

THE CORPORATION OF THE TOWNSHIP OF HORTON

**Public Meeting**

**Official Plan Amendment 40 (OPA 40)  
Zoning By-Law Amendment**

**MHBC Planning (Agent)  
R.W. Tomlinson Ltd.**

**June 15<sup>th</sup>, 2023  
Horton Community Centre, 1005 Castleford Rd.  
4:00 p.m.**

There was a Public Meeting held on June 15<sup>th</sup>, 2023, at the Horton Community Centre. Present was Mayor David Bennett, Deputy Mayor Tom Webster, Councillor Doug Humphries, and Councillor Daina Proctor. Horton Township Staff present was Hope Dillabough, CAO/Clerk, and Nichole Dubeau, Executive Assistant-Recording Secretary. Renfrew County Staff present was Bruce Howarth, Manager of Planning Services, and Lindsey Bennett, Planner. Also present was Neal Deruyter, MHBC Planning, Craig Bellinger, Tomlinson Group, Kris Marentette and Jaime Oxtobee, WSP.

Councillor Glen Campbell was present at 5:14 p.m.

**1. CALL TO ORDER**

Mayor David Bennett called the Public Meeting to Order at 4:00 p.m. and read the Land Acknowledgement.

**2. DECLARATION OF PECUNIARY INTEREST**

There was no declaration of pecuniary interest.

**3. PURPOSE OF AMENDMENTS – LINDSEY BENNETT, COUNTY OF RENFREW PLANNER**

Lindsey Bennett, County of Renfrew Planner reviewed the purpose of the Official Plan Amendment and Zoning By-law Amendment. The Official Plan amendment application proposes to amend Schedule A to the Official Plan to redesignate 28.1 hectares of a 69.5 hectare property from Rural to Mineral Aggregate to permit a Class A pit below the water table. Approximately 41.4 hectares of the property is already designated Mineral Aggregate.

The Zoning By-law amendment application proposes to amend Schedule A to the Zoning By-law to rezone the subject lands from Extractive Industrial Reserve (EMR), Rural (RU) and Rural – Exception Nine (RU-E9) to Extractive Industrial – Exception Two (EM-E2). An exception zone is required to reduce the interior side yard width, exterior side yard width, and rear yard depth setbacks.

The submission includes:

- Planning Report & Aggregate Resources Act, MHBC Planning, November 2022
- Water Report (Level 1 and 2), WSP/Golder Associates Ltd., November 2022
- Maximum Predicted Water Table Report, WSP/Golder Associates Ltd., November 10, 2022
- Natural Environment Report & Environmental Impact Statement, McKinley Environmental Solutions, November 2022
- Acoustic Assessment Report, Freefield Ltd., November 2022
- Stage 1 Archaeological Assessment, Paterson Group, March 2021
- Stage 2 Archaeological Assessment, Matrix Heritage, June 2021
- Traffic Impact Assessment, Castleglenn Consultants, November 2022
- ARA Site Plan, MHBC Planning, November 2022

**4. REPORT ON NOTICE – CAO/CLERK HOPE DILLABOUGH, TOWNSHIP OF HORTON**

Hope Dillabough, Township of Horton CAO/Clerk, stated that the Township of Horton has received an application for a zoning by-law amendment. Notice of this Public Meeting was sent to twenty-seven (27) property owners within the 120-meter radius in addition to eleven (11) Provincial and County Agencies. Out of those, we received four (4) written comments back by the prescribed deadline and they are attached as part of the public package. Received comments were from:

- Rose and Martin Lesk
- Joanne Chapeski
- Marcel and Karen Oostendarp
- Sue Morin

**5. PUBLIC PARTICIPATION – QUESTIONS AND COMMENTS**

Members of the public were asked to state their name and address before asking their questions and stating their concerns.

