

Site Alteration Bylaw (16 Ontario Municipalities) Containing Regulations Regarding:

Summary of Extent of Regulation	Average Age of Bylaw (Years)	Municipality	Year of Enactment or Revision	Fill Placement or Removal	Grade Alteration	Topsoil Removal	Soil Erosion and Sedimentation	Blockage of Storm Water or Drainage	Negative Impact On or Blockage to Watercourse	Flooding or Ponding	Detrimental to Natural Environment or Natural Heritage Areas	Impact on Vegetation or Trees	Impact on Fish or Wildlife Habitat	Impact on Water Level, or Water Quality	Impact on Agricultural Land	Detrimental to Archaeological Resources	
Best In Class	1	Markham	2008	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
		London	2011	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
		Welland	2010	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
Superior	3	Kitchener	2010	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓
		St Thomas	2010	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
		Niagara	2004	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
		Oakville	2009	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Above Average	5	Hamilton	2003	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓				
		Burlington	2003	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	
		Kingston	2008	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓		✓
		Halton Hills	2010	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓		✓
		Brantford (Proposed)		✓	✓	✓	✓	✓	✓	✓	✓	✓			✓		
Average	6	Waterloo	2010	✓	✓	✓	✓	✓	✓	✓	✓	✓					
		Guelph	2007	✓	✓	✓	✓	✓	✓	✓	✓	✓					
		Oshawa	2006	✓	✓	✓	✓	✓	✓	✓	✓	✓					
		Fort Erie	1996	✓	✓		✓	✓	✓	✓	✓	✓					

Definitions commonly found in Site Alteration Bylaws:

“**Body of Water** includes any body of or standing water whether naturally or artificially created;”

“**Dumping** means the depositing of fill in a location other than where the fill was obtained and includes the movement and depositing of fill from one location on a property to another location on the same property;”

“**Existing Grade** means the elevation of the existing ground surface of the lands upon which site alteration is proposed and of abutting ground surface up to three metres wide surrounding such lands, except that where site alteration has occurred in contravention of this By-law, existing grade shall mean the ground surface of the lands as it existed prior to site alteration;”

“**Land Disturbance** means any man-made change of the land surface including removing vegetative cover, and/or excavating and/or filling and/or grading;”

“**Site Alteration** means activities such as removal of topsoil from land, the placement or dumping of fill on land, the alteration of the grade of land or excavation by any means including the removal of vegetative cover, the compaction of soil or the creation of impervious surfaces, or any combination of these activities that would change the land form and natural vegetative characteristics of land, but does not include, (a) the construction of facilities for transportation, infrastructure and utilities by a public body; or (b) the reconstruction, repair or maintenance of a drain approved under the Drainage Act; or (c) the carrying out of agricultural uses.”

“**Topsoil** means those horizons in a soil profile, commonly known as the “O” and the “A” horizons, containing organic material and includes deposits of partially decomposed organic matter such as peat;”

“**Watercourse** means a natural or man-made channel or swale in which water flows either continuously or intermittently with some degree of regularity;”

“No permit shall be issued if the proposed site alteration will result in:

- soil erosion;
- blockage of a storm drainage system;
- blockage of a natural drainage system or watercourse;
- siltation or pollution in a watercourse;
- flooding or ponding caused by a watercourse overflowing its banks;
- an unacceptable level of nuisance in the City;
- unreasonable hindrance of the orderly development of lands within the City;
- flooding or ponding on a neighbouring property or adverse effect on the amenities adjacent to the lot to which the permit relates, and/or any other property in the vicinity;
- a detrimental effect on any environmental protection area or areas of natural or scientific interest, wetland, or wetland complex as identified by a Conservation Agency, the MNR, or the City;
- any adverse effect to archaeological or historically significant features.”