



Minutes of the Town of Erin Special Council Meeting

November 1, 2016

6:30 PM

Centre 2000 - Shamrock Room

14 Boland Drive, Erin ON

PRESENT:	Allan Alls	Mayor
	John Brennan	Councillor
	Rob Smith	Councillor
	Jeff Duncan	Councillor
ABSENT:	Matt Sammut	Councillor
STAFF PRESENT:	Derek McCaughan	Interim CAO
	Dina Lundy	Clerk
	Trish Crawford	Clerk's Assistant
	Jessica Wilton	Building and Planning Assistant

1. Call to Order

Mayor Alls called the meeting to order.

Mayor Alls explained that this is a Public Meeting as required by the Ontario Planning Act to deal with Planning matters regarding land development in the Province of Ontario.

If a person or public body that files an appeal of a decision of the Town of Erin in respect to a proposed application does not make oral submission at a public meeting or make written submission to the Town of Erin before the proposed Official Plan Amendment, Zoning By-law Amendment and/or Plan of Subdivision or Condominium is adopted or refused, then the Ontario Municipal Board may dismiss all or part of the appeal.

Council requests that anyone wishing to provide comments or concerns to Town Council and/or staff do so in written form to ensure that the message is provided effectively and accurately and to record their interest in the matter and to request a notice of decision of the matter.

This meeting is to provide information for Council, exchange views, generate input etc. Council has not taken a position on the matter; Council's decision will come after full consideration of input from the meeting, submissions from the public and comments from agencies.

All comments and questions should be put to the Chair. Speakers shall state their names and addresses for the record. Personal opinions and comments made by the public attending this meeting may be collected and recorded in the meeting minutes.

2. Public Meeting

2.1 Aggregate Extractive Operation, 5345 & 5358 Tenth Line - Halton Crushed Stone Ltd.

Aldo Salis, Manager of Development and Planning from Wellington County presented his report.

Mr. Salis is representing both the Town of Erin and the County of Wellington in this matter. He explained that the purpose of the planning applications are to consider a proposed extension of the Halton Crushed Stone aggregate extraction operation (Erin Pit). The area subject to the proposed official plan and zoning by-law amendments is approximately 62.3 ha (154 ac) which represents the area to be licenced (i.e. pit extension). The planning applications were filed with the County and the Town in May 2016 and deemed complete for the purposes of the Planning Act in July 2016. The applicant has also submitted a request for an aggregate licence with the Ministry of Natural Resources and Forestry pursuant to the Aggregate Resources Act (AARA).

James Parkin, Partner at MHBC Planning Urban Design & Landscape Architecture

Mr. Parkin introduced staff members from MHBC: Neal DeRuyter, Kevin Fitzpatrick – Hydrogeologist and Kelly Gibson. James then presented his report on behalf of their client Halton Crushed Stone.

Halton Crushed Stone is a family owned company operating since the early 1970s. They purchased the Erin Pit from Dufferin Aggregates in 2014. The pit at the 10th line has been depleted and rehabilitated back to agricultural. The expansion to the North would result in an extra 150 acres. There would be no difference in the annual volume of extraction, no increase to truck traffic and no change to the current haul route. The 10th line road allowance proposal is not included in the agreement at this time but has been added to the application so that future consideration can be given if the application is approved. This expansion will increase the life of the pit for another 15 years.

They held an open house meeting in June, for which approximately 25 people attended. Objections received at that time from both Town and County are still in process. The Ministry of Natural Resources has withdrawn their objection as the concerns have been addressed. There were about 9 objection letters received, mainly from residents on Aspen Court. They are aware that letters are still flowing in and those concerns will also be addressed. The area for the pit has been zoned prior to the subdivision approval. There are restrictions in place regarding equipment operation and berm requirement. Monitoring of water will be done on a continual basis, but there is historically no negative effect on water in pits where extraction is above the water table. Water taking for the wash plant is under provincial permit.

The mayor thanked the presenters and opened the floor for public comment.

Rob Vella – McCulloch Drive

- Why were residents on Aspen Court notified but not on McCulloch Drive?

