

**THE CORPORATION OF THE TOWNSHIP OF BROCK**

**MUNICIPAL ADMINISTRATION BUILDING**

**PLANNING COMMITTEE**

**SESSION TEN**

**MONDAY, MAY 15, 2006**

The Tenth Meeting of the Planning Committee of the Corporation of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, May 15, 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)
	Clerk-Stenographer Susan Creighton

**I. CALL TO ORDER**

Chair Larry O'Connor called the meeting to order at 10:00 a.m.

**II. CONFIRMATION OF MINUTES**

- (1) 8th meeting – April 24/06
- (2) 9th meeting – May 1/06

Resolution No. 1-10

MOVED BY Keith Shier that the minutes of the 8th and 9th meetings of the Planning Committee as held on April 24 and May 1, 2006, respectively, be adopted as typed and circulated.

MOTION CARRIED

**III. HEARING OF DEPUTATIONS**

**10:00 a.m.** – Brock and Georgina Against Garbage, Peter Gillies – Brock Landfill Site (refer to Communication #942/06 attached)

Brock residents, Peter and Heather Gillies, et al, representing Brock and Georgina Against Garbage (BAG) attended before the committee to express their concerns respecting the Brock Landfill Site which is being sighted for expansion in both size and usage. Mrs. Gillies spoke on behalf of those present, advising that for the past 20 years Durham Region has been aware of the potential for a garbage crisis, first as the Keele Landfill and smaller local and regional landfills/dumps were closing and now with the imminent closure of the Michigan border to Ontario's garbage. Throughout all of this, Brock has taken care of their own refuse.

Mrs. Gillies advised that about a dozen years ago, York Region was threatened with the possibility of a mega dump to replace the Keele Landfill and at that time it became apparent that the environmental testing for a new engineered landfill would be insurmountable. This testing has not been relaxed over the years but increased, the reality being that a new landfill to take Durham, York and/or Toronto's garbage cannot be established.

In 2001, BAG addressed council and was assured that they would be kept informed insofar as any changes to the Brock landfill site. In March of this year, BAG discovered that the Regional Works Commissioner, Mr. Cliff Curtis had appeared before the Brock Planning Committee whereat it was apparent that Durham Region sees the Brock landfill as having the potential to expand and as a place to dispose of garbage from Durham, York and possibly Toronto, in a crisis situation. Mr. Curtis has yet to respond to questions posed at this time, although answers to questions pertaining to alternative

methods of disposing of residual waste have been provided. It has become apparent since March, that meetings at a regional level were held in November 2005 to discuss the expansion of the Brock landfill, and yet the citizens of Brock who would be most impacted were not informed nor consulted. BAG is also aware that a technical report is being prepared with respect to the potential for an expansion to the Brock landfill and that negotiations are underway with the MOE to amend the Certificate of Approval governing the parameters of the landfill.

A review of mapping from the MNR and SLSCA shows that the existing dump has reached the limits of the fence line and is visible to the surrounding properties. It has also expanded into the floodplain. The Gartner Lee studies support the concerns of the area residents that the landfill is already impacting the local wetlands, water courses and environmentally sensitive areas, proof that our landfill is leaking.

Mrs. Gillies reiterated that Regional Works Commissioner Cliff Curtis has advised that only in the case of emergency would the Brock landfill be used for garbage outside of Brock Township. It is apparent that under no circumstances could this site pass the environmental standards which would be required of a new landfill site.

Mrs. Gillies advised that the definition of an emergency is something unexpected, unanticipated, unpreventable, advising further that for at least 20 years, Durham, York and Toronto have known that a long term solution for garbage is necessary. The Brock landfill footprint could only be expanded by expropriating land to the north and west of the current site, unless of course approval is received to expand the site further into the wetlands which would cause further pollution to the area. This new proposal would appear to either ignore and breach existing environmental regulations, disregarding the welfare and best interests of the residents.

