

BYLAW NO. 5420, 2025

A Bylaw to regulate the deposition and removal of soil on lands within the City of Coquitlam

WHEREAS pursuant to the *Community Charter*, S.B.C. 2003, c. 26 as amended, the City is authorized to regulate, prohibit and impose requirements for the removal and deposit of soil or other material on land in the City;

NOW THEREFORE, the Council of the City of Coquitlam, in open meeting lawfully assembled, ENACTS AS FOLLOWS:

Part 1: Interpretation

1. Name of Bylaw

This Bylaw may be cited for all purposes as the "Soil Management Bylaw No. 5420, 2025."

2. Definitions

In this Bylaw, the following words have the following meanings:

Activities includes *soil deposit* and *soil removal* activities and works;

Bylaw Enforcement Officer means any person designated as a bylaw enforcement officer under section 9 of the Bylaw Notice Enforcement Bylaw No. 3749, 2006, as amended or replaced from time to time;

City means the City of Coquitlam;

Contaminated Site has the same meaning as in the *Environmental Management Act*, S.B.C., c. 53;

Council means the municipal council of the *City*;

Development means the subdivision of land or the construction of a building or structure on land which results in a requirement for the installation of works and services, and site grading under this Bylaw;

Fees and Charges Bylaw means the Fees and Charges Bylaw No. 5421, 2024, as amended or replaced from time to time;

General Manager means the General Manager of Planning and Development for the *City*, or their authorized representative;

Hazardous Waste has the same meaning as in the *Hazardous Waste Regulation* B.C. Reg. 63/88 as amended or replaced from time to time;

Highway means every public way within the meaning of the *Transportation Act*, S.B.C. 2004, c. 44 and every street, road, lane, bridge, walkway, pathway, trail, viaduct and any other way open to the use of the public, other than a private right-of-way on private property;

Landscaping means the process of preparing, planting and maintaining a garden or lawn and includes, without limitation, golf courses and other recreational facilities such as parks and playgrounds;

Lot means any lot, block or other area in which land is held or into which land is subdivided but does not include a *highway*;

Other Material means construction and demolition waste including, without limitation, masonry rubble, concrete, cement, rebar, drywall and wood waste (other than materials used in farming operations), asphalt, glass, synthetic polymers, treated wood, unchipped lumber, biological waste, organic waste, and any household waste;

Owner means the registered owner in fee simple of land, or an agent duly authorized by the registered owner in writing;

Permit means the written authority granted by the *General Manager* under this Bylaw for the *soil deposit* or *soil removal* upon *lots* within the *City*;

Permitted Soil Removal or Soil Deposit Area means the total *soil deposit* or *soil removal* area or areas on a *lot* for which a *permit* has been applied for or issued, as the case may be, in accordance with the provisions of this Bylaw;

Person Responsible means a person, applicant, *permit* holder, contractor, occupant, leaseholder, or owner of a *lot* who causes, transports, allows, permits, supervises or directs the *soil deposit* or *soil removal* from or upon land within the *City*;

Prohibited Material means *hazardous waste* and *other material*;

Project Geotechnical Engineer means a professional engineer registered with the Association of Professional Engineers and Geoscientists of the Province of BC or successor organization as a geotechnical engineer;

Registered Professional means an engineer, geoscientist, agrologist, environmental consultant, soil scientist, biologist, or land surveyor who is registered with a professional association that is regulated by a statute, appointed to act in the capacities described under the sections of this Bylaw requiring a registered professional;

Soil means clay, peat, silt, sand, gravel, cobbles, boulders, *topsoil* or other substance of which land is naturally composed, down to and including bedrock, but does not include *soil amendments*, *soil conditioners*, or *prohibited materials*;

Soil Amendment means compost, fertilizer, manure and mulch;

Soil Conditioner means organic or inorganic matter that has beneficial effects on the biological, chemical, or physical properties of *soil*;

Soil Deposit means:

- (a) the placing of *soil* on any *lot*, excluding any *prohibited materials*, within the *City* from which the *soil* did not originate; or
- (b) the relocation of *soil* from one location, excluding any *prohibited materials*, within a *lot* within the *City* to another location within the same *lot*;

Soil Removal means the removal of the existing *soil* from a *lot* within the *City* and its relocation to another *lot* either within or outside of the boundaries of the *City*;

Stockpile means to store *soil* in a pile with the intention of later removing all or part of the pile;

Topsoil means the upper portion of *soil*, usually dark colored and rich in organic material, measured from the surface to a depth of 0.30 metres;

Zoning Bylaw means the Coquitlam Zoning Bylaw No. 3000, 1996, as amended or replaced from time to time.

