

**THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE**

**BY-LAW NO. \_\_\_\_-22**

*A By-Law to prohibit or regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land in the Municipality of North Grenville*

**WHEREAS** Section 11(2) of the Municipal Act 2001, S.O. 2001, as amended, authorizes a Municipality to pass by-laws respecting the economic, social, and environmental well-being of the Municipality, including respecting climate change, and the health safety and well-being of persons.

**AND WHEREAS** Section 128 of the Municipal Act, S.O. 2001 authorizes local municipalities to prohibit and regulate with respect to public nuisances, including matters that in the opinion of Council, are or could become or cause public nuisances.

**AND WHEREAS** Section 142 of the Municipal Act, 2001, S.O. 2001, as amended, authorizes a Municipality to pass a by-law prohibiting or regulating the placing or dumping of fill, the removal of topsoil, and the alteration of the grade of the land in any defined area or on any class of land.

**AND WHEREAS** Council may also require that a permit be obtained for the placing or dumping of fill, the removal of topsoil, and the alteration of the grade of the land within the Municipality of North Grenville, and may prescribe the fees for the permit, the circumstances under which a permit may be issued, and the conditions to such a permit.

**AND WHEREAS** Council deems it in the public interest to enact a by-law for prohibiting or regulating the placing or dumping of fill, the removal of topsoil, and the alteration of the grade of the land.

**NOW THEREFORE** the Council of the Corporation of the Municipality of North Grenville enacts as follows:

**1. SHORT TITLE**

This by-law may be referred to as the “Site Alteration By-law”.

**2. ESTABLISHMENT**

There is hereby established a system to protect the North Grenville community and environment from negative impacts caused by site alteration, in order to ensure that:

- a) Existing drainage patterns are maintained;
- b) Interference and damage to watercourses or waterbodies is limited;

- c) Ground water and surface water quality is maintained;
- d) Erosion and sedimentation are prevented;
- e) Changes to drainage or grade are appropriate to protect natural heritage features and areas of archaeological resources;
- f) The use of hazardous or improper fill that may cause an adverse effect or degradation of soil and groundwater quality is prevented;
- g) Disturbance of landscape characteristics is minimized; and,
- h) Unanticipated drainage and site alteration changes are prevented.

### **3. SITE ALTERATION AND AGRICULTURAL OPERATIONS**

- 3.1 This by-law shall not apply to restrict a normal farm practice carried out as part of an agricultural operation.

### **4. DEFINITIONS**

For the purpose of this by-law, the following definitions shall apply:

- a) "Adjacent Lands" means those lands contiguous to the parcel of land that is subject to site alteration and includes lands that would be contiguous in not for a highway, road, or river, where it is likely that site alteration would have a negative impact on the lands.
- b) "Adverse Effect" means one or more of:
  - i. impairment of the quality of the natural environment for any use that can be made of it;
  - ii. injury or damage to property, plant, or animal life;
  - iii. harm or material discomfort to any person;
  - iv. an adverse effect on the health of any person;
  - v. impairment of the safety of any person;
  - vi. rendering any property, plant, or animal life unfit for human use;
  - vii. loss of enjoyment of normal use of property; and
  - viii. interference with the normal conduct of business.
- c) "Agriculture" or "Agricultural Use" shall mean the use of land, buildings, and structures for the growing of field crops, berry crops, fruit crops, tree crops, flower gardening, market gardening, nurseries, sod and turf farms, aviaries, apiaries, farms for the grazing, breeding, raising, boarding, or training of livestock and equine, the breeding and raising of poultry, forestry, and reforestation, including the sale of such produce, crops, livestock, or poultry on the same lot, and may include green houses, agricultural produce sales outlet, maple syrup production, a farm winery, a farm dwelling accessory to the above, but shall not include kennels, abattoir, or industrial food processing operations.

- d) “Agricultural Operation” means an agricultural, aquacultural, horticultural, or silvicultural operation that is carried out in the expectation of gain or reward.
- e) “Alter” or “Altering” means changing the grade of the land either through the depositing of fill, the excavation of land, the dumping of fill, or a combination thereof.
- f) “Applicant” means the person who submits an application to The Corporation of the Municipality of North Grenville for a Site Alteration Permit, pursuant to the provisions of this by-law.
- g) “By-Law Officer” means a By-Law Enforcement Officer, Special Enforcement Officer, or Building Inspector of the Corporation of the Municipality of North Grenville; or any Police Officer, Constable, or Special Constable of the Ontario Provincial Police.
- h) “Control Plan” means the drawing(s) and supporting report detailing the existing conditions, the proposed work, the proposed grades, elevations and drainage pattern, the proposed erosion and sediment control, and the environmental protection measures for a property.
- i) “Corrective Work Order” means an order issued pursuant to this by law to do work to correct a contravention.
- j) “Designate” means the person who is an employee of The Corporation of the Municipality of North Grenville who has been appointed by the Director to administer all or part of this by law on behalf of the Director.
- k) “Director” means either the Director of Public Works or the Director of Planning and Development or both, or their Designate, who is responsible for the administration and interpretation of the by-law.
- l) “Ditch” means a linear depression, swale, or open channel, all of which conveys stormwater runoff from public and private properties in the same manner as does a piped sewer system.
- m) “Drain” means a culvert, rainwater leader, sewer, swale, ditch, or storm sewer, all of which collect and carry rainwater, groundwater, surface water, or subsurface water, and includes appurtenances such as manholes and catch basins, but does not include any drainage works created under the Drainage Act.
- n) “Drainage” means the movement of water across the property, whether by way of natural characteristics of the ground surface, subsurface, or by an artificial method.

