

TO: CITY MANAGER 1997 SEPTEMBER 16

FROM: DIRECTOR PLANNING AND BUILDING Our File: 02.120.3.1

SUBJECT: ISSUANCE OF A LANDFILL PERMIT PURSUANT TO
SOIL CONSERVATION ACT, 8678 and 8708 ROYAL OAK AVENUE

PURPOSE: To provide Council with information in support of a recommendation to authorize the issuance of a new landfill permit for properties at the foot of Royal Oak Avenue

RECOMMENDATIONS:

1. **THAT** Council authorize the issuance of a landfill permit to place fill on 8678 and 8708 Royal Oak Avenue as detailed in this report.
2. **THAT** a copy of this report be forwarded to:

Colin J. Fry, Administrator
Soil Conservation Act and Enforcement
Provincial Agricultural Land Commission
#133 - 4940 Canada Way
Burnaby, BC V5G 4K6

REPORT

1.0 BACKGROUND

The subject properties are located within the Provincial Agricultural Land Reserve (ALR) and are designated for agricultural use in the Big Bend Development Plan (Figures 1 and 2 *attached*).

Under the provisions of the Soil Conservation Act, the removal of soil or the placement of fill materials on ALR lands is prohibited without a permit being issued by the Enforcement Officer (Director Planning and Building) of the Local Authority (City of Burnaby). The approval of the Provincial Agricultural Land Commission (ALC) in writing, is also required.

On 1995 July 28, a permit was issued to remove and stockpile the native peat soils and place structural fill in order to provide for the development of greenhouses on the properties. The stockpiled peat soils were to be re-used for the preparation of soil mixtures for use inside of the greenhouses. The owners then engaged a contractor to undertake the fill program according to the specific terms of the permit. It subsequently became clear to both the owners and the City that the contractor had violated the terms of the permit. Fill was placed on both properties without inspection or certification, and beyond the limit and heights allowed by the permit. Furthermore, fill was not placed in controlled lifts as required and sedimentation control measures were found to be inadequate. Consequently, the owners terminated the services of the contractor. Moreover, on 1995 December 04, Council adopted a resolution cancelling the permit.

In cancelling the permit, the owners were advised that the City did not object to the development of greenhouses as proposed and that City and ALC staff were prepared to continue to work with them to bring this matter to a satisfactory conclusion. They were further advised that, upon satisfactory performance, a report would be submitted to Council leading to the re-issuance of a permit.

2.0 EXISTING SITUATION

In order to be in a position to provide recommendations to Council and the ALC, staff advised the owners that they would need to undertake both environmental and geotechnical studies of the fill placed to date in order to provide recommendations on any necessary remedial measures and to establish conditions for the continuance of the fill program. SRK-Robinson Inc. (SRK) has been engaged and have provided a geotechnical engineering evaluation as well as an environmental site investigation.

It is SRK's conclusion that extension of grade filling across the property and subsequent greenhouse construction is feasible from a geotechnical engineering standpoint subject to the conditions noted in Appendix A *attached*.

SRK undertook a Stage 2 Preliminary Site Investigation to determine if there was any physical evidence of environmental contamination in the soil. SRK concluded that no extensive soil contamination above the residential criteria exists beneath the site to the depths examined. Specific recommendations made by SRK which respect to additional environmental study have been incorporated into the proposed conditions for issuance of a new permit (items e, p, and q of Appendix A).

As can be seen on Figure 3 *attached*, the previously approved landfill permit provided for a phased landfill program generally covering the northerly half of the site. It was understood that, upon successful completion of the first two phases, the permit would be extended to cover the balance of the site with the exception of the existing house, blueberry field and 20 metre buffer area adjacent to Marine Way.

It is now proposed to reduce the fill area as shown on Figure 4 *attached* and maintain additional areas for soil bound agriculture.

3.0 CONCLUSION

It is staffs' conclusion that work undertaken by SRK and the remedial works and limited landfill program now proposed are satisfactory. Not only will they resolve the outstanding issues with respect to the unauthorized fill placed to date, the successful completion of the revised landfill program will bring additional lands into agricultural production.