Mrs. Gillies asked what Brock Township would gain by sacrificing the area to loads of garbage from outside the municipality? Would it be the paving of roads accessing the landfill on which local residents, farmers and their equipment and school buses travel daily. When the Keele landfill opened, property values dropped dramatically and consistently, and should this happen in Brock, the tax base would drop, resulting in a demand for decreased property assessment. The impact would be devastating financially and environmentally.

BAG is appreciative of the support that Brock's Mayor has provided in view of the fact that little information/cooperation has been received from the Region of Durham staff, however, the elected officials of Brock must protect their residents and act in their best interests and take a proactive, firm and unequivocal stance advising Durham that Brock will not be a host to garbage from outside Brock. BAG is willing to work with Brock Township to prevent garbage from outside the municipality being disposed of within the Brock landfill site and are requesting to be kept fully informed and part of the consultation process. If Durham Region refuses to be environmentally responsible in this instance, Brock residents will force a full environmental assessment and are prepared to take injunctive steps to stop the process.

In closing, Mrs. Gillies requested the support of the municipal council in protecting Brock Township and the residents living therein, who will not stand by and see anyone's self created crisis of bad planning destroy their community.

Councillor Debbie Bath thanked the deputation for attending and for their work on behalf of the community. Councillor Bath reiterated the motion passed by the Brock Planning Committee advising that Brock will not be host to garbage from outside of Brock Township and enquired of the deputation what they expect Brock to do to reinforce their position in this regard, as this motion could possibly have been overlooked by regional staff. Mr. Peter Gillies responded by advising that they expect Brock to absolutely refuse the transport of garbage from outside the municipality into the Brock landfill, and any expansion thereto and to protect the lands surrounding the landfill from further environmental damages.

Mrs. Heather Gillies advised that the dump already fills the usable portion of its 100 acres, having already expanded into the floodplain. In this light, expansion would only be possible if adjacent lands were expropriated. She reiterated that BAG is ready to take injunctive steps to stop the process of expansion, further acknowledging that there exists

a gap between the time when the Michigan border will close to Ontario's garbage and when a solution is in place and operational to deal with residual waste.

Councillor Bath advised it is important for BAG to be clear about what they expect from council, further agreeing that the gap between the border closure and disposal of residual waste needs to be bridged.

Mrs. Gillies commented that this process appears to be moving very quickly behind closed doors and that those elected representatives need to take steps to stop the process.

Regional Councillor Larry O'Connor read to those present the letter sent to Durham Works from Brock Township in which is stated that Brock will not be host to garbage from outside of the municipality at the Brock landfill.

Councillor Allan Simpson commented he is not in favour of an expansion of the Brock landfill and requested clarification with respect to the environmental assessment for the disposal of residual waste vs. the Brock landfill.

Mr. Peter Gillies advised that he has information pertaining to land expropriation adjacent the landfill and that the landfill currently infringes on the buffer zone. He also referenced a meeting last November 16 that no one was aware of, noting further the non-existent communication with Durham Region and the importance of knowing how Brock's representatives at the Region vote on issues.

Councillor Allan Simpson agreed on the importance of knowing how Brock's representatives vote at regional meetings and proceeded to make clear that the bore holes work being undertaken by Brock Township on the roadway in the vicinity of the land fill site is in no way connected to the landfill, but for municipal reference in determining certain road works.

In response to Councillor Simpson's request for clarification respecting an environmental assessment, Mrs. Gillies advised that she was making reference to the technical evaluation as to the viability of using/expanding the landfill as a contingency plan which is currently being undertaken by regional staff in that if an environmental assessment on the existing dump were to be undertaken, it would never pass. She further advised that if BAG is not successful in shutting down the landfill, they will force an environmental assessment of the site.