Part 2: Scope

3. Prohibitions and Permit Requirement

- 3.1 No person shall carry out, or cause or permit to be carried out, any *soil deposit* or *soil removal* without a *permit*, unless such *soil deposit* or *soil removal* is exempted from the requirement for a *permit* under Section 4 of this Bylaw.
- 3.2 No person shall deposit, or cause or permit to be deposited, any *prohibited materials*, unless such deposit is within a provincially and regionally approved facility authorized to process such material.
- 3.3 No person shall deposit or remove, or cause or permit to be deposited or removed, any *soil* or *prohibited material* from a *contaminated site*, unless such deposit or removal is in accordance with an authorization, order or exemption under the *Environmental Management Act*, S.B.C. 2003, c. 53.

4. Permit Exemptions

- 4.1 Subject to compliance with all applicable performance standards set out in Schedule "A" of this Bylaw under Section 5, a *permit* is not required for the following purposes:
 - 4.1.1 A *soil deposit* or *soil removal* carried out in the course of construction, maintenance or operation of municipal works and services undertaken or authorized by the *City*.
 - 4.1.2 A *soil deposit* or *soil removal* carried out under a *permit* issued in accordance with Soil Removal and Deposit Regulation Bylaw No. 1914, 1988, as amended.
 - 4.1.3 A *soil deposit* or *soil removal* for a *landscaping* purpose only where the total quantity of *soil* deposited or removed is less than 50 cubic metres per year from a *lot*, and when complete, is less than 1.0 metre in depth from original grade.
 - 4.1.4 A *soil deposit* or *soil removal* that is authorized by and undertaken in accordance with the accepted plans for an approved *development* site or a Building Permit issued by the *City*.
 - 4.1.5 Preloading of a *lot* including a *soil deposit* and *soil removal* for the purpose of increasing the *soil's* bearing capacity to support the designed loads of a structure, road, or utility construction, for which a Building Permit has been issued by the *City*.

- 4.1.6 A *soil deposit* or *soil removal* where:
 - 4.1.6.1 the *soil* is an ingredient or component part of processed or manufactured materials or products;
 - 4.1.6.2 the *soil* is *stockpiled* on the *lot* where such material or products are lawfully being processed or manufactured as a permitted use of the *lot*; and
 - 4.1.6.3 the person conducting the processing or manufacturing holds a valid business licence issued by the *City*.
- 4.1.7 The placement of *soil amendments* or *soil conditioners* for agricultural, farming, horticultural, nursery or domestic landscaping and gardening purposes, carried out in accordance with good agricultural practices as defined by the Ministry of Agriculture and Food (British Columbia) and the Agricultural Land Commission.

5. Performance Standards

- 5.1 No person shall undertake, or cause or permit, a *soil deposit* or a *soil removal* except in accordance with the performance standards set out in Schedule "A" of this Bylaw.
- 5.2 For certainty, Section 5.1 applies to a *soil deposit* or *soil removal* that is exempt from the requirement for a *permit* under this Bylaw.

6. Agricultural Land Commission Approval for Agricultural Land Reserve

- 6.1 If an *owner* proposes a *soil deposit* on or *soil removal* from a *lot* located within the Agricultural Land Reserve, the *owner* must provide written authorization from the Agricultural Land Commission for the *soil deposit* or *soil removal*.

