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Salt Spring Island

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Denman, Gabriola, Gambier, Hornby,  
Lasqueti, Thetis, Ballenas-  
Winchelsea Islands

## Schedule H: 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 m<sup>3</sup> 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 m<sup>3</sup>;
- Removal of a volume of rock exceeding 100 m<sup>3</sup>;
- Deposit of a volume of rock exceeding 1000m<sup>3</sup>; and
- Removal or deposit of a combined volume of soil, rock or topsoil exceeding 1000 m<sup>3</sup>.

**Note:** Permits for the removal or deposit of up to 5,000 m<sup>3</sup> 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 m<sup>3</sup> 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 <sup>3</sup>		✓
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 <sup>3</sup>		✓
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		✓

**NOTE:** This information is intended to provide guidance only 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 the Islands Trust.

## 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).
- Whether or not the property is 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 submit a completed registration form, which includes details of the proposed activity including a site plan and written description of the work. A simple and free [registration form](#) is available on line.

## Permit Application Requirements

Please provide the following information in addition to the completed application form, fee, title search and title charges:

- A written description of 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; and
  - d. Proposed measures to mitigate impacts of the proposed activities on neighbouring properties.
- An 11x17 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.
- A BC Contaminated Sites Regulation Site Disclosure Statement (Schedule 1) must be completed**
- 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.

**“SCHEDULE B”**  
**SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO 418, 2008**  
**ASSURANCE OF QUALIFIED PROFESSIONAL AND COMMITMENT FOR FIELD REVIEW**

*Date*

Islands Trust  
1-500 Lower Ganges Road  
Salt Spring Island, BC, V8K 2N8  
Re: Application for *Removal (Deposit)* at

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*(civic address and legal description)*

I, the undersigned registered professional engineer/landscape architect/land surveyor hereby give assurance that:

1. I am familiar with the environmental protection policies of the Salt Spring Island Local Trust Committee as expressed in the Salt Spring Island Official Community Plan and with the BC Ministry of Environment’s “Environmental Guidelines for Urban and Rural Land Development in British Columbia”;
2. I have considered and informed the owner and/or applicant of alternative designs for the proposed works that may reduce the environmental impacts and transportation requirements of the proposed works; and
3. the use or development of the property described above cannot be reasonably achieved without the *removal (deposit)* in the quantities and manner as shown on the plans, specifications and supporting documents prepared and signed by me and attached to this letter.

I give further assurance that the design, location, quality, nature, depth, *volume* and configuration of the *removal (deposit)* and works to be constructed and undertaken in support of and in relation thereto, all as shown on the plans, specifications and supporting documents prepared and signed by me and attached to this letter:

4. are consistent with the regulations and operating standards of the Salt Spring Island Local Trust Committee Bylaw No. 418, 2008;
5. constitute sound, reasonable *removal* and *deposit* practices and are consistent with the BC Ministry of Environment’s “Environmental Guidelines for Urban and Rural Land Development in British Columbia”; and
6. when, and if, carried out in conformance with such plans, specifications and supporting documents, will not constitute any reasonably foreseeable risk or hazard to persons or property.

The undersigned undertakes to conduct such supervision, testing and field review as is necessary to ensure the *removal (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 lands on which the *soil, rock* or *topsoil* is to be *removed (deposited)* and by the applicant for the *permit* (if different from the owner) to stop, remove or redirect the *removal (deposit)* as required in my judgment and as required to comply with the plans, specifications and supporting documents attached hereto, the BC Ministry of Environment’s “Environmental Guidelines for Urban and Rural Land Development in British Columbia” and Bylaw No. 418.

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 *removal (deposit)* described in the plans, specifications and supporting documents attached hereto.

