



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

Public Meeting

Monday, November 9, 2015 at 7:00 p.m.

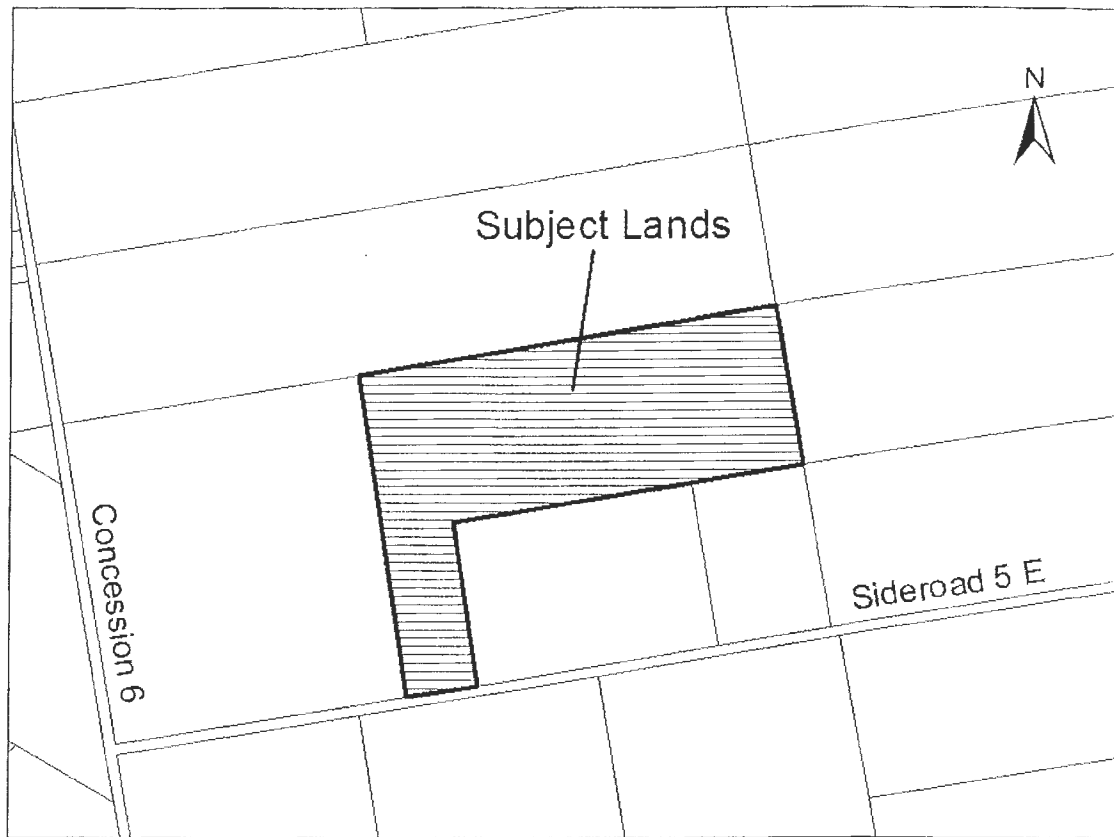
Municipal Office Council Chambers, Kenilworth

AGENDA

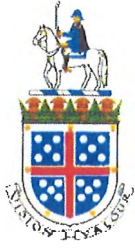
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AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Douglas, Peter, Scott and Edwin Reeves</p> <p>The Property Subject to the Proposed Amendment is described as Pt. Lot 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 and its location is shown on the map attached.</p> <p>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.</p> <p>Please note – Section 34 (12) of the Planning Act.</p> <p>(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.</p> <p>1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on October 16, 2015.</p>	1

AGENDA ITEM	PAGE NO.
2. Presentations by: <ul style="list-style-type: none">- Mark Van Patter, Senior Planner- See attached comments and draft by-law.	2
3. Review of Correspondence received by the Township: <ul style="list-style-type: none">- Candace Hamm, Environmental Planning Coordinator, SVCA- Proposed amendment is acceptable..	9
4. The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the By-law must submit a written request.	
5. Mayor opens floor for any questions/comments.	
6. Comments/questions from Council.	
7. Adjournment.	