- o) “Dump” means depositing fill by any means and includes the movement and depositing of fill from one location on a property to another location on the same property, and “dumping” and “dumped” have a corresponding meaning.
- p) “Ecological Functions” means the natural process, products, or services that living and non-living environments provide or perform within or between species, ecosystems, and landscapes, including biological, physical, and socio-economic interactions.
- q) “Environmental Impact Statement” means a study completed in accordance with established procedures under the Environmental Protection Act and in accordance with relevant policies of the North Grenville Official Plan.
- r) “Fill” means any type of material deposited or placed on lands and includes, but is not limited to, soil, stone, concrete, asphalt, rubbish, garbage, turf, dirt, earth, aggregate, and binder, either singly or in combination, whether originating on the site or elsewhere, used or capable of being used to raise, lower, or any other way affect or alter the contours of ground; not all such materials may be acceptable for placement (fill) on a site.
- s) “Fill, Clean” means fill which does not contain any putrescible organic material and does not contain cement fines, exposed rebar, rubbish, garbage, asphalt, glass, debris, plastic, demolition materials, wood with paint or coatings, decomposable materials, petroleum products, hydrocarbon materials, hazardous waste, or salt impacted Soils, and that passes a slump test as outlined in the Ontario General Waste Management Regulation O. Reg. 347 and that is free of staining and noxious odour.
- t) “Floodplain” means the area, usually lowlands adjoining a watercourse, which has been or may be covered by flood water and is below the regional flood event as defined by the local Conservation Authority.
- u) “Good Forestry Practices” means the proper implementation of harvest, renewal, and maintenance activities known to be appropriate for the forest and environmental conditions under which they are applied, and that minimizes detriments to forest values including significant ecosystems, important fish and wildlife habitat, soil and water quality, forest productivity, health and aesthetics, and recreational opportunities of the landscape.
- v) “Good Repair” includes the provision of facilities, the making of additions or alterations, or the taking of any other action that may be required to ensure that a ditch or drain remains clear of any obstruction and operates as designed or intended.
- w) “Grade” means the elevation of the ground surface, and shall be more particularly defined as follows:

- i. “Existing Grade” means the elevation of the existing ground surface of the lands upon which the placing, dumping, cutting, or removal of fill or altering of the grade is proposed, and of abutting ground surface up to 3 m wide surrounding such lands, except where such activity has occurred in contravention of this By-law; then Existing Grade shall mean the ground surface of such lands as they existed prior to the said activity requiring a permit under this By-law;
  - ii. Finished Grade” means the approved elevation of ground surface of lands upon which fill has been placed, dumped, cut, or removed, or the grade altered in accordance with this By-law; and
  - iii. “Proposed Grade” means the proposed finished elevation of ground surface after fill is dumped or placed, the grade altered, or topsoil removed.
  
- x) “Landscaping” means the installation and maintenance of any combination of the following elements:
  - i. vegetation including trees, shrubs, hedges, ornamental plantings, grass, or other ground cover; or
  - ii. non-vegetative hardscaping materials such as brick, pavers, rock, stone, concrete, tile, wood, excluding monolithic concrete and asphalt, and any area used for parking, but including such features as a walkway, patio, deck, or in-ground pool; or
  - iii. architectural elements such as decorative fencing, walls, sculptures, gazebos, trellises, planters, benches, and other similar features.
  
- y) “Last Known Address” means the address which appears on the last revised assessment role of the Municipality.
  
- z) “Municipality” means Corporation of the Municipality of North Grenville or the geographic area of the Municipality of North Grenville as the context requires.
  
- aa) “Natural Environment Area” means any component of the Municipality's natural heritage system, as identified in the North Grenville or United Counties Official Plan, as amended.
  
- bb) “Natural Heritage Feature and Areas” include significant wetlands, unevaluated wetlands, fish habitat, woodlands, significant valley lands, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest.
  
- cc) “Negative Impact” means degradation that threatens the health and integrity of natural features or ecological functions for which an area is identified.
  
- dd) “Normal Farm Practice” means any activity undertaken in accordance with the Farming and Food Production Protection Act that is part of an Agricultural Operation and is

conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar Agricultural Operations under similar circumstances, and may make use of innovative technology in such a manner consistent with proper advanced farm management techniques.

- ee) “Obstruct” means any act or inaction that has the effect of preventing or hindering the proper function of a ditch or drain including, but not limited to, the placement, dumping, or removal of fill or topsoil, or altering the grade of the land by means including, but not limited to, landscaping, pavement, interlock, fencing, a swimming pool, deck, shed, or retaining wall.
- ff) “Obstruction” means any object which prevents or hinders proper function of a ditch or drain including, but not limited to, fill, topsoil, rocks, gravel, landscaping, pavement, interlock, fencing, swimming pool, deck, shed, or retaining wall.
- gg) “Occupant” means any Person(s) over the age of 18 years or corporation(s) in possession of property.
- hh) “Owner” means the Person(s), or corporation(s) registered on the title of the land in the Registry Office or Land Titles Office.
- ii) “Permit Holder” means the Owner or the person in possession of the property, and includes a lessee, a mortgagee in possession, or a person in charge of the property, to whom a valid Site Alteration Permit has been issued.
- jj) “Place” or “Placing” means the distribution of fill on lands to establish a finished grade higher or lower than the existing grade.
- kk) “Ponding” means the accumulation of surface water caused by the placing or dumping of fill, the removal of topsoil, or the alteration of the grade of the land.
- ll) “Property” includes a building or structure, or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences, and erections thereon whether heretofore or hereafter erected, and includes vacant Property;
- mm) “Removal” means the excavation or extraction of any fill that lowers the existing grade and includes stripping of soil.
- nn) “Retaining Wall” means a wall that is designed and used to contain support fill between adjacent lands of different elevations.
- oo) “Rural Area” means the area designated as Rural in the North Grenville Official Plan.

- pp) “Site Alteration” means activities such as the removal of topsoil from land, the placement or dumping of fill on land, the alteration of the grade of the land, or excavation by any means, including clearing or stripping of vegetation from the land, the compaction of soil, the creation of impervious surfaces, or any combination of these activities, and “Alter” or “Alteration” has a corresponding meaning.
- qq) “Site Alteration Permit” means the written authorization from the Municipality to perform work regulated by this bylaw.
- rr) “Soil” means any material commonly known as earth, topsoil, soil, loam, subsoil, clay, sand, or gravel.
- ss) “Stop Work Order” means an order issued pursuant to this by-law to stop the site alteration.
- tt) “Swale” means a depression in the ground sloped for the purpose of providing drainage of surface water.
- uu) “Topsoil” means those horizons in a soil profile commonly known as the “O” and the “A” horizons, containing organic material, and including deposits of partially decomposed organic matter such as peat.
- vv) “Tributary” means a branch that flows into a large water system.
- ww) “Urban Area” means an area designated as a Hamlet or Urban Service Area in the North Grenville Official Plan.
- xx) “Watercourse” means a natural or artificial open channel, swale, or depression in which water flows continuously or intermittently, and includes a drain or a ditch.
- yy) “Works” means any physical change to the land and is synonymous with Site Alteration.

