

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT & ZONING  
BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

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**COUNCIL IN ATTENDANCE:** Mayor William Finley  
Deputy Mayor Dalton McDonald  
Councillors: Bill Holmes  
Art Jeninga  
Cathie Ritchie  
Rosemarie Robins

**STAFF IN ATTENDANCE:** Terrence Korotki, Clerk/Administrator  
Robin van de Moosdyk, Deputy Clerk  
Peter Josephs, Municipal Planner

**PUBLIC IN ATTENDANCE:** George Loukes and Catherine Loukes  
Linda Robins and James Robins  
Peter Dietz and Gerlindie Dietz  
Elgie Marsden Cormier and Bud Cormier  
Lisa McDonald  
Fred Lautenbach  
Roger Fayle  
Katharyn Dunne  
Robert Green  
Chuck Howard  
Anita Lautenbach  
Mike Browning  
Jodi DeJong and Mike DeJong  
Larry Verrall  
Rob Gravelle  
Peter Kerv  
Rennie Schut  
Mike and Erin Noonan  
Iris and Dennis Havinga  
Reg Newton  
Fred Robins  
Nathan Robins  
Richard Robins  
Andy Morrison  
Robert Cannons  
Larry Robins  
Robin and Shawn Robins  
Bernie Fuhrmann  
Shelley Newton  
Jamie Newton  
Stephanie Goadshby  
Jason Sproul  
Kelly Weste, Lower Trent Conservation Authority  
Karen Johnston  
Donna Bevan  
Lucy Haberditz

**1. 7:00 P.M. - WELCOME AND OPENING REMARKS  
MAYOR WILLIAM FINLEY**

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Mayor Finley welcomed those in attendance and provided a brief overview of the evenings' agenda.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
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**PURPOSE:** To comply with the provisions of the *Planning Act*.

The Clerk/Administrator, Terrence Korotki advised that the Notice of the Public Meeting for the subject Official Plan Amendment and Zoning By-Law Amendment for the Robins Pit was advertised in the following newspapers:

- Northumberland Today, August 26<sup>th</sup>, 2009 edition
- Brighton Independent, August 27<sup>th</sup>, 2009 edition

Notification cards (4) were posted on site on August 26<sup>th</sup>, 2009.

Notice of the Public Meeting concerning the Official Plan Amendment and the Zoning By-law Amendment for the Robins Pit was circulated on August 26<sup>th</sup>, 2009 to Ministries and Agencies and individuals who reside within 120 metres of the subject property. On August 27<sup>th</sup>, 2009 an additional ministry and one individual were circulated the notice, those being, the Ministry of Natural Resources and Mr. Bernie Fuhrmann of Woellmann Development Services.

The following Ministries and Agencies responded to the circulation:

- Lower Trent Conservation Authority – letter dated September 11, 2009
- Pine Ridge Municipal Planning Agency – letter dated September 4, 2009
- Norman J. Brietner, Manager of Planning Services, Kawartha Pine Ridge District School Board – email dated September 3, 2009
- Haliburton Kawartha Pine Ridge District Health Unit – letter dated August 31, 2009
- Cam Ward, Superintendent, Alnwick/Haldimand Public Works Department – Response dated September 2, 2009.

**2. 7:07 P.M. -- PRESENTATION BY TOWNSHIP PLANNER, PETER JOSEPHS**

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Applications for Official Plan Amendment and Zoning By-law Amendment  
Part of Lot 14, Concession 4, (Former Township of Alnwick), now in the  
Township of Alnwick/Haldimand

The public meeting for Official Plan Amendment No. 2 and the zoning by-law amendment for the Robins pit site in part of Lot 14, Concession 4, in the former Township of Alnwick is scheduled for September 21, 2009. Notice of the public meeting was given in accordance with the requirements of the *Planning Act*. A copy of the Notice of Public Meeting is attached to this report.

A preliminary planning report dated August 20, 2009 concerning the official plan amendment and rezoning applications for the Robins pit was submitted to the Township at the August 26, 2009 municipal planning meeting.

The purpose of this report is to outline the details of the proposed official plan amendment and zoning by-law for the site, and to identify a range of municipal planning issues prior to the public meeting.

Draft copies of Official Plan Amendment No. 2 (OPA No. 2) and the zoning by-law amendment are attached to this report.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
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---

A copy of OPA No. 2 was submitted to the Township following the August 26, 2009 planning meeting. I understand that it has been available for public review in the municipal office, and has been forwarded to the Ministry of Municipal Affairs and Housing for review.

The draft zoning by-law amendment has also been prepared for presentation at the public meeting.

The following is a summary of the purpose and effect of OPA No. 2 and the zoning by-law amendment:

**Official Plan Amendment No. 2**

The applicant is requesting a Category 3 – Class “A” pit licence under the *Aggregate Resources Act*, for a pit operation that is licensed to remove more than 20,000 tonnes of aggregate per year, and which is restricted to extracting aggregate material no closer than 1.5 metres above the established groundwater table.