Judy Howitt – Armstrong Street

- already dealing with noise pollution and it will only get worse
- the volume of trucks is horrendous
- understand the reasons for pit expansion but there needs to be a balance
- family came to Erin because it was visually attractive, but that will all be gone
- concerned and devastated about the amount of pits taking over in the area
- can see the pit area from Bush St
- we don't trust the studies and reports
- experts don't see all of the environmental impacts, they are taking advantage of small towns
- considering moving because of the pit

Dan McCabe – McCulloch Drive

- also concerned that nobody on his street received notification, and about the notice radius
- this expansion affects the whole Town, not just the immediate residents
- is the Community Improvement Plan currently underway not counter-intuitive to this proposal? How much money has been put into that so far?
- how can we promote tourism for the Town when the pit operations can be seen from the edge coming into town?
- this is a tourist town, why are you allowing pits at the entranceway into town?
- finds this whole thing distressing and would not have moved here if he had known this was going to happen

Sara McKinnon – Aspen Court

- asked for confirmation that public needs to write letters to council, who to write to and the deadline

Martha Hurst - Pine Ridge Road

- would like to hear commitment from Halton Crushed Stone to respond and adapt to all resident's concerns

- what is the oversight, what steps are in place to ensure that the water table is not compromised and that boundaries are being respected?

Sharon Cranston - Aspen Court

- how will Bill 39 affect this application process?
- is the net benefit to Halton Crushed Stone to have this application pushed through before Bill 39 is passed into law?
- unable to find the planning report until very recently
- how will Halton Crushed Stone mitigate the noise of the back-up beacons from trucks and equipment?

Barbara Harrison - 10th Line

- hoping for refusal of this application
- suggests that everyone in the Town requests a copy of the Planning and Summary Statements
- is there a process for the public with the Ministry of Natural Resources?
- page 6 of the Planning Justification Report refers to recycling and that asphalt and concrete can be brought from other areas to the pit for recycling; this is concerning because reports show highly toxic side effects from the by-products of this nature
- how will these dangers be mitigated? we urge you to not allow this to happen
- natural habitat for wildlife and birds - how can you move a nesting area from one spot to another, and expect that the animal will be happy to relocate? there is still noise and air pollution
- this is destroying the natural habitat of the bobolink and others
- how can you assure us that the recycling will not happen, but that if it does how will you ensure that it is not going to be harmful to the people and the environment?
- closure of the 10th line, either permanent or temporary means cutting off a primary access route for many residents
- already a steep grade, road is slippery in the winter and there are many accidents with cars in the ditches each winter
- how will the road be rehabilitated?

Robert Petch - Pineridge Road

- noticed that the presenter is from Kitchener and the owner is from Scarborough - is anybody on the Executive Team actually from Erin? How can you understand what we need / want when you don't even live here?
- how much benefit floats down to the public as tangible benefits from the operation of the Pit in exchange for giving up our environment?
- saying that the pit was here first is offensive to the people

- social values and standards change over time and what was acceptable in the 70s is no longer the standards and values of today
- how can Council be so short-sighted to ruin the primary corridor between the tourist villages of Belfountain and Erin?

Dolores Smith - 9th Line

- how extensive is the study on wildlife before the expansion? Their habitat is affected now, even before the expansion takes place. Putting up a bat house doesn't mean the bats will go there - relocation not acceptable.
- is there a topographical map available to identify elevations?

Ramona Gorsky – McCullogh Drive

- you stated that Halton Crushed Stone is a family owned business, but where is their concern for our families, for our community?
- we pay huge taxes here, you allowed the subdivision to be built after the pit knowing this could be a possibility
- we can't open our windows now because of all the silt and dirt, will only get worse
- nobody cares about the people of this town
- the berms will not help with the noise and dust

Ian Wright - 10th Line

- what is the next step?
- to Halton Crushed Stone .. how many Erin residents do you employ?
- even if you are helping residents with employment, eventually they will lose their jobs working for you
- do not want 10th line to be closed

Dr. Katrina Kulhay - 10th Line

- have owned property on 10th line north of WCR52 for over 50 years
- have been promoting the beauty and freshness of Erin since 1970's
- as wellness doctor, do not appreciate pollution that is going to happen - noise, air
- we can't have this for our children and our grandchildren
- severely object to this proposal
- Halton Crushed Stone wants a fair and equitable agreement - is the health and wellbeing of our citizens equal to the \$1.25 million worth of gravel that will go to the town?

- every time I call the Town about why my taxes are so high, I'm told the same thing - that we live in a choice area, with clean water and clean air - then why aren't we trying to keep that?

