

Town of Whitby
Public Works Department

Guide to Site Alteration Pre-Screening Questionnaire
and Site Alteration / Haul Route Permit Application

**NOTE: FOR AN ACCESSIBLE VERSION OF THIS DOCUMENT PLEASE CONTACT THE
PUBLIC WORKS DEPARTMENT**

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Introduction

The Town of Whitby Site Alteration By-Law regulates activities related to the alteration of the grade of land, the placing or dumping of fill and / or topsoil, the respective limits and volume of material being imported to, exported from and / or relocated within the subject property and the use of public highways as haul routes. In regulating these activities, four areas of concerns must be addressed:

- Potential drainage impact resulting from the site alteration activities;
- Environmental concerns related to the quality of material being placed or dumped within Town limits;
- Potential nuisance impacts to surrounding residents, such as, noise, dust, traffic, etc.; and,
- Degradation and damages to public infrastructures.

To accompany the Town's Site Alteration By-Law, this Guide to Site Alteration Pre-Screening Questionnaire and Site Alteration / Haul Route Permit Application, herein referred to as the '**Guide**' has been prepared to assist Applicants in completing the Site Alteration Pre-Screening Questionnaire and Site Alteration / Haul Route Permit Application Form, herein referred to as the '**Permit Application Form**'. The various Parts within this Guide correspond to the Parts within the Permit Application Form.

Parts 1 to 4 (pre-screening portion) is intended to be completed by the Applicant in order to provide the necessary information for Town Staff to review the proposed scope of works. At this stage, information provided by the Applicant may be in the form of sketches, aerial photos, preliminary CAD (Computer-aided design) drawings to illustrate the area and scope of works.

Following review of the provided information within Parts 1 to 4, should a Site Alteration Permit or Haul Route Permit be required, Town Staff will complete Parts 5 to 7 of the Permit Application Form to provide direction to the Applicant in terms of what detailed information and Application Fee must be submitted with a formal Permit Application. Please note that Haul Route Permits will only be required where import and/or export of material originate within a Central Lake Ontario Conservation Authority (CLOCA) regulated area exceeding 500 m³.

Depending on the proposed type and scope of works, permit requirements have been separated into five (5) different possible categories with differing Application Fees, as follows:

Category	Activity Type	Criteria	Application Fee*
1	Alteration of Grade > 0.15m grade change (no import or export of material)		
a)		< 100 m ³	\$250.00
b)		100 – 500 m ³	\$500.00
c)		> 500 m ³	\$1,000.00
2	Small Site Alteration (import and/or export of material)	< 100 m ³	\$250.00
3	Medium Site Alteration (import and/or export of material)	100 – 500 m ³	\$500.00
4	Large Site Alteration (import and/or export of material)	> 500 m ³	\$1,000.00
5	Haul Route Permit (import and/or export of material to CLOCA regulated area)	> 500 m ³	\$1,000.00

* Fee amount payable as per Public Works Fee By-Law #####-## as amended at the time of payment. Excludes HST.

Applicants are directed to the Site Alteration By-Law #####-## (attached as **Appendix A**) for definitions and specific details regarding Site Alteration activities, permit conditions and enforcement beyond what is provided in this Guide.

Where import of material is referenced in this guide, the regulated requirements will also apply to export of material as well.

All areas within the Permit Application Form shaded as “For Office Use Only” are to be left blank by the Applicant and will be completed by Town Staff.

Part 1 - Site Location, Owner and Applicant Information

Part 1 of the Permit Application Form is intended to gather information on the location of the proposed Site Alteration, herein referred to as the 'subject property' within the Town of Whitby and relationship to areas regulated by applicable environmental agencies, if any. Confirmation of ownership and Applicant details and their respective relationship, if any, will also be required.

Part 1.1 – Site Location Information

The Applicant is to fill in the address information for the subject property on which the Site Alteration is to occur.

Additional details and mapping of areas regulated by Central Lake Ontario Conservation (CLOCA) can be found on-line at - <http://cloca.ca/regulation/index.php>

Additional details regarding the limits and requirements of the Oak Ridges Moraine Conservation Plan can be found at - <http://www.mah.gov.on.ca/Page322.aspx>

Part 1.2 – Owner Information

The contact information of the registered Owner of the property shall be filled in. The registered Owner shall review, sign and date the declarations and acknowledgements.

Should additional information or documentation be required, please append it to the back of the Permit Application Form. For example, Power of Attorney or Officer of Corporation documents.

Part 1.3 – Applicant Information

If the Owner and Applicant are the same person or entity check the box indicating so. If the Owner and Applicant are not the same person or entity, i.e. contractor or agent acting on behalf of the Owner, fill in all required Applicant information, sign and date in the appropriate locations.

Part 2 - Exemptions

Part 2 of the Permit Application Form relates to activities that are exempt from the requirement to obtain a Site Alteration Permit from the Town of Whitby. Applicants are directed to Section 3 of the Site Alteration By-Law #####-## for details of the types of site alteration activities for which an exemption would apply.

Note: Applicants are informed that an exemption from the requirement to obtain a Site Alteration Permit does not exempt them from responsibility, including but not limited to, damage to public roads, negatively affecting surrounding drainage and / or disturbance to adjacent residents and that remedies and penalties for these actions may be enforced under other applicable Town of Whitby By-Laws and Regulations.

Documentation (sketches, photographs, description of work, proposed duration, copy of other agency Permit, etc.) to support any of the noted exemptions shall be appended to the back of the Permit Application Form.

Additional information for activities covered under the referenced Acts can be found at the following locations

- Planning Act - <http://www.ontario.ca/laws/statute/90p13>
- Aggregate Resources Act - <http://www.ontario.ca/laws/statute/90a08>
- Drainage Act - <http://www.ontario.ca/laws/statute/90d17> or the Tile Drainage Act - <http://www.ontario.ca/laws/statute/90t08>
- Building Code Act - <http://www.ontario.ca/laws/statute/92b23>
- Environmental Protection Act - <http://www.ontario.ca/laws/statute/90e19>
- Public Transportation and Highway Improvement Act - <http://www.ontario.ca/laws/statute/90p50?search=public+transportation+and+highway+improvement+act>
- A Site Alteration permit is not required for site alteration activities located entirely within the area regulated by the CLOCA and for which a permit under Ontario Regulation 42/06 is required.
Web site - <http://cloca.ca/regulation/index.php>

Part 2.1 – Site Alteration Permit Exemption

The Applicant is to provide an initial assessment based on the exemptions listed within Section 3 of the By-Law and, if applicable, identify the corresponding Sub-Section in Part 2.1. Documentation supporting the exemption due to other agreements, conditions, agency permits, qualifications etc. is to be provided by the applicant for review and confirmation by Town staff.

Part 2.2 – CLOCA Exemption Only

The Central Lake Ontario Conservation Authority (CLOCA) regulates activities including the movement and placement or removal of fill within boundaries associated with natural drainage areas adjacent to watercourses and bodies of water.

With reference to Exemption Sub-Section 3.4 of the Site Alteration By-Law, if the location of the Site Alteration work is located entirely within the area regulated by CLOCA, a Site Alteration Permit from the Town of Whitby would not be required. In this case approval conditions would be determined and enforced by CLOCA.

Notwithstanding the above, if the Site Alteration work located entirely within the CLOCA regulated area involves importing or exporting of material greater than 500m³, a Haul Route Permit will be required as per Sub-Sections 5.15 to 5.23 of the Site Alteration By-Law. In addition, securities and fees related to road condition and damage will be required as identified within the Public Works Fee By-Law #####-##, as amended. In this case, Part 4 of the Permit Application Form shall be completed by the Applicant.

For Site Alteration work that is located partially within and partially outside of the CLOCA regulated area a parallel process will be completed:

- For works located within CLOCA regulated area, the process has been noted in the preceding paragraphs; and,
- For works outside of the CLOCA regulated area, Part 3 shall be completed and assessed as part of a normal Site Alteration Pre-Screening.

Applicants are to note that any Town of Whitby permit, security or fee requirements resulting from the above items are in addition to those administered or charged by CLOCA.

Part 2.3 – Declaration and Indemnification

The Applicant will be required to review and sign the Declaration and Indemnification in Part 2.3 if, following the review and evaluation of the documentation provided by the Applicant, Town staff confirms that:

1. an exemption (Part 2.1) is in order; or,
2. a Site Alteration Permit is not required due to the proposed work being an alteration of grade only and being less than 0.15m in depth (Part 3.3) with no drainage impact to surrounding properties.

