

THE CORPORATION OF THE TOWNSHIP OF HORTON

PLANNING COMMITTEE MEETING – OCTOBER 14, 2014

There was a Planning Committee meeting held in the Municipal Council Chambers on Tuesday, October 14, 2014. Present were Committee Members: Chair Bob Kingsbury, Mayor Don Eady, Councillor Glen Campbell, Councillor Jamey Larone, Councillor Margaret Whyte, David Brown, Mae Craig, and Bob Lockwood. Staff: Mackie McLaren, CAO/Clerk and Rose Curley, Administrative Assistant. Absent: John Berkhout, and Jim Ferguson.

1. CALL TO ORDER

Chair Kingsbury called the meeting to order at 4:03 p.m.

2. DECLARATION OF PECUNIARY INTEREST

3. ADDITIONS TO AGENDA AND APPROVE AGENDA

Moved by John Wilson, Seconded by David Brown

That the Planning Committee approves the agenda for the October 14, 2014 Planning Committee meeting.

Carried.

4. MINUTES

4.1 Regular Planning Committee Meeting – Sept. 16, 2014

Committee members reviewed the minutes of the September 16, 2014 Planning committee meeting.

Councillor Larone inquired about the Deacon site plan and gate request. Mackie McLaren said that he has no news to report.

4.2 Committee of Adjustment Public Mtg – Application A02-14 – Sept. 16/14

5. BUSINESS ARISING

6. DELEGATIONS

4:00 p.m. – Tom Jones, Millers Paving Ltd. – Portable Asphalt Plant

Tom Jones, Kevin Arsenault, Jason Roesner, and Glen Martin of Millers Paving Ltd., were present before the Committee to discuss the application by Miller Group Inc. for an Environmental Compliance Approval for a permanent asphalt plant in their Jamieson Pit. Tom Jones was the primary speaker and made reference to the other staff members when necessary for responses to specific questions. Mr. Jones and the Committee reviewed the following items that were sent to the Ministry of the Environment as part of Horton Townships official comments regarding the Miller application.

- **Appendix J – Dispersion Modelling Files – Hours of Operation**, Page 6 sets out that asphalt production is planned to be a 24-7 operation. This does not conform to the Township's Noise By-law 2013-56. Section 3 (m) sets out that no manufacturing of construction material or the operation of any construction equipment shall take place on Sundays and Statutory Holidays and between 8 pm of one day to 6:30 am of the next day. The Township of Horton requests that the application be amended to remove the 24-7 provision for asphalt production and that the asphalt plant be shut down by 6 pm each weekday to ensure all construction, trucks returning, etc. is completed by 8 pm. In order that the neighbours to the pit and the truck routes can enjoy peace and quiet on the weekend, Miller Group is requested to only operate the pit and asphalt plant between 8 am and 1 pm on Saturdays.

The committee discussed Miller's request for a 24-7 provision for asphalt production. Mr. Jones explained that the reason for this request was to expedite their ability to respond in an emergency situation. The Ministry

of Environment's COA would need to reflect this in order for them to be able to exercise production in an emergency situation. However, the Municipal Noise Bylaw would govern the hours of operation and their company would have to request the Township for permission to produce asphalt out of the hours defined in the noise bylaw. In his many years with the company they have rarely had to request an extension. Chair Kingsbury asked if the company could include a clause in their application to reference that the 24-7 hours of operation is for "emergency only" and that the company would conform to the Horton Township by-laws. Mr. Jones agreed.

- **Appendix 5 – Noise Abatement Schedule**

Page 41 of the Hugh Williamson Associates report sets out a number of examples of suitable barriers or berms that could be used to construct the required Barrier 1 and Barrier 2. The Township of Horton objects to the use of shipping containers and tractor trailers as berms. The Township strongly recommends the use of trees for the required noise barriers with a manicured berm in behind the trees.

The committee discussed the berms that are required for Barrier 1 and 2. Mayor Eady said that he dislikes berms as they are never manicured. He has talked to his neighbours and their preference would be trees. Mackie McLaren, CAO/Clerk said that he has received calls from residents in the area of the wash plant and they have said they don't presently have any issues with noise now.

Mr. Jones said that they are fine with using trees. He noted that trees are not considered a noise barrier.

- **Miller Group agrees to use internal roads in the Jamieson Pit and the Kluge Pit to access Whitton Road. The effect of this would be all trucks will enter the pit properties on top of "cemetery hill" on Whitton Road next Gillan Road. This will eliminate the concerns expressed to Municipal Staff by 5 neighbours of the pit that being the noise from trucks on Whitton Road in front of the residences. It would also save on heavy truck wear and tear to the municipal road.**

Alternatively, Miller Group could agree to direct all traffic from Gillan Road to O'Brien Road, which will have the affect all truck traffic accessing and departing Jamieson Pit to use the Renfrew end of Whitton Road.