Part 3: Permits, Fees, Conditions

7. Application

- 7.1 An application for a *permit* shall be in the form provided from time to time by the *General Manager*, and shall be made by the *owner* of a *lot* or *lots* in respect of which the *permit* application is made, or by an authorized agent of the *owner*, and shall be accompanied by the following:
 - 7.1.1 a title search for the *lot* on which the *soil deposit* or *soil removal* is to occur, obtained no more than 30 days prior to the application, together with copies of all registered covenants, statutory rights of way and easements;
 - 7.1.2 a certified full-size Arch D (24" x 36") paper or digital .pdf drawing to maximum 1:500 scale prepared, signed and sealed by a *Registered Professional* depicting:
 - 7.1.2.1 all pertinent topographic features prepared by a Professional British Columbia Land Surveyor (BCLS) including:
 - 7.1.2.1.1 legal boundaries, covenant areas, natural grade in 1m intervals, all streams including stream boundaries,

- buildings, structures, building envelopes, utilities, wells, onsite sewage disposal systems, and access routes;
- 7.1.2.1.2 the location, size and species of all trees on the *lot* and of trees on adjacent lands including, without limitation, *highways*, which may be affected by the proposed *soil deposit* or *soil removal* on the *lot*, identifying all protected trees as defined in the Tree Management Bylaw No. 4091, 2010, as amended or replaced from time to time;
- 7.1.2.1.3 the location of any Watercourse Development Permit Areas on the *lot*; and
- 7.1.2.1.4 the location of all streams, wetlands, and areas that contain plants or animal habitat which are designated as red listed (endangered) or blue listed (vulnerable) by the Conservation Data Centre of the Province of British Columbia;
- 7.1.2.2 the location of the proposed *soil deposit* or *soil removal activities* including:
- 7.1.2.2.1 the proposed contours of the ground in its final state upon completion of the *soil deposit* or *soil removal activities*, in 0.5 meter intervals with proposed slopes, provided in ratios, which will be maintained upon completion of the proposed *activities*;
- 7.1.2.2.2 perpendicular section views in 1:20 or 1:50 vertical scale of the *soil deposit* or *soil removal* area or areas depicting existing and finished grades with labelled finished grades, including an east-west transect, north-south transect, and any additional profiles necessary to show the proposed *soil deposit* or *soil removal*;
- 7.1.2.2.3 the methods proposed for drainage, erosion and sedimentation control for the site during and after the *soil deposit* or *soil removal*, ensuring positive gravity drainage when the *activities* are completed, and any proposed drainage works and easements;
- 7.1.2.2.4 the reclamation measures proposed to stabilize, landscape and restore the land upon completion of the *soil deposit* or *soil removal*;
- 7.1.2.2.5 the proposed methods of access to the *lot* during the activity, including *highways* to be used to bring *soil* to or remove *soil* from the *lot*;
- 7.1.2.2.6 any protection measures for protected trees and other trees, wetlands, and any endangered or vulnerable plants or animal habitat; and

- 7.1.2.2.7 any other information reasonably considered necessary by the *General Manager* to adequately review the application; and
- 7.1.3 an estimate of the total volume of *soil deposit* and *soil removal activities* prepared by the *Registered Professional*;
- 7.1.4 any reports or plans prepared by a *Registered Professional* as necessary to comply with this Bylaw, any other *City* bylaw affecting the *activities*, or as required by any other authorities having jurisdiction including, without limitation, professional civil, structural, geotechnical, environmental, hydrological and agrological disciplines;
- 7.1.5 submission of the *Registered Professional* signed and sealed letters of assurance for project design and commitment for field review as applicable;
- 7.1.6 if applicable, a copy of approval by the Agricultural Land Commission for *soil deposit* or *soil removal activities* within the Agricultural Land Reserve;
- 7.1.7 other information as the *General Manager* determines is necessary to adequately describe the nature and extent of the *soil deposit* or *soil removal activities*.

8. Fees

- 8.1 Every *permit* application shall be accompanied by a *permit* fee in the amount as set out in the *Fees and Charges Bylaw*.

9. Security Deposit

- 9.1 As security for the due and proper compliance with all of the requirements and conditions of this Bylaw and the *permit*, every person shall, before receiving a *permit* or a renewal of a *permit*, provide a security deposit in the amount of \$2,500.00 for 15 metres of *lot* frontage plus \$50 per metre of frontage thereafter.
- 9.2 The value of the security deposit may be evaluated and amount increased to the satisfaction of the *General Manager* for site specific and special considerations including, without limitation, adjacent *City* infrastructure.
- 9.3 A security deposit must be in the form of cash or a clean, unconditional, irrevocable letter of credit issued by a financial institution that is acceptable to the *General Manager*.
- 9.4 The security deposit shall be maintained in full force and effect throughout the *permit* period and shall not be released until the *soil deposit* or *soil removal* authorized under the *permit* is complete and all conditions of this Bylaw and the *permit* are met.