- wants the answers to be given to Phil Gravelle so that they can be published in the paper for everyone to see

Jan Kulhay - 10th Line

- the map doesn't clearly show that there is a trough running under the 10th line, which is a natural drainage from lot 12 to the credit river

- sediment and debris is already flooding onto their property which needs to be addressed, the expansion will only make this worse

- how will berms be made high enough to prevent this from rolling down the hill?

- walked property with the engineer for walk to look at these concerns directly

Andrew Gorsky - 10th Line

- amazed by the short-sightedness of this Town

- as young professional, what assurances do I have to invest in a town that doesn't invest in its people?

- what is sustainable about a pit?

- tourist locations don't happen overnight, and this kind of development doesn't encourage it

- got related documents from Town, wanting to meet Halton Crushed Stone one on one to answer questions

- what is the mitigating effect on the environment?

- reports indicate that 47-48 percent of greenhouse gasses are made up from aggregate and aggregate by-products

Dave Ingham - 10th Line

- previously worked for Dufferin Aggregates - you have no idea what is coming if this northern expansion passes

- we pay a lot of taxes and every time we turn around, it's a fight to keep our lifestyle we bought into

- how can Halton Crushed Stone guarantee that they will not harvest below the water table in the future?

- will there be an environmental assessment or impact report if they remove a section of the 10th line?

- how is the Town going to update GPS mapping for emergency response?

- will residents be compensated for the inconvenience of having to detour all the time?

- the single lane bridge should have a posted load limit
- 10th line not supposed to be a haul route but trucks that should be using Winston Churchill use 10th because it has an easier grade
- once zoning is approved by this Council, it will be easier for them to come back later to apply to take below the water table

Jay Berman - WCR52

- mapping error on EP2 Zoning
- should plan be investigated to find any other errors?

Diane Sardy - Aspen Court

- seem to lack vision in this Town
- moved here 5 years ago, fell in love with the quaint little village
- disheartened to see quality of life going down hill
- these are not the decisions that will bring families to this town
- will Halton Crushed Stone amend application to provide for more annual tonnage?
- currently taking 725,000 tons per year, what will be the increase when they dig under the road?

Sharon Cranston - Aspen Court

- how much of the 150 hectares are rehabilitated so far?
- will Halton Crushed Stone surrender their license for rehabilitated land?
- did the study take this into account?
- has Town engaged Ray Blackport to look at the river and the effect on assimilative capacity?
- if application is approved they will be 20% larger than James Dick - will be the biggest in this whole area

Daniella Kaufman - 9th Line

- moved here for low stress but now surrounded by pit
- only notification was from email of a neighbour - no official notification from the Town was provided
- reasons for moving here and paying such high taxes are no longer viable

Roy Val - Pine Ridge Road

- suggest forming Ad Hoc Committee to recommend terms to Council
- form ongoing liaison committee as in other municipalities

Shannon Kulhay - Winston Churchill Blvd

- gravel trucks are paid by the load so they speed along to get as many loads they can in a day
- sat for 15 minutes twice a day to observe the high volume of trucks - constant
- roads are slippery, always accidents
- berms don't stop the noise - every morning woken up at 7am with the loud trucks and equipment from the pit and they are quite a distance from it at this point, will only get worse with expansion
- once the land has been scraped of trees, topsoil and nutrients, what can possibly grow there once rehabilitated?

Bryan Lillycropp - Pine Ridge Road

- not in my backyard
- moved here 3 years ago for quality of life
- if proposal to remove gravel from the road is not in the immediate plans, it should be removed from current application
- what is the rationale to go forward with this part of the application?
- commend Council for keeping composure and listening to public concerns and comments

Anna Spiteri - Citizens Against Fill Dumping

- we fight against fill coming into community on constant basis
- road safety, noise and pollution are key issues and we don't even have a pit out at the South West quadrant of Erin - so if this goes through it will be major issue for residents
- what is the process to rehabilitate back to Agricultural land?
- will the soil coming back in be tested for quality and ensure that it will not leak into aquifers?
- they say they are not planning to go beneath the water table but how can that be guaranteed?
- issues exist with the Ospringe Mulmur Pit - they have gone under the water table, and the water may be impacted
- can impact studies be more frequent?
- has the social impact been dealt with?
- topography has and will continue to change - what is the impact?

Karen Maxwell - 10th Line

- noise from existing pit

- is Town prepared for the increased traffic on the Main street in Erin due to the 10th line closure?
- if they haven't completed the rehab on existing pit, why did they move across the road?