Jamey Larone – 124 Ruttan Road. He reviewed the proposal and provided history on the subject lands as it pertained the previous rezoning and residents in the area. Mr. Larone questioned why the setback needed to be reduced to 30 metres versus the existing 150 metres as the current setback provides a sufficient buffer for surrounding residents and the existing homes. He added that R.W. Tomlinson's are proposing to protect wetlands but not providing the same protection to residents. Tourists stop at the top of the hill for the views over the Valley, the Ottawa River and Quebec which might be obstructed and negatively impacted by the pit. He requested that Council not sign off on the Zoning By-law Amendment at this time until residents and Council have all the appropriate information as properties will be impacted. He added that community members should be informed of all future meetings related to the pit for transparency.

Marcel Oostendarp – 18 Ruttan Road. He started showing a video of his property prior to building and after building, along with a video of how a sand and gravel pit operates. He added that properties surrounding the proposed area will be affected by the pit if it goes through. Council members requested that a copy of the video be sent electronically to them. He then provided his letter of objection to Council and County Staff. Mr. Oostendarp discussed the risk of his well water and voiced his objection to the Zoning By-law Amendment and the Pit itself. He questioned the number of trucks/loads per month, per year, per day at a million tonnes which is the maximum amount being applied for. He stated Tomlinson has a pit in McNab/Braeside Township on Lochwinnoch Road and the land is still being farmed and not in operation, and that there are too many unused pits already in the area. Township of Horton has approximately 23 pits, operational and not operational. He questioned if the Compliance Reports and the tonnage reports are sent to the Township for their information. He stated that at the Nesbitt pit, fences are in disrepair, part of the berm is missing, and that mother nature is taking its course. He questioned if there will there be any local hires if the pit does go through or will all the jobs/people be coming from Ottawa. He also questioned if the peer review was public. Lindsey Bennett, County of Renfrew Planner, said the peer review is not complete yet but will be provided. Mr. Oostendarp asked if the letter he sent into the Township and the County was peer reviewed. Ms. Bennett stated that the public letters do not get peer reviewed. Mr. Oostendarp stated he and his wife moved to Horton Township for "country living" and retirement. He added that if the pit is granted and he loses his property value, it will affect his income and retirement.

Mayor Bennett stated that good thorough notes are being taken by the CAO and will be reviewed as a Council to ensure everyone is being heard and considered.

Rick Kasaboski – 227 Storyland Road. Questioned the height of the berm to be placed around the site and requested a site plan with elevations. He also asked where the gate will be into the pit and/or if there are going to be multiple gates. He stated that the sightlines are not good to come onto the road in that section and that there is already a lot of heavy trucks driving that road and the additional trucks

leaving and entering the pit will cause more deterioration. Mr. Kasaboski questioned what the Township is considering as mitigation costs for ratepayers to pay for the reconstruction of the Road. He stated that Coldingham Lake is adjacent to the proposed pit and is spring fed, not large or deep, with an average depth of 22-24 feet. He questioned that with the depth of the pit around 70 feet, will it affect the lake level. Some sections of the lake that are already quite shallow would become dry. He stated that he would be interested in the Water Assessment results. There are a lot of concerns from all who draw water for their homes and also the natural habitat as well.

Martin and Rose Lesk – 554 Storyland Road. The 250-page report stated that their well is dug but in fact it's drilled and is 180 feet. Their main concern was the loss of the wildlife. They spend approximately \$5,000 - \$8,000 a year to feed various wildlife in their yard. They questioned what will happen to the swamp area if they go below the water table and they want to ensure that water compliance reports and tests are done every six months. Mr. Lesk stated that their backyard is their retirement and getaway, and berms will impact the wildlife. Their property value will reduce by 30%. In addition, the dust and noise coming from the pit will have a negative effect on the fresh air and their health. Due to the dust, he questioned who was going to clean the dust from having his windows open in the nice weather and who was going to pay for that. Rose Lesk stated that there are wetlands that go between them and their neighbours which goes back into the field right back to the tree line. This year for the first time a pair of blue herons landed in the swamp area, along with geese and woodpeckers that are normally in that area. The bush will be gone, and their concern is with the wildlife, which a Tomlinson Engineer told them the wildlife will relocate. She added that for the first time in 30 years the water table was so high their basement flooded, and a sump pump ran for a week and a half because of the excess water. She added that they will have water in their basement 24/7 once Tomlinson starts working on the property.

