

THE CORPORATION OF THE TOWNSHIP OF HORTON

**PLANNING COMMITTEE**

January 20, 2010

There was a meeting of the Planning Committee held in the Municipal Council Chambers, Wednesday January 20, 2010. Present were Chair Dave Bennett, Bob Lockwood, Jim Ferguson, John Berkhout, John Wilson, Councillor Don Eady, Deputy Mayor Bob Hall and Mayor Robert A. Johnston. Absent were Mae Craig and Councillor Bob Kingsbury on vacation.

1. CALL TO ORDER

Chair Bennett called the meeting to order at 4.30 p.m.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by members of the Committee.

3. MINUTES OF: NOVEMBER 24, 2009 COMPREHENSIVE ZONING BY-LAW REVIEW MEETING

DECEMBER 15, 2009 COMMITTEE MEETING MINUTES

Chair Bennett presented the Minutes of the November 24 meeting for discussion. The CAO/Clerk pointed out that two changes have been made to the draft that the Committee received in their package. The changes have now been incorporated into the final document.

The changes were: No 9 on page 5 – was missing a section number, that has now been received from the County Planner and in section 3.2(7) and at the end of page 8 No 15. Planning Committee statement was changed to read Planning Committee agreed that the “Karst Area rock be identified with ...

Johns Wilson referred to the December 15 Committee meeting Minutes, page 3, end of paragraph 3, suggested that we move the last two words “they wished” from the statement. He was not suggesting that it was an option

4. BUSINESS ARISING

There was no business arising brought forward by Committee Members.

5. DELEGATIONS

4:35 Harold Deacon

Mr Deacon was present to express concerns with the July 1, 2010 deadline to have all the works completed. He informed the Committee that he has plans and resources in place to complete the front work along Castleford Road, which includes his entrance, planting trees, completing the compound in early Spring. However, he requested more time for the back of property which would require more fill and gravel. He noted that he is further along his development than appears from the road and suggested that Committee Members drop in and look at the property.

Chair Bennett said the Township was clear on the July 1, 2010 deadline, he noted that this is the third or fourth deadline extension. He noted that there was a vote of Council on the Planning recommendation for the deadline of July 1, 2010, which was turned down. This motion is being revisited at the next meeting, so Mr Deacon should gear himself for the July 1 deadline, no leaway. He added that there is no support to go beyond this deadline.

Mr Deacon expressed concern that he does not have the resources to complete the back of the property before the July deadline. Chair Bennett suggested that he figure out what he needs to complete after July 1 and

come back with a decision on what has to be done. A decision will be made on whether he is allowed to continue or not and if he is what security amount will be required. He added that there is no promise that security would be an option to allow work after July 1, 2010.

John Wilson suggested Mr Deacon work on the front to get the work completed that could possible save \$3,000 security. The work on the back could possibly save \$2,000 security.

Chair Bennett asked what the problem was in getting the works completed by July 1, 2010.

Mr Deacon said he needs more fill in the back.

Mayor Johnston informed Mr Deacon that the bottom line is he will not support any extension that would not be fair with other decisions the Township has made with previous developers.

Councillor Eady stated he supported the July extension as the best was to complete the project but he will not vote for a further extension.

Chair Bennett then invited Mr Deacon to come back to the next Committee meeting with a list of deadline dates and a statement indicating his willingness to put security forward for the back property. The Committee will then decide if a further extension will happen. He does not want to wait until close to the July deadline before you come forward.

6. CORRESPONDENCE

Valley Video Professions – “Market Horton Township”

It was suggested that this be a council topic rather than a Planning topic.

Richards Appeal to Jackson Toyota Zoning By-law

The Committee received a copy of the Appeal that was received prior to the December 22, 2009 deadline. The CAO/Clerk noted that the Hearing is scheduled for March 10, 11 & 12, 2010.

7. CONSENTS

B180/09 to 184/09 6772447 Canada Inc (Tom Orr)

The Committee reviewed five severance applications for this development. The five severances will precede a Plan of Subdivision for the rest of the water front property and access will be through a private road. After discussion.

Moved by John Berkhout, second by John Wilson

That Planning Committee recommend to Council that they support the approval of consent applications B180/09, B181/09, B182/0, B183/09 & B184/09 subject to the following conditions:

1. Plan of Survey
2. Payment of lot development charge in the amount of \$3,122 per lot
3. Enter into a private road agreement for construction and maintenance of the private access road, and
4. Clearance letter received from the Ministry of Culture on archaeological review.