The lands that are affected by OPA No. 2 are located mostly on lands that are subject to the Oak Ridges Moraine Conservation Plan. A small part of the site in the western part of the proposed pit is not located on the Oak Ridges Moraine (ORM).

The portion of the site that is outside of the ORM boundary is designated as Environmental Protection on Schedule “A” of the Official Plan. The Environmental Protection designation does not permit a mineral aggregate operation. Given that these lands would be within the licensed boundaries of the proposed pit, the Aggregate Resource designation that is described in Section 5.8 of the Official Plan would be the applicable Official Plan designation for this part of the pit.

The purpose of the Official Plan Amendment is to amend the Official Plan of the Township of Alnwick/Haldimand for the subject lands as follows:

- (a) Change the land use designation on Schedule “A” of the Official Plan (the “Land Use Plan”) from “Environmental Protection” to “Aggregate Resource,” and
- (b) Change the land use designation on Schedule “C-1” of the Official Plan (the “Oak Ridges Moraine Land Use Designations” schedule) from “Countryside-Rural” to “Countryside-Aggregate Resource.”

Part of the subject property is currently designated as Countryside-Aggregate Resource, and will not be affected by the Official Plan Amendment.

The above-noted changes to the Official Plan are outlined in detail in the draft Official Plan Amendment.

The draft Official Plan Amendment is being presented for information and review purposes at the public meeting on September 21, 2009, and is not recommended for adoption at that meeting. Additional review of the pit proposal and public/agency comments should be undertaken before a decision is made on OPA No. 2.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
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---

**Zoning By-law Amendment**

The pit site is subject to Restricted Area By-law No. 1001-73 of the former Township of Alnwick, as amended by By-law No. 31-2006, which is the Oak Ridges Moraine zoning by-law (passed on March 27, 2006).

The purpose of the proposed zoning by-law amendment for the Robins pit is to amend Plates "A" and "A2" of Restricted Area By-law No. 1001-73, as amended, by changing the zone classifications on the site as follows:

(a) Amend Plate "A" (for the lands not on the Oak Ridges Moraine) by changing the zoning from the Rural (RU) Zone to the Extractive Industrial-Holding (M3-H) Zone;

(b) Amend Plate "A2" (for the lands situated on the Oak Ridges Moraine) by changing the zoning from the Oak Ridges Moraine Environmental (ORME) Zone to the Oak Ridges Moraine Mineral Extractive Exception 2-Holding (ORMME-2-H) Zone; and

(c) Amend Plate "A2" (for the lands situated on the Oak Ridges Moraine) by changing the zoning from the Oak Ridges Moraine Countryside (ORMCO) Zone to the Oak Ridges Moraine Mineral Extractive Exception 2-Holding (ORMME-2-H) Zone.

These zone map changes are shown on the Schedule "A" map of the draft zoning by-law amendment.

The "Extractive Industrial-Holding (M3-H) Zone" will apply to the portion of the site that is not on the Oak Ridges Moraine. All applicable provisions of the M3 Zone would apply to that portion of the site. The M3 zone allows a sand and gravel pit.

The "Oak Ridges Moraine Mineral Extractive Exception 2-Holding (ORMME-2-H) Zone" will apply to the portion of the site that is located on the Oak Ridges Moraine. This zone category is based on the "Oak Ridges Moraine Mineral Extractive (ORMME) Zone" that is outlined in Section 8E of By-law No. 1001-73, as amended by By-law No. 31-2006.

As drafted, the ORMME-2 Zone will contain special provisions prohibiting extraction within 30.0 metres of any boundary of the site, with the exception of the southern boundary of the site where there will be no required setback. This reflects the proposed pit site plans currently being reviewed by the Ministry of Natural Resources under the *Aggregate Resources Act*. The applicant owns the adjacent property to the south. The 0.0-metre excavation setback along the southern boundary is intended to provide a favourable final grade during rehabilitation.

Both the Extractive Industrial-Holding (M3-H) Zone and the Oak Ridges Moraine Mineral Extractive Exception 2-Holding (ORMME-2-H) Zone include a Holding ("H") symbol that is being applied under the provisions of Section 36 of the *Planning Act* and Section 10.4 of the Official Plan of the Township of Alnwick/Haldimand. The Holding ("H") symbol will limit the use of the subject property to existing uses only until such time as a Development Agreement is executed and registered on title.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
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---

The requirement for a Development Agreement is provided for in Section 5.8.4 of the Township Official Plan, and is intended to address a number of issues that are deemed appropriate by Council. The following is an outline of the Development Agreement provisions in the Official Plan:

"It shall be a policy of this Plan that an applicant who wishes to undertake a mineral aggregate operation shall enter into a Development Agreement with the Municipality. This Agreement shall be entered into prior to Council's enactment of the implementing Zoning By-law or the removal of a Holding provision under Section 36 of the *Planning Act*. Such an agreement may address, but shall not necessarily be limited to the following matters:

- i) An indication of the haul routes to be used and requirements for the improvement and maintenance of the haul routes.
- ii) That all road damage caused by the gravel trucks shall be repaired by the pit/quarry operator and that the Municipality may repair the roads and invoice the said operator accordingly.
- iii) The timing of operations on a daily, weekly and annual basis.
- iv) Arrangements for adequate screening to provide an effective visual buffer between the proposed mineral aggregate operation and any road or surrounding sensitive land use. Such screening shall be established effectively prior to operations of the pit or quarry.
- v) Provisions for the acceptable discharge of process water from washing or screening operations.
- vi) Issues of public health, public safety and environmental impact.
- vii) Such other matters as Council may deem necessary and in the public interest."

The details of a Development Agreement should be considered by Council if this pit proposal proceeds.

The draft zoning by-law amendment is being presented for information and review purposes at the public meeting on September 21, 2009, and is not recommended for passing at that meeting. Additional review of the pit proposal and public/agency comments should be undertaken before a decision is made on the zoning by-law amendment.

**Township Official Plan**

The Official Plan of the Township of Alnwick/Haldimand contains a number of considerations pertaining to the establishment of a new pit operation in the Township. Although these are specific policies of the "Aggregate Resource" land use designation (which will apply to part of the property off the Oak Ridges Moraine), these policies also outline general planning considerations for the pit site as a whole.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
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BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

---

The Official Plan states that the following matters shall be considered by Council before a decision is made to permit the establishment of a new or expanded mineral aggregate operation:

- i) Aggregate extraction shall be undertaken in a manner that minimizes social and environmental impacts.
- ii) A mineral aggregate operation should be screened from public view to the extent possible, in order to protect the scenic characteristics of the area.
- iii) It shall be the policy of this Plan that the Township, when considering a new mineral aggregate operation or an expansion of an existing operation, will have regard to existing adjacent land uses that might be affected by a pit or quarry operation. This may be reflected through measures such as extraction setbacks and/or other mitigative techniques such as the use of vegetation or berms to provide screening, restrictions on the location of machinery, the timing of extraction operations, and the location and condition of haul routes. These requirements may be implemented through:
  1. conditions on the licence and/or site plan under the *Aggregate Resources Act* at the time of licensing by the Ministry of Natural Resources;
  2. regulations in a site-specific zoning by-law for the property; and
  3. provisions in a development agreement under Section 5.8.4 of this Plan.
- iv) Any setbacks and/or mitigative techniques being established should depend on a site-by-site review, having regard to the policies of Section 5.8 and any other policy of this Plan.
- v) As a general policy, a mineral aggregate operation for a pit should not be established within 150 metres for a pit above the water table and within 300 metres for a pit below the water table of sensitive land uses. A mineral aggregate operation for a quarry should not be established within 500 metres of sensitive land uses. For the purposes of this section, "sensitive land uses" includes uses such as residential buildings or facilities where people live, and permanent institutional uses such as schools, churches, day care centres, and hospitals.
- vi) Proposals for mineral aggregate operations within the distances specified in paragraph (v) above should be evaluated based on matters such as, but not limited to, land use compatibility, impacts on groundwater, noise, dust, vibrations, and traffic.
- vii) All operations must satisfy the requirements of the authority having jurisdiction as to water supply and groundwater pumping, and waste water disposal.
- viii) All operations must satisfy the requirements of the Ministry of the Environment and/or By-laws of the Municipality as to the control of dust, noise and vibration.
- ix) All mineral aggregate operations shall satisfy the requirements of the *Aggregate Resources Act* as to licensing and regulation.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT & ZONING  
BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

---

- x) Haul routes and the traffic generated by the proposed mineral aggregate operation shall be considered through the preparation of a traffic impact assessment by the proponent. A traffic impact assessment shall be undertaken by the applicant and shall be acceptable to the Municipality and any other authority having jurisdiction, such as the County of Northumberland and the Ministry of Transportation.
- xi) Progressive rehabilitation of mineral aggregate operations to accommodate subsequent land uses will be required. Plans for the rehabilitation of the site shall be acceptable to the Township.
- xii) Council shall have regard to the policies of Section 8 of this Plan, Natural Environment Policies.
- xiii) Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources in the Municipality or elsewhere.

The applicant has submitted a number of technical studies and site plans that are intended to address site development issues, including (but not necessarily all) of the above matters. These matters will be given further consideration following the public meeting on September 21, 2009, together with input received from the public and review agencies. Council should be satisfied that these matters have been adequately addressed by the applicant.

