

**THE CORPORATION OF THE TOWNSHIP OF BROCK**

**MUNICIPAL ADMINISTRATION BUILDING**

**PLANNING COMMITTEE**

**SESSION TWO**

**MONDAY, JANUARY 23, 2006**

The Second Meeting of the Planning Committee of the Corporation of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, January 23, 2006, in the Municipal Administration Building Council Chamber.

Members present:	Mayor:	Keith Shier
	Regional Councillor:	Larry O'Connor
	Councillors:	Karen Windatt
		John Grant
		Reg Starr
		Debbie Bath
		Allan Simpson

Staff Members present:	Clerk-Administrator George S. Graham (recording the minutes)
	Deputy Clerk-Administrator Thomas G. Gettinby
	Clerk-Stenographer Susan Creighton
	Planning Consultant Valerie Cranmer of Valerie Cranmer & Associates

I. CALL TO ORDER

Chair Larry O'Connor called the meeting to order at 10:05 a.m.

II. CONFIRMATION OF MINUTES

(1) 23rd meeting - December 19/05

Resolution No. 1-2

MOVED BY Keith Shier that the minutes of the 23rd meeting of the Planning Committee as held on December 19, 2005, be adopted as typed and circulated.

MOTION CARRIED

III. HEARING OF DEPUTATIONS

10:00 a.m. – AIM PowerGen Corporation – Matt Ladner/Jim Wilgar – Wind Turbine Proposal (refer to Communication #145/06 attached)

Messrs. Jim Wilgar, Municipal Consultant, Matt Ladner, Project Site Consultant, and Drew Elliot, Project Site Consultant, attended before the committee representing AIM PowerGen Corporation, to discuss the implementation of a wind farm in the Township of Brock. Mr. Wilgar spoke briefly on their experience which has been garnered over the past four years in successfully developing the Erie Shores Wind Farm which is located in Port Burwell, Ontario. He advised that their company worked closely with the Federal, Provincial and Municipal levels of government during the development of the wind farm due to the importance of keeping these agencies informed due to a lack of directives, and/or policies governing this type of development. Throughout the development of the Erie Shores Wind Farm, meetings were held with area landowners due to the area being agricultural in nature and sensitive to environmental issues. As well, public meetings were held, including municipal government planning authorities, the end result being the development of a template for official plans and zoning by-laws, and the approval of the Erie Shores Wind Farm.

AIM PowerGen is working toward an established relationship with the Township of Brock respecting the development of the proposed Simcoe Shores Wind Farm, and is committed to working with municipal staff and the existing planning structure. AIM would like concerns and issues identified and are willing to share their successes.

Councillor Reg Starr commended the deputation on the event which included landowners and members of council, held before Christmas, as he felt that worthwhile information was received.

Councillor Reg Starr advised he is familiar with the wind farm being constructed in the Shelburne area and his concern involves the service roads required, which appear to fracture prime agricultural lands. He also commented that the turbines AIM is proposing, are spread out over quite an area.

Matt Ladner advised that a Calgary Company is constructing the wind farm in Shelburne. He submitted, for the information of the committee, the January 2006 issue of the North American Wind Power Magazine. Mr. Ladner advised there is a difference between the makeup of the construction and permanent roadways, however that the construction roads are critical to the development of the project as they must be able to accommodate the heavy equipment used in the construction of the wind farm. He gave a very basic explanation of the construction of the roads, advising that the permanent roads are 15 feet wide and on a permanent base which is only slightly above grade so there is no interference with the farming operations. Most farmers are supportive of the access roads, having had input into the location of the roads, most often along property lines or fence rows. The foot print of the finished turbine actually encompasses very little land.

Jim Wilgar advised that on average, 2-5 acres is required for a turbine and access road, the access road being located where it will have the least impact on the farming operation. The agricultural zoning must remain as the primary land use and the regular farming activity continue due to the minimum impact of the turbine. The landowner sees the access roads as an advantage especially in gaining spring access to land.

Matt Ladner commented that the 5-7 turbines per 50 acre density of the Shelburne project is much greater than the one turbine per 60 acres proposed by AIM for the Simcoe Shores project. He explained that it is critical that the turbines are not located so close that they "steal one another's wind", and although the technical layout has yet to be determined, their project will not be as dense.

Mayor Keith Shier commented that data to date must be favourable or AIM would not be pursuing this project to which Mr. Ladner advised that wind data is encouraging, but January to April provides the most critical wind data and we are just coming into that timeframe. Data feedback for the slower wind speed months has also been good, however they will pay close attention to the January-April time span.