10. Insurance

- 10.1 *Permit* holders are required to carry commercial general liability coverage including liability for bodily injury or death and property damage to the satisfaction of the *General Manager* for the duration of the *activities* described in the *permit*.

11. Permit Issuance

- 11.1 Subject to Sections 11.2 and 11.3 of this Bylaw, *Council* or the *General Manager* may do any of the following:

- 11.1.1 issue a *permit* where the requirements of this Bylaw have been met;
- 11.1.2 add terms or conditions to a *permit* when required to ensure compliance with this or any *City* bylaw or that are reasonably necessary to reflect the requirements of the application or the information, reports or concerns of any governmental authority having jurisdiction; and
- 11.1.3 refuse to issue a *permit* if the proposed *soil deposit* or *soil removal* does not comply with any provision of this Bylaw.

- 11.2 Pursuant to s. 154(1)(b) of the *Community Charter*, *Council* delegates to the *General Manager* the powers of *Council* under section 8(3)(m) of the *Community Charter* to grant, refuse, or revoke any *permit* under this Bylaw provided that the *permitted soil removal* or *soil deposit area* does not exceed:

- 11.2.1 0.25 hectares and is zoned only for residential use under the *Zoning Bylaw*;
- or
- 11.2.2 2 hectares and is zoned for commercial, industrial or institutional use under the *Zoning Bylaw*;

- 11.3 In considering whether to grant, refuse, or revoke any *permit* under this Bylaw, or impose any requirement, term or condition, the *General Manager* or *Council* shall have regard for the potential negative impact to the environment, utilities, *highways* and neighbouring properties, which may include, but are not limited to:

- 11.3.1 impacts on watercourses, ditches, drains or groundwater;
- 11.3.2 impacts on the amenities on the *lot* or adjacent lands including, without limitation, utilities, works or services located within rights-of-way, or other structures, buildings or improvements;
- 11.3.3 impacts that may threaten the health, safety or welfare of the public or be otherwise contrary to the public interest;
- 11.3.4 impacts that result in the use of the *lot* in a manner inconsistent with the applicable zoning described in the *Zoning Bylaw* or adversely affect the future *development* of another *lot*;
- 11.3.5 impacts that result in increased costs for any government to provide public utilities, works or services to the *lot* or adjacent lands;
- 11.3.6 impacts to *City* infrastructure including utilities and *highways*;

- 11.3.7 impacts that result in the *lot* or other lands becoming susceptible to erosion, flooding, slippage, landslides, slumping or settling;
 - 11.3.8 impacts that create dust, dirt, or noise which may constitute a nuisance to any other public or private *lot* or the community at large;
 - 11.3.9 impacts that adversely affect the productivity of a *lot* zoned for agricultural use under the *Zoning Bylaw*; or
 - 11.3.10 impacts that result in the contravention of any *City* bylaw, or provincial or federal law.
- 11.4 A *permit* issued under this Bylaw will be valid for a period as specified in the *permit*, or if not specified, will expire after 12 months from the date the *permit* is issued, unless renewed in accordance with Section 13 of this Bylaw or the *permit* becomes void under Section 14.1 of this Bylaw.
- 11.5 *Council* must consider and authorize by resolution *soil removal* or *soil deposit* *permit* applications within the Agricultural Land Reserve prior to the *General Manager* considering *permit* issuance.

12. Permit Display

- 12.1 The *permit holder* shall visibly display to the public a copy of the *permit* on the frontage of the *lot* for the duration of the permitted *soil deposit* or *soil removal activities*.

13. Permit Renewal/Modification

- 13.1 If the *soil deposit* or *soil removal activities* authorized by a *permit* are not completed before the *permit* expires, or it becomes necessary to alter or deviate from the particulars of the *permit* application or drawings submitted for a *permit*, the *General Manager* or *Council*, whichever approved issuance of the *permit*, may renew or modify the *permit* upon written request of the *permit holder*, subject to the following:
- 13.1.1 an application to renew a *permit* shall be made in the same manner and upon payment of the same fees and deposit of the same security as provided in this Bylaw for the original *permit*;
 - 13.1.2 the *General Manager* may require that the *permit holder* provide additional information authorized by this Bylaw as a pre-condition to considering an application for a *permit* renewal or modification; and
 - 13.1.3 all terms and conditions set out in the original *permit* shall apply to each renewal or modification of the *permit* except as expressly amended or modified by the renewal or modification.