Dolores Smith - 9th Line

- 10 to 12 years ago, noticed increased traffic on the 9th line - trucks every 2-3 minutes
- contacted Town to find out what was going on but was not given any information
- level of noise has significantly increased
- are there any fines or by-laws that can be enforced for trucks taking wrong routes?

Steve Gross – McCulloch Drive

- so only 3 Councillors and the Mayor are going to be voting on this issue?
- so if there was a conflict with all Councillors, who would make the decision?
- want this to be opened up to the public for voting

Jan Kulhay - 10th Line

- lot 12 on adjacent lot is not zoned M4, how do we affect the M4 change?
- once it becomes M4 is there any stopping it?

David Durdevic – WCR 52

- well is located on the edge of the pit expansion - how are you going to guarantee my water will not be affected?
- the quality of life for my kids is being impacted
- selling the Town out with all the quarries in area

Caitlin Wilson - WCR 52

- home is right at the top of the pit
- every day everything is covered in dirt and grime
- trying to have clean eating lifestyle but gardens are ruined
- how will you guarantee quality of life won't be further ruined?

Yijun Wang- Pine Ridge Road

- natural farmland, very beautiful, concerned about the impact of the pit

- since zoning changed to M4 - can we reverse zoning to Agricultural?
- what is the appeal process?

John Morland Jones – 27 Sideroad

- objection to CBM Pit on 8th line in Hillsburgh
- cannot read any of the site plan documents, would appreciate larger legible copies

Stewart Sebben – 8th Line

- property faces the front of the CBM Pit
- if this application goes through the impact will be huge
- doesn't matter where in Erin the pits are, we are all affected
- if Council does not approve zoning now, it stops, but if you give the go ahead there is no stopping future expansion requests
- Council has to reject this application
- we cannot be bullied - public opinion can help stop them
- is County of Wellington aware that the current Aggregate Resources Act is outdated?
- when a license is granted, it is granted forever
- what do we know about environmental impacts? (climate change, water problems, noise)
- no acceptable level of 'acceptable pollution'
- when Council and the County have completed studies, want on record that a peer review by an acceptable expert that residents agree to - not Town staff
- we are all part of Erin from the North West corner to the South East corner, if council passes this one, more will come in and that needs to be taken into account

Wendy Kulhay - 10th Line

- Council is doing a great job but there is a lot of tension in the room tonight
- taught law for over 40 years - laws change but there is one law that doesn't and that is the Invasive Law, the right to enjoy our land without invasion or interference from anyone
- no to Halton Crushed Stone, no to pollution - air dust and noise, no to nuisance
- our land won't be sold to anyone - fight for your rights and don't let anyone bully you

Sharon Cranston - Aspen Court

- thank you for hearing us
- will questions be placed on website?

Jacques Taillefer- Pine Ridge Road

- what is our guarantee that Halton Crushed stone will follow through with rehab and not leave us high and dry when they shut down?
- will Council obtain securities on hold or a certified cheque to Town that ensures we have payment?
- our roads are not made for such increase in traffic and weight - who pays for fixing and upgrading them?
- we already pay high taxes, not fair to leave us stuck with that bill
- on WCR52 just west of Winston Churchill a sign reads "Village of Erin - Experience the Charm" - there's nothing charming about having an open mine.

Aldo Salis – Manager of Planning and Development - County of Wellington

- licenses are issued by the Province and are considered "no sunset" - in other words they are forever
- rehab for the 10th line depends on the proponent's urgency
- there is a process for appeals to the County and or Municipality, the appeal deadline for the Ministry of Natural Resources has passed
- Notices are distributed and indicate your responsibility and process to appeal
- cost for appeal has increased recently to \$300

James Parkin, Partner at MHBC Planning Urban Design & Landscape Architecture

- we are here to listen and will report answers back in a timely manner
- we assure you the water is safe - CAS and regular monitoring
- soil from excavated lands is retained as stipulated in the provisions on the Site Plans and Procedures
- proven effective rehabilitation
- limited to have no more than 50% open at once
- detailed plans, monitoring reports are still underway
- still meeting face to face with residents with concerns
- we are required to respond and report to County and Town staff

Mayor Alls thanked everyone for attending the meeting and advised that Council will consider all input prior to making a decision on the matter, and that the questions will be provided on the website for public viewing.

3. Adjournment

The meeting was adjourned at 8:40 PM.



Mayor Allan Alls



Clerk Dina Lundy