Mayor Keith Shier enquired whether consideration has been given to the unusually mild winter with next to no wind and was advised in the affirmative in that the test towers give exact results over an 18 month period which is then correlated over the long term to provide historical data.

Mayor Keith Shier enquired respecting the agreement with landowners, and was advised by Mr. Wilgar that it is a 20 plus 20 year lease, the terms of which are dictated to AIM.

Mayor Keith Shier commented that if the base of a turbine holds 40 loads of concrete, it appears as though it is permanent to which Mr. Wilgar advised that the bulk of the base is subterranean and varies. Located thereon is a conical piece 6-8 feet in height. The agreement provides for the return of property to its original use and at this time the cone piece is removed.

Councillor Allan Simpson addressed the issue of truck traffic from the construction site onto the public roads which can create traffic and safety issues. Mr. Wilgar advised they are aware of these issues and have dealt with them previously, further advising that the heavy equipment mover follows the stringent rules when routing heavy equipment to minimize traffic problems.

Councillor Allan Simpson commented that the equipment required is expensive to transport and could it be manufactured in Ontario. Mr. Wilgar responded by advising that companies capable of transporting heavy equipment are limited and he does not know whether such companies exist locally. Insofar as job creation locally, companies with a proven track record must be used due to the financial investment in the project, however that these companies will use local workers. As well the economic spin off from the

project is large due to the large numbers of workers on site requiring restaurant services, etc.

Councillor John Grant noted the zones depicted on the Schedule A map and enquired whether turbines would be located in both zones and if so, how many? He further noted that the south zone is back from Regional Road 23 where there is some high value homes and cottages and whether AIM has had experience working with Cottage/Homeowner Associations? He further enquired as to the status of the project in the Township of Ramara.

Matt Ladner advised that landowners in both zones have been approached. The northern zone is closer to the lake with no residential development along the water where turbines would be placed for maximum wind generation. The lands within the northern zone are mostly held by 3 landowners, two of which have not responded to enquiries which could impact the feasibility of the area. He is hesitant to comment on the numbers of turbines at this time based on setback information. He also noted that technology in this field is evolving rapidly with the output of the turbine determining numbers required.

Mr. Ladner advised they have deliberately stayed east of Durham Road 23 based on setbacks and the residential properties as well as other factors such as the rail line and the fact that the land is not suitable for turbine location. They have had dealings with Cottage/Homeowner Associations and have seen instances where an Association can stall a project.

The Township of Ramara has amended their Official Plan to permit wind turbines and have adopted setbacks. The process in Ramara has been the same as in Brock with one test tower having been erected and a second being erected at Concession 1, Ramara. Options and easement agreements have been entered into with landowners.

Mr. Jim Wilgar reiterated that different companies produce turbines that produce varying megawatts of power which in turn impacts the number of towers required. He stressed that AIM realizes the importance of trying to accommodate and not dictate to local residents and/or government, their goal being to achieve the objectives and not raise public concern.

Councillor Debbie Bath thanked the deputation for attending. She commented on the need for the Township of Brock to develop a policy in this regard and reiterated problems the municipality has previously experienced insofar as communication towers, and that she foresees issues being raised as well in conjunction with the wind turbines. Councillor Bath enquired how the municipality would be protected should the structures be abandoned in the future.

Mr. Jim Wilgar responded by advising that all of the players involved are new at the game, however that they have worked through the option agreement which deals with and is backed by financial credibility. The value of the steel in the towers is high, and he is giving verbal assurance at this time that they would not be abandoned. Mr. Wilgar advised that the matter of aesthetics is personal, however that council needs to delineate possible sites and setbacks within their zoning by-law.

Councillor Bath enquired whether other municipalities in which wind farms are located have agreements insofar as being compensated for staff time which could be involved in dealing with complaints associated with a wind farm and was advised in the affirmative in that stringent sound engineering and testing is undertaken being part of the assurance process and forming part of the site plan.

Councillor Bath enquired whether staff would review an agreement to protect the municipality and was advised by the Deputy Clerk-Administrator that the requisite studies would be required to support an application, a noise study currently being a provision within the draft official plan. The information would also form part of a site plan agreement.

Councillor Bath advised that noise and aesthetic issues are important to the community and council needs the ability to deal with such issues if they arise.