Part 3 and Part 4 - Details of Proposed Site Alteration

If no exemption applies to the proposed site alteration work, a Site Alteration Permit may be required. At this stage additional information will be required from the Applicant to facilitate further evaluation and processing of the Pre-Screening Questionnaire.

As per Part 2.2, details of the proposed site alteration work within the CLOCA regulated area involving importing or exporting of material greater than 500 m³ are to be provided in Part 4 to determine the requirements of the required Haul Route Permit.

The Applicant is to provide details of the proposed site alteration activity, substantiate how the site alteration activity complies with the zoning for the property, material type, source and volume, proposed haul route within the Town of Whitby and the approximate schedule for the movement of material within, to or from the site as itemized in Parts 3 and 4 of the Permit Application Form.

This information should be as detailed as possible to allow Town staff to complete an evaluation of the proposed operation and to determine if a Site Alteration Permit is required, and if so, to determine the Category of permit required.

Part 3.1 – Compliance with Zoning Requirement

The proposed site alteration activity(s) must be suitable for the current zoning of the property, as defined within the applicable Town of Whitby Zoning By-Law.

If the proposed site alteration activity does not comply with the zoning category for the property, a Site Alteration Permit cannot be issued.

The Applicant may direct questions to the Town of Whitby Planning Department or can access the Town's website for further information on the existing zoning for a particular parcel of land.

For purposes of flattening (levelling off) a subject property in order to improve drainage and use, the overall drainage pattern for the surrounding area must be maintained. Grading within the subject property will generally be limited to the following maximums:

- Adjacent to the high side of the subject property, the final elevations shall generally be limited to 1 meter above the adjacent centreline of road and/or property limit;

- In order to reduce the visual impact to the surrounding area, the site alteration grades around the perimeter of the subject property shall be limited to a maximum of 10 horizontal to 1 vertical (10:1) from the property limit. It is noted that the sloping may be increased to a maximum of 3:1 by starting the bottom of slope further into the subject property, in this case, no elevation shall exceed the 10:1 plane starting from the property limit.
- From the regraded high point of the subject property, grades shall generally be limited to between 2% to 5% throughout the remainder of the property. Sloping to match property limits may be permitted to a maximum of 10:1.

Part 3.2 and Part 4.2 – Material Type and Volume

Applicants are to indicate the type(s) of material that they propose to move to, from or within the site and to provide an estimated volume, in cubic meters, of each type. The estimated gross volume of vacuum truck excavation material is to be calculated as noted below.

NOTE: Applicants are advised that vacuum truck excavation shall be estimated at 25% solid material, 75% liquid, i.e. the gross total volume of material to be imported, and the resultant fees to be paid under the Site Alteration / Haul Route Permit, will be based on a calculation of four (4) times the measurable solid material left on site as determined by the post-alteration survey.

Part 3.3 – Alteration of Grade Only (No Import or Export)

If the proposed Site Alteration activity is restricted to the movement of material on-site, an estimate of the depth of material to be moved is to be provided by the Applicant. This should be based on the volume estimates provided in Part 3.2 and the overall area of the proposed site alteration activity. Town staff will confirm whether or not the area and volume estimates equate to a depth above or below 0.15m.

Provided the Site Alteration is below 0.15m in depth, and in an area on-site where surrounding drainage is not impacted by the proposed site alteration activity, a Permit will not be required and the Applicant will be required to review and sign the Declaration and Indemnification in Part 2.3.

Part 3.4 and Part 4.4 – Council Approval Based on Volume and Source

Due to the extent and duration of long term or high volume site alteration activities, as well as the potential impact on surrounding residents / property owner(s), the Town's roadway infrastructure, natural drainage conditions and natural soil conditions, the Site Alteration / Haul Route Permit Application must be approved by the Council of the Town of Whitby if the hauling of material is greater than:

- 2,000 m³ for sources of material from outside the Durham Region.
- 75,000m³ for sources of material from within the Durham Region.

In this case, once a formal Application has been made to the Town of Whitby, along with supporting documentation, the package will be reviewed by Town staff followed by a report to the Operations Committee and Council for approval.

RESIDENT NOTIFICATION REQUIREMENTS TO BE DETERMINED BY COUNCIL

The decision of Council is final and binding.

Part 3.5 and Part 4.5 – Road Condition and Haul Route Assessment

The Town of Whitby's interest in the proposed haul route relates to the use of roads consisting of either low class bituminous or poor condition high class bituminous surfaces, roads with geometric deficiency concerns for the proposed hauling, as well as access routes that pass through or adjacent to residential areas, noise and dust impacts due to truck traffic and safety of all road users i.e. local traffic, pedestrians, cyclists etc. To address these aspects of a site alteration activity, the 'road condition' item will require an assessment of the suitability of existing Town of Whitby roads as haul routes for the importing / exporting of material to or from a Site Alteration site.

Low Class Bituminous (LCB) roads generally cannot withstand wheel loads associated with trucking operations for large (i.e. Category 4 and 5) fill operations. Similarly, high class bituminous (HCB) roads that are in poor condition may not be able to support the resultant truck traffic without shortening the remaining service life of the road. If approved, damage from these trucking operations could result in the need for significant maintenance or full reconstruction of the road sooner than required under normal traffic conditions.

In all cases, Town staff will complete an evaluation of the Town of Whitby roads identified as part of the haul route to the location of the proposed site alteration. If it is determined that the roads will not support the projected trucking activity, the Applicant will be required to pay a Road Replacement Fee which will cover the cost to reconstruct the roadway following completion of the trucking activities.

If any part of the proposed haul route is deemed to pose an immediate safety concern to the general public, hauling will not be permitted until the safety concern is rectified at the Applicants cost.

With the completion of Parts 1 to 4 (pre-screening portion) by the Applicant, Town staff will review the proposed haul route. If a Road Replacement Fee is required, the cost will be provided to the Applicant. The Applicant will be required to provide confirmation of their intention to proceed with a Permit Application in order for the Town to continue processing of the pre-screening portion of the Permit Application Form. (See **Appendix B** for Road Replacement Fee amounts)

Part 3.6 and Part 4.6 – Proposed Work Schedule

Standard Permit Term and One Time Permit Renewal

A Site Alteration / Haul Route Permit is valid for the six (6) month time period following the date on which the Permit is issued. Should additional time be required to complete the approved scope of works, the Permit may be renewed one (1) time for a further six (6) month period subject to the submission of documentation noted in Part 8 of this Guide.

Please note that the estimated average and maximum truck loads per day are to reflect activities on days with actual hauling.

Permit Suspension (placed on hold)

Recognizing that some sites may be inactive over the winter months, a Permit may be suspended once for a period of up to six months. A written request shall be provided to and approved by the Public Works Department for the Permit Suspension Request. (See Part 8 for further details)

Multi-term Permit

If an Applicant expects that the overall timeframe for the Site Alteration activity will occur over an extended time period, a multi-term permit may be requested. The multi-term permit will be subject to receiving approval from the Council of the Town of Whitby prior to issuance. Town staff reporting and Council approval would occur similar to that required under Part 3.4 and Part 4.4 above.

In this instance, the time duration entered in Part 3.6 or Part 4.6 should cover the entire time period over which site alteration work is proposed to occur.

Part 3.7 and Part 4.7 – Other Relevant Information

Applicants may provide any other information or documentation they deem relevant not already covered in Parts 1 to 4 of the permit application form that may be of assistance to the Town during the review and evaluation of the Pre-Screening Questionnaire.

Part 5 – Pre-Screening Summary

Upon completion of Parts 1 – 4 as required, Town staff will complete Part 5.

Based on the information submitted within and in support of the Site Alteration Pre-Screening Questionnaire, Town of Whitby staff will fill in the applicable information and make a final determination regarding the need for, and the Category of Permit required, as well as any additional approval process that would be required prior to the issuance of the Permit.

If a Site Alteration Permit is not required, Part 5.1 will be completed and the Applicant will be required to review and sign Part 2.3.

If a Site Alteration Permit cannot be issued, Part 5.2 will be completed to identify the reason for the denial. Additional information regarding this aspect is also contained within Section 5 of the Site Alteration By-Law.