A third option would be to widen the pavement width on Whitton Road. The 10 foot wide pavement lane is too narrow for two trucks to meet without the wheels driving on the gravel shoulder. The third option would be to add 1.5 feet of asphalt to each side of the paved road. This would require a proper base to be constructed prior to adding the extra width and then one new lift of pavement over the top of the widened pavement to tie it all in at Miller Group's cost.

A fourth option would be to negotiate with the owners of Kluge Pit property, the owners of Lafarge and with MTO to build a haul route out behind the Jamieson pit somewhat parallel with Highway 17 through the back of the Kluge pit, crossing Lafarge and out the former driveway of the Barry McGregor property onto Gillan Road close to the intersection of Highway 17 as set out on the attached aerial photo.

The Township of Horton requests this special consideration from Miller Group. It should be noted that the Township does have the authority under the Highway Traffic Act to post restricted vehicle weight limits on any road under the Township's jurisdiction. However the Township believes that this extreme measure should not be required.

Mr. Jones noted that his company would prefer the O'Brien Road option which is to direct all traffic from Gillan Road to O'Brien Road i.e. all truck traffic accessing and departing Jamieson Pit to use the Renfrew end of Whitton Road.

Mr. Jones noted that the fourth option which is to negotiate with property owners and MTO to build a haul route out behind the Jamieson pit would be very time prohibitive. Also, this and would require a major change to their COA. He could start the process and will copy Mackie McLaren, CAO/Clerk on his correspondence.

Councillor Jamey Larone asked if there is a truck count for Whitton Road??? Mr. Jones replied "no".

Chair Kingsbury said that the Township has concerns about the wear on our roads.

Mae Criag asked if they have to bring product into the plant. Mr. Jones said it depends on the mix.

John Wilson asked if there is any compensation to the Township for wear and tear to their roads. Help with the upkeep of the road would be appreciated.

Mr. Jones said that they put the permanent plant in to have the ability to produce quality materials. He said that Miller's could do a traffic study. Mr. Wilson said that he would like to see this firmed up as traffic use dictates.

Chair Kingsbury said that the Township could put on a weight restriction, but they would prefer not to.

Mayor Eady said that we probably need scratch coat on Whitton Road. Also, there is a bump at the former railway track that should be repaired. This would also help reduce the noise factor.

Mayor Eady said that the neighbours complain about odour. Kevin Arsenault noted that Miller's have implemented "activated charcoal" at their plants and this seems to be working well to reduce odour, which is planned for this plant.

Tom Jones said the Miller's Paving want to be good corporate citizens and if there are problems, they will address them.

John Wilson asked what the next step in the process is. Mackie McLaren, CAO/Clerk said that we will add today's comments to the previous submitted comments and send to the Ministry of the Environment.

4:15 p.m. Linda & Walter Bowes re: Storage of Trailers on residential property

Linda and Walter Bowes were present before the committee to discuss storage of trailers on residential property. They read a letter that they had recently submitted to the Renfrew Mercury. They said that if the Township passes a bylaw they will comply.

4:30 p.m. - Donald Murack/Tony Murack re: Storage of Trailers on residential property

Mackie read two letters that he had received from Mr. Donald Murack who owns the property that Mr. and Mrs. Bowes are currently renting. The first letter authorizes his father, Tony Murack to speak on his behalf. The second letter asks that Council leave the property standards bylaw as it is. He said he is concerned about losing really good tenants, who rented from him because the property was the ideal place for the family trailer for their family functions. He is concerned that if we change the requirements for trailers it will start a flood of requests such as telling people who burn with wood to pile in a certain place, etc.

Also present in the audience were Brian Teske, Jeff Taylor, Linda and Walter Bowes.

Councillor Larone noted that the Bowes have been there for 4 years. The trailers are in good shape and gone most of the summer.

The Bowes said that they have 3 trailers there, one is theirs, one is their son's and one is her brother's. They have tried changing parking locations to help with the neighbour's complaints but this wasn't sufficient.

Councillor Whyte said that unless it is against property standards, she doesn't have a problem.

Mae Craig said that we shouldn't tell property owners where they can place stuff on their property.

Councillor Campbell said that the ability to park their trailers there is what drew the tenants to that property.

Mackie MacLaren read comments that he has received from Cotieville residents who are in support of leaving the property standards bylaw as it is in regards to storage of trailers.

Bob Lockwood said that he did a visit to Cotieville and viewed the property in question. He feels that Cotieville for the most part is a tidy community. He feels that they are entitled to parking their trailers there. However, at some point we need restrictions, perhaps next year when the Committee reviews the bylaw we could consider adding restrictions.

Councillor Larone said that Mr. McLaren had researched other municipalities in this area and they do not have any restrictions in their property standards bylaw applying to the storage of trailers that are in good condition.