Councillor Karen Windatt enquired how the turbines will impact property assessment and was advised by Mr. Wilgar that farmers do not consider that the turbines diminish the value of their farms and that MPAC is currently determining how to deal with the turbines and currently are not assessing turbines.

Councillor Karen Windatt enquired whether all of the possible landowners have been contacted insofar as site selection and was advised in the affirmative with there being no current plans to expand the boundaries at this time.

Councillor Reg Starr enquired as to the number and size of the control stations that would be required and was advised by Mr. Ladner that this is difficult to comment on in that there are two ways to tie into the power grid. If the project is over 20 megawatts they would need a substation at concession 3 and Highway 12. Mr. Wilgar pointed out that a 150 megawatt project is tied into a 6 acre substation which also includes a service garage, roads and parking. Mr. Ladner advised that if the project was less than 20 megawatts, it could be tied into the existing line infrastructure. The large line currently running through the Beaverton Area has 200 megawatts of available capacity.

Chair Larry O'Connor expressed concern insofar as the impact of construction on the municipal road infrastructure. He enquired whether the time for the existing test towers will need to be extended and the timing of the next provincial rfp. He commented that the Steering Committee reviewing the draft official plan feels they have captured the necessary information in this regard in the official plan.

Mr. Ladner advised that data from the test towers will be reviewed and an extension may be required, however to comment at this time is premature. He referenced the next rfp's advising that they feel it would be late 2006 or early 2007. Mr. Wilgar added that at a recent seminar a major supplier (GE) would not commit to tower delivery until 2008. He further added that how the provincial government deals with funding, will also have an impact.

Mr. Ladner advised that he has reviewed the draft official plan and has submitted comments in response. He further added that he is comfortable with the direction which has been taken in this regard.

#### Resolution No. 2-2

MOVED BY Reg Starr that Brock Township Planning Committee accept any opportunity by AIM Gen to attend a wind farm site in 2006.

#### MOTION CARRIED

In closing, Mr. Jim Wilgar conveyed his appreciation to the committee and staff who have been working with them. He reiterated that AIM sees this as a partnership and unless the partners work together, the project will not happen, and that he is just a telephone call away. He commented that Ontario needs power and that this is a big challenge that needs to move ahead.

#### Resolution No. 3-2

MOVED BY Reg Starr that we break for a 5 minute recess at 11:30 a.m.

#### MOTION CARRIED

Chair Larry O'Connor reconvened the meeting at 11:48 a.m. with the same members of committee and staff in attendance.

#### IV. PETITIONS - N I L

#### V. COMMUNICATIONS REFERRED OR SUBMITTED TO COMMITTEE

2753 Herb Goldie – Cannington Draft Official Urban Area Plan 2005 – the “Goldie Plan”

With respect to communications numbered 2753 and 2698, which he assumes the Brock Official Plan Steering Committee already has copies of, Councillor John Grant advised that some of the writers' ideas could be valid concerning urban boundary land use constraints. He is suggesting that the Official Plan Steering Committee consider the constraints at this time, looking for a method in which to incorporate them into the Official Plan, as he is afraid that in ten years time the suggestions made will look like a new idea and discussions will start from scratch.

Chair Larry O'Connor advised that the Steering Committee has spent many hours discussing this issue.

2769 Durham Clerk's Department – Building Permit Activity – January to September, 2005

Councillor Debbie Bath commented that the statistics concerning Brock Township, as contained within communication 2769, are in the negative while other Durham municipalities are rising. She enquired of staff as to the reason for the downslide to which the Deputy Clerk-Administrator advised that part of the reason is the Lakeview Manor rebuild permit that was taken out in 2004 and the fact that no permits for large projects were obtained the following year.

Councillor Bath noted that residential building permits are declining as well which indicates less residential growth and was advised in the affirmative.

\*2770 Durham Clerk's Department to Dr. Robert Elgie, Chair, Greenbelt Council – Durham Agricultural Advisory Committee Resolution – Greenbelt Map

2771 Durham Clerk's Department – Proposed Changes to Planning Application Processing Fees

2773 Durham Planning Department – Regional Official Plan Review – Proposed Amendment – Transportation System

2698 Don Shearer – future development of eastern end of Cameron Street, Cannington

56 T.G. Gettinby – memo re: Wind Energy Symposium Transcripts

Councillor Debbie Bath thanked staff for the information contained within communication number 56.

Chair Larry O'Connor commented that he can assume that any relevant information from the symposium will be sent to the Planning Committee for their information.