If a Site Alteration Permit is required, the information provided in Parts 3.2 and 3.3 will be used to determine the Category of Site Alteration Permit required. Part 5.3 and Part 6 will be completed to provide direction to the Applicant in terms of what detailed information and Application Fee must be submitted with a formal Permit Application.

If a Haul Route Permit is required, either separately or in addition to a Site Alteration Permit, Part 5.4 and Part 6 will be completed to provide direction to the Applicant in terms of what detailed information and Application Fee must be submitted with a formal Permit Application.

Part 6 – Site Alteration / Haul Route Permit Application Requirements

Upon completion of Parts 1 to 4, Town staff will be able to provide guidance on which Category of Site Alteration / Haul Route Permit will be required and what supporting documents are to be provided. These items will be identified in Part 6 of the Application form.

A detailed listing of the submission requirements for each of the five (5) categories of Site Alteration / Haul Route Permit is provided and explained in the following pages. Additional technical information related to submission requirements is included in **Appendix C through F**.

Applicants are to note that recurring permits for the same property issued under a Category 1, 2, 3 or 4 process, and which extend over a multi-year time period, may be subject to review for the total volume of material over the preceding 3 year period (including the current application period) and, if appropriate, be subject to the additional submission requirements of the next highest type of site alteration activity regulated. For Category 4 activities, this may result in the need for Council approval if the total volume is greater than (1) 2,000m³ for material imported from outside of Durham Region or (2) 75,000m³ for material imported from within Durham Region.

For example, assuming source of material is from within Durham Region:

Year 1: Approved Permit plus 6 month renewal – import 20,000m³ = Category 4 permit

Year 2: Approved Permit plus 6 month renewal – import 30,000m³ = Category 4 permit

Year 3: New application – proposed import of 30,000m³ = Category 4 permit plus Council approval since total volume over 3 year period is 80,000m³.

6.1 Category 1 – Alteration of Grade

(> 0.15m grade change, no import or export of material)

The following requirements shall be provided at the time of Formal Permit Application.

6.1.1 Completed Permit Application Form

The Applicant shall submit the completed Permit Application Form and to confirm that “Required” items listed in Part 6 have been included with the application package.

6.1.2 Application Fee

The applicable Application Fee (noted in Part 7) in accordance to the Public Works Fees By-Law #####-## as amended will be required prior to processing of the Permit Application. Excerpt of the Public Works Fees By-Law related to activities regulated under the Site Alteration By-Law has been included in **Appendix B.**

6.1.3 Compliance with Oak Ridges Moraine Conservation Plan

Documentation indicating compliance with the ORMCP is required when any portion of the proposed site alteration work area is within the ORMCP regulated area.

6.1.4 Letter / Brief

A letter/brief containing the following information that describes the purpose and scope of the site alteration works, shall be submitted in support of the Site Alteration Permit Application:

- a) Summary of the proposed works,
 - including a detailed schedule of the anticipated starting and completion dates of each site alteration activity;
- b) Description of the erosion control measures, including:
 - the location, dimensions, design details and design calculations of all site erosion control measures that may be necessary to minimize the impact of the proposed site alteration;
 - the provision for maintenance and repair of erosion control measures for both the removal and dumping sites and the continuous monitoring thereof;
 - the name and 24-hour contact telephone number of the person responsible for the monitoring and maintenance of the on-site erosion control programs;
- c) Description of mud tracking and dust control programs; and,
- d) Description of existing and proposed drainage patterns.

The letter/brief shall be supplemented with drawing requirements noted below.

6.1.5 Engineering Sketches / Drawings

Various sketches and/or Engineering Drawings will be required to illustrate the proposed works and its effect on the surrounding area. Typical submissions will include, but not limited to, the following drawings:

- a) Grading Plan, including pre-alteration survey of the site;
- b) Cut/Fill Plan; and,
- c) Erosion Control Plan.

Sketches:

Sketches may be submitted for permit application involving less than 500 m³ of material, photos of the proposed site and alternation area may also be submitted. Town staff may conduct a site visit in order to evaluate the appropriateness of the sketches in capturing the scope of the proposed works. If it is determined that Engineering Drawings are required to properly illustrate the proposed scope of works, the Applicant will be required to submit full Engineering Drawings as noted below.

Engineering Drawings:

Engineering Drawings shall be prepared by a Professional Engineer licensed to practice Engineering in the Province of Ontario. All drawings shall be produced on CAD (Computer-aided design), stamped and sealed by the Engineer.

Additional technical details have been provided in **Appendix C**.

6.1.6 Security Estimate

Financial security will be required to ensure compliance with the various permit requirements. The total required security amount will typically include the following items:

- a) On-site controls:
 - erosion control measures;
 - drainage control measures; and,
 - mud tracking and dust control programs.
- b) Immediate road damage

Additional details related to security estimate requirements have been provided in **Appendix D**.

~~6.1.7 Source Soil Report – Not required~~

~~6.1.8 Underground Water Monitoring Program – Not required~~

6.1.9 Other items

Town staff will advise if additional submission requirements may be necessary to address specific concerns with the proposed permit application.

The following requirements shall be satisfied prior to Permit Issuance.

~~6.1.10 Council Approval~~ – Not required

6.1.11 Certificate of Insurance

A minimum \$2,000,000 in liability coverage and naming the Town as an additional insured will be required. (See **Appendix E** for the Town's standard insurance form).

6.1.12 Financial Securities

Financial security in a form acceptable to the Town of Whitby, cash or letter of credit, as calculated in Part 6.1.6 above shall be provided by the Applicant.

~~6.1.13 Road Damage Contribution / Inspection Fee~~ – Not required

~~6.1.14 Road Replacement Fee~~ – Not required

The following requirements shall be satisfied subsequent to Permit Issuance

~~6.1.15 On-Site Soil Testing Report / Certification~~ – Not required

~~6.1.16 Underground Water Monitoring Report / Certification~~ – Not required

6.1.17 Post-Alteration Surveys

The Applicant will be required to demonstrate to the Town's satisfaction that the proposed site alternation works have been carried out in accordance with the approved proposal and that no impact to surrounding drainage has resulted from the site alternation works.

For site alteration involving less than 500m³, photos provided by the Applicant and / or site visit by Town staff may be sufficient. Should impact to surrounding drainage be suspected, at the Town's request, the Applicant shall be required to provide a post-alteration survey completed by a Licensed Land Surveyor.

6.1.18 Other items

Any additional permit requirements as needed based on the specific proposed site alternation will be included in a cover letter from the Town to accompany the approved permit.

6.2 Category 2 – Small Site Alteration **(import and/or export of material < 100m³)**

The following requirements shall be provided at the time of Formal Permit Application.

6.2.1 Completed Permit Application Form

The Applicant shall submit the completed Permit Application Form and to confirm that “Required” items listed in Part 6 have been included with the application package.

6.2.2 Application Fee

The applicable Application Fee (noted in Part 7) in accordance to the Public Works Fees By-Law #####-## as amended will be required prior to processing of the Permit Application. Excerpt of the Public Works Fees By-Law related to activities regulated under the Site Alteration By-Law has been included in **Appendix B.**

6.2.3 Compliance with Oak Ridges Moraine Conservation Plan

Documentation indicating compliance with the ORMCP is required when any portion of the proposed site alteration work area is within the ORMCP regulated area.

6.2.4 Letter / Brief

A letter/brief containing the following information that describes the purpose and scope of the site alteration works, shall be submitted in support of the Site Alteration Permit Application:

- a) Summary of the proposed works, including:
 - a detailed schedule of the anticipated starting and completion dates of each site alteration activity;
 - a plan of proposed external haul routes, number of truck loads per day, and daily schedule for hauling;
 - a plan showing signage as necessary;
- b) Description of the erosion control measures, including:
 - the location, dimensions, design details and design calculations of all site erosion control measures that may be necessary to minimize the impact of the proposed site alteration;
 - the provision for maintenance and repair of erosion control measures for both the removal and dumping sites and the continuous monitoring thereof;

- the name and 24-hour contact telephone number of the person responsible for the monitoring and maintenance of the on-site erosion control programs;
- c) Description of mud tracking and dust control programs; and,
- d) Description of existing and proposed drainage patterns.

The letter/brief shall be supplemented with drawing requirements noted below.

6.2.5 Engineering Sketches / Drawings

Various sketches and/or Engineering Drawings will be required to illustrate the proposed works and its effect on the surrounding area. Typical submissions will include, but not limited to, the following drawings:

- a) Grading Plan, including pre-alteration survey of the site;
- b) Cut/Fill Plan; and,
- c) Erosion Control Plan.