14. Permit Transfer

- 14.1 No *permit* or interest in a *permit* may be transferred or assigned. Where there is a change of ownership in the *lot* for which a *permit* has been issued, the *permit* shall immediately become void and the *soil deposit* or *soil removal activities* shall immediately cease.

15. Completion and Restoration

- 15.1 Upon completion of *soil deposit* or *soil removal activities*, all deposit or removal surfaces shall be covered with at least 0.20 meters of *topsoil* and sod or a suitable rooted ground cover.
- 15.2 The finished grade of the *soil deposit* or *soil removal* activity shall conform to the final grading plans submitted with the *permit* application and approved by the *General Manager* with final letter(s) of certification of *permit* compliance submitted to the *City* by the applicable *Registered Professional(s)* as required.

Part 4: Monitoring, Enforcement, and Penalties

16. Monitoring

- 16.1 The owner's *Registered Professionals* are required to monitor the *soil deposit* or *soil removal activities* during the entire term of the *permit* to monitor the stability of the *soil* and ensure *permit* compliance. Regular visual observations must be carried out as part of the monitoring process as well as any instrumentation monitoring deemed necessary by the *Project Geotechnical Engineer*.
- 16.2 Proposed instrumentation and monitoring programs shall be submitted by the *Project Geotechnical Engineer* in writing to the *General Manager* prior to the commencement of the *soil deposit* or *soil removal activities*. The locations of all proposed monitoring instruments shall be shown on the plans submitted to the *General Manager*. The *General Manager* shall be promptly kept apprised of any changes in the instrumentation program by way of timely submission of drawing revisions.
- 16.3 If visual observations or the instrumentation monitoring program results indicate incipient failure, preventative measures shall be taken as recommended by the *Project Geotechnical Engineer* or as required by the *City*.

17. Record Keeping

- 17.1 Every *permit holder* shall maintain a daily log of all *soil deposit* and *soil removal activities* and provide to the *General Manager* or a *Bylaw Enforcement Officer* within 24 hours upon request the daily log and a complete record of *soil deposit* or *soil removal activities* on the *permit* site. The record shall contain the following information:
 - 17.1.1 date and time of the *soil deposit* or *soil removal*;
 - 17.1.2 licence plate of trucks delivering *soil* and whether a pup trailer is used;
 - 17.1.3 quantity of *soil* being deposited or removed;
 - 17.1.4 name of the entity depositing or removing *soil*; and
 - 17.1.5 address of *soil* source or destination.
- 17.2 Except where the proposed *soil deposit* or *soil removal activities* will be completed within one month from the date the *permit* is issued, every *permit holder* shall maintain monthly reports, certified and sealed by a *Professional Geotechnical*

Engineer, regarding the process of the *soil deposit* or *soil removal*. The monthly report shall be submitted upon request to the *General Manager* and contains the following information:

- 17.2.1 the required information as stated in Section 17.1;
- 17.2.2 the quantity of *soil* deposited or removed for the previous month and the total cumulative quantity for the duration of the *permit* up to the month in question; and
- 17.2.3 the actual location of the *soil deposit* or *soil removal*.