## **5. INTERPRETATION**

- a) This by-law includes the Schedules annexed hereto that are hereby declared to form part of this by-law.
- b) This by-law is gender-neutral and, accordingly, any reference to one gender includes the others.
- c) References to items in the plural include the singular, as applicable, unless used with a number modifying the term.
- d) Dimensions specified in metric units shall be the official dimensions. Imperial dimensions contained in parentheses are provided as a convenience only.

- e) In this by-law, the word “metre” shall be represented by the abbreviation “m”, the word “centimetre” shall be represented by the abbreviation “cm”, the word “feet” shall be represented by the abbreviation “ft”, and the word “inches” shall be represented by the abbreviation “in”.
- f) Headings are inserted for convenience of reference purposes only, form no part of this by-law, and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
- g) This by-law applies to all lands within the geographical limits of the Municipality of North Grenville.

## **6. GENERAL PROHIBITIONS**

- 6.1 No person shall place or dump fill, remove topsoil, or alter the grade of the land in the Municipality without having first obtained a Site Alteration Permit in accordance with this By-Law, unless otherwise exempt.
- 6.2 No person shall place or dump fill, remove topsoil, or alter the grade of the land in contravention of a Site Alteration Permit.
- 6.3 The issuance of a Site Alteration Permit does not relieve the Owner from any responsibility to obtain all other approvals that may be required from any level of government or authority having jurisdiction or any agency thereof.
- 6.4 Where there is a development application(s) involving Planning Act approval, no site alteration shall be permitted until the Municipality issues a Site Alteration Permit and/or the receipt of the final approval of the applicable Planning Act applications and agreements.
- 6.5 No Person shall perform a Site Alteration on any lands unless it is done at the request of or with the consent of the Owner of the Land where the Site Alteration is to occur.
- 6.6 No person shall undertake a Site Alteration which may result in:
  - a) Adverse erosion and environmental impacts on and off-site;
  - b) Blockage of a swale, ditch, or watercourse;
  - c) Siltation in a watercourse, wetland, or storm sewer;
  - d) Transportation of silt to adjacent, neighbouring, or downstream properties;
  - e) Pollution of a watercourse;
  - f) Flooding or ponding on adjacent lands;
  - g) Flooding or ponding caused by a watercourse overflowing its banks;
  - h) Hindering the orderly development of any lands;
  - i) Detrimental effect on the quality and quantity of water in a well;
  - j) Detrimental effect on any trees of a caliper of 75mm dbh or more located on the lands;



- k) Detrimental effect on matters of inherent biological sensitivity such as, but not limited to, aquifer recharge, soil permeability, water quality, vegetation and wildlife habitat;
- l) Unauthorized injury or destruction of Municipal trees or other trees protected under any other applicable by-laws of the Municipality or County;
- m) A loss or detrimental effect on the natural environment area;
- n) A detrimental effect to abutting properties such that it constitutes an adverse effect;
- o) A detrimental effect on areas of archaeological significance;
- p) The dumping of any fill, other than clean fill; and,
- q) Contamination of or the degradation of the environmental quality of land.

## **7. SPECIFIC EXEMPTIONS**

7.1 Notwithstanding Section 6, following are prescribed exemptions under Section 142 (5) of the Municipal Act, 2001. A person may undertake site alteration without applying for a Site Alteration Permit provided that the site alteration is undertaken:

- a) As part of a Normal Farm Practice, including but not limited to, sod-farming, greenhouse operations, nurseries, and agricultural operations, but not including the removal of topsoil for sale, exchange, or other disposition;
- b) Pursuant to a condition(s) to the approval of a site plan, a plan of subdivision, a consent, or a minor variance under Section 41, 45, 51, or 53 respectively of the Planning Act, 1990 or as a requirement by an agreement entered into under those Sections of the Planning Act, 1990;
- c) By the Municipality, Conservation Authority, a local municipal board, a utility provider, or the Provincial or Federal Government;
- d) By a transmitter or distributor for the purpose of constructing and maintaining a transmission system or a distribution system, as defined in the Electricity Act, 1998, as amended;
- e) On land described in a license for a pit or quarry, or a permit for a wayside pit or wayside quarry, issued under the Aggregate Resources Act;
- f) On land in order to lawfully establish and operate, or enlarge any pit or quarry that has not been designated under the Aggregate Resources Act or a predecessor of that Act, and on which a pit or quarry is a permitted land use under a by-law Municipality's Zoning By-law;
- g) As part of drain construction under the Drainage Act or the Tile Drainage Act;

7.2 Notwithstanding Section 6, following are exemptions established by the Municipality. A person may undertake site alteration without applying for a Site Alteration Permit provided that the site alteration is undertaken:

- a) On developed lots equal to or less than 1.0 hectare in size, with the exception of vacant lots and lots which are designated as, or adjacent to, Natural Heritage Feature or Areas as

defined herein. For sake of clarity, vacant lots equal to or less than 1.0 hectares in size shall be subject to this By-law.

- b) For the installation of a swimming pool, provided a pool permit is obtained from the Municipality in accordance with the appropriate by-law regulations;
- c) For the purpose of lawn dressing, landscaping, or adding to flower beds or vegetable gardens and provided that:
  - i. No soil in excess of thirty (30) cm (12 in) in depth is placed on the lands, except for situations where a permit has been issued for the installation of a septic system;
  - ii. The elevation of the land within one hundred and twenty (120) cm (48 in) of any property line is not changed;
  - iii. The final grade has a maximum slope of 3:1; and,
  - iv. There is no change in the location, direction, or elevation of any natural or artificial watercourse, waterbody, open channel, swale, or ditch used to drain land. This includes all lands within a drainage easement if present on the lands.
- d) As part of the excavation or restoration of the existing grade following the demolition or removal of a building or structure for which a demolition permit has been issued;
- e) In association with the construction of a building pursuant to a valid building permit issued under the Ontario Building Code to permit the erection of a building, structure, or on-site sewage system, and where the site plan accompanying the building application provides sufficient information to determine that the placement of fill conforms with the provisions of the By-law, and the quantity of fill, if any, is deemed necessary and reasonable by the Director;
- f) As part of Section 28 Permit issued by the Conservation Authority;
- g) As part of any activity authorized under Federal legislation;
- h) As part of the use, operation, establishment, alteration, enlargement, or extension of a waste management system or waste disposal site within the meaning of Part V of the Environmental Protection Act, R.S.O. 1990, as amended, or a private waste disposal site or waste management system that is exempted by regulations for that Part; or,
- i) As part of the construction, extension, alteration, maintenance, or operation of works under Section 26 of the *Public Transportation and Highway Improvement Act, R.S.O. 1990*, as amended.