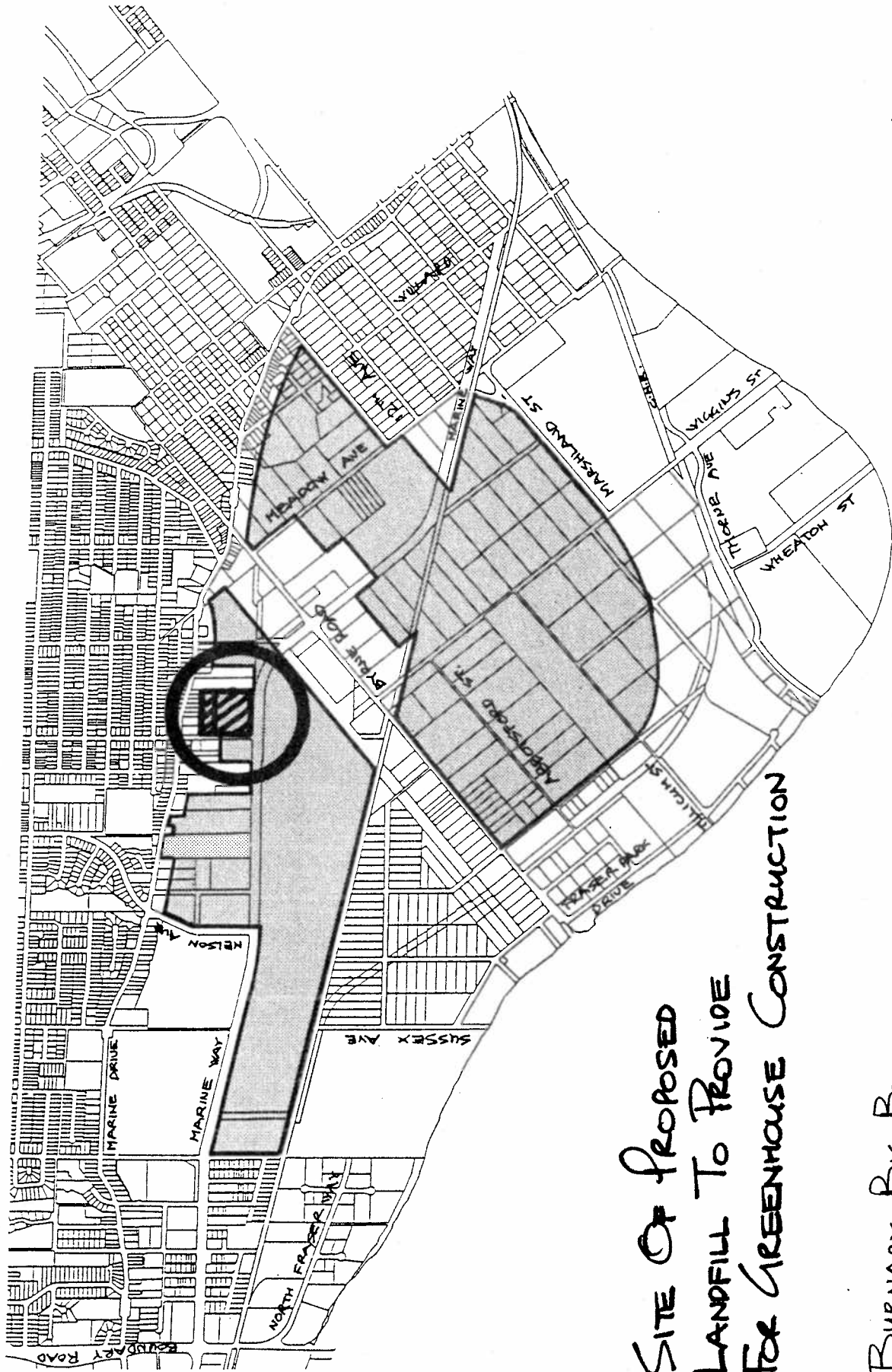
It is, therefore, recommended that Council authorize the issuance of a landfill permit subject to the conditions noted in Appendix A.



