



Frequently Asked Questions

12519 Eighth Line Site Alteration Permit

The Town recognizes the interest in the operations around the property located at 12519 Eighth Line and on behalf of the Mayor and Ward 2 Councillors, Staff have prepared the following FAQs to address questions and concerns from the local community.

Background

As residents may be aware, there are three active development projects in Glen Williams. Each of these developments has earthworks that are required to facilitate development activities. The subdivision known as Bishop Court Phase 2 has a site alteration permit to support the importation of the surplus fill from the Glen Williams Estates Subdivision (GWE) which is located at 102 Confederation. The Megan and McMaster subdivision by Eden Oak has an approved site alteration application and is actively working to satisfy their remaining conditions to receive their final Permit to receive surplus fill from GWE and to export surplus topsoil. GWE has a pre-servicing agreement to conduct works within the development property which includes removing surplus fill as well as exporting surplus topsoil off-site. Please note that the truck route(s) and hours of operation work under a Pre-servicing Agreement are not subject to the requirements of our Site Alteration Bylaw, thereby limiting the Town's control over these activities.

As noted above, all three development sites within Glen Williams have (or will imminently have) all their necessary permits/approvals in place to proceed with their earthworks, either through Site Alteration Permits and/or Pre-Servicing Agreements. These permits/approvals for earthworks are not contingent on the Site Alteration Permit for 12519 Eighth Line which only pertains to receiving surplus topsoil. The required earthworks at the three Glen Williams development sites will proceed independently of the Site Alteration Permit in question.

Note that a key consideration in the review and approval of the application for 12519 Eighth Line was the integrated nature and proximity of all four source/fill sites and the opportunity to expand agricultural lands. Given the proximity of these four source/fill locations, this arrangement was considered to minimize (not eliminate) the overall impacts to residents by minimizing the length of the truck route and associated impacts.

Q1: *I understand that the owner of the property located at 12519 Eighth Line applied for a permit to bring in topsoil. Was this legal? What is the status of this permit application.*

A1: The owner of the Eighth Line property has completed all necessary actions to receive approval to bring in topsoil to his property in accordance with the Site Alteration By-law 2017-0040. The permit application was approved by the Site Alteration Committee on August 27, 2024. Details and conditions of the application and approval can be found in the Site Alteration Committee minutes available on the Town's [website: \(https://calendar.haltonhills.ca/meetings/Detail/2024-08-27-1500-Site-Alteration-Committee\)](https://calendar.haltonhills.ca/meetings/Detail/2024-08-27-1500-Site-Alteration-Committee).

The conditions associated with this permit are summarized as follows:

1. The applicant satisfies the Terms and Conditions in Schedules B and C of By-law No. 2017-0040 as applicable.
2. The applicant provides the required administration fee.
3. The applicant provides the refundable security deposit.
4. That the applicant agrees to enter into a site alteration agreement with the Town.
5. That the applicant agrees to complete all works within 12 months of the Committee's decision.
6. The applicant agrees that no fill or topsoil shall be removed from their property.
7. The applicant agrees to provide the Town a copy of the soil testing results confirming that the fill to be imported meets MECP requirements prior to importing any material.
8. That the applicant agrees to identify the source location(s) and provide all related documentation a minimum of 14 days before receiving material from that location.
9. The applicant provides written notice seven (7) days prior to commencing works to all residents and Glen Williams community groups requested by Town staff. Distribution area to be determined based on haul route.

As of October 25, 2024, the Site Alteration Permit has not been issued. The owner still has several conditions to complete before the Town can issue the final permit for topsoil to be received at this site.

Q2: *What did the permit application ask for? What is happening on the site?*

A2: The permit application is to allow for topsoil to be brought into the site, in the amount of 25,000 cubic metres which translates to approximately 2,500 truckloads. The owner

has shared that the topsoil will be used to expand their existing agricultural field which is allowed under By-law 2017-0040. In addition to the benefit of expanded agricultural land, the proximity of the source sites for the topsoil is considered beneficial through minimizing trucking and providing for local reuse.

Q3: *Is the Eighth Line property regulated by Credit Valley Conservation (CVC)?*

A3: There are portions of the property regulated by CVC, but the specific location where the topsoil will be placed is outside of the regulated area and no permit is required. Having regulated areas within a property does not prevent work from occurring on the remainder of the property. This has been confirmed with CVC.

Q4: *When will the topsoil be transported?*

A4: It is anticipated that the transportation of the topsoil to the Eighth Line site will begin this fall but may not be concluded until next spring.

Q5: *What is the relationship between the owner of 12519 Eighth Line and developers in the area?*

A5: The owner of 12519 Eighth Line is working with the three developers associated with the new subdivisions in Glen Williams under a private agreement as their earthwork's contractor. Two of these sites have surplus topsoil material and the developers have agreed to provide the surplus topsoil for use at the Eighth Line property (subject to a Site Alteration Permit for 12519 Eighth Line).

Q6: *Do the three development sites in Glen Williams have all their necessary permits?*

A6: Yes. All three of the development sites have the necessary permits/approvals or will have them very shortly. The approval of these sites is separate from the permit for the property at 12519 Eighth Line. Work is permitted on these subdivisions regardless of the permit for 12519 Eighth Line.

