

SCHEDULE A

MINIMUM SITE ALTERATION STANDARDS

- 1) Every person who places or dumps fill, or causes fill to be placed or dumped, or alters the grade of land shall:
 - a. If the existing or finished grade at a property line involves a slope steeper than 3:1 and if required by the City, construct a retaining wall to the satisfaction of the City that does not encroach upon abutting lands, either above or below existing or finished grade, and which is not so high as to have a significant negative impact on abutting and other lands; the City may require that a retaining wall be constructed where:
 - (i) erosion of fill on to abutting lands may occur; or
 - (ii) the existing or finished grade of the lands at the property line is higher or lower than that of the existing or finished grade of the abutting lands, if the retaining wall is required to protect the abutting lands.
 - b. Ensure there is no alteration to the volume, direction, intensity or form of storm water run-off to adjacent properties and provided that where the lands are located in a plan of subdivision the approved grading plan is maintained.
 - c. Ensure that the finished grade surface is protected by sod, turf, seeding of grass, greenery, asphalt, concrete or such other stabilization material as the City may approve, either singly or in combination within 15 days of finishing the grade.
 - d. Ensure that the fill is not placed around the perimeter of any existing building to an elevation higher than the elevation specified by the Ontario Building Code below the top of foundation of such building, unless such building and its foundation walls are altered in a manner satisfactory to the City.
 - e. Ensure that no trench in which piping is laid forming part of the piped drainage system is covered and backfilled until the work has been inspected and approved by the City.
 - f. Provide such protection for trees as may be required by the City.
 - g. Ensure that all fill used in accordance with this By-law meets the MECP soil standards for the intended use of the lands to the satisfaction of the City, provided that the fill shall not contain PCB levels higher than as permitted in Table 1 of the Rules for Soil Management and Excess Soil Quality Standards, adopted by reference in O. Reg. 406/ 19 (On-site and Excess Soil Management) made under Environmental Protection Act, R. S.O 1990, c. E. 19, as amended.
 - h. Ensure that fill is placed or dumped in such a manner and any retaining wall supporting such fill is erected in such a manner that no ponding is caused on the subject lands or abutting and other

lands and that adequate provision is made for proper surface storm water drainage.

- i. ensure compliance with all City By-laws and not conduct any Site Alteration:
 - (i) that is in contravention of the City's Noise By- law.
 - (ii) any time on Sunday or on a statutory holiday.
 - (iii) during any period in which there are high winds.
 - (iv) during any weather conditions where the ability to mitigate site alteration activity impacts are severely compromised (e.g., heavy rain, thick fog).
 - (v) that causes mud tracking on roadways that cannot be controlled by the owner to the satisfaction of the City.
 - (vi) that causes dust impacts on adjacent landowners.
 - (vii) without erosion and sediment control measures.
 - (viii) during any situation where site alteration activities would likely adversely impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
 - j. Ensure all reports, plans and surveys required pursuant to the By-law shall be prepared by a qualified professional whose professional designation is acceptable to the Director and as further outlined by the guidelines.
- 2) Site alteration is prohibited on lands designated or zoned Hazard Lands except for the purposes of establishing any of the permitted uses within the Hazard Lands designation or zone.
- 3) The Director shall, as a condition of the issuance of a permit, require an owner of the site subject to the permit either prior to the permit being issued or after the permit has been issued, to comply with the following:
- a. notify the Director in writing at least seventy-two (72) hours before commencing any work under the permit, and of the completion of the work under the permit.
 - b. maintain the roads providing ingress and egress to the site in the same condition that existed prior to the commencement of the work.
 - c. keep all roads providing ingress and egress to the site free from any damage, equipment or material or mud tracked onto the road arising from any works undertaken as a result of the permit.
 - d. remediate and clean up forthwith any material or mud tracked onto the roads where required to do so by City staff.
 - e. ensure that any dust control measures are in place so as to restrict and limit the blowing of dust onto any adjacent lands.
 - f. install temporary signage in accordance with Ministry of Transportation's Ontario Traffic Manual (OTM) Book 7 regulations

- on all roads immediately adjacent to the site where fill is being dumped.
- g. inspect and maintain sediment control measures to ensure they are kept in good working order.
 - h. ensure that any machinery operating on a road or any person directing traffic on a road does so in a manner acceptable to the Director and in accordance with all other applicable law.
 - i. ensure that fill that is dumped on the site is in accordance with the permit, the site plan and all other applicable law.
 - j. provide the Director or a Municipal Law Enforcement Officer a report from a qualified person, qualified Engineer or environmental consultant possessing an expert or special knowledge in respect to the source and nature of the fill to be dumped that the fill meets the standards prescribed by the MECP.
 - k. provide security satisfactory to the Director or secure the maintenance of the roads that are used by trucks delivering or removing fill in a state of good repair and free from dust and mud.
- 4) The Director may, as a condition of the issuance of a permit, require an owner of the site subject to a permit, either prior to the permit being issued or after the permit has been issued, to comply with one or more of the following:
- a. keep, maintain and make available to the Director the following records:
 - i. the full and complete legal name and business name if different from the legal name of each hauler,
 - ii. the commercial vehicle registration number of each hauler,
 - iii. the motor vehicle permit number of the motor vehicles owned and operated by each hauler,
 - iv. the date and time of delivery of fill,
 - v. the point of origin of each delivery of fill,
 - vi. the volume of each delivery of fill,
 - vii. the content of material of each delivery of fill,
 - viii. any other information required by O. Reg. 153/04, and
 - ix. any other information required by the Director; and
 - b. comply with any other conditions imposed by the Director.
- 5) In addition to Sections 3 and 4, as a condition of the permit, the City may designate one or more haul routes to be used to access/egress a site for the site alteration.
- 6) Where haul routes are not within the jurisdiction of the City, the City may require that the owner provide proof of permission to use the roads.
- 7) Every Owner who is issued a permit under this By-law shall be

responsible for ensuring that the designated haul routes are used by any person coming to or from the site for works carried out under the permit and any failure to do so shall be in contravention of this By-law.

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