



**GEORGINA**

**Office of the Chief Administrative Officer**

**VIA EMAIL AND  
REGULAR MAIL**

December 20, 2021

New Aerodrome Ontario 2021  
c/o Mauro Marchioni  
9100 Jane Street, 3<sup>rd</sup> Floor, Bldg. "A"  
Vaughan, ON L4K 0A4

Dear Mr. Marchioni:

**Re: PROPOSED GENERAL AVIATION AERODROME  
7818 and 7486 Old Homestead Road, Town of Georgina**

On or around November 7, 2021, the Town of Georgina became aware of a sign posted on lands municipally addressed as 7818 and 7486 Old Homestead Road (Subject Lands) advising of a proposed aerodrome.

The Town of Georgina has no authority or decision-making power with respect to either allowing or refusing a proposed aerodrome as aerodromes are regulated by the Government of Canada through Transport Canada. As per Part III, Subpart 307 of the Canadian Aviation Regulation, proposals for new aerodromes must involve consultation with the community. In this regard, Section 5.0 of Transport Canada's Circular - ac - no - 307- 001 states the following:

**"Although not required in the Regulation, an industry best practice is to pre-consult with key stakeholders during the planning and development stage and is highly recommended. It permits the proponent to ascertain the feasibility of a project and establish proof of concept that can be presented during the actual consultation period. Proponents who go forward without proof of concept will do so at their own peril and may experience consequential delays if safety or navigation related issues arise."** (emphasis added).

The Town of Georgina was not contacted in terms of any pre-consultation. Instead, the Proponent proceeded directly to the consultation process, including the posting of the aforementioned sign on the Subject Lands.

The posted sign provides (i) a general concept plan along with a brief summary of the aerodrome proposal (Project), and (ii) a website to obtain additional information. The sign also indicates that comments or objections are welcome from November 5, 2021 until December 22, 2021.

According to the sign, the Project will consist of the following three major components:

1) AIRFIELD DEVELOPMENT AREA

- Two (2) paved, all-weather Runways up to 991 m in length
- Supporting Taxiways and Parking Apron
- Aircraft Hangar Development Lots
- Supporting Flying Clubhouse/Administration (400-500 sq. m)
- Aerodrome Access Road and Services and Utilities

2) FUTURE AIRCRAFT HANGERS/AIRSIDE COMMERCIAL

3) WETLAND PROTECTION AREA

The Proponent's website provided only this information. No additional information or studies/analysis were provided to demonstrate the need, appropriateness and feasibility of the Project and that its construction would be in the public interest.

At the request of the Town, the Proponent was invited to make a public presentation. Accordingly, a Special Town Council Meeting was convened on December 15, 2021 to hear presentations from not only the Proponent, but from Town Staff and Members of the Community as well in respect of the proposed Aerodrome.

After the conclusion of the Special Town Council Meeting, Town Council established its position to be in opposition to the proposed Aerodrome and passed a Resolution formalizing that position (refer to Attachment 1).

Therefore, in accordance with the direction given to me in that Resolution, I am enclosing for consideration the basis for the Town's opposition to the Project, categorized into two parts entitled "Planning Issues" and "Fill Issues," such material being submitted in opposition to the Proposed aerodrome within the prescribed commenting time period.

Yours truly,

**The Corporation of the  
Town of Georgina**



Ryan Cronsberry  
Chief Administrative Officer

## cc:

The Honourable Omar Alhabra, Minister of Transport - [omar.alhabra@tc.gc.ca](mailto:omar.alhabra@tc.gc.ca)  
Patrick J. Juneau, P.Eng., Director, Safety Policy and Intelligence – Transport Canada - [Patrick.Juneau@tc.gc.ca](mailto:Patrick.Juneau@tc.gc.ca)  
The Honourable Steven Guilbeault, Minister of Environment and Climate Change - [ministre-minister@ec.gc.ca](mailto:ministre-minister@ec.gc.ca)  
Scot Davidson, Member of Parliament (York-Simcoe) - [Scot.Davidson@parl.gc.ca](mailto:Scot.Davidson@parl.gc.ca)  
Chief Donna Big Canoe, Chippewas of Georgina Island First Nation - [donna.bigcanoe@georginaisland.com](mailto:donna.bigcanoe@georginaisland.com)  
Hon. Caroline Mulroney (York-Simcoe), Minister of Transportation - [caroline.mulroney@pc.ola.org](mailto:caroline.mulroney@pc.ola.org)  
Hon. David Piccini, Minister of the Environment, Conservation, and Park - [david.piccini@pc.ola.org](mailto:david.piccini@pc.ola.org)  
Karen Whitney, Director, Community Planning & Development Services, York Region  
Rob Baldwin, CAO, Lake Simcoe Region Conservation Authority

**OPPOSITION OF TOWN OF GEORGINA TO**  
**PROPOSED GENERAL AVIATION AERODROME**  
**7818 and 7486 Old Homestead Road, Town of Georgina**

**PART A- PLANNING ISSUES**

The Town opposes the proposed aerodrome after assessing it on the basis of provincial, regional and local land use planning policies and plans.

**Subject Lands and Surrounding Land Uses**

The Subject Lands are located on the north side of Old Homestead Road, north-west of the Old Homestead Road and Stoney Batter Road intersection. An air photo of the Subject Lands is provided in Attachment 2.

Surrounding land uses are as follows:

- North: Agricultural uses and single-family dwellings
- East: Agricultural uses, single family dwellings and extensive wetlands and woodlands
- South: Single family dwelling, a Hydro One transmission corridor and extensive wetlands and woodland
- West: Agricultural uses, single family dwellings and a renewable energy project

The Subject Lands contain prime agricultural lands, and Provincially Significant Wetlands and Woodlands. A watercourse runs north-east and south-west across the south-eastern portion of the Subject Lands.

**Provincial Policy Statement (2020)**

The Subject Lands are located within a Rural Area as per the Provincial Policy Statement (PPS). Rural Areas include prime agricultural areas. Policy 2.3 states that prime agricultural areas shall be protected for long-term use for agriculture.

A significant portion of the Project (the runways, supporting taxiways and parking apron, and aircraft hangar development lots), appear to be located on prime agricultural lands, which is contrary to the PPS policy of protecting such lands for long-term agricultural use.

### **Greenbelt Plan (2017)**

The Subject Lands are located within the Protected Countryside of the Greenbelt Plan (GBP) and are situated entirely within the GBP's Natural Heritage System (NHS). In Section 3.2- Natural System and specifically in 3.2.1 of the GBP, it states:

“The Protected Countryside contains a Natural System that provides a continuous and permanent land base necessary to support human and ecological health in the Greenbelt and beyond. The Natural System policies protect areas of natural heritage, hydrologic and/or landform features, which are often functionally inter-related and which collectively provide essential ecosystem services, including water storage and filtration, cleaner air, habitat, support for pollinators, carbon storage and resilience to climate change.”

The GBP further states:

“The Natural System is made up of a Natural Heritage System and a Water Resource System that often coincide given ecological linkages between terrestrial and water-based functions.

The **Natural Heritage System** includes core areas and linkage areas of the protected Countryside with the highest concentration of the most sensitive and/or significant natural features and functions. These areas need to be managed as a connected and integrated natural heritage system...

The **Water Resource System** is made up of both ground and surface water features and areas and their associated functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption...The Protected Countryside includes several areas of hydrologic significance, including: The portions of the Lake Simcoe watershed and the former Lake Algonquin shoreline within York and Durham Regions...These areas of hydrological significance incorporated into the Greenbelt function

together with other hydrologic features and areas both within the Greenbelt and within the remainder of the watersheds that extends outside of the Greenbelt to form water resource systems.” (emphasis added).

The Project is proposed within a hydrologically significant portion of the Ontario Greenbelt’s Natural Heritage System which raises concern with respect to potential adverse impacts to surface/groundwater resources and to aquatic and terrestrial ecosystems, resulting from an Aerodrome use and associated activities.

Based on Features mapping provided by the Lake Simcoe Region Conservation Authority (LSRCA) (refer to Attachments 3 and 4), a significant portion of the Project (the access road and services and utilities, stormwater management pond, maintenance building, aviation fuel area, utility building, supporting flying clubhouse/administration building), appears to be located either in close proximity to or within, a Provincially Significant Wetland, other Evaluated and Unevaluated Wetlands, or within the adjacent lands to a regulated wetland.

As such, the Project conflicts with the GBP’s intent and policies aimed at protecting and enhancing key natural heritage and key hydrologic features, and to maintain an NHS that provides a continuous and permanent land base that needs to be managed as a connected and integrated system. This Project would appear to have the opposite effect in that it proposes to remove ecologically sensitive lands and locate development that would disconnect features and linkages and thereby disrupt the overall continuity of the Natural System in the area.

### **York Region Official Plan (2010)**

The Subject Lands are located within the Greenbelt Protected Countryside, Regional Greenlands System and Agricultural Area within the York Region Official Plan. The proposal is within 120 meters of a Life Science Area of Natural and Scientific Interest (ANSI), and the lands contain Provincially Significant / Provincial Plan Area Wetlands, a Significant Groundwater Recharge Area (SGRA), and Highly Vulnerable Aquifers (HVA), as well as woodlands.

York Region staff have provided written comments (refer to Attachment 5) on this major development proposal. These comments note the lack of pre-consultation, the absence of supporting information with respect to potential impacts to significant environmental features and the agricultural area, and no demonstrated benefit of the proposal to the community. The Town adopts these comments.

## **Town of Georgina Official Plan (2016)**

Section 2.1 of the Official Plan provides the following Vision for the Town:

“To be a well-balanced and vibrant community that preserves and protects Georgina’s natural environment and rural character, while providing for a high quality of life, growth and economic development in a sustainable manner.”

Section 2.2.3- Natural Environment Guiding Principle, reads as follows:

“The preservation, protection, enhancement and support of the natural heritage and hydrologic features, functions, attributes and interconnections of the natural environment is essential in order to maintain a sustainable ecosystem, not only to provide a healthy environment, but also as an important component of the Town’s economic and community health; and to preserve the visual landscape in Georgina, for this and future generations”

Section 2.2.10 Rural and Agricultural Areas Guiding Principle, reads as follow:

“To preserve, protect and support a permanent, healthy, sustainable Countryside Area and agricultural industry in the Town of Georgina, not only for the production of food and other products, but also as an important component of the Town’s economic base, a source of employment and a basis for Georgina’s rural community way of life”.

The Subject Lands are designated a combination of Agricultural Protection Area (APA) and Environmental Protection Area (EPA) in the Town’s Official Plan. All of the Subject Lands are subject to the Greenlands System Overlay (refer to Attachment 6).

The intent of the APA designation is to protect prime agricultural areas for long-term agricultural use. The intent of the EPA designation is to protect lands that contain environmental features and their buffers.

The Greenland System overlay reflects the boundaries of the Natural Heritage System as defined in the GBP. The Greenlands System includes key natural heritage and hydrological features, their buffers, and linkages between features.

Schedule B3 - Source Water Protection Areas shows a portion of the Subject Lands is located within a Significant Groundwater Recharge Area, Ecologically Significant Groundwater Recharge Area, and Highly Vulnerable Aquifer (refer to Attachment 7).

Schedule C - Natural Hazards shows a portion of the Subject Lands, specifically the areas surrounding the southern watercourse, are hazard lands (refer to Attachment 8).

In Section 9.2.6.2- Airports and Aerodrome, it states that “the Town shall not be supportive of airports and aerodrome facilities being located within the Environmental Protection Area designation or in locations that would result in land use conflicts with surrounding uses.”

The Project does not comply with the Town of Georgina’s Official Plan. It is contrary to, or in conflict with, the Official Plan’s Vision statement, the Natural Heritage Guiding Principle, the Rural and Agricultural Areas Guiding Principle, the Agricultural Area designation and Environmental Protection Area designation policies, and the Airports and Aerodrome policies.

### **Town of Georgina Zoning By-law**

Section 2.9 of the Zoning By-law defines an ‘airport’ to be an Aerodrome for which an Airport Certificate has been issued under Part III of the Air Regulations, C.R.C.C.2.

The Subject Lands are zoned Rural (RU) in the Town’s comprehensive Zoning By-law No. 500.

An Aerodrome (private) is a permitted use in the RU zone. Section 28.4 specifies that no person shall develop an aerodrome except in accordance with the following provisions:

- No lot having less area than 20 hectares shall be used for a private aerodrome;
- No person shall maintain or store more than two aircraft on any lot;
- One accessory building for the purpose of parking or storing an aircraft shall be permitted on a lot, but shall be located not less than 3 meters from any building used for residential purposes;



- No runway, hanger, or parking/storage of aircraft shall be located closer than 180 meters to any residential dwelling located on an adjacent lot, nor 100 meters to any lot line; and,
- No person shall use any land or erect, alter or use any building or structure for the purposes of facilitating or permitting the arrival, departure, movement, servicing or storage of ultra-light aircraft.

While a private Aerodrome has been a permitted use within the Town's Zoning By-law, the specific zoning provisions governing the construction and use of a private Aerodrome are quite restrictive. These provisions were and still are intended to allow such a use in a relatively small or limited form, to help ensure compatibility within the surrounding landscape. The Proponent has advised of "thousands" of flights per year when the Aerodrome is fully operational.

Based on the presentation made by the Proponent at the Special Town Council meeting on December 15, 2021, the Proposal does not comply with all sections of Zoning By-law No. 500 (number or nature of aircraft to be stored and serviced, number of primary and accessory buildings, required setbacks) and hence would not be in compliance with Zoning By-law No. 500.

The Project is proposed to be located in the heart of Georgina's Greenlands System, partially within, and largely surrounded by, provincially significant wetlands and significant woodlands. The site and surrounding area serve a provincially significant hydrological function as a groundwater recharge area and highly vulnerable aquifer, as noted by York Region and as shown on the provided LSRCA mapping.

Based upon Provincial, Regional, and local planning policy, the Subject Lands are not an appropriate location for the proposed Project, both from an environmental perspective and that of maintaining the rural character and visual landscape in this part of Georgina, which needs to be protected for current residents and future generations.

## **PART B- FILL ISSUES**

The Town opposes the proposed aerodrome on the basis of the various issues that would arise as a result of the importation of fill to the site as part of the construction process.

In accordance with the provisions of the *Municipal Act 2001*, the Town passed a Site Alteration By-law, being By-law 2011-0044 (REG-1) (refer to Attachment 9), requiring that permits be sought from persons seeking to import fill onto property within the municipality. Subsequent to the passage of that By-law, the Town passed another By-law, being By-law 2014-0048 (REG-1) (refer to Attachment 10), in which it declared a moratorium on the issuance of permits for site alterations greater than 2,000 cubic meters. That moratorium remains in place.

At its presentation to Town Council at the Special Meeting of Town Council convened on December 15, 2021, the Proponent advised that the proposed aerodrome would require a quantity of fill totaling approximately 1.2 million cubic meters, which fill would be imported onto the site over a period of 2-3 years. The Proponent advised that the average amount of fill that could be carried by any truck would be approximately 10 cubic meters, leading to the conclusion that approximately 120,000 trucks would be travelling both to and from the site of the proposed aerodrome over that span of 2-3 years.

Put simply, based on the moratorium referenced above, the Town would not consider any application for a Site Alteration Permit for this site.

The importation of a large quantity of fill creates numerous issues arising out of both the quantity of fill being imported and its quality.

Dealing first with the quantity of fill, these issues would arise:

- a. the amount of additional truck traffic on local roads would result in increased wear and tear on the local roads, meaning that such roads may need to be repaired or replaced earlier than anticipated;
- b. the amount of additional truck traffic on local roads would result in dust and dirt emanating from the trucks and that would require road cleaning on a more

regular basis and would result in negative impacts on adjoining properties and the residents living there;

- c. Increased truck traffic on local roads may result in greater safety hazards, with the increased volume of truck traffic;
- d. Noise from both truck traffic and the dumping of fill at the site would negatively impact residents.
- e. Changes in grading and drainage will negatively impact stormwater management, including water quality and quantity, which in turn is critical for the maintenance and preservation of healthy streams, lakes, aquatic life and public and private infrastructure. Without proper stormwater management, infiltration of water can also decrease, leading to reductions in soil replenishment and groundwater recharge.
- f. Increased siltation will occur and have harmful effects on the natural environment. Soil erosion leads to sediment accumulation in the bottom of waterways and concentration of sediments can affect water flow, pollute natural habitats and harm aquatic life.