**Carried.**

8. MACMILLAN GRAVEL PIT SITE PLAN – COMMENTS ON TREE PLANTING REQUIREMENTS

Chair Bennett informed the Committee that we have received a request from Steve Pentz of Novatech Engineering & Planning in Ottawa, who acts for Nesbitt Aggregates on the Amendment of the MacMillan Pit Site Plan. The letter requests reconsideration of the requirement for six foot high trees in front of the berm. Mr Pentz points out the only area of the Site Plan that is open for consideration at this point is the area where the 30 metre setback has been reduced

to a 15 metre setback, a stretch of 80 metres along Lochwinnoch and 150 metres along Thomson Road. The rest of the Site Plan Agreement is not open and they will have two to three year old trees that will be planted along there.

Deputy Mayor Hall said he supported using the smaller trees which was the original approval, providing the owner backfills the trees that do not survive each year. Councillor Eady accepts the shorter trees as long as the berm is built that it can be groomed.

John Wilson said that it is a standard that we want to establish. The berm will be closer now than it would have been because of the 15 metre setback reduction, and he agrees that there should be taller trees.

Following discussion the following resolution was put forward.

Moved by Robert A Johnston, seconded by Bob Hall

That Planning Committee recommend to Council that they withdraw their request to have six foot high trees, minimum height, planted in the first row of trees to berm the MacMillan Gravel Pit.

**Carried on division**

**Opposed Councillor Don Eady**  
**Opposed John Wilson**

9. CONNOR- PURDON ROAD CONVEYANCE OPTIONS

The CAO/Clerk reviewed the last ten to twelve years of the file trying to convey property on a former road allowance that was closed in 1859 for Pat Connor and Lorraine Purdon. A recent attempt to complete the file was made in November 2009 and there was opposition from one of the neighbours concerning who should own one of the parcels of land.

The CAO/Clerk reported that three options have been suggested by our solicitor Janet Bradley:

1. divide the contentious parcel, being part 5, into two equal strips and deed half the property to the Smart/Murphy property and half to Connor.
2. retain ownership of part 5, as we do now, and enter into an agreement with Connor, Purdon and Smart/Murphy for use of the property, and
3. proceed and transfer the title as originally planned.

After discussion:

Moved by Bob Lockwood, seconded by John Wilson

Planning Committee recommend to Council that they accept option No 2 to keep Part 5 as Township property as the solution to the issue keeping the Connor-Purdon conveyance from happening.

**Carried on division**

**Opposed Robert A. Johnston**

10. OTHER BUSINESS

Fill Vacant Member(s)

Chair Bennett noted that we have lost two members in 2009, one by death and one by retirement and asked how we fill the positions. It was also discussed that at the time we increased by Committee Members by two we were only looking for one member but two people applied and we made the Committee larger. Is this what we want? Following discussion on whether to advertise or just to approach people, the following resolution was put forward.

Moved by Jim Ferguson, seconded by John Berkhout

That Planning Committee agrees to advertise to fill the one position that is vacant on the Horton Township Planning Committee. Applicants to submit a resume and qualifications to sit as a Planning Committee member.

**Carried.**

Following this resolution the Committee recessed for a supper break at 5:53 p.m. and returned to the meeting at 6:59 p.m. with the same members present.

PUBLIC MEETING – BOX GRAIN ELEVATORS  
Noise and Development Concerns

11. CALL TO ORDER

Mayor Johnston chaired this Public Meeting and called the meeting to order at 7:00 p.m.

12. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by Members of the Committee.

BOX GRAIN ELEVATORS – JAMIE BOX PRESENTATION ON BUSINESS PLAN

Jamie Box came forward and informed the Committee and the approximately thirty people present that he is the only licensed grain elevator in Renfrew County at this time. They bring in three agricultural products during the year, wheat from local farmers mid-August to the end of September. They bring in soy beans over September and October and they bring in grain corn usually Thanksgiving to mid-November. Ninety percent of the time wheat and soy beans do not need drying, however, this year being a wet summer 85% of the product did need drying. Normally 95% of the corn needs to be dried. The industry estimates that there is 15% of the corn standing in fields across the Province, due to delayed harvest.

Normally the harvest is over by the second week of December. Producers can store grain with him or can sell it to him. He noted that most the corn will go the new Ethanol Plant in Cardinal, Ontario. Ninety percent of the soy beans go to an overseas market, although some do go to a market in Hamilton. The harvest is dependant on nice weather, so will operate its drier and fans during the harvest cycle.