## **8. PRESERVATION OF DRAINAGE**

- 8.1 No person, owner, or occupant shall, or shall permit any person to, alter, obstruct, cause, or contribute to the obstruction of a ditch, drain, or lot grade such that the flow of storm, rain, ground, surface, or subsurface water is increased, impaired, or deviates from the existing drainage pattern or approved grading and drainage pattern and causes or is likely to cause an adverse effect on any abutting property.
- 8.2 For the purposes of Section 8.1, "deviates" does not include a corrective measure which in the sole opinion of the Municipality, improves the property's drainage without

impacting the existing drainage pattern or approved grading and drainage pattern, or cause an adverse condition on any abutting property.

- 8.3 No owner or occupant shall fail to keep a private ditch or drain in good repair.
- 8.4 No owner or occupant shall allow a private ditch or drain to fall into disrepair such that the flow of storm, rain, ground, surface, or subsurface water is increased, impaired, or deviates from the existing drainage pattern or approved grading and drainage pattern, and causes or is likely to cause an adverse condition on any abutting property.
- 8.5 No owner or occupant shall alter any Municipal Drains, or Municipal or County drainage works.

## **9. PROTECTION OF TOPSOIL RESOURCES**

- 9.1 No person, owner, or occupant shall, or shall permit, any person to perform, permit, or cause to be performed or permitted, any topsoil removal or other site alteration that would be detrimental to the lands.
- 9.2 Despite subsection (9.1) the following activities are permitted:
  - a) Site alteration that is incidental to a normal farm practice carried out by an agricultural operation, including but not limited to, sod-farming, greenhouse operations, nurseries, field and forage crop, or livestock production, but not including the removal of topsoil or peat for sale, exchange, or other disposition;
  - b) Site alteration associated with the implementation of a development that has been approved by the Municipality under either the Planning Act or the Building Code Act, provided that all such works proceed in accordance with the other provisions of this by-law, applicable law, and any applicable conditions of approval; and,
  - c) Site alteration associated with the maintenance of services, including septic systems or wells, the installation and maintenance of fences, or the landscaping and maintenance of yards, provided that all such works are conducted in accordance with the other provisions of this by-law.

## **10. PROTECTION OF NATURAL HERITAGE FEATURES**

- 10.1 This section applies only to lands that abut or are located in a natural heritage feature or area as defined herein.

10.2 No person, owner, or occupant shall, or shall permit, any person to perform, permit, or cause to be performed or permit, any site alteration in or within 30 metres of any designated natural heritage feature without the prior written approval of the Director and relevant public authority.

10.3 The Municipality may:

- a) require an environmental impact statement (EIS) to be prepared in accordance with Section 20.3 (a) of this By-law.
- b) Impose conditions for the protection of any significant natural heritage features and associated ecological functions identified on or adjacent to the subject lands and associated drainage system.
- c) Refuse to approve the site alteration, in whole or in part, where such alteration would result in negative impacts to the natural heritage feature or its ecological functions.

10.4 Despite subsection (10.2) the following activities are permitted:

- a) Site alteration associated with the implementation of a development that has been approved by the Municipality under either the Planning Act or the Building Code Act, provided that all such works proceed in accordance with the other provisions of this by-law and any applicable conditions of approval;
- b) Site alteration associated with the maintenance of services, including septic systems or wells, the installation and maintenance of fences, or the landscaping and maintenance of yards that do not change grades or alter drainage, provided that all such works are conducted in accordance with the other provisions of this by-law;
- c) Site Alteration that is incidental to forest management activities conducted in accordance with good forestry practices; and,
- d) Site Alteration that is incidental to a normal farm practice carried out by an agricultural operation.

10.5 No person shall knowingly furnish false information for the purposes of obtaining the Municipality's approval.

## **11. APPLICATION OF OTHER LAWS AND APPROVALS**

11.1 No person shall fail to comply with any federal law, provincial law, applicable law, or other municipal by-law or policy, while undertaking site alteration.

11.2 An application for a Site Alteration Permit may be processed concurrently with an application submitted pursuant to the *Planning Act, 1990*, and may form part of the technical information requested in order to consider planning applications complete.

## **12. APPLICATION FOR A SITE ALTERATION PERMIT**

12.1 Any person intending to undertake any site alteration within the Municipality, either through their own actions or through another person, shall apply for and obtain a Site Alteration Permit in accordance with the provisions of this by-law, unless otherwise exempted by Section 7, prior to undertaking any site alteration.

12.2 The applicant for a Site Alteration Permit shall submit the following to the Municipality:

- a) A completed application that includes:
  - i. The names and addresses of the owner of the land(s), proposed permit holder and applicant (if different), contractor, and consulting engineer (if applicable) upon which the fill is to be dumped or placed, topsoil removed, or grade altered;
  - ii. The municipal address and legal description of the land upon which the fill is to be dumped or placed, topsoil removed, or grade altered;
  - iii. A schedule for the proposed works, including the start and end dates of the construction period;
  - iv. A description of the proposed works;
  - v. A description of the fill and source of the fill, where applicable;
  - vi. Identification of any watercourse, waterbody, shoreline, fill, or flood regulated area as determined after pre-consultation with the appropriate conservation authority;
  - vii. Confirmation of the requirement to conduct an Environmental Impact Statement as determined after pre-consultation with the appropriate conservation authority and the Municipality, or their designate;
  - viii. Confirmation of the requirement to conduct a Stage 1 Archaeological Report as determined after pre-consultation with the Director, or their designate;
  - ix. Confirmation of existing Official Plan designations, zoning, and the status of any planning applications on the property as determined after pre-consultation with the Municipality;
  - x. Identification of anticipated haul routes for the removal of fill or top soil or materials from the site; and,
  - xi. All required signatures as per Section 12.2.a.i. above.
- b) Every site alteration permit application shall be accompanied by the prescribed fee, payable in accordance with Schedule 'C' of this by-law, as it may be amended from time to time.
- c) A control plan including drawings and a supporting report to the satisfaction of the Municipality and containing any information the Municipality deems necessary. At a minimum, the following information shall be provided on a drawing to a scale acceptable to the Municipality:

- i. Property boundaries and easements/rights-of-ways;
- ii. Drainage routes and slopes;
- iii. Location of water bodies or water courses on, or within 30 meters of, the property;
- iv. Existing buildings, roads, utilities, and vegetation;
- v. Areas to be filled or altered, with existing and proposed grades; and,
- vi. Proposed erosion and sediment control and environmental protection measures.

