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**Township of Brock
Guideline for
Application for a
Site Alteration and Fill Permit
as per By-law 2633-2015-PP**

January 2016

1 Purpose

This guideline has been prepared to assist those applying for a permit in accordance with the requirements of the Site Alteration By-law 2633-2015-PP. **Please refer to By-law No. 2633-2015-PP for the complete requirements.**

2 Background

Site alteration means the placing, or dumping of fill, the removal of topsoil, or fill from land, or the alteration of the grade of the land, or any combination of these activities. A large site alteration means any site alteration where greater than 500 cubic metres of fill is being placed or dumped within any 12 month period or resulting in a change to the existing landform of greater than 600 millimetres (2 feet).

It is in the public interest to regulate the dumping and placing of fill and other site alterations in order to ensure that:

- Existing drainage patterns are maintained and erosion of sedimentation are prevented;
- Grade changes are appropriate to protect natural heritage features;
- Interference and damage to watercourses or water bodies are prevented;
- Ground water and surface water quality is maintained;
- There is no discharge of a containment into the natural environment that causes or may cause an adverse effect and that degradation of the pre-existing soil and ground water quality conditions at the site and on adjacent properties is prevented;
- Haul routes for the transportation of fill and topsoil authorized for placement, dumping or removal will be designated to and/or from a site to minimize damage to the Township's roads and minimize interference and/or disturbances to the Township's residents and businesses;
- Disturbance to landform characteristics are kept to a minimum; and
- The proponent of the site alteration project pays for all costs.

3 General Prohibitions and Regulations

The Site Alteration By-law applies to all lands within the Township of Brock except for those areas that are subject to a regulation made by the Conservation Authority under section 28 of the Conservation Authorities Act.

No person shall place or dump any fill, remove any topsoil or fill or otherwise alter the grade of land by causing, permitting or performing any other form of site alteration on land without the owner first receiving a permit issued by the Chief Building Official or Council unless otherwise exempt.

Site alterations are not permitted:

- Between the hours of 7:00 p.m. and 7:00 a.m. Monday to Friday;
- Anytime on Saturday, Sunday, or on a Statutory Holiday;
- During any time in which a wind warning for the area has been issued by Environment Canada;
- During or within 24 hours of receiving precipitation in excess of two (2) millimetres.

Fill shall not be placed or dumped unless such fill:

- Is soil;
- Does not contain any putrescible organic material, demolition debris, decomposable materials, plastic, asphalt, glass, petroleum products, or hydrocarbon materials;
- Meets the standards set out in Table 1 of the “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*”; and
- Is free of staining, hydrocarbon odour, garbage and debris.

4 Exemptions

The Site Alteration By-law is not applicable to the following:

- Activities or matters undertaken by the Township of Brock, Region of Durham, or a local board of the Township or the Region.
- Work undertaken subject to a Site Plan Agreement, Preserving Agreement, Subdivision Agreement, or Consent Agreement.
- Condition of a development permit.
- Work under the Electricity Act for the purpose of constructing and maintaining a transmission system or a distribution system.
- Licence for a wayside pit or wayside quarry.
- Operation of a pit or quarry.
- Rehabilitation or filling activity in a licenced pit or quarry.
- Drain construction under the Tile Drainage Act and/or Drainage Act.
- Removal of topsoil or fill from agricultural lands incidental to a normal agricultural practice (e.g. sod farming, greenhouse operations, and nurseries of horticultural products).

- Waste Management System or Waste Disposal Sites.
- Work undertaken to construct, extend, alter, or maintain roads or highways.
- Emergency measures undertaken by authorities to prevent erosion, flooding, slipping of soil, or damage of trees.
- Harvesting of peat as approved by the Conservation Authority and the Township.

Subject to complying with all other provision of the Site Alteration By-law, no permit is required for:

- The construction of a structure for which a building permit is issued, provided it is less than 500 cubic metres.
- Lawn dressing provided the increase in elevation is not more than 20 centimetres (8 inches); it is more than 0.6 metres (2 feet) of any property line; there is no significant change in the direction or rate of drainage to neighbouring properties provided it is less than 50 cubic metres per year.
- The demolition or removal of a building or structure for which a building permit is issued, provided it is less than 500 cubic metres.
- Site alteration involving an amount of soil less than 50 cubic metres on a lot within any one year period provided it is more than 0.6 metres (2 feet) of any property line; there is no significant change in the direction or rate of drainage to neighbouring properties; and the lot does not include and does not abut a body of water.
- Replacement of topsoil for restoring agricultural lands used for normal agricultural practices provided it does not exceed 20 centimetres (8 inches) from existing grade and is less than 500 cubic meters.

5 Application Requirements

An application for a site-alteration permit must:

- Attend a pre-consultation meeting with the Chief Building Official and any other persons deemed necessary to review the application;
- Pay the applicable fee in accordance with the Township of Brock Fees By-law.
- Pay a deposit in an amount to be determined by the Chief Building Official for the cost of all estimated legal and consulting fees payable to the Township of Brock for the review of the application.
- Submit a completed application form. Information required with the application includes:
 - The name, address, and contact telephone number of the owner of the land upon which the fill is to be dumped or placed;

