



DISTRICT OF HIGHLANDS BYLAW NO. 387

A Bylaw to amend the Soil Deposit and Removal Regulation and Fees Bylaw No. 341, 2012

The Council of the District of Highlands in open meeting assembled ENACTS AS FOLLOWS:

1. The District of Highlands "Soil Deposit and Removal Regulation and Fees Bylaw, No. 341, 2012" is amended as follows:
 - a) In section 3 Definitions: In the definition of "Security" **change** "17" to "19".
 - b) In section 5 Permit Exemptions:
 - i) **delete** sections 5(a) and 5(d) in their entirety and replace with them with the following:

"5(a) totals less than 30 cubic metres from or on a parcel of land in any annual deposit or removal term noted in Section 15(a), provided that any deposit of soil must not exceed 200 mm in depth from the finished grade;"

"5(d) is necessary to do all Works approved under a building permit issued by the District;"
 - ii) **add** a new section 5(e) and renumber the remaining sections accordingly:

"5(e) is necessary to do maintenance on an existing driveway, where the deposit of soil, in relation to the driveway maintenance, does not involve grade alterations greater than 200mm;"
 - iii) **delete** section 5(h) as renumbered by the preceding amendments, and replace it with the following:

"5(h) is authorized by a permit under the Mines Act but does not require or involve the transport of soil on any District highway, or involves the transport of soil on a District highway to such a limited extent that District staff consider that the transport cannot reasonably be considered to place any additional highway maintenance or repair burden on the District;"
 - iv) **change** the reference to "Health Act" in section 5(i) as renumbered by the preceding amendments to "Public Health Act".
 - c) In section 6 Permit Application: **change** "section 13(f)" to "section 15(a)".
 - d) In section 9(b) **replace** the first sentence with "\$10.00 for any application of the removal or deposit of more than 30 cubic metres and up to 50 cubic metres of soil;"
 - e) In section 11 Permit Application Required Information: **replace** the first paragraph with the following:

"District Staff shall determine the submission requirements pursuant to this section for every application for a Permit between 30 and 100 cubic metres of soil which could include some or all of the requirements contained in this section."
 - f) In section 12 Permit Issuance Conditions: **change** "section 16" to "section 18".
 - g) In section 13 Permit Issuance Conditions: **delete** sections 13(f) and 13(g) in their entirety and renumber the following sections accordingly.

- h) **Add** a new section 15 as follows and renumber the remaining sections accordingly:

“Regulations and Operating Standards

- 15(a) every Permittee holding a Soil Deposit or Removal Permit may only deliver or remove soil from the site that is subject to the Permit between the dates of April 1 to October 31 of each year;
- (b) despite 15(a), a soil deposit permit may be approved between the dates March 1 and April 1 of each year for a maximum soil deposit amount of 100 cubic metres for gardening or food production purposes on the site that is subject to the permit.
- (c) despite 15(a), a soil deposit permit may be approved for the construction of a NEW DRIVEWAY between January 1 and December 31.
- (d) soil deposit and removal, and activities related to the deposit or removal are prohibited on Sundays and holidays.”

- i) **Delete** section 16, as renumbered by the preceding amendment, in its entirety and **replace** with the following:

“16. District Staff or Council shall not issue a Permit unless it is in compliance with section 557 of the *Local Government Act* and other applicable legislation.”

- j) In section 21, as renumbered by a preceding amendment, Compliance and Use of Security: **change** “26, 27 or 32” to “28, 29 or 34”.
- k) In section 24, as renumbered by a preceding amendment, Quantity Reports: In the first sentence **change** “23” to “25”.
- l) In section 26, as renumbered by a preceding amendment, Timing of Payment and Use of Security: **change** “17” to “19”.
- m) In section 29, as renumbered by a preceding amendment, Repair of Damage: **insert** the words “of the *Community Charter*,” after the second reference to section 42.
- n) In section 39(b), as renumbered by a preceding amendment, Permit Renewal: **change** “17” to “19”.
- o) In section 44(b) as renumbered by a preceding amendment, Term of Permit: **change** “13(f)” to “15(a)”.

- 2. This bylaw may be cited for all purposes as “Soil Deposit and Removal Regulation and Fees Bylaw, No. 341, Amendment No. 3, Bylaw No. 387, 2017.”

READ A FIRST TIME THIS	14 th	DAY OF FEBRUARY, 2017
READ A SECOND TIME THIS	14 th	DAY OF FEBRUARY, 2017
READ A THIRD TIME THIS	14 th	DAY OF FEBRUARY, 2017
ADOPTED THIS	6 th	DAY OF MARCH, 2017

Original Signed

MAYOR

CORPORATE OFFICER