### **13. REQUIREMENTS FOR PERMIT ISSUANCE**

- 13.1 All applicants shall pre-consult with the Municipality y prior to applying for a Site Alteration Permit. Should the subject property be located within close proximity to lands regulated by a Conservation Authority, pre-consultation with the appropriate Conservation Authority shall also be required.
- 13.2 Prior to the issuance of a Site Alteration Permit, where a security deposit does not exist under a separate agreement for the subject property, the applicant or owner shall provide a security deposit in accordance with the following:
- a) A security deposit in the form of cash or irrevocable bank letter of credit, in an amount approved by the Municipality, may be required to be deposited within the Municipality. The applicant shall provide, to the satisfaction of the Municipality, estimated costs of the works on which to base required security deposit. The security may be drawn upon by the Municipality at its sole discretion to remedy any deficiency in any work. Upon written application by the applicant/owner, and upon the satisfaction of the Municipality that all conditions and requirements of these Site Alteration Permit have been fulfilled, the Municipality will return said security deposit or the remaining amount of any reduction security deposit.
  - b) The amount of the security deposit:
    - i. Shall be valued at 10% of the first Two Hundred Thousand Dollars (\$200,000.00) estimated cost of the works and 1% of any additional amounts in excess of Two Hundred Thousand Dollars (\$200,000.00); and,
    - ii. May be reduced, at the discretion of the Municipality, by an amount equal to the value of any work completed to the date of the reduction request, provided that the value of the work completed is certified by professional engineer, or other qualified professional, and supporting certification/technical documents are provided.
- 13.3 The Municipality may require the applicant to undertake the following as part of the application for a Site Alteration Permit:

- a) Prepare and submit an Environmental Impact Statement (EIS), which shall be prepared by a professional qualified in the relevant environmental field of study and conform to the following requirements:
  - i. The EIS shall be acceptable to the Municipality and other authorities having jurisdiction;
  - ii. The EIS shall include, but not limited to, the following:
    - An outline of the location, the size of the property, existing grades, the amount of fill to be placed or dumped, topsoil to be removed or agreed to be altered, and proposed
    - A description of the type of feature(s) present and their significance, including reference to all natural heritage features and ecological functions;
    - A discussion and evaluation of the compatibility of the proposed placement or dumping of fill, removal of topsoil, or alteration of the grade from the land within the existing natural heritage features and ecological functions;
    - The identification of any portion of the property where placing or dumping fill, removing topsoil, or altering the grade of the land should be precluded, and an outline of the need for and type of mitigation required to protect identified natural heritage features and areas and ecological functions; and,
    - The impact that the site alteration would have on any adjacent lands.
  - iii. The EIS shall demonstrate that there will be no negative impacts on the natural heritage features or area, its adjacent lands, or on their ecological functions as a result of the proposed works.
- b) Where a property is identified as containing archaeological resources, or as being an area of archaeological potential in accordance with Section 12.7 of the North Grenville Official Plan, the applicant or owner shall be required to complete a Stage 1 Archaeological Assessment as well as any subsequent assessments and recommendations as identified within the Stage 1 Archaeological Assessment. These assessments shall be prepared by an archaeologist holding a license from the Province of Ontario, and in accordance with all relevant legislation and policies, including but not limited to, the Ontario Heritage Act, the Archaeological Assessment Technical Guidelines, Standards and Guidelines for Consulting Archaeologists, or any superseding document(s) Published by the province of Ontario.
- c) Enter into a Site Alteration Agreement that may be registered on title to the affected lands. A Site Alteration Agreement shall include, but not limited to:
  - i. Measures necessary to ensure that the placing or dumping of fill, the removal of topsoil, or the alteration of the grade of the land is undertaken in accordance with

this by-law, any approved control plan, and the supporting information provided thereto, and proper engineering principles;

- ii. Financial security requirements in accordance with Section 20.2 of this by-law; and,
- iii. Requirements that a professional engineer or other similarly qualified person, upon completion of the work, certify that the owner, applicant, and/or proposed permit holder has complied with all of the obligations and conditions contained within the Site Alteration Permit.

d) Where required, submit a plan for a retaining wall. The plan submitted shall include construction details and be accompanied by a building permit where required. No retaining wall shall encroach, either above or below existing grade, upon abutting lands unless authorized in writing by the owner of the abutting lands.

e) The Municipality may require that a retaining wall be constructed where:

- i. Erosion and fill onto abutting lands may occur; or,
- ii. The finished grade of the lands at the property line is higher or lower than that of the existing grade of the abutting lands.

f) Provide any other information, document, or plan that may be required by the Municipality to determine if the proposed work conforms with this by-law and/or any applicable statute, regulation, or by-law.

g) Retain an appropriate qualified person, as specified by the Director, to undertake any tests or studies that the Director deems necessary to complete any of the necessary studies.

13.4 In reviewing a Site Alteration Permit application, the Municipality shall confer with such persons, staff, qualified professionals, and agencies as they consider necessary for the proper review of the application, the determination of whether or not a Site Alteration Permit should be issued, if all applicable laws are satisfied, and the identification of any conditions thereto. Any review fees required by consulted agencies shall be paid by the applicant prior to the issuance of a Site Alteration Permit.

13.5 The Municipality shall make every effort to conduct the review and consultation associated with a Site Alteration Permit application and issue a decision within 45 days of the receipt of a complete Site Alteration Permit application.