Dealing next with quality of fill, under the provisions of its Site Alteration By-law, the Town would be in charge of enforcement. Being local, the Town would be able to respond quickly in respect of concerns relating to fill issues, especially fill issues relating to quality of fill. While the Proponent suggested that protocols would be in place so that only clean fill would be accepted at the site and that documentation for such clean fill would be maintained, the Town would have no control over the establishment of such protocols and the Town would have no control over the review and audit of the operation of such protocols and the Town would have no control of the enforcement of any breaches, should same be alleged to occur. Similarly, should fill that is not permitted on the property be imported onto the property, then the Town would have no ability to have same removed from the property. While the Town acknowledges that enforcement proceedings may be taken by the Federal

Government, the Federal Government, unlike the municipality, does not have an immediate and direct presence in the vicinity of the aerodrome.

Both the quantity and quality of fill adversely affect the local water supply. Residents in the area obtain their water by private wells, not from a municipal water servicing system, and a municipal water servicing system for this area is not contemplated in the foreseeable future. The Province of Ontario passed the *Clean Water Drinking Act 2006* and stated that its purpose was to protect existing and future sources of drinking water. The importation of fill onto the site affects water quality directly and indirectly. Activities that endanger clean water were identified in the definition of “drinking water threats” contained in Regulation 287/07 of that Act (refer to Attachment 11). From a review of the various activities identified as “drinking water threats”, it is apparent that the importation of fill to the Project would create certain “drinking water threats” under various points within that definition. Most notably, and not even related to fill, the definition specifically addresses one aspect of airport use; point 18 creates a “drinking water threat” out of the “the management of runoff that contains chemicals used in the de-icing of aircraft.”

Dealing next with the issue of risk, given that the Town is not involved in the fill importation process, the Town would have no ability to assess the risks associated therewith and, more importantly, the Town would have no ability to impose the posting of appropriate monetary security by the Proponent for any remediation, rehabilitation and/or restoration which may need to be undertaken in the event of any breaches by the Proponent in relation to the importation of fill. One needs only to have regard to the Township of Scugog where cost estimates for remediation, rehabilitation and/or restoration of the lands associated with Greenbank Airport are estimated to be in the range of \$100 million.

In conclusion, the Town’s position regarding the importation of large quantities of fill has been in place for many years, as its Moratorium By-law was passed in 2014. This stance taken by the Town regarding the importation of large quantities of fill is advanced as yet another reason for the opposition of the Town to this proposal. As well, the Town also advances the various other issues that arise should the importation of fill be considered as part of its opposition to this aerodrome proposal.

# ATTACHMENT 1

## Town of Georgina Council Resolution

A Special Council meeting was held on Dec. 15, 2021 to discuss the proposed general aviation aerodrome. Council received a briefing note on the proposed aerodrome planned for 7818 and 7486 Old Homestead Rd.

Council endorsed the following resolution:

Whereas the construction of a general aviation aerodrome has been proposed by "New Aerodrome Ontario 2021" for the property at 7818 and 7486 Old Homestead Rd.;

And Whereas the Town is not a decision-making body under federal legislation in this proposal;

And Whereas the provisions of Canadian Aviation Regulations Part III, Subpart 307 require that any new aerodrome proposal engage in a consultation process with the local community;

And Whereas it is recommended that any proponent seeking a new aerodrome engage in a non-mandatory pre-consultation process with the key stakeholders, including local municipalities, in advance of the required consultation process;

And Whereas "New Aerodrome Ontario 2021" did not engage with the Town in any recommended non-mandatory pre-consultation process in advance of the required consultation process;

And Whereas Town Council convened a Special meeting of Council during the consultation process, the purpose of which was to receive information from representatives of "New Aerodrome Ontario 2021", Town staff and members of the community so as to enable Town Council to determine its position in respect of the proposed aerodrome;

And Whereas Town Council has received and considered presentations from representatives of "New Aerodrome Ontario 2021", Town staff and members of the community;

And Whereas Town Council is now in a position to consider and determine its position in respect of the general aviation aerodrome proposed by "New Aerodrome Ontario 2021" for the property at 7818 and 7486 Old Homestead Rd.;

Now be it resolved that:

1. Town Council oppose the construction of the general aviation aerodrome proposed by "New Aerodrome Ontario 2021" for the property at 7818 and 7486 Old Homestead Rd.
2. The Chief Administrative Officer of the Town be authorized to make submissions within the prescribed time in opposition to the general aviation aerodrome that has

been proposed by "New Aerodrome Ontario 2021" for the property at 7818 and 7486 Old Homestead Rd.

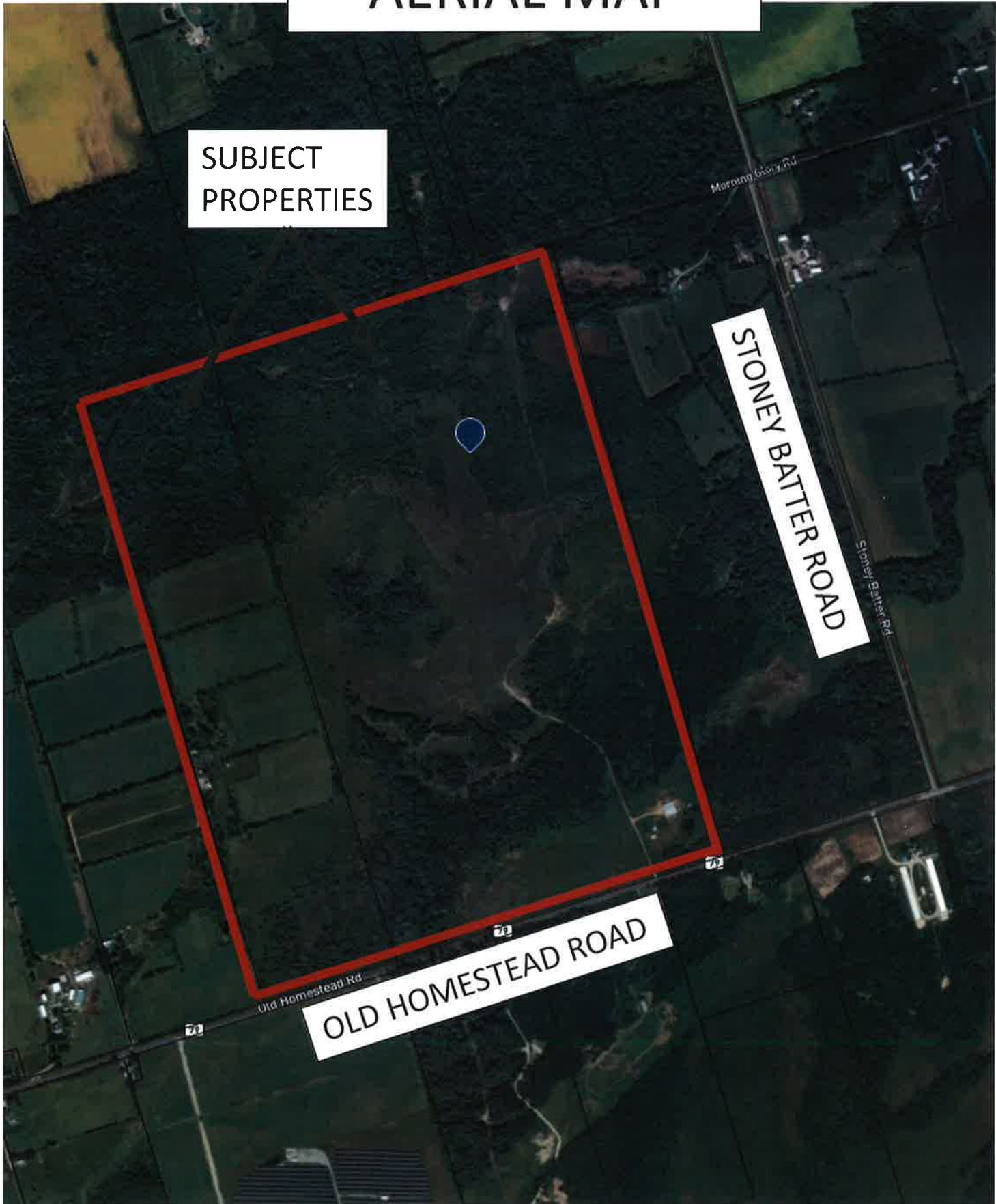
3. The opposition to the general aviation aerodrome proposed by "New Aerodrome Ontario 2021" for the property at 7818 and 7486 Old Homestead Rd. be based upon:
  - a. Land use planning concerns;
  - b. Environmental concerns;
  - c. Traffic concerns;
  - d. Noise concerns;
  - e. Such other concerns as Town staff identify as appropriate for consideration in the consultation process.

# ATTACHMENT 2



# AERIAL MAP

SUBJECT  
PROPERTIES



Morning Glory Rd

STONEY BATTER ROAD

Stoney Batter Rd

Old Homestead Rd

OLD HOMESTEAD ROAD

# ATTACHMENT 3



**7818 & 7486 Old Home Road  
Georgina**

- Feature**
- LSRC Watershed Boundary
  - LSPP Watershed Boundary
  - Regulation Boundary
  - Regulated Wetland
  - PSW
  - Non-PSW
  - Wetland With Adjacent Lands
  - Regulation Area
  - MNRPE Evaluated Wetland
  - PSW
  - Other Evaluated
  - MNRPE Unevaluated Wetland
  - assessment Parcel
  - Lot and Concession
  - Road Labels
  - Watercourse
  - Lake Simcoe
  - Roads
  - Hwy 403 Series
  - Highway, routes
  - Local Road
  - Railway
  - Lower Tier Municipality

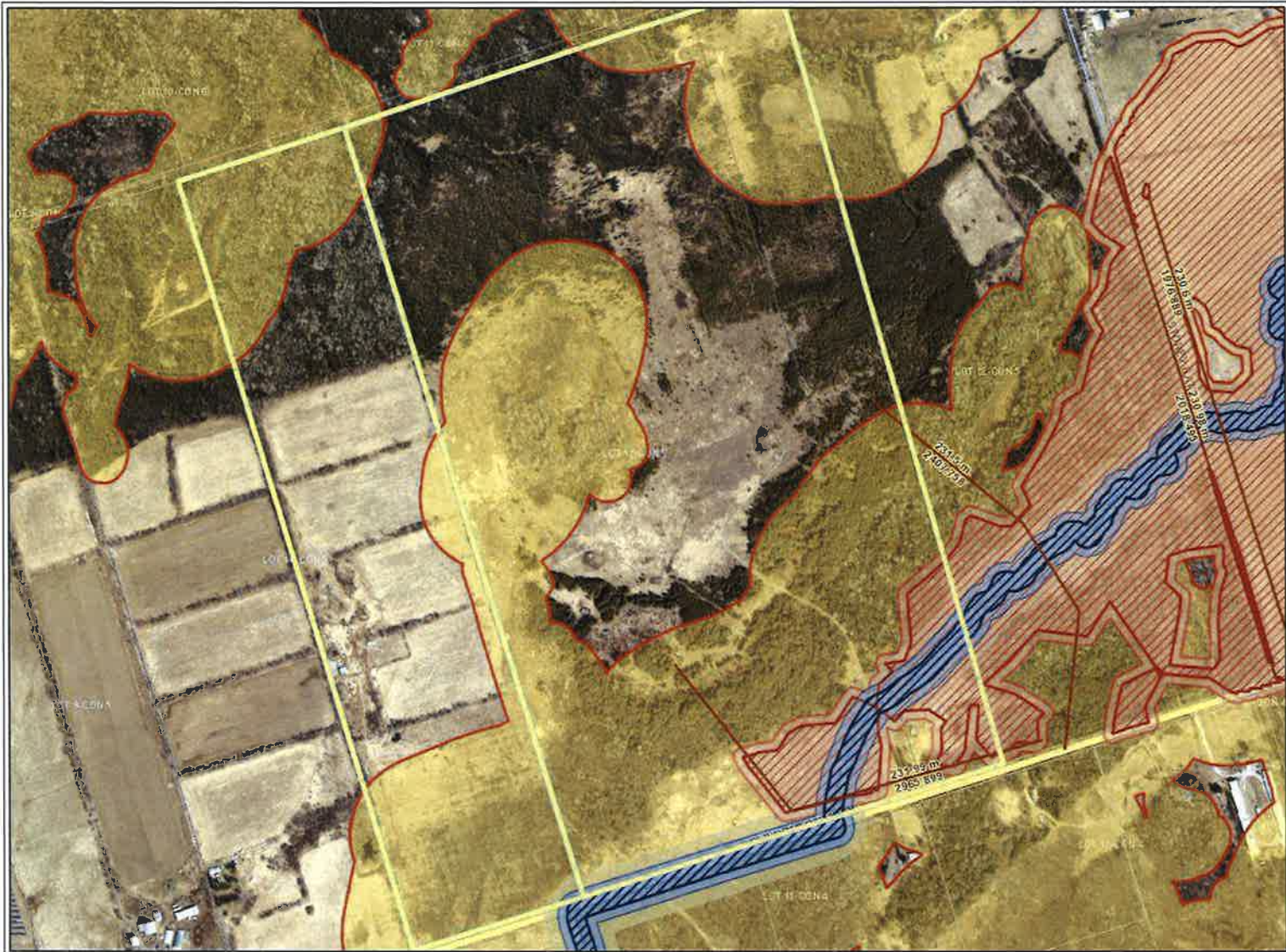
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 Printed On: 11/23/2021  
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 Lake Simcoe Region  
 conservation authority

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# ATTACHMENT 4



**7818 & 7486 Old Home Road  
Georgina**

- Feature**
- LSRC Watershed Boundary
  - LSPP Watershed Boundary
  - Cross Sections - Planning
  - Regulation Boundary
  - Meanderbelt
  - Meanderbelt Setback
  - Floodplain**
    - Floodplain
    - Spill
  - Floodplain Setback
  - Regulation Area
  - Assessment Parcel
  - Lot and Concession
  - Road Labels**
  - Watercourse
  - Lake Simcoe
  - Roads**
    - Hwy 400 Series
    - Highway, Arterials
    - Local Road
  - Railway
  - Lower Tier Municipality



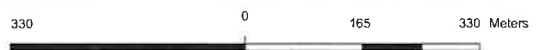
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**Lake Simcoe Region  
conservation authority**

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# ATTACHMENT 5



Corporate Services

*via email only*

December 2, 2021

Mr. Harold Lenters, MCIP, RPP  
Director of Development Services  
Town of Georgina  
R.R. #2, 26557 Civic Centre Road  
Keswick, ON L4P 3G1

**Re: Request for Comments – Proposed General Aviation Aerodrome  
(New Aerodrome Ontario 2021 c/o Mauro Marchioni)  
7818 & 7486 Old Homestead Road  
Town of Georgina  
Regional File No.: PSC.21.G.0661**

This letter is in response to a request by the Town of Georgina for comments regarding a proposed General Aviation Aerodrome on lands municipally known as 7818 & 7486 Old Homestead Road, located on the north side of Old Homestead Road, east of Park Road, in the Town of Georgina. Work associated with this aerodrome proposal includes:

- Two paved, all weather marked and lighted runways up to 991 m;
- Supporting taxiways and aircraft parking apron;
- Supporting flying clubhouse building (400-500 m<sup>2</sup>);
- Aircraft hangar and supporting use development lots; and,
- Aerodrome access roads and utilities.

Based on the concept plan provided, the proposal appears to also include an aviation fuel storage area, a maintenance building, a stormwater management pond and a future aircraft hangers/airside commercial area. The purpose of this proposed privately funded aerodrome is to support the local and regional economy by offering year-round services to the small and medium sized recreational, private, charter and business aviation community. Work is anticipated to commence in Summer 2022, taking approximately 3 years to complete.

We understand airports are under federal jurisdiction, and this proposal will be considered in accordance with federal legislation with Transport Canada being the approval authority. The consultation period for this proposal, in accordance with federal legislation, is open from November 5, 2021 until December 22, 2021.