*(Affix professional seal)*

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*Name (Please print)*

*Signature*

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*Address*

I, the applicant for the *Removal (Deposit) Permit* for the *removal (deposit)* 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 they accurately represent the proposed work. I advise you that I have given

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*(Name of registered professional)*

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

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*Witness's Signature*

*Signature of Applicant for Permit*

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*Name (Please print)*

*Name (Please print)*

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*Address*

*Address*

or:

The Corporate Seal of \_\_\_\_\_

was hereto affixed in  
the presence of:

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*Authorized Signing Officer*

*Authorized Signing Officer*



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## Land Use Application

**Application Type:** *Check all that apply*

*See Associated Schedules for Information  
 and Application Requirements*

<input type="checkbox"/> Bylaw Amendment	<input type="checkbox"/> OCP <input type="checkbox"/> Land Use / Rezoning <input type="checkbox"/> Land Use Contract	Schedule A
<input type="checkbox"/> Development Permit	<input type="checkbox"/> Renewal or Amendment	Schedule B
<input type="checkbox"/> Development Variance Permit	<input type="checkbox"/> Renewal	Schedule C
<input type="checkbox"/> Heritage Alteration Permit		Schedule D
<input type="checkbox"/> LCRB License	<input type="checkbox"/> Liquor <input type="checkbox"/> Temporary Change <input type="checkbox"/> Cannabis Retail	Schedule E
<input type="checkbox"/> Order - Board of Variance		Schedule F
<input type="checkbox"/> Siting & Use Permit		Schedule G
<input type="checkbox"/> Soil Deposit / Removal	<input type="checkbox"/> Registration <input type="checkbox"/> Permit	Schedule H
<input type="checkbox"/> Strata Conversion		Schedule I
<input type="checkbox"/> Subdivision Review	<input type="checkbox"/> Boundary Adjustment	Schedule J
<input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> Renewal	Schedule K

**Description of Subject Property:**

Civic Address	PID
Legal Description	

**Purpose of Application:** *Provide a brief description (attached additional pages if needed)*

**Applicant:**

Name	Company
Mailing Address	
Phone	Email

**Declaration:**

*As the owner or agent authorized to act on behalf of the owner(s) of the subject property, I declare the information submitted in support of this application is true and correct in all respects.*

Signature

**Office Use Only:**

Date Received	Fees Paid	Receipt No.	TAPIS No.
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**Owner Authorization:**

As the registered owner(s) of the subject property, I/we declare that the information submitted in support of this application is true and correct in all respects. I/we hereby authorize Islands Trust staff or their contractors to conduct site inspections of the subject property for the purpose of processing this application, and hereby authorize and appoint:

Print Name (Complete if applicant is not the owner(s))

... to serve as the agent for this application, and communicate with Islands Trust staff and Islands Trust bodies on our behalf.

**All registered owners on title must be listed on and sign the application. Corporations must include a list of directors.**

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

**Application Checklist** The following materials must accompany the application:

- Completed application form
- Current title search (issued within 30 days)
- Copies of all title charges (restrictive covenants, rights-of-way, etc.)
- Application fee (see applicable Local Trust Committee Fees Bylaw for current fees)
- If applicable, [a BC Contaminated Sites Regulation Disclosure Statement \(Schedule 1\)](#) must be completed
- If applicable, QEP Report registered in Province of BC Riparian Areas Regulation (RAR) Notification System
- Required plans, drawings, reports and other information as noted on the applicable schedules and DAI Bylaws**

**NOTE** A complete application and fee must be received before the application will be processed. Fees may be paid using cash, cheque or interac e-transfer (contact Islands Trust for e-transfer procedure). Applicants are advised that processing times may depend on applications volumes and timing of local trust committee meetings. Applicants are encouraged to apply for permission well in advance of scheduled development.

**Freedom of Information**

The collection of personal information, for the purpose of processing this application, is authorized under the Local Government Act, Community Charter and section 26(c) of the Freedom of Information and Protection and Privacy Act. Enquiries may be directed to a Deputy Secretary at any of the Islands Trust Offices, as noted on page 1 of this form. A request for information, under the Freedom of Information and Protection of Privacy Act may be made to: FOI Coordinator, Islands Trust, 200-1627 Fort Street, Victoria, BC V8R 1H8, Tel. (250) 405-5151, Fax (250) 405-5155.