Q7: *What will the impact to area residents be when the topsoil is brought in?*

A7: The immediate impact will be truck traffic which is limited as the route is quite short; the fill is being transported from one site in Glen Williams to another.

Q8: *Who approves permit applications?*

A8: Any property owner in the Town of Halton Hills can apply for a Site Alteration Permit under By-law 2017-0040. Each application is reviewed/approved based on the following:

- (a) in the case of rural land, to the Site Alteration Committee;
- (b) in the case where the work is associated with a permit under the Ontario Building Code or Pool Enclosure By-law 29-0028, as amended, rural and non-rural lands and does not exceed 5,000 m³, to the Director;
- (c) in the case where the work is associated with an application made under the Planning Act for a site plan, condominium and/or plan of subdivision, to the Director;
- (d) in the case of non-rural land, where the volume of fill involved is 5,000 m³ or less, to the Director;
- (e) and, in the case of non-rural land, where the volume of fill involved is more than 5,000 m³, to the Committee.

Applications for Site Alteration Permits are received by Town staff who provide a technical review of the information. Staff use information shared by the CVC to identify if the proposed fill placement location is next to, or within their regulated area. If the fill placement location is within a regulated area, the applicant is required to contact the CVC to discuss and secure their approval, in addition to applying for the Town's Site Alteration permit. Once the technical review is complete, Town staff then bring the application to the Site Alteration Committee. The committee considers the application at the meeting and votes to support or deny the permit. For the Eighth Line permit, the Site Alteration Committee voted in support of the application put forward by the owner.

Additional information regarding the Site Alteration By-law and committee can be found on the Town's [website: https://www.haltonhills.ca/en/business/site-alterations.aspx](https://www.haltonhills.ca/en/business/site-alterations.aspx)

Q9: *Can a resident appeal the decision of the Site Alteration Committee?*

A9: The Site Alteration By-law only provides the applicant the ability to appeal if they are denied approval or do not agree with condition(s) attached to the permit. They have 14 days from the date of the decision to make an appeal to Town Council.

Q10: *I recall that the owner of the property previously brought in fill but the Town said no. Can you explain?*

A10: Several years ago, the Town shut down efforts by the owner of the Eighth Line property to bring in fill to the site as the proper procedures were not followed and formal approval was not granted by the Town. These incorrect actions do not, however, have bearing on the current situation where the owner has correctly applied for and received approval from the Site Application Committee to proceed with bringing in fill to the property. Further, the volume of this application is significantly smaller than the previous unapproved operation.

Q11: *Did the Committee consider the owner's past actions when making their decision?*

A11: The Committee did acknowledge the owner's past actions, however for this application the owner followed the process in accordance with By-law 2017-0040 to make a proper and complete application to staff and met all of the requirements of the By-law. Note that permit approvals are based strictly on the merits of the application and not on the applicant.

Q12: *Is there a possibility that the permit can be revoked?*

A12: The minutes of the Site Alteration Committee have already been received by Council and are considered approved. This is the same process followed for all permits considered by the Committee. Beyond the application failing to meet the conditions and obligations of the permit, the permit cannot be revoked.

Q13: *If the permit is revoked, will this stop the topsoil from being removed from the developments?*

A13: The topsoil generated from the approved developments within Glen Williams, still needs to be removed from their sites and brought to a suitable disposal site. The removal and disposal of the topsoil from the development sites is not tied to the approval of the permit for 12519 Eighth Line and will need to occur regardless.

Q14: Where will the topsoil be disposed of if it can't go to 12519 Eighth Line?

A14: The site alteration in question only pertains to the receiving of topsoil at 12519 Eighth Line. The three developments within Glen Williams have their own independent approvals in place. Based on the information provided to staff, the alternative dump site would be 12522 Fifth Line in Limehouse, a quarry licensed by the Province and not

under the Town's jurisdiction. The truck route would be the same as that approved for 12519 Eighth Line but would continue along 22 Side Road across Hwy 7 then to the site entrance on Fifth Line.

Q15: How will the Town ensure the owner complies with the conditions of their permit?

A15: The Site Alteration Bylaw includes language related to how the owner conducts the site alterations on their site. In addition to the Bylaw, the permit issued to the owner includes several conditions which must be met. Failing to meet the requirements of the Bylaw and/or the permit is a contravention of the Bylaw. Town staff have the ability to issue orders to the owner and/or to revoke the permit through the Site Alteration Bylaw. Any order that is not complied with can be taken to the Provincial Offenses Court for further enforcement and compliance.

For this permit, Town staff included a condition that was approved by the Site Alteration Committee, requiring the owner to enter into an agreement with the Town to provide additional support should compliance become an issue.

Q16: How will the Town monitor the quantity of topsoil being brought into this site?

A16: The total combined quantity of surplus topsoil proposed to leave the two developments is just under the 25,000 cubic meters. Once the approved sources of topsoil are depleted, the permit will be considered complete.

However, should the topsoil from the two developments not be delivered to this site, the owner will be required to submit documentation to the Town for review and approval, identifying the new source of topsoil and the quantity available. Further, the agreement includes conditions that require the owner to confirm the volume of topsoil imported by way of a topographic survey. Should the owner not provide this information as prescribed, they will be in contravention and will be issued an order.

For technical questions related to this application, please contact:

Jeff Jelsma, Director of Development Engineering
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Contact information for the Mayor and Ward 2 Councilors is as follows:

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