

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 2021-020

A By-law to amend By-law 31/12 being a By-law for prohibiting or regulating the alteration of property within the Township of Puslinch (Site Alteration By-law)

WHEREAS Council passed By-law 31/12 on April 4, 2012; and

WHEREAS Council passed By-law 11/15 to amend By-law 31/12 on February 4, 2015;

WHEREAS Council passed By-law 45/15 to further amend By-law 31/12 on August 12, 2015;

WHEREAS Council passed By-law 49/15 to further amend By-law 31/12 on September 16, 2015; and

AND WHEREAS Council deems it desirable to consolidate the above-referenced amendments as hereinafter set out; and

NOW THEREFORE the Council of the Corporation of the Township of Puslinch enacts as follows:

1. That By-law 31/12 be amended by adding the following:

“8.2 The Chief Building Official prior to issuing a Site Alteration Permit and forwarding a Site Alteration Agreement to Council for consideration for an application that is greater than 1,000 m³ of fill shall cause:

- (a) At least 10 days before the date of the Planning and Development Advisory Committee, notice to be given by:
 - (i) prepaid first class mail to every owner of land within 120 metres of the area to which the application applies; and
 - (ii) the applicant posting notice, clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Chief Building Official.

8.3 For the purposes of Section 8.2, the owner of land shall be deemed to be the person shown on the last revised assessment roll of the municipality.

8.4 Notice of the application shall include the following:

- (b) The date, time and location of the Planning and Development Advisory Committee meeting that the application will be evaluated;
- (c) An explanation of the purpose of the application;
- (d) A description of the subject land or a key map showing the location of the subject land;
- (e) Where and when additional information will be available to the public for inspection; and
- (f) The process for registering as a delegate to provide comment or make submissions on the application.

8.5 The Planning and Development Advisory Committee, upon hearing submissions and comments shall make a recommendation to Council to grant the application, grant the application with additional conditions, or refuse to grant the application.

8.6 Notwithstanding any other provision contained in this By-law with the exception of Sections 8.7 and 8.8, the Township effective August 13, 2015 cease accepting applications for Site Alteration projects greater than 1000 m³ to provide staff and Council time to:

- (g) Work with the Conservation Authorities with jurisdiction in the Township of Puslinch regarding a coordinated approach on the review of future applications to ensure that environmental, quality of life and liability issues are addressed during the review process and operation of the project;
- (h) Determine if an upper limit needs to be established for Site Alteration projects;
- (i) Determine if scalable requirements, scalable application processes and scalable fees should be established for projects greater than 1000 m³; and
- (j) Compare By-law 31/12, as amended, to current best management practices and to make improvements as required.

8.7 Notwithstanding Section 8.6, where a site alteration application has been filed with the Township of Puslinch on or before August 12, 2015, then such an application will be processed in accordance with the provisions of By-law 31/12, as amended.

8.8 Notwithstanding Section 8.6, where a site alteration application has been filed with the Township of Puslinch in response to an order or direction issued by Township of Puslinch enforcement staff on or before August 12, 2015, then such an application will be processed in

accordance with the provisions of By-law 31/12, as amended, but only to the extent required to deal with the fill that has been placed on the site prior to the order or direction issued by the Township.

8.9 Notwithstanding Section 8.6, a site alteration application that does not exceed 10,000 m³ and is for lands that are subject to an active development application may be filed and processed.”

8.10 Each of the quantities referenced in sections 8.2, 8.6 and 8.9 shall be calculated cumulatively over a period of five consecutive years, so that the total amount placed or proposed during this period of time shall be deemed to be proposed in the application.

2. That By-laws 11/15, 45/15 and 49/15 are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 3rd DAY OF MARCH, 2021.

James Seeley, Mayor

Courtenay Hoytfox, Clerk