## **14. ISSUANCE OF A SITE ALTERATION PERMIT**

14.1 The Municipality may issue a Site Alteration Permit where:

- a) The owner, applicant, and/or proposed permit holder have fulfilled all the requirements pursuant to this by-law and have paid the fee prescribed in Schedule 'A';



- b) The owner, applicant, and/or proposed permit holder have entered into the Site Alteration Agreement referred to in Section 20.3 of this by-law, if required, and have performed all obligations that the agreement requires to be performed prior to the issuance of a Site Alteration Permit;
- c) The Municipality is satisfied that the proposed final elevations and resulting drainage pattern, the design in construction details of any retaining wall, the type of filter to be used, and the method of placing or dumping of fill, are in accordance with the proper engineering practices if required;
- d) The Municipality is satisfied, after consultation with the appropriate authority where applicable, that the placing or dumping of fill, the removal of topsoil, or the alteration of grade of the land will not result in:
  - i. Soil erosion or negative impact on drainage;
  - ii. Blockage of a watercourse;
  - iii. Sedimentation in a watercourse or water body;
  - iv. Pollution or contamination of land and/or a watercourse or water body;
  - v. Flooding or ponding caused by a watercourse or water body overflowing its banks; or,
  - vi. Detrimental effect on any environmentally sensitive natural heritage feature or area as defined in this bylaw; and,
- e) Any proposed dumping of fill complies with all provisions of the Municipality's Zoning By-law.

14.2 Where the Municipality refuses to issue a Site Alteration Permit pursuant to this by-law, the applicant shall be informed in writing of the refusal by the Municipality. The Municipality may reconsider the application if additional information or documentation is submitted by the applicant.

14.3 Where the owner, applicant, or permit holder makes a material change to a plan, specification, document, or other information following the issuance of a Site Alteration Permit, the owner, applicant, or permit holder, as the case may be, shall submit a revised application. The Municipality may require payment of up to one-half of the original permit fee and submission of revised drawings or other information. Any revised application submitted pursuant to this subsection shall be deemed to be a new application, which shall be considered by the Municipality in accordance with this by-law.

## **15. TERM OF A SITE ALTERATION PERMIT**

- 15.1 Any permit issued pursuant to this by-law shall be valid for a period of no more than two (2) years from the date the permit was issued.
- 15.2 An owner, applicant, or permit holder shall apply to renew a Site Alteration Permit where the work authorized will not be complete prior to the expiration of the Site Alteration Permit. A Site Alteration Permit may only be extended where an application to renew is filed at least 30 days prior to its expiry. Every application to renew a Site Alteration Permit shall be accompanied by the applicable fee.
- 15.3 No permit shall be renewed where the permit holder is in breach of any of the terms of this by-law, the Site Alteration Permit, or the Site Alteration Agreement.

## **16. PERMIT CONDITIONS**

- 16.1 All Site Alteration Permits shall contain the following conditions:
- a) The issuance of a Site Alteration Permit by the Municipality does not relieve the owner, applicant, and/or permit holder from any responsibility to obtain all other approvals that may be required by any level of government or authority having jurisdiction or agencies thereof.
  - b) A Site Alteration Permit is not transferable to another property.
  - c) The work is done at the request of, or with the consent of, the owner of the lands where the fill is to be placed or dumped, the topsoil removed, or the grade of the land altered.
  - d) If the ownership of the lands for which a Site Alteration Permit has been issued is changed while the Site Alteration Permit is still in effect, the permit holder shall advise the Municipality and the new owner in writing prior to the property transfer, and the new owner of the lands shall forthwith advise the Municipality that such a transfer has been completed and either:
    - i. Provide the Municipality with an undertaking to comply with all the conditions under which the existing Site Alteration Permit was issued; or,
    - ii. Apply for and obtain a new Site Alteration Permit in accordance with the provisions of this by-law.
  - e) All fill to be dumped or placed shall be clean and free of waste, asphalt, trash, rubbish, glass, liquid or toxic chemicals, hazardous waste, or contamination. The Municipality may require the owner to provide proof that the fill is clean fill, including soil tests of the fill and/or certifications by qualified individuals who inspected and test the fill being placed.
  - f) No ponding or alteration of existing surface water flow resulting directly or indirectly from the site alteration shall be caused on abutting lands.

- g) Where required, the finished grade surface shall be protected by sod, turf, seeding for grass, asphalt, concrete, or other means either singly or in combination, within 60 days of completion of the work, or as specified by the Municipality.
- h) Erosion and sediment control measures shall be provided around all disturbed areas in a manner satisfactory to the Municipality, prior to the commencement of the placing or dumping of fill, the removal of topsoil, or the alteration of the grade of the land, and shall maintain such measures in good working order until the site has been stabilized.
- i) All fill shall be properly compacted using acceptable engineering practices, unless being stockpiled on site for future use.
- j) Ensure that natural drainage or any natural or human-made watercourse or water body is not altered in such a manner that will negatively affect other properties or the environment.
- k) If archaeological resources are discovered or identified during the placement of any fill, removal of any topsoil, or the alteration of the grade of the land, even after the issuance of a Site Alteration Permit, the owner, applicant, and/or permit holder shall immediately cease all activity on the property and contact the Municipality.

16.2 The Municipality may impose conditions on any Site Alteration Permit requiring the permit holder, owner, and applicant to comply with all recommendations or conclusions of all or any parts of the studies, control plan, and reports submitted as part of the application for a Site Alteration Permit, and such other conditions that are imposed by the Municipality.

## **17. PERMIT POSTING**

17.1 A copy of the Site Alteration Permit, issued by the Municipality, shall be posted in a conspicuous place on the subject property that is adjacent to a public road and visible to all persons, or at such other location designated by the Municipality, prior to the works authorized by the Site Alteration Permit being carried out.

## **18. REVOCATION OF A PERMIT**

18.1 A Site Alteration Permit may be revoked by the Municipality under any of the following circumstances:

- a) It was issued under mistaken, misleading, false, or incorrect information;
- b) If it was issued in error;
- c) If the owner, applicant, or permit holder requests, in writing, that it be revoked;
- d) If the terms of an Agreement under this by-law are not complied with;
- e) If an Owner fails to comply with any provision of the Site Alteration Permit or this bylaw;
- f) If there is an officially induced error by other agencies; or,

- g) The land has been transferred and the new owner has not complied with the requirements under this section of the By-law.

18.2 When a Site Alteration Permit is revoked, the owner, applicant, and/or permit holder shall immediately cease all operations being conducted under the authority of the revoked Permit and shall immediately rehabilitate and stabilize the land so as to prevent adverse impacts from erosion and sedimentation and/or health and safety concerns.

## **19. APPEALS TO COUNCIL**

19.1 An applicant for a Site Alteration Permit pursuant to this by-law may appeal in writing to the Council of the Municipality of North Grenville where:

- a) The Municipality refuses to issue any Site Alteration Permit, within thirty (30) days after the refusal; or,
- b) The applicant objects to a condition of the Site Alteration Permit, within thirty (30) days after the issuance of the Permit.

