

February 27, 2025

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Attention: [REDACTED]

Re: Soil Permit Decision (2023-327-SP)
Location: 28594 104 AVE
Legal: Lot: 2, Section: 4, Township: 15, Plan: BCP46967

The purpose of this letter is to inform you of my decision as the "Manager" under the City of Maple Ridge Soil Deposit Regulation Bylaw No. 7412-2017.

Background

On June 14, 2023, the City's Environmental Compliance staff responded to complaints about trucks depositing fill within the subject property of Lot 2. During the initial investigation it was determined that the landowner and Contractor – Cancon Construction Limited were depositing soil without the benefits of a Soil Deposition Permit. As a result, a Stop Work Order was posted on site. The landowner subsequently retained an Agent to submit a retroactive soil permit application. The current application is to adjudicate the 950 cubic metres (140 truck loads) of fill material that has been already deposited and contemplates another 3,000 cubic metres (430 truckloads) of proposed material.

The purported purpose of the large amount of fill is to support having an area to allow for vehicle access for an expanded Apiculture operation and the installation of flower beds / garden beds for personal use and to support the hives.

Apiculture is the management and study of honeybees. Beekeeping plays a key role in the production of most fruit and forage crops. In BC, the activity is governed by the following regulations;

- Animal Health Act
- Bee Regulation
- Reportable and Notifiable Disease Regulation

Typically, large amounts of fill are not required specifically to support Apiculture. According to the City's tax records, this property has received Farm Classification for the 2024 year. BC Assessment has confirmed that Apiculture is the form of agriculture that is taking place. The Landowner has advised that the property is being leased by Caspian Apiaries.

Staff invited comments from the BC Provincial Apiculturist, Mr. Paul van Westendorp. He did not take any issues with the fill deposition as being problematic for the proposed bee keeping. He stated that *"Based on the heavily wooded area, it is not the best location for keeping bees unless placed there for the winter season only. If colonies are placed in different locations during the spring and summer season and not on the property (an likely scenario).*

City staff have confirmed that the parcel does currently have "Farm Classification" as a result of the Apiculture use.

The property is protected by Heritage Revitalization Agreement (HRA) Bylaw No. 6709-2009, adopted by Council October 26, 2010. As part of the HRA Bylaw, the property received a heritage designation as per Section 611 of the Local Government Act. Additionally, there is a Heritage Landscape Protective Covenant, dated October 15, 2010 registered on the property.

Schedule B, Stage B of the HRA identifies the Heritage Value and Character Defining Elements of the property through a Statement of Significance. The Statement of Significance notes that the siting, aspect and landscape associated with the buildings reflect the early settlement and rural lifestyle of the Ruskin community. Specifically, the HRA states:

"The Miller residence portion of the site is important for the way in which it demonstrates the layout and relationship of the house to the orchard, garden, and other plantings and with the outbuildings. The site is also important for the layers of vegetation, and the aesthetic qualities of the viewscape."

The important layers of vegetation of landscaping features are further specified through the Character Defining Elements, which identify the following:

- The grounds appearing to be a clearing with a backdrop of a conifer forest downslope
- Still visible patterns of the original survey and later property subdivision and use
- Internal views to the adjacent orchard to the west and the forest to the south and east
- Remnants of the original fruit and nut orchards Ornamental shade trees with rock-walled gardens below
- Domestic ornamental planting along the driveway, roadway and against the house
- Vegetable garden
- Rows of berry bushes oriented north/south
- Early and continued use as a residence set amongst a rural and agricultural landscape

Currently, it appears that the area that has already received fill material has covered at least 5-6 of the original ornamental shrubs or plants on site that are identified in the HRA. Staff determined this by overlaying the site plan from the Agent with the original diagram showing locations of the various trees and shrubs from the Environmental Consultants.

Conclusion

Under Section 5.9 of the Maple Ridge Soil Deposit Regulation Bylaw No. 7412-2017, the City is refusing this permit application on the basis that the proposed fill deposition violates the original intention of the HRA.

Please note that Section 5.9.2 of the Bylaw States *"The owner, who is subject to a decision of the Manager to refuse a permit, is entitled to appeal to Council to have the decision reconsidered. An application for reconsideration must be made in writing to the City Clerk within 30 days from the date of refusal by the Manager. There is no fee for an appeal application for reconsideration."*

Should you wish to make an application for an appeal of this decision you must do so in writing to the City Clerk within **no later than Monday March 31, 2025**. If you have any questions you may contact the file manager at 604-463-5221 Ext. 5271 or by email at Tloo@mapleridge.ca

Sincerely,



James Stiver
Director of Planning