Sketches:

Sketches may be submitted for permit application involving less than 500 m³ of material, photos of the proposed site and alternation area may also be submitted. Town staff may conduct a site visit in order to evaluate the appropriateness of the sketches in capturing the scope of the proposed works. If it is determined that Engineering Drawings are required to properly illustrate the proposed scope of works, the Applicant will be required to submit full Engineering Drawings as noted below.

Engineering Drawings:

Engineering Drawings shall be prepared by a Professional Engineer licensed to practice Engineering in the Province of Ontario. All drawings shall be produced on CAD (Computer-aided design), stamped and sealed by the Engineer.

Additional technical details have been provided in **Appendix C**.

6.2.6 Security Estimate

Financial security will be required to ensure compliance with the various permit requirements. The total required security amount will typically include the following items:

- a) On-site controls:
 - erosion control measures;
 - drainage control measures; and,
 - mud tracking and dust control programs.
- b) Immediate road damage
- c) Overfilling security

- d) As required, underground water monitoring program for importing of high water content fill (vacuum truck excavation material)

Additional details related to security estimate requirements have been provided in **Appendix D**.

6.2.7 Source Soil Report

Soil Report(s) for all source sites shall be provided by the Applicant. Where generic soil reports for source sites are provided to the Applicant, the Applicant shall have his consultant review the report(s) and provide the Town with a summary report. The submitted reports must contain the following:

- a) be prepared by a qualified person and shall contain a description of the proposed material, including a list of the sources and geotechnical reports as to content and quality of the proposed material;
- b) certify that the material being used contains no contaminated material and that the material meets MOE Table 1 Standards; or,
- c) contains recommendations for the proper handling of all source material that is outside of MOE Table 1 Standards as well as on-site inspection and monitoring requirements to ensure that the recommended methods are implemented; and,
- d) confirmation of no adverse impacts to surrounding properties from the imported material.

Applicants are to note that since the Town of Whitby does not have in-house geotechnical expertise there will be a reliance on the Applicant's geotechnical consultant to provide comprehensive information and recommendations regarding both source and on-site soil conditions, on-site inspection and monitoring of the site alteration activities. The Town reserves the right to have the geotechnical reports, and recommendations etc. peer reviewed at the Applicant's cost.

6.2.8 Underground Water Monitoring Program

The purpose of the Underground Water Monitoring Program is to ensure that fill activities associated with Site Alteration activities will not adversely affect the quality of underground water. The Underground Water Monitoring Program shall be used for any Site Alteration activity that involves material with high water content (vacuum truck excavation material).

Underground Water Monitoring Program shall be developed by a qualified person and shall include time frame, design/construction of monitoring wells and ground water sampling/testing schedule to ensure quality control of the underground waters.

A qualified person (Applicant's consultant) shall provide, as specified in the Underground Water Monitoring Program, a certification to the Town that the underground water quality has not been impacted by the fill activity.

It is the Applicant's consultant responsibility to address any provisions/requirements of the Source Water Protection Act, if applicable.

6.2.9 Other items

Town staff will advise if additional submission requirements may be necessary to address specific concerns with the proposed permit application.

The following requirements shall be satisfied prior to Permit Issuance.

~~6.2.10 Council Approval~~ – Not required

6.2.11 Certificate of Insurance

A minimum \$2,000,000 in liability coverage and naming the Town as an additional insured will be required. (See **Appendix E** for the Town's standard insurance form).

6.2.12 Financial Securities

Financial security in a form acceptable to the Town of Whitby, cash or letter of credit, as calculated in Part 6.2.6 above shall be provided by the Applicant.

6.2.13 Road Damage Contribution / Inspection Fee

An initial Road Damage Contribution / Inspection Fee will not be required for this Category of Site Alteration Permit. However should overfilling beyond 500m³ occur, an overfilling penalty will be required based on volume calculated from the post-alteration survey.

Refer to **Appendix F** for overflow penalty requirements.

~~6.2.14 Road Replacement Fee~~ – Not required

The following requirements shall be satisfied subsequent to Permit Issuance

6.2.15 On-Site Soil Testing Report / Certification

Not required unless otherwise specified in the accepted source soil report(s) in Part 6.2.7.

6.2.16 Underground Water Monitoring Report / Certification

Refer to the accepted Underground Water Monitoring Program in Part 6.2.8 for reporting and certification requirements.

6.2.17 Post-Alteration Surveys

The Applicant will be required to demonstrate to the Town's satisfaction that the proposed site alternation works have been carried out in accordance with the approved proposal and that no impact to surrounding drainage has resulted from the site alternation works.

For site alteration involving less than 500m³, photos provided by the Applicant and / or site visit by Town staff may be sufficient. Should impact to surrounding drainage or overfilling be suspected, at the Town's request, the Applicant shall

be required to provide a post-alteration survey completed by a Licensed Land Surveyor and a cut/fill analysis to confirm the quantity of material imported/exported. (Pre-alteration ground elevations may be interpolated from the surrounding undisturbed ground or readily available topographic mapping).

6.2.18 Other items

Any additional permit requirements as needed based on the specific proposed site alternation will be included in a cover letter from the Town to accompany the approved permit.

6.3 Category 3 – Medium Site Alteration **(import and/or export of material 100m³ – 500m³)**

The following requirements shall be provided at the time of Formal Permit Application.

6.3.1 Completed Permit Application Form

The Applicant shall submit the completed Permit Application Form and to confirm that “Required” items listed in Part 6 have been included with the application package.

6.3.2 Application Fee

The applicable Application Fee (noted in Part 7) in accordance to the Public Works Fees By-Law #####-## as amended will be required prior to processing of the Permit Application. Excerpt of the Public Works Fees By-Law related to activities regulated under the Site Alteration By-Law has been included in **Appendix B.**

6.3.3 Compliance with Oak Ridges Moraine Conservation Plan

Documentation indicating compliance with the ORMCP is required when any portion of the proposed site alteration work area is within the ORMCP regulated area.

6.3.4 Letter / Brief

A letter/brief containing the following information that describes the purpose and scope of the site alteration works, shall be submitted in support of the Site Alteration Permit Application:

- a) Summary of the proposed works, including:
 - a detailed schedule of the anticipated starting and completion dates of each site alteration activity;
 - a plan of proposed external haul routes, number of truck loads per day, and daily schedule for hauling;
 - a plan showing signage as necessary;
- b) Description of the erosion control measures, including:
 - the location, dimensions, design details and design calculations of all site erosion control measures that may be necessary to minimize the impact of the proposed site alteration;
 - the provision for maintenance and repair of erosion control measures for both the removal and dumping sites and the continuous monitoring thereof;

- the name and 24-hour contact telephone number of the person responsible for the monitoring and maintenance of the on-site erosion control programs;
- c) Description of mud tracking and dust control programs; and,
- d) Description of existing and proposed drainage patterns.

The letter/brief shall be supplemented with drawing requirements noted below.

6.3.5 Engineering Sketches / Drawings

Various sketches and/or Engineering Drawings will be required to illustrate the proposed works and its effect on the surrounding area. Typical submissions will include, but not limited to, the following drawings:

- a) Grading Plan, including pre-alteration survey of the site;
- b) Cut/Fill Plan; and,
- c) Erosion Control Plan.

Sketches:

Sketches may be submitted for permit application involving less than 500 m³ of material, photos of the proposed site and alternation area may also be submitted. Town staff may conduct a site visit in order to evaluate the appropriateness of the sketches in capturing the scope of the proposed works. If it is determined that Engineering Drawings are required to properly illustrate the proposed scope of works, the Applicant will be required to submit full Engineering Drawings as noted below.

Engineering Drawings:

Engineering Drawings shall be prepared by a Professional Engineer licensed to practice Engineering in the Province of Ontario. All drawings shall be produced on CAD (Computer-aided design), stamped and sealed by the Engineer.

Additional technical details have been provided in **Appendix C**.

6.3.6 Security Estimate

Financial security will be required to ensure compliance with the various permit requirements. The total required security amount will typically include the following items:

- a) On-site controls:
 - erosion control measures;
 - drainage control measures; and,
 - mud tracking and dust control programs.
- b) Immediate road damage
- c) Overfilling security

- d) As required, underground water monitoring program for importing of high water content fill (vacuum truck excavation material)

Additional details related to security estimate requirements have been provided in **Appendix D**.

