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## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH PUBLIC MEETING MINUTES

**DATE:** Wednesday, October 23<sup>rd</sup>, 2013

**TIME:** 6:30 p.m.

**PLACE:** Puslinch Municipal Complex  
7404 Wellington Rd. 34

**FILE NUMBER:** P4/2012 - D14-RCJ  
R & C Holdings Inc  
Zoning By-Law Amendment  
Part Lot 20, Concession 7, Aberfoyle

**MEMBERS:** Mayor Dennis Lever – Chair  
Councillor Susan Fielding  
Councillor Ken Roth  
Councillor Wayne Stokley  
Councillor Jerry Schmidt - absent

The purpose of the meeting is to consider a proposed amendment to the Zoning By-Law D14-RCJ, and the Official Plan Amendment Application OP 2012-05.

The subject property is described as Part Lot 20, Concession 7, Aberfoyle  
R & C Job Holdings Inc – Ren's Pet Depot Warehouse.

The Chair reminded attendees to ensure that they have signed in and provided their contact information.

The Chair advised attendees that individuals who do not make oral submissions this evening or provide written comments to the Township prior to the decision being made by the Township, will not be entitled to appeal the decision to the Ontario Municipal Board.

The Chair advised the attendees that those who wished to make comments should stand, state their name for the record and address their comments to those in attendance.

The Chair then asked the members if there were any disclosures of pecuniary interest. There were none disclosed.



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## **Presentation**

Proponent Presentation.

David Aston of MHBC Planning Urban Design and Landscape Architecture introduced himself and the MTE consultants in this project, Francis Reyes and Derek Hoevenaars, and Colin Job from Ren's Pet Depot.

D. Aston presented and reviewed the following information:

- Site Location – Location of Proposed Amendments
- Proposed Site Plan – Shows Proposed Infiltration Gallery and Proposed Building, also shows rendering/height in addition to existing building
- Policy Overview – Official Plan Amendment and Zone Change Request
- Changes to Original Application - The proposal has been revised to reduce the area to be designated and rezoned for highway commercial use to 0.52ha  
Overall, the revised proposal represents a reduction in land area to be redesignated/rezoned for highway commercial purposes by approximately 56%  
Revised proposal re-orientes the warehouse addition to assist with noise concerns
- Township of Puslinch/Agency Comments
  - Harden Environmental - Letter dated June 24th 2013 to Township of Puslinch – Storm Water concerns were addressed - No concerns.
  - Grand River Conservation Authority (GRCA) - Have no objections.
  - GWS Ecological & Forestry Services - Satisfied with proposed Landscape and Creek Enhancement Plan – no further concerns raised.



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- County of Wellington/Roads Department - requested copy of Storm Water Management Report this has been given to them. No concerns.
- County of Wellington – Planning Department - Letter October 15<sup>th</sup> 2013 – It would appear that the major technical issues for the proposed expansion have been addressed to the satisfaction of Township staff, peer review consultants and applicable public agencies.

D. Aston noted the proponent is currently working through the Site Plan Process at present.

In response to resident concerns the proponent stated the following:

### **Environment**

- No wetlands located on subject lands, wetland area north of subject site
- No alteration to creek or adjacent area
- Development located outside designated GRCA floodplain area
- Proposed warehouse outside GRCA regulation limit
- Infiltration run offs is to maintain or augment the existing base flows to the creek
- Appropriate engineering studies (Functional Servicing, Hydrogeological Geotechnical) have been completed and supported by key agencies
- Proposed creek enhancement landscape plan has been prepared
- Additional Larger Trees



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## Storm Water Management and Groundwater

- Groundwater analysis completed including spring conditions. The floor slab elevation for the building is set significantly above the groundwater table in the area
- Existing Storm Water Management Facility will not be modified
- Existing drainage matters addressed through recent work
- Storm Water from the roof of the proposed warehouse addition will be directed to a groundwater infiltration gallery
- Infiltration gallery sized to accommodate development and up to and including the 100 year storm event. Post development runoff rates match pre-development levels for all storm events
- Pre-development flow rates have been reduced and there will be no additional flows to creek
- Runoff from the roof of the building addition can be considered clean water for the purposes of Storm Water Management. Roof runoff will be directed into the infiltration gallery thereby cooling the water and satisfying temperature requirements
- Runoff from the additional asphalt area will be directed to a stormceptor oil-grit separator to provide water quality control
- The stormceptor, along with the existing SWM facility, will provide a treatment train approach thereby improving water quality
- Sediment control fencing will be installed along the GRCA storm buffer as the limit of grading for the site
- Storm Water Management Study has been completed and supported by key agencies and Township Peer Review



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### **Site Design and Compatibility**

- Proposed use similar to existing use that was approved and determined suitable for the area
- Site Plans submitted to address details including lighting
- Re-orientation of building will assist with noise concerns
- Site to be screened by existing building from view on Brock Road
- Site Grading/Management Plan shown with Servicing Plan

### **Truck Traffic**

- No access to Wellington Road 34
- All movement will be through existing site access on Wellington Road 46 (Brock Road N)
- No loading areas facing existing residential uses and Wellington Road 34
- No additional truck traffic or employee traffic will be generated for the proposed warehouse addition

D. Aston showed a picture outlining the stages for expansion.

The interior showed a staging area, inbound/outbound freight, 2 truck doors, recycling and garbage areas.



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## Conclusion

- Applications revised to address agency comments
- Public comments received through Planning Advisory Committee meetings and letters have been considered. Applications have been adjusted in an effort to respond to concerns
- GRCA has no objection to the OPA and Zoning By-Law
- Township staff and consultants support the OPA and Zoning By-Law
- County Engineering Services and Roads Division have no objection to the OPA and Zoning By-Law
- The amending By-Law may also provide direction (i.e. maximum building height, setbacks) and detailed design through Site Plan Review process
- It is appropriate to consider approval of the OPA and Zoning By-Law

D. Aston displayed GRCA Flood Line Map

The Chair re-addressed the public and advised them that the County of Wellington Planning Department would send a report to Council after the Public Meeting had taken place.

The Chair asked if there were any members of the public who wished to voice a comment or question.





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Mr. Bradley Finck indicated that he has the following concerns:

- **Reduction in neighbouring property value.**
  - Reduction of land value due to commercial zoning and future construction
  - Originally purchased property with understanding that it was residential/agricultural
  - Encroachment of future warehouse to residential properties affects aesthetics and lowers resale value
  
- **Reduction in Property Value.**
  - Some properties have already been affected by existing warehouse, specifically 7424 Wellington Road 34
  - Attempts have been made to correct damage caused by first warehouse
  - This does not correct potential reduction in property value

Mr. Aston stated that property values would not be considered under the planning response.

Mr. Job indicated that the facility appearance has been improved upon since he became the owner.

Mr. Finck further stated he has the following concerns:

- **Flooding Issues**
  - Mr. Finck raised concerns regarding the property 7410 Wellington Rd 34 and the poor Creek Flow and Culvert

MTE Consultant indicated that the Storm Water Management Pond would sort this through the Infiltration Gallery and would be significantly less than now.



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MTE Consultant indicated this is required under the 100 year Storm Event – Storm Water Management Pond same as existing conditions.

Mr. Aston advised that the culvert was not part of Ren's land holdings.

Mr. Finck indicated further concerns:

- **Aesthetics of Warehouse**

- Should we consider adhering to the Township of Puslinch Design Guideline Study? Other businesses such as Accents for Living and Milburn's are excellent examples of pleasing structures
- Current warehouse already a prominent structure, visible from nearby properties
- Current height is an issue that should be considered and addition should be restricted

Mr. Aston indicated that the existing warehouse was approved in advance of Design Guidelines and that the building expansion at the rear of the building was done for cost effectiveness and was screened by the existing building.

Mr. Finck asked that the height and use of better materials be considered.

Mr. Job indicated this will be the last expansion and he needs to achieve maximum capacity.

Mr. Finck indicated further concerns:

- **Increased Trucking Traffic**

- Warehouse expansion could only increase deliveries and traffic noise to surrounding area





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- Adding of loading bays would suggest an increase in trucks
- How will the claim of no traffic increase be monitored?

Mr. Job indicated the expansion is for better staging of his inventory as currently the pallet racking system in place does not work as efficiently as it could.

Mr. Job stated the expansion would provide larger staging areas for maximum efficiency. He indicated that he did not have a response with reference to the monitoring of traffic.

Mr. Finck requested that a restriction be implemented with regard to the number of trucks.

Mr. Finck indicated further concerns:

- **Clarify May 2012 Report – New Planning Report to view?**
  - Mr. Finck referenced his letter dated September 23<sup>rd</sup>, 2012 which sought clarification regarding “lands subject to separate consent” as noted in the May 2012 Planning Report
  - Is this now off the table or still part of a planning report?
  - Is there a new planning report to view with this change documented?

Mr. Aston indicated the proponent has no intention to use Wellington Road 34 driveway access, and confirmed all site access will be through Wellington Road 46/Brock Rd.

Mr. Aston indicated an amended report was not requested.

The Chair confirmed the land could be sold to another buyer and that the Zoning Application, if approved, applies to and runs with the lands.



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Mr. Finck indicated further concerns:

- **Effect on Nature and Wildlife**

- Change in drainage patterns and affect on wildlife cannot be predicted due to the following factors:
  - Encroachment to Millcreek
    - Warehouse addition proximity to drainage ditch
    - Warehouse addition proximity to artesian well
    - Warehouse addition proximity to Millcreek
  - Significant concern for the nature and wildlife in the area

- **Neighbourhood Petition**

- Presented a petition outlining the main concerns as:
  - Aesthetics, property value, increased traffic, water damage and increased noise
  - The residents feel that this warehouse should be moved to an industrial area

Mr. Finck suggested the following for consideration:

- Optimal situation is not to allow rezoning or warehouse expansion as citizens of Aberfoyle are not in favour
- If Council approves the rezoning, then the following stipulations should be considered:
  - Implement a restriction stating that there will never again be a rezoning of that land in the future. Mr Job stated he is willing to sign this document.



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- Ensure that no additional flooding happens on 7424 and 7410 Wellington Rd 34 or any other neighbouring properties
- Restrict the height of the warehouse to a single storey. No more than 20 feet to the roof peak
- Prohibit construction traffic or any trucking access to the driveway off Wellington Road 34
- Put in a monitoring method to ensure that no additional traffic occurs off Brock Road

Mr. Finck indicated that he is opposed to the application.

Mrs. June Williams read a letter dated October 23<sup>rd</sup> 2013 on behalf of Larry Wayne as he was unable to attend which stated:

“I need to state clearly that I have absolutely no issue with the Ren’s Retail Building on the property in question.

However, make no mistake – I am totally against any new addition/buildings to the Ren’s Property in question.

The current warehouse building on this site is far too large for the Hamlet, which is mainly residential with some low impact businesses. The Warehouse(s) should be in the designated industrial area, by the 401.

Questions are simply for clarification for the residents of the Hamlet of Aberfoyle.



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- Noise – surrounding residents have already been negatively impacted by the traffic generated by both retail and wholesale operated from this location.

The truck traffic, especially the ones with the backup beepers constantly disturbs quiet enjoyment of these properties

Has a Noise Study been done to show the current, compared to the projected effect, an additional warehouse of this magnitude would have on the area?

If not, will you have this done prior to having this issue go back to the Planning Committee?”

Mr. Aston responded a Noise Study had not been requested up to this point. MTE Consultant advised that back up beepers are a Safety Standards Issue.

Mr. Job indicated they are conscious of noise.

Further questions from June Williams on behalf of Larry Wayne:

“Traffic – Extra traffic will further impact the hamlet, as well.

Has a Traffic Study been done to show effect this will have on the residents of the hamlet? It is not good enough to simply state that no additional traffic will be generated!

“This is simply NOT possible.... inventory has to come here from somewhere!

If not, when will this be done?”



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Mr. Job indicated he has U.S vendors through a Buffalo Logistics Warehouse, with pre-paid freight. This warehouse facilitates the picking up of goods from the U.S vendor and limits the impact on traffic at this location.

MTE Consultant indicated that a traffic study was done previously for the existing warehouse, and the results did not trigger the need for any improvements to the road.

Mr. Job indicated there is a turning lane into the property.

Further questions from June Williams on behalf of Larry Wayne:

“Has the water drainage problem created by the current warehouse, been resolved and/or corrected yet? If not why not? When will this be done?”

What is the planned total percent of coverage of hard surfaces of the entire projected site going to be? ( Maximum allowed is 30%)

What is planned for the Artesian Well, which is directly behind the current warehouse?

Why does Ren’s feel that this is appropriate in the Hamlet of Aberfoyle?”

Mr. Job indicated that drainage issues have been addressed.

Mr. Job indicated that the expansion would go around the Artesian Well.

Mr. Aston and Mr. Job indicated the business required additional space and the expansion was required to meet the needs of the company.



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Further questions from June Williams on behalf of Larry Wayne:

“How would Mr. Job feel if this was beside his home?”

Research shows warehouses in the Hamlet area are only allowed on properties zoned C1, and then only if they service the Local Community, not C2 zoned properties. Ren's received special permission when the property was rezoned to allow the Pet Food Store; many other concessions were made at that time (signage etc.) Why should the community allow expansion/additions of this magnitude, when they are clearly designed for the industrial area?”

Mr. Job and Mr. Aston indicated the building was deemed to comply and allows for wholesale usage, accessory to retail. It would be cost effective and efficient to expand rather than to relocate.

Mr. Marinovic stated he shared the concerns already raised and had additional comments and questions as follows:

- He has a commercial property, and height restrictions were imposed and required a minor variance
- Why does Ren's not have a height restriction?
- Can a height restriction be put in place?





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Mr. Salis indicated the municipality checks the zoning during approval of a Site Plan.

Mr. Marinovic outlined further concerns:

- With the size of the expansion as it negatively impacts his view
- About the fire holding tanks and hydrant location at the current site

Mr. Job indicated that the placement of the fire holding tank and hydrant had been approved by a previous Fire Chief, and the current plan for the expansion would have to be approved by the current Fire Chief.

The Chair requested Mr. Salis the County of Wellington Planner for a report clarifying the application requirements raised by Mr. Marinovic.

Mrs. Mary Schmidt indicated she shared the concerns already raised and had additional comments and questions as follows:

- The expansion should be limited
- Did Mr. Job know he would need to expand?

Mr. Aston stated this proposed expansion is being applied for as of right and is subject to a public process. Any further expansions would be subject to another process.

Mr. Job indicated that it was within the By-Law and C2 Zone.



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Mr. Job indicated that he did not.

- Why not relocate to the Oakville location?

Mr. Job indicated that the Oakville location was at full capacity.

Mrs. Schmidt indicated her property has retained water in recent years since the original warehouse was approved

MTE Consultant indicated that they did not complete the original design and a stormceptor is being added.

Mr. Ken Williams indicated he objects to the proposal and has the following concerns:

- Proposed expansion detracts from the view
- Flooding and the impact on the natural habitat. Mr. Williams noted reference to the flooding that has occurred in Mrs. Schmidt's back yard.

Mrs. Finck indicated that they moved here seven years ago because they liked the country property, now Ren's is directly in their backyard and negatively impacts the value of their home.



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The warehouse clashes with the natural environment and would continue to do so even if the height was reduced by 20 feet.

Mrs. Finck advised that she is opposed to the expansion.

Mr. Al Krist indicated concerns with the following:

- The appearance of the building. Mr. Krist asked about the removal of the numerous flapping flags along the front of Ren's to attract attention to their location. Mr. Krist stated the flags are an eye-sore along with the sound of transport trucks back-up warning systems which echo off the building
- Environmental Damage
- Ren's large paved parking areas and industrial sized rooftops are already feeding high amounts of warmed rainwater and possibly parking lot de-icer directly into an environmentally sensitive cold water system that historically has supported a healthy trout population. This stream was in the past, and hopefully can remain, a populated trout stream. If there are presently no trout in the stream, the question then is why?
- The area of the impermeable surface at the Ren's sight is approximately. 2.22 acres (approx. 96703 square feet) and is located on the edge of the trout stream. With a one inch rainfall this translates to 228,000 litres of warmed runoff



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- With the proposed expansion of another 30,000 square feet, the runoff into the stream increases to almost 300,000 litres of warmed water
- Has any environmental study been done on the increase in water temperature downstream from the Ren's property and the impact it has on aquatic plant and animal life?
- Has an environmental study been done on Ren's proposed rezoned area during the typical breeding period of aquatic wildlife such as salamanders and turtles which in the past frequented the stream edges on the adjoining property?
- We have seen a significant change in the appearance of the stream where it approaches Wellington Rd 34 since the building of Ren's warehouse and can't help but wonder if increased water temperature and possible septic water is a contributing factor

The Chair requested the applicant to provide a written response to Mr. Krist's technical questions.

Mr. Krist continued to outline the following concerns:

- Ren's Site Elevation Overlay and flooding potential in areas 315, 316 and 317



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- According to Environment Canada, during Hurricane Hazel, the highest reported 48-hour rainfall was 214mm (approximately 8.5”) with some areas receiving an estimated 90mm (3.5”) in 3 hours. How did Ren’s acquire approval for building their warehouse in this location? The proposed building expansion would be even deeper into the risk zone
- Flood concerns in addition to the increase of water temperature

MTE Consultant outlined features of the Infiltration Gallery and cooling of water and stated a geotechnical investigation was completed.

Mr. Krist stated the existing Ren’s building has negatively impacted the stream.

Mr. Job indicated that the original study done for the existing building was under the 100 Year Plan, which was approved by the County of Wellington and the Township.

Mr. Krist expressed concern with the location of the Fire Hydrant.

Mr. Job advised the Fire Hydrant works and meets requirements.



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Mr. Krist continued to outline the following concerns:

## **Spill Control Plan**

- The increased number of delivery transports entering the facility, even though the risk may be low, is there an emergency spill control plan in place at Ren's that would guarantee the prevention of a possible fuel spill into the creek in the event of a fuel tank leak on a transport truck? In an industrial area away from environmentally sensitive lands, this would not be a serious concern but considering the very close proximity to the stream, we believe it needs to be addressed. Is a spill contamination plan in place?
- Potential for spill contamination flowing directly into stream?
- Procedures and features for containing sediment and earth still beside building

Mr. Job stated a spill contamination is not in place.

MTE Consultant explained how the added feature of a stormceptor would address the concerns raised.

MTE Consultant and Mr. Job stated that sediment fencing would be considered during the Site Plan approval process.





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Mr. Krist continued to outline the following concerns:

### **Septic and Groundwater Concerns**

- The increased number of employees and customers. Is the effluent from the septic system treated sufficiently before it enters the soil and eventually into the stream?
- Is water flow under the grate covered opening between the building and the stream, excess runoff from the septic system, as it appeared to have significant flow at a time when the building was vacant and there was no rainfall?
- Is the local ground water/aquifer sufficiently protected from introduction of septic outflow?
- During the excavation and construction of the warehouse foundation, it was discovered that the building site consists of deep, water saturated silt, which required days of draining water with pumps to the back of the property into the stream and a major redesign of the planned foundation footings to support the structure. Did this redesign interfere with or negatively affect the local residential wells or the artesian well that has been discussed in previous meetings?



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- If this soil condition was not tested nor determined before building construction started, what is really known about the site's suitability in regards to aquifer depth and adjacent water sources? What degree of soil/water depth testing has been done on this site?

Mr. Job confirmed he had not seen excess water coming out.

Mr. Krist asked whether it was from a back up?

MTE Consultant confirmed with reference to soil saturation the water would sit there and the roof overflow would be piped into ditch.

Mr. Aston confirmed under the Site Plan Review down spouts would be put in place.

Mr. Krist inquired who had put in the culvert behind the retail outlet?

Mr. Aston and MTE Consultants were not sure who /where the culvert was put in by.

Mr. Job confirmed he was not aware of the culvert that Mr. Krist is referring to.

The Chair requested Mr. Krist to outline on a map the culvert he is referring to and submit it to the Township and D. Aston so the proponent could respond to his inquiry.



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Mr. Krist compared other buildings within the Township i.e. Accents for Living and Milburns and how they had incorporated beautiful design and architectural elements into their buildings compared to the planned expansion of the Ren's facility.

Mr. Krist recommended that the expansion not be permitted and the warehouse move to an industrial area.

Mr. Finck noted the number of rat traps would need to be increased for the addition due to the cat/dog food stored at the facility.

Mr. Cloutis indicated he had the same concerns as Mr. Krist with regard to the Flood Plain elevations and questioned the accuracy of GRCA mapping and numbers and the consistency of the application of the rules.

The MTE indicated the GRCA provides the mapping on the flood plain elevations.

The Chair suggested that the County Planner Aldo Salis follow up with GRCA regarding their mapping.

The Chair then asked if the members of Council had any further questions.

Councillor Roth inquired what amount of rainfall is held within the infiltration gallery?

MTE indicated around 3 inches of water would be held in the infiltration gallery.

D. Aston advised the infiltration gallery is designed to a certain storm level.



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Councillor Stokley suggested that Wellington Road 34 not be used as a driveway in connection with this expansion request, and noted that the residents require an enforceable and legally binding means of ensuring this does not occur.

Councillor Stokley inquired about the feasibility of a one foot reserve.

County of Wellington Planner Aldo Salis advised a one foot reserve on Wellington Road 34 may be feasible.

Aldo Salis also confirmed that the site plan approval process could be utilized to address the issues raised.

Aldo Salis further stated it may be appropriate to consider a one foot reserve and the terms and conditions within the site plan agreement.

Councillor Stokley inquired about the timing of the processing of the severance and whether it would be appropriate if a zoning by-law amendment was granted to utilize the holding provision under the Planning Act until the decision on the severance is made.

Aldo Salis advised that the proposal does require an Official Plan Amendment, Zoning By-law Amendment and Severance approval.

Aldo Salis stated that the lifting of a holding provision in a zoning by-law does not have an appeal process.

Councillor Fielding advised she attended the Ren's site and stated Mr. Job is happy to provide a tour to the residents.



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Councillor Fielding indicated there appears to be a significant issue related to flooding in the area and requested Aldo Salis to follow up with the Grand River Conservation Authority (GRCA).

Aldo Salis indicated he would follow up with Fred Natolochy of the Grand River Conservation Authority (GRCA) to bring the concerns raised to his attention.

Councillor Fielding thanked everyone for their comments.

The Chair inquired about the applicability of the Design Guidelines. Aldo Salis stated they are guidelines and are not easy to implement.

Aldo Salis will review and work with the proponent and noted the guidelines apply to the lot frontage and the subject application is for an addition at the rear of the property.

Mr. Douglas Hoogendoorn stated he was opposed to the application and inquired how many employees were at the existing site.

Mr. Job confirmed 15 employees for the retail component, and between 40-50 employees currently on site for both the retail and warehouse component. Mr. Job stated he has no further plans to employ more staff.

Mr. Krist enquired about night-time operations at the site and what restrictions were in place.

Mr. Aston confirmed there were currently no restrictions.

Mr. Job confirmed that employees working at night is not out of the question.



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Mr. Job extended an invite to all residents for a site visit.

Mr. Aston asked that they leave the question of night-time operations with them for further discussion with Aldo Salis County of Wellington Planner.

Mrs. Wayne also raised concerns regarding the C1 versus C2 zoning and stated a warehouse is not permitted in a C2 zone.

Mrs. Wayne stated there are also flood issues.

Mrs. Wayne inquired whether there was any value in having the "Friends of Mill Creek" comment on the application.

The Chair advised that the Friends of Mill Creek is a volunteer organization not a commenting agency.

Mr. Finck presented a petition to the Chair.

The Chair reminded attendees to ensure that they had signed in and that they must make a written request to the Township if they wished to be advised of the decision.

## **ADJOURNMENT:**

The meeting adjourned at 8:55 p.m.