### **Planning Policy Context**

The subject lands are located within Greenbelt Plan Area, within Natural Heritage System of the Protected Countryside designation per the Greenbelt Plan, 2017. The site is also within the “Greenbelt Protected Countryside” as shown on Map 1 of the York Region Official Plan, 2010 (YROP). Map 2 shows the site is entirely within the Regional Greenlands System. The lands are within 120m of a Life Science Area of Natural and Scientific Interest (Map 3). Provincially Significant/ Provincial Plan Area Wetlands and watercourses are located on the southern portion of the site and woodlands are located throughout as shown on Maps 4 & 5. The site is within the “Agricultural Area” on Map 8 (YROP). Old Homestead Road is a Regional Road with a planned street width of up to 30m. A Significant Groundwater Recharge Area (SGRA) and Highly Vulnerable Aquifers (HVA) are located on the subject lands (Maps 13 & 14). The site is located within the Lake Simcoe Watershed and subject to the applicable policies of the Lake Simcoe Protection Plan, 2009 (LSPP).

The lands are currently designated “Agricultural Protection Area”, “Environmental Protection Area” and entirely within the “Greenlands System” in the Town of Georgina Official Plan, 2016.

### **Comments**

York Region Planning staff have undertaken a cursory review of this proposal and provide the following comments:

#### Pre-Consultation

1. Based on “Canadian Aviation Regulation 307 – Aerodromes – Consultations,” a pre-consultation with interested parties is not required but is considered an industry best practice. No pre-consultation request for this proposed aerodrome was received by York Region. The pre-consultation process is an important process as it provides an opportunity to highlight regional land use planning concerns, matters of regional interest, and regional requirements for development proposals in advance of a formal submission. Coordinated through the Town, it also allows the applicant to obtain valuable feedback and important information not only from the Town and York Region but also key stakeholders and agencies.

York Region has concern with lack of pre-consultation, as well as the lack of studies and information supporting this proposed aerodrome given the potential impacts to the agricultural area, natural heritage system, environmental features, and planned transportation corridors without any demonstrated benefits to the community as further detailed in the comments below.

#### Natural Heritage

2. Based on the concept provided, it appears that development and site alteration is proposed within a number of important environmental features such as a watercourse, Provincially Significant wetlands, significant woodlands, and their associated vegetation protection zones (vpz). Some of these features are recognized as key natural heritage and key hydrologic features. The environmental features on these lands also help to



make up a larger environmental system identified at all three levels of government: 1) The Natural Heritage System of the Greenbelt Plan, 2) the York Region's Regional Greenlands System, and 3) the Town of Georgina's Greenland System. Provincial, Regional and Local planning policies aim to protect and prevent impact to these features by generally directing, and sometimes prohibiting (i.e. Provincially Significant Wetlands and Significant Woodlands, etc.), development outside of their boundaries, as well as limiting development and site alteration within these natural heritage systems. For example, YROP policy 2.1.9 prohibits development and site alteration within the Regional Greenlands System, save and except certain uses as outlined by the Plan, and requires that any application be accompanied by an Environmental Impact Study. Additionally, YROP policies 2.2.35 and 2.2.44 prohibit development within evaluated wetlands as shown on Map 4 and within significant woodlands and their vpz, with some limited exception.

The site is within a Significant Groundwater Recharge Area and a Highly Vulnerable Aquifer. This proposed aerodrome project would meet the definition of "Major Development" under the Lake Simcoe Protection Plan and the YROP, and therefore should consider the Provincial, Regional and Local planning policies associated with these features.

In keeping with the planning policy context, any proposed development and site alteration should consider and demonstrate conformity with the Provincial, Regional and Town planning natural heritage policies. They should also be supported by the appropriate environmental studies as identified by the Town, Region and Lake Simcoe Region Conservation Authority (LSRCA), and be directed away from these environmental features, particularly the identified significant features. Given the proposal was not accompanied by a supporting environmental study, the full extent of natural features, nor the extent of the proposal's environmental impacts are currently unassessed and unknown.

In accordance with York Region's Memorandum of Understanding with the LSRCA, York Region relies on LSRCA to review and provide comment on natural heritage matters and associated applicable provincial plans, as well as natural hazard matters. We understand the LSRCA will also be providing comments on this proposal and we defer to, and support, their input regarding these matters. These applications should reflect any comments, requirements and conditions of the LSRCA.

### Agricultural Area

3. The subject lands are located within the Agricultural Area as shown on Map 8 of the YROP, and a portion of the lands are currently designated "Agricultural Protection Area" in the Town Official Plan. Protection of the Agricultural Area is a primary planning objective of all three levels of Government. Permitted uses typically include normal farm practices, a full range of agricultural uses including agricultural related uses and on-farm

diversified uses, along with other limited uses. These uses are permitted based on provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

Based on current air photos, it appears a portion of the subject lands, located outside of the environmental features, are currently be used for agricultural purposes. It appears that existing agricultural uses also are located in proximity to the subject lands. Policy 3.1.3.3 of the Greenbelt Plan generally discourages non-agricultural uses in prime agricultural areas and indicates they may only be permitted after the completion of an Agricultural Impact Assessment.

The proposed concept removes lands from the agricultural system, contrary to the current planning policy regime. Further, the full impacts of the proposed aerodrome to the agricultural system and its function are currently unassessed or unknown as the supporting studies were not provided. We recommend the proposal be reconsidered/ reassessed in the context of the applicable agricultural planning policies.

#### Economic Need and Benefit

4. The information provided in support of this proposed aerodrome indicates this project will support the local and regional economy. Based on the proposed location, the aerodrome is not located in close proximity to a planned economic centre, an identified employment area or Provincially Significant Employment Zone, nor has been identified as a proposed airport in the Province's Place to Grow Growth Plan, 2019. Further, the existing Baldwin Airport/ Airfield is located approximately 6 km to the southeast of the proposed site.

It appears this aerodrome proposal was not accompanied by economic assessment and/ or market needs analysis. As such, the economic benefit or need has not been fully demonstrated at a regional level. We recommend this analysis be undertaken in support of this proposal.

#### Regional Roads

5. Old Homestead Road is under York Region's jurisdiction with a planned street width of up to 30 m. Any changes to the existing access and any proposed new access needs approval and permits from York Region. Additionally, upgrades to Regional Roads and right-of-way land conveyance may be required as part of development application proposal.

#### Summary

York Region has reviewed the available information provided in support of a proposed General Aviation Aerodrome at 7818 & 7486 Old Homestead Road in the Town of Georgina. Based on our review of this proposal, regional planning staff are concerned with the lack of pre-consultation, absence of supporting studies and assessments, potential impacts to important and significant

environmental features and to the agricultural area and surrounding agricultural community without a demonstrated need or benefits to the community. York Region recommends that this proposal be reconsidered and revised in keeping with the comments provided above. We also recommend that any decision on this application take into consideration the comments of this letter.

York Region staff is available to provide assistance throughout this process.

Should you have any questions regarding the above, please contact the undersigned at extension 71505 or through electronic mail at [Karen.Whitney@york.ca](mailto:Karen.Whitney@york.ca)

Yours truly,

Karen Whitney, MCIP, RPP  
Director, Community Planning and Development Services

aa/sb/kw

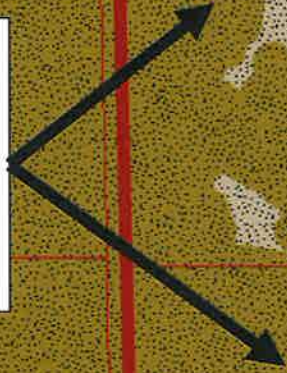
c. Rob Baldwin, CAO, Lake Simcoe Region Conservation Authority – by email only