6.3.7 Source Soil Report

Soil Report(s) for all source sites shall be provided by the Applicant. Where generic soil reports for source sites are provided to the Applicant, the Applicant shall have his consultant review the report(s) and provide the Town with a summary report. The submitted reports must contain the following:

- a) be prepared by a qualified person and shall contain a description of the proposed material, including a list of the sources and geotechnical reports as to content and quality of the proposed material;
- b) certify that the material being used contains no contaminated material and that the material meets MOE Table 1 Standards; or,
- c) contains recommendations for the proper handling of all source material that is outside of MOE Table 1 Standards as well as on-site inspection and monitoring requirements to ensure that the recommended methods are implemented; and,
- d) confirmation of no adverse impacts to surrounding properties from the imported material.

Applicants are to note that since the Town of Whitby does not have in-house geotechnical expertise there will be a reliance on the Applicant's geotechnical consultant to provide comprehensive information and recommendations regarding both source and on-site soil conditions, on-site inspection and monitoring of the site alteration activities. The Town reserves the right to have the geotechnical reports, and recommendations etc. peer reviewed at the Applicant's cost.

6.3.8 Underground Water Monitoring Program

The purpose of the Underground Water Monitoring Program is to ensure that fill activities associated with Site Alteration activities will not adversely affect the quality of underground water. The Underground Water Monitoring Program shall be used for any Site Alteration activity that involves material with high water content (vacuum truck excavation material).

Underground Water Monitoring Program shall be developed by a qualified person and shall include time frame, design/construction of monitoring wells and ground water sampling/testing schedule to ensure quality control of the underground waters.

A qualified person (Applicant's consultant) shall provide, as specified in the Underground Water Monitoring Program, a certification to the Town that the underground water quality has not been impacted by the fill activity.

It is the Applicant's consultant responsibility to address any provisions/requirements of the Source Water Protection Act, if applicable.

6.3.9 Other items

Town staff will advise if additional submission requirements may be necessary to address specific concerns with the proposed permit application.

The following requirements shall be satisfied prior to Permit Issuance.

~~6.3.10 Council Approval~~ – Not required

6.3.11 Certificate of Insurance

A minimum \$2,000,000 in liability coverage and naming the Town as an additional insured will be required. (See **Appendix E** for the Town's standard insurance form).

6.3.12 Financial Securities

Financial security in a form acceptable to the Town of Whitby, cash or letter of credit, as calculated in Part 6.3.6 above shall be provided by the Applicant.

6.3.13 Road Damage Contribution / Inspection Fee

An initial Road Damage Contribution / Inspection Fee will not be required for this Category of Site Alteration Permit. However should overfilling beyond 500m³ occur, an overfilling penalty will be required based on volume calculated from the post-alteration survey.

Refer to **Appendix F** for overflow penalty requirements.

~~6.3.14 Road Replacement Fee~~ – Not required

The following requirements shall be satisfied subsequent to Permit Issuance

6.3.15 On-Site Soil Testing Report / Certification

Not required unless otherwise specified in the accepted source soil report(s) in Part 6.3.7.

6.3.16 Underground Water Monitoring Report / Certification

Refer to the accepted Underground Water Monitoring Program in Part 6.3.8 for reporting and certification requirements.

6.3.17 Post-Alteration Surveys

The Applicant will be required to demonstrate to the Town's satisfaction that the proposed site alternation works have been carried out in accordance with the approved proposal and that no impact to surrounding drainage has resulted from the site alternation works.

For site alteration involving less than 500m³, photos provided by the Applicant and / or site visit by Town staff may be sufficient. Should impact to surrounding drainage or overfilling be suspected, at the Town's request, the Applicant shall

be required to provide a post-alteration survey completed by a Licensed Land Surveyor and a cut/fill analysis to confirm the quantity of material imported/exported. (Pre-alteration ground elevations may be interpolated from the surrounding undisturbed ground or readily available topographic mapping).

6.3.18 Other items

Any additional permit requirements as needed based on the specific proposed site alternation will be included in a cover letter from the Town to accompany the approved permit.

6.4 Category 4 – Large Site Alteration **(import and/or export of material > 500m³)**

The following requirements shall be provided at the time of Formal Permit Application.

6.4.1 Completed Permit Application Form

The Applicant shall submit the completed Permit Application Form and to confirm that “Required” items listed in Part 6 have been included with the application package.

6.4.2 Application Fee

The applicable Application Fee (noted in Part 7) in accordance to the Public Works Fees By-Law #####-## as amended will be required prior to processing of the Permit Application. Excerpt of the Public Works Fees By-Law related to activities regulated under the Site Alteration By-Law has been included in **Appendix B.**

6.4.3 Compliance with Oak Ridges Moraine Conservation Plan

Documentation indicating compliance with the ORMCP is required when any portion of the proposed site alteration work area is within the ORMCP regulated area.

6.4.4 Letter / Brief

A letter/brief containing the following information that describes the purpose and scope of the site alteration works, shall be submitted in support of the Site Alteration Permit Application:

- a) Summary of the proposed works, including:
 - a detailed schedule of the anticipated starting and completion dates of each site alteration activity;
 - a plan of proposed external haul routes, number of truck loads per day, and daily schedule for hauling;
 - a plan showing signage as necessary;
- b) Description of the erosion control measures, including:
 - the location, dimensions, design details and design calculations of all site erosion control measures that may be necessary to minimize the impact of the proposed site alteration;
 - the provision for maintenance and repair of erosion control measures for both the removal and dumping sites and the continuous monitoring thereof;

- the name and 24-hour contact telephone number of the person responsible for the monitoring and maintenance of the on-site erosion control programs;
- c) Description of mud tracking and dust control programs; and,
- d) Description of existing and proposed drainage patterns.

The letter/brief shall be supplemented with drawing requirements noted below.

6.4.5 Engineering Sketches / Drawings

Various sketches and/or Engineering Drawings will be required to illustrate the proposed works and its effect on the surrounding area. Typical submissions will include, but not limited to, the following drawings:

- a) Grading Plan, including pre-alteration survey of the site;
- b) Cut/Fill Plan; and,
- c) Erosion Control Plan.

Engineering Drawings:

Engineering Drawings prepared by a Professional Engineer licensed to practice Engineering in the Province of Ontario will be required for permit application involving more than 500 m³ of material. All drawings shall be produced on CAD (Computer-aided design), stamped and sealed by the Engineer.

Additional technical details have been provided in **Appendix C**.

6.4.6 Security Estimate

Financial security will be required to ensure compliance with the various permit requirements. The total required security amount will typically include the following items:

- a) On-site controls:
 - erosion control measures;
 - drainage control measures; and,
 - mud tracking and dust control programs.
- b) Immediate road damage
- c) Overfilling security
- d) As required, underground water monitoring program for importing of high water content fill (vacuum truck excavation material)
- e) Traffic and/or site alteration project signage
- f) On-site soil testing and peer review of any documents related to the permit

Additional details related to security estimate requirements have been provided in **Appendix D**.

6.4.7 Source Soil Report

Soil Report(s) for all source sites shall be provided by the Applicant. Where generic soil reports for source sites are provided to the Applicant, the Applicant shall have his consultant review the report(s) and provide the Town with a summary report. The submitted reports must contain the following:

- a) be prepared by a qualified person and shall contain a description of the proposed material, including a list of the sources and geotechnical reports as to content and quality of the proposed material;
- b) certify that the material being used contains no contaminated material and that the material meets MOE Table 1 Standards; or,
- c) contains recommendations for the proper handling of all source material that is outside of MOE Table 1 Standards as well as on-site inspection and monitoring requirements to ensure that the recommended methods are implemented; and,
- d) confirmation of no adverse impacts to surrounding properties from the imported material.

Applicants are to note that since the Town of Whitby does not have in-house geotechnical expertise there will be a reliance on the Applicant's geotechnical consultant to provide comprehensive information and recommendations regarding both source and on-site soil conditions, on-site inspection and monitoring of the site alteration activities. The Town reserves the right to have the geotechnical reports, and recommendations etc. peer reviewed at the Applicant's cost.

6.4.8 Underground Water Monitoring Program

The purpose of the Underground Water Monitoring Program is to ensure that fill activities associated with Site Alteration activities will not adversely affect the quality of underground water. The Underground Water Monitoring Program shall be used for any Site Alteration activity that involves material with high water content (vacuum truck excavation material).

