



## Site Alteration Application Information Package

Requirements for obtaining a site alteration permit vary depending on the type of project being proposed. This information package will assist in understanding the submission requirements for a permit application and will provide a general overview of the permitting process. Detailed information regarding the application requirements can be found in Consolidated By-law 65-2009, available on the Township of Amaranth website at [www.amaranth.ca](http://www.amaranth.ca) or by contacting the Township office at 519-941-1007.

Landowners looking to undertake any of the following projects will be required to obtain a Site Alteration Permit:

- Construction of a new dwelling or accessory structure
- Construction of an addition to an existing dwelling or accessory structure
- Installation or replacement of septic systems
- The placement or removal of fill/soil material in excess of 400m<sup>3</sup> for the purposes of landscaping or site alteration
- The placement or removal of fill/soil for a large scale site alteration where fill/soil material is in excess of 400m<sup>3</sup>
- Alteration of the grade of a property

As per the by-law, every person shall provide the following information in writing:

- A description of the site where fill/soil is proposed to be added and/or removed
- Grading plans showing the current and proposed final condition of the site
- The source of any fill/soil to be imported
- Chemical analysis of samples of any fill/soil to be imported demonstrating that contaminants are not present
- Estimates of the amount of fill/soil to be removed and/or imported
- Haul route for truck traffic associated with the importation and/or removal of fill/soil
- Proposed hours of operation and duration for the proposed importation and/or removal of fill/soil

Once the above information and the associated fees are received, Staff will circulate the information to the appropriate agencies for review. If there are no concerns, then the site alteration agreement will be prepared for execution.

If the application is approved, the applicant will be required to:

- Pay any associated deposits and/or outstanding fees
- Acknowledge and sign the Site Alteration Agreement
- Acknowledge and sign the Application Fee & Deposit Agreement
- Contact the Township office prior to any work commencing
- Obtain any permits required as per the agreement

- Provide regular soil sample and load counts to Township staff

If concerns are raised by any staff member or contract staff, the applicant may revise the application or drawings to address concerns prior to being presented to Council. Alternatively, the applicant may wish to submit the original application, which will include any comments/concerns raised by staff.

If the application is denied, the applicant will be required to submit a new application. Fees from the first submission will not be refunded or transferred to a new application.

If the application is deferred, the application will be discussed with the appropriate parties and brought back to a future meeting for review.

### Penalties for Contravention of the Site Alteration By-Law

1. Every person who places or dumps fill or who causes or permits to be placed or dumped and every person who alters the grade of any land or who causes or permits the grade of any land to be altered and every person who places or removes soil or who causes or permits the removal of soil in the Township contrary to this By-law shall remove such fill or replace such soil and restore the existing grade of the land.
2. Where an Owner of land fails to do any work required by a permit issued pursuant to this By-law or pursuant to s. 9 of this By-law the Township may undertake such work and for this purpose may enter on the Owner's land with its employees and agents. The Township may recover the costs of such work from any security held in respect of the lands in question or, such costs may be added to the tax roll.
3. Every person who contravenes any provision of this By-law, or a condition set out in section 7 or 8 of this By-law, or imposed by Council pursuant to this By-law, is guilty of an offence, pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c. P. 33. Where the Township proceeds by way of prosecution, upon a first conviction, such person is liable to a minimum fine of \$500.00 and to a maximum fine of \$100,000.00. Every person who is convicted of the same offence for a second and any subsequent time shall be liable to a minimum fine of \$5,000.00 and to a maximum fine of \$100,000.00 for each second and subsequent conviction.

## **Township of Amaranth By-Law 65-2009: Site Alteration**

### **Part I Provincial Offences Act**

| <b>Item</b> | <b>Short Form Wording</b>   | <b>Provision creating or defining offence</b> | <b>Set Fine</b> |
|-------------|---|---|-----------------|
| 1           | Dump or remove fill   | Section 2                                     | \$350.00        |
| 2           | Dump or remove soil   | Section 3                                     | \$350.00        |
| 3           | Alteration of grade of land                                       | Section 4                                     | \$350.00        |
| 4           | Failure to abide by conditions of permit                          | Section 7                                     | \$350.00        |
| 5           | Failure to abide by conditions of exemption                       | Section 8                                     | \$350.00        |
| 6           | Failure to remove fill or replace soil and restore existing grade | Section 9                                     | \$350.00        |

## Types of Applications

### Small Scale Site Alteration Projects

Small scale site alteration project permit extensions for fill/soil 400m<sup>3</sup> or less requires a deposit that remains with the Township until extended period has lapsed and all work completed.

### Medium Scale Site Alteration Projects

Medium scale site alteration projects include all work where fill/soil material of 400m<sup>3</sup> to a maximum of 2000m<sup>3</sup> is proposed to be placed or removed onto the site (including material used for driveway construction).

Requirements:

- A completed application form
- A site alteration/lot grading plan which includes a topographic survey certified by a Professional Engineer or Ontario Land Surveyor which indicates:
  - The property lines;
  - The location of all existing storm sewers, ditches, swales, creeks, ponds, watercourses, drains and wetlands;
  - The location of all existing buildings, trees, shrubs, hedges, driveways, easements and right of ways;
  - Existing and proposed grades of the property including drainage patterns;
  - All erosion, sediment and tree protection measures (if required).
- If fill/soil material is being imported, a description of the source of the fill/soil will be required along with the quantity of fill/soil material and a letter from the party from whom the fill/soil material was acquired confirming that the material meets clean fill/soil requirements as set out in By-law 65-2009.
- Contact information for the party from whom the fill/soil material was acquired;
- Copies of all approvals/clearances from the appropriate Conservation Authority, Ministry of Natural Resources, County of Dufferin (if required) any other required Federal, Provincial, Municipal or other agency. These are required to be obtained prior to submission for a Site Alteration Permit;
- Payment of the applicable fees and securities in the form of cash, certified cheque or letter of credit;
- After project completion, Certification from a Professional Engineer or Ontario Land Surveyor which indicates that the project has been completed in compliance with the final grading plans as provided in the site alteration agreement.