Mayor Keith Shier advised that the LSRCA is monitoring the impact of the landfill on adjacent wetlands to see if there is any impact on Lake Simcoe, the health of which is improving. He advised further that upon hearing of a proposal to expand the Brock landfill, the Brock council was immediately advised and the motion previously referenced passed. He is not confident that the dump will be expanded nor land expropriated as it is his opinion that Durham Region will work within the existing footprint, although he would support the acquisition of land to create a berm around the landfill site. He advised that we do not know when the border will close to Ontario's garbage, but that there exists in Ontario, areas to accommodate waste for some time. The Regional Works Commissioner will address alternative options for Durham's garbage during the meeting to be held this evening at the Wilfrid Hall. Mayor Shier advised that he bargains hard at Durham Region on behalf of Brock Township, often times being successful, and would prefer to continue to negotiate with Durham in this instance in a positive manner.

On behalf of the members of Brock and Georgina Against Garbage and Brock Township residents, Mrs. Gillies advised it is their hope that council will stop at nothing to stop the process at the Brock landfill site.

IV. PETITIONS - N I L

V. COMMUNICATIONS REFERRED OR SUBMITTED TO COMMITTEE

827 Durham Clerk's Department – Annual Subdivision/Condominium Activity Report

839 City of Oshawa to Durham Planning Department – Durham Regional Official Plan Review – Proposed Amendments to the Durham Regional Official Plan –

Transportation, Commercial (Centres and Corridors), Rural and Environment Components

- 936 Durham Planning Department – Notification – Application to Amend the Durham Regional Official Plan – Durham Region File No.: OPA 2003-008 – Applicant: Sunpark Developments Inc. – Part of Lot 10, Concession 5, Formerly Thorah Township – Municipality: Township of Brock
- 945 Town of Whitby to Durham Planning Department – Addendum Report to Planning Director’s Report, Item 13-06 – Release of Proposed Amendment, Commercial, Rural and Environmental Transportation Components – Durham Regional Official Plan Review
- 947 Ontario Property and Environmental Rights Alliance (OPERA) – Land Use Planning by Conservation Authorities
- 988 Town of Ajax to Durham Clerk’s Department – Town of Ajax Urban Boundary/Greenbelt
- 990 Durham Planning Department – Circulation of a Revised Plan – File No.: S-B-2005-01 Revision No.: 1 – Applicant: The Kaitlin Group Limited – Part of Lots 11 & 12, Concession 6 – Municipality: Township of Brock

Councillor Allan Simpson enquired as to the status of the storm water ponds associated with this proposed development and was advised by the Clerk-Administrator that the status of the ponds remains as originally proposed, however the issue is being reviewed by engineering and planning staff. Councillor Simpson enquired whether a rezoning will be required for the storm water ponds and was advised by the Chair that no decision will be made until all information has been considered.

Councillor John Grant referenced a small portion of land north of the fairgrounds labeled future development and enquired what would be developed in the future. The Clerk-Administrator advised he is unsure of the type of development that will occur and that it will be part of the subdivision redraft. Councillor Grant enquired whether residents will have the opportunity to deal with any revisions and was advised by the Chair that the revisions will come before the Planning Committee and as well those having expressed an interest will be notified. This information is always available for review at the municipal office.

- 942 Brock and Georgina Against Garbage Re: Brock Landfill Site – 17th Sideroad of Brock
- 1018 Brock and Georgina Against Garbage Re: Brock Landfill Site – 17th Sideroad of Brock

Resolution No. 2-10

MOVED BY John Grant that the Planning Committee receive communications 942, 1018, 827, 839, 936, 945, 947, 988 and 990 for information and file.

MOTION CARRIED

- 991 Paul and Donald Grills – comments re: Township of Brock Draft Official Plan

Resolution No. 3-10

MOVED BY Reg Starr that Brock Township Planning Committee refer communication # 991 to the Official Plan Steering Committee.

MOTION CARRIED

Mayor Keith Shier expressed concern that by referring this communication back to the Brock Official Plan Steering Committee that their previous recommendation would not change and the issue would only be referred back to the Planning Committee. He enquired of the Clerk-Administrator when the final recommendation pertaining to the Brock Official Plan will be dealt with and was advised that an exact date is currently

unknown, however that there will be further opportunity for review, comment and any changes prior to the Official Plan being referred to Durham Region for final approval.

Chair Larry O'Connor advised that the intent of the Brock Official Plan Steering Committee is to refer the Brock Official Plan to Durham Region prior to the summer recess.

Mayor Keith Shier advised he has concern this is will be the only chance for a number of years for any new homes in Cannington and that he does not want to see an opportunity lost.

Councillor John Grant expressed his support for the motion and of the need to make the Official Plan Committee aware of this committee's concern respecting a lack of servicing in Cannington and the need for Durham Region to increase servicing in Cannington in the immediate future. He sees the same scenario taking place in Cannington due to a lack of servicing as what previously took place in Beaverton and the Steering Committee needs to be made aware of this.

Councillor Reg Starr advised it is his intent and by saying this put the Steering Committee on notice, of amending motions to the proposed Brock Official Plan, that he plans to put forward in the immediate future, with respect to boundaries and servicing.

Chair Larry O'Connor advised that the Official Plan contains strong wording with respect to servicing in Cannington.

VI. REPORTS OF SUBCOMMITTEES - N I L

VII. GENERAL ITEMS & ENQUIRIES

(1) Councillor Allan Simpson – Bill 43 – Clean Water Act

Councillor Allan Simpson submitted to the Clerk-Administrator an article he has taken from the internet warning that water may go private, so that this article may be available for anyone interested in reading same.

(2) Mayor Keith Shier – Urban Farms Development in Sunderland

Mayor Keith Shier enquired as to the status of the proposed Urban Farms Development in Sunderland and was advised that further information in this regard is required.

(3) Councillor John Grant – May 16, 2006 Regional Planning Committee Meeting re: Tim Horton's Application

Councillor John Grant enquired when the municipal deputation would be heard at the May 16, 2006 Region of Durham Planning Committee meeting and was advised that our deputation is first on the agenda and that representation should be there by 9:30 a.m. sharp.

Councillor John Grant expressed his appreciation to the Mayor and members of committee for their support, advising it is important that council send a message of support with respect to this application.

Councillor Karen Windatt enquired whether Regional Planning Committee is privy to township reports and comments insofar as this application and was advised in the affirmative.

Councillor Allan Simpson asked who will speak on behalf of the municipality in this regard and was advised that Councillors Windatt and Grant will speak. In addition, Mayor Shier and Regional Councillor O'Connor are able to sit at the table and are permitted to speak and vote on the matter.

Councillor John Grant advised he has spoken with the Clerk-Administrator in preparation for the deputation on May 16.

## (4) Public Questions and Clarification

Mrs. Fran Fish, R.R. #2, Cannington, referenced the clarification requested by Councillor Allan Simpson during the Brock and Georgina Against Garbage deputation with respect to the environmental assessment process advising that the deputation referenced a technical assessment and not an environmental assessment, to which Councillor Simpson advised he had written down two issues in this regard, thus the request for clarification.

Ms. Cria Pettingill of Sunderland requested further information with respect to the Tim Horton's proposal previously referenced and was advised by Chair Larry O'Connor that an application for a Tim Horton's at the corner of Hwy. 12 and Regional Road 15 was submitted to the municipality prior to the Greenbelt legislation being implemented and has therefore proceeded in accordance with the Planning Act.

Ms. Pettingill enquired whether this proposal would negatively impact existing restaurants and was advised that this was taken into consideration as part of the reports required and it was determined that there would be no negative impact to existing restaurants.

VIII. ADJOURNMENTResolution No. 4-10

MOVED BY Reg Starr that we do now adjourn at 11:00 a.m.

MOTION CARRIED

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CHAIR

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SECRETARY