

**DATE:** April 14, 2025

**REPORT NO:** PD-15-2025

**SUBJECT:** **Recommendation Report**  
**Site Alteration Application – 3118 Grassie Road**  
**File No. 3000-005-24**

**CONTACT:** Gerrit Boerema, Director of Growth and Sustainability

**OVERVIEW:**

- An application for a site alteration permit has been submitted by Meritech Engineering on behalf of the property owner of 3118 Grassie Road proposing to permit 300 additional loads of fill material to be imported to the property for grading around the new dwelling, 952 additional loads for raising the rear yard of the property, as well as additional fill material that has already been brought to the site beyond what their original approval permitted.
- The owners of 3118 Grassie Road are constructing a new dwelling on the property and are requesting a site alteration permit to import additional fill to the property.
- On May 13, 2024 Council approved a site alteration permit for the subject property to permit 4,617 cubic metres (or approximately 462 truck loads) of material be brought to the site, however, additional fill beyond the approval was imported to the property.
- Under the Township's site alteration bylaw, site alteration in excess of 1,000 cubic meters (100 truck loads) requires a public meeting and Council approval.
- A public meeting was held on March 3<sup>rd</sup> 2025 and [Planning Report PD-09-2025](#) was presented to Committee outlining the application and background on the previous site alteration approval.
- A number of written and oral submissions were made opposing the application for additional site alteration on the property.
- Based on the review of the application and site alteration bylaw, and comments submitted by the public and Committee members, Administration is recommending that the application for additional fill not be supported, but that Council permit the fill that has been brought to the property through a site alteration agreement, subject to conditions.

## **RECOMMENDATION:**

1. That, Recommendation Report PD-15-2025 regarding “Site Alteration Application – 3118 Grassie Road, File No. 3000-005-24”, dated April 14, 2025 be received; and,
2. That, the application for site alteration to import additional fill material be denied; and,
3. That, Council permit the additional 119 loads of material that has already been imported to the property, subject to the applicants entering into a site alteration agreement within 10 business days of Council’s decision; and,
4. That, such an agreement with the Township will provide a new grading and drainage plan, establish sediment and erosion controls, \$10,000 performance security, and the balance of the site alteration fee, to the satisfaction of the Township; and,
5. That, Council pass a bylaw to Authorize the Mayor and Clerk to sign and enter into the site alteration agreement with the owners, as found in Schedule E.

## **ALIGNMENT TO STRATEGIC PLAN:**

### **Theme #**

- **Champion strategic and responsible growth**

## **BACKGROUND:**

An application for site alteration has been submitted by Meritech Engineering on behalf of the property owner of 3118 Grassie Road. The subject property is located at the intersection of Grassie Road and Young Street and is 13.6 acres in size. A permit for a new dwelling and septic system was issued in November 2023, which is currently under construction.

Further background for this application and the previous application can be found in the Information Report presented on the March 3<sup>rd</sup> 2025 Committee meeting being [Planning Report PD-09-2025](#).

The current site alteration application is for an additional 1,060 loads of material to the property and to permit the additional material that is on the property in excess of the original approval. The Township’s Site Alteration Bylaw 2016-41, as amended, requires Council approval for site alteration over 1,000 cubic metres of material.

## **CURRENT SITUATION:**

In addition to the 1,060 additional loads of material the applicants are requesting to import to the site, there was additional material already imported in 2024 to the property above what was permitted in the original site alteration approval.

Below is a breakdown provided by the applicant regarding the 731 loads of material imported to the site to date and the additional material proposed:

| EXISTING  |                    |  |
|---|--------------------|--|
| Material  | Quantity           | Site Alteration Bylaw                            |
| <b>Granular materials (Garage, basement, carport)</b>                   | 50 loads           | Up to 50 loads exempt                            |
| <b>Topsoil</b>  | 120 loads          | 100 loads exempt                                 |
| <b>Clean Rubble for driveway in rear property</b>                       | 108 loads          | Not exempt                                       |
| <b>Other Fill Material</b>  | 581 loads          | Not Exempt – 462 loads of which approved in 2024 |
| <b>Total Existing</b>   | <b>731 loads</b>   | <b>119 loads not exempted over approval</b>      |
| ADDITIONAL PROPOSED   |                    |  |
| <b>Fill Material for rear yard</b>                                      | 952 loads          | Not Exempt                                       |
| <b>Fill Material for grading around dwelling and berm in front yard</b> | 300 loads          | Not Exempt                                       |
| <b>Total Additional Proposed</b>  | <b>1,252 loads</b> |  |
| <b>Grand Total</b>  | <b>1,983 loads</b> |  |