It should be noted in particular that Item "(x)" above requires the preparation of a traffic impact study for a new pit operation. This requirement was brought to the attention of Council at the municipal planning meeting on August 26, 2009. Given that a traffic impact study was not one of the technical reports that were completed by the applicant the Township Council passed the following resolution:

*"Be it resolved that the Council of the Township of Alnwick/Haldimand request that the applicants for the Robins Aggregate Pit Proposal in the former Township of Alnwick now in the Township of Alnwick/Haldimand complete a traffic impact study relating to their planning proposal and illustrate the implications relating to existing aggregate licensed pits in the general area of the proposal."*

The requirement for a traffic impact study has been forwarded to the applicant's representative, Mr. Fuhrmann.

As shown in the draft Official Plan Amendment, part of the amendment is intended to change the land use designation for the lands not on the Moraine from Environmental Protection to Aggregate Resource. Section 5.12.5 of the Official Plan outlines policies that must be considered in any application to re-designate Environmental Protection lands. These are as follows:

"An application to re-designate Environmental Protection lands for other purposes may be given due consideration by the Municipality in consultation with the Conservation Authority, the Ministry of Natural Resources or other public agency. Council shall consider the following matters:

- i) The existing environmental and/or sensitive features;
- ii) The potential impacts of these environmentally sensitive lands;

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT & ZONING  
BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

---

- iii) The potential impacts on natural features and functions;
- iv) The proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and
- v) The compatibility of the proposed use with adjacent/surrounding land use."

These policies will be reviewed with the Conservation Authority to ensure that sufficient information has been provided (or will be provided) in the applicant's Natural Environment reports to justify the removal of the Environmental Protection land use designation.

**Oak Ridges Moraine Conservation Plan**

Most of the proposed pit site is located on the Oak Ridges Moraine. The following is a summary of key provisions of the Oak Ridges Moraine Conservation Plan (ORMCP) that pertain to the Robins pit.

The Land Use Designation Map of the ORMCP shows that the proposed pit site is within the "Countryside Areas" designation. The Countryside Area is intended to provide an agricultural and rural transition and buffer between the Natural Core Areas and Natural Linkage Areas and the urbanized Settlement Areas. Most of the uses typically allowed in agricultural and other rural areas are allowed in this designation.

The ORMCP indicates that no new aggregate resource extraction is permitted in Natural Core Areas. In Natural Linkage Areas and Countryside Areas, new aggregate resource operations must meet stringent review and approval standards.

Section 13 of the ORMCP for Countryside Areas sets out a number of policies relating to the purpose and objectives of this designation, and lists permitted uses. Section 13(3) identifies "mineral aggregate operations" as one of the permitted uses, subject to the provisions of Parts III and IV of the Plan. The ORMCP defines "mineral aggregate operation" as follows:

*"Mineral aggregate operation means*

*(a) an operation, other than a wayside pit, conducted under a licence or permit under the Aggregate Resources Act, and*

*(b) associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products."*

The Preliminary Planning Report dated August 20, 2009 outlined the related Township Official Plan designations that pertain to the subject property, and the need for an official plan amendment for the site.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT & ZONING  
BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

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Mapping of the Township's Official Plan (Schedule "C-2" for Natural Heritage Features) and the Oak Ridges Moraine Zoning By-law No. 31-2006 (Plate "A2") indicates that a Significant Woodlands area extends onto part of the proposed licensed pit. This feature and the associated 30-metre Vegetation Protection Zone are zoned "Oak Ridges Moraine Environmental (ORME) Zone in By-law No. 1001-73 as amended by By-law No. 31-2006.

Section 22(2) of the ORMCP outlines a very limited range of development and site alteration that may be permitted in a key natural heritage feature such as a significant woodlands area. This section does not identify a mineral aggregate operation as a form of permitted development or site alteration. However, Section 35 of the ORMCP also references this section, as described below.

Section 35 of the ORMCP sets out specific policies for mineral aggregate operations on the Oak Ridges Moraine. A copy of Section 35 is attached to this report for reference.

Section 35 outlines policies pertaining to the maintenance of the quantity and quality of groundwater resources, site rehabilitation for natural self-sustaining vegetation, and key natural heritage features and areas of natural and scientific interest.

Section 35(4) deals with mineral aggregate operations in a key natural heritage feature. This section states that despite Section 22(2) of the ORMCP (described above), an application for a mineral aggregate operation in a key natural heritage feature may be approved if certain requirements are satisfied. This section of the ORMCP is currently being reviewed with the Ministry of Natural Resources and Lower Trent Conservation, with the objective of determining if this section applies to the site, and if so, how the applicant will address this ORMCP requirement.

It should be noted that the site is situated within a Category 1 Landform Conservation Area on the Oak Ridges Moraine, and will be subject to the requirements of Section 35(6) or the ORMCP (attached). This matter is also being reviewed with the Ministry of Natural Resources.

