



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 205-92

To further amend By-law 107-86  
to prohibit or regulate the  
placing or dumping of fill in  
areas of the City of Brampton

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**WHEREAS** the Council of The Corporation of the City of Brampton has, pursuant to the City of Brampton Act, 1985, enacted By-law 107-86, as amended, to prohibit or regulate the placing or dumping of fill in areas of the City of Brampton;

**AND WHEREAS** the Council of The Corporation of the City of Brampton has, pursuant to the Topsoil Preservation Act R.S.O. 1990, chapter T.12, enacted By-law 30-92 to protect and conserve topsoil within the City of Brampton;

**AND WHEREAS** the Council of The Corporation of the City of Brampton deems it expedient to require applicants for permits under By-law 107-86 as amended and under By-law 30-92 to submit the same information with the permit application;

**NOW THEREFORE** the Council of The Corporation of the City of Brampton ENACTS AS FOLLOWS:

1. By-law 107-86, as amended, is hereby further amended as follows:
  - (1) by deleting section 3(c) and substituting therefor the following:
    - (c) a Control Plan, which shall include:
      - (i) a key map showing the location of each lot, including the nearest major intersection and north arrow;
      - (ii) the lot boundaries and number of hectares of each lot;
      - (iii) the use of the land and the location and use of the buildings and other structures adjacent to each lot;

- (iv) the location, dimensions and use of the buildings and other structures existing or proposed to be erected on each lot;
- (v) the location of lakes, streams, wetlands, channels, ditches, other watercourses and other bodies of water on and within a minimum thirty (30) metres beyond each lot boundary;
- (vi) the Regional Storm Flood Plain and Conservation Authority Fill Regulation lines;
- (vii) the location of the predominant soil types;
- (viii) all existing buildings, the species and size in caliper of all trees, the location of all shrubs and driveways on each lot and all easements and rights-of-way over, under, across or through each lot;
- (ix) the location and dimensions of any existing and proposed storm water drainage systems and natural drainage patterns on and within a minimum of thirty (30) metres beyond each lot boundary;
- (x) the location and dimensions of utilities, structures, roads, highways and paving located within a minimum of thirty (30) metres beyond each lot boundary;
- (xi) the existing lot topography at a contour interval not to exceed one half of one metre and to extend a minimum of thirty (30) metres beyond each lot boundary;
- (xii) the proposed final elevations of each lot;
- (xiii) the location and dimensions of all proposed land disturbing activities, including construction access road;
- (xiv) the location and dimensions of all temporary soil or dirt stockpiles;

- (xv) the location, dimensions, design details and design calculations of all construction site erosion control measures necessary to meet the requirements of Schedule B of this by-law;
- (xvi) a schedule of the anticipated starting and completion dates of each land disturbing or land developing activity including the installation of construction site erosion control measures needed to meet the requirements of Schedule B to this by-law;
- (xvii) provisions for the maintenance of the construction site erosion control and dust control measures during construction and after as required;
- (xviii) the scale, either 1:500 or 1:1000, of drawing (each drawing and control plan to be in metres);
- (xix) any other necessary information with respect to each lot; and
- (xx) an indication on the drawing of directions of overland flow and overland flow route.

(2) by adding the following to section 5 as subsections (3) and (4):

"(3) The issuance of a permit by the Commissioner does not preclude the applicant's responsibility to obtain all other approvals which may be required by any level of government and agencies thereof".

"(4) If the lands for which a permit has been issued are transferred while the permit remains in effect the new owner of the lands shall either:

- (a) provide the City with an undertaking to comply with all the conditions under which the existing permit was issued; or
- (b) apply for and obtain a new permit in accordance with the provisions of this by-law".

(3) by deleting section 9(f) and substituting therefor the following:

"(f) provide the site erosion control measures set out in Schedule B to this by-law".

(4) by adding the following sentence to the end of section 10:

"Employees of the Public Works Department shall inspect the lands for which a permit has been issued for compliance with the approved Control Plan".

