



## TOWNSHIP OF GUELPH / ERAMOSIA PLANNING REPORT

Prepared by MacNaughton Hermsen Britton Clarkson Planning Limited  
MHBC File: 9902IZ Report Date: March 1, 2016

- Application:** Zoning By-law Amendment Application  
File No. ZBA01/14  
Tri City Lands Ltd. Spencer Pit
- Location:** 6939 Wellington Road 124  
Part Lots 14-16 and Lots 17 & 18, Concession B, (Former Township of Eramosa),  
Township of Guelph Eramosa, County of Wellington
- Council date:** March 7, 2016
- Attachments:** 1. Aerial Photograph  
2. Operational Plan, Phase A

TOTAL PAGES: 17

### SUMMARY

The Township of Guelph/Eramosa received a Zoning By-law Amendment application from Harrington McAvan Ltd to amend the Township's Comprehensive Zoning By-law 57/199 to rezone 6939 Wellington Road 124 from Agricultural ("A") to Extractive Industrial ("M3") in order to permit an above the water table pit. The Township deemed the application complete on April 17, 2014. An *Aggregate Resources Act* (ARA) application for a new pit licence has also been filed with the Ministry of Natural Resources and Forestry (MNR).

The purpose of this report is to provide a planning analysis of the proposed Zoning By-law Amendment application for information purposes for the public meeting. This report considers the applicable planning policy framework and all agency comments received. No recommendation on the Zoning By-law Amendment application will be made at this time. Consideration of comments received at the March 7, 2016 public meeting is required in order to make a recommendation on the Zoning By-law Amendment application.

### RECOMMENDATION

It is recommended:

- The Township of Guelph/Eramosa receive this Planning Report for information purposes; AND
- The Township of Guelph/Eramosa schedule a future meeting to consider the Zoning By-law Amendment application.

Submitted by:

Dan Currie, MA, MCIP, RPP

Neal DeRuyter, BES

## **BACKGROUND**

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The Zoning By-law Amendment application was received by the Township of Guelph/Eramosa on March 10, 2014 for the lands municipally known as 6939 Wellington Road 124 (the “subject lands”) to permit an above water table pit. An aerial photograph illustrating the location of the subject lands is included as Attachment 1 to this report. The application was deemed complete on April 17, 2014.

The majority of subject lands are presently used for agricultural (cash-crop) purposes and the southern portion features a 6.03 hectare (14.9 acre) wooded area. A house, three barns and two sheds are located at the eastern portion of the subject lands, outside of the proposed limit of extraction. These buildings are proposed to be retained. A house and a storage trailer are located on the northern portion of the subject lands adjacent to Wellington Road 124 and within the proposed area of extraction. The house and storage trailer adjacent to Wellington Road 124 are proposed to be demolished or vacated prior to extraction. A high voltage transmission corridor bisects the subject lands. This corridor is proposed to be retained.

A planning report providing an overview of the proposal and a summary of the process to date was provided to Council for consideration at their February 1, 2016 meeting. This report recommended that the public meeting required by the Planning Act be scheduled for March 7, 2016. Council adopted the recommendation and scheduled the required public meeting. The purpose of the public meeting is to provide the public with an opportunity to become aware of the further details of the proposal and comment on the Zoning By-law Amendment application. Notification of the public meeting was issued on February 5, 2016 in accordance with the requirements of the *Planning Act*.

Since the February 1, 2016 Council meeting, comments on the revised Zoning By-law Amendment submission were received from the Township’s engineering consultant, R.J. Burnside & Associates Limited (“Burnside”) and further refinements were made to the proposal in response. The applicant has committed to additional changes to the Aggregate Resources Act Site Plans which will be provided to the Township.

The purpose of this report is to provide a planning analysis of the proposed Zoning By-law Amendment application for information purposes. This report includes an analysis of the application in the context of the applicable policy framework and considers all agency comments received. No recommendation on the application will be made at this