



# Site Alteration By-law Update

January 25, 2024.  
Overview of Proposed Changes

*Clarington*<sub>1</sub>

# Land Acknowledgement Statement

The Municipality of Clarington is situated within the traditional and treaty territory of the Mississaugas and Chippewas of the Anishinabeg, known today as the Williams Treaties First Nations. Our work on these lands acknowledges their resilience and their longstanding contributions to the area now known as the Municipality of Clarington.

*Clarington*

# Purpose of Site Alteration By-law

- To provide effective regulation of the grade alteration of sites to ensure the protection of the environment and residents.
- An increasingly challenging area of regulation.
- The importation of illegal and contaminated fill can have negative impacts to the community and the environment.
- A site alteration permit is required for any alteration work in the Municipality, subject to some minor exceptions.
- The Site Alteration By-law must be up to date to meet the current Provincial regulations and ensure requirements are clearly outlined.
- Aggregate extraction/processing, zoning permissions are outside the scope of this by-law review

# Legislative Background

- A local municipality is authorized to regulation site alteration pursuant to section 142 of the *Municipal Act, 2001*
- Current Site Alteration By-law 2008-114 was enacted on June 23, 2008, and amended on March 26, 2012
- O. Reg. 406/19 On-Site and Excess Soil Management (EPA)

# Public Input to Date

- Notice provided December 15, 2023.
- Six comments received to date.
- Top concerns expressed
  - Will the Municipality follow the Ontario Regulation?
  - Will the Municipality have enhanced environmental requirements above the Regulation?
  - Specific changes to the by-law?



# Overview of Proposed Changes

## General

- Enhanced/updated definitions to provide better clarity on terms used in the by-law

## Prohibitions

- Clearly establish the permit requirement
- Minor changes providing staff more control regarding the source site

## Exemptions

- Cease automatic exemptions for building permit



# Overview of Proposed Changes

## Permits

- Improved language clarifying application requirements
- Maintenance requirements of the impacted site(s)
- Requirement for a Qualified Person (QP) to manage the site alteration works
- Delegation of authority to the Director

## Enforcement

- Refinement of enforcement provisions
- Addition of set fines

## Permit Fees

- Review of permit fees
- Review of tipping fees



# Next Steps

Please review the information provided in the meeting. Staff will be present to answer any questions or provide more information.

Provide any comments via email ([sitealterationbylaw@clarington.net](mailto:sitealterationbylaw@clarington.net)) or on the comment sheets provided at the sign-in area.

Comments will be accepted until February 9, 2024.

Interested Parties will be notified when the draft by-law is recommended to Council for approval.





# Thank you

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