13. PUBLIC PARTICIPATION

(a) Questions from the Public

Susan McDonald, resident of Pleasantview Park, discussed the need for fans running at night with Mr Box.

Terry Latendresse of Gillan Road asked if there was a need for fans to run 24/7 August through December?

Jamie Box said “no”. 24/7 is for the corn season which is later. Wheat and soy bean are harvested in the day time between when the dew dries and when the dew comes back at night, where corn can be harvested twenty four hours a day. Terry said the concern is the annoying hum, if the pitch changed from time to time it would help. Could it not be muffled?

Jamie Box said there are plans to put a shelter or building over the fans, hoping that this would protect the neighbourhood from the noise. He has done this with one of the fans at this point in time, and it helps.

Peter Veldman of Pleasant View Park said there is not only noise what about the smell? This week with the wind coming from the west he got some odour but he had no problem with it.

Bruce Golden, Ferguson Road, said that when the plant was built many years ago for dehydration of alfalfa, smell and noise were an issue, this is not the case today with this operation. He noted that there were different silos there – are they both used for drying?

Jamie Box said one tower is for drying and one tower is for storage. He said the narrow tall unit is the drier others are storage only. He added that

a drier year weather-wise would mean the corn comes in with less moisture, takes less time to dry which means less noise.

b) Comments in Support

The CAO/Clerk read two letters which were received one from the Renfrew Farm Commodity Marketing Group, which was presented earlier in the day and during this meeting tonight faxed signatures were received from eight people, who could not attend the meeting. And a letter was received from Linda Michaud of Pleasant View Park.

Harry Vibe Pleasant View Park said he supported the Commodity Group letter, he is aware of noise from time to time but nothing compared to snowmobiles going by at 2:00 am waking him up from sleep. He supports the development.

Peter Veldman said he supported Mr Vibe's comments.

Jim MacFarlane, Early Road, said he work at Box Elevators, he has worked at nosier places than this and the Township needs the tax dollars this will generate.

Ian McGregor of Lochwinnoch in MacNab/Braeside Township said he is in favour of the operation as it gives him another option to sell his product.

Peter Tippins, Humphries Road, supports Ian McGregor's comments.

Peter Gahan, Lavallee Road, supports an elevator in Renfrew County and the location is good.

Kim David informed the Committee she works at the Box Grain Elevator and she is in favour of companies who bring jobs to the Community.

Andy Kluge, Goshen Road, supports this Company as it is an outlet for his grain, as he produces small quantities that can be delivered by wagon rather than a truckload at a time and he can also buy grain to take back to his farm by the wagon load.

Bob Briscoe, Admaston Township, is in favour of the elevator as he shipped his produce to the elevator this year.

Brian Hamilton, Ontario Federation of Agriculture Field Person stated that Renfrew County Economic Development Department did an economic survey on the agriculture community and determined that there was a need in Renfrew County for a grain elevator and Jamie Box took this suggestion and made it happen.

Sandi Box, Admaston-Bromley, commented on the letter received from Ms Michaud that there was mischief at the property before they took over. The OPP had been called and it could have gone further if they had not changed the use and occupied the property.

(c) Comments in Opposition

Terry Latendresse noted that there are all farmers here to support this endeavour, he supports the farmers and need for an elevator, the issue however is noise. Control the noise and he has no problem. He is concerned that his property value could decrease if he had to sell his property due to the noise. He believes that there should be some room to accommodate the noise. Snowmobiles do not bother him, even though he lives beside the snowmobile trail. He has no noise in the house but open a window or go outside and you do. He has no problem with tractors and truck hauling the grain to the elevators.

Susan McDonald, Pleasant View Park, said she called the Municipal Office and got no response, so assumed that no one was listening to her. She asked not to be made out as a bad person. She is all for farmers selling their grain at this property. She is up early every morning, takes her dog out and the constant noise has the dog staring in the direction of the noise and as an early riser she likes to hear nature and hear owls or

coyotes. She noted that the fan has not been turned on recently and added that if these farmers lived in the area they would not want to live beside it, including Mr Box.

Terry Latendresse noted that there was an improvement after the noise first started up but there is this annoying hum.

Sam Harper said the plant has been there for many years, it was there before the residents of Pleasant View Park arrived, he has lived in the area for over thirty years, half a mile away and not heard the noise but is concerned with transport trucks on Highway 17 using their jake brakes. He noted that the people must have noticed the plant's existence before they moved into Pleasant View Park.

There were no further comments.