D.G. Stenson, Director
PLANNING AND BUILDING

PB\ma
Attachments

cc: Director Engineering
Chief Public Health Officer



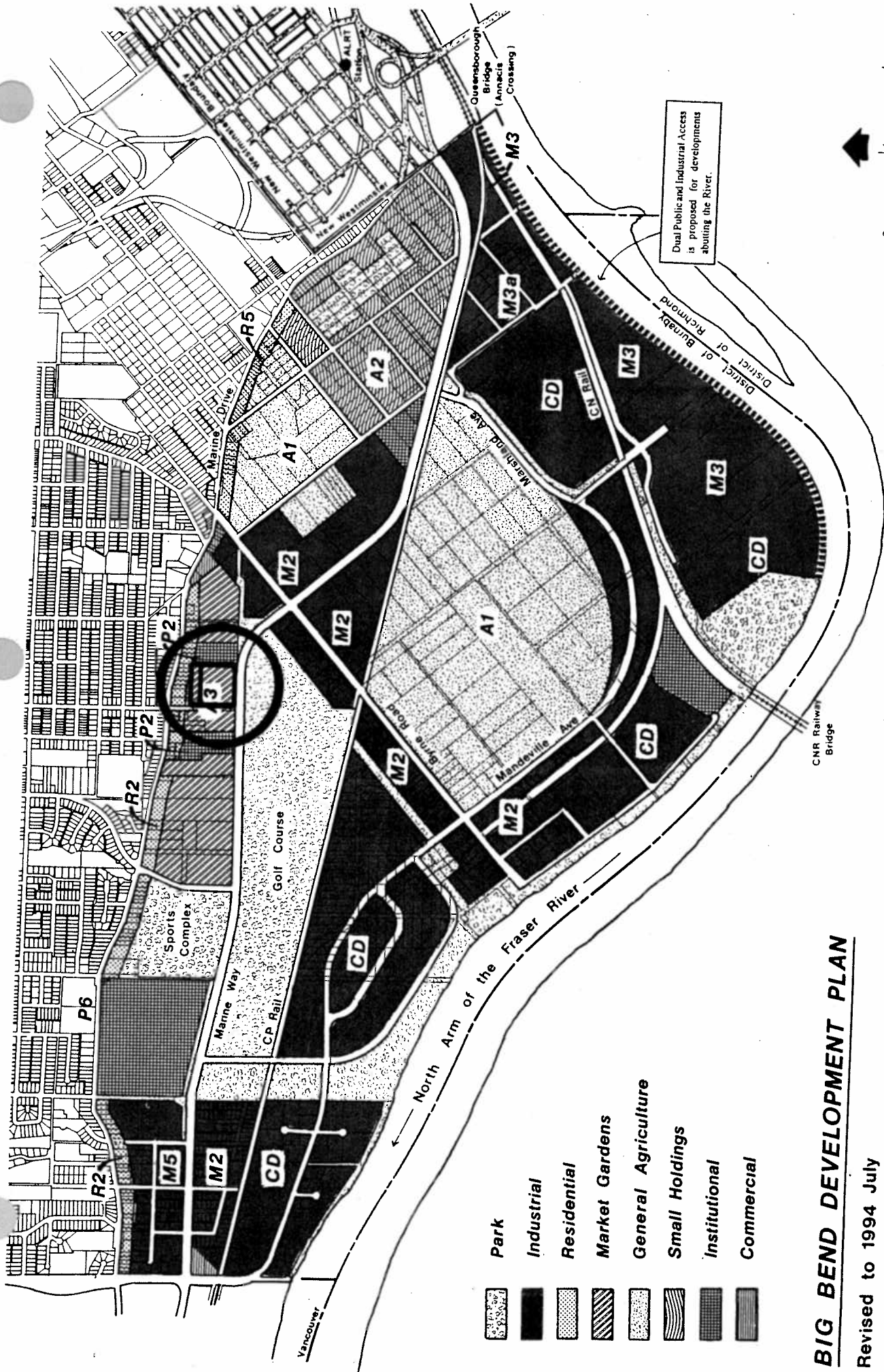
SITE OF PROPOSED
 LANDFILL TO PROVIDE
 FOR GREENHOUSE CONSTRUCTION

BURNABY BIG BEND
 AGRICULTURAL LAND RESERVE

8678 & 8708 ROYAL OAK AVE.

