



The Corporation of the Township of Brock

Council Minutes

July 25, 2022

Virtual Meeting

Members Present: Mayor John Grant
Regional Councillor Ted Smith
Ward 1 Councillor Michael Jubb
Ward 2 Councillor Claire Doble
Ward 3 Councillor Walter Schummer
Ward 4 Councillor Cria Pettingill
Ward 5 Councillor Lynn Campbell

Staff Present: CAO Ingrid Svelnis
Clerk/Deputy CAO Fernando Lamanna
Deputy Clerk Janean Currie
Clerk's Assistant Deena Hunt
Clerk's Assistant, Stefanie Stickwood
Director of Finance / Treasurer Lisa Chen
Chief Building Official Richard Ferguson
Director of Public Works Paul Lagrandeur
Manager Facilities and IT, R. Wayne Ward
Supervisor By-law Enforcement and Animal Control Sarah Jones

1. Call to Order & Moment of Silence - 6:00 p.m.

Mayor Grant called the meeting to order at 6:00 p.m. and a quorum was present.

2. Land Acknowledgement

It is important to begin each public gathering with a Land and Territorial Acknowledgement, to recognize the Indigenous people for being good stewards of the land and environment, here where we are meeting today. The Township of Brock has traditionally been a hunting and fishing ground for First Nations people. We reside on and benefit from the Williams Treaty Territories, on the land of the Mississaugas and Chippewas. May we share the land as long as the sun rises, the grass grows and river flows.

3. Disclosure of Pecuniary Interest and Nature Thereof

None

4. Community Announcements

None

5. Public Meeting

- 5.1 Explanatory Note - 11-2021-RA: Zoning By-law Amendment, CBM Aggregates, Division of St. Marys Cement Inc., Concession 2, Part Lots 7 and 8.

The purpose of this Statutory Public meeting, pursuant to Section 34 and 51 of the Planning Act R.S.O. 1990, was to inform the public of the details of an application for a Zoning By-law Amendment to permit the expansion of an active aggregate pit located on Concession 2, Part lots 7 & 8, Sunderland and to provide an opportunity for the public to make comments on the proposed application. Members of Council were in attendance to observe and listen to the comments.

Please ensure that you have registered your contact information with the Clerk's department to receive notice of future meetings pertaining to this application or email clerks@brock.ca to request an interested persons form to ensure you could be considered a interested party, should an appeal to the Ontario Land Tribunal be submitted.

There would be no decision made on behalf of the Township of Brock in respect of the application at this meeting. The Council of the Township of Brock will consider the merits of the application at a later date, taking into consideration all input received on the subject applications.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Brock before the by-law is enacted (if approved), the person or public body is NOT entitled

to appeal the decision of the Council of the Township of Brock to the Ontario Land Tribunal.

Further, the person or public body may NOT be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

In the event that the rezoning by-law is enacted by Council, it will be circulated in the formal manner under the provisions of the Planning Act, including those identified as interested parties. At that time, if objections are received, a hearing will be held before the Ontario Land Tribunal, at which time the objectors will be informed of a hearing date.

5.1.1 Consultant / Application Presentation

CBM Aggregates consultant Melanie Horton, Esher Planning, introduced David Hanratty, Director of Land Resources, Votorantim Cimentos and Heather Melcher, Director Ecology, WSP Golder, and provided a presentation which included:

- CBM submitted applications under the Planning Act and the Aggregate Resources Act for an expansion to the south pit, Sunderland - location is east of Sideroad 17, north of Concession 2 and south of Regional Road 13
- technical studies were submitted assessing the impact of the proposed expansion on the environment
- the expansion would affect the western portion of the property currently zoned rural, considered class 6 agricultural lands
- extraction to include above and below the groundwater table, similar to the existing south pit, with no increase in tonnage shipped from the Sunderland operation
- existing entrances/exits and haul routes for north and south pits to be used
- designated as Major Open Space, Prime Agricultural lands, and recognized as an area of High Potential Aggregate Resources in the Regional Official Plan
- no change proposed for the Environmental Protection (EP) zone; proposal boundary to be changed to exclude this zone

- approvals required - Aggregate Resources Act License (complete Aug 2021); Regional Official Plan Amendment (ROPA); and Township Zoning By-law Amendment
- Durham Region public meeting scheduled for September 6, 2022 for ROPA
- berm to be built to mitigate noise and will be removed during rehabilitation
- post-extraction rehabilitation plan designed to fit into the overall Regional context and complement the existing topography/ecology in the area
- final rehabilitation plan for the site will include 3 water ponds surrounded by wetlands, meadow, and reforested habitats

Council enquiries included:

- south pit extraction phase down as the new south pit becomes operational
- property values study be available to the public
- what does the Regional Official Plan Amendment include
- who performs peer reviews
- carbon sequestration study results available, as well as comments from the LSRCA
- Beaver River level monitoring and mitigation

5.1.2 Consultants for the Township of Brock

Nick Pileggi, Planning Consultant, Macaulay Shiomi Howson Ltd. (MSH) provided the following comments:

- MSH was retained by the Township of Brock
- applications were filed for ROPA and the Zoning By-law Amendment in March 2022 and the applications were deemed complete and circulated to agencies for comment
- all comments received will form ongoing discussions with the applicant
- a recommendation report would be forthcoming

Council enquiries included:

- the timing of Brock providing comments on the zoning amendment prior to a Regional Council decision on the Regional Official Plan Amendment application

5.1.3 Public Comments and Written Submissions

Public who spoke at the meeting: Peter Renz, Kaik Bharucha, Janice Mears, Michael Doherty, Ian Adams, Matthew and Emily Negrazis, Richard and Dorothea Helms, Carole Ditomaso

Comments and Concerns raised included:

- property real estate values would decrease by more than 25% with no compensation
- wetlands are finite, will be impacted by aggregate operations; would there be a future report evaluating the wetlands
- Province encourages residents to participate in Conservation Land Tax Incentive Program - private stewardship of Ontario's provincially important natural areas
- pit too close to residences, incompatible with community
- noise, vibrations, odours, dust - health concerns
- well water levels, studies, testing
- wildlife movement interrupted
- would EP be rezoned
- Township planning should protect the rural character of the community
- would processing activities remain north of Regional Road 13; no entrances off Concession 2
- which version of the Aggregate Act pertains to this application
- contact information for submitting complaints regarding dust and noise; would the monitoring of dust be ongoing regarding crystalline silica

- notice of proposed zoning change not received by a neighbouring property
- loss of enjoyment of properties
- if well impacted then legal action would be taken
- Regional noise levels should be considered as opposed to the Provincial noise standards
- truck traffic routes during Regional Road 13 reconstruction

Resolution: C-2022-187

BE IT RESOLVED THAT the presentations, written and verbal comments made during the Statutory Public Meeting with respect to the Zoning By-law Amendment application by CBM Aggregates, Concession 2, Part Lots 7 & 8 be received.

5.1.3.1 Peter Renz - comment for proposed CBM Pit Expansion

Communication Number 382/22

5.1.3.2 Kaik Bharucha - comment for proposed CBM Pit Expansion

Communication Numbers 389/22 and 404/22

5.1.3.3 Janice Mears - comment for proposed CBM Pit Expansion

Communication Number 405/22

5.1.3.4 Michael Doherty - comment for proposed CBM Pit Expansion

Communication Number 406/22

5.1.3.5 Ian Adams - comment for proposed CBM Pit Expansion

Communication Number 407/22

5.1.3.6 Matthew Negrazis - comment for proposed CBM Pit Expansion

Communication Number 408/22

- 5.1.3.7 Emily Negrazis - comment for proposed CBM Pit Expansion
Communication Number 409/22
- 5.1.3.8 Richard & Dorothea Helms - comment for proposed CBM Pit Expansion
Communication Number 411/22
- 5.1.3.9 Carole Ditomaso - comment for proposed CBM Pit Expansion
Communication Number 425/22
- 5.1.3.10 Robert & Pat LaFontaine - comment for proposed CBM Pit Expansion
Communication Number 410/22
- 5.1.3.11 Robert Ritter - comment for proposed CBM Pit Expansion
Communication Number 412/22

5.2 Explanatory Note - Proposed Sale of Surplus Land, Ball Avenue East

The purpose of this Statutory Public meeting, pursuant to paragraph 1 of subsection 270(1) of the Municipal Act, S.O. 2001, as amended, and the provisions of By-law Number 1480-97-AP, was to inform the public that the Council of the Corporation of the Township of Brock intends to enact a by-law to declare certain lands as surplus to the needs of the Corporation with the intention of selling the said lands. This meeting provided an opportunity for the public to make comments on the proposed sale of surplus land.

The subject lands are located on Ball Avenue East. The subject lands are legally described as Block B, Plan M-899, Township of Brock, Regional Municipality of Durham.

Members of Council were in attendance to observe and listen to comments.

Please ensure that you have registered your contact information with the Clerk's department to receive notice of future meetings pertaining to this application or email clerks@brock.ca to request an interested persons