YORK-#13522064

# ATTACHMENT 6

# OFFICIAL PLAN – SCHEDULE ‘A2’ LAND USE PLAN

SUBJECT  
PROPERTIES



STONEY BATTER ROAD

OLD HOMESTEAD ROAD

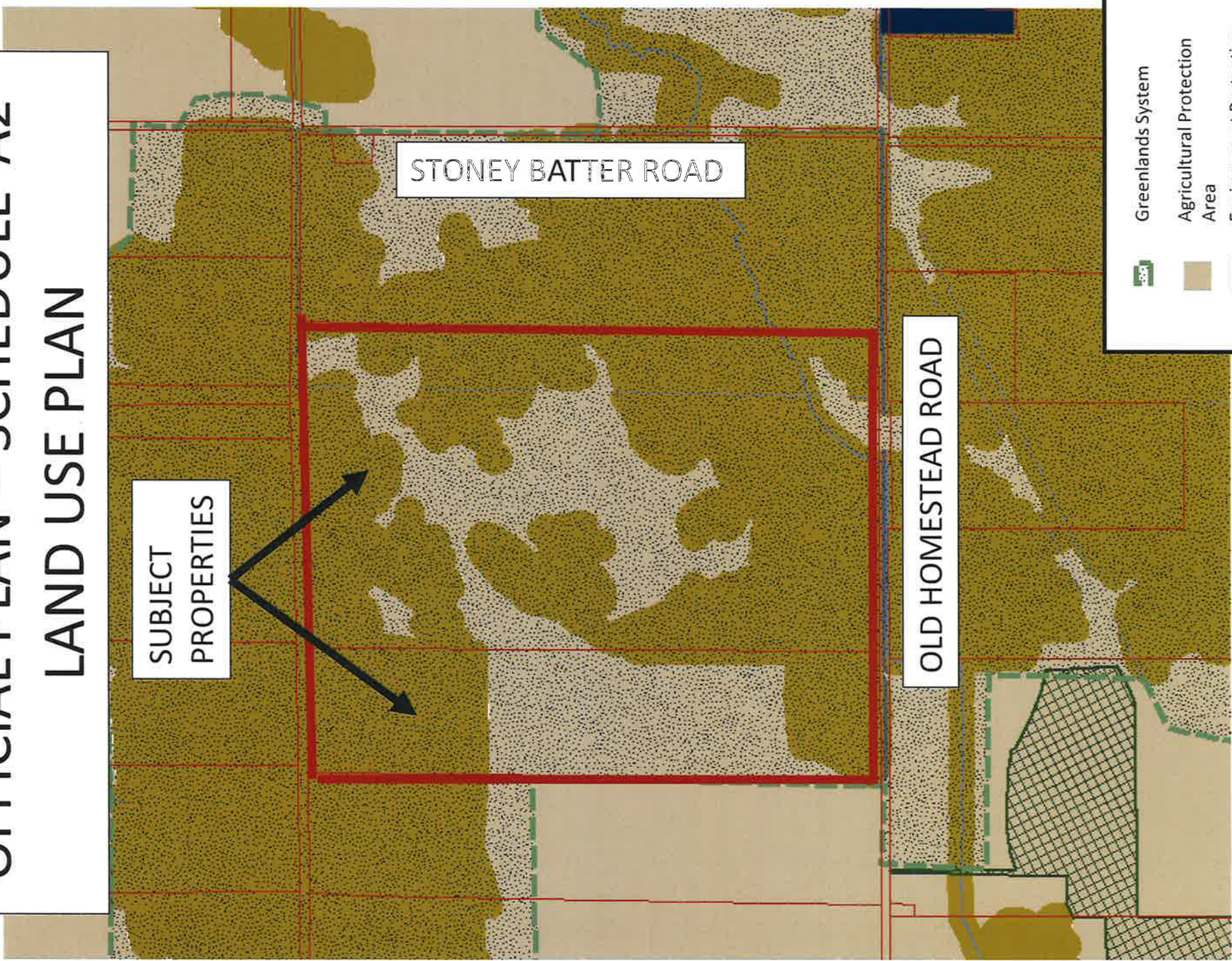
Greenlands System



Agricultural Protection  
Area

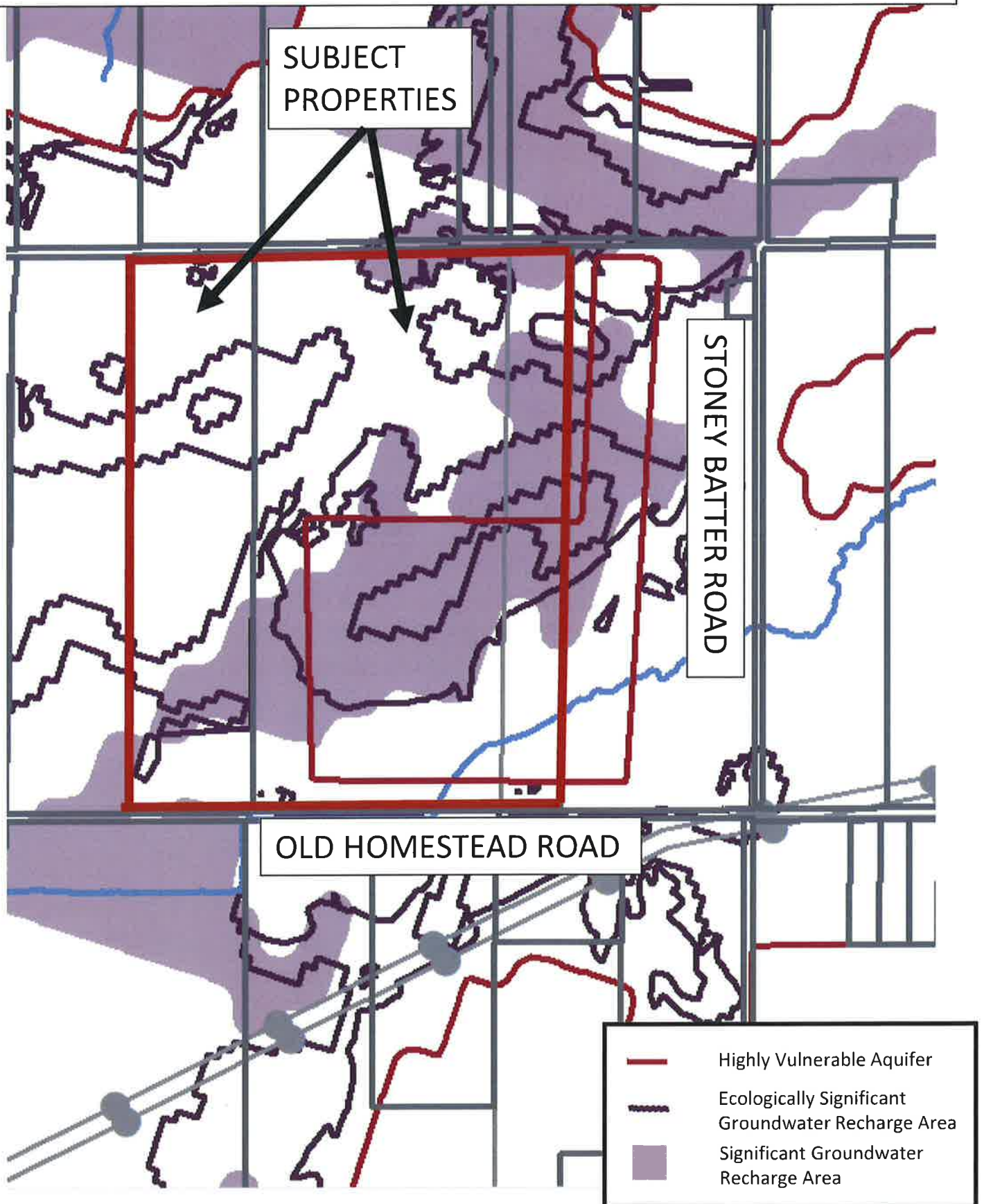


Environment Protection  
Area



# ATTACHMENT 7

# OFFICIAL PLAN – SCHEDULE ‘B3’ SOURCE WATER PROTECTION AREAS



# ATTACHMENT 8



# OFFICIAL PLAN – SCHEDULE 'C' NATURAL HAZARDS

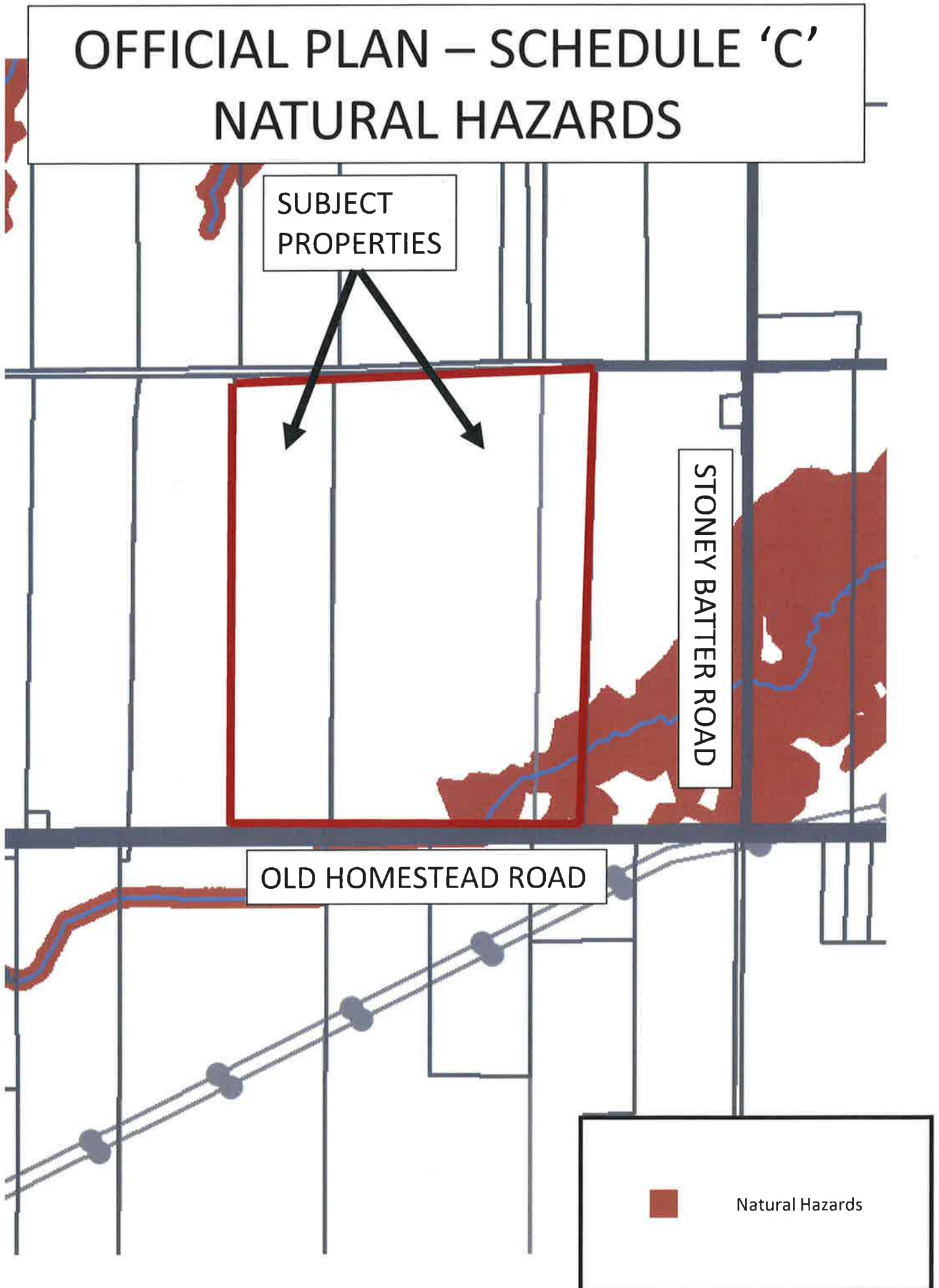
SUBJECT  
PROPERTIES

STONEY BATTER ROAD

OLD HOMESTEAD ROAD



Natural Hazards



# ATTACHMENT 9

THE CORPORATION OF THE TOWN OF GEORGINA  
OF THE  
REGIONAL MUNICIPALITY OF YORK

**BY-LAW 2011-0044 (REG-1)**

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BEING A BY-LAW TO PROHIBIT OR REGULATE THE  
REMOVAL OF TOPSOIL, THE PLACING OR  
DUMPING OF FILL MATERIAL AND THE  
ALTERATION OF THE GRADE OF LAND  
IN ALL AREAS WITHIN THE TOWN OF GEORGINA

---

**WHEREAS** Section 142 of the *Municipal Act, 2001*, as amended authorizes the Council of The Corporation of the Town of Georgina 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 land in any defined area or areas within the Town of Georgina 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 existing *drainage* patterns are maintained and that any changes to existing *drainage* patterns are appropriate to protect environmental features; to prevent the importation of hazardous material; and to keep the disturbance of landform characteristics to a minimum within all areas of the Town of Georgina other than those areas subject to regulations made under Clause 28(1) of the *Conservation Authorities Act*, as amended;

**AND WHEREAS** it is deemed necessary and advisable to repeal said By-law 91-139 (REG-1) together with any other by-laws or parts thereof inconsistent with the provision of this by-law;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA ENACTS AS FOLLOWS:**

**PART 1 DEFINITIONS:**

In this by-law:

1. "AGRICULTURAL LANDS" includes all lands that are used by a farming business registered under the *Farm Registration and Farm Organizations Funding Act, 1993*, S.O. 1993, c.21, as amended, for growing of crops, including nursery and horticultural crops; raising livestock; raising of other animals for food, fur, fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production;
2. "BODY of WATER" includes any body of flowing or standing water whether naturally or artificially created;

3. "CLEARING and/or GRUBBING" means the removal of all surface objects, brush, roots and other protruding obstructions, trees and stumps which result in the removal of *topsoil* or the alteration of *grade* of land;
4. "CONSERVATION AUTHORITY" means the Lake Simcoe Region Conservation Authority;
5. "CORPORATION" means The Corporation of the Town of Georgina;
6. "DEVELOPMENT" means the construction of buildings and above or underground services such as roads, parking lots, paved storage areas, watermains, storm and sanitary sewers, general grading works and similar facilities on any lands within the Municipality;
7. "DIRECTOR" means the Director of Engineering and Public Works of the Corporation and shall include any person authorized by the Director to carry out any of the powers or duties of the Director pursuant to this by-law;
8. "DRAINAGE" means the movement of water to a place of disposal or facilitation of movement, whether by way of the natural characteristics of the ground surface, aquifer or by an artificial method;
9. "DUMP, DUMPED OR DUMPING" means the movement and depositing of *fill* in a location other than where the *fill* was obtained and includes the movement and depositing of *fill* from one location on a property to another location on the same property.
10. "FILL" means any type of material deposited or *placed* on lands and, without limiting the generality of the foregoing, includes soil, stone, concrete, construction materials/rubble, asphalt, sod or turf either singly or in combination thereof;
11. "GRADE" shall be defined as follows:
  - a. "EXISTING GRADE" means the elevation of the existing ground surface of the lands upon which *dumping* and/or *placing* of *fill* is proposed and of the abutting ground surface up to 3 metres wide surrounding such lands. Except that where *placing* or *dumping* of *fill* or alteration of the grade has occurred in contravention of this by-law, "existing grade" shall mean the ground surface of the land as it existed prior to the placing or dumping of *fill* or to any site alteration requiring a permit under this by-law;
  - b. "FINISHED GRADE" means the approved elevation of ground surface of land upon which *fill* has been *placed* in accordance with this by-law;
  - c. "PROPOSED GRADE" means the proposed elevation of ground surface of land upon which *fill* is proposed to be *placed*;
12. "INSPECTOR" means any Town employee authorized to enforce the by-laws of the Town;

13. "MUNICIPAL SERVICES FEE" means a fee charged by the *Town* in order to maintain municipal infrastructure;
14. "NORMAL AGRICULTURAL PRACTICE" includes sod-farming, greenhouse operations and nurseries for horticultural products but does not include the sale, exchange or other disposition of *topsoil* or *peat*;
15. "ONTARIO LAND SURVEYOR (OLS)" means the holder of a license issued by the Association of Ontario Land Surveyors;
16. "OWNER" includes the person registered as the owner on title upon which *fill* is proposed to be *placed* or *dumped* and any person, firm, or corporation managing or controlling such lands;
17. "PEAT" means the non-decayed or partially decayed organic deposits chiefly from sphagnum moss and often accumulated in fens and bogs;
18. "PERMIT" means a permit issued by the Department of Engineering and Public Works, upon review and approval of the *Director* or person authorized to issue said permit, pursuant to the provisions of this by-law;
19. "PLACE, PLACED OR PLACING" means the distribution of *fill* on lands to establish a *finished grade* different than the *existing grade*;
20. "PONDING" means the accumulation of surface water in an area not having drainage there from where the lack of drainage is caused by the *placing* or *dumping* of *fill* or the alteration of the *grade*;
21. "PROFESSIONAL ENGINEER" means a person who holds a license or a temporary license to engage in the practice of professional engineering issued under the *Professional Engineers Act*, R.S.O. 1990, c. P.28;
22. "QUALIFIED TREE CONSULTANT" means an arborist certified by the International Society of Arboriculture who has a diploma (minimum) in arboriculture or urban forestry;
23. "RETAINING WALL" means a wall made of concrete, concrete product or other materials designed to contain and support *fill* which has a *finished grade* higher than that of adjacent lands;
24. "SECURITY OR SECURITY DEPOSIT" means an amount given as collateral paid by cash, certified cheque, or Letter of Credit to ensure the fulfilment of the terms of the permit or to cover the cost of repairing damage to municipal property caused as a result of work undertaken as part of the permit;
25. "SITE ALTERATION" means *dumping* of *fill*, the removal of *topsoil* from land, or the alteration of the *existing grade* of land by any means including *placing fill*, *clearing* and *grubbing*, the compaction of *soil* or the creation of impervious surfaces, or any combination of these activities;
26. "SOIL" means material commonly known as earth, *topsoil*, loam, compost, organics, *peat*, subsoil, clay, sand or gravel or any combination thereof;

27. "SWALE" means shallow depression in the ground sloping to a place of disposal for the purpose of providing a method of *drainage* of surface water;
28. "TOPSOIL" means those horizons in a soil profile, commonly known as the "O" and "A" horizons, containing organic material and includes deposits of partially decomposed organic matter such as *peat*, *detritus* and *humus*;
29. "TOWN" means the Corporation of the Town of Georgina;
30. "WATERCOURSE" means a natural or man-made channel or *swale* in which water flows, either continuously or intermittently with some degree of regularity;
31. "WETLAND" means land such as swamps, marsh, bog or fen not including land that is being used for agricultural purposes and no longer exhibits wetland characteristics that:
- a) Is seasonally or permanently covered by shallow water or has the water table close to or at the surface; and
  - b) Has hydro-soils and vegetation dominated by hydrophilic or water-tolerant plants.

**PART 2 GENERAL PROHIBITIONS AND REGULATIONS:**

- a) No person shall *place* or *dump* any *fill*, remove any *peat*, *topsoil* or otherwise alter the *grade* of land by causing, permitting or performing any form of *site alteration* on land within the *Town* except in accordance with this by-law and without the *owner* first receiving a *permit* issued by the *Director* under this by-law;
- b) No person shall *place* or *dump* any *fill* or alter any grade that is on any land zoned for environmental protection or open space purposes pursuant to applicable zoning by-laws, or within or adjacent to a watercourse, flood plain or a wetland or other such regulated areas pursuant to *Conservation Authorities Act*, Section 28, Ontario Regulation 182/06, unless approval therefore has been issued by the *Conservation Authority* or a *permit* has been issued pursuant to this by-law;
- c) No person shall *place* or *dump* any *fill* or otherwise alter the *grade* of land by causing, permitting or performing any form of *site alteration* on land within the *Town* except in accordance with applicable zoning by-laws, the *Lake Simcoe Protection Plan*, the *Greenbelt Plan*, and the *Lake Simcoe Source Protection Plan*, when enacted;
- d) No person shall fail to comply with an order issued pursuant to this by-law;
- e) No person shall cause, permit or perform a *site alteration* on lands that are subject to an approved site plan, draft plan of subdivision or a consent under Sections 41, 51 or 53 respectively of the *Planning Act*, as amended, without a site plan agreement, pre-servicing agreement, subdivision agreement or consent agreement entered into under those sections;

- f) No person shall *place* or *dump* any *fill*, remove any *peat*, *topsoil* or otherwise alter the *grade* of land by causing, permitting or performing any form of *site alteration* which would interfere with the existing drainage pattern of adjacent lands, or cause obstruction to existing drainage flows or obstruct or impede the function or flow of existing drainage swales or cause additional surface and ground waters to be discharged onto adjacent lands;
- g) No person shall place or dump any fill, remove any *peat*, *topsoil* or otherwise alter the grade of land by causing or permitting or performing any form of site alteration which would cause surface drainage to flow, discharge or be directed onto adjacent lands other than directly into a natural watercourse, or any approved Municipal, Regional, or Provincial drainage system;
- h) No person, in the performance of a *site alteration*, shall injure or destroy a municipal tree or other tree which is subject to tree protection measures as a condition of a permit issued under this by-law except to the extent that such injury or destruction is specifically authorized in writing in accordance with the provisions of this by-law and any other applicable by-laws of the *Town* or the Regional Municipality of York for the protection of trees;
- i) Notwithstanding anything else contained in this by-law except for Part 3, no person shall cause, permit or perform a *site alteration* on any lands which were previously licensed or permitted and used as a pit or quarry under the *Aggregate Resources Act*, R.S.O. 1990, c. A.8, as amended, (or any predecessor legislation thereof), or otherwise, whether such lands have been rehabilitated or not;
- j) No person shall *place* or *dump fill* or cause or permit *fill* to be *placed* or *dumped* unless such *fill* complies with the Ministry of Environment standards for clean *fill*, as described in Part 4.2(f) of this by-law;
- k) No person shall undertake *site alteration* or cause *site alteration* to occur on any land for storage purposes unless the outside storage of such *fill* (where the *site alteration* involves *fill*) on the land is permitted by the municipal Zoning By-law and such storage shall not exceed one thousand (1000) cubic metres;
- l) No person shall perform a *site alteration* or permit the performance of a *site alteration*:
  - (i) Between the hours of 8:00 p.m. and 7:00 a.m., Monday to Saturday;
  - (ii) All day Sunday and Statutory Holidays;
  - (iii) During any period in which a wind warning for the area has been issued by Environment Canada;
  - (iv) During or within twenty-four (24) hours of receiving a rainfall and/or snow melt event.

### PART 3 EXEMPTIONS

3.1 This by-law is not applicable to the following:

- a) The use, operation, establishment, alteration, enlargement or extension of a waste management system or waste disposal site within the meaning of Part V of the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended, or a waste, waste disposal or waste management system that is exempted by regulation from said Part V;
- b) The construction, extension, alteration, maintenance or operation of works under Section 26 of the *Public Transportation and Highway Improvement Act*, R.S.O. 1990 c. P.50, as amended;
- c) Emergency measures taken by the *Town* or the Regional Municipality of York or any other Federal, Provincial or Regional agency, to prevent flooding, *erosion*, slipping of *soil* or damage of trees;
- d) The activities of the *Town*, the Regional Municipality of York or the *Conservation Authority* related but not limited to the establishment or maintenance of utilities and services, roads, bridges, flood and *erosion* control facilities, walkways, bicycle paths, fences, *retaining walls*, steps and lighting;
- e) The *placing or dumping of fill*, removal of *topsoil* or alteration of the *grade* of land as a condition to the approval of a site plan, a plan of subdivision or a consent under Sections 41, 51 or 53, respectively of the *Planning Act* or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;
- f) The *placing or dumping of fill*, removal of *topsoil* or alteration of the *grade* of land as a condition to a development permit authorized by regulation made under Section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under that regulation;
- g) Aggregate, as defined in the *Aggregate Resources Act*, brought onto a pit or quarry operating under a license or wayside permit issued under that Act as part of the operations of that pit or quarry;
- h) The *placing or dumping of fill*, removal of *topsoil* or alteration of the *grade* of land undertaken on land described in a license for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;
- i) Any rehabilitation or *filling* activity in a pit or quarry licensed under the *Aggregate Resources Act*, and specifically addressed on the approved site plan when there is insufficient overburden retained to rehabilitate such pit or quarry in accordance with that Act;
- j) The removal of *topsoil* from *agricultural lands* incidental to a *normal agricultural practice* including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products. This exception does not include the removal of *topsoil* for sale, exchange or other disposition;



- k) To *fill* being *placed* on lands shown in a grading and *drainage* plan approved by the *Town* in conjunction with subdivision or site plan approvals, provided the provisions of such approvals relating to *fill* are adhered to and all requirements set forth in this by-law concerning said *fill* placement and *grading* are met.