FIGURE 1

97 SEPT. 16



- Park
- Industrial
- Residential
- Market Gardens
- General Agriculture
- Small Holdings
- Institutional
- Commercial

BIG BEND DEVELOPMENT PLAN

Revised to 1994 July

125 8678 + 8708 ROYAL OAK AVE.

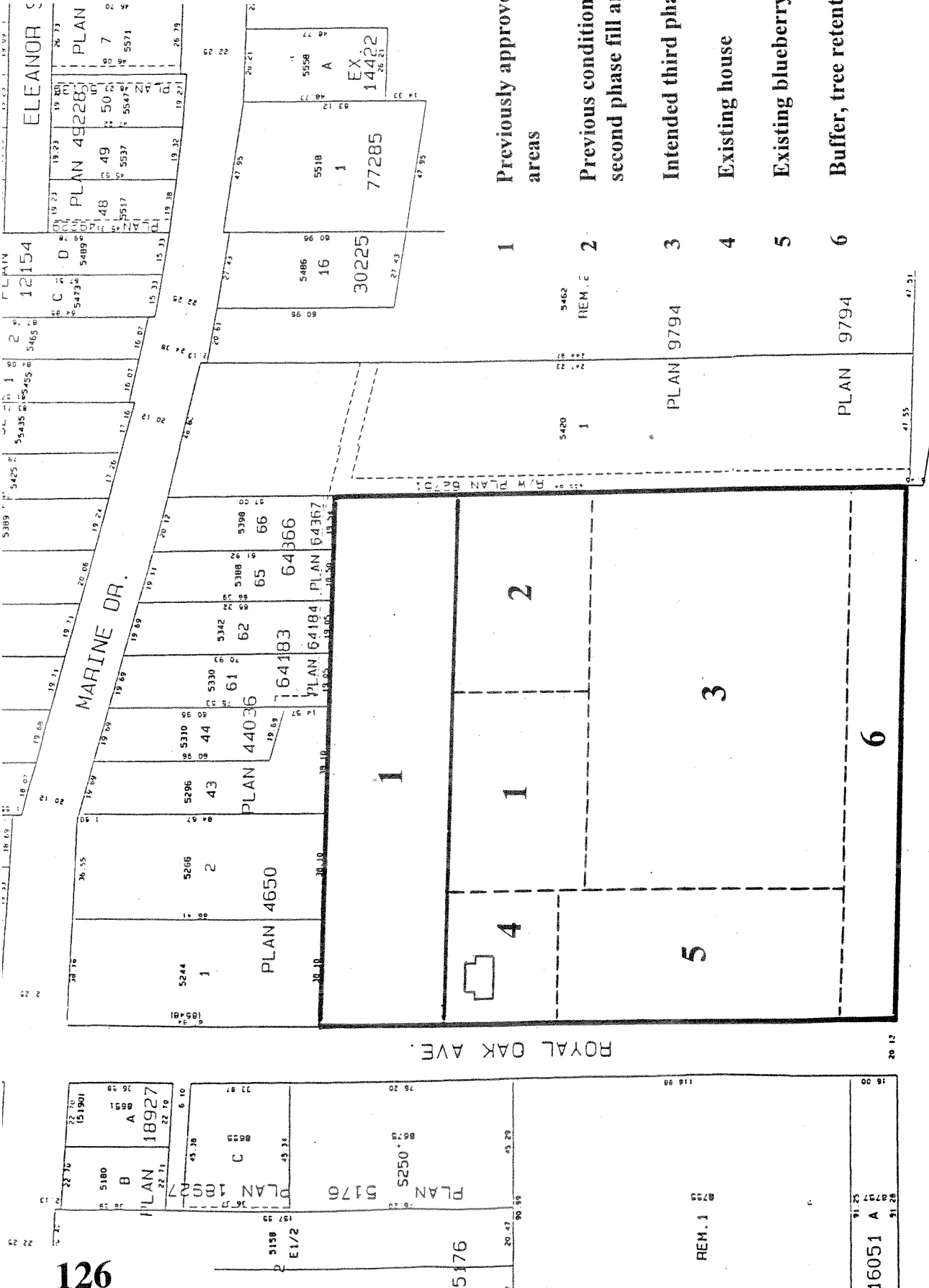
Dual Public and Industrial Access is proposed for developments abutting the River.