19.2 On appeal, the Council has the same powers as the Municipality under this by-law and may:

- a) Confirm the refusal to issue the Site Alteration Permit;
- b) Issue a Site Alteration Permit, with or without conditions; or,
- c) Affirm, vary, or add any conditions to the Site Alteration Permit.

## **20. TRANSITIONAL PROVISIONS**

20.1 Notwithstanding any other provision of this by-law, any site that has received fill on any day within fifteen (15) days prior to the day this by-law was passed may continue to be used only for the purpose of receiving fill without first obtaining a Site Alteration Permit in accordance with the by-law, provided that:

- a) The owner of the site applies for a Provisional Site Application Permit by submitting the prescribed form to the Municipality no later than thirty (30) days after this by-law has been passed;
- b) The owner of the site submits all information required by the Municipality to issue a Provisional Site Alteration Permit;
- c) The owner of the site receives a Provisional Site Alteration Permit within 15 days of making application for the Provisional Site Alteration Permit;
- d) The Provisional Site Alteration Permit is not appealed;
- e) The owner complies with all terms and conditions of the Provisional Site Alteration permit; and,

- f) A copy of the Provisional Site Alteration Permit, issued by the Municipality, shall be posted in a conspicuous place on the subject property that is adjacent to a public road and visible to all persons, or at such other location designated by the Municipality.
- 20.2 The Municipality may revoke the Provisional Site Alteration Permit at anytime where the Municipality has reasonable and probable grounds to believe that any of the following may be occurring or may be likely to occur as a result of the filling activities:
- a) Negative impacts on the natural heritage features or area, its adjacent lands, or their ecological functions;
  - b) Negative impacts on archaeological or cultural resources; or,
  - c) Negative impacts on adjacent properties related to the altered drainage patterns or runoff including downstream properties.
- 20.3 The Municipality may, in writing, extend the term of the Provisional Site Alteration Permit where the Owner has complied with all requirements of the Provisional Site Alteration Permit, has made an application for a new Site Alteration Permit, and is awaiting the completion of any technical studies.

## **21. POWERS OF ENTRY FOR INSPECTION**

- 21.1 Section 436 of the Municipal Act, 2001, S.O., c.25, as amended, authorizes the Municipality to enter a land, at reasonable times for inspection.
- 21.2 A Municipal by-law officer may enter upon property at any reasonable time for the purpose of carrying out an inspection to ascertain whether the provisions of this by-law are complied with and to enforce and carry into effect the provisions of this by-law, but the power of entry does not include dwellings.
- 21.3 No person shall hinder, obstruct, or attempt to hinder or obstruct the Municipality in the discharge of duties under this by-law.
- 21.4 The powers of entry shall be exercised in accordance with the provisions of the Municipal Act.
- 21.5 For the purposes of an inspection under Section 11.1, Section 11.2, and Section 11.3, the Municipality may:
- a) Require documents or items to be produced that are relevant to the inspection;
  - b) Inspect and remove documents or items relevant to the inspection for the purposes of making copies or extracts;
  - c) Require information from any person concerning a matter related to the inspection; and

- d) Alone, or in conjunction with a person posing special or expert knowledge, make examination or take tests or photographs necessary for the purpose of the inspection.

21.6 A receipt shall be provided for any document or item removed under Section 11.4, and the document or item shall be promptly returned after the copies or extracts have been made.

21.7 Copies of or extracts from documents and items removed under Section 11.4 and certified as being true copies of or extracts from the originals by the person who made them, are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

## **22. NOTICE OF VIOLATION**

22.1 When site alteration occurs that is not pursuant to the requirements of this by law, the Municipality shall send a notice of violation, by registered mail or direct delivery of the notice by hand, to the last known address of the owner and/or occupant as applicable, requiring the owner and/or occupant to conform to the requirements of this bylaw, and the notice shall specify the time allowed for compliance.

22.2 No person shall fail to comply with a notice sent pursuant to Section 12.1.

## **23. ORDER TO DISCONTINUE ACTIVITY (STOP WORK ORDER)**

23.1 If the Municipality is satisfied that a contravention of this by-law has occurred, the By-law Officer may make an order requiring the person who contravened this by-law, or who caused or permitted the contravention, or the owner and/or occupant of the land on which the contravention has occurred, to discontinue the contravening activity.

23.2 The order shall set out reasonable particulars on the contravention, adequate to identify the contravention and the location of the land on which the contravention occurred and the date by which there must be a compliance with the order.

## **24. CORRECTIVE WORK ORDER**

24.1 If the Municipality is satisfied that a contravention of this by-law has occurred, the By-law Officer may make an order requiring the person who contravened this by law, or who caused or permitted the contravention, or the owner and/or occupant of the land on which the contravention occurred, to do work to correct the contravention to the satisfaction of the Municipality, which may include:

- a) The removal of fill;

- b) The filling of any excavations;
- c) The elimination of any hazard or potential hazard resulting from the alteration of the grade of land or the placing, dumping, or removal of fill and the restoration of the land to a condition of safety and/or its original environmental condition;
- d) The restoration of the land to its former condition prior to the site alteration; and,
- e) The undertaking of any further investigations as required to identify the extent of the breach of this by-law and to correct the contravention, as deemed appropriate by the Municipality.

24.2 The order shall set out reasonable particulars of the contravention adequate to identify the contravention in the location of the land on which the contravention occurred, the work to be done, and the date by which the work must be done.

## **25. SERVICE OF ORDERS**

25.1 Orders issued under Section 14 and Section 15 may be served personally by the Municipality or sent by registered mail to the person contravening the by-law, and may be posted in a conspicuous place on the property where the contravention has occurred.

25.2 Where an order under this by-law has been served personally by the Municipality, it shall be deemed to have been served on the date of delivery to the person or persons named.

25.3 The posting of an order on the affected lands shall be deemed to be sufficient service of the order on the person to whom the order is directed on the date it is posted.

25.4 Where an order issued under this by-law is sent by registered mail, it shall be sent to the last known address of the owner or the person or company that committed or permitted the contravention, and shall be deemed to have been served on the date of the next working day following the date of mailing.

## **26. DEFAULT AND REMEDIAL ACTION**

26.1 Where a notice or order has been sent by the Municipality pursuant to Section 12 and Section 14 and the requirements of the notice or order have not been complied with within the timeframe for compliance, the Municipality may cause the work to be done and the total cost of the work shall be at the expense of the owner or occupant.

