



SOIL DEPOSIT BYLAW ENFORCEMENT GRACE PERIOD POLICY

Applicability: CVRD Electoral Areas

Effective Date: April 24, 2019

PURPOSE:

To establish a policy for the enforcement of Soil Deposit Regulations for soil deposit sites actively accepting soil in the Cowichan Valley Regional District (CVRD) at the time of adoption of CVRD Bylaw No. 4236 – Soil Deposit Bylaw, 2018.

BACKGROUND:

There are numerous sites actively accepting soil in the CVRD which will require a Type “C” Soil Deposit Permit to continue operating after the adoption of Bylaw No. 4236; however, the process of obtaining a Soil Deposit Permit could take an estimated 90 days to complete. The Inspection & Enforcement Division anticipate that local property owners, business owners and local governments throughout lower Vancouver Island could be greatly impacted by financial hardship if the Bylaw was strictly enforced upon adoption by ceasing the depositing of soil until a permit was obtained.

POLICY:

1. Soil Deposit sites in the CVRD requiring a Type “C” permit that were active in the last 90 days prior to the adoption of Bylaw No. 4236 may be granted a 90-day grace period to complete the Type ‘C’ application process.
2. The effective date of the grace period will commence June 3, 2019.
3. To qualify for the grace period, a Type “C” permit application form must be submitted for applicable soil deposit sites prior to June 3, 2019.
4. A daily-recorded Soil Deposit Log Book shall be kept by the permit applicant and comply with sections 17.2 through 17.4 of the bylaw commencing on June 3, 2019.
5. If the application is not completed with all supporting documentation within the 90-day grace period, all soil depositing on site must cease immediately upon day 91 and not resume until such time as the issuance of a soil deposit permit is approved by the CVRD. An extension for the grace period will be at the sole discretion of the General Manager, Land Use Services Department.
6. If the application is approved, the permit will be retroactive to June 3, 2019 and be used as the commencement date for the volumetric fee prescribed under Schedule “A”.
7. If the application is denied, depositing on site will cease immediately.
8. Complaints regarding soil deposit bylaw violations or violations of other applicable bylaws and regulations will be investigated and enforced in accordance with the CVRD’s general Bylaw Compliance and Enforcement Policy.

9. The CVRD retains the discretion to amend or repeal the above enforcement policy, and to initiate enforcement action for non-compliant soil deposit uses in the future. This policy does not amount to acceptance of non-permitted soil deposit in the CVRD or any other use not permitted under the terms of applicable zoning bylaws and the *Local Government Act*.

Approved by: Board Approval date: April 24, 2019