18. Enforcement

- 18.1 The *General Manager* or a *Bylaw Enforcement Officer* may give notice to the *owner* or occupier of the *lot* of a breach of any of the provisions of this Bylaw, or of the conditions of a *permit* issued pursuant to this Bylaw, and the *permit holder* and any *person responsible* shall forthwith cease and desist from depositing or removing any further *soil* until the breach is remedied to the satisfaction of the *General Manager*.
- 18.2 Where the *General Manager* determines that a person has contravened the terms and conditions of a *permit*, is depositing *soil* on or removing *soil* from a *lot* without a *permit* when one is required, or is depositing or removing *soil* in such a manner that contravenes Schedule "A": Performance Standards, then the *General Manager* or a *Bylaw Enforcement Officer* may:
 - 18.2.1 suspend the *permit* until the contravention has ceased by issuing a Stop Work Order;
 - 18.2.2 revoke the *permit* if the person, by reason of the contravention, is no longer able to comply with the terms and conditions of the *permit*;
 - 18.2.3 order the person to stop the contravention and, if there is no *permit*, order the person to obtain a *permit*;
 - 18.2.4 order the person who caused the contravention to restore the *lot* to its previous state;
 - 18.2.5 enter upon a *lot* where the contravention has occurred and carry out any works or activities required to remedy the contravention, or repair any resultant damage at the expense of the *person responsible*, with an additional administrative cost of 20% of the expense incurred;
 - 18.2.6 deduct the cost of required remedial works or activities carried out by the *City* from the security deposit, where a security deposit has been posted in accordance with a *permit*, or recover the cost of required remedial works or activities as *City* taxes against a *lot* where the contravention has occurred and where no security has been deposited or where the security is insufficient to cover the cost of remedial works or activities.
- 18.3 Any person who fails to obey an order under this section thereby commits an offence and shall be liable to the penalties provided under this Bylaw.
- 18.4 Where *soil* has been deposited or removed on a *lot* without a *permit* required by this Bylaw or otherwise contrary to the provisions of this Bylaw, then,

without limiting the discretion of a building official pursuant to the Building Bylaw No. 3598, 2003 as amended or replaced, a building official may refuse to issue a Building Permit for the construction of a building or structure upon the *lot* until:

- 18.4.1 the *soil* has been removed or has been replaced;
- 18.4.2 a *permit* has been issued to authorize the deposit and removal of *soil*; or
- 18.4.3 the *soil deposit* or *soil removal* has otherwise been brought into compliance with this Bylaw.

19. Offence and Penalty

- 19.1 Every person who violates any provision of this Bylaw, or who causes, permits or allows any act or thing to be done in violation of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and each day that a violation continues is deemed to be a separate offence against this Bylaw.
- 19.2 Every person who violates a provision of this Bylaw, or who causes, permits, or allows an act or thing to be done in violation of a provision of this Bylaw, or who neglects or refrains from doing anything required by a provision of this Bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding the maximum set out in the *Offence Act*, as amended.
- 19.3 No person shall interfere with, hinder or obstruct a *Bylaw Enforcement Officer* in the exercise or performance of their powers, duties or functions under this Bylaw.

Part 5: General Provisions

20. Permit Holder Responsibility

- 20.1 The *permit holder* is at all times responsible for compliance with the provisions of this Bylaw and any other applicable enactment and for any claim, demand, damage, loss, costs, expense, fees or fine that may arise from a *soil deposit* and *soil removal activities*.

21. Repeal

City of Coquitlam Soil Conservation Bylaw No. 2454, 1994 is hereby repealed in its entirety.

22. Schedules

- 22.1 The following schedules are attached to, and form part of, this Bylaw:

- 22.1.1 Schedule "A" - Performance Standards

23. Severability

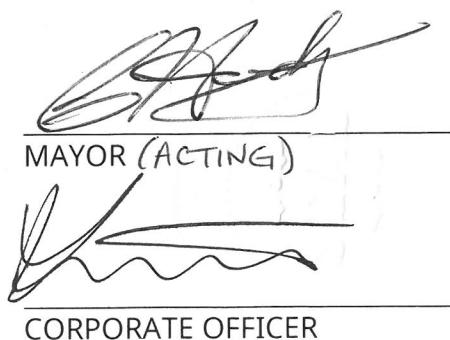
- 23.1 If any section, sub-section, paragraph, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, it will be deemed to be severed and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

READ A FIRST TIME this 17th day of November, 2025.

READ A SECOND TIME this 17th day of November, 2025.

READ A THIRD TIME this 17th day of November, 2025.

FINAL ADOPTION and the Seal of the Corporation affixed this 15th day of December, 2025.



MAYOR (ACTING)
CORPORATE OFFICER

Schedule "A": Performance Standards

The standards set out in this Schedule "A" apply to all *soil deposit* and *soil removal activities*, including *activities* exempt from *permit* requirements under Section 4 of this Bylaw.

Adjacent Land

1. The *activities* shall not encroach upon, undermine or physically damage any *highway*, public or third party infrastructure, or natural or tree protection covenant areas.
2. Persons who, in the course of the *activities*, cause, or allowed to be caused, any damage to drainage facilities, watercourses, utilities, natural or tree protection covenant areas, or *highways* must repair the damage at their own cost, to the satisfaction of the *General Manager*.