Chair Kingsbury noted that if there are concerns next year, these can be addressed during the annual review of the property standards bylaw.

John Wilson said that we need to look at zoning and assure that property owners are in compliance.

Moved by Mae Craig, Seconded by Bob Lockwood

THAT the Planning Committee agrees to consider restrictions to property use in the urban areas of Horton Township when the Committee carries out its review of the Property Standards Bylaw, if further property issues are brought forward.

Discussion:

Mayor Eady said that we should leave the bylaw alone. If something else comes up the Council of the day can deal with it at that time.

Mae Craig said if people are compatible with Property Standards, she doesn't see the point of re-opening the bylaw.

Chair Kingsbury requested a recorded vote.

For: Bob Kingsbury, David Brown, John Wilson, Mae Craig
Opposed: Don Eady, Jamey Larone, Margaret Whyte, Glen Campbell, Bob Lockwood

MOTION LOST

7. REPORTS

7.1 Staff Report re: RV Trailers Stored on Residential Property

This was discussed above.

8. CONSENT APPLICATIONS:

8.1 Consent App. No. B134/14 - Kevin & Veronica Dick

The Committee reviewed Consent Application No. B134/14 – Kevin & Veronica Dick.

Chair Kingsbury said he was concerned about frontage requirements.

Mackie McLaren, CAO/Clerk said he was concerned about the road requirements. He has just requested Janet Collins, Public Works Manager to provide a report. Should we defer the application until we receive this report.

Moved by John Wilson, Seconded by Glen Campbell

That the Planning Committee defer Consent Application No. B134/14 – Kevin & Veronica Dick until the report is received from the Public Works Manager.

Carried.

8.2 Consent App. No. B106/14 - Peter & Glenda Tippins

The Planning Committee reviewed Consent App. No. B106/14- Peter & Glenda Tippins. Mackie McLaren, CAO/Clerk said that karst issues were identified by the County Planning Department. He sent a letter to the County regarding what was done for a previous consent application but hasn't heard back from them.

Moved by Margaret Whyte, Seconded by Bob Lockwood

THAT the Planning Committee recommends to Council that they support Consent Application B106/14 to permit Peter and Glenda Tippins to sever .05 ha from their property in Lot 6 Concession 5 subject to the following conditions:

- That the County Planning Department accepts that karst test has been satisfactorily completed
- Lot Development charge
- Meets MDS requirements

Carried.

9. CROZIER SUBDIVISION

9.1 Notes on Crozier Subdivision Engineers Meeting – Sept. 19, 2014

The Planning Committee reviewed the notes from the Crozier Subdivision Engineers' meeting held on September 19, 2014.

9.2 Public Works Manager Report – Crozier Subdivision – Canada Post

The Planning Committee reviewed the report the above report. After discussion the following resolution was put forward.

Moved by Mae Craig, Seconded by Bob Lockwood

That the Planning Committee recommends that Council enters into an agreement with Canada Post which sets out the future location and maintenance of group mail boxes in the Township.

9.3 Public Works Manager Report – Crozier Subdivision – Street Lights

The Committee reviewed the above report. After discussion the following resolution was put forward.

Moved by Mae Craig, Seconded by John Wilson

That the Planning Committee recommends to Council that the Crozier Subdivision have LED street lights installed at the intersection of Street "A" and Storyland Road and where the mailbox is located.

Further, the Planning Committee recommends each owner install and maintain lawn lamps on their property to be located near the street intersection.

Carried.

9.4 Memo re: Crozier Subdivision from Tim Wilkie, Peer Engineer, Stantec

The memo was for information only.

10. CORRESPONDENCE:

- 10.1 Letter - Ambrose Burchat regarding support/non-support of zoning amendment application for contractor's yard in Cotieville

The Committee reviewed the above correspondence. The Committee requested that Mackie McLaren, CAO/Clerk contact Jeff Taylor to request that he submits his site plan by the November 12, 2014 Planning Committee meeting.

- 10.2 Brantford Expositor's news article re: OFA urges getting tougher on trespassers

The Committee reviewed the above correspondence.

- 10.3 AMO - on-line Course – Land Use Planning

The Committee reviewed the above correspondence.

11. OTHER BUSINESS

Mayor Eady informed the committee that he has been in contact to the new owners of Storyland and that they will be making arrangements to come to a future Planning Committee to provide an overview of their plans for the property.

12. NEXT MEETING

The next Planning Committee Meeting will be held on Wednesday, November 12, 2014 at 4:00 p.m.

13. ADJOURNMENT

Moved by John Wilson, Seconded by Glen Campbell

That the Planning Committee Meeting of October 14, 2014 be adjourned at 6:13 p.m.

CHAIR

SECRETARY