Owners/Applicant: Douglas, Peter, Scott and Edwin Reeves



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

November 3, 2015

Darren Jones, Building Official
Township of Wellington North
7490 Sideroad 7 W
Kennilworth, ON N0G 2E0

Dear Mr. Jones:

**Re: Recycling of Asphalt / Cement – Reeves Construction Gravel Pit
Pt. Lot 9, Concession 6, Arthur – 7444 Side Road 5 East
Zoning By-law Amendment**

PLANNING OPINION

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. I don't have any concerns with this application.

SUBJECT LAND

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.

PURPOSE AND EFFECT

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.



BACKGROUND

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.*
- 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.”*

PROVINCIAL POLICY STATEMENT (PPS)

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

WELLINGTON COUNTY OFFICIAL PLAN

The subject property is located within the PRIME AGRICULTURAL designation of the 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.

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).

MNRF PIT LICENSE

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.

DRAFT ZONING BY-LAW AMENDMENT

I have attached a draft zoning by-law amendment for Council's review. The pit license area is to be zoned Extractive Industrial Exception (EI-176) to permit the additional use of recycling.

I trust that these comments will be of assistance to Council in their consideration of this matter.

Sincerely,



Mark Van Patter, RPP, MCIP
Manager of Planning and Environment

C: Reeves Construction
Seana Richardson, MNRF

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
BY-LAW NUMBER _____.

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01;

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Pt. Lot 9, Concession 6, geographic Township of Arthur, as shown on Schedule "A" attached to and forming part of this By-law, from Extractive Industrial (EI) to **Extractive Industrial Exception (EI-176)**.
2. THAT Section 33, Exception Zone, is amended by the inclusion of the following new exception:

EI-176	In addition to the uses permitted in the Extractive Industrial
Lot 9	zone, the following additional use shall be permitted within
Conc. 6	the EI-176 zone: recycling of used asphalt and concrete, and
Arthur	blending with sand and gravel.
3. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
4. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2015

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2015

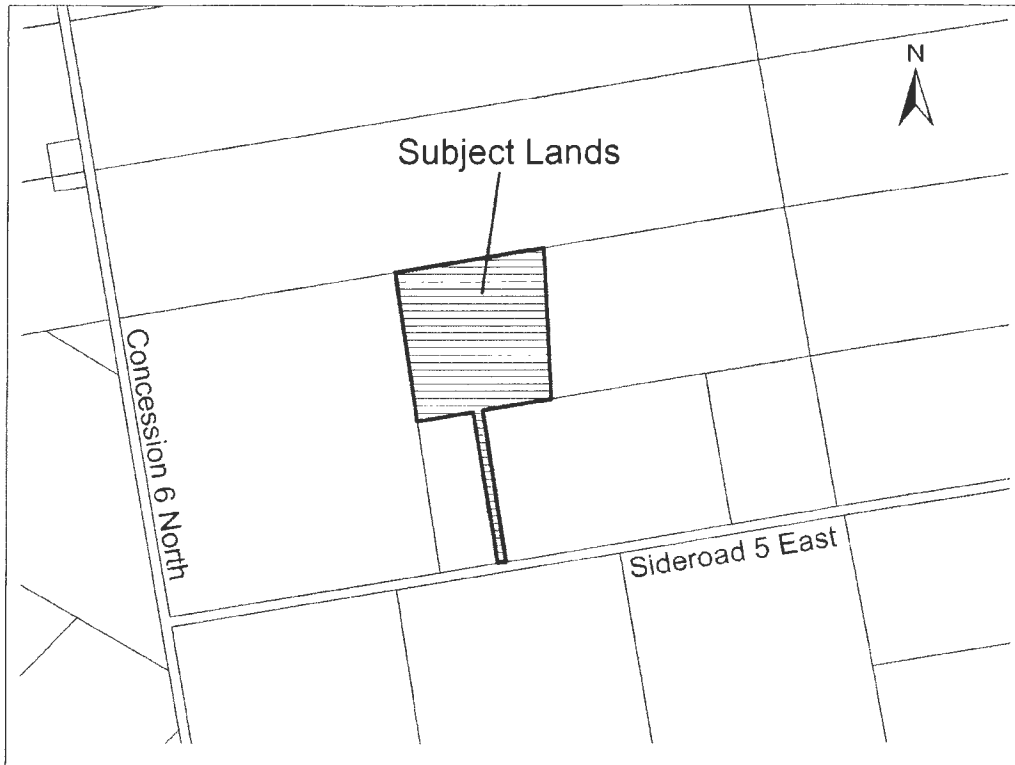
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezoned from Extractive Industrial to Extractive Industrial Exception (EI-176)

Passed this ____ day of _____ 2015.