FIGURE 2

97 SEPT. 14

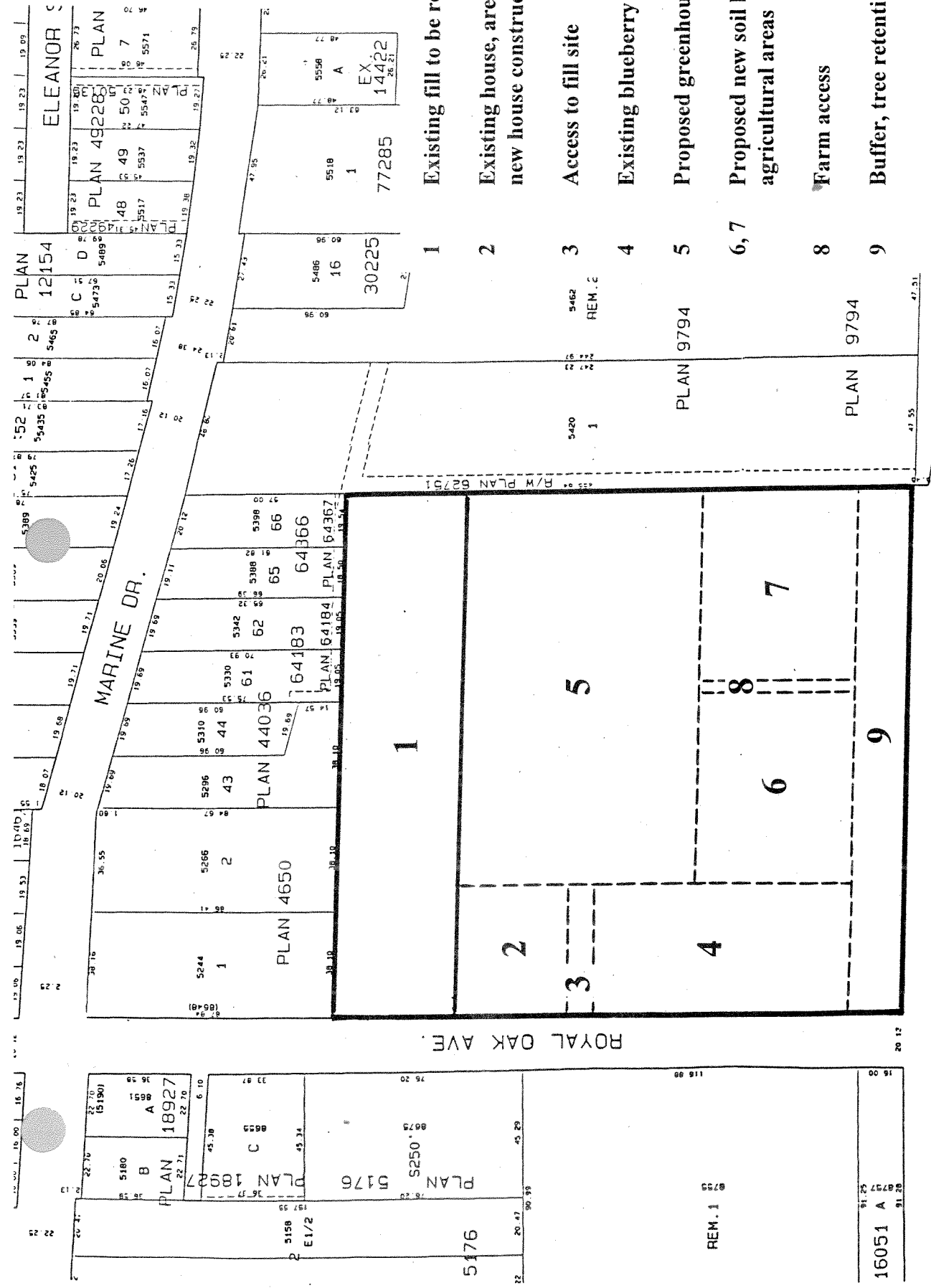
126



**Previous Fill Proposal
8678 & 8708 Royal Oak Avenue**

Figure 3
1997 Sept 16

- 1 Previously approved first phase fill areas
- 2 Previous conditionally approved second phase fill area
- 3 Intended third phase fill area
- 4 Existing house
- 5 Existing blueberry field to remain
- 6 Buffer, tree retention



ROYAL OAK AVE.

MARINE DR.

MARINE WAY

1 Existing fill to be regraded

2 Existing house, area to be filled and new house constructed in future

3 Access to fill site

4 Existing blueberry field to remain

5 Proposed greenhouse area

6, 7 Proposed new soil bound agricultural areas

8 Farm access

9 Buffer, tree retention

Current Fill Proposal
8678 & 8708 Royal Oak Avenue

Figure 4
 1997 Sept 16

Appendix A - Conditions to be met as pursuant to the issuance of a fill permit under the Soil Conservation Act; 8608 and 8708 Royal Oak Avenue, Burnaby, B.C.

- a) A siltation plan is to be submitted to and approved by the City.
- b) SRK is to review the installation of temporary erosion and sedimentation measures to document compliance prior to commencing earthwork operations at the site.
- c) As the majority of the fill exceeds the previously established maximum height, it is to be excavated and replaced over portions of the site according to the approved site grading plan.
- d) All excess on-site fill must be used for site grading prior to importing any required additional fill.
- e) All new fill material must be approved by SRK prior to importing onto the site and manifests are to be kept for all fill imported.
- f) Prior to placing fill in the unfilled, undeveloped portions of the site, surface vegetation and trees are to be cleared and grubbed.
- g) Any peat soils required for future agricultural purposes in excess of that already stockpiled on site, is to be stripped and stockpiled prior to filling.