90 PEIL Planners, Consulting Engineers & Landscape Architects – Proposed Commercial Development – Highway 12 and Regional Road 15, Beaverton, Ontario

110 PEIL Planners, Consulting Engineers & Landscape Architects – Proposed Commercial Development – Highway 12 and Regional Road 15, Beaverton, Ontario

120 Durham Works Department – Williamson Bridge and Regional Road 13 – Class Environmental Assessment (Class EA) – Township of Brock, Regional Municipality of Durham

Councillor Allan Simpson enquired of staff whether the municipality needs to provide input or attend the upcoming public meeting to which the Deputy Clerk-Administrator advised that this letter is part of the Class Environmental Assessment process and that Durham Regional will be looking for environmental information, and that there would be little information the municipality could provide in this regard as the Kawartha Conservation Authority would have been consulted for this type of information. Durham Region would have traffic count information as the bridge is located on a regional road.

Chair Larry O'Connor advised that two, similar, previous meetings have been held with respect to the Dobson Bridge in Cannington and a bridge in Ward 1 and that these meetings are not usually well attended by the public.

Resolution No. 6-2

MOVED BY Keith Shier that communication # 120 re Class EA Williamson Bridge and Regional Road #13 be received for information and filed.

MOTION CARRIED

Mayor Keith Shier advised that rehabilitation works on Regional Road 13 have been ongoing in sections and during this work, the poor condition of the Williamson Bridge was determined and replacement of the bridge initiated.

- 132 Durham Planning Department – Regional Official Plan Review – Consideration of Recommended Directions for the Population, Employment and Urban Land Components

Resolution No. 4-2

MOVED BY John Grant that communications 2753, 2769, 2770, 2771, 2773, 2698, 56, 90, 110, 120 and 132 be received for information.

MOTION CARRIED\*Resolution No.5-2

MOVED BY Reg Starr that Brock Township Planning Committee endorses the concerns contained within communication # 2770.

MOTION CARRIED

- 136 Valerie Cranmer & Associates - Report 2006-PL-01 – Applications to Amend the Durham Region Official Plan and the Township of Brock Zoning By-law Submitted by Sunpark Developments Inc. – Files: OPA 2003-008, 7-2003-RA – Part Lot 10, Concession 5 (Thorah)

Resolution No. 7-2

MOVED BY Karen Windatt that the Township of Brock Planning Committee receive communication # 136 for information.

MOTION CARRIED

- 146 AIM PowerGen Corporation – Submission of comments regarding Township of Brock Official Plan Review – Draft Official Plan – October, 2005
- 145 AIM PowerGen Corporation – Deputation Submission

Resolution No. 8-2

MOVED BY John Grant that communications 145 and 146 be referred to the Official Plan Review Subcommittee.

MOTION CARRIEDVI. REPORTS OF SUBCOMMITTEES - N I LVII. GENERAL ITEMS & ENQUIRIES

- (1) Councillor Karen Windatt – Tim Horton's/Wendy's Proposal

Resolution No. 9-2

MOVED BY Karen Windatt  
WHEREAS the Planning Committee of the Township of Brock, by resolution 4-23 adopted on December 19, 2005, approved an application to amend Zoning By-law 287-78-PL to permit an eating establishment on lands described as part Lot 10, Concession 5 (Thorah);

AND WHEREAS the applicant, Sunpark Developments Inc. in correspondence dated January 16, 2006, has requested Planning Committee to consider permitting the following uses in addition to the eating establishment: business/professional office, veterinary clinic, and motor vehicle gasoline bar subsequent to the adoption of resolution 4-23.

AND WHEREAS, notwithstanding that the original zoning application requested those convenience commercial uses within the Highway Commercial (C4) Zone, all supporting documentation and notification to the public and agencies stated that the intended use of the site was for an eating establishment;

NOW THEREFORE, Planning Committee, having considered the request for additional uses, hereby directs staff to schedule a further public meeting and provide notification to interested ratepayers and agencies. In addition, the applicant is requested to provide all required site plans and supporting documentation as determined by the municipality's planning consultant in advance of the scheduling of the public meeting. Further, that notification of Planning Committee's approval of the eating establishment on December 19, 2005 to the Regional Planning Department be withheld until such time as Planning Committee renders a decision on the additional uses requested by the applicant.

Councillor Karen Windatt spoke to the motion advising that the developer had requested additional uses for the property and that the most appropriate manner in which to deal with this request is by holding another public meeting.

