



Town of Erin Corporate Report

Department: Planning & Development

Business Unit: Building

**Presented/
Prepared By:** David Waters, Manager of Planning &
Development

Report Number:
PD2025-15

Meeting Date:
5/8/2025

Subject

Recommendation Report – Agreement for Site Alteration Permit SA02-24 – 5525 Eighth Line, EC (Erin) GP Inc. (Empire Developments)

Recommendation

That Council receives report number PD2025-15 “Recommendation Report – Agreement for Site Alteration Permit SA02-24 – 5525 Eighth Line, EC (Erin) GP Inc. (Empire Developments)” for information;

And that the \$2.00 charge be waived for any cubic metre of fill exported from or imported to the Lands originating from the Mattamy (Erin) Limited and Coscorp Inc. sites;

And that the Town Solicitor, along with such staff and external consultants as may be necessary, be authorized to negotiate and finalize the Site Alteration Agreement substantially in the form as attached as Appendix A, subject to such revisions as may be necessary to the satisfaction of the Director of Infrastructure Services & Town Engineer;

And that the Mayor and Town Clerk are hereby authorized to execute the Site Alteration Agreement once it is in its final form.

Highlights

- The Town of Erin’s Site Alteration By-law #16-30 prohibits and regulates the removal of topsoil, the placing or dumping of fill and the alteration of the grade of lands within the municipality (i.e. site alteration).
- EC (Erin) GP Inc. submitted a Site Alteration Application to obtain permission for earthworks including grading, re-grading and cut and fill operations.

Background

The Town received a Stage 1B Site Alteration Application submitted by EC (Erin) GP Inc. (Empire Developments) to obtain a permit for major earthworks to be undertaken on the property located 5525 Eighth Line, measuring approximately 13.8 hectares. A portion of the site currently operates as a 9-hole golf course.

The subject lands are located on the east side of Eighth Line, north of Dundas Street West and Erin Heights Drive, within the Erin Urban Area as shown below.



Empire Developments was issued a Stage 1A Site Alteration Permit by the Town in March 2024 to permit vegetation removal, tree removal, tree preservation, clearing and grubbing on the subject lands including the installation and maintenance of required erosion and sediment controls (including silt fencing, swales, etc.).

The applicants submitted planning applications for a draft plan of subdivision and zoning by-law amendment to permit 216 dwelling units which are under review by the Town and County. A statutory public meeting was held in September 2022 to present the planning applications which are under review by the Town and County.

The application requirements of By-law 16-30 were met, and the application was circulated to Town staff, the County of Wellington and Credit Valley Conservation for review and a public meeting was held on October 10, 2024.

The most recent submission incorporates the comments from the circulation of the application and a Site Alteration Agreement will govern the earthworks and related activities permitted to be undertaken pursuant to the Site Alteration Permit issued by the Town.

Discussion

Site Alteration By-law 16-30 identifies submission requirements for site alteration applications. If an applicant proposes to place or dump or remove fill and alter the grade involving more than 1,000 cubic metres of fill or where the elevation of the site will increase or decrease by more than 1 metre at any point on the site, it is considered a large-scale site alteration permit, which ordinarily requires the execution of a Site Alteration Agreement that must be approved by Council.

By-law 16-30 lists submission requirements for large scale site alteration applications, including the requirement for a public meeting.

The proposed site alteration includes:

- Installation of erosion and sediment controls;
- Stripping, stockpiling and use of topsoil;
- Importing fill material to the subject lands from the lands being developed by Mattamy (Erin) Limited and Coscorp Inc. located directly across the street along Eighth Line, which are municipally known as 5520 Eighth Line and 5552 Eighth Line ("Mattamy and Coscorp Sites");
- Pre-grade the site in preparation for underground servicing and roads for the preparation of house construction.

Prior to the commencement of site grading works, all siltation control measures will be installed and operational, the exact location to be determined in the field and approved by the project environmental consultant. The earthworks require a permit from Credit Valley Conservation.

In addition, the proposed Erosion and Sediment Control measures will be an extension of the works which were implemented during the Tree Removal works associated with the Stage 1A Site Alteration Agreement which did not have any negative impacts on the local environment.

Erosion and sediment control inspections, along with the required record keeping, will be completed by the Developer's consultant in accordance with the overall environmental monitoring for the project and submitted to the Town Engineer. All damaged erosion and sediment control measures will be repaired and/or replaced by the Contractor within 48 hours' notice.

Traffic Management Plan

As part of the site alteration application, a Traffic Management Plan was prepared to ensure works can be safely completed. Empire construction vehicles exceeding the weight limit of the Eighth Line bridge will be using one of the two construction entrances proposed from Eighth Line; one at the southwest corner of the Site and one toward the northwest corner of the Site for moving fill between sites.

Traffic controls will be implemented including flagging staff or portable signals facing all four directions, for all construction equipment crossing the Eighth Line to ensure the safety of the public using the Eighth Line and to avoid a full closure of Eighth Line during earth moving activities.

Site Alteration Agreement

The proposed site alteration agreement is based on the Town's standard form of agreement, which in turn has been prepared to implement the requirements of By-law 16-30. The term of 24 months from the date of its execution enables the works to be

completed to the satisfaction of the Town including rectifying any deficiency, or to return the Lands to a stable, safe and tidy condition.

The Site Alteration Agreement includes conditions to ensure that these activities are undertaken under the supervision of the Town and its consulting engineer in accordance with the recommendations of the applicant's technical consultants, which have been Peer Reviewed and generally accepted by the Town. The site alteration agreement is attached hereto as Appendix A.

The Agreement requires any site alteration activities are undertaken in a manner that will limit erosion, sedimentation, or stormwater impacts, dust impacts, noise impacts, or dirt/debris accumulating on adjacent public highways. The agreement also ensures that temporary construction access is provided to the satisfaction of the Town.

Tipping Fee

Site Alteration By-law 16-30 requires a \$2.00 charge per cubic metre of fill material exported off site. The applicant is requesting the \$2.00 charge per cubic metre be waived for any fill not originating from the Mattamy/Coscorp sites because each site is proposed to be graded in a way that will ensure a significant volume of fill will remain on the three properties. In addition, the requirement for a Hauling Route is not required because no soil will be imported other than from the Mattamy and Coscorp Sites. Fill material not exported to the Empire site will be stockpiled and placed on the Park Block in the Mattamy plan of subdivision to eventually be transported off site.

Otherwise, no changes to the standard form of agreement have been proposed and through a review of the application submission materials, Town staff are confident that the proposed site alteration activities will proceed in accordance with the requirements of By-law 16-30 and applicable legislation. The approval of the attached Site Alteration Agreement will allow the Chief Building Official to issue a site alteration permit to the applicant pursuant to By-law 16-30.

Public Comments

Comments including written submissions received during the public meeting are summarized in a comment matrix attached hereto as Appendix B. These comments are addressed through the Site Alteration Agreement or the draft plan of subdivision approval process.

Strategic Pillar

Infrastructure & Finances

Financial Impact

The fee and deposit associated with these applications are collected at the time of filing the application and included within the operating revenues of the Building Division of the Planning and Development Department.

Conclusion

This report recommends that the Town Solicitor, along with such staff and external consultants as may be necessary, be authorized to negotiate and finalize the Site Alteration Agreement substantially in the form attached hereto as Appendix A.

Attachments

Appendix A – Site Alteration Agreement

Appendix B – Public Comment Response Matrix

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Manager of Planning & Development

Rob Adams

Chief Administrative Officer