The Township, in consultation with the Ministry of Natural Resources and Lower Trent Conservation, should be satisfied that the applicant has addressed all applicable provisions of the ORMCP. This will require further review of the pit application and consultation with the agencies.

**Summary**

As noted in this report, the draft Official Plan Amendment No. 2 and zoning by-law amendment are being presented for information and review purposes at the public meeting on September 21, 2009, and are not recommended for approval at that meeting.

Additional review of the pit proposal and related site plans and technical studies, and public/agency comments should be undertaken before a decision is made on the OPA and zoning by-law amendment.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT & ZONING  
BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

---

**3. 7:15 P.M. – PRESENTATION BY APPLICANT'S REPRESENTATIVE  
Mr. Bernie Fuhrmann: Planner for the Applicant**

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Mr. Fuhrmann advised the gallery that there has been two information sessions, which are a requirement under the Aggregate Act. Mr. Fuhrmann noted that the Site Plan is available for viewing at the Municipal office, which identifies all of the controls that apply to this planning proposal.

Mr. Fuhrmann stated that this application is almost the same footprint as the previous license, which was previously approved the Ministry for extraction purposes. However, it had an expiration date, which is very highly exceptional, given most licenses do not.

Mr. Fuhrmann stated that his client wishes to re-license the original area, as well as, an additional reserve area. As noted previously, all the operational controls are identified on the Site Plan Control of the application. All monitoring of ground water requirements of the previous application apply to this application.

All crushing and screening operations would be in accordance with the approved extraction limits and then rehabilitated.

The application proposes a four area phasing for extraction followed by rehabilitation. Some areas will be left open for storage and truck turning, etc.

Mr. Fuhrmann stated that this would be a Class "A" pit license if approved, which would permit an expected tonnage of 300,000 per year, if the applicant can sell that much per year. Mr. Fuhrmann advised that the Conservation Authority and the Ministry of Natural Resources were circulated and have reviewed the documentation, of which they have provided their approval for this application.

Mr. Fuhrmann explained that there is progressive rehabilitation for any pit operation and this pit is no difference and the Oak Ridges Moraine Conservation Plan requires that the lands be replanted into the natural habitat prior to the commencement of the extraction.

Mr. Fuhrmann advised that they are willing to meet with anyone or group you have concerns which need to be addressed.

**4. 7:32 P.M. TO 8:45 P.M. - QUESTIONS AND/OR COMMENTS FROM  
MEMBERS OF THE GENERAL PUBLIC IN SUPPORT OF, OR IN OPPOSITION  
TO THE PLANNING APPLICATIONS.**

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Mrs. Linda Robins and James Robins. Mrs. Robins provided the following oral statement:

"Oral submission of objections from Jim and Linda Robins Jr. in conjunction with the written objections previously submitted to the Ministry of Natural Resources, Shawn Robins and the Alnwick/Haldimand Council.

-When we severed land from Jim's family farm and built our home in 1972 we built there for the view – at that time the farm next door only had an old unlicensed hole in the ground that hadn't been used for many years.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT & ZONING  
BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

---

-The concerns that Larry Robins voiced at the OMB about his concern for the pit safety should have been dealt with by applying for financial help from the Pit Rehabilitation Fund instead of applying for a pit license.

-This is not a matter of the "not in my back yard syndrome" – but a matter of valid concerns of the issues associated with a pit being located here. This application by Shawn Robins as well as the previous license by Larry Robins became an instant threat to our natural springs, our house's foundation, our noise level, our road conditions and dust level and our property value.

-Our water has become our greatest fear and the assurance that this is an above water pit license does absolutely nothing to alleviate those fears. Some years ago a pit down the road hit water and resulted in a big pool sitting in the pit bottom. When someone reported it, the Ministry came in and dealt with it but that was after the fact. When the water level is tapered with it is too late – it never recovers to its previous state. Having a licensee be responsible for handing in their own water level reports is ludicrous as the previous Robins pit has shown. There were report deadlines but when we attempted to get his reports from the Ministry they had not been handed in yet and the deadline was long passed. If something does go wrong a well in no way ever replaces a spring. No matter how long the weather stays dry the level of our springs never change.

-The OMB's informed decision reflected that this area was far too sensitive to have an operation like this in its midst – not only because of the tourist business but because of the water sensitivity that Dr. Sharpe testified to. Anyone who was at the previous OMB Hearing is aware that Dr. Sharpe has a Masters in Geology among an outstanding number of other credentials and was Manager of Hydrogeology of the Oak Ridges Moraine. He was employed by Natural Resources Canada in the Geological Survey of Canada Sector. At the end of his testimony he could not emphasize enough that the aquifers in this area were extremely sensitive and if disturbed would never recover. Other than size nothing has changed with this new license application which overlaps the previous pit license – only its increased threat.