MAYOR

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

SUBJECT LAND

The property subject to the proposed amendment is described as Part Lot 9, Concession 6, Geographic Township of Arthur with a municipal address of 7444 Sideroad 5 East. The property is 69.5 acres in size with land subject to the amendment being approximately 24 acres in size.

PURPOSE AND EFFECT

The purpose and effect of the proposed amendment is to rezone the subject lands to Extractive Industrial Exception (EI-176) 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 pit license boundaries.



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (township@wellington-north.com)

November 2, 2015

Township of Wellington North
7490 Sideroad 7 W
Kenilworth, ON
N0G 2E0

ATTENTION: Darren Jones, CBO

Dear Mr. Jones,

RE: Proposed Zoning By-law Amendment
7444 Side Road 5 East
Part Lot 9, Concession 6
Geographic Township of Arthur
Township of Wellington North (Reeves)

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposal in accordance with the SVCA's mandate and policies. The purpose of the proposed zoning by-law amendment is to rezone the subject lands to permit recycling of used asphalt and concrete, and mixing it with aggregate extracted on site. The rezoning will also correct the current zone boundaries to make them consistent with the license boundaries. The proposed zoning by-law amendment is acceptable to the SVCA, provided the Natural Environment (NE) zone on the property remains in force and effect. The following SVCA comments are offered.

Significant Natural Heritage

The significant natural heritage features affecting the subject property are the fish habitat associated with the unnamed tributary of Bell's (Bethal) Creek, the Significant Woodlands, and the potential habitat of Threatened or Endangered Species.

- In the opinion of the SVCA, fish habitat will not be negatively impacted as a result of the proposed zoning by-law amendment.
- In accordance with the Wellington County Official Plan, woodlands over 4 hectares are considered to be significant by the County and are included in the Greenlands system. The SVCA notes that Significant Woodlands are not determined based on property boundaries, nor are they considered interrupted by standard road allowances or roadways. The SVCA is of the opinion that the Significant Woodlands, and their adjacent lands, will not be negatively impacted by the current proposal.



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

- It has come to the attention of the SVCA that the habitat of threatened or endangered species may be located in the area of the proposed development. Provided the applicable legislation referenced by Section 2.1.7 of the Provincial Policy Statement (PPS) is addressed by the applicant associated with this proposal then Threatened or Endangered Species policies have been accommodated by the proposed. Please contact the Ministry of Natural Resources and Forestry (MNRF) to address this policy.

Zoning and Official Plan

In the opinion of the SVCA, the central-eastern portion of the property is zoned Natural Environment (NE) in the Township of Wellington North Zoning By-Law 66-01, as amended, and is designated as Core Greenlands in the Wellington County Official Plan. Provided the NE zone and Core Greenlands designation remain, the proposed zoning by-law amendment will be acceptable to the SVCA.

SVCA Regulations

The landowner is advised that portions of the property are subject to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, 1990, Chap. C. 27. This Regulation requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a watercourse or wetland.

"Development" and Alteration

Subsection 28 (25) of the Conservation Authorities Act defines "development" as:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind,*
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,*
- c) site grading, or*
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

According to Section 5 Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interference in any way with the existing channel of a river, creek, stream, or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA's areas of interest are located associated with our Regulation on the subject property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

Township of Wellington North
Reeves
November 2, 2015
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Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation is proposed in or near the Regulated Area on the property in the future, outside of the license boundaries, the SVCA should be contacted as permission may be required.

Conclusion

The proposed zoning by-law amendment is acceptable to the SVCA. The Authority is of the opinion that the proposal appears to conform to the relevant policies of the Wellington County Official Plan and Provincial Policies.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Candace Hamm

Candace Hamm
Environmental Planning Coordinator
Saugeen Conservation

CH/

cc: Reeves Construction Ltd. (via e-mail)
Karren Wallace, Clerk, Township of Wellington North (via e-mail)
Steve McCabe, Director, SVCA (via e-mail)