Underground Water Monitoring Program shall be developed by a qualified person and shall include time frame, design/construction of monitoring wells and ground water sampling/testing schedule to ensure quality control of the underground waters.

A qualified person (Applicant's consultant) shall provide, as specified in the Underground Water Monitoring Program, a certification to the Town that the underground water quality has not been impacted by the fill activity. It is the Applicant's consultant responsibility to address any provisions/requirements of the Source Water Protection Act, if applicable.

6.4.9 Other items

Town staff will advise if additional submission requirements may be necessary to address specific concerns with the proposed permit application.

The following requirements shall be satisfied prior to Permit Issuance.

6.4.10 Council Approval

For permit application where Council Approval is required based on either, volume and source or for multi-term permit. Once the formal permit application has been reviewed to Town staff satisfaction, a report will be prepared to the Operations Committee for Council Approval of the Site Alteration Permit.

6.4.11 Certificate of Insurance

A minimum \$2,000,000 in liability coverage and naming the Town as an additional insured will be required. (See **Appendix E** for the Town's standard insurance form).

6.4.12 Financial Securities

Financial security in a form acceptable to the Town of Whitby, cash or letter of credit, as calculated in Part 6.4.6 above shall be provided by the Applicant.

6.4.13 Road Damage Contribution / Inspection Fee

A per cubic meter of imported/exported material fee for degradation and damages to public infrastructures and staff inspection cost will be required prior to final approval of the Site Alteration Permit.

The initial fee payable will be calculated based on the volume of material specified by the Applicant on the Permit Application Form. The final payable amount, including any overfilling penalties will be based on volume calculated from the post-alteration survey.

Refer to **Appendix F** for overfill penalty requirements.

Land Development Sites

In recognition of the desire for land developers to commence site alteration work in advance of entering into a development agreement with the Town, the Town will reduce the Road Damage Contribution / Inspection Fee requirement as follows:

- from payment prior to approval of the Site Alteration Permit to a financial security which will be released should a development agreement be entered into with the Town within two (2) years from the date of approval of the Site Alteration Permit.
- This reduction will apply to all site alteration works necessary in order to facilitate the proposed development.

Applicants are to provide details regarding the status of the development application and / or any other relevant documentation regarding the site alteration work in Part 3.7.

6.4.14 Road Replacement Fee

As noted in Part 3.5 a Road Replacement Fee will be required for any Town roads that will not be capable of supporting the projected trucking activity. This Road Replacement Fee will be required prior to final approval of the Site Alteration Permit.

Refer to **Appendix B** for Road Replacement Fee amounts.

The following requirements shall be satisfied subsequent to Permit Issuance

6.4.15 On-Site Soil Testing Report / Certification

On-site soil testing will be required based on the more stringent of the following:

- a) as specified in the accepted source soil report(s) in Part 6.4.7; or
- b) upon completion of all filling activities less than 25,000m³, or
- c) once at 50% and once upon full completion of all filling activities between 25,000m³ to 50,000m³; or
- d) every 50,000m³ or (2) two months, whichever is less for all filling activities above 50,000m³.

6.4.16 Underground Water Monitoring Report / Certification

Refer to the accepted Underground Water Monitoring Program in Part 6.4.8 for reporting and certification requirements.

6.4.17 Post-Alteration Surveys

The Applicant will be required to provide a post-alteration survey completed by a Licensed Land Surveyor and a cut/fill analysis to confirm the quantity of material imported/exported to demonstrate to the Town's satisfaction that the proposed site alternation works have been carried out in accordance with the approved proposal and that no impact to surrounding drainage has resulted from the site alternation works.

6.4.18 Other items

Any additional permit requirements as needed based on the specific proposed site alternation will be included in a cover letter from the Town to accompany the approved permit.

6.5 Category 5 – Haul Route Permit

(import and/or export of material > 500m³ within a CLOCA regulated area)

The following requirements shall be provided at the time of Formal Permit Application.

6.5.1 Completed Permit Application Form

The Applicant shall submit the completed Permit Application Form and to confirm that “Required” items listed in Part 6 have been included with the application package.

6.5.2 Application Fee

The applicable Application Fee (noted in Part 7) in accordance to the Public Works Fees By-Law #####-## as amended will be required prior to processing of the Permit Application. Excerpt of the Public Works Fees By-Law related to activities regulated under the Site Alteration By-Law has been included in **Appendix B**.

6.5.3 Compliance with Oak Ridges Moraine Conservation Plan

Documentation indicating compliance with the ORMCP is required when any portion of the proposed site alteration work area is within the ORMCP regulated area.

~~6.5.4 Letter / Brief – Not required~~

~~6.5.5 Engineering Sketches / Drawings – Not required~~

6.5.6 Security Estimate

Financial security will be required to ensure compliance with the various permit requirements. The total required security amount will typically include the following items:

- a) On-site controls:
 - mud tracking and dust control programs.
- b) Immediate road damage
- c) Overfilling security
- d) Traffic and/or site alteration project signage

Additional details related to security estimate requirements have been provided in **Appendix D**.

~~6.5.7 Source Soil Report – Not required~~

~~6.5.8 Underground Water Monitoring Program – Not required~~

6.5.9 Other items

Town staff will advise if additional submission requirements may be necessary to address specific concerns with the proposed permit application.

The following requirements shall be satisfied prior to Permit Issuance.

6.5.10 Council Approval

For permit application where Council Approval is required based on either, volume and source or for multi-term permit. Once the formal permit application has been reviewed to Town staff satisfaction, a report will be prepared to the Operations Committee for Council Approval of the Haul Route Permit.

6.5.11 Certificate of Insurance

A minimum \$2,000,000 in liability coverage and naming the Town as an additional insured will be required. (See **Appendix E** for the Town's standard insurance form).

6.5.12 Financial Securities

Financial security in a form acceptable to the Town of Whitby, cash or letter of credit, as calculated in Part 6.5.6 above shall be provided by the Applicant.

6.5.13 Road Damage Contribution / Inspection Fee

A per cubic meter of imported material fee for degradation and damages to public infrastructures and staff inspection cost will be required prior to final approval of the Haul Route Permit.

The initial fee payable will be calculated based on the volume of material specified by the Applicant on the Permit Application Form. The final payable amount, including any overfilling penalties will be based on volume calculated from the post-alteration survey.

Refer to **Appendix F** for overfill penalty requirements.

Land Development Sites

In recognition of the desire for land developers to commence site alteration work in advance of entering into a development agreement with the Town, the Town will reduce the Road Damage Contribution / Inspection Fee requirement as follows:

- from payment prior to approval of the Site Alteration Permit to a financial security which will be released should a development agreement be entered into with the Town within two (2) years from the date of approval of the Site Alteration Permit.
- This reduction will apply to all site alteration works necessary in order to facilitate the proposed development.

Applicants are to provide details regarding the status of the development application and / or any other relevant documentation regarding the site alteration work in Part 3.7.

6.5.14 Road Replacement Fee

As noted in Part 4.5 a Road Replacement Fee will be required for any Town roads that will not be capable of supporting the projected trucking activity. This Road Replacement Fee will be required prior to final approval of the Haul Route Permit.

Refer to **Appendix B** for Road Replacement Fee amount.

The following requirements shall be satisfied subsequent to Permit Issuance

~~6.5.15 On-Site Soil Testing Report / Certification – Not required~~

~~6.5.16 Underground Water Monitoring Report / Certification – Not required~~

6.5.17 Post-Alteration Surveys

The Applicant will be required to provide a post-alteration survey completed by a Licensed Land Surveyor and a cut/fill analysis to confirm the quantity of material imported/exported to demonstrate to the Town's satisfaction that the proposed site alternation works have been carried out in accordance with the approved proposal.

6.5.18 Other items

Any additional permit requirements as needed based on the specific proposed haul route application will be included in a cover letter from the Town to accompany the approved permit.

Part 7 – Application Fee

With the formal submission of the Site Alteration / Haul Route Permit Application, along with all supporting documentations required as specified in Part 6, payment of the Application Fee, as specified, will be required in order for Town Staff to process the Permit Application.

Upon review of the submitted information should additional information or documentation be required, written notice will be provided to the Applicant.