-As to anyone stating that the boat noise on Rice Lake is as extreme as a gravel pit then they should not have built there. Especially people who spent their childhood there. It is no secret. The tourist business has been there for decades and continues to grow and be very lucrative for the municipal and provincial governments. When we built our home we could certainly hear the boats sometimes but there was not a licensed pit next door.

-This is not a matter of need but rather a matter of greed – at everyone's expense. This license needs to be turned down and then the order of rehabilitation of the previous pit license will go into effect."

Mrs. Lucy Haberditz advised that in 2003 she spent over \$2,000.00 to correct her well water as it was polluted and asked who was going to reimburse her. She stated that the Municipality posted signs stating that the water was polluted. Mr. Korotki noted that the Municipal was not responsible for posting any signs advising of adverse water in this area and commented that it could have been the Health Unit.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
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---

Mr. Cormier asked how close to water table can the applicant get; if they have a mechanical problem with one of their vehicles and they are at the bottom of the pit, how do they get rid of this contamination in the water. Mr. Fuhrmann stated that the extraction must remain one and one-half metres above the water table. The applicant must remain this distance from the water table and if not the repercussions are very severe if the conditions of the Pit License have been contravened.

Mr. Cormier commented that once it is in the ground water it cannot be taken back, it is too late.

Mrs. Cormier noted that there are at least five different springs where she lives and it is very important to protect this springs.

Mrs. Jodi DeJong noted that the Ministry guideline and regulations are incredibly completed. Mrs. DeJong also commented that the Ministry personnel are not on site on a day-to-day basis, so who is going to ensure that applicant is in compliance of the said conditions and regulations.

Mr. Newton stated that he trusts his neighbour and doesn't believe that he would purposely spill fuels onto the ground and not do anything about it. We need the aggregate resources.

Mrs. Cormier asked if another aggregate pit was needed in this area as there are nine between here and Harwood.

Mrs. Cathy Lukes asked if the monitoring was done by the applicant? Mr. Fuhrmann stated the overall monitoring is completed by the Ministry of Natural Resources. However, in 1977 and the diminishing of Provincial Staff, the Ministry of Natural Resources introduced self-monitoring. The applicant is required to complete compliance reports. Mr. Fuhrmann advised that Ministry staff will often do a site visit and complete an audit and complete an assessment report. Aggregate inspectors do regular monitoring.

Mrs. Loukes asked how many gravel pits can be in one municipality and noted that having three in the Oak Ridges Moraine is dangerous.

Mayor Finley noted that most of the gravel pits in this area have been depleted of aggregates and are closed.

Mr. Josephs explained that the Provincial Government sets the policy for planning in Ontario and the municipal Councils must make decision, which are consistent with these policies. The policies are known as the Planning Act. Mr. Josephs noted, the Provincial position is that there is always a need for aggregate resources, which alleviates the applicant from provided proof of the need on their application.

Mr. Fuhrmann noted there are several other communities that are on the Oak Ridges Moraine and have many pit operations, and in the municipality of Uxbridge there are at least ten or twelve sites alone.

Mrs. Loukes noted that the use of recyclables should be given consideration. We should not become shortsighted as there is an abundance of recyclable materials.

Mr. Fuhrmann noted that a Resource Study was undertaken by the province and was noted that there is shortfall in the supply of aggregates.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT & ZONING  
BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

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Mr. Chuck Howard commented that the existing pit not being used and is there a reason for the non-operational state. Mr. Fuhrmann reiterated that the original license had an expiry date, of which is very unusual. However, the present application encompasses the same land footprint with a small additional area, in order to continue the aggregate extraction. Mr. Fuhrmann noted that there has been no rehabilitation completed under the old license to the existing hole in the ground as there are aggregates still remaining in this location to be extracted and they cannot be extracted until there is a license to do so. Once the aggregates have been extracted the progressive rehabilitation can commence.

Mr. Cormier noted the basics of business, is supply and demand and the basic thing here is, what is this going to cost the environment. If or when the license runs out, what happens to the big hole in the ground.

Mr. Cormier asked Council if they wanted to destroy the environment? The old license operator left a big hole that had nothing done to it, which is a big scar on the land. When you start digging in the ground it is a major issue. This area has to continue on for future generations. Council's decision is very important. This is a special area – walk lightly.

Mr. Fred Lautenbach stated that he is opposed to this application as noted in previous correspondence forwarded to the municipality with respect to this matter. He noted that one of his customers asked him if he had moved the 401 Highway to his backyard and it was only the truck traffic from George's Pit. Tourist resorts and Pit operations cannot co-exist. Mr. Lautenbach submitted a number of petitions opposing this application.

Roger Fayle, President of the Rice Lake Tourist Association was present in support of Mr. Fred Lautenbach's position and submissions, as well as, representative for more than 30 family run resorts on Rice Lake, and provided the following:

"Tourists staying at the three resorts that will be affected by the noise and trucks from the gravel pit operation will not appreciate the noise and the additional truck traffic on the road. Many Rice Lake guests are from the United States and have been coming for many years; we often get two and three generations of families that have visited for 30-40 years. If their vacation is disturbed by the noise and traffic, they will start looking for other places to stay. Also the dollars they spend help in a small way to compensate for the money Canadian snowbirds spend in Florida every winter.