### Large Scale Site Alteration Projects

Large scale site alteration projects include ALL work where fill/soil material of greater than 2000m<sup>3</sup> is proposed to be imported or removed onto the site.

The requirements to obtain a permit for these types of projects are much different than for small or medium scale residential projects. In order to obtain a permit for a large scale site alteration the following will be required to be provided at the time of application:

- A completed application form
- A site alteration/lot grading plan which includes a topographic survey certified by a Professional Engineer or Ontario Land Surveyor which indicates:
  - The Property lines
  - The location of all existing storm sewers, ditches, swales, creeks, ponds, watercourses, drains and wetlands;
  - The location of all existing buildings, trees, shrubs, hedges, driveways, easements and right of ways;
  - Existing and proposed grades of the property including drainage patterns;
  - All erosion, sediment and tree protection measures (if required).
- If fill/soil material is being imported, a description of the source of the fill/soil will be required along with the quantity of fill/soil material and a letter from the party from whom the fill/soil material was acquired confirming that the material meets clean fill/soil requirements as set out in By-law 65-2009;
- Contact information for the party from whom the fill/soil material was acquired;
- Copies of all approvals/clearances from the appropriate Conservation Authority, Ministry of Transportation, Ministry of Natural Resources, County of Dufferin (if required) any other required Federal, Provincial, Municipal or other agency. These are required to be obtained prior to submission for a Site Alteration Permit;
- Payment of the applicable fees and securities in the form of cash, certified cheque or letter of credit.
- After project completion, Certification from a Professional Engineer or Ontario Land Surveyor which indicates that the project has been completed in compliance with the final grading plans as provided in the site alteration agreement.

## **Site Alteration Agreements**

All landowners engaged in a fill/soil operation will be required to enter into a Site Alteration Agreement with the Township as a condition of approval which prescribes environmental controls, safety controls, etc. to be implemented for the duration of the project. The agreement requires that a landowner fulfills certain obligations which include but are not limited to the following:

- To retain a qualified engineer or environmental consultant who is responsible for ensuring that the site alteration is in accordance with reasonable engineering and environmental practices; is in accordance with the protocol outlined in By-law 65-2009 and is in accordance with the plans submitted for the permit;
- To require the environmental consultant to report in writing on a regular basis that the placing and dumping of fill/soil is in accordance with sub-section (a) above;
- To require that the site alteration be completed by a specified date;
- Not to contaminate the natural environment and to abide by all applicable environmental laws and regulation, including measures that permit Township

- enforcement officials to enter on to the site for soil sampling;
- Ensure that all fill/soil used is material that does not contain any putrescible material and which meets prescribed criteria;
- To provide reports from the qualified Engineer or Environmental Consultant as required;
- To provide financial securities to be used to remedy any breach of the by-law or agreement, any fees incurred by the Township and to indemnify the Township for any liability, costs, damages or losses incurred directly or indirectly caused by the issuing of a permit;
- Ensure that all fill/soil meets standards prescribed by the Ministry of the Environment for any current land use and any future land use for the land designated under the Township's comprehensive Zoning By-law, an Official Plan or amendment to an Official Plan approved by Council of the County of Dufferin;
- Install and maintain the erosion and sediment control measures as identified in the approved site alteration plan and the latest Conservation Authority guidelines for erosion measures.

### **Site Alteration Deposit Agreements**

The landowner will be required to enter into an application fee & deposit agreement that will outline the applicable fees and deposits required for the site alteration application.

Once a permit or agreement has been issued, it will be valid for a period of one (1) year from the date of issue, unless otherwise specified in the site alteration agreement. Upon written request, the site alteration agreement expiry date may be extended with an amendment to the original site alteration agreement.

Fee Schedule from Fees and Charges By-Law 28- 2021

| <b>Site Alteration (Fill/soil Placement)</b>  | <b>Fee</b>            | <b>Deposit</b>   |
|---|-----------------------|--|
| Medium Scale:<br>Fill/soil greater than 400 m <sup>3</sup> but less than 2,000 m <sup>3</sup><br>(Permit requirement may be waived as per Site Alteration By-law – Delegated Authority) | <b>\$500</b>          | <b>\$2000</b>  |
| Extension of permit for fill/soil 400 m <sup>3</sup> or less<br>Deposit remains with the Township until extended period has lapsed and all work completed.                              | <b>Not Applicable</b> | <b>\$150</b>   |
| Large Scale:<br>Fill/soil greater than 2,000 m <sup>3</sup><br>Damage deposit includes mud tracking and dust control measures   | <b>\$2000</b>         | <b>\$5000/ha of area<br/>+<br/>\$5000<br/>damage deposit</b> |
| Preparation of Site Alteration Agreement  |                       |  |
| Medium Scale (400 – 2,000 cubic metres)   | <b>\$1000</b>         |  |
| Large Scale – (over 2,000 cubic metres)   | <b>\$2500</b>         |  |
| Amendment to Site Alteration Agreement  |                       |  |
| Medium Scale  | <b>\$500</b>          |  |
| Large Scale   | <b>\$1,000</b>        |  |

\* Any other costs incurred in excess of the fees listed above will be charged at full cost recovery basis.

\* The above application fees are non-refundable.

\* The above deposit fees are subject to the terms of the application fee & deposit agreement.