3.2 No *fill* permit is required for:

- a) The *placing* or *dumping* of *soil* on lands for the purpose of lawn dressing, landscaping or adding to flower beds or vegetable gardens, provided that the ground elevation of the lands is not increased by more than fifteen (15) centimetres and there is no significant change in the direction or rate of *drainage* to neighbouring properties. Such alteration shall not take place within sixty (60) centimetres of any property line. Such *placing* of *fill* shall not exceed twenty (20) cubic metres per year;
- b) The resurfacing or paving of existing driveways where there is no alteration to the existing driveway base and no significant change in the direction or rate of *drainage* to neighbouring properties;
- c) The *placing* or *dumping* of *fill* in an excavation to the elevation of *existing grade* following the demolition or removal of a building or structure for which a building permit has been issued;
- d) *Fill* being *placed* or *dumped* on lands for the purpose of flood or *erosion* control to establish *finished grade* shown on a grading and *drainage* plan approved by the *Conservation Authority* or by the *Director* in conjunction with a subdivision approval;
- e) *Site alteration* involving an amount of *soil* of less than twenty (20) cubic metres on a *lot* within any one year period, provided that there is no significant change in the direction or rate of *drainage* to neighbouring properties, and unless the site includes or is adjacent to a *body of water*. Such alteration shall not take place within sixty (60) centimetres of any property line;
- f) Replacement of *topsoil* for restoration of *agricultural lands* used for *normal agricultural practices*, as an incidental part of sod farming, greenhouse operations, and nurseries for horticultural practices which shall not exceed 20 centimeters annually, or at the discretion of the *Director*. Storage of such *topsoil* shall not exceed one thousand (1000) cubic metres.

#### **PART 4      REQUIREMENTS FOR ISSUANCE OF A PERMIT**

4.1 An *owner* applying for a permit shall provide the following:

- a) The name and address of the *owner* of the land upon which the *fill* is to be *dumped* or *placed*;
- b) The municipal address of the land on which the *fill* is to be *dumped* or *placed*;
- c) The legal description of the land upon which the *fill* is to be *dumped* or *placed*;
- d) Payment of the applicable fees calculated in accordance with rates set out in Schedule 'A' and Schedule 'B' of this by-law;

- e) A scaled drawing of any *retaining wall* that may be required and a description, including dimensions, of any materials to be used in the construction of such *retaining wall*;
- f) Payment of applicable security in the amount as prescribed in the fee schedule attached to this by-law as Schedule 'A' or Schedule 'B'. The owner or owner's consultant shall provide a detailed breakdown of the cost estimate for the proposed work;
- g) A *site alteration/grading* plan satisfactory to the Director, accurately indicating the following:
  - (i) The property lines of the lands for the *site alteration* with dimensions;
  - (ii) For *site alteration* quantity less than two hundred and fifty (250) cubic metres, existing spot elevations on three (3) metre grids across the lands and three (3) metres beyond the property lines to clearly show the existing *drainage* patterns on the lands and on the abutting lands; and for *site alteration* in an amount greater than two hundred and fifty (250) cubic metres, a site plan including a topographic survey at one metre contour intervals certified by a Professional Engineer or Ontario Land Surveyor defining all material and manmade features, including top and bottom of slopes, *drainage* patterns, tree lines, buildings, and stockpiles on the lands and within thirty (30) metres on abutting lands and *water bodies*; and, a description of the type, quantity and location of natural land cover features on the site and within thirty (30) metres on adjacent lands;
  - (iii) All existing storm sewers, ditches, *swales*, creeks, *watercourses* and *wetlands* on the lands and on abutting lands and public highways;
  - (iv) All existing buildings, the species and size in caliper of all trees, the location of all shrubs and driveways on the lands and of all easements and right-of-ways over, under, across or through the lands;
  - (v) *Proposed grades* and *drainage* systems upon completion of the *site alteration* operation;
  - (vi) Detailed hydro-geological analysis and report, including all design calculations, prepared by a qualified Professional Engineer for the design and construction of soak away pits/dry wells;
  - (vii) All proposed ground covering to be used upon completion of the *site alteration* operation;
  - (viii) All *erosion*, sediment and tree protection measures for the *site alteration* operation;
- h) A description of the proposed *site alteration* including a description of the source of the *fill* with a letter from the party from whom the *fill* was acquired attesting that the *fill* meets the requirements for clean *fill* set out in Part 4.2(f) and 5.2(e) of this by-law if applicable, the quantity of the *fill* expressed in cubic metres, and contact information for the party from whom the *fill* was acquired;

- i) Copies of all approvals, including but not limited to, Lake Simcoe Region Conservation Authority, Ministry of Transportation, Ministry of Natural Resources, Regional Municipality of York.

4.2 Where greater than 250m<sup>3</sup> of *fill* is being *dumped*, the *owner* shall provide the information set out in Part 4.1 and enter into an agreement with the *Town*, approved by:

- i) The *Director* where the quantity of fill being *dumped* or *placed* is less than 2000m<sup>3</sup> or;
- ii) Town Council where the quantity of fill being *dumped* or *placed* is greater than 2000m<sup>3</sup>;

whereby the *owner* has agreed to the following:

- a) To retain a qualified engineer or environmental consultant approved by the *Director* who is responsible for ensuring that the *site alteration* is in accordance with reasonable engineering and environmental practices; is in accordance with the protocol attached as Schedule 'C' to this by-law; is in accordance with the plans submitted for the permit; and is in accordance with Part 5.2 of this by-law;
- b) To undertake the *site alteration* in accordance with sub-section (a);
- c) To require the environmental consultant to report in writing on a regular basis that the *placing* and *dumping* of fill is in accordance with sub-section (a) above;
- d) To require the environmental consultant to provide a report upon completion of the project or at the expiration of the permit, which includes a topographic 'as-constructed' survey certified by a Professional Engineer or Ontario Land Surveyor confirming that the volume of fill material placed on the property is in accordance with the requirements of the permit;
- e) To require that the *site alteration* be completed by a specified date;
- f) Not to contaminate the natural environment and to abide by all applicable environmental laws and regulations;
- g) Ensure that all *fill* used is material that does not contain any putrescible material and which meets any of the following criteria:
  - (i) Rock, including demolition debris such as domestic brick and concrete that does not contain cement fines, exposed rebar, paint or coatings, decomposable materials, plastic, asphalt, petroleum products, hydrocarbon materials and any putrescible organic materials;
  - (ii) *Soil* that meets the standards set out in Table 1 of the Soil, Ground Water and Sediment Standards referenced in O. Reg. 153/04, as amended for quantities less than 2000m<sup>3</sup>;
  - (iii) Liquid slurry material, to the extent that the free water is removed and the resulting wet or slurried material meets the standards set out in Table 1 of the Soil, Ground Water and Sediment Standards referenced in O. Reg. 153/04, as

amended, and any free water from the liquid slurry that meets the standards set out in Table 1 of the Soil, Ground Water and Sediment Standards referenced in O. Reg. 153/04, as amended;

- (iv) *Topsoil*, sod and turf materials to be stockpiled for use as final cover only.
- h) To provide a report from the qualified Engineer or Environmental Consultant referred to in sub-section (a) that he/she is satisfied that the *placing or dumping* will not result in:
  - (i) Soil *erosion*;
  - (ii) Blockage of a *watercourse*;
  - (iii) Siltation in a *watercourse*;
  - (iv) Pollution of a *watercourse*;
  - (v) Flooding or *ponding* on adjacent lands;
  - (vi) Flooding or *ponding* caused by a *watercourse* overflowing its banks;
  - (vii) A detrimental effect on any trees of a caliper of seventy-five (75) millimetres or more located on the lands;
  - (viii) Detrimental effect on matters of inherent biological sensitivity such as aquifer recharge, water quality, unusual plants or wildlife and overwintering habitats;
  - (ix) Unauthorized injury or destruction of municipal trees or other trees protected under by-laws of the *Town* or the Regional Municipality of York;
  - (x) Injury or destruction of other trees, which in the opinion of the *Director*, could reasonably be avoided;
- i) To provide security to be used to remedy any breach of the by-law or agreement and to indemnify the *Town* for any liability, costs, damages or losses incurred directly or indirectly caused by the issuing of a permit;
- j) Notify an *inspector* in writing within forty-eight (48) hours of commencing any work;
- k) Notify an *inspector* in writing of the completion of any erosion control measures within fourteen (14) days after their installation;
- l) Obtain the permission of the *Director* in writing prior to modifying the site alteration plan;
- m) Inspect the control measures at least once a week and after each rainfall of at least one (1cm) centimeter and make any necessary repairs;
- n) Install all tree protection measures required by the approved *site alteration Plan* prior to commencing any work and maintain these tree protection measures throughout the entire duration of the work;
- o) Ensure that all *fill* meets standards prescribed by the Ministry of the Environment for any current land use and any future land use for the land designated under an Official Plan or amendment to an Official Plan approved by Council of the *Town* or Regional Municipality of York;

- p) Install and maintain the *erosion* and sediment control measures as identified in the approved *site alteration* plan and the latest *Conservation Authority* guidelines for erosion measures;
  - q) Install temporary signage in accordance with Ministry of Transportation Book 7 regulations on all roadways immediately adjacent to the site where *fill* is being *dumped* or *placed*;
  - r) Ensure that no mud is tracked onto municipal roadways and that these roadways are not damaged as a result of the *site alteration*.
- 4.3 No permit shall be issued pursuant to Part 4.2 and no amendments shall be made to this by-law until Council, for more than 2000m<sup>3</sup> of fill material, has considered the application or amendment at a public meeting, at which the applicant or any interested members of the public will have a fair opportunity to make representation, notice of which is given to the adjacent property owners and agencies in a similar manner to Regulation 199/96 of the *Planning Act*.
- 4.4 The *Director* shall issue a permit when:
- a) The *Director* is satisfied that the lands which are the subject of the application for a permit are not within an area where *site alteration* is prohibited under Part 2 (b) and (c) if applicable, of this by-law or is an activity regulated under Part 3 of this by-law; and
  - b) The applicant has fulfilled all requirements of Part 4.1 of this by-law and if required by Part 4.2 entered into the agreement referred to in Part 4.2.
- 4.5 Where a permit has been issued under this by-law authorizing the *site alteration* on lands, no person shall *place* or *dump fill* except in accordance with the plans, documents and any other information required for the issuing of the permit and in compliance with the agreement entered into with the *Corporation* and this by-law.
- 4.6 The *Town* may draw on the security required pursuant to Part 4.1 (f) in order to remedy any breach of the provisions of this by-law, the conditions imposed on the *fill* permit by the *Director*, or any other obligation of the *owner* relating to the *fill* permit and, without limiting the generality of the foregoing, such security may be used to return the land to a condition satisfactory to the *Director* and to pay any outstanding amounts owed by the *owner* that relate to the *fill* permit including those amounts owed pursuant to Part 4.2 of this by-law.
- 4.7 Where the *Director* deems it necessary to have fill material inspected or analyzed to ensure compliance with MOE standards, Part XV.1 of the Environmental Protection Act, and/or Table 1 of O. Reg. 153, as amended of the *Environmental Protection Act*, a third party geotechnical consultant may be hired by the *Town* at the expense of the owner, to provide all necessary inspections, analysis and reports.

**PART 5 EXPIRY, RENEWAL, REVOCATION AND TRANSFER OF PERMITS**

- 5.1 a) The permit issued pursuant to Part 4.4 shall be valid for a period of one (1) year from the date of issuance but shall expire after six (6) months from the date of issuance if work has not been commenced by that date;
- b) A permit which is no longer valid or which has expired pursuant to Part 5.1(a) may be renewed within a six (6) month period following the date of expiry upon written application to the *Director* accompanied by a payment of one half of the original permit fee, provided that the previously permitted work has not been revised. The written request/application shall include a report prepared by the environmental consultant, including a topographic 'as-built' survey certified by a Professional Engineer or Ontario Land Surveyor, confirming the volume of fill material placed on the site at the time of renewal;
- c) A permit may be cancelled upon written request from the *owner* or person authorized in writing by the owner to the *Director*. A site inspection will be conducted to ensure that no work has commenced and that the site is in an acceptable condition, and at the discretion of the *Director*, a refund of the deposit less the applicable administration fee will be issued;
- d) Where fill quantities have been placed which exceed the amount specified in the permit, the landowner will be considered to be in contravention of the permit and will be required to remove all fill material placed in contravention of the permit unless a revised application is provided pursuant to Part 4 of this by-law and approved by the *Director*, including payment of all applicable fees as outlined in Schedule A and Schedule B;
- e) If title to the land for which a permit has been issued is transferred while the permit remains in effect, the permit shall be cancelled unless the new *owner*, within thirty (30) days of the transfer:
- (i) Provides the *Town* with an undertaking agreeing to comply with all conditions under which the existing permit was issued; or
  - (ii) Applies for and obtains a new permit in accordance with the provisions of this by-law.
- 5.2 Every person who undertakes a *site alteration* or causes a *site alteration* to occur on lands shall:
- a) Ensure that the *finished grade* surface is protected by sod, turf, seeding for grass, greenery, asphalt, concrete or such other provisions as shown on the submitted plans;
  - b) Ensure that no trench in which piping is laid forming part of the *drainage* system is covered and backfilled until the work has been inspected and approved by the qualified engineer or environmental consultant referred to in Part 4;

- c) Provide such protection for trees on the *site alteration* plan as may be required by the qualified engineer or environmental consultant referred to in Part 4;
- d) Ensure that all *fill* used is clean and free of rubbish, glass, garbage, termites, organic materials, liquid and toxic chemicals and other contaminants;
- e) Ensure that *fill* is *placed* or *dumped* in such a manner and any *retaining wall* containing such *fill* is erected in such a manner that no *ponding* is caused on abutting lands and that adequate provision is made to properly manage all surface stormwater *drainage*.

5.3 The *Director* may revoke the permit and require that all work on the site shall cease for the following reasons:

- a) The permit was obtained on mistaken, false or incorrect information;
- b) The permit was issued in error;
- c) The *owner* or Permit holder requests in writing, that it be revoked;
- d) The terms of an agreement under this by-law have not been complied with;
- e) Work authorized under the permit has not been commenced prior to its expiry date;
- f) An *owner* has failed to comply with the provisions of this bylaw.

5.4 The administration and enforcement of this by-law shall be performed by the *Director*, by persons authorized by the *Director* and by such municipal law enforcement officers of the *Corporation* as may be appointed by the Council of the *Corporation*.

## **PART 6 ADMINISTRATION AND ENFORCEMENT**

- 6.1 Employees of the Department of Engineering and Public Works of the *Town*, or any employees that are otherwise authorized to enforce the by-laws of the *Town* are appointed as *inspectors* for all purposes of this by-law.
- 6.2 *Inspectors* may, at any reasonable time enter and inspect any land to determine whether the provisions of this by-law, or a condition of a permit issued under this by-law have been complied with. This power of entry does not allow the *inspector* to enter any building.
- 6.3 Upon completion of the work pursuant to the permit, the *owner* and/or permit holder shall so advise the *Director*.
- 6.4 No person shall obstruct an inspector who is carrying out an inspection pursuant to this by-law.
- 6.5 This by-law shall apply to all *site alteration*, including *placing* and *dumping* of *fill*, on all lands within the *Town* whether such activity occurred prior to the date of the passage of this by-law, or subsequent to the passage of this by-law.

## PART 7 ORDERS

- 7.1 If after inspection, an *inspector* is satisfied that a contravention of this by-law has occurred, the *inspector* shall notify the *owner* and the permit holder of the particulars with a "Notice of Contravention" and/or an "Order to Comply" pursuant to Section 444(1) or 445(1) of the *Municipal Act, 2001*, as amended, at the same time and provide all occupants with a copy of the notice and such order shall contain:
- a) The municipal address and the legal description of the land;
  - b) Reasonable particulars of the contravention;
  - c) The period within which there must be compliance.
- 7.2 The *Director* or an *inspector* by a written "Notice of Contravention" and/or an "Order to Comply" pursuant to Section 444(1) or 445(1) of the *Municipal Act, 2001*, as amended, may require any person who has altered the *grade* of land, or who has caused or permitted the *grade* to be altered contrary to the provisions of this by-law, or who has *placed or dumped fill*, or who has caused or permitted *fill* to be *placed or dumped*, or who has caused or permitted any other form of *site alteration* contrary to the provisions of this by-law:
- a) To cease all work in respect of the *site alteration*;
  - c) To remove the *fill*;
  - c) To *fill* in any excavations or ponds; and/or
  - d) To do all work necessary;
    - (i) to eliminate any hazard resulting from the alteration of the *grade* or the *dumping* or *placing* of *fill* and to restore the land to a condition of safety;
    - (ii) to preserve the land pending fulfillment of all requirements outlined in Part 4.1 and 4.2 of this by-law for the issuance of a permit;
    - (iii) to restore the land to its former condition prior to the alteration of the *grade* of the land or to the *placing* or *dumping* of the *fill* on the land or other *site alteration*.
- 7.3 The notice and/or order referred to in Parts 7.1 and 7.2 shall also contain:
- a) The time frame in which the work contained in the order must be carried out;
  - b) A notice stating that if the work is not done in compliance with the order within the period it specifies, the *Corporation* may have the work done at the expense of the *owner*.
- 7.4 An *owner* who has received a "Notice of Contravention" and/or an "Order to Comply" shall comply with the "Notice of Contravention" and/or the "Order to Comply" within the time frame specified in the "Notice of Contravention" or the "Order to Comply", otherwise, the *Director* may draw on the financial securities as required.



