

**TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING - MINUTES
MONDAY, NOVEMBER 9, 2015 AT 7:00 P.M.**

The Public Meeting was held at the Municipal Office Council Chambers, Kenilworth to consider a Zoning Amendment application.

Present:

**Mayor: Andy Lennox
Councillors: Sherry Burke
Steve McCabe
Dan Yake**

Also Present:

**C.A.O./Deputy Clerk: Michael Givens
Clerk: Karren Wallace
Treasurer: Paul Dowber
Executive Assistant: Cathy Conrad
Director of Public Works: Matthew Aston
Chief Building Official: Darren Jones**

Mayor Lennox called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

OWNER/APPLICANT: Douglas, Peter, Scott and Edwin Reeves

The Property Subject to the Proposed Amendment is described as Pt. Lot 9, Concession 6, with a municipal address of 7444 Side Road 5 East, former Township of Arthur. The land subject to the amendment is 69.5 acres in size.

The Purpose and Effect of the Proposed Amendment is to rezone the subject lands to permit recycling of used asphalt and concrete, and mixing it with aggregate extracted on site. The property is currently a provincially approved pit (License 5645) and already zoned Extractive Industrial (EI). The recycling proposal is intended to be an additional and complementary use to the aggregate pit. The rezoning will also correct the current zone boundaries to make them consistent with the license boundaries.

Please note – Section 34 (12) of the Planning Act.

(12) Information. – At a meeting under subsection (12), the council shall ensure that information is made available to the public regarding the power of the Municipal Board under subsection (14.1) to dismiss an appeal if an appellant has not provided the council with oral submissions at a public meeting or written submissions before a By-law is passed.

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Notice for this public meeting was sent to property owners within 120 m of the subject property and required agencies and posted on the property on October 16, 2015 pursuant to the legislation.

PRESENTATIONS

Mark Van Patter, Manager of Planning and Environment, reviewed his comments dated November 3, 2015.

The rezoning would permit the additional use of recycling of asphalt and concrete in a small existing gravel pit. The material would be blended with sand and gravel. The Ministry of Natural Resources and Forestry will require a site plan amendment to the license, with specific regulations that have to be followed by the owner. Mr. Van Patter did not have any concerns with this application.

The subject property is described as Part Lot 9, Concession 6, Geographic Township of Arthur with a municipal address of 7444 Sideroad 5 East. The property is about 69.5 acres in size.

The purpose and effect of the proposed amendment is to rezone the subject lands to permit recycling of used asphalt and concrete, and mixing it with aggregate extracted from the existing pit. Approximately 24 acres of the property is currently zoned Extractive Industrial (EI) with a provincially approved license. The recycling proposal is intended to be an additional and complementary use. The rezoning will also make minor changes to the current zone boundaries, to make them consistent with the license boundaries.

The application indicates that the pit has been present for about 35 years. License # 5645 permits up to 40,000 tonnes of gravel to be removed per year.

In July of this year, the Ministry of Natural Resources and Forests (MNRF) issued an amendment to Reeves pit license to allow for the recycling of asphalt and/or concrete material. Chief Building Official Jones and I determined that recycling is not a permitted use in the Extractive Industrial zone in the Wellington North Zoning By-law. I notified MNRF of this and Reeves Construction has since applied for this rezoning.

In order to provide for the recycling, the MNRF will place the following requirements on the pit site plan:

- 1. Recycling of asphalt and concrete will be permitted on this site.*
- 2. Recyclable asphalt materials will not be stockpiled within:*
 - *30m of any water body or man-made pond; or*
 - *2 m of the surface of the established water table.*

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3. *Any rebar and other structural metal must be removed from the recycled material during processing and placed in a designated scrap pile on site which will be removed on an on-going basis.*
4. *Removal of recycled aggregate is to be ongoing.*
5. *Once the aggregate on site has been depleted there will be no further importation of recyclable materials permitted.*
6. *Once final rehabilitation has been completed and approved in accordance with the site plan, all recycling operations must cease.”*

Section 2.5.2.3 of the Provincial Policy Statement encourages recycling - “*mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, whenever feasible.*”

The subject property is located within the PRIME AGRICULTURAL designation of the Wellington County Official Plan. Section 6.6.4 (c) of the Official Plan permits ancillary uses such as ...stockpiling and blending of aggregates with such materials as ...recycled road material.

Under the Wellington North Township Zoning By-law the western portion of the subject property is zoned Extractive Industrial (EI). The rest of the property is zoned Agricultural (A).

The area zoned EI is also licensed for a gravel pit by the Ministry of Natural Resources and Forestry (MNRF) [License 5645].

PLANNING CONSIDERATIONS:

Recycling Use

The province encourages the recycling of aggregate materials. It makes sense, rather than going to landfills. There have been some concerns with the potential for hazardous materials entering a site. However, this is regulated by the MNRF. In the current application, I don't have any concerns with this, given the small scale and the distance away from large urban centres.

Compatibility with Neighbours

The closest dwelling is at 9307 Concession 6 N, to the west about 390 metres from the pit. Spring Valley Mobile Home Park is about 410 metres to the southeast. The recycling of asphalt and/or concrete will result in only a minor increase of activity on the site. The additional impacts on any neighbours should be negligible.

Proposed Extraction Increase – 40,000 to 80,000 Tonnes / Year

It is my understanding that the owner has applied for a major amendment to the MNRF license, to increase the tonnage up to 80,000 tonnes per year. I would consider this as separate and unrelated to the current rezoning. The Township will have a chance to comment to the MNRF on the tonnage increase at a later date, when notice is given.

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REVIEW OF CORRESPONDENCE RECEIVED BY THE TOWNSHIP

- Candace Hamm, Environmental Planning Coordinator, SVCA, dated November 2, 2015
 - Proposed amendment is acceptable.

BY-LAW

The by-law will be considered at a regular council meeting at a later date. Persons wishing notice of the passing of the By-law must submit a written request.

MAYOR OPENS FLOOR FOR ANY QUESTIONS/COMMENTS

The Applicants were present to answer any questions regarding this application.

Cliff Booi, 9592 Concession 4 North, inquired about the new boundaries of the extraction area; will the addition of asphalt recycling extend the life of the pit; could a sunset clause regarding rehabilitation be included as there will be no incentive to remove the licence and the pit can continue to operate as a processing facility and questioned the need for aggregate. Mr. Booi stated that the Ministry of Natural Resources does not require removal of the licence. This land has been zoned extractive for 35 years and asked if limiting the pit to another 35 years would be reasonable.

Mr. Van Patter stated that it is a minor revision to the extraction area to make it the same as the 24 acre area zoned Extractive Industrial. The discrepancy is half an acre. It is a small pit with a license that permits up to 40,000 tonnes of gravel to be removed per year. Extraction will continue until the gravel runs out. Mr. Van Patter was not supportive of a sunset clause as it may not be legal. The Provincial Policy Statement does not require need for aggregate to be demonstrated.

John Northcote, Wellington North resident asked if there was a total limit for the pit and if the asphalt recycling will be included in the tonnes the pit is licenced for. Could gravel become secondary and will there be a limit on asphalt recycling.

Mr Van Patter explained that there is not a total limit for the pit. It is licenced for 40,000 tonnes per year. The asphalt recycling will not be included in the 40,000 tonnes.

COMMENTS/QUESTIONS FROM COUNCIL

No comments or questions from Council.

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ADJOURNMENT

RESOLUTION 11

Moved by: Councillor Yake

Seconded by: Councillor Burke

THAT the Public Meeting of November 9, 2015 be adjourned at 7:16 p.m.

CARRIED

CLERK

MAYOR