- The municipal address and legal description of the land on which the fill is to be dumped or placed;
- A scale drawing of any retaining wall that may be required and a description, including dimensions, or any materials to be used in the construction of the retaining wall;
- A site alteration plan, based on an identified legal survey, indicating the following:
 - A key map showing the location of each lot, including the nearest major intersection and north arrow;
 - The property lines of the lands for the site alteration with dimensions;
 - The boundaries of each lot and area (expressed in hectares) of each lot;
 - The existing and proposed use of the land and the location and use of the buildings and other structures adjacent to each lot;
 - The location, dimensions and use of all existing buildings and other structures existing or proposed to be erected on each lot;
 - The location of lakes, streams, wetlands, channels, ditches, other watercourses and other body of water on and within a minimum of 30 metres beyond each lot's boundaries;
 - The location of all regulatory flood lines and Conservation Authority fill regulation lines;
 - The location and identification of the predominant existing soil types on the lot;
 - The location and dimensions of utilities, structures, road, highways and paved areas located within a minimum of 30 metres beyond each lot's boundaries;
 - The location and dimensions of all proposed land disturbance activities, including construction of access roads;
 - The location and dimensions of all temporary fill stockpiles;
 - A schedule of the anticipated starting and completion dates of each land disturbance or land development activity;
 - Provisions for the maintenance of the construction site erosion control and dust control measures during construction and after as required;
 - The scale of drawing ranging from 1:250 to 1:1000 as deemed appropriate (each drawing control plan to be in metres);

- An indication on the drawing of directions of overland water flow and overland flow routes;
 - Any information, plans or studies required by the Greenbelt Plan and Lake Simcoe Protection Plan;
 - For site alterations that are not a large site alteration, existing spot elevations on 3 metre grids across the lands and 3 metres beyond the property lines to clearly show the existing drainage patterns on the lands and on the abutting lands;
 - For large site alterations, a topographic survey at 1 metre contour intervals defining all material and manmade features, including top and bottom slopes, drainage patterns, tree lines, buildings, and stockpiles on the lands and within 30 metres on abutting lands and water bodies.
 - All existing storm sewers, ditches, swales, creeks, watercourse and wetlands on the lands and on abutting lands and public highways;
 - The species and size in caliper of all trees, the location of all shrubs and driveways on the lands and of all easements and right-of-way's over, under, across or through the lands;
 - Proposed grades and drainage systems upon completion of the site alteration operation;
 - All proposed ground covering to be used upon completion of the site alteration operation; and
 - All erosion, sediment and tree protection measures for the site alteration operation.
- An assessment by a qualified person to establish the current site condition of the soil, groundwater, and storm water.
 - A groundwater management plan.
 - A storm water management plan.
 - A landform conservation plan.
 - A detailed description of the fill proposed to be dumped or placed including a detailed description of the source of the fill together with a letter attesting that the fill meets the requirements for clean fill, the quantity of fill, and the proposed location of the fill on the lands.
 - A signed authorization by the owner of the land on which the work is to be performed, or agent for the owner, certifying the information in the application is correct.
 - A signed authorization by any grantee(s) of any easements within the property accepting the fill.

- The Official Plan designation and zoning of the property.
- Address the requirements of the Greenbelt Plan and/or Lake Simcoe Protection Plan, where applicable, and provide all documents required by such plans to demonstrate compliance with their provisions.
- Tree reports prepared by a qualified tree consultant may be required.
- The proposed haul routes to and from the site.
- Any other study, report, plan, drawing or material related to the application as deemed necessary by the Chief Building Official.

Please note that for any application for a site alteration that is not a large site alteration, the Chief Building Official may not require all items specified above.

6 Application Review Process & Issuance

Upon the Township's receipt of a completed site alteration application, the Chief Building Official will review the application and may seek comments/approvals from the Conservation Authority, Durham Region, adjacent municipalities, other agencies deemed necessary. It may also be necessary for the application to be reviewed by consultants retained by the municipality depending on its complexity.

Applications for a large site alteration shall not be considered for approval until Council has considered the application during at least one public meeting. The applicant shall thereafter submit a report to the Chief Building Official, in advance of Council decision on the application, describing any changes made in response to concerns raised at the public meeting. A public meeting may be required for a site alteration that is not a large site alteration at the discretion of the Chief Building Official.

7 Permit Requirements

The following are the main requirements which must be provided:

- Perform the site alteration only in accordance with the plans, documents and any other information approved by the municipality;
- Notify the Chief Building Official in writing within 48 hours of commencing any work;
- Provide protection from environmentally sensitive or significant land, if required;
- Install and maintain the erosion and sediment control measures, all tree protection measures, dust control measures, and provide adequate drainage;
- Erect a sign and/or give notice to the public informing of the site alteration;

- Keep, maintain, and make available for inspection a number of records with respect to the haulage company, deliveries, and haulage schedule;
- Keep, maintain, and make available inspections and/or reports from a Qualified Person with respect to the source and nature of the fill to be placed or dumped;
- Ensure the fill used is soil which meets the requirements of Section 2.11 of the by-law;
- Provide a security deposit/tipping fees in accordance with the Township of Brock Fees By-law;
- Operate within the specified times and in accordance with the Township of Brock Noise By-law;
- Address the requirements of the Greenbelt Plan, Lake Simcoe Protection Plan, commenting agencies, and adjacent municipalities;
- Execute a permit agreement, if required, that shall include conditions that require the owner to undertake a number of requirements (inspections, testing, etc.) as set out in Section 7 of the by-law;
- Meet other conditions and requirements as determined by the municipality.

8 Additional Information

A permit issued is valid for a period of 12 months from the date of issuance, unless a shorter or specified period is imposed as a condition of the permit.

For more detailed information and specific requirements please refer to By-law No. 2633-2015-PP.

For more information on site alterations, please contact:

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