- 7.5 A "Notice of Contravention" or an "Order to Comply" shall be served personally or by prepaid registered mail or in accordance with Part 7.7.
- 7.6 A "Notice of Contravention" or an "Order to Comply" pursuant to this by-law sent by prepaid registered mail shall be sent to the last known address to the *owner* of the land and permit holder.
- 7.7 An *inspector* who is unable to effect service pursuant to Part 7.1 of this by-law shall place a placard containing the terms of the "Notice of the Contravention" or an "Order to Comply" in a conspicuous place on the property and the placing of the placard shall be deemed to be sufficient service of the "Notice of Contravention" or an "Order to Comply" on the *owner* and permit holder.
- 7.8 If the *owner* or permit holder fails to do the work required by the "Order to Comply" within the period it specifies, the *Corporation*, in addition to all other remedies it may have, may do the work and for this purpose may enter on the land with its employees and agents. The costs incurred by the *Corporation* in so doing shall be paid by the *owner* of the land and may be recovered by the *Corporation* in like manner as taxes or drawing on financial securities provided.

#### **PART 8 WORK UNDERTAKEN BY MUNICIPALITY**

- 8.1 If the work required by an Order under Part 7 of this by-law is not done within the specified time period, the *Town*, in addition to all other remedies it may have, may do the work at the *owner's* expense and may enter upon land, at any reasonable time, for this purpose in accordance with the provisions of the *Municipal Act, 2001*.

#### **PART 9 PENALTY AND OFFENCE**

- 9.1 (a) Any person other than a corporation who contravenes the provisions of this by-law, the terms or conditions of a permit issued pursuant to this by-law, or an order issued pursuant to this by-law and Section 444(1) or 445(1) of the *Municipal Act, 2001* as amended is guilty of an offence and, upon conviction, is liable:
- (i) On a first conviction, to a fine of not more than \$10,000.00 for each day or part of a day on which the offence occurs or continues;
  - (ii) On any subsequent conviction to a fine of not more than \$25,000.00 for each day or part of a day on which the offence occurs or continues;
- (b) For contravention of this by-law or Orders issued under Part 7 to stop the injuring or destruction of trees:
- (i) On a first conviction, to a fine of not more than \$10,000 for each day or part of a day on which the offence occurs or continues;
  - (ii) On any subsequent conviction, to a fine of not more than \$25,000.00 for each day or part of a day on which the offence occurs or continues;

9.2 A corporation that contravenes any provision of this by-law, the terms or conditions of a permit issued pursuant to this by-law, or an order issued pursuant to this by-law and Section 444(1) or 445(1) of the *Municipal Act, 2001*, as amended, is guilty of an offence and on conviction is liable:

- (i) On a first conviction, to a fine of not more than \$50,000.00 for each day or part of a day on which the offence occurs or continues;
- (ii) On any subsequent conviction to a fine of not more than \$100,000.00 for each day or part of a day on which the offence occurs or continues.

9.3 If a person is convicted of an offence for contravening an order to stop the injuring or destruction of trees the court in which the conviction has been entered, or any court of competent jurisdiction thereafter, may order the person to rehabilitate the land or plant or replant trees in such manner and within such period as the court considers appropriate, including any silvicultural treatment necessary to reestablish the trees.

#### **PART 10 SEVERABILITY**

Should a court of competent jurisdiction declare any provision of this by-law to be invalid or of no force and effect, the provision is deemed severable from this by-law and it is the intention of Town Council that the remainder of the by-law shall survive and be applied and enforced in accordance with its terms to the extent possible under the law.

#### **PART 11 ENACTMENT**

This by-law shall come into force and effect on the date of passing.

By-law 91-139 (REG-1) is hereby repealed.

READ a first, second, third time and finally passed this 26<sup>th</sup> day of April, 2011.

  
Robert Grossi, Mayor

  
Lisa Lyons, Deputy Clerk

**SCHEDULE 'A'**

**FEE SCHEDULE – SITE ALTERATION (FILL PLACEMENT)**

DESCRIPTION	APPLICATION FEE	SECURITY DEPOSIT
<i>Fill</i> Less than 250 cubic metres	\$500.00	\$2,500.00
<i>Fill</i> greater than 250 cubic metres but less than 2000 cubic metres	\$750.00	\$10,000
Fill placement 2000 cubic metres or greater	\$1,000.00	\$25,000
Security for payment of Municipal Services Fee (Fill placement 2000 cubic metres or greater)	--	\$0.50 per cubic metre of fill to be placed
Extension of permit for <i>Fill</i> 250 cubic metres or less (sec. 5.1(b))	\$250.00	
Extension of permit for <i>Fill</i> greater than 250 cubic metres but less than 2000 cubic metres (sec. 5.1(b))	\$375.00	
Extension of permit for fill greater than 2000 cubic metres (sec. 5.1(b))	\$500.00	

\*The above application fees are non-refundable.

The owner or owner's consultant shall provide a detailed breakdown of the cost estimate for the proposed work.

\*NOTE: The above fees shall be doubled in the event that the Applicant has performed any *site alteration* in contravention of this by-law.

**OTHER APPLICABLE FEES**

Municipal Services Fee (where quantities are 2000 cubic metres or greater)	\$0.50 per cubic metre of fill material to be placed To be paid at completion of project upon confirmation of volume totals
Preparation of Site Alteration Agreement	\$6,150.00
Amendment to Agreement	\$2,050.00

The *Corporation* may engage legal, engineering, hydrology, environmental, arborists, landscape or any other consultant the *Director* deems necessary in order to evaluate studies and/or agreements in which case the costs incurred for such evaluations shall be charged back to the applicant plus a 5% administration charge; (sec. 4.6, 4.7)

**SCHEDULE 'B'**

**FEE SCHEDULE – LOT GRADING AND DRAINAGE (RESIDENTIAL)**

FEEES APPLICABLE TO ALL RESIDENTIAL CONSTRUCTION AS NOTED WHERE **NO MORE THAN 50m<sup>3</sup>** OF FILL IS IMPORTED (INCLUDING GRANULAR MATERIAL FOR DRIVEWAYS AND SEPTIC SYSTEMS)

DESCRIPTION	APPLICATION FEE	SECURITY DEPOSIT
Construction of principal buildings, septic systems and accessory structures greater than 20 square metres. Construction of additions to accessory structures greater than 20 square metres.	\$300.00	\$2,500.00
Additions to existing principal buildings. Foundation repairs or replacement, house raising and construction of new foundations for same. Construction of in-ground pools. Construction of accessory structures greater than 10 square metres but less than 20 square metres. Additions to existing accessory structures greater than 10 square metres but less than 20 square metres.	\$150.00	\$1,000.00
Extension of permit for principal buildings, septic systems and accessory structures greater than 20 square metres.	\$150.00	
Extension of permit for Additions to existing principal buildings or accessory structures. Foundation repairs or replacement, house raising. Construction of in-ground pools. Construction of accessory structures less than 20 square metres.	\$75.00	

The above application fees are non-refundable.

**\*NOTE:** The above fees shall be doubled in the event that the Applicant has performed any *site alteration* prior to the submission or approval of an application in contravention of this by-law.

## SCHEDULE 'C'

### ENVIRONMENTAL CONTROL PROGRAM

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#### Operational Standards:

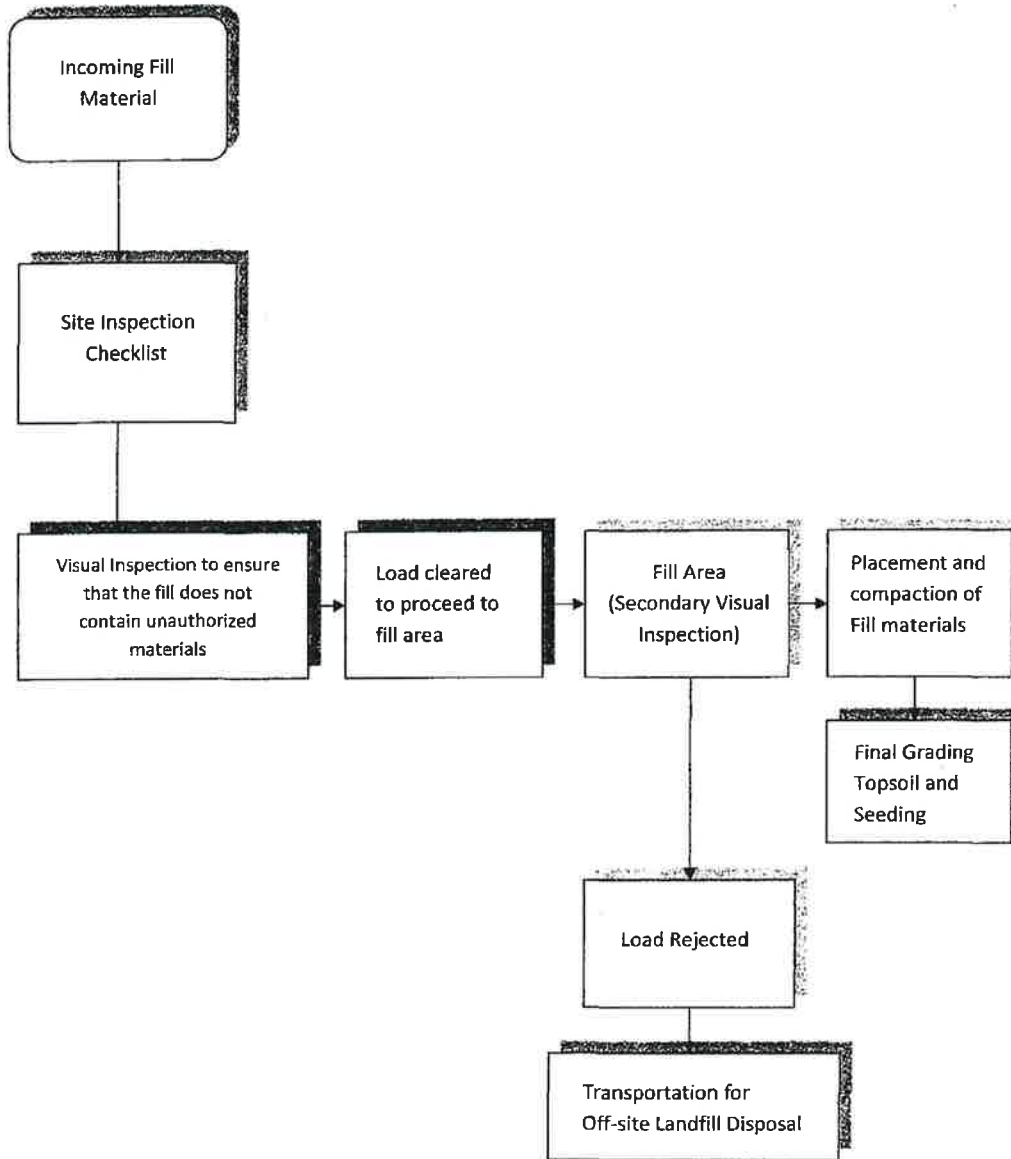
The following are proposed standards for the maintenance and operation of the fill area:

1. Site personnel will receive specialized training for their specific work tasks.
2. The placement of clean fill material at the site will be adequately and continually supervised.
3. Clean material will be placed in an orderly manner at the fill area.
4. Procedures will be established, signs posted, and safeguards maintained for the prevention of on-site accidents.
5. Vehicular access to the property will be by roadway closed by a gate capable of being locked.
6. Access roads and on-site roads will be provided so that vehicles hauling clean material to and on the site may travel readily under all normal weather conditions.
7. Access to the site will be limited to times when an attendant is on duty and accessible only to persons authorized to deposit clean material at the fill area.
8. Drainage passing over or through the site will not adversely affect adjoining properties. Natural drainage will not be obstructed.
9. Clean fill material will be placed in such manner that groundwater aquifers will not be impaired.
10. If groundwater contamination in excess of the Ontario Ministry of the Environment (MOE) Guideline is encountered, action will be taken to isolate the source of contamination and effectively prevent the egress of contaminants from the Site.
11. Where there is a possibility of groundwater pollution resulting from the operation of the fill area, samples will be taken and tests made by the owner of the site to measure the extent of contamination and, if necessary, measures will be taken for the collection and treatment of contaminants and for the prevention of groundwater pollution.
12. When the fill area has reached its limit of fill, a final cover of soil will be designed and constructed to a grade capable of supporting vegetation and that minimizes erosion. All slopes will be designed to drain runoff away from the cover and to prevent water from ponding. No standing water will be allowed anywhere in or on the completed fill area. The fill area will then be seeded with vegetation to minimize wind and water erosion. The vegetation used will be compatible with i.e., grow and survive under the local climatic conditions and will include of a diverse mix of native and introduced species consistent with the post closure land use. Temporary erosion control measures will be undertaken while vegetation is being established.

*Attachment -Operational Flowchart*

SCHEDULE 'C' – CONTINUED

ENVIRONMENTAL CONTROL PROGRAM – OPERATIONAL FLOW CHART



## SCHEDULE 'C' -- Continued

### ENVIRONMENTAL CONTROL PROGRAM

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#### Fill Screening Procedures:

The initial inspection of the truck and its load of inert fill will include a review of the chain of custody provided by the transporter and a visual inspection of the fill for signs of contamination. If at any point during the visual inspection there is evidence that the fill may be contaminated it will be rejected.

The attached Fill Inspection Checklist will be used to record and document the chain of custody and all initial and secondary inspections.

The first procedure for the site inspector will be to record the load number, truck number, the name of the company hauling the fill, the driver's name and ensure that the transporter provides a chain of custody (refer to check list). The chain of custody will include a record for the fill being delivered from its place of origin to the site.

The chain of custody will include information concerning the inert fill, the transport of the inert fill, and the truck itself. Information pertaining to the inert fill should include: place of origin; soil constituents; proof that the fill is clean; and copies of analyses to provide evidence that the soil is not contaminated. Records pertaining to the transport should include: a list of all drivers involved in the haulage of the inert fill from its place of origin to the Site; documentation of all stops made from the place of origin to the Site; documentation that ensures the truck is at the proper location. Records of transport cleaning and sanitation procedures for the truck and loading equipment should also be provided upon request to ensure that the fill has not been contaminated by previously transported materials,

An initial visual inspection of the inert fill will occur while the fill is still in the truck and, if the fill is deemed satisfactory, a secondary visual inspection will be performed when the fill is being dumped in the designated fill area, both initial and secondary inspections will include a firsthand observation of the following:

- Odours
- Unusual clumping
- Hazardous materials (biomedical, flammable, etc.)
- Food, household waste
- Discolouration
- Viscosity (liquid and sludge)
- Putrescible wastes
- Any other unauthorized materials

Initial and secondary inspections will include the raking and probing of the fill in order to agitate the soil and bring underlying soil to the surface so that an accurate representation of the soil may be inspected.

If there is evidence that the soil *may* be contaminated the site inspector will reject the load,

When either the initial or secondary inspections provide evidence that the soil is not clean the truckload will be refused and directed to the appropriate licensed waste disposal facility, the site supervisor will document what was found, why the load was refused and to which facility the load was directed.