26.2 For the purposes of Section 16.1, the Municipality may enter upon the property at any reasonable time.

26.3 The total cost of such work shall include an administration fee in the amount of 15% of the cost of the work.

- 26.4 The costs of the work to be done pursuant to Section 16.1 and all costs related to the administration, enforcement and the establishment, and acquisition and replacement of capital assets related to this by-law, may be recovered from the owner or occupant by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.
- 26.5 The cost includes interest calculated at a rate of 15%, calculated for the period commencing on the day that the Municipality incurs the cost and ending on the day the cost, including the interest, is paid in full.
- 26.6 The amount of the cost, including interest, constitutes a lien on the land upon registration in the proper Land Registry Office of a notice of lean, in respect of all costs that are payable at the time the notice is registered, plus interest accrued at the rate established under Section 16.5 to the date the full payment is made.
- 26.7 Upon receiving payment of all costs payable plus interest accrued to the date of payment, the Municipality shall register a discharge of lien in the proper Land Registry Office at the expense of the owner or occupant.

## **27. OFFENCES AND PENALTIES**

- 27.1 Every person who contravenes any of the provisions of this bylaw is guilty of an offence and the offence is hereby designated as a continuing offence as provided for in subsection 429(2)(a) of the *Municipal Act, 2001*, S.O 2001, as amended.
- 27.2 Every Person who is convicted of an offence under this by-law is liable to a minimum fine not exceeding \$500 to a maximum fine not exceeding \$100,000, pursuant to subsection 429(1) and (3) of the *Municipal Act, 2001*, S.O 2001, as amended.
- 27.3 When a person has been convicted of an offence under this by-law, the Superior Court of Justice or any court of competent jurisdiction thereafter, may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence, and requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

## **28. ADMINISTRATION**

- 28.1 The administration of this by-law shall be performed by the Municipality, or any persons so designated by the Municipality.



28.2 Where a provision of this By-law conflicts with a provision of another by-law enforced by the Municipality, the provisions that established the higher standards shall prevail in order to protect the health, safety, and welfare of the general public.

28.3 Schedules “A”, “B”, and “C” constitute part of this by-law.

28.4 If any section or sections of this by-law, or parts thereof, are found by any court to be invalid or beyond the power of the Council to enact, such section or sections or parts thereof, shall be deemed to be severable and all other sections or parts of this by-law shall be deemed to be separate and independent there from and shall continue in full force and effect unless and until similarly found invalid.

28.5 This by-law shall come into force and can take effect on the date of its passing.

PASSED AND ENACTED

THIS \_\_\_\_\_DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**SCHEDULE “A” TO BY-LAW NO. \_\_\_\_\_**

**STANDARD PRACTICES FOR SITE ALTERATION**

**1. NOTIFICATION**

- 1.1 Prior to commencing site alteration, notification shall be provided where required by parts 1.2 and 1.3 below, except in the case of:
- a) Minor landscaping or yard maintenance activities, such as the planting of trees or shrubs, the top-dressing of lawns, or the creation and maintenance of garden beds, but not including the installation of an in-ground pool; or,
  - b) Site alteration that is incidental to a normal farm practice carried out by an agricultural operation; or,
  - c) Site alteration that is incidental to forest management in accordance with good forestry practices; or,
  - d) Urgent events, such as flooding or failures of private services.
- 1.2 Where site alteration is proposed to occur within 10 meters of the property boundary, the owner or their agent shall notify the owner or occupant of the adjacent private property by means of a written or posted notice, five (5) business days prior to the site alteration taking place.
- 1.3 Where site alteration is proposed to occur on a property that is subject to a Planning Act application, the owner or agent shall provide written notification to the Municipality, fifteen (15) days prior to site alteration taking place.
- 1.4 Notification referred to in Section 1.2 and Section 1.3 above shall include:
- a) A clear description of the nature and purpose of the site alteration;
  - b) The location and extent of the area to be affected;
  - c) The date of commencement of site alteration and the anticipated duration of the work; and,
  - d) Contact information for the person or company responsible for carrying out the site alteration.

## **2. PRACTICES**

- 2.1 The following practices shall apply to all site alteration activities, except in the case of site alteration associated with the implementation of a development that has been approved by the Municipality under either the Planning Act or the Building Code Act, which shall proceed in accordance with any applicable conditions of approval.
- 2.2 Settlement and erosion control measures shall be provided where necessary to prevent impacts to natural heritage features, watercourses, or other surface water features, adjacent Properties, or municipal infrastructure. These measures shall be installed prior to the commencement of site alteration and shall be maintained in good working order until the site has been stabilized, after which any such measures that are not permanent shall be removed in a manner that minimizes disturbance to the site.
- 2.3 Fencing or other protective measures shall be provided where necessary to clearly delimit the work area and prevent impacts to adjacent trees or other vegetation, natural heritage features, properties, or public infrastructure. Such measures shall be installed prior to the commencement of site alteration and shall be maintained in good working order until the completion of the site alteration, after which any such measures that are not permanent shall be removed in a manner that minimizes disturbance to the site.
- 2.4 All fill to be dumped or placed shall be clean and free of trash, rubbish, glass, liquid or toxic chemicals, hazardous waste, contamination, or other deleterious material. The Municipality may require the permit holder or owner to provide certification that the fill is clean and does not contain trash, rubbish, glass, asphalt, liquid or toxic chemicals, hazardous waste, contamination, or other deleterious material. Such certifications may be in the form of soil tests and/or statements from qualified individuals with knowledge of the cleanliness of the fill.

**THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE**

**SCHEDULE "A" TO BY-LAW NO. \_\_\_\_\_**

**AFFECTED AREA**

This by-law shall apply to all lands within the geographical limits of the Municipality of North Grenville.

**THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE**

**SCHEDULE “B” TO BY-LAW NO. \_\_\_\_\_**

**PERMIT FEES**

The following shall be paid to the Municipality at the time of the application for a Site Alteration Permit pursuant to this by-law.

Fee Type	Fee	Renewal Fee
Permit (includes administrative fee and 3 hours of staff review/inspection)	<b>\$300</b>	<b>\$150</b>
Review/Inspection in excess of 3 hours	Will be based on the Municipality’s current rates and fees by-law	Will be based on the Municipality’s current rates and fees by-law