

SCHEDULE A: Performance Standards

The standards set out in this Schedule A apply to all Soil Deposit and Removal activities (the “activities”), including activities exempt from Permit requirements.

Adjacent Land

1. The activities shall not encroach upon, undermine or physically damage any public rights of-way, 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 to the satisfaction of the Director at their own cost.

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 properties and must not cause the groundwater table to rise on the subject property, or adjoining or reasonably adjacent properties, 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. No streams shall be altered or diverted, unless such alteration or diversion is in accordance with the *Water Sustainability Act*, S.B.C. 2014, c. 15, as amended or replaced from time to time.
6. Drainage infrastructure capacities and storage volumes must be maintained at all times.

Wells and Sewage Disposal Systems

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

Environmental Protection

8. Damage to areas identified for environmental protection under a bylaw of the District that results from the activities must be repaired or restored.
9. A person who intends to deposit soil must submit, at least 10 days before the proposed deposit, a site profile, as set out in Schedule 1 of the Contaminated Sites Regulation of the Environmental Management Act of British Columbia, of the site from which the soil is or will be relocated.

Topsoil

10. Soil must not to be placed on the existing topsoil in the area to be filled, unless the Permit Holder has provided the Director with a report from a Qualified Professional that confirms that the topsoil has no agricultural value.

11. Topsoil must not be removed from a Lot unless such use is a permitted use of the property, as defined 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 District.

12. All topsoil is to be stockpiled and replaced when the permit activities have completed, wherever possible.

Slope

13. The finished slope of the area of the Deposit and Removal of Soil must:

- a. have a maximum slope of one (1) metre rise in two (2) metres of run; or
- b. if steeper than the slope set out above, must be designed by a Qualified Professional and approved by the Director.

14. 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.

15. 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 operation, the presence of the excavation and prohibiting the presence of the public.

Maximum Height of Stockpile

16. The maximum height of stockpiled soil is 4 metres above the natural grade, unless otherwise authorized by the Director.

Maximum Volume

17. A Soil Deposit or Removal must comply with the following limits, provided that if the *ALR Use Regulation* imposes stricter limits for lands within the ALR, those stricter limits shall apply: The soil deposit or removal shall not:

- a. Occur on more than 25% of the Lot area;
- b. Cause the total volume of Soil Deposited on a Lot, from all sources and at any time prior to and including the Deposit of Soil being undertaken to exceed 1500 cubic metres per hectare of the land area of the Lot;
- c. Change the average grade of the Lot by:
 - i. 100mm in any one year,
 - ii. more than a total maximum compacted depth of 300 mm, including compacted depth resulting from the prior Deposit of Soil from other sources;

18. Section 16(b) shall not apply to any Deposit of Soil required to restore or partially restore a previous excavation.

Highways, Utilities, Right-of-Ways

19. Soil must not be Deposited within three (3) metres of any Highway or over any statutory right-of-way or utility easement without first obtaining written approval from the authority having jurisdiction. A copy of this approval shall be provided to the Director.

20. No Person Responsible shall Stockpile or permit Soil to remain Stockpiled within eight (8) metres of any Highway for a period in excess of twelve (12) months, unless first obtaining written approval from the authority having jurisdiction. A copy of this approval shall be provided to the Director.

Debris Control

21. 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

22. 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

23. 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 Soil Deposit and Removal operations.

24. Any mud, dirt or other material deposited or tracked onto a Highway as a result of Soil Deposit and Removal operations shall be cleaned up and removed by the Person Responsible on a daily basis, or if the Highway is part of a municipal or regional cycling route on an hourly basis.

Equipment

25. All machinery and vehicles used on Lots on which Soil is being Deposited or Removed, 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.

Hours of Operation

26. No Soil Deposit or Removal activities of any kind whatsoever shall occur on any Sunday or statutory holiday.

27. Soil Deposit or Removal activities shall only be carried out between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. to 4:00 p.m. on Saturdays.

Use of Land

28. The activities must not result in the use of the Lots in a manner inconsistent with the permitted uses for the Lots, as defined by the Zoning Bylaw.