Applicants are advised that pursuant to Sub-Section 5.3 of the Site Alteration By-Law, Permit submissions are to be completed within a 6 month timeframe from the date of formal submission. Should the application lapse beyond this time period, the current Application will be closed and a new Application will be required when the Applicant wishes to pursue Site Alteration works on the subject site in the future.

Part 8 – Permit Approval

Following approval of a Site Alteration / Haul Route Permit the following items may become applicable for administration of the permit.

Permit Term

In accordance with Sub-Section 5.24 of the Site Alteration By-Law, the permit expires 6 months after the day on which it is issued unless successfully renewed as noted below.

Permit Renewal

A Permit holder may renew an approved Permit at any time prior to its expiry for one (1) additional six (6) month period provided that the following items are submitted to the Commissioner:

- a written application formally requesting an extension to the permit and also confirming that there are no amendments or changes to the proposed work; and
- an as-built survey for the fill site showing the already completed works; and
- payment of a fee equal to 50% of the original permit fee.

Refer to **Appendix G** for a copy of the permit renewal form.

Permit Suspension (placed on hold)

Permit holder may suspend an approved Site Alteration Permit one (1) time only for up to a (6) six month period by written notification to the Town of Whitby. Prior to recommencement of any site alteration activities, 48 hour advance written notification must be submitted to the Town of Whitby, Public Works Department.

Following the maximum six month permit suspension period, regardless of whether site alteration activities recommence, the permit term shall resume.

Refer to **Appendix H** for a copy of the permit suspension form.

Multi-term permit

Multi-term site alteration activity will be required to submit up-dated reports and an as-built survey for the fill site every 6 months showing the already completed works so that Town staff can monitor the overall progress of work and can report to Council when, and if required.

Change in property ownership

Should a property for which a Permit has been issued be transferred to a new Owner while the permit is still in effect, one of the following options may be exercised by the existing and new owner.

Termination of Site Alteration work

Terminate the site alteration project, provided that the termination does not cause an adverse impact on neighbouring property for matters related to drainage, land grading, erosion control and/or dust mitigation. Submission of post-alteration survey, cut/fill analysis, soil testing, etc. as appropriate will be required in order to terminate the existing permit. Securities held by the Town will only be released upon confirmation by the Applicant that all permit requirements have been satisfied by the Applicant.

No change in scope of Site Alteration work

The current permit conditions and contribution fees may be transferred to the new Owner provided the following is provided to the Town's satisfaction.

- A current site survey and updated cut/fill analysis shall be provided to confirm the remaining quantity of material to be imported/exported.
- Soil testing as may be required to confirm that the material imported to-date is acceptable.
- The new Owner shall submit a completed Application Form and make payment to the Town in the amount of the initial permit application to facilitate the changing of records associated with the permit.
- Should a different source of fill be utilized by the new Owner, Source Soil Reporting will be required with the new Application Form.
- All other fees, if applicable, provided with the original permit may be transferred to the new permit.
- Any existing securities held by the Town will only be released upon replacement of the securities by the new Owner.

Change in scope of Site Alteration works

If the scope of the Site Alteration work is to be changed in anyway, the existing permit shall be terminated as noted above by the current Applicant. A new permit will be required by the new Owner.

Other Requirements

Notwithstanding other requirements and conditions of the Site Alteration / Haul Route Permit, Applicants are to note the following restrictions related to the timing of on-site activities as detailed within Section 4 of the Site Alteration By-Law.

A site alteration activity cannot occur:

- unless a Site Alteration Permit and/or Haul Route Permit is obtained;
- outside of the times permitted for the operation of heavy equipment in the Town's Noise By-law, as may be amended from time to time;

- during any period in which a wind warning has been issued for the area by Environment Canada;
- within 24 hours after receiving precipitation in excess of 10 mm in the preceding 24 hour period, unless the operations being performed during this time are completely within the boundaries of the site alteration property or do not result in mud tracking onto the external roadways adjacent to the property;
- if the site alteration will result in changing any drainage pattern established by a grading and drainage plan approved by the Town in relation to a subdivision, rezoning, site plan or building permit approval;
- if Town roads, ditches, culverts, sidewalks, facilities or other infrastructure or services may be damaged in any way; or,
- if the fill includes material from the demolition of any structure, toxic or hazardous materials, glass, raw sewage, contaminated fill, construction refuse or debris.

Appendix A - Site Alteration By-Law

Appendix B – Financial Requirement Rates

The following financial rates are excerpt from the Public Works Fee By-Law #####-## as amended. Payment amount will be based on the current By-Law rate in force at the time of payment. HST has not been included in the below noted rates.

Application Fee

Category	Activity Type	Criteria	Application Fee*
1	Alteration of Grade > 0.15m grade change (no import or export of material)		
a)		< 100 m ³	\$250.00
b)		100 – 500 m ³	\$500.00
c)		> 500 m ³	\$1,000.00
2	Small Site Alteration (import and/or export of material)	< 100 m ³	\$250.00
3	Medium Site Alteration (import and/or export of material)	100 – 500 m ³	\$500.00
4	Large Site Alteration (import and/or export of material)	> 500 m ³	\$1,000.00
5	Haul Route Permit (import and/or export of material to CLOCA regulated area)	> 500 m ³	\$1,000.00

Road Damage Contribution / Inspection Fee

\$2.00 per cubic meter of imported/exported material.

Road Replacement Fee

\$117.25 per linear meter of reconstruction Low Class Bituminous (LCB) roads.

\$483.28 per linear meter of resurfacing High Class Bituminous (HCB) roads.

\$1,969.88 per linear meter of reconstruction High Class Bituminous (HCB) roads.

Appendix C - Engineering Drawing Technical Details

Engineering Drawings shall include all of the following information as appropriate:

1. a key map showing the location of each lot or property involved in the site alteration, including the nearest major intersection and a north arrow;
2. the lot boundaries and total area, expressed in hectares, of each lot or parcel of land involved in the proposed site alteration;
3. the existing and proposed use of the land and the location and use of the buildings and structures within 30m beyond the boundary of each lot or property involved in the proposed site alteration;
4. the location, dimensions and use of any building and other structures existing or proposed to be erected on each lot or property involved in the proposed site alteration;
5. the location of lakes, streams, wetlands, channels, ditches, other watercourses and other bodies of water on and within 30 m beyond the boundary of each lot or property involved in the proposed site alteration;
6. existing and proposed drainage areas for the site alteration site and any external drainage flows/areas that are part of the overall drainage pattern;
7. the location of all regulatory flood lines and Conservation Authority regulation limits within the boundaries of each lot involved in the proposed site alteration;
8. the location and identification of the predominant existing soil types on each lot involved in the proposed site alteration;
9. the species, grade at base, and size of all trees greater than 250 mm in caliper, all shrubs, trees and hedges within 3 m of the property line and driveways on each lot involved in the proposed site alteration;
10. the location of all easements and right-of-ways over, under, across or through each lot involved in the proposed site alteration;
11. the location and dimensions of any existing and proposed storm water drainage systems and natural drainage patterns on and within 30 m beyond the boundary of each lot involved in the proposed site alteration;
12. the location and dimensions of utilities, structures, roads, highways and paving located on and within 30 m beyond the boundary of each lot involved in the proposed site alteration;

13. the existing topography on each lot and extending 30 m beyond the boundary of each lot involved in the proposed site alteration;
14. the proposed final grades/elevations of each lot in the proposed site alteration;
15. the location and dimensions of all proposed site alteration activities, including construction of access roads;
16. the location and dimensions of all temporary soil, dirt or fill stockpiles for the proposed site alteration;
17. the cut/fill contours and volumes for the proposed site alteration works;
18. the scale of drawing ranging from 1:250 to 1:1000, as determined by the Commissioner, to be measured in meters;
19. an indication on the drawing of directions of overland water flow and overland flow routes;
20. any information, plans or studies required by Ontario Regulation 140/02;
21. the proposed grades and drainage systems to be used upon completion of the placing or dumping of fill on each lot;
22. plan showing the design details to proper scale of any retaining wall that may be required and the type and dimensions of any materials to be used in the construction of such retaining wall;

Appendix D – Securities Estimate

Security Types.

Tables D1 to D5 below indicate the securities required for the different types of Permit Applications and how they shall be calculated.