Karen Oostendarp – 18 Ruttan Road. She stated that according to Tomlinson's documents as far as the wells are concerned, any well problems will be handled by Tomlinson; the Township and the County will have wiped their hands, but they can't just leave it up to Tomlinson. Township and County must take some responsibility of what happens to their wells.

Mayor Bennett assured all present that Council will never forget about their residents and are not walking away from everything. Council is trying to get as educated as everyone else to ensure they learn the same information as the residents.

Daniel Guertin – 1633 Eady Road. He stated that he moved from the City to Horton after searching 20 towns. He picked Horton and now he is sad that he did. He congratulated Tomlinson's for bringing in the pit and stated that they had won already as far as he's concerned. He added that the Township will be benefitting with extra tax dollars and questioned how it benefits the residents.

Mayor Bennett stated that the goal of this Public Meeting is to ensure the Township moves forward accordingly and make the best decision for all.

Joanne Chapeski – 549 Storyland Road. Questioned how traffic was going to be slowed down coming from the Quebec side because the sightline around the curve is not clear, and that's where fully loaded trucks would be coming onto the road.

Kayla Rekowski – 1514 Garden of Eden Road. She stated that she is an environmental scientist and would like to weigh in on the concerns. For many of the existing residents in the area, they pride themselves in having a quiet outdoor space and it will change when the land is handed over to an industrial company to potentially run 24/7. Aggregate is a valuable resource which everyone can benefit from, but it is costing everyone's greenspace and also their children's future. She added that the environmental assessment was thorough, but it only addressed the subject property and not all the properties surrounding the subject property. The whip-poor-will bird, which is endangered, has been found 500 metres from subject property, but not actually nesting on the property. She added that the monarch

butterfly also endangered and even though no milkweed was found on the subject lands, it was found all around the edges of the property, and this was not acknowledged in the Environmental Impact Study. The biodiversity will also be affected by this project, and 30 metres for a wetland buffer is not sufficient. She stated that nocturnal animals need sufficient rest during the day and the activity at the pit will not allow that. If this pit is granted, there will be no guarantee on seeing any animals return after these projects are finished. Ambient noise of 40 dba is concerning to both residents and animals. She stated that through a literature review on a noise study, 50 dba has impacts on concentration for people, and veterans who have PTSD will be affected by the loud bangs from the trucks and machinery. She added that there are 10 active aggregate sites already surrounding this subject lands.

Jan Potter – 3844 River Road. Questioned when the Zoning By-law Amendment will be voted on and how will the ratepayers know if/when the Council will pass the amendment. She added that there should be more people here to voice their opinions. Karen Oostendarp said that many people know, but they do not care to come to the public meeting.

Jamey Larone – 124 Ruttan Road. Stated that part of the dilemma is that there is confusion on the format of the agenda of the public meeting for people to ask questions post the presentation versus prior. He added that he hopes that the communication continues to get forwarded accordingly to all residents. He questioned if the steps for the Zoning By-law Amendment and Official Plan Amendment could be broken down for better understanding for the residents.

Kelly Stewart – summer resident of Elements Luxury Campground. Questioned if there will be another session to answer all the questions that are being asked and when will peer review information be provided.

Mayor Bennett stated that the next steps will be overviewed shortly as presented by Tomlinson. He added that it is Council's decision as a whole whether there will be another public meeting, but that this council has the community at heart.

Theresa Chapeski – 2266 Chapeski Lane. Questioned if she could be added to the mailing list of any further information. She stated that due to all of the questions and concerns already asked, the Township is not in a position to move ahead. She asked for Council not to let money overrule common sense and the environment.

