

## THE CORPORATION OF THE TOWNSHIP OF BROCK

### BY-LAW NUMBER 3059-2021

A BY-LAW TO AMEND BY-LAW 2633-2015-PP, BEING 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 AREAS OF THE TOWNSHIP OF BROCK

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**WHEREAS** Section 142 of the *Municipal Act, 2001*, as amended, authorizes the Council of The Corporation of the Township of Brock to pass by-laws for prohibiting or regulating the placing or dumping of fill of any kind and for prohibiting or regulating the alteration of the grade of the land in any defined area or areas in the Township of Brock other than those areas subject to regulations made under Clause 28(1) of the *Conservation Authorities Act*, as amended;

**AND WHEREAS** Council deems it in the public interest to regulate the dumping and placing of fill and other site alterations in order to ensure that:

- (a) Existing drainage patterns are maintained and erosion and sedimentation are prevented;
- (b) Changes to drainage or grade are appropriate to protect natural heritage features and areas;
- (c) Interference and damage to watercourses or water bodies are prevented;
- (d) Ground water and surface water quality is maintained;
- (e) There is no discharge of a contaminant into the natural environment that causes or may cause an adverse effect and that degradation of the pre-existing soil and ground water quality conditions at the site and on adjacent properties is prevented;
- (f) Haul routes for the transportation of fill and topsoil authorized for placement, dumping or removal will be designated to and/or from a site to minimize damage to the Township's roads and minimize interference and/or disturbance to the Township's residents and businesses;
- (g) Disturbance to landform characteristics are kept to a minimum; and
- (h) The proponent of the site alteration project pays for its costs.

**AND WHEREAS** Council passed By-law Number 2633-2015-PP (amended by By-law Number 2703-2016-PP);

**AND WHEREAS** Council deems it in the public interest to further restrict the placing or dumping of fill of any kind within the Township until such time as a review of this bylaw may be undertaken and a new bylaw enacted;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BROCK** amends By-law 2633-2015-PP as follows:

1. Section 3.01(h) of By-law 2633-2015-PP, is repealed and replaced with the following text:

“(h) any rehabilitation or filling activity in a pit or quarry licensed under the *Aggregate Resources Act*, and specifically addressed on the approved site plan where there is insufficient overburden retained to rehabilitate such pit or quarry in accordance with the *Aggregate Resources Act*, and where a permit has been issued for *large site alteration* under Section 4 hereof.”

2. The following new Sub-sections (o), (p) and (q) are added to Section 3.01 immediately following Sub-section (n) of Bylaw 2633-2015-PP:

“(o) the *placing or dumping of fill* that is required as part of any activities related to road works undertaken by the *Corporation*, the Regional Municipality of Durham, or Province of Ontario;

(p) the *placing* or *dumping* of *fill* that is done with the authorization of the *Conservation Authority* and in accordance with a current *Conservation Authority* permit; and

(q) the *placing* or *dumping* of *fill* that is required as part of any works associated with an approved development application pursuant to the Planning Act, where all requirements under this By-law have been met, *security* has been provided, and the owner has entered into an agreement with the *Corporation* which has been registered on title to the land on which the work is to be performed”

3. The following new Section 8.07 is added immediately following Section 8.06 of By-law 2633-2015-PP:

“8.07 Notwithstanding anything else contained in this by-law, no permit shall be issued pursuant to this By-law except for those activities permitted in Section 3.01, and only in accordance with the provisions thereof, until June 28, 2022.”

**THIS BY-LAW READ TWICE THIS 28<sup>TH</sup> DAY OF JUNE, A.D., 2021.**

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Mayor – John Grant

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Deputy Clerk – Maralee Drake

**THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 28<sup>TH</sup> DAY OF JUNE, A.D., 2021.**

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Mayor – John Grant

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Deputy Clerk – Maralee Drake