Drainage and Watercourses

3. The *activities* must not, in any way, interfere with the hydrological function and established above or below ground drainage pattern or capacity of any adjoining or reasonably adjacent lands and must not cause the groundwater table to rise on the subject *lot*, or adjoining or reasonably adjacent lands, so as to cause flooding of those properties or malfunctioning of any private sewage disposal system.
4. All drainage facilities, watercourses, and ground water aquifers must be kept free of silt, clay, sand, rubble, debris, gravel and any other matter or thing originating from any of the *activities*.
5. Floodplain capacities and storage volumes must be maintained at all times.

Wells and Sewage Disposal Systems

6. The *activities* must not occur over wells or sewage disposal systems.

Topsoil

7. *Soil* must not be placed on the existing *topsoil* in the area to be filled, unless the *person responsible* has provided the *General Manager* with a report from a *Registered Professional* that confirms that the *topsoil* has no agricultural value.
8. *Topsoil* must not be removed from a *lot* unless such use is a permitted use of the *lot*, as described in the *Zoning Bylaw*, or such removal is required as part of the works authorized under a Building Permit or Development Permit issued by the *City*.
9. All *topsoil* is to be *stockpiled* and replaced when the *activities* have completed, wherever possible.

Slope

10. The finished slope of the area of the *soil deposit* or *soil removal* must:
 - a. have a maximum slope of 1 metre rise in 2 metres of run in cuts into native *soil*; or
 - b. maximum slope of 1 metre rise in 3 metres of run in fill; or
 - c. if steeper than the slope set out above, must be designed by a *Registered Professional* and approved by the *General Manager*.
11. The *soil* shall be graded to ensure positive gravity drainage, and a drainage system of sufficient capacity and extent must be installed to ensure that runoff onto adjacent lands will be no greater than prior to commencement of the activity. This does not extend to sedimentation ponds.
12. Any excavation greater than 0.6m in depth and all other hazards shall have adequate fencing and be provided with suitable buffer zones or landscape screens, and suitable weather proof signs shall be mounted and maintained on the fence at linear distances not to exceed 150 metres with wording to indicate the danger, the nature of the *activities*, the presence of the excavation and prohibiting the presence of the public.

Maximum Height of Stockpile

13. The maximum height of *stockpiled soil* is 4 metres above the natural grade, unless otherwise authorized in writing by the *General Manager*.

Highways, Utilities, Right-of-Ways

14. *Soil* must not be deposited within 3 metres of any *highway* or over any statutory right-of-way or utility or access easement without first obtaining written approval from the authority having jurisdiction or chargeholder, as applicable. A copy of this approval shall be provided to the *General Manager* prior to commencing the *activities*.
15. No *person responsible* shall *stockpile* or permit *soil* to remain *stockpiled* within 8 metres of any *highway* for a period in excess of 12 months.

Debris Control

16. Dust must be controlled such that no dust leaves the site. Each *person responsible* shall ensure that each truck transporting loose or dusty *soil* has its load covered with a tarp dust cover to prevent the material from falling off the truck and that adequate moisture is provided to prevent dust from arising from the *activities*.

Invasive Species Control

17. Each *person responsible* shall ensure that all machinery and vehicles used to excavate, load, move, deposit, or remove *soil* do not transport plant material of invasive species or cause the spread of noxious weeds or invasive plant species.

Road Maintenance

18. Each *person responsible* shall take all necessary measures, including as necessary the construction of a suitable haul road base or tire cleaning facility, to ensure that no mud, dirt or *other material* is tracked onto a *highway* as a result of the *activities*.
19. Any mud, dirt or *other material* deposited or tracked onto a *highway* as a result of the *activities* shall be cleaned up and removed by the *person responsible* on a daily basis.

Equipment

20. All machinery and vehicles used on a *lot* on which the *activities* occur, or that are used to transport *soil* to and from such lands, shall be in good and proper working order and contain sound reducing and dust elimination equipment wherever reasonably possible.

Use of Land

21. The *activities* must not result in the use of the *lot* in a manner inconsistent with the permitted uses for the *lot*, as described by the *Zoning Bylaw*.