



# Corporate Report

NO: R184

COUNCIL DATE: July 25, 2005

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## REGULAR COUNCIL

TO: Mayor & Council                      DATE: July 18, 2005  
FROM: General Manager, Planning and Development      FILE: 3900-20-5880  
SUBJECT: Amendment to The Surrey Soil Removal and Depositing Regulation By law, 1979, No. 5880

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## RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Approve an amendment to The Surrey Soil Removal and Depositing Regulation By law, 1979, No. 5880 (the "By-law"), by deleting clause 2 of Schedule "J" from the By-law and by renumbering, in consecutive order, the remaining clauses in this Schedule; and
2. Authorize the City Clerk to bring forward an appropriate amending by-law for the required readings by Council.

## BACKGROUND

On April 6, 1992, Council adopted an amendment to the By-law. The revision was essentially to add requirements related to the placement of soil within the Agricultural Land Reserve (the "ALR") and to add regulations related to the placement of soil on agriculturally zoned properties, in general.

## DISCUSSION

One of the provisions adopted as part of this amendment, requires that all proposals to deposit soil on properties within the ALR must be granted approval by the Agricultural Land Commission (the "ALC"), prior to consideration by the City. Another amendment introduced at that time, being clause 2 of Schedule "J", limited the depth of soil placed on agriculturally-zoned property to not more than 1.0 metre in depth (irrespective of any ALC approval). This clause reads as follows:

"Soil placed on agriculturally zoned property shall not exceed 1.0 metres (3.0 feet) in depth. Except for the purpose of raising the land to meet flood proofing requirements for dwelling units and structures accessory to the dwelling use to meet elevation determined by the Ministry of Environment or where the lands have been designated for non-agricultural uses by the Surrey Official Community Plan (OCP) By-law No. 7600 as amended".

This provision was introduced as a means by which to limit the impact that the placement of soil may have on agricultural lands and, in particular, the storm water storage capability of the lowlands in the City.

The By-law contains other safeguards in this respect. For example, proposals to place soil upon agricultural property located within floodplain areas must be accompanied by information, prepared by a Professional Engineer or hydrologist, with respect to the hydrological effects of the proposal. On this basis, it is recommended that clause 2 of Schedule "J" (i.e., the general limitation of 1.0 metres on the maximum depth of fill on agricultural lands) be deleted

from the By-law. This proposed change would not impart any additional authority to the ALC, since the by-law currently recognizes that ALC approval is necessary for certain applications to deposit soil on properties within the ALR. The proposed change would, however, allow the ALC and the City, greater latitude in the consideration of proposals to place soil on agricultural lands in the City. Other clauses in the By-law ensure that soil deposition on agricultural lands does not act to deplete the agricultural potential of the lands.

## CONCLUSION

Based on the above, it is recommended that Council:

- Approve an amendment to the By law by deleting clause 2 of Schedule "J" from the By-law and by renumbering, in consecutive order, the remaining clauses in this Schedule; and
- Authorize the City Clerk to bring forward an appropriate amending by-law for the required readings by Council.

Murray Dinwoodie  
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Planning and Development

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