- h) Fill is not to be stockpiled in excess of 1.5 metres above freshly stripped areas.
- i) Fill is to be graded so as to maintain the natural drainage regime of the site.
- j) A topographic survey is to be taken and submitted immediately after completion of grading to document compliance with permit conditions.
- k) Settlement gauges are to be installed on a 45 metre grid prior to fill placement and at the same intervals after the existing fill areas are brought down to required grades. Baseline readings are to be taken immediately after installation and each month thereafter for a minimum period of one year as determined by SRK. SRK is to review the results.
- l) Site work is to be restricted to the drier later spring and summer months, as determined by SRK, when soil moisture content can be controlled.
- m) Fill is to be placed in lifts of approximately 0.3 metres and compacted to achieve at least 90% of the modified Proctor maximum dry density.
- n) Prior to any greenhouse construction, SRK is to provide specific conditions for site treatment and construction techniques (preloading, monitoring, etc.) based on an approved development plan.

- o) Additional discrete soil samples are to be collected by SRK from any fill material uncovered during the development of the Site which exhibits any signs of contamination. At a minimum the samples should be analyzed for Light Extractable Petroleum Hydrocarbons, Heavy Extractable Petroleum Hydrocarbons, Polycyclic Aromatic Hydrocarbon, Benzene, Ethylbenzene, Toluene, Volatile Organic Compounds and trace metals.

- p) When exposed, the fill material lying below the depths is to be examined as determined by SRK for each test pit and the native material is to be sampled and analyzed for the above mentioned parameters as a minimum.

