



# Draft Site Alteration By-law

Presentation to Committee of the Whole:  
Working Session  
May 31, 2023



# What is Site Alteration?

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The placement of fill on land, the removal of topsoil or the alteration of the grade of land.

Site alteration is primarily undertaken to improve drainage, increase suitability of land for development or improve the use of agricultural lands.

# What is Excess Soil?

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Excess soil is soil that is in excess of a construction or development project (source site). The excess soil is not needed after excavation and must be moved to a new location (reuse/receiving site).

# Issue with Excess Soils

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Growing focus on urban development and growth will result in an increased generation of excess soils and the related challenges for municipalities, developers and local communities.

# Challenges for Municipalities

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1. Must support responsible development
2. Address concerns over source and quality of excess soil to protect agricultural land, water and the natural environment.
3. Issues with illegal dumping, commercial fill operations and illegal land uses

# Challenges for Developers

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1. Increasing costs for transporting excess soil.
2. Challenged to find appropriate sites for beneficial reuse.

# Challenges for Local Residents

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1. Nuisances such as noise and dust.
2. Increased truck traffic on local roads.
3. Adverse effects from illegal land use.
4. Inconvenience from repeated or continued non-compliance.

## **Fill By-law 189-96**

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Fill By-law 189-96 has been in effect since 1996 and is outdated, not aligned with current regulations and best industry practices.

By-law 189-96 also lacks sufficient inspection and enforcement language that properly authorizes MLEOs to effectively monitor and address matters of non-compliance.



# Need for New Approach

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The new approach must recognize the need to:

1. The city's responsibility to support responsible development
2. Protect natural environment and human health.
3. Limit potential adverse impact to local community and city infrastructure.
4. Develop effective monitoring & enforcement tools to address non-compliance.
5. Address growing concerns over the source and quality of excess soil.
6. Update permit requirements and cost recovery mechanisms.
7. Recognize when site alteration is not part of normal farming practices.

# New By-law Highlights

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1. Comprehensive list of definitions and terms
2. New Director Authority
3. By-law Exemptions
4. Permit Requirements
5. Permit Processing & Administration
6. Enforcement Tools: AMPs & Special Fines
7. Additional Inspections Fees & Security Deposit



# **Stakeholder Engagement**

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Working with Corporate Communication team develop and implement a Stakeholder Engagement Plan.

Important to engage with development industry representatives, TRCA, local community and other groups to gather feedback on the proposed Draft Site Alteration By-law and Applicant Guide.



# **Term of Council Priorities**

**Environmental Sustainability:** Encouraging responsible development and ensuring landowner are held responsible for proper management of excess soils.

**City Building:** as City develops long-term planning and policies to meet housing need, excess soil management must be a consideration.

# Project Timelines

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- May 31 Committee of the Whole Working Session
- Stakeholder Engagement over the summer months.
- Compile comments and feedback to refine Draft By-law and Applicant Guide.
- Return to Committee of the Whole in Q4 with final report.



**Thank You.**