(5) by adding the following as section 14:

"14. Notwithstanding any other provisions of this by-law, the Commissioner may waive the requirement for a Control Plan and/or reduce or waive the permit fee where he considers it appropriate after taking into consideration the proposed works and whether the applicant has conformed with City of Brampton By-law 30-92 to protect and conserve topsoil within the City of Brampton".

(6) by adding as Schedule B to By-law 107-86, as amended, Schedule B attached to this by-law.

2. There is no Schedule A to this by-law.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 14th day of September, 1992.

APPROVED AS TO FORM LAW DEPT. BRAMPTON  
WE  
DATE 10/10/92

*Peter Robertson*  
PETER ROBERTSON MAYOR

*L. Mikulich*  
LEONARD J. MIKULICH CLERK

SCHEDULE 'B' TO BY-LAW 205-92

**SITE EROSION CONTROL MEASURES**

The following criteria apply to land disturbing activities caused by the placing or dumping of fill that result in runoff leaving the lot:

- (1) channelized runoff from adjacent areas passing through the lot shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected by silt fences being placed along the channel edges to reduce sediment reaching the channel;
- (2) all activities on the lot shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time;
- (3) any soil or dirt storage piles containing more than one hundred cubic metres of material shall not be located within a downslope drainage length of less than ten (10) metres to a roadway or drainage channel. If remaining for more than thirty (30) days, said soil or dirt storage piles shall be stabilized by mulching, vegetative cover, tarps or other means. Erosion from soil or dirt storage piles which will be in existence for less than thirty (30) days shall be controlled by silt fence barriers around the pile;
- (4) runoff from the entire disturbed area on the lot shall be controlled as follows:
  - (a) all disturbed ground left inactive shall be stabilized by seeding, sodding, mulching or covering, or other equivalent control measure. The period of time inactivity shall be at the discretion of the Commissioner but shall not exceed thirty (30) days or such longer period as deemed advisable at the discretion of the Commissioner;
  - (b) notwithstanding section 5(1), a Fill Permit holder or applicant for a Fill Permit who has also applied for but not yet received a building permit or any other necessary permit may be granted an extension to the Permit at the discretion of the Commissioner, provided that said applicant or permit holder provides satisfactory proof that he has made his best efforts to have said building or other necessary permit issued;
  - (c) for a lot with less than four (4) hectares disturbed at one time and slopes less than twelve (12) percent grade, silt fences or equivalent control measures shall be placed along all sideslope and downslope sides of the lot;
  - (d) for a lot with four (4) or more hectares disturbed at one time or with slopes greater than twelve (12) percent grade, or if a channel originates in the disturbed area, one or more

sedimentation basins shall be constructed. Each sedimentation basin shall have a surface area of at least one (1) percent of the area draining to the basin and at least one (1) metre of depth and be constructed in accordance with design specifications acceptable to the Commissioner. Sediment shall be removed to maintain a depth of one (1) metre. The basins shall be designed to trap sediment greater than 40 microns in size, based on the City's Storm Drainage Design Standards. It is not permitted to directly discharge the basin into receiving water streams or bodies or other storm drainage facilities. Basin discharge rate shall be sufficiently low as to not cause erosion along the discharge channel;

- (e) for a lot located adjacent to existing residential areas, a silt fence may be required around the entire perimeter of the lots;
- (f) a three (3) metre wide buffer strip or silt fence shall be provided along the perimeter of the downslope sides of the lot;
- (g) the sediment control guidelines prepared by the Credit Valley Conservation Authority and Ministry of Natural Resources for the Province of Ontario dated April, 1991, are to be followed; and
- (h) for a lot with extensive fill requirements, the Commissioner may waive the requirements for stabilization of disturbed land after thirty (30) days of inactivity provided that the sediment control measures have been implemented to the satisfaction of the Commissioner.