Administration has also evaluated the condition of Grassie Road and Young Street to determine if there was any impacts to the Township's road as a result of the fill importation. Administration notes that following the road inspection, there did not appear to be any damage to the road, and as no further importation of fill is being supported, the \$7,000 road damage deposit is no longer necessary. Issues with the entrance that was installed have been noted and the Township is holding security for that work until the entrance is repaired to the satisfaction of the Township.

The Township CBO and Septic Inspector have also both attended the property and report that there is enough fill and topsoil material distributed on the property to utilize for grading around the dwelling and over the septic bed.

Administration is only recommending that the 119 additional loads already brought on the property be permitted. In order to ensure that the property grading is satisfactory to the Township, Administration is requiring as condition of the site alteration permit a new grading and erosion control plan, as well as a \$10,000 security to ensure the site is properly graded according to the new grading plan and the balance of the site alteration fee. As a condition of approval, this site alteration agreement will be required to be signed within 10 business days of Council approval. The site alteration agreement can be found in Schedule D to this report.

## FINANCIAL IMPLICATIONS:

Failure to comply with the Township's site alteration bylaw could lead to Administrative Monetary Penalties against the landowners until compliance is achieved.

Under the Township's Site Alteration Bylaw, there are no mechanisms to appeal Council's decision and therefore are no potential appeal related costs.

The applicants provided to the Township a site alteration fee of \$1,084.00 in December of 2024. However, as per the Township's Consolidated User Fees and Charges by-law, since site alteration occurred beyond the permitted approval, with additional fill hauled to the site before Township approval was granted, the fee is doubled and the applicants are required to submit an additional \$1,084.00.

#### **INTER-DEPARTMENTAL COMMENTS:**

##### **West Lincoln Building & Septic**

Building and Septic have attended the site and have provided comments that it would appear that there is sufficient material on-site to complete the grading work required for the house and septic system.

##### **West Lincoln Engineering**

An entrance permit is required for alterations done to one of the entrances on Grassie Road, as well as a final inspection on another new entrance that did obtain a permit. The truck haul route is acceptable to the Township, however, there are load restrictions in place. Silt fencing and erosion controls are also required to be in place on the property. Please see the full comments found in Schedule B.

##### **Niagara Peninsula Conservation Authority (NPCA)**

The NPCA has provided comments indicating that they do not have regulated lands on the subject property and therefore they have no objections.

##### **Region of Niagara**

No comments have been received from the Region of Niagara at the time of writing this report.

#### **PUBLIC COMMENTS**

Prior to the Public Meeting, the Township received eleven written submissions from nearby residents which can be found in Schedule B. During the public meeting seven members of the public also provided oral submissions to Committee. A petition from the neighbourhood was also received by the Township in opposition to the application.

Members of the public raised several concerns regarding the fill that was already imported to the site as well as concerns over the additional fill proposed. Concerns included increased truck traffic, pedestrian safety, debris on the road, questionable for agricultural

use, oversight of approval, drainage issues, environmental concerns, quality of material being imported and impacts on the neighbourhoods character.

Administration had requested that the applicant provide a response to the concerns raised by residents prior to the preparation of a recommendation report.

### **CONCLUSION:**

Based on the public comments received as part of the public meeting, and that the proposed fill does not appear to be necessary for agricultural purposes on the property, Administration is proposing that the application for additional site alteration and importation of fill be denied. Administration is recommending that the additional 119 loads over the original site alteration approval that is already on the property be approved, subject to: a new site alteration agreement requiring the owner to provide a new grading plan including sediment and erosion controls, vegetation planting, a security deposit for the on-site works of \$10,000, and additional alteration fee, prior to permit issuance.

### **SCHEDULES:**

- A. Proposed Grading Plan
- B. Public and Agency Comments
- C. Meritec Engineering Response to Public Comments
- D. Site Alteration Agreement Authorizing Bylaw
- E. Draft Site Alteration Agreement as condition of Approval

**Prepared & Submitted by:**

**Approved by:**

**Gerrit Boerema**  
**Director of Growth and Sustainability**

**Truper McBride**  
**CAO**