

excess soil by-law tool

About this Excess Soil By-Law Tool

Soil is an important resource as it supports plant growth, stores and filters water and provides habitat for organisms, among other functions. To help preserve this resource, good soil management practices minimize soil excavation during construction and allow for reuse on site. When excess soils are generated, they may be used at another site for a beneficial purpose, provided do not have an adverse effect on the receiving site or impair the water quality.

Municipalities may regulate the use of excess soils on receiving sites or temporary storage sites through Site Alteration or Fill By-Laws. This tool provides examples of by-law language and guidance for Ontario municipalities to use in creating or updating key sections of these by-laws.

The guidance in this tool is informed by the MOECC guidelines [Management of Excess Soil – A Guide for Best Management Practices \(MOECC BMP\)](#) and based on the feedback received from municipalities, construction associations, non-governmental organizations and qualified professionals.

Site alteration or fill by-laws typically cover 15 sections (listed below). For each of the Issues, example language is provided for the sections that apply. In some cases not all 15 sections are covered.

- **DEFINITIONS**
- **GENERAL PROHIBITIONS & REGULATIONS**
- **EXEMPTIONS**
- **COMPLIANCE WITH OTHER REGULATIONS & STATUTES**
- **REQUIREMENTS FOR ISSUANCE OF A PERMIT**
- **PERMIT ISSUANCE**
- **PERMIT EXPIRY, RENEWAL, REVOCATION, TRANSFER**
- **PERMIT AGREEMENT**
- **INSPECTION, ADMINISTRATION & ENFORCEMENT**
- **APPEALS**
- **NOTICES & ORDERS**
- **PENALTY**
- **FEES**
- **SEVERABILITY**
- **EFFECTIVE DATES & REPEAL OF PREDECESSOR BY-LAWS**