*Attachment -Fill Inspection Checklist*

**SCHEDULE 'C' -- Continued**

**ENVIRONMENTAL CONTROL PROGRAM**

**Fill Inspection Checklist**

<u>Fill Site:</u>		<u>Date:</u>	<u>Ticket No.:</u>
		<u>Time:</u>	<u>Inspector:</u>
<u>Driver Information:</u> Company: _____ Truck No.: _____ Driver Name.: _____		<u>No. of Loads:</u>	<u>Quantity:</u>  m <sup>3</sup>
<u>Source Information:</u> Address: _____		ACCEPTED      REJECTED	
		<u>Report Provided at Source:</u> YES      NO	<u>Type of Fill:</u> (Check appropriate box) RESIDENTIAL <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> AGRICULTURAL <input type="checkbox"/>
<u>Visual Inspection Report</u>		<u>Load(s) Contains Clean Fill</u>	
Primary Inspection		YES	NO
If "NO", complete the following:      Secondary Inspection		YES	NO
1	Odours		
2	Unusual Discolouration		
3	Hazardous Materials (Biochemical, Flammable)		
4	Food/ Domestic Waste		
5	Liquid or Sludge		
6	Construction Materials (Wood, Drywall, etc.)		
7	Scrap Metals		
8	Vegetation (Stumps, Sod)		
9	Asphalt		
10	Other (Describe)		
<u>Comments:</u>          			



## SCHEDULE 'C' -- Continued

### ENVIRONMENTAL CONTROL PROGRAM

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#### Groundwater Monitoring:

##### Procedures for the Groundwater Monitoring Program

To monitor the quality of groundwater migrating off-site a minimum of three monitor wells will be installed down gradient from the fill area as shown on the attached Site Grading Plan. Periodic analytical testing of the groundwater will be conducted to ensure that the groundwater values are less than the values contained in Table A of the MOE Guideline.

The following is an outline of the items related to the groundwater monitoring program that are addressed in the Environmental Control Program:

The impacts of the seepage of leachate from the fill area will be assessed in a systematic fashion using the techniques described below.

##### *Procedures for performing the groundwater assessment:*

1. The concentration of constituents in the leachate will be determined from laboratory analyses of groundwater samples collected down gradient from the fill area.
2. Acceptable groundwater assessment. The groundwater will be considered acceptable if the groundwater values are less than the values contained in Table A of the Ontario Ministry of the Environment (MOE) Guideline for Use at Contaminated Sites in Ontario, Revised February 1997 (Guideline). Initial groundwater analyses will include the following parameters:

Ca, Mg, Na, K, Al, Ba, Be, B, Cd, Cr, Co, Cu, Fe, Pb, Mn, Mo, Ni, P, Si, Ag, Sr, S, n, Ti, V, Zn, Sn, Benzene, Toluene, Ethyl Benzene, m/p-Xylene, o-Xylene, gasoline range organics < C10, diesel range organics C10-C24.

*Attachment - Table A Guideline Criteria, Target Parameters*

*Attachment - Site Grading Plan*

##### Design, Construction and Operation of Groundwater Monitoring Systems

All fill areas, will be identified and studied through a network of monitoring wells operated during the active life of the fill area and for two years after closure. Monitoring wells designed and constructed as part of the monitoring network will be maintained along with records that include, but are not limited to, well location, well size, type of well, the design and construction practice used in its installation and well and screen depths.

1. Standards for the location of monitoring points:
  - (a) Monitoring points will be established at sufficient locations down gradient with respect to groundwater flow to detect discharge of potential contaminants from within the fill area.
  - (b) Monitoring wells will be located in stratigraphic horizons that could serve as contaminant migration pathways.

## SCHEDULE 'C' -- Continued

### ENVIRONMENTAL CONTROL PROGRAM

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- (c) Monitoring wells will be established as close to the potential source of discharge as possible without interfering with the fill operations, and within half the distance from the edge of the potential source of discharge to property line down gradient with respect to groundwater flow, from the source.
- (d) A minimum of at least one monitoring well will be established at the property line and will be located down gradient from the fill area with respect to groundwater flow. Such well or wells will be used to monitor any statistically significant increase in the concentration of any constituent, in accordance with the Guideline, and will be used for determining compliance with applicable groundwater quality parameters.

2. Standards for monitoring well design and construction:

- (a) All monitoring wells will be cased in a manner that maintains the integrity of the borehole. The casing material will be inert so as not to affect the water sample. Well casings requiring a solvent-cement type coupling will not be used.
- (b) Wells will be screened to allow sampling only at the desired interval. Annular space between the borehole wall and well screen section will be packed with gravel or sand sized to avoid clogging by the material in the zone being monitored. The slot size of the screen will be designed to minimize clogging. Screens will be fabricated from material expected to be inert with respect to the constituents of the groundwater to be sampled.
- (c) Annular space above the well screen section will be sealed with a relatively impermeable, expandable material such as a cement /bentonite grout, which does not react with or in any way affect the sample, in order to prevent contamination of samples and groundwater and avoid interconnections. The seal will extend to the highest known seasonal groundwater level.
- (d) The annular space will be back-filled from an elevation below the frost line and mounded above the surface and sloped away from the casing so as to divert surface water away.
- (e) The annular space between the upper and lower seals and in the unsaturated zone may be backfilled with uncontaminated cuttings.
- (f) All wells will be covered with caps and equipped with devices to protect against tampering and damage.
- (g) All wells will be developed to allow free entry of water to minimize turbidity of the sample and minimize clogging.
- (h) Other sampling methods and well construction techniques may be utilized if they meet Provincial water well construction standards.

**SCHEDULE 'C' -- Continued**

**ENVIRONMENTAL CONTROL PROGRAM**

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3. Standards for Sample Collection and Analysis:

- (a) The groundwater monitoring program will include consistent sampling and analysis procedures to assure that monitoring results can be relied upon to provide data representative of groundwater quality in the zone being monitored.
- (b) The operator will utilize procedures and techniques to ensure that collected samples are representative of the zone being monitored and that prevent cross contamination of samples from other monitoring wells or from other samples.
- (d) The operator will establish a quality assurance quality control program for groundwater sample collection.
- (e) The operator will institute a chain of custody procedure to prevent tampering and contamination of the collected samples prior to completion of analysis.

**Groundwater Monitoring Program:**

1. The operator will implement a monitoring program in accordance with the following requirements:

(a) Monitoring schedule and frequency:

- (i) The monitoring period will begin as soon as a fill permit is issued. Monitoring will continue for a minimum period of two years after closure. The operator will sample all monitoring points on a quarterly basis.
- (ii) The monitoring frequency may change on a well by well basis to an annual schedule if all constituents monitored within the zone of attenuation are less than or equal to Guideline criteria for three consecutive quarters. However, monitoring will return to a quarterly schedule at any well where a statistically significant increase is determined to have occurred in the concentration of any constituent with respect to the previous sample.
- (iii) Monitoring will be continued for a minimum period of two years after closure. Monitoring beyond the minimum period may be discontinued if no statistically significant increase is detected in the concentration of any constituent above that measured and recorded during the immediately preceding scheduled sampling for three consecutive quarters.

(b) Criteria for choosing constituents to be monitored:

- (i) The operator will monitor each well for constituents that will provide a means for detecting groundwater contamination. Constituents will be chosen for monitoring if the constituent appears in, or is expected to be in, the leachate.

## SCHEDULE 'C' -- Continued

### ENVIRONMENTAL CONTROL PROGRAM

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- (ii) One or more indicator constituents, representative of the transport processes of constituents in the leachate, may be chosen for monitoring in place of the constituents it represents.
2. If the analysis of the monitoring data shows that the concentration of one or more constituents is attributable to the fill operations and exceeds Guideline criteria, then the operator will conduct a groundwater impact assessment. The assessment monitoring program will be conducted in accordance with the following requirements:
- (a) The impact assessment will be conducted to collect additional information to assess the nature and extent of groundwater contamination, which will consist of, but not be limited to, the following steps:
    - (i) More frequent sampling of the wells in which the observation occurred;
    - (ii) More frequent sampling of any surrounding wells;
    - (iii) The placement of additional monitoring wells to determine the source and extent of the contamination; and
    - (iv) Monitoring of additional constituents to determine the source and extent of contamination.
  - (b) If the analysis of the assessment monitoring data shows that the concentration of one or more constituents monitored is above the applicable groundwater quality standards and is attributable to the fill operations, the operator will determine the nature and extent of the groundwater contamination, including an assessment of the continued impact on the groundwater should additional fill continue to be accepted at the facility, and will implement remedial action.

#### **Plugging and Sealing of Drill Holes:**

- 1. All drill holes, including exploration borings that are not converted into monitoring wells, monitoring wells that are no longer necessary to the operation of the site, and other holes that may cause or facilitate contamination of groundwater shall be sealed in accordance Ontario Regulation 903.

**SCHEDULE 'C' – CONTINUED**

**SOIL, GROUND WATER AND SEDIMENT STANDARDS FOR USE UNDER PART  
XV.1 OF THE ENVIRONMENTAL PROTECTION ACT, JULY 27, 2009  
TABLES 1 AND 2**

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TABLE 1: Full Depth Background Site Condition Standards

Table 1 Contaminant	Soil (other than sediment) µg/g		Ground Water (µg/L)	Sediment (µg/g)
	Agricultural or Other Property Use	Residential/ Parkland/Institutional/ Industrial/Commercial/ Community Property Use	All Types of Property Uses	All Types of Property Uses
Acenaphthene	0.05	0.072	4.1	NV
Acenaphthylene	0.093	0.093	1	NV
Acetone	0.5	0.5	2700	NV
Aldrin	0.05	0.05	0.01	0.002
Anthracene	0.05	0.16	0.1	0.22
Antimony	1	1.3	1.5	NV
Arsenic	11	18	13	6
Barium	210	220	610	NV
Benzene	0.02	0.02	0.5	NV
Benzo[a]anthracene	0.095	0.36	0.2	0.32
Benzo[a]pyrene	0.05	0.3	0.01	0.37
Benzo[b]fluoranthene	0.3	0.47	0.1	NV
Benzo[ghi]perylene	0.2	0.68	0.2	0.17
Benzo[k]fluoranthene	0.05	0.48	0.1	0.24
Beryllium	2.5	2.5	0.5	NV
Biphenyl 1 1'-	0.05	0.05	0.5	NV
Bis(2-chloroethyl)ether	0.5	0.5	5	NV
Bis(2-chloroisopropyl)ether	0.5	0.5	120	NV
Bis(2-ethylhexyl)phthalate	5	5	10	NV
Boron (Hot Water Soluble)*	NA	NA	NA	NA
Boron (total)	36	36	1700	NV
Bromodichloromethane	0.05	0.05	2	NV
Bromoforn	0.05	0.05	5	NV
Bromomethane	0.05	0.05	0.89	NV
Cadmium	1	1.2	0.5	0.6
Carbon Tetrachloride	0.05	0.05	0.2	NV
Chlordane	0.05	0.05	0.06	0.007
Chloroaniline p-	0.5	0.5	10	NV
Chlorobenzene	0.05	0.05	0.5	NV
Chloroform	0.05	0.05	2	NV
Chlorophenol 2-	0.1	0.1	8.9	NV
Chromium Total	67	70	11	26
Chromium VI	0.66	0.66	25	NV
Chrysene	0.18	2.8	0.1	0.34
Cobalt	19	21	3.8	50
Copper	62	92	5	16
Cyanide (CN-)	0.051	0.051	5	0.1
Dibenz[a,h]anthracene	0.1	0.1	0.2	0.06
Dibromochloromethane	0.05	0.05	2	NV
Dichlorobenzene 1 2-	0.05	0.05	0.5	NV
Dichlorobenzene 1 3-	0.05	0.05	0.5	NV
Dichlorobenzene 1 4-	0.05	0.05	0.5	NV
Dichlorobenzidine 3 3'-	1	1	0.5	NV
Dichlorodifluoromethane	0.05	0.05	590	NV
DDD	0.05	0.05	1.8	0.008
DDE	0.05	0.05	10	0.005
DDT	0.078	1.4	0.05	0.007
Dichloroethane 1 1-	0.05	0.05	0.5	NV
Dichloroethane 1 2-	0.05	0.05	0.5	NV
Dichloroethylene 1 1-	0.05	0.05	0.5	NV
Dichloroethylene 1 2-cis-	0.05	0.05	1.6	NV
Dichloroethylene 1 2-trans-	0.05	0.05	1.6	NV
Dichlorophenol 2 4-	0.1	0.1	20	NV
Dichloropropane 1 2-	0.05	0.05	0.5	NV
Dichloropropane 1 3-	0.05	0.05	0.5	NV
Dieldrin	0.05	0.05	0.05	0.002

Table 1 Contaminant	Soil (other than sediment) µg/g		Ground Water (µg/L)	Sediment (µg/g)
	Agricultural or Other Property Use	Residential/ Parkland/Institutional/ Industrial/Commercial/ Community Property Use	All Types of Property Uses	All Types of Property Uses
Diethyl Phthalate	0.5	0.5	30	NV
Dimethylphthalate	0.5	0.5	30	NV
Dimethylphenol 2,4-	0.2	0.2	10	NV
Dinitrophenol, 2,4-	2	2	10	NV
Dinitrotoluene 2,4 & 2,6-	0.5	0.5	5	NV
Dioxane - 1,4	0.2	0.2	50	NV
Dioxin/Furan (TEQ)	0.000007	0.000007	0.000015	NV
Endosulfan	0.04	0.04	0.05	NV
Endrin	0.04	0.04	0.05	0.003
Ethylbenzene	0.05	0.05	0.5	NV
Ethylene dibromide	0.05	0.05	0.2	NV
Fluoranthene	0.24	0.56	0.4	0.75
Fluorene	0.05	0.12	120	0.19
Heptachlor	0.05	0.05	0.01	NV
Heptachlor Epoxide	0.05	0.05	0.01	0.005
Hexachlorobenzene	0.01	0.01	0.01	0.02
Hexachlorobutadiene	0.01	0.01	0.01	NV
Hexachlorocyclohexane Gamma-	0.01	0.01	0.01	NV
Hexachloroethane	0.01	0.01	0.01	NV
Hexane (n)	0.05	0.05	5	NV
Indeno[1,2,3-cd]pyrene	0.11	0.23	0.2	0.2
Lead	45	120	1.9	31
Mercury	0.16	0.27	0.1	0.2
Methoxychlor	0.05	0.05	0.05	NV
Methyl Ethyl Ketone	0.5	0.5	400	NV
Methyl Isobutyl Ketone	0.5	0.5	640	NV
Methyl Mercury **	NV	NV	0.12	NV
Methyl tert-Butyl Ether (MTBE)	0.05	0.05	15	NV
Methylene Chloride	0.05	0.05	5	NV
Methylnaphthalene, 2-(1-) ***	0.05	0.59	2	NV
Molybdenum	2	2	23	NV
Naphthalene	0.05	0.09	7	NV
Nickel	37	82	14	16
Pentachlorophenol	0.1	0.1	0.5	NV
Petroleum Hydrocarbons F1****	10	10	420	NV
Petroleum Hydrocarbons F2	10	10	150	NV
Petroleum Hydrocarbons F3	50	50	500	NV
Petroleum Hydrocarbons F4	50	50	500	NV
Phenanthrene	0.19	0.69	0.1	0.56
Phenol	0.5	0.5	5	NV
Polychlorinated Biphenyls	0.3	0.3	0.2	0.07
Pyrene	0.19	1	0.2	0.49
Selenium	1.2	1.5	5	NV
Silver	0.5	0.5	0.3	0.5
Styrene	0.05	0.05	0.5	NV
Tetrachloroethane 1 1 1 2-	0.05	0.05	1.1	NV
Tetrachloroethane 1 1 2 2-	0.05	0.05	0.5	NV
Tetrachloroethylene	0.05	0.05	0.5	NV
Thallium	1	1	0.5	NV
Toluene	0.2	0.2	0.8	NV
Trichlorobenzene 1 2 4-	0.05	0.05	0.5	NV
Trichloroethane 1 1 1-	0.05	0.05	0.5	NV
Trichloroethane 1 1 2-	0.05	0.05	0.5	NV
Trichloroethylene	0.05	0.05	0.5	NV
Trichlorofluoromethane	0.05	0.25	150	NV
Trichlorophenol 2 4 5-	0.1	0.1	0.2	NV
Trichlorophenol 2 4 6-	0.1	0.1	0.2	NV
Uranium	1.9	2.5	8.9	NV
Vanadium	86	86	3.9	NV
Vinyl Chloride	0.02	0.02	0.5	NV

Table I Contaminant	Soil (other than sediment) µg/g		Ground Water (µg/L)	Sediment (µg/g)
	Agricultural or Other Property Use	Residential/ Parkland/Institutional/ Industrial/Commercial/ Community Property Use	All Types of Property Uses	All Types of Property Uses
Xylene Mixture	0.05	0.05	72	NV
Zinc	290	290	160	120
Electrical Conductivity (mS/cm)	0.47	0.57	NA	NA
Chloride	NA	NA	790000	NV
Sodium Adsorption Ratio	1	2.4	NA	NA
Sodium	NA	NA	490000	NV

Notes

( ) Standard in bracket applies to medium and fine textured soils

N/V= No value derived. N/A = Not applicable

\* The boron standards are for hot water soluble extract for all surface soils. For subsurface soils the standards are for total boron (mixed strong acid digest), as ecological criteria are not considered.

