



The Corporation of the Township of King Report to Council

From: Growth Management Services -Development Division
Report Number: GMS-DEV-2025-003
Date: Tuesday, June 17, 2025
Title: **Updates to the Site Alteration By-Law 2021-039**

Recommendation

1. That Report GMS-DEV-2025-003, be received.
2. That Council enact By-Law 2025-048 being a By-Law to amend Site Alteration By-law 2021- 039, as amended, to allow staff to regulate the importation of fill within the Township of King.

1. Report Highlights

- Over the past ten (10) years the Township has seen a significant increase in development and site alterations.
- Currently Site Alteration By-law 2021-039, as amended, does not speak to noise/ screening berms and other aesthetic features requiring the importation of fill.
- Amending By-law 2021-039, as amended, will allow Township staff to better regulate the importation of fill pertaining to noise/ screening berms and other aesthetic features, as well as beneficial reuse of fill.

2. Purpose

The purpose of this report is to recommend specific amendments be made to the Township's Site Alteration By-Law 2021-039, as amended, to include framework around proposals for berms, noise barriers, and aesthetic features requiring fill importation. New legislation should be included in the By-Law to maintain the current standards, as well as assist the Township in better permitting and fill regulation.

3. Background

At the April 26, 2021, meeting, Council approved Site Alteration By-law 2021-039 to establish regulations and prohibitions on site alteration and the movement of fill, the removal of topsoil, and the alteration of the grade of land, in the Township of King.

At the May 15, 2023, meeting, Council approved By-law 2023-050 to amend Site Alteration By-law 2021-039 to introduce new provisions for hard landscaping, low impact development and drainage swales, and revise requirements for issuance of a permit.

At the February 26th, 2024, meeting, Council approved Bylaw 2024-011 to amend Administrative Monetary Penalty System (AMPS) Bylaw 2022-040 to include penalty fines for the Site Alteration Bylaw 2021-039.

At the May 27th, 2024, meeting, Council approved By-law 2024-034 to allow enforcement of contraventions of Another Legal Approval currently exempted by the By-law under Section 5.1 (a).

4. Analysis

The original Site Alteration By-law was done in 1997 and was updated in 2021 (2021-039). In recent years, the Township has experienced a large increase in requests for fill importation.

The Ministry of the Environment, Conservation and Parks (MECP) does not comment on the beneficial reuse of fill, and it is the Municipalities' responsibility to determine if the proposed site alteration is beneficial to the property or Township. The current site alteration By-Law does not speak to noise/screening berms and other aesthetic features proposing the import of fill, which may be considered as a beneficial reuse. The requests for fill importation for these purposes have been increasing, and the by-law should be updated regularly as regulations change to determine if the use is beneficial. Updating the By-law to incorporate regulations around beneficial reuse will allow the Township to have the proper tools and justification to permit site alteration.

Legislative Review

There has been no new legislation issued related to Site Alteration and Filling since the current By-law was signed. There have been minor amendments to Ontario Regulation 406/19, a regulation that is quoted in Site Alteration By-law 2021-039.

Minor Amendments

- Any proposed retaining wall greater than 1 meter shall be designed and stamped by a Professional Engineer. This is an important amendment to help regulate and ensure that proposed retaining walls not requiring a Building Permit will be structurally sound.
- Additional sections and definitions added into the By-law. These sections and definitions were added to the By-law to support new verbiage in the new amendments.
- Justification to be provided for the proposed importation of fill to create berms for screening/noise purposes. This will add framework around the requirements and regulations of beneficial reuse which the By-law does not currently speak to.

5. Financial Considerations

The changes imposed will have no impact to the fees and charges bylaw and has no immediate implications as this is an administrative change to address site alterations applications.

6. Alignment to Strategic Plan

The 2023-2026 Corporate Strategic Plan (CSP) was adopted by Council on June 12, 2023. The CSP reflects the priorities of upmost importance to the community and defines the obligations and commitments of the Township of King to its citizens and to the public. The CSP is aligned with the Townships long-term vision defined in the “Our King” Official Plan. The CSP also aims to ensure that staff initiatives focus on and work towards supporting King’s Vision, Mission and Values.

This report is in alignment with the CSP’s Priority Area(s), and/or associated Objective(s) and/or Key Results(s):

Priority Area: Not Applicable.

Objective: Implement regulatory changes to manage growth that best serves King's unique landscape.

Key Result: Not Applicable.

7. Conclusion

Staff is recommending Council amend Site Alteration By-2021-039, as amended, to allow further regulation of site alteration works within the Township.

8. Attachments

N/A

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