (P. Eng.), landscape architect (BCSLA) or land surveyor (BCLS) that includes:
 - a. Plans of the proposed permit area and recommendations for the proposed soil removal or deposit activities to comply with the operating standards set out in Section 5 of Bylaw No. 418
 - b. A description of the proposed restoration and remediation of the site
 - c. Certification by the qualified professional that their report has identified all risks and factors set out in Section 5 of Bylaw No 418 and has identified all reasonable measures to protect against these risks if operations proceed

Note: Subject to permit approval and prior to permit issuance, financial security will be required to ensure compliance with permit terms. The security amount is \$4,000 for the first hectare plus an additional \$4,000 per hectare (pro-rated).

Note: Obtaining a permit does not grant authority to conduct processing of any kind.

NOTE: This information is intended to provide guidance and should not be interpreted as a right to a development approval if the steps indicated are followed. Please consult the [Local Government Act](#) and its regulations, as well as the other Islands Trust applicable bylaws for the definitive requirements and procedures. For any further information, please contact Islands Trust.