United States tourism to Rice Lake is already down by about 50 percent over the last five years, Ministry of Natural Resources license information, and resorts cannot afford to lose the remaining visitors, especially in May and June when most Canadians do not vacation. The guests do not just spend their dollars at the resort, they visit stores and restaurants in the area. Their dollars have a multiplying affect throughout the community.

It is my impression when dealing with other Councils around the lake that tourism and its benefits are taken for granted; we just don't get thought about. Alpine and the other two resorts have contributed hundreds of thousands of dollars in property taxes over the many years they have been in business and I would think that consideration should be given by the Council to the loss that the Township would incur if they have to close.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT & ZONING  
BY-LAW AMENDMENT AT 7:00 P.M. IN THE GYMNASIUM  
OF THE ALNWICK CIVIC CENTRE**

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One just has to read the newspapers to realize that tourism in Ontario is having great difficulties and this gravel pit is the last thing that these three resorts need. Just like a family it does not take a 100 percent loss of income for a business to be in big trouble, a 30 percent drop in income would create major difficulties for any family or resort. I am sure Eileen Lum for Northumberland Tourism would agree with this."

Mrs. Shelley Newton and her daughter Jamie were present and Mrs. Newton provided the following comments:

"As the third and fourth generations of our family to reside on Islandview Road, this letter is to express our support for the above subject application.

As we have stated at two meetings regarding the above subject, why should anyone try to stop an individual making a living to support his family. This Township currently spends tax revenues annually to purchase aggregate products to maintain our roads. Does it not make more sense to buy locally and with the existing pits in the Township coming to an end, the Township will only be purchasing more in the future. The Oak Ridges Moraine consumes a great portion of our Township restricting most future developments. No growth will eventually lead to a lower tax base.

As most know, this is the first pit application that falls under the current regulations of the Provincial Government and will be monitored. Opposition opinions are the amount of traffic and noise will affect other businesses and the day-to-day lives of neighbours. All of us create noise and traffic in one form or another in our daily lives. Each of us should show respect and tolerance and treat others the way in which, you wish to be treated. Non-taxpayers expressed their opposition at the last meeting and even signed the petition against the pit application.

At the meeting on September 20, 2009, Councillor Ritchie asked the question, "Which came first?" Since our family is one of the original families to live on the road, we knew the answer could come from Mr. Don Towns (maternal father and grandfather). He was born, raised and resides in the family home on Islandview Road. His father Nicholas Towns purchased the property in 1930 from Mr. Alf Sherwin. The road was built from the aggregate products extracted from the pit located at 106 Islandview Road, which was owned by the Robins Family and the pit was opened in 1929. It is interesting that the same aggregate products were used to build and enhance the shorelines for the tourist camps that today are known as Glengarry Cottages and Alpine Resort. Also, the section of Highway 45 from Roseneath to Centreton Road used aggregate products from the same pit in its development.

Passing on from one generation to the next has always been the dreams of many business families so why should the Robins family not be able to pass on the aggregate business to this generation and future generations of their family? We are fortunate to live on our family's property and hope that our children will be able to raise their families here in the future.

We trust that this Council will give full consideration and look to the future with regard to this matter.

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Mr. Peter Dietz questioned the policing issues with respect to the proposed pit as at the present time no one is policing the George's Pit and individuals are disposing of garbage in this area, which will also be a concern with the proposed pit as there is not enough staff to police these pits properly. Mr. Dietz stated that the operators of the Finley and George's Pit are crushing from morning to night, which will also happen with the proposed pit.

Mrs. Cathy Lukes inquired as to the amount of topsoil there would be for a 35 acre pit and how the applicant plans to mitigate the noise to the lake

Mr. Fuhrmann stated that the Aggregate Resources Act requires that all topsoil be retained on the site and is either stock piled or used for berms. The topsoil cannot be sold and if it was the applicant/operator of the pit would be in contravention of the Aggregate Resources Act.

**Break 8:22 p.m. to 8:32 p.m.**

Mr. Robert Cannons commented that the applicant has his residence directly on site, so he would be able to police any problems with refuse and debris being deposited at the site; his not intentionally going to contaminate his own well water; and questioned whether or not it was greedy to try and make a living off of your own property; he also noted that it is just like a tourist operation, people have to work there to make it run.

Mr. George Loukes asked if there was a date for the rehabilitation of the old pit? Mr. Fuhrmann noted that the Ministry of Natural Resources can be on site at anytime and request the rehabilitation process to commence. However, upon the expiration of the old license a new application for a license to continue the extraction of this pit was filed with them, and they want to see the extraction continued at this location, so why would they request the rehabilitation at this time.