14. COMMITTEE MEMBERS COMMENTS

Dave Bennett noted that the biggest concern coming out of this meeting is noise. He has heard that everyone is in favour of the elevator except for the noise. The Committee's job is to make the situation suitable for everyone. The Township needs to speak with the owner to resolve the issue and to get a decibel level that everyone can live with.

Don Eady noted that shortly after startup he and one neighbour listened to the loud noise from a fan rather than a dryer. He spoke with Mr Box the next day and he did something to reduce the noise. He also noted that Mr Box said he would insulate the fans. He added that this company has just started up, there are obviously some bugs to work through, it will take a little time for this to happen.

Bob Hall thanked everyone for coming and telling us their concerns. It is a start up company with some problems to work out. He asked the neighbours to give them a chance to work these details out.

John Wilson asked if the Township could put a clause in the Site Plan on noise so the Township could enforce noise levels.

John Berkhout sympathized with the noise factor which can be resolved. He said the owner is a concerned owner who will work through these issues.

Jim Ferguson noted that the farm community is behind this enterprise so they should have some part in the solution and believes that Mr Box will resolve the issue.

Dave Bennett requested that people continue to call if they have concerns, if they do not get a response call again, to let the elected officials know.

Mayor Johnston thanked everyone for attending and informing the Planning Committee of their concerns.

The Committee recessed at 7:45 p.m. and returned at 7:55 p.m., the same members present.

15. BOX GRAIN ELEVATORS - SITE PLAN AGREEMENT DISCUSSIONS

Chair Bennett informed the Committee that they have just received a copy of the draft Box Grain Elevator Site Plan Agreement as has Mr Box. He suggested that for this meeting tonight that they concentrate on discussing Section No 9.

Bob Lockwood said that he does not believe that the Township should be involved in policing noise.

Chair Bennett said that the Township has the responsibility of looking after all residents to find the middle of the road. If we can address noise to keep unison we should do so.

John Berkhout said that we could add noise to the issue of lighting under 9(d) by adding a noise abatement clause.

John Wilson said that a clause for noise would site mostly Ministry standards that they would have to meet.

Mayor Johnston asked if Greater Madawaska included a noise level requirement in their race track site plan. The CAO/Clerk was asked to find this out.

Jamie Box noted that he took a decibel meter test of his property yesterday, and as he walked around the site the noise level was below the limits. He said he is aware that this is a problem which he will resolve it over the summer construction season.

Deputy Mayor Hall said that under 9(d) that the Township should not be in control of the lighting as it could be changed at the whim of a future Council. We need to change this clause specifically referring the words "as an opinion of the Township".

Chair Bennett asked Mr Box if the noise is coming from the fan motor or from the movement of air? Mr Box said it is coming from the fan motor.

Bob Lockwood added that we should not make noise levels lower than the Ministry standards.

John Berkhout said that Mr Box made a good presentation earlier this evening describing the time of year when there will be noise.

Jim Ferguson asked if the operation is more drying than storage. Jamie Box said the business is more storage.

The CAO/Clerk was asked to review the Zoning By-law to determine the number of parking spaces under item 9 (c).

Under 9(d) Bob Lockwood asked if the Township could require MTO guidelines for lighting to be standard in the Site Plan Agreement.

The CAO/Clerk was asked to get copies of other documents from neighbouring municipalities for examples.

At 9(h) Jamie Box was asked to have the person preparing the Site Plan to note the elevations to show the drainage flows.

Section 11 – Timing of the Works to be Completed by – he was asked to look down the road one or two years to see what he needs for changes to the property and to include than on his drawing.

Section 12 – Security – it was noted that the security required is \$5,000.

The CAO/Clerk asked about storage of herbicides which he plans to retail. Mr Box said they are in a separate building that is surrounded by a concrete dyke to prevent spillage into the ground water table.

Chair Bennett suggested that he ask the Fire Chief to come out for an inspection of the property. Chair Bennett noted that there are several wording changes and Ministry details to work through, Mr Box should review the document as well, hopefully to finalize the document at the next Committee Meeting.

16. NEXT MEETING

The next meeting will be Tuesday February 16, 2010 at 4:30 p.m.

17. CONFIRMING RESOLUTON

Moved by Jim Ferguson, seconded by John Berkhout

That the Committee pass this confirming resolution to cover any actions or directions given during the open portion of this Committee Meeting which are minor in nature and which were not set out in By-law or Resolution.

**Carried.**

18. ADJOURNMENT

Moved by John Wilson, seconded by Bob Lockwood

That this Committee Meeting be adjourned at 8:25 p.m.

**Carried.**

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Chair

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CAO/Clerk