Councillor John Grant expressed his support for the motion, advising that the request for additional uses needs to go back to the public in light of the fact that one requested use involves in ground gas tanks, which would not have been a consideration when agency input was originally requested. He advised that more information is required as the result of the changes requested.

Councillor Karen Windatt noted that approval of the eating establishment requested and a further amendment after the fact, for the additional uses requested, is not feasible due to the Greenbelt legislation.

Mayor Keith Shier enquired of staff why the committee should consider these additional uses which, in his opinion would be more intrusive on the corner. The Municipal Planning Consultant, Valerie Cranmer advised that she looked at each use requested to see if they could be supported. Business and professional uses are more appropriately located in the Beaverton urban area and central areas. To permit their location on this site would be against the Durham Official Plan. The other uses requested have historically be permitted in a rural area in the Regional Official Plan. She expressed concern respecting the gas bar use in that no environmental information has been received in this regard and the site of the proposal being in a flood plain. Veterinary clinics are a commercial use and should be in commercial urban areas. Most veterinaries no longer deal with large animals at their clinics and have indoor space where animals are housed. Mrs. Cranmer feels that further public discussion is needed with respect to the additional uses being requested.

Councillor Allan Simpson commented that the use being requested by the applicant is not specific and is it one use or all four, to which the Deputy Clerk-Administrator advised that the applicant is requesting approval of all of the uses submitted. Councillor Simpson enquired if the municipality's previous position stands if resolution number 9-2 is defeated and was advised in the affirmative.

#### Resolution No. 9-2

MOVED BY Karen Windatt

WHEREAS the Planning Committee of the Township of Brock, by resolution 4-23 adopted on December 19, 2005, approved an application to amend Zoning By-law 287-78-PL to permit an eating establishment on lands described as part Lot 10, Concession 5 (Thorah);

AND WHEREAS the applicant, Sunpark Developments Inc. in correspondence dated January 16, 2006, has requested Planning Committee to consider permitting the following uses in addition to the eating establishment: business/professional office, veterinary clinic, and motor vehicle gasoline bar subsequent to the adoption of resolution 4-23.

AND WHEREAS, notwithstanding that the original zoning application requested those convenience commercial uses within the Highway Commercial (C4) Zone, all supporting documentation and notification to the public and agencies stated that the intended use of the site was for an eating establishment;

NOW THEREFORE, Planning Committee, having considered the request for additional uses, hereby directs staff to schedule a further public meeting and provide notification to interested ratepayers and agencies. In addition, the applicant is requested to provide all required site plans and supporting documentation as determined by the municipality's planning consultant in advance of the scheduling of the public meeting. Further, that notification of Planning Committee's approval of the eating establishment on December 19, 2005 to the Regional Planning Department be withheld until such time as Planning Committee renders a decision on the additional uses requested by the applicant.

MOTION CARRIED

- (2) Mayor Keith Shier – January 17, 2006 Public Meeting re: CCCC Durham Subdivision Proposal

Mayor Keith Shier thanked Regional Councillor Larry O'Connor for the efficient manner in which he conducted the January 17, 2006 public meeting regarding the CCCC Durham Subdivision proposal in Sunderland. He commented that good input was received at this meeting.

Mayor Keith Shier referenced the invitation members of committee and staff received from Richard Yerema to attend the Magic Door Art Gallery on either February 7 or 11, 2006 for the purpose of viewing a film entitled "End of Suburbia". Mayor Shier enquired whether it would be possible for the committee to view this film one day during their lunch break as he was advised that the municipality does have a copy of this film.

Councillor Debbie Bath suggested that the film be viewed next Monday during the committee's noon break.

- (3) Public Questions and Clarification

In light of the previous conversation, Jay Yerema Weafer enquired whether the committee is declining the invitation to the Magic Door Art Gallery to view the film and was advised that each committee member would need to refer to their day timers to see whether their schedule would permit attendance on the dates submitted. She further advised that this location was chosen because of the big screen located within the gallery and that the film was a gift from the people who produced the film. By having council view the film at the Gallery, it was also hoped that questions from concerned citizens could be answered.

Ms. Yerema Weafer commented she is glad to see that another public meeting is to be held with respect to the additional uses being requested by the proponent of the Tim Horton's application.

VIII. ADJOURNMENT

Resolution No. 10-2

MOVED BY Reg Starr that we do now adjourn at 12:30 p.m.

MOTION CARRIED

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CHAIR

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SECRETARY