\*\*Analysis for methyl mercury only applies when mercury (total) standard is exceeded

\*\*\* The methyl naphthalene standards are applicable to both 1-methyl naphthalene and 2- methyl naphthalene , with the provision that if both are detected the sum of the two must not exceed the standard.

\*\*\*\* F1 fraction does not include BTEX; however, the proponent has the choice as to whether or not to subtract BTEX from the analytical result.



TABLE 2: Full Depth Generic Site Condition Standards in a Potable Ground Water Condition

Table 2 Contaminant	Soil Standards (other than sediment) µg/g			Potable Ground Water µg/L
	Agricultural or Other Property Use	Residential/ Parkland/Institutional Property Use	Industrial/ Commercial/Community Property Use	All Types of Property Use
Acenaphthene	(29) 7.9	(29) 7.9	(29) 21	4.1
Acenaphthylene	(0.17) 0.15	(0.17) 0.15	(0.17) 0.15	1
Acetone	(28) 16	(28) 16	(28) 16	2700
Aldrin	0.05	0.05	(0.11) 0.088	0.35
Anthracene	(0.74) 0.67	(0.74) 0.67	(0.74) 0.67	2.4
Antimony	7.5	7.5	(50) 40	6
Arsenic	11	18	18	25
Barium	390	390	670	1000
Benzene	(0.17) 0.21	(0.17) 0.21	(0.4) 0.32	5
Benz(a)anthracene	(0.63) 0.5	(0.63) 0.5	0.96	1
Benzo(a)pyrene	0.078	0.3	0.3	0.01
Benzo(b)fluoranthene	0.78	0.78	0.96	0.1
Benzo(ghi)perylene	(7.8) 6.6	(7.8) 6.6	9.6	0.2
Benzo(k)fluoranthene	0.78	0.78	0.96	0.1
Beryllium	(5) 4	(5) 4	(10) 8	4
Biphenyl 11'	(1.1) 0.31	(1.1) 0.31	(210) 52	0.5
Bis(2-chloroethyl)ether	0.5	0.5	0.5	5
Bis(2-chloroisopropyl)ether	(1.8) 0.67	(1.8) 0.67	(13) 11	120
Bis(2-ethylhexyl)phthalate	5	5	(35) 28	10
Boron (Hot Water Soluble)*	1.5	1.5	2	NA
Boron (total)	120	120	120	5000
Bromodichloromethane	(1.9) 1.5	(1.9) 1.5	(1.9) 1.5	16
Bromoform	(0.26) 0.27	(0.26) 0.27	(1.7) 0.61	25
Bromomethane	0.05	0.05	0.05	0.89
Cadmium	1	1.2	1.9	2.7
Carbon Tetrachloride	(0.12) 0.05	(0.12) 0.05	(0.71) 0.21	(5) 0.79
Chlordane	0.05	0.05	0.05	7
Chloroaniline p-	(0.53) 0.5	(0.53) 0.5	(0.53) 0.5	10
Chlorobenzene	(2.7) 2.4	(2.7) 2.4	(2.7) 2.4	30
Chloroform	(0.17) 0.05	(0.17) 0.05	(0.18) 0.47	(22) 2.4
Chlorophenol 2-	(2) 1.6	(2) 1.6	(3.9) 3.1	8.9
Chromium Total	160	160	160	50
Chromium VI	(10) 8	(10) 8	(10) 8	25
Chrysene	(7.8) 7	(7.8) 7	9.6	0.1
Cobalt	22	22	(100) 80	3.8
Copper	(180) 140	(180) 140	(300) 230	87
Cyanide (CN-)	0.051	0.051	0.051	66
Dibenz(a,h)anthracene	0.1	0.1	0.1	0.2
Dibromochloromethane	(2.9) 2.3	(2.9) 2.3	(2.9) 2.3	25
Dichlorobenzene 1 2-	(1.7) 1.2	(1.7) 1.2	(1.7) 1.2	3
Dichlorobenzene 1 3-	(6) 4.8	(6) 4.8	(12) 9.6	59
Dichlorobenzene 1 4-	(0.097) 0.083	(0.097) 0.083	(0.57) 0.2	1
Dichlorobenzidine 3 3'	1	1	1	0.5
Dichlorodifluoromethane	(25) 16	(25) 16	(25) 16	590
DDD	3.3	3.3	4.6	10
DDE	(0.33) 0.26	(0.33) 0.26	(0.65) 0.52	10
DDT	0.078	1.4	1.4	2.8
Dichloroethane 1 1-	(0.6) 0.47	(0.6) 0.47	(0.6) 0.47	5
Dichloroethane 1 2-	0.05	0.05	0.05	(5) 1.6
Dichloroethylene 1 1-	0.05	0.05	(0.48) 0.064	(14) 1.6
Dichloroethylene 1 2-cis-	(2.5) 1.9	(2.5) 1.9	(2.5) 1.9	(17) 1.6
Dichloroethylene 1 2-trans-	(0.75) 0.084	(0.75) 0.084	(2.5) 1.3	(17) 1.6
Dichlorophenol 2 4-	(0.27) 0.19	(0.27) 0.19	(0.27) 0.19	20
Dichloropropane 1 2-	(0.085) 0.05	(0.085) 0.05	(0.68) 0.16	5
Dichloropropane 1 3-	(0.081) 0.05	(0.081) 0.05	(0.081) 0.059	0.5
Dieldrin	0.05	0.05	(0.11) 0.088	0.35

Table 2	Soil Standards (other than sediment)			Potable Ground Water
	ug/g			µg/L
Contaminant	Agricultural or Other Property Use	Residential/ Parkland/Institutional Property Use	Industrial/ Commercial/Community Property Use	All Types of Property Use
Diethyl Phthalate	0.5	0.5	0.5	38
Dimethylphthalate	0.5	0.5	0.5	38
Dimethylphenol 2,4-	(53) 38	(53) 38	(53) 38	59
Dinitrophenol, 2,4-	(2.9) 2	(2.9) 2	(2.9) 2	10
Dinitrotoluene 2,4 & 2,6-	0.5	0.5	0.5	5
Dioxane - 1,4	0.2	1.8	1.8	50
Dioxin/Furan (TEQ)	0.00013	0.00013	0.000099	0.00015
Endosulfan	0.04	0.04	(0.38) 0.3	1.5
Endrin	0.04	0.04	0.04	0.48
Ethylbenzene	(1.6) 1.1	(1.6) 1.1	(1.6) 1.1	2.4
Ethylene dibromide	0.05	0.05	0.05	0.2
Fluoranthene	0.69	0.69	9.6	0.41
Fluorene	(69) 62	(69) 62	(69) 62	120
Heptachlor	0.15	0.15	0.19	1.5
Heptachlor Epoxide	0.05	0.05	0.05	0.048
Hexachlorobenzene	0.52	0.52	0.66	1
Hexachlorobutadiene	(0.014) 0.012	(0.014) 0.012	(0.095) 0.031	(0.6) 0.44
Hexachlorocyclohexane Gamma-	(0.063) 0.056	(0.063) 0.056	(0.063) 0.056	1.2
Hexachloroethane	(0.07) 0.089	(0.07) 0.089	(0.43) 0.21	2.1
Hexane (n)	(34) 2.8	(34) 2.8	(88) 46	(520) 51
Indeno[1,2,3-cd]pyrene	(0.48) 0.38	(0.48) 0.38	(0.95) 0.76	0.2
Lead	45	120	120	10
Mercury	(1.8) 0.25	(1.8) 0.27	(20) 3.9	(1) 0.29
Methoxychlor	0.13	0.13	1.6	6.5
Methyl Ethyl Ketone	(44) 16	(44) 16	(88) 70	1800
Methyl Isobutyl Ketone	(4.3) 1.7	(4.3) 1.7	(210) 31	640
Methyl Mercury **	(0.0094) 0.0084	(0.0094) 0.0084	(0.0094) 0.0084	0.15
Methyl tert-Butyl Ether (MTBE)	(1.4) 0.75	(1.4) 0.75	(2.3) 1.6	15
Methylene Chloride	(0.96) 0.1	(0.96) 0.1	(2) 1.6	50
Methylnaphthalene, 2-(1-) ***	(3.4) 0.99	(3.4) 0.99	(42) 30	3.2
Molybdenum	6.9	6.9	40	70
Naphthalene	(0.75) 0.6	(0.75) 0.6	(28) 9.6	11
Nickel	(130) 100	(130) 100	(340) 270	100
Pentachlorophenol	0.1	0.1	(3.3) 2.9	30
Petroleum Hydrocarbons F1****	(65) 55	(65) 55	(65) 55	750
Petroleum Hydrocarbons F2	(150) 98	(150) 98	(250) 230	150
Petroleum Hydrocarbons F3	(1300) 300	(1300) 300	(2500) 1700	500
Petroleum Hydrocarbons F4	(5600) 2800	(5600) 2800	(6600) 3300	500
Phenanthrene	(7.8) 6.2	(7.8) 6.2	(16) 12	1
Phenol	9.4	9.4	9.4	890
Polychlorinated Biphenyls	0.35	0.35	1.1	3
Pyrene	78	78	96	4.1
Selenium	2.4	2.4	5.5	10
Silver	(25) 20	(25) 20	(50) 40	1.5
Styrene	(2.2) 0.7	(2.2) 0.7	(43) 34	5.4
Tetrachloroethane 1,1,1,2-	(0.05) 0.058	(0.05) 0.058	(0.11) 0.087	1.1
Tetrachloroethane 1,1,2,2-	0.05	0.05	(0.094) 0.05	1
Tetrachloroethylene	(2.3) 0.28	(2.3) 0.28	(2.5) 1.9	(17) 1.6
Thallium	1	1	3.3	2
Toluene	(6) 2.3	(6) 2.3	(9) 6.4	24
Trichlorobenzene 1,2,4-	(1.4) 0.36	(1.4) 0.36	(16) 3.2	70
Trichloroethane 1,1,1-	(3.4) 0.38	(3.4) 0.38	(12) 6.1	200
Trichloroethane 1,1,2-	0.05	0.05	(0.11) 0.05	(5) 4.7
Trichloroethylene	(0.52) 0.061	(0.52) 0.061	(0.61) 0.55	(5) 1.6
Trichlorofluoromethane	(5.8) 4	(5.8) 4	(5.8) 4	150
Trichlorophenol 2,4,5-	(5.5) 4.4	(5.5) 4.4	(10) 9.1	8.9
Trichlorophenol 2,4,6-	(2.9) 2.1	(2.9) 2.1	(2.9) 2.1	2
Uranium	23	23	33	20
Vanadium	86	86	86	6.2
Vinyl Chloride	(0.022) 0.02	(0.022) 0.02	(0.25) 0.032	(1.7) 0.5

Table 2	Soil Standards (other than sediment)			Potable Ground
	µg/g			Water µg/L
Contaminant	Agricultural or Other Property Use	Residential/ Parkland/Institutional Property Use	Industrial/ Commercial/Community Property Use	All Types of Property Use
Xylene Mixture	(25) 3.1	(25) 3.1	(30) 26	300
Zinc	340	340	340	1100
Electrical Conductivity (mS/cm)	0.7	0.7	1.4	NA
Chloride	NA	NA	NA	790000
Sodium Adsorption Ratio	5	5	12	NA
Sodium	NA	NA	NA	490000

Notes

( ) Standard in bracket applies to medium and fine textured soils

N/V= No value derived. N/A = Not applicable

\* The boron standards are for hot water soluble extract for all surface soils. For subsurface soils the standards are for total boron (mixed strong acid digest), as ecological criteria are not considered.

\*\*Analysis for methyl mercury only applies when mercury (total) standard is exceeded

\*\*\* The methyl naphthalene standards are applicable to both 1-methyl naphthalene and 2-methyl naphthalene, with the provision that if both are detected the sum of the two must not exceed the standard.

\*\*\*\* F1 fraction does not include BTEX; however, the proponent has the choice as to whether or not to subtract BTEX from the analytical result.

# ATTACHMENT 10

**THE CORPORATION OF THE TOWN OF GEORGINA  
OF THE  
REGIONAL MUNICIPALITY OF YORK**

**BY-LAW NO. 2014-0048 (REG-1)**

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BEING A BY-LAW TO AMEND BY-LAW NO.  
2011-0044 (REG-1)  
(BEING A BY-LAW TO PROHIBIT OR  
REGULATE THE REMOVAL OF  
TOPSOIL, THE PLACING OR DUMPING OF  
FILL MATERIAL AND THE ALTERATION OF  
THE GRADE OF LAND IN ALL AREAS WITHIN  
THE TOWN OF GEORGINA)

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**WHEREAS** Council deems it to be in the public interest to review its policies relating to site alterations in the Town of Georgina, and therefore wishes to prevent major site alterations from taking place until a new site alteration by-law is passed pursuant to Section 142 of the *Municipal Act, 2001*;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA ENACTS AS FOLLOWS:**

1. By-law No. 2011-0044 (REG-1) of The Corporation of the Town of Georgina is hereby amended as follows:
  - (a) By revising Subsection 2(a) to read as follows:
    - a) No person shall *place* or *dump* any *fill*, remove any *peat* or *topsoil*, or otherwise alter the *grade* of land by causing, permitting or performing any form of *site alteration* involving the *placing* or *dumping* of more than 2,000 m<sup>3</sup> of *fill* on land within the *Town*. *Site alterations* involving the *placing* or *dumping* of 2,000 m<sup>3</sup> of *fill* or less shall be carried out in accordance with this by-law, and shall not be commenced until the *owner* has received a *permit* issued by the *Director* under this by-law;
  - (b) By revising Subsection 2(j) to read as follows:
    - j) No person shall *place* or *dump fill* or cause or permit *fill* to be *placed* or *dumped* unless such *fill* complies with Ministry of the Environment standards for clean *fill*, as described in Part 4.2(g) of this by-law;
  - (c) By revising Subsection 4.1(h) to read as follows:
    - h) A description of the proposed *site alteration*, including a description of the source of the *fill* with a letter from the party from whom the *fill* was acquired attesting that the *fill* meets the requirements for clean *fill* set out in Parts 4.2(g) and 5.2 of this by-law (if applicable), the quantity of the *fill* expressed in cubic metres, and contact information for the party from whom the *fill* was acquired;

(d) By revising the first paragraph in Section 4.2 to read as follows:

Where greater than 250 m<sup>3</sup> of *fill* is being *placed* or *dumped*, the *owner* shall provide the information set out in Part 4.1 and enter into an agreement with the *Town*, approved by the *Director*, whereby the *owner* agrees to the following:

(e) By deleting therefrom Section 4.3.

2. Despite Section 1, any application for a *permit* under By-law No. 2011-0044 (REG-1) submitted before the passage of this by-law, and any *site alteration* authorized by a *permit* issued and/or a *site alteration* agreement executed before the passage of this by-law, shall continue to be governed by By-law No. 2011-0044 (REG-1) as it existed immediately before the passage of this by-law.
3. This By-law shall come into force and effect on the date of its passing.

READ a first, second, third time and finally passed this 7<sup>th</sup> day of May, 2014.

  
Robert Grossi, Mayor

  
Yvonne Aubichon, Clerk

# ATTACHMENT 11

## ATTACHMENT 11

### Prescribed drinking water threats

**1.1** (1) The following activities are prescribed as drinking water threats for the purpose of the definition of “drinking water threat” in subsection 2 (1) of the Act:

1. The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the *Environmental Protection Act*.
2. The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
3. The application of agricultural source material to land.
4. The storage of agricultural source material.
5. The management of agricultural source material.
6. The application of non-agricultural source material to land.
7. The handling and storage of non-agricultural source material.
8. The application of commercial fertilizer to land.
9. The handling and storage of commercial fertilizer.
10. The application of pesticide to land.
11. The handling and storage of pesticide.
12. The application of road salt.
13. The handling and storage of road salt.
14. The storage of snow.
15. The handling and storage of fuel.
16. The handling and storage of a dense non-aqueous phase liquid.
17. The handling and storage of an organic solvent.
18. The management of runoff that contains chemicals used in the de-icing of aircraft.
19. An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
20. An activity that reduces the recharge of an aquifer.
21. The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.
22. The establishment and operation of a liquid hydrocarbon pipeline. O. Reg. 385/08, s. 3; O. Reg. 206/18, s. 1.