Mrs. Jodi DeJong asked if there were any other groups of pits in municipalities near resort areas. Mr. Fuhrmann concurred that there are, especially in the Muskoka, Buckhorn and Haliburton areas. Mrs. DeJong noted that there is a lot of foot traffic in this area and there is a potential concern with walking traffic.

It was asked, "when the existing pits dry up where does the municipality obtain their aggregates needs from?" The Clerk/Administrator advised that the Municipality would tender this requirement out.

Mr. Cormier stated that the tourist camp/resorts have been established for many many years.

Mrs. Newton stated that the Tourist Camp/Resort owners have to realize the noise and traffic they create and asked, "How can one group think that they are more important than the other?"

Mrs. Cormier noted there may an alternative in the future to replace aggregate extraction, which will assist in saving our environment.

Mrs. Lisa McDonald asked if there were time limits set for the pit operations. Mr. Fuhrmann noted that the applicant has requested the hours of operation to be 7:00 a.m. to 7:00 p.m. on Monday to Friday and 7:00 a.m. to Noon on Saturdays and will not operate on Sundays or Holidays.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
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Mrs. McDonald asked if the one and one-half metres above the water table for extraction was a standard provision. Mr. Fuhrmann stated the applicant was required to complete a Study of the ground water and water tables on the said parcel of lands, which took approximately four years to complete. This study concluded that the separation would be the one and one-half metre.

Mr. Cormier questioned the quality of the aggregates in this pit. Mr. Fuhrmann advised in some areas it is good quality and other areas not so good. Mr. Cormier stated that he could not see the quality being that great in this area, and questioned why they could not determine the quality before jeopardizing the environment.

Ms. Stephanie Goadsby asked what evidence there was available to ensure the stability of the pit and lands. Mr. Fuhrmann stated that there is no question with the stability of the lands for this type of operation. Mrs. Goadsby questioned that wild life and their habitat. Mr. Fuhrmann advised the applicant was required to completed a Natural Environmental Study, which was completed by professionals, for species of habitat on the proposed site. Mr. Fuhrmann noted that gravel pits are an interim land use and that progressive rehabilitation is required. Mr. Fuhrmann noted that Mr. Drew Young, of the Ministry of Natural Resources could be contacted at any time to discuss the regulations and provisions of his Ministry with respect to this application.

**5. 9:14 P.M. – CLOSING REMARKS FROM COUNCIL MEMBERS; AND  
DISCUSSION BY TOWNSHIP PLANNER OF THE NEXT STEPS IN THE  
PROCESS.**

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Councillor Robins noted that she was pleased with the number of individuals in attendance and the quality of the questions and comments, for and against the proposal.

Councillor Holmes stated that there were a lot of good questions raised and not enough concrete answers to satisfy everyone's concerns. However, the Council has to make a decision based on the municipality as a whole and how it would benefit from this proposal.

Deputy Mayor McDonald, recalled a saying of a past council members who said, "The OMB is the last place you want to go", and working under this premise, the best solution is usually obtained by working with the individuals to be affected most, the applicant and the municipality. He stated that it may not be a win for any particular group, but there could be a very good comprise that would satisfy all groups.

Deputy Mayor McDonald noted that the municipality does require a considerable amount of aggregate every year, and with the Oak Ridges Moraine covering most of the Municipality, why not make the best use of what we have available in our own municipality. Deputy Mayor McDonald noted that the Public Meetings are for the people and not for the Council, and stated that he hopes outcome is a win-win situation for all.

Councillor Ritchie noted that she hoped the public understand that the municipality has to follow rules and regulations and so does the applicant and under those same rules and regulations there are opportunities for individuals, such as, yourself to provide your comments and concerns. Councillor Ritchie questioned how many pits existed prior to the resorts and noted that she did not expect an answer tonight.

**PUBLIC MEETING MINUTES OF MONDAY SEPTEMBER 21, 2009  
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Mr. Fuhrmann noted that this question could be posed to the local Aggregate Inspector who could investigate the data requested.

Councillor Jeninga thanked everyone for coming to the Public Meeting and noted that he understood their concerns and hoped that they could be addressed, with respect to monitoring, controls and action if required to address violations.

Mayor Finley noted that there are many, many steps to the proposed planning application and that there are many issues and concerns to address with respect to Ministry requirements to neighbouring residents to address. It is a very long process and quite complicated.

Mr. Josephs provided a brief overview of the next steps to be taken with respect to the processing of this planning application(s). Mr. Josephs noted that the Council of the Township of Alnwick/Haldimand shall set the due date for comments with respect to these applications as the fourth Wednesday of October, 2009.

**6. 9:35 P.M. ADJOURNMENT**

The Clerk/Administrator noted that this concludes the statutory requirements, in accordance with the Planning Act, for these applications and the meeting was adjourned at 9:35 p.m.