



Site Alteration Committee

MINUTES

Minutes of the Site Alteration Committee held on Thursday July 18, 2018, at 3:00 p.m., in the Esqueusing Room, Halton Hills Town Hall.

- MEMBERS PRESENT:** Councillor Ted Brown (Chair)
Andrew Stabins (Vice-Chair)
Ralph Padillo
David McKeown
Bill Allison
- REGRETS:** Councillor Bryan Lewis (due to Conflict of Interest)
Councillor Clark Somerville
- STAFF PRESENT:** Bill Andrews, Director of Engineering
Steve Grace, Program Manager, Water Resources
Jeff Jelsma, Manager of Development Engineering
Nova Bonaldo (Recording Secretary)
- OTHERS PRESENT:** Michael Van Dongen, Van Dongen's Garden Centre, Landscaping, Nurseries (Agent)

1. Disclosure of Pecuniary/Conflict of Interest

Councillor Bryan Lewis declared a conflict of interest with respect to Agenda Item #2 as his grand-daughter is employed as a summer student by Van Dongen's Garden Centre, Landscaping, Nurseries. Councillor Lewis did not attend the Site Alteration Committee meeting due to the conflict of interest.

2. Delegation

- a) SA-18028, Delegation: Michael Van Dongen, Agent representing Agnes and Adrian Van Dongen, Property Owners – 9268 Fifth Line

The Owner's agent presented a request for an exception to the hours of operation and number of loads per day to SA-18028 for a Large Scale/Commercial Site Alteration permit to import fill to the property's rear 8.4 hectares to re-profile the land to better suit the nursery's agricultural needs.

Facts

On July 15, 2019 staff issued the permit for the Large Scale/Commercial Site Alteration at 9268 Fifth Line as all requirements were met with the exception for the requirement for Environmental Impairment/Pollution Liability Insurance (Site Alteration By-law 2017-0040, Schedule C, Item 2.(h)) as per Recommendation No. SA-2019-0001.

The Delegation is requesting an exception to the hours of operation and the number of loads per day. The Delegation is requesting that the hours of operation be extended to 7:00am to 4:30pm and allow 200 truckloads per day, weather permitting.

Analysis & Discussion

The Delegation expressed concerns regarding public and school bus safety and believes approving the exception to the hours of operation would be practical in dealing with safety issues and allow for flexibility during the importing of fill.

The Delegation is requesting up to 200 truckloads per day between 7:00am and 4:30pm during good weather, 70-75 truckloads per day on light rain days, and no truckloads on severe rain days. The Delegation would have a black-out period between 8:00am to 8:45am where no trucks will enter or exit the site to allow safe passage for school busses and suggested a cap could be placed on the number of truckloads on light rain days.

The Delegation expressed that the hours of operations and truckload limits do not coincide with the Site Alteration By-law and would like to make a recommendation that the By-law be revised to allow for 200 truckloads per day, year around, between 7:00am and 4:30pm, weather permitting, with a black-out period while the school buses are running during school months.

Site Alteration Committee Members and staff discussed that the application's current Traffic Management Plan is consistent with the Site Alteration By-law and that the By-law states any site alteration shall not be performed during or within 24 hours of the Town receiving 15 millimeters or more of precipitation within a 24 hour period, as confirmed in writing and provided to the permit holder by the Director of Engineering. The Committee Members raised concern that 200 truckloads a day would result in an excessive amount of trucks on the road and would be equivalent to one truck every three minutes both ways (accessing and egressing the site).

Note: The Vice-Chair suggested that, going forward, the Committee consider whether the roads along the suggested truck routes have recently been re-constructed/paved or will be slated for such work in the near future.

Conclusion

The Site Alteration Committee Members voted that the Delegation abide by the Site Alteration By-law 2019-0040, Schedule C "Terms and Conditions of All Permits", Section 2.(m) and will not allow operations before 8:30am or after 3:00pm during any weekday Monday through Friday, and will not exceed 100 truckloads of fill per day. Approving the

request would allow too many trucks on the road creating an unsafe environment for residents, school buses, and cyclists.

Recommendation No. SA-2019-0002

THAT the Site Alteration Committee does not approve the requested exception to the hours of operation;

AND FURTHER THAT the Site Alteration Committee does not approve the requested exception to the number of loads per day;

AND FURTHER THAT the Site Alteration Committee recommends the “Terms and Conditions of All Permits” listed in Schedule C of the Site Alteration By-law No. 2017-0040 with an exception for the Environmental Impairment/Pollution Liability Insurance Policy identified in Item 2.(h);

AND FURTHER THAT the Site Alteration Committee supports the Large Scale/ Commercial Site Alteration permit as approved on July 15, 2019.

CARRIED

Michael Van Dongen (Delegation) is opposed to the Site Alteration Committee’s decision to not approve the requested exception to the hours of operation or load limit. He will abide by the Site Alteration By-law but disagrees with certain aspects of the By-law and believes improvements can be made specifically regarding to the hours of operation, load limits, and the insurance requirements.

3. Fill Operations – Updates

Staff provided verbal updates regarding on-going fill operations and responded to Site Alteration Committee questions and concerns.

4. Litigation regarding dumping on 5 Side Road

Bill Allison recounted the events of the illegal dumping of fill at a property on Ninth Line which blocked a farmer’s field access entrance on 5 Side Road and the outcome of the litigation. The truck driver received a \$1,000.00 fine which could increase if caught again. Field accesses do not have gates as it could be hazardous to the farmer and the public if the farmer is required to stop on the road and open the gate. Bill suggested that the Town install better signs to discourage illegal dumping.

Steve Grace indicated that illegal dumping and trespassing are not part of the Site Alteration By-law and that it is a civil matter only. The Ministry of Environment, Conservation and Parks is revising its legislation regarding fill to also include that the property owner of a source site will solely be responsible for the excess soil and the responsibility will no longer fall on the contractors. The changes to the Ministry’s legislation will affect Site Alteration By-law 2017-0040.

5. Upcoming Items for the next Agenda

No upcoming items for the next agenda.

6. Next Meeting

Thursday, August 22, 2019 at 3:00pm in the Esquesing Boardroom, Town Hall.

7. ADJOURNMENT

The meeting adjourned at 3:36pm.