

NO: R165

COUNCIL DATE: July 26, 2010

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **July 23, 2010**

FROM: **General Manager, Engineering**

FILE: **3900-20(16389)**

SUBJECT: **Amendment to the Surrey Soil Conservation and Protection By-law**

RECOMMENDATION

The Engineering Department recommends that Council:

1. Approve amendments to Surrey Soil Conservation and Protection By-law, 2007, No. 16389, as documented in Appendix I to this report: and
2. Authorize the City Clerk to bring forward the necessary Amendment By-law for the required readings and, subsequently, to forward the Amendment By-law to the Provincial Minister of Community and Rural Development and the Provincial Minister of Energy, Mines and Petroleum Resources for approval prior to final adoption.

INTENT

The purpose of this report is to obtain Council approval of amendments to the Surrey Soil Conservation and Protection By-law, 2007, No. 16389 that will act to increase the soil extraction royalty payable to the City.

BACKGROUND

The Surrey Soil Conservation and Protection By-law, 2007, No. 16389 (the "By-law") stipulates that an extraction royalty is to be paid to the City for each cubic metre of soil that is removed from a site for which a soil removal permit has been issued under the By-law. These royalty fees fund the repairs to City roads which suffer accelerated deterioration as a result of the heavy truck traffic that occurs as part of the soil extraction operations. The By-law currently stipulates a royalty rate of \$0.57 per cubic metre of material excavated.

DISCUSSION

Staff has reviewed recent gravel extraction operations and has determined that the actual cost to repair the damage to roads that is caused by the heavy traffic from soil extraction operations is significantly greater than the \$0.57 per cubic metre that is currently stipulated by the By-law. Staff has estimated that repair costs resulting from soil extraction operations associated with the Border Infrastructure Program along both Highway 10 and Highway 15 is \$1.10 per cubic metre of extracted soil.

As average haul routes from soil extraction operations within the City are comparable to those experienced by the Border Infrastructure Program, staff recommends that the existing gravel extraction royalty be increased from \$0.57 per cubic metre to \$1.10 per cubic metre.

SUSTAINABILITY CONSIDERATIONS

The proposed By-law amendment will support the following Sustainability Charter action item:

- EC₃: Sustainable Infrastructure maintenance and replacement.

CONCLUSION

Based on the above discussion, it is recommended that Council:

1. Approve amendments to Surrey Soil Conservation and Protection By-law, 2007, No. 16389, as documented in Appendix I to this report: and
2. Authorize the City Clerk to bring forward the necessary Amendment By-law for the required readings and, subsequently, to forward the Amendment By-law to the Provincial Minister of Community and Rural Development and the Provincial Minister of Energy, Mines and Petroleum Resources for approval prior to final adoption.

Vincent Lalonde, P.Eng.
General Manager, Engineering

JA/CAB/brb/jkb

Appendix I – Amendments to Soil Conservation and Protection By-law

APPENDIX I

Proposed Amendments to Surrey Soil Conservation and Protection By-Law, 2007, No. 16389 (the “By-Law”)

That the By-law be amended as follows:

1. By replacing the words in Clause 13(b) “pay a fee of \$0.57 per cubic metre of *soil*” with the words “pay a fee of \$1.10 per cubic metre of *soil*”.