



# Regional Board Report

## Information

**To:** Regional Board  
**From:** Director of Community Services  
**Date:** March 16, 2023  
**Subject:** Soil Regulation Options

**Voting Entitlement:** *All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)*

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**Purpose:** To review regulatory options for the management of soil and fill placement.

**Background:**

As per the RDCO Board resolution on Thursday, December 1, 2022:

*AND FURTHER THAT the Regional Board directs staff to review regulatory options for the management of soil and fill placement, and to report back to the Regional Board with recommendations.*

**Discussion:**

Regulatory Options

Staff are presenting the two primary opportunities for regulating soil and fill placement in the RDCO as:

- To enhance the Development Permit Area guidelines within Official Community Plans, and/or
- To adopt a Soil Removal and Deposit Bylaw.

Of these two regulatory options, a Soil Removal and Deposit Bylaw is the more targeted approach which could provide increased transparency on significant soil movements in the region and give staff improved ability to manage the potential impacts on source sites, deposit sites and the wider community.

However, staff note that regulating, monitoring, and enforcing soil movement, and restricting deposit opportunities may run contrary to Regional Growth Strategy policies which aim to facilitate economic growth and housing development, and aim to lower greenhouse gas emissions.

Plan Option

A Soil Plan that identifies and forecasts the growth factors that contribute to soil surpluses may achieve a broader range of Regional Growth Strategy policy objectives than a stand-alone bylaw.

Further, staff envisage that a Soil Plan could provide direction on potential deposit locations and identify the potential for soil and fill processing operations that would enable fill surpluses to be reused for aggregate, productive agricultural soils, or other beneficial purposes.

**Recommendation:**

**THAT** the Regional Board receives the Soil Regulation Options from the Director of Community Services dated March 16, 2023, for information.

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*Respectfully submitted by:* Shaun O'Dea, Planner

Approved by:



Todd Cashin,  
Director of Community Services

Attachment: Soil Regulation Options.ppt - March 16, 2023

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**Strategic Plan Alignment:**

Priorities: Environment, Sustainable Communities, Economic Development

Values: Relationships, Collaboration, Regional Perspective, Transparency, Resiliency,  
Good Governance

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**Considerations:**

Organizational/External: Development of a soil bylaw and/or soil plan would require broad consultation with key stakeholders including member municipalities, First Nations, residents, the development community and the farming community.

Financial: A soil bylaw could be developed with existing staff resources, however the costs associated with providing a permitting and enforcement service for soil regulation has not been investigated. A service establishment bylaw may be required if this service is not self-funding and is for the benefit of a limited part of the Regional District. Funding opportunities to help recover the cost of developing a region-wide soil plan have not been explored.

Legal/Statutory Authority: The Local Government Act (Part 14, Division 7) enables an OCP to designate development permit areas for certain land alteration.

Part 9, Division 7 (subsection 327(5)) enables a Regional Board to:

- require a permit for the removal or deposit of soil,
- impose rates or levels of fees for a permit, and
- impose rates or levels of fees for associated activities.

Considerations not applicable:

- Alternate Recommendation

**Approved for Agenda**



**Brian Reardon, CAO**