Table D1: Category 1 – Alteration of Grade

(> 0.15m grade change, no import or export of material)

Security Description	Security Amount
a) On-site controls: Erosion control measures, drainage control measures, mud tracking and dust control programs	Category 1a) = \$1,000 Category 1b) = \$1,500 Category 1c) = Engineer's Cost Estimate + 30% contingency + HST
b) Immediate road damage	\$2,000

Table D2 – Category 2 – Small Site Alteration

(import and/or export of material < 100m³)

Security Description	Security Amount
a) On-site controls: Erosion control measures, drainage control measures, mud tracking and dust control programs	\$1,000
b) Immediate road damage	\$2,000
c) Overfilling security	\$1,000
d) As required, Underground Water Monitoring Program	Engineer's Cost Estimate of Program + 30% contingency + HST

Table D3 – Category 3 – Medium Site Alteration
(import and/or export of material 100m³ - 500m³)

Security Description	Security Amount
a) On-site controls: Erosion control measures, drainage control measures, mud tracking and dust control programs	\$1,500
b) Immediate road damage	\$3,000
c) Overfilling security	\$1,000
d) As required, Underground Water Monitoring Program	Engineer's Cost Estimate of Program + 30% contingency + HST

Table D4 – Category 4 – Large Site Alteration
(import and/or export of material > 500m³)

Security Description	Security Amount
a) On-site controls: Erosion control measures, drainage control measures, mud tracking and dust control programs	Engineer's Cost Estimate + 30% contingency + HST
b) Immediate road damage	\$3,000 to \$10,000 (to be specified by the Town)
c) Overfilling security	15% of the Road Damage Contribution / Inspection Fee
d) As required, Underground Water Monitoring Program	Engineer's Cost Estimate of Program + 30% contingency + HST
e) Traffic and/or site alteration project signage	\$2,000
f) On-site soil testing and peer review	\$10,000 plus \$10,000 per every additional 50,000m ³

Table D5 – Category 5 – Haul Route Permit

(import and/or export of material > 500m³ within a CLOCA regulated area)

Security Description	Security Amount
a) On-site controls: Erosion control measures, drainage control measures, mud tracking and dust control programs	Engineer's Cost Estimate + 30% contingency + HST
b) Immediate road damage	\$3,000 to \$10,000 (to be specified by the Town)
c) Overfilling security	15% of the Road Damage Contribution / Inspection Fee
d) Traffic and/or site alteration project signage	\$2,000

Appendix E - Town of Whitby Insurance Certificate

The Applicant covenants that it shall take out and keep in full force and effect throughout the project until completion, and any renewals thereof, Comprehensive General Liability Insurance including premises and all operations. This insurance coverage shall be subject to limits of not less than **\$2,000,000.00** inclusive per occurrence for third party Bodily Injury and Property Damage **or such other coverage or amount** as may be requested as per the Town of Whitby's Certificate of Insurance, attached.

In addition, Automobile liability coverage is to be provided, for all licensed vehicles and equipment, evidencing two million dollars (**\$2,000,000.00**) per occurrence against claims for bodily injury and/or property damage.

Each policy shall include the Corporation of the Town of Whitby as an additional insured in respect of all operations performed by or on behalf of the Applicant. A certified copy of such policy or certificate **shall be provided prior to the commencement of work**. Further certified copies shall be provided upon request.

The Town of Whitby requests your co-operation in having this form completed as is with no amendments being allowed or accepted. The Applicant must carry valid insurance in accordance with the permit for the entire duration of the permit. An original copy with the original signature must be provided and this can be submitted via facsimile, however the original form is to follow promptly thereafter.

A copy of the Town of Whitby's Insurance Certificate can be accessed through the Town's web-site as noted below:

http://www.whitby.ca/en/resources/cs-application_accessibleinsurancetemplateforvendors.pdf

Appendix F – Overfill Penalty Requirements

Any overfilled material to be left on-site will only be permitted provided there are no drainage impact from the additional material.

Notwithstanding the above, while a reasonable tolerance in achieving the permitted quantities can be expected, overfilling beyond this tolerance is strongly discouraged as there are increased impacts on haul roads and disturbance to neighbouring property owners. As such, a \$/m³ sliding scale penalty on the Road Damage Contribution / Inspection Fee will be assessed on overfilled material beyond a reasonable tolerance, with higher penalty rate for higher overfilled quantities.

Tables F2/3 and F4/5 below indicate the amount of Road Damage Contribution / Inspection Fee (Road/Inspection Fee) and penalty rates to be applied per volume of overfilled material.

Table F2/3: Category 2/3 – Small/Medium Site Alteration

(import and/or export of material < 500m³)

Total On-Site Fill Volume	Penalty Amounts
500 to 550m ³ (up to 10% over quantity requiring Road/Inspection Fee)	1 x Road/Inspection Fee (no additional penalty)
550 to 600m ³ (10% - 20% over quantity requiring Road/Inspection Fee)	2 x Road/Inspection Fee
> 600m ³ (above 20% over quantity requiring Road/Inspection Fee)	4 x Road/Inspection Fee

Example 1: An Applicant applies for and receives a Category 3, Medium Site Alteration Permit for permission to import 300m³ of material. The final volume imported was confirmed to be 525m³.

Resolution: As the original Site Alteration Permit volume was not sufficient to trigger collection of the Road/Inspection Fee, this fee would not have been required with the issuance of the original permit. With the final fill volume being 525m³ times \$2/m³, total Road/Inspection Fee payable will be \$1,050.

$$\text{i.e. } 525\text{m}^3 \times \$2/\text{m}^3 = \$1,050$$

Example 2: Same permit as Example 1 above, but the final volume imported was confirmed to be 650m³.

Resolution: For the first 550m³: $550\text{m}^3 \times \$2/\text{m}^3 = \$1,100$

550m³ to 600m³: $50\text{m}^3 \times 2 \times \$2/\text{m}^3 = \$200$

600m³ to 650m³: $50\text{m}^3 \times 4 \times \$2/\text{m}^3 = \$400$

Total Road/Inspection Fee payable will be \$1,700.

Table F4/5: Category 4/5 – Large Site Alteration/Haul Route Permit

(import and/or export of material > 500m³ outside or within a CLOCA regulated area)

Approved Volume (m ³)	Overfill Quantity and Corresponding Penalty Amounts		
	1 x Road/Inspection Fee	2 x Road/Inspection Fee	4 x Road/Inspection Fee
500 to 50,000	up to 10% of approved volume	10%-20% of approved volume	>20% of approved volume
>50,000	up to 5,000m ³	5,000m ³ to 10,000m ³	> 10,000m ³

Example 3: An Applicant applies for and receives a Category 4, Large Site Alteration Permit for permission to import 10,000m³ of material. The final volume imported was confirmed to be 12,500m³.

Resolution: \$20,000 (10,000m³ at \$2/m³) would have been required with the issuance of the original permit. With the final fill volume being 12,500m³ this represents an overfill quantity of 2,500m³.

Up to 10% of overfill: $1,000\text{m}^3 \times \$2/\text{m}^3 = \$2,000$

10% to 20% overfill: $1,000\text{m}^3 \times 2 \times \$2/\text{m}^3 = \$4,000$

Over 20% overfill: $500\text{m}^3 \times 4 \times \$2/\text{m}^3 = \$4,000$

Additional Road/Inspection Fee/Penalty payable for the 2,500m³ of overfilled material will be \$10,000.

Example 4: An Applicant applies for and receives a Category 4, Large Site Alteration Permit for permission to import 60,000m³ of material. The final volume imported was confirmed to be 75,000m³.

Resolution: \$120,000 (60,000m³ at \$2/m³) would have been required with the issuance of the original permit. With the final fill volume being 75,000m³ this represents an overfill quantity of 15,000m³.

For the first 5,000m³ of overfill: $5,000 \text{ m}^3 \times \$2/\text{m}^3 = \$10,000$

For the next 5,000m³ of overfill: $5,000 \text{ m}^3 \times 2 \times \$2/\text{m}^3 = \$20,000$

Above 10,000m³ of overfill: $5,000 \text{ m}^3 \times 4 \times \$2/\text{m}^3 = \$40,000$

Additional Road/Inspection Fee/Penalty payable for the 15,000m³ of overfilled material will be \$70,000.

Appendix G – Permit Renewal Form

To be completed.

Appendix H – Permit Suspension Form

To be completed.

Appendix I – Update Tracking

Updates or modifications to the Guide to Site Alteration Pre-Screening Questionnaire and Site Alteration / Haul Route Permit Application are noted below:

1. October 2015 – issued for Public Consultation
- 2.

Public Works Department
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