

THE CORPORATION OF THE DISTRICT OF SURREY

BY-LAW NO. 11252

A by-law to amend the provisions of "The Surrey Soil Removal and Depositing Regulation By-law, 1979, No. [5880](#)," as amended.

.....

NOW, THEREFORE, the Municipal Council of The Corporation of the District of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. "The Surrey Soil Removal and Depositing Regulation By-law 1979, No. [5880](#)," as amended, is hereby further amended as follows:

(a) Section 3(a) is hereby deleted and the following inserted in its place:

"Section 3(a)

"Notwithstanding anything contained in this By-law and subject to all of the requirements contained in this By-law, no application to the Municipality to remove or deposit soil on any record lot within the Agricultural Land Reserve as established by the Agricultural Land Reserve Act, R.S.C.B.C. 1979, and as amended ("the Agricultural Land Reserve") shall be considered until a separate application under the authority of the British Columbia Soil Conservation Act has been approved by the British Columbia Land Commission who may impose such requirements and restrictions as deemed necessary to maintain and preserve the agricultural capability of the record lot. Application to deposit soil on any record lot zoned for agricultural use by "Surrey Zoning By-law No. [5942](#)" and as amended, whether or not within the Agricultural Land Reserve as established by the Agricultural Land Reserve Act, R.S.C.B.C. 1979, and as amended ("the Agricultural Land Reserve") shall comply with the requirements of Schedule "J" hereto, which schedule is hereunder annexed and made part of this By-law."

(b) Section 13(b) is hereby deleted and the following inserted in its place:

"Section 13(b)

"All soil removal or depositing operations not covered by Clause 3(a) and Clause 13(a) shall comply with the requirements set down in Schedule "D" hereto, which said schedule is hereunto annexed and made part of this By-law."

(c) Schedule "J" is hereby added after Schedule "H" as follows:

## **SCHEDULE "J"**

### **DEPOSITING OF SOIL ON AGRICULTURALLY ZONED PROPERTY**

#### **BY-LAW NO. 5880**

In addition to the requirements set down in the text of the By-law and Schedules "C", "D", "E" and "H" hereto, every operation involved in the depositing of soil and 'other material' on agriculturally zoned property shall comply with the requirements of Schedule "J" hereto.

1. Where the land upon which soil is to be deposited is within the Agricultural Land Reserve, approval to deposit soil shall firstly be granted by the Agricultural Land Commission as required by the Soil Conservation Act of British Columbia.
2. Soil placed on agriculturally zoned property shall not exceed 1.0 metres (3.0 feet) in depth.
3. Soil and other material placed on agriculturally zoned property shall be equal in quality to or exceed the soil type classification of the indigenous soil as determined by the British Columbia Ministry of Agriculture, except for the following purposes:
  - (a) The construction of a building for which a building permit has been issued and which shall follow the requirements of Schedule "C" of this By-law.
  - (b) The construction of a storm retention system.
  - (c) The construction of any dyking system.
  - (d) The construction of access roads.

#### **4. Other Material**

- (a) Other material may be placed for the purpose of access roads only. Other material for this use shall be hog fuel only. No "other material" as defined in this By-law as other material shall be permitted.
- (b) 'Other material' shall be deposited to a maximum depth of zero decimal three (0.3) metres (1.0 feet).

5. Any application to deposit soil on agricultural zoned property in excess of 1,000 cubic metres shall be accompanied by a report from a Professional Agrologist to indicate the desirability of placing fill on the land.

6. When the volume of soil is in excess of 1,000 cubic metres the quality of soil placed on agricultural zoned property shall be supervised by a Professional Agrologist, registered pursuant to the Agrologist's Act R.S.B.C. 1979 and as amended who at completion of the filling operation shall certify that the work has been carried out in accordance with the plans and supporting documents for which a permit was issued. The Municipality may rely upon such certification.

## **7. Agriculturally Zoned Property Located in Floodplain Areas**

(a) In addition to the requirements of Clauses 1 to 6, any application to deposit soil and other material upon agricultural property located within floodplain areas, as determined by the British Columbia Ministry of Environment, shall be accompanied by the following information prepared by a Professional Engineer registered in the Province of British Columbia or by a Professional Hydrologist:

(i) Data indicating the maximum annual flood level for the 10-year storm return period.

(ii) The volume of water stored on the area of land to be filled for the 10-year storm return period and the effect on adjacent properties, roads and ditches that the loss of the available storage area will have.

(iii) Demonstrate that the hydraulic capacity of any major water course is not diminished by the filling during the 10-year storm event.

(iv) Demonstrate how the water for the 10-year storm return period can be dissipated without affecting the neighbouring properties, roads and ditches and, if necessary, provide an alternate retention system for this water."

2. This By-law shall be cited for all purposes as "The Surrey Soil Removal and Depositing Regulation By-law, 1979, No. [5880](#), Amendment By-law, 1992, No. 11252."

PASSED THREE READINGS by the Municipal Council on the 30th day of March, 1992.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 6th day of April, 1992.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK