1. CALL TO ORDER

RESOLUTION 2012-048
Moved by: Hanna
Seconded by: McConkey

THAT the meeting of the Springwater Planning Committee of April 23, 2012 come to order at 5:33 pm.

CARRIED

2. MOMENT OF REFLECTION

All present joined the Mayor in a moment of silent reflection.

3. DISCLOSURE OF PECUNIARY INTEREST – None noted.

4. DEPUTATIONS/PRESENTATIONS

4.1 Innovative Planning Solutions Inc. re: Preliminary Development Application PD-2012-002 by 2252841 Ontario Inc. for 742 Highway 26 Planning Report

This item was delayed at the request of the delegant to later in the meeting.

4.2 Rudy & Associates Ltd. re: SU-2006-002 Fergusonvale Estates Subdivision

Rudy Mak, owner of the subject land, explained that since the last report to the Township, work on clearing of the Draft Plan Conditions has been underway. The Nottawasaga Valley Conservation Authority (NVCA) has been

Also Present:
Robert Brindley, CAO
Brent Spagnol, Manager of Planning
Laura Thompson, Planner
Elaine Cairncross, P & D Co-ordinator
Brad Sokach, Director of Planning & Public Works
satisfied and all requested documents have been submitted. The Committee was asked to move the project forward towards final approval.

The Manager of Planning suggested that a staff report be submitted to the next Agenda, after staff has conducted a review of the file.

**RESOLUTION 2012-049**
Moved by: Webster  
Seconded by: McConkey

THAT the delegation by Rudy Mak re: SU-2006-002 Fergusonvale Estates Subdivision be received and that Planning staff follow up with a report to the next Planning Committee meeting.

**CARRIED**

4.3 Brad Flach re: Maple Ridge Estates - SU-2007-001

Brad Flach, owner of the subject land, indicated that he had been working towards the clearance of his Draft Plan Conditions and asked for approval to move forward with this development.

The Committee heard that it was intended that the Maple Ridge and Fergusonvale Estates subdivisions would move forward together.

**RESOLUTION 2012-050**
Moved by: McLean  
Seconded by: Webster

THAT the delegation by Maple Ridge Estates be received and that Planning staff follow up with a report to the next Planning Committee meeting.

**CARRIED**

5. **QUESTION PERIOD** – None.

6. **PREVIOUS MINUTES**

   Minutes of Planning Committee meeting dated

   **RESOLUTION 2012-051**
   Moved by: Ritchie  
   Seconded by: Clement
THAT the Planning Committee minutes dated March 26, 2012 be adopted as presented.

CARRIED

7. STAFF REPORTS

7.1 Draft Plan Extension Application and Email from Dan Gallo re Springwater Meadows Subdivision Phase II

Discussion arose with respect to extension of draft plan approval for three years. The option of approving one year only was discussed.

The Director of Planning & Public Works reported that the geotechnical and design work is completed work on Queen Street West, in front of the Gallo property and the next step would be a cost sharing agreement with Mr. Gallo. It was noted that there has been no indication of a timeframe for development from the applicant. The Committee noted its hope that the timing of the bridgework in the area by the County would mesh with the Township’s work to ease traffic disruption.

RESOLUTION 2012-052
Moved by: Clement
Seconded by: Ritchie

THAT the report from the Manager of Planning dated April 23, 2012 regarding County of Simcoe File SP-T-0801, Township File SU-2008-001, Springwater Meadows Phase II Plan of Subdivision Request for Extension of Draft Plan Approval be received; and
THAT Planning Committee does not object to the extension of Draft Plan Approval; and
THAT the County of Simcoe be so notified.

CARRIED

7.2 Preliminary Development Application PD-2012-003 by Skelton Brumwell Inc. for Vito Malfara at 4712 County Road 90 Planning Report

Planning Committee expressed support for the proposal since the property is seen as a type of gateway to the Elmvale area and is in need of improvement.

RESOLUTION 2012-053
Moved by: Hanna  
Seconded by: McConkey  

THAT the report from the Planner dated April 23, 2012 regarding Preliminary Development Application PDA-2012-003 be received.  

CARRIED  

7.3 Zoning By-law Amendment Application ZB-2012-004 by J. Coughlin for 1017 Coughlin Road  

The Planner clarified that a plan of subdivision process would be required in order to develop the retained lands.  

RESOLUTION 2012-054  
Moved by: McConkey  
Seconded by: Hanna  

THAT the report from the Planner dated April 23, 2012 in support of Zoning By-law Amendment ZB-2012-004 be received; and  

THAT a public meeting be scheduled in accordance with Section 34 of the Planning Act, R.S.O. 1990, C.P. 13 as amended and that following the public meeting, Planning Committee provide further direction.  

CARRIED  

8. BOARD AND COMMITTEE MINUTES  

It was noted that the County’s appeal of the Graham consent would be the subject of discussion at County Council the following day.  

RESOLUTION 2012-055  
Moved by: Webster  
Seconded by: McConkey  

That the minutes of the Committee of Adjustment meeting dated April 4, 2012 be received.  

CARRIED  

9. CORRESPONDENCE/ACTION ITEMS
9.1 Gordon Paul re: Midves Court Extension Rezoning

9.2 Midves II Group re: Midves Court Extension

9.3 Solar Stream Green Energy Group re: microFit and FIT Scheduled Program Review

9.4 South Georgian Bay Lake Simcoe Source Protection Region - Draft Proposed Source Protection Plan & Explanatory Documents

9.5 Simcoe County - Notice of Extension of Draft Plan Approval - Pro-Elm Phase II - SP-T-0402

9.6 Gerald & Ben Morgan Appeal of Decision by the Committee of Adjustment on Application for Consent B20/11 - Willmart Grain Ltd.

9.7 Town of Wasaga Beach Notices:
   1) Notice of Intent to Remove a Holding Symbol for property fronting on Shady Lane and Mosley Street
   2) Notice of Public Meeting regarding a Zoning By-law Amendment for property at the southwest intersection of Arcadia Road and Blueberry Trail
   3) Notice of Public Meeting regarding a Zoning By-law Amendment for property at 1262, 1256 and 1246 Mosley Street

9.8 Ontario Municipal Board (OMB) Appointment for Hearing re: David Parks Appeal of Consent Application B01/12 by David Murray Graham Estate

9.9 Township of Tiny Notice of Public Meeting for proposed Official Plan and Zoning By-law Amendments for K.J. Beamish Construction Company Pit Expansion

9.10 Township of Oro-Medonte Notice of Public Meeting for Zoning By-law Amendment 2011-ZBA-14 and Plan of Condominium 2011-SUB-03 for Horseshoe Skyline Resort

9.11 Correspondence/Action Items

**RESOLUTION 2012-056**
Moved by: McLean
Seconded by: Webster

THAT the Correspondence/Action Items 9.1 through 9.10 be received.
CARRIED

10. INFORMATION ITEMS

10.1 Consent Application B08/12 by Mormin Holstein Farms Ltd. and Paul & Brigitte Minty for 2571 Flos Road Ten West

10.2 Minor Variance Application A02/12 by M. C. Cruz for 2569 Flos Road Ten East

Planning Committee members briefly discussed views on minor variance applications which were applied for after a building was constructed without a building permit.

10.3 Status Reports to April, 2012

10.4 Information Items

RESOLUTION 2012-057
Moved by: Ritchie
Seconded by: Clement

THAT the Information Items 10.1 through 10.3 be received.

CARRIED

The delegation under Item 4.1, which had been delayed earlier in the meeting, was then given the floor.

4.1 Innovative Planning Solutions Inc. re: Preliminary Development Application PD-2012-002 by 2252841 Ontario Inc. for 742 Highway 26 Planning Report

Darren Vella of Innovative Planning Solutions Inc. (IPS) indicated that his client, Paul Sadlon, was looking for feedback from the Township on his proposal to move his car dealership to the subject property. He made the following points with the aid of a powerpoint presentation:

- Propose a new cul-de-sac with signalized intersection at Highway 26 which, he indicated, meets Ministry of Transportation requirement for an intersection separation of 400 metres
- Propose a 2 storey building totaling 50,000 square feet
- Surrounding land uses are mainly commercial
- The Greenbelt on the east side of Highway 26 is not developable due to environmental constraints
There is development potential on the land; the question is when.
The Township’s Official Plan is due for review and conserving the subject lands under the Greenbelt Policies no longer fits

Upon questioning from the Committee, Mr. Vella indicated that the proposed project would be imminent as the owner only has a certain window of opportunity. Planning Committee expressed support for the concept, while raising its concern from a traffic safety standpoint. Mr. Vella offered that the configuration of the portion of the property to be used for the project could change, in response to certain comments from the Committee.

**RESOLUTION 2012-058**  
Moved by: McConkey  
Seconded by: Hanna

THAT the delegation by Innovative Planning Solutions and Planning Report dated April 23, 2012 regarding Preliminary Development Application PD-2012-002 by 2252841 Ontario Inc be received.

CARRIED

The Committee took a recess at 6:28, reconvening at 6:30 pm.

11. **PUBLIC MEETING SESSION**

11.1 Call to Order

**RESOLUTION 2012-059**  
Moved by: Clement  
Seconded by: Ritchie

That this Public Meeting - Planning Committee held under Section 34 of the Planning Act for the ZB-2012-002 - Eek Pit Expansion application be called to order at 6:31 PM.

CARRIED

11.2 THE PURPOSE of the proposed zoning by-law amendment is to rezone lands located in Part of Lot 21, Concession 9, former Township of Vespra, now in the Township of Springwater, municipally known as 3568 Barrie Hill Road from the Agricultural (A) and Environmental Protection (EP) Zones to the Extractive Industrial Hold [ME-(H)] Zone. The effect of the amendment is to permit the expansion of the existing neighbouring aggregate operation.
Mayor Collins offered a welcome to the public meeting, explaining that this was held in compliance with Section 34 of the Planning Act to give the public an opportunity to express their views in regard to a proposed amendment to the Township of Springwater Zoning By-law, as amended.

The first part of this meeting is to present the amendment. Following that an opportunity will be given to enable those who have any comments, concerns or inquiries with regard to this proposal to make their views known to Planning Committee. In addition to any comments made at this meeting, written presentations would also be welcomed by Planning Committee. If a person or public body who files an appeal of a decision of the Township of Springwater in respect of a proposed Zoning By-law Amendment does not make oral submissions at a public meeting or written submissions to the Township of Springwater before the proposed Zoning By-law Amendment is passed, the Ontario Municipal Board may dismiss all or part of the appeal. The Mayor advised that any persons who wish to speak should first give their name and address. All comments or questions should be addressed through the Chair. Oral submissions will form part of the public meeting minutes record, including the name and address of the speaker, as information collected under the Planning Act. The minutes of the meeting will be posted on the Township’s website.

The Coordinator reported that Notice of this Public Meeting was mailed on the 2nd day of April, 2012 to the owner of the subject lands, and to the assessed owners of one hundred & seventy-six (176) properties in the Township of Springwater within 800 metres of the area to which the proposed amendment would apply, and to all persons and public bodies as prescribed under the Planning Act and its regulations. Notice was also posted at the assessed property to which the proposed amendment applies, at a location that was visible from Barrie Hill Road and on the Township’s website.

Items of correspondence have been received from:

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simcoe County District School Board, Holly Spacek, MCIP, RPP dated April 4, 2012</td>
<td>“Planning staff have no objections to this amendment.”</td>
</tr>
<tr>
<td>County of Simcoe, Greg Marek, MCIP, RPP dated April 18, 2012</td>
<td>“The County is requesting that the Township defer making a decision on this application until such time as the EIS has been reviewed and deemed satisfactory by...”</td>
</tr>
<tr>
<td>Date</td>
<td>Description</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
</tr>
<tr>
<td>April 23, 2012</td>
<td>Elizabeth Klamann &amp; Joe Shocrylas by email dated April 22, 2012</td>
</tr>
<tr>
<td>April 23, 2012</td>
<td>Sam Mercuri dated April 23, 2012</td>
</tr>
<tr>
<td>April 23, 2012</td>
<td>Nottawasaga Valley Conservation Authority dated April 23, 2012</td>
</tr>
</tbody>
</table>

The Traffic Review report has been reviewed and deemed satisfactory by the County; and the applicant has entered into a Haul Route and Road Improvement Agreement with the County.”

“We wish to register our **opposition** to any amendment to a zoning by-law that permits expansion for the aggregate operation at 3568 Barrie Hill Road.”

The property is not vacant and there is a dwelling which is currently rented out. Raised concerns regarding his ability to rent the property in future; his retirement to the property in future may not be possible; negative impact on the property due to noise and environmental issues; property value uncertainty.

From a landscape ecology perspective, it is NVCA staff opinion that the proposed application will not significantly impact natural heritage systems identified in the Springwater Township or Simcoe County Official Plans. In light of this NVCA staff has no objection to the rezoning, however NVCA staff recommends additional groundwater monitoring, transplant/relocation of rare plants and that the rehabilitation plan be reconsidered to one that could provide additional habitats and linkages to Greenland areas to the south and east.

Greg Barker of Innovative Planning Solutions Inc. introduced other members of the project team in attendance as Darren Vella, also of IPS Inc.; Bill Fitzgerald and Mr. and Mrs. Eek.

Mr. Barker related that under Springwater Planning Committee Resolution 2010-310, the subject land had been recognized as ‘High Aggregate Potential’ and therefore no Official Plan Amendment had been required in this case. He explained that the purpose of the rezoning is to allow the pit operator to rehabilitate the existing section and move the excavation to the subject lands.

The existing pit has been depleted of its resources and is to be closed. The 20.2 hectare site is in Part of Lot 21, Concession 9, just south of the Centre Vespra Settlement Area. The lands are currently zoned Agricultural (A) and Environmental Protection (EP) and the applicant seeks an Extractive Industrial (ME) Zone. Mr. Barker pointed out that there is a small woodlot
which is isolated from other forested areas. The existing haul route will continue to be used and the new pit area will operate under the same annual tonnage that is currently permitted under a license to be issued by the Ministry of Natural Resources.

Mr. Barker reviewed the reports which had been submitted in support of the application:

1) Environmental Impact Assessment by Robin E. Craig
   - no environmental features
   - recommends buffering including 30 metre setback from property lines, tree preservation and phased tree removal

2) Stage 1 & 2 Archaeological Assessment by Geological Investigations
   - clearance from Ministry of Culture has been submitted

3) Site Plan Agreement
   - draft has been submitted covering hours of operation, buffering, haul route, setbacks, method of excavation, quantity restrictions and mitigation for natural heritage features and noise issues.

4) Noise Control Study by Aeroustics Engineering Ltd.
   - recommends restrictions on extraction and procession equipment, noise emissions of equipment and areas of operation
   - perimeter berming to provide acoustical shielding of the equipment
   - minimum lift heights
   - hours of operation

5) Planning Policy & Analysis by IPS Inc.
   - PPS and Places to Grow allow management and use of resources in rural areas
   - Aggregate is of provincial interest and is important for economic viability
   - The neighbouring and nearby aggregate operations, the existing haul rate, efficiency of transportation networks make this application consistent with these policies
   - Meets County of Simcoe Official Plan policies
   - Meets Township of Springwater Official Plan policies

Mr. Brian Kuzik of 41 Alana Drive indicated that he felt there were possible hydrogeological effects on the groundwater. His house is 1 kilometre from the proposal. He related a previous experience when a legal and approved quarry operation had blown a hole in the water table, causing 65 area wells to dry up within 2 kilometres. He described the legal processes and water supply measures that had occurred. He questioned the use of the word
“assume” in the geological report, stating that he had no confidence that his
previous experience would not be repeated. The area is densely populated.
He asked for reconsideration as the risk is high. He also asked for an
assay of the area wells for quality and quantity. Greg Barker allowed that
the NCA had raised concerns which would be dealt with through the site
plan process. Bill Fitzgerald responded to the residence by stressing that
this application deals with a pit, which is much different than a quarry which
had caused the tragedy. The data from the two Lafarge pits to the west as
well as the existing Eek pit show no water has been encountered and there
has been no adverse affect. The monitoring well is dry. The proposal will
stay 2 metres above the water table. A further 4 or 5 monitoring wells will
be installed. Mr. Kuzik indicated that monitoring wells had been in place

Helen Sarris of 49 Alana Drive expressed concern with respect to water,
lifestyle retention, noise from machinery and air quality, specifically dust.
She asked what a buffer was and reported having seen a fire in a drum on
the site. The proposed activities on the site were questioned, along with a
reminder being offered that more residential development was planned for
the area. Bill Fitzgerald offered that the fire should not have occurred and
steps would be taken to prevent other such activity. He stated that there will
be no blasting involved. He referred to the Noise Control Study by
Aeroustics Engineering Ltd. which had been retained to investigate
whether the proposal could meet provincial standards for noise, and which
had recommended that a berm be constructed within the 100 foot setback
from the Unopened Road Allowance before the operation begins. Mr.
Fitzgerald advised that the crusher may stay in its existing location and that
the operation will be the same as the existing one.

Laurie Lloyd of 41 Alana Drive pointed out that 2 properties would be within
the 50 decibel noise level area. She asked for clarification since one report
reference 350,000 tonnes while the rest state 300,000. Bill Fitzgerald
responded that no tonnage increase was being proposed and that even
though the current license was for up to 300,000, the highest tonnage
removed per year was probably about 175,000 tonnes. The road
agreement also refers to 300,000 he noted.

Ms. Lloyd also registered concerns with property values and water. She
spoke of a conversation with a Professor of Geology who felt it was
common to deny there would trouble with water. She expressed the view
that the quality and quantity of wells in the area should be known, as well
as the size of the aquifer and the records for the retired area and the new
pit. Ms. Lloyd asked whether Centre Vespra is able to have a water system
and the Director of Planning, and Public Works advised that a waterline
had been installed to the corner of Dobson and Sunnidale Roads. The
possible servicing of the Stonegate Subdivision had been reviewed during
the Class EA for the proposed Yorkwood Subdivision.

Ms. Lloyd offered the opinion that the 8.5 hectare woodlot, that the report says is to be temporarily removed is an ecosystem which cannot be replaced by lining the perimeter of the site with treed berms. Bill Fitzgerald reported that monitoring is currently only for quantity of the groundwater since none has been found on the site. He repeated that the operation would stay 2 metres above the water table.

Joseph Shocrylas of 25 Alana Drive echoed his support of the concerns raised by other residents. He wishes to preserve his quality of life. He asked what the cost would be to connect to a municipal water system. His other concerns included environmental issues as well as the protection of the forest and ecological areas. The Director of Planning, & Public Works responded that the cost to connect and who would pay for it has not yet been decided and that any such decision would depend on current circumstances.

Brian Kuzik wanted to know whether pit had enough insurance and money to provide water service.

Murray Scott of 3500 Barrie Hill Road spoke in favour of the proposal, stating that in his experience, the operation was professional, clean and tidy. He reported that the operator had helped to maintain the road. He indicated that even with the existing operation, he still sees deer, coyotes and other animals, so the new pit will not hurt the environment. As the closest neighbour, he reported hearing the start-up of machinery, but not the operation itself.

Brian Kuzik asked who had made the original decision to zone part of the land as Environmental Protection (EP). He did not feel it should be changed. The Manager of Planning explained that the lands were designated as 'Rural' in the Official Plan and that to rezone land from the (EP) Zone was subject to NVCA comments. The Ministry of Natural Resources is the authority which licenses the operation based on its zoning compliance and other matters.

Councillor McConkey expressed disappointment that the word “expansion” had caused such confusion. She indicated there was a need for a clear timeframe from the applicant and confirmation of the 175,000 tonne per year removal. The Councillor asked when the last baseline testing had been done. Bill Fitzgerald explained that the high quality material has already been removed from the site. What remains is about 5 metres of lesser grade material. The rehabilitation of the site was started over the last few years. The existing site will not be closed entirely.
Councillor Webster asked who the owner of the property is and was assured that it was the applicant under two numbered companies. He questioned the number of truck movements per year which Mr. Fitzgerald approximated at 40,000 based on 25 tonnes per tri-axle. The Councillor asked who reviewed the EIS and Mr. Fitzgerald indicated that the NCVA and MNR did. He advised that the licensing application had not yet been submitted to the MNR but would be once the zoning process was satisfied.

Councillor Ritchie wanted to know what the overburden was. Bill Fitzgerald reported that the topsoil has to be kept on the site and would be used for berm construction. The total site potential is 3 to 5 million tonnes.

Mayor Collins thanked everyone for attending the public meeting with respect to the proposed Zoning By-law Amendment and showing an interest in the matter.

11.3 Adjournment

**RESOLUTION 2012-060**
Moved by: Hanna
Seconded by: McConkey

That this Public Meeting - Planning Committee held under Section 34 of the Planning Act for the ZB-2012-002 - Eek Pit Expansion application does now adjourn at 67:40 PM.

CARRIED

12. DIRECTION FOLLOWING PUBLIC MEETING

**RESOLUTION 2012-061**
Moved by: Hanna
Seconded by: McConkey

ZB-2012-002 for the Eek Pit Expansion Rezoning
THAT Planning Committee, having held a public meeting on April 23, 2012, having noted correspondence and input received, direct that the application be deferred for a further report from staff.

CARRIED

13. ITEMS FOR FUTURE CONSIDERATION
RESOLUTION 2012-062
Moved by: Webster
Seconded by: McConkey

THAT the following be approved as items for future consideration:
1) to consider by way of staff report, the need for a by-law dealing
with buildings constructed without a building permit.

CARRIED

14. CLOSED SESSION

14.1 Into Closed

RESOLUTION 2012-063
Moved by: McLean
Seconded by: Webster

THAT in accordance with Section 239 of the Municipal Act, 2001,
Springwater Planning Committee does hereby resolve to move into
Closed Session at 7:43 p.m. for discussion pertaining to:

1. A matter in respect of which a council, board, committee or other body
   may hold a closed meeting under another Act, 2001, c.25, s.239(2);
2. Litigation or potential litigation, including matters before administrative
   tribunals, affecting the municipality or local board.

CARRIED

14.3 Morgan Appeal of the Decision of the Committee of Adjustment on
Application for Consent B20/11 - Willmart Grain Ltd. - Request for direction
on legal counsel

14.4 Rise from Closed Session

RESOLUTION 2012-065
Moved Ritchie
Seconded by: Clement

THAT Planning Committee does now rise from Closed Session at 7:56
p.m.
CARRIED

14.2 Closed Session Minutes of March 26, 2012 (A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act, 2001, c.25, s.239(2))

**RESOLUTION 2012-064**
Moved by: Clement
Seconded by: Ritchie

THAT the Closed Session Minutes of March 26, 2012 be adopted as presented.

CARRIED

14.3 Morgan Appeal of the Decision of the Committee of Adjustment on Application for Consent B20/11 - Willmart Grain Ltd. - Request for direction on legal counsel (Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.)

**RESOLUTION 2012-066**
Moved by: Hanna
Seconded by: McConkey

THAT Planning Committee directs that with respect to the Morgan appeal of the decision by the Committee of Adjustment on Application for Consent B20/11 - Willmart Grain Ltd., legal counsel not be retained.

CARRIED

15. CONFIRMATORY RESOLUTION

**RESOLUTION 2012-067**
Moved by: McConkey
Seconded by: Hanna

THAT the actions of the Planning Committee of The Township of Springwater, in respect of each resolution and other action taken by the Committee at the April 23, 2012 meeting are, except where the prior approval of the Ontario Municipal Board (OMB) or other authority is by law required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this Resolution. This confirmation shall include any actions delegated to a Committee and contained in the Minutes approved by Planning Committee.
CARRIED

16. ADJOURNMENT

RESOLUTION 2012-068
Moved by: Webster
Seconded by: McConkey

That the Springwater Planning Committee does now adjourn at 7:57 PM to meet again on May 28, 2012 at 5:30 PM in the Springwater Council Chamber, 2231 Nursery Road, Minesing.

CARRIED

Linda Collins, Mayor                                     K. Elaine Cairncross, P&DC