Katherine Lindsey – 26 Pucker Street. She stated she has a PHD from Carleton University, is a former employee of Environment Canada, expert on Land Use and Wildlife, and Chair of Bonnechere River Watershed. Quarries and Pits are noisy and dusty, roads and intersections become more dangerous, and potentially impact the ground water and water table which can then threaten drinking water. The tax rate and royalties are inadequate, and pits are expensive to rehabilitate after the life expectancy has run its course. They leave industrial sites paying less property tax than a regular residential home and costs our municipalities a loss in tax revenue. Quarries and pits place a greater strain on everyday Ontarians. Homeowners and Commercial businesses are paying higher taxes to provide breaks to these industries. The aggregate industry claims to pay a portion of their TOARC Fees to municipalities in order to have a reduction in property taxes. All taxpayers shouldn't be responsible to subsidize aggregate projects. She stated that she is concerned how gravel and aggregates are mined. An independent review process should occur to scrutinize the relationship between the province and aggregate industry. Ms. Lindsay added that there are many aggregate sites that sit vacant in Horton Township and surrounding areas. Municipalities should have concerns regarding property tax assessments and large-scale operations. She suggested that the Township consider an Interim Control By-law, which enables municipalities to press pause on aggregate operations. She highlighted that there are 239 aggregate sites in the County of Renfrew, 10% of which are in Horton alone. In the Tomlinson application, there is no needs assessment to justify a need to extract aggregate and its usefulness, or that there has been any form of consultation of the Algonquins First Nations where this pit will be on the unceded territory of the Algonquins. She added that a Minister Zoning Order could overturn

the refusal decision by the Township and County which would then lead to the pit becoming active.

Tyler Anderson – 38 Ruttan Road. He stated that he has a background in environmental assessment and permitting and has read the entirety of the reports Tomlinson provided. He stated his opposition to the proposal. The Aggregate Resource Act permitting process is a flawed provincial process which does not provide the requirement to review impact studies and does not need any requirements to consult with the Algonquins of Ontario. Horton Council did a land acknowledgement at the beginning of the meeting but were the Algonquins made aware that this application was being considered. He stated that the Natural Environment Report & Environmental Impact Statement completed by McKinley Environmental Solutions should be peer reviewed in addition to the other reports. He also had concerns of the whip-poor-will bird and its habitat. He stressed how important the peer review was and that they should be looking over every report. He stated that the history of the property seems like it's been moving it back and forth to whatever Zoning matters is at the time. He added that Coldingham lake was not included in the archeological study and that it was indicated there was no significance on the cultural side on this area, but it is quite known that it's in the Champlain Lake Trail system. He encouraged Council to keep on top of the information and questions asked to ensure answers are received.

Marcel Oostendarp – 18 Ruttan Road. He questioned why Tomlinson is requesting the maximum capacity at the site with all the other aggregate sites in the area. He added that he thought that the company would have looked at aggregate closer to their hub other than coming to Horton Township, and that they have the capacity in Ottawa, if they need more they should go there and stay in the Ottawa Carleton area.

Nicole Laframboise – 793 Storyland Road. She stated that their neighbours have done a great job addressing environmental concerns and traffic. She questioned what Tomlinson will be bringing and giving to the Township and its residents instead of taking away from.

Tim Chapeski – 549 Storyland Road. He stated that he worked in a gravel pit and that the picture on the pamphlet that Tomlinson gave out will be on his front yard. He stated his opposition to the proposal. He added that the level of sound at 40 dba will not happen and that everyone surrounding will have hearing problems because of the machinery and digging noises. The water table is being controlled by the flow of water on Eady Road to the Ottawa river. He is concerned about runoff going into his well and wants to know how Tomlinson will stop Coldingham Lake from draining into their pit. He added that financially, there is every advantage for the township to have a new pit to no other than Tomlinson, it benefits no one else.

Tony Vanden Broek – 77 Ruttan Road. He stated that he moved to the Township as his retirement plan and his view over the river and hills are very important. It is important to preserve nature and the environment and asked that the representatives work to ensure preservation. He stated that noise and dust will be an issue, even though it is stated that it won't be.

Roger Edwards – 377 Storyland Road. He stated that Tomlinson requested 1 million tonnes in their application to be hauled from the site. At the previous meeting he asked who keeps track of that and it was determined that Tomlinson does. He added that once they're done with using the pit, there will be a 15-foot-deep pool left, and questioned who will police it so that kids don't get in and drown.

Ken Windle – 2036 Chapeski Lane. He stated that in the event that someone's well is taken out of commission, who will be responsible for replacing or replenishing it, and will it involve lawsuits or buying people's property. He added that if the project goes ahead there are still a lot of concerns to be addressed.

**6. PRESENTATION – MHBC PLANNING & TOMLINSON LTD.**

Neal Deruyter – MHBC Planning, and Craig Bellinger – Tomlinson Group, presented for Council and the Public. Mr. Deruyter stated that Tomlinson has applied for applications under Planning Act and Aggregate Resources Act to permit a new sand and gravel pit. The proposed licensed area is 69.5 hectares and proposed extraction area is 55.9 hectares. Within each phase of the proposed pit, aggregate would first be extracted above the water table followed by extraction below the water table which will create a pit pond that sequentially increases in size as extraction progresses through the site. Pumping or dewatering (removal) of the groundwater table is not required, and materials are extracted from within the water table using a dragline, excavator, or suction dredge. He added that Trucks would access the proposed pit via Storyland Road across from Chapeski Lane and would exit the pit west on Storyland Road and then south on Highway 17. He also added that Storyland Road is also an approved truck route. Berms will be constructed around the perimeter of site and vegetated to reduce sound and create a visual barrier for surrounding properties. A 30-metre extraction setback will be maintained next to adjacent homes as well as Eady Road and Storyland Road, per Aggregate Resources Act requirements. The pit will be operated in phases to limit amount of disturbed area and area being extracted at one time. Mr. Deruyter added that Tomlinson hosted a Public Meeting April 4<sup>th</sup>, 2023 from 5 – 7 pm at the Horton Community Centre, and went door-to-door to residents handing out information sheets.

Theresa Chapeski – 2266 Chapeski Lane. Questioned if the washing was done with chemicals.

Craig Bellinger – Tomlinson Group. Stated that it is not a chemical process, it is mechanical. Only water used is from the pit and then it goes back into the pond. They also use the pond water for dust control to spray the lands and road.

Kayla Rekowski – 1514 Garden of Eden Road. Stated that the berm/buffer should be around the entire property, including the back, for noise reduction for people and wildlife. She noticed on the Site Plan there is no berm/buffer at the rear of the property.

Neal Deruyter – MHBC Planning. Stated that there is not a specific decibel indicated for wildlife, nor any residential properties located at the rear. This is why no berm/buffer is proposed.

Tim Chapeski – 549 Storyland Road. Stated that when the extracted material is crushed and then put back into the ground, it will do damage to the ground because of the additives.

Craig Bellinger – Tomlinson Group. Replied that there is no crushing done on site, nor is anything added into the ground other than what was existing. He added that the dust must be controlled and mitigated on site, and if they do not do so, they can be fined by the Ministry of Environment. They must complete and submit daily inspection sheets for dust control on site and on the roads.

Tyler Anderson – 38 Ruttan Road. Asked for clarification on what will be happening on site, if Tomlinson will only be digging and moving material, or if they will be crushing on site as well. He also questioned if there will be an asphalt plant on the site.

Craig Bellinger – Tomlinson Group. Replied that there is no crushing. No asphalt plant is being proposed and is not included on the site plan.

Jaime Oxtobee – WSP. Stated that they will be going out to test wells that are surrounding the project area to make sure the water levels are currently fine.

Tyler Anderson – 38 Ruttan Road. Asked if there was consultation with the Indigenous communities and if the reports could be shared to the public.

Neal Deruyter – MHBC Planning. Stated that the Indigenous community was in the process of being consulted and will check with them that their information can be made public before sharing. He stated that at the back of the property, it is not a full-size berm, only half as there are no neighbours behind. The requested 1 million tonnes in the application is just an upset limit, it is typically lower and around 250,000 tonnes. Tomlinson has never seen a decrease in property value for surrounding properties of one of their pits.

Kelly Stewart – summer resident of Elements Luxury Campground. Questioned if there was a cultural or heritage study done or when it would be done.

Neal Deruyter – MHBC Planning. Stated that these types of studies are included in the archeological study that has been completed.

Kelly Stewart – summer resident of Elements Luxury Campground. Questioned what holds Craig Bellinger accountable for completing the environmental impact report, and what his job title and description is.

Craig Bellinger – Tomlinson Group. Stated he is responsible for environmental compliance and reporting, land acquisitions and negotiations, completing acquisition due diligence, and more. He has to complete and submit a Compliance Assessment Report annually to the Ministry of Natural Resources and Forestry and is held accountable by the Ministry of Natural Resources and Forestry and Ministry of Environment, Conservation, and Parks.

Kayla Rekowski – 1514 Garden of Eden Road. Questioned if Tomlinson rehabilitates their sites with flora and fauna after their life expectancy is up.

Craig Bellinger – Tomlinson Group. Stated that progressive rehabilitation is done at all pits once dredging is done, but they do not have a fully rehabilitated pit yet as their pits are still active.

Kayla Rekowski – 1514 Garden of Eden Road. Stated that in the traffic reports completed, the weekday mornings and evenings are the busiest as commuters are going to and coming from work. There will be an increase in truck volume on the road going to Highway 17. She questioned if there are alternate routes available for trucks, so they do not hold traffic up at the intersections.

Craig Bellinger – Tomlinson Group. Stated that County roads are used as the main arteries to get to the highway, and that the Ministry of Transportation has already approved their usage. Storyland Road is already deemed a hauling route.

Kathryn Lindsey – 26 Pucker Street. Questioned what will happen to the woodlands on the property and if they would be lost as there are only 3 hectares of land with trees remaining on the map.

Neal Deruyter – MHBC Planning. Stated that the woodlands will remain around the dredging area but will not be the full 15 hectares.

## **7. COUNCIL MEMBERS COMMENTS**

Deputy Mayor Tom Webster stated that Council will need all of their questions and the public's questions addressed before anything is decided. He added that Council has the best interest of their residents in mind.

Councillor Daina Proctor thanked for the expertise offered by Tyler Andersen, Kayla Rekowski and Kathryn Lyndsay, all Environmental scientists who brought significant knowledge to the meeting. She stated that more discussion, more answers, more peer reviews, more awareness of the full process, and more public meetings were required. She added that they needed more time to discuss further and be informed of everything before a decision can be made, and directed to Tomlinson and County of Renfrew staff that “just because you can, doesn't mean you should”. She also reiterated that Council members want the best for the residents.

Councillor Humphries stated that Council heard and understands everyone's questions and concerns, and they want to ensure the future of the Township is maintained.

Councillor Campbell stated that they would like everything addressed before Council makes a decision.

Jamey Larone – 124 Ruttan Road. Questioned if there was a formula of picture that shows the quantity of what is extracted inside 1 acre. Kris Marentette, WSP, stated there is, and he will pass it along to Council.

Kevin Mask – 1106 Whitton Road. Questioned what is done with the sod that is dug up.

Craig Bellinger – Tomlinson Group. Stated that it is put into the berms and the water from the extraction area is used to water the berms and for dust control.

Mayor Bennett thanked everyone for attending and asking their questions/concerns. He added that Council will need time for their decision but wants the best for the Township.

Bruce Howarth – Manager of Planning Services at the County of Renfrew. Explained the next steps. The County will take all the questions and comments from the Public Meeting and ensure they are answered by the applicants. The peer review assessments are currently being done and once completed will be shared. It is up to Council to decide whether they want another public meeting, however this public meeting held tonight meets the Statutory requirements under the Planning Act. He added that once all of the information has been completed, it will be compiled into a report and shared publicly, and available online.

8. **INFORMATION ON WHO IS ENTITLED TO APPEAL COUNCIL'S DECISION TO THE ONTARIO LAND TRIBUNAL UNDER SECTIONS 34(11) AND (19) OF O.REG 545/06**  
CAO/Clerk Hope Dillabough read out Sections 34(11) and 34(19) in their entirety.
9. **ADJOURNMENT**  
Mayor Bennett adjourned the public meeting at 7:11 p.m.

---

MAYOR David M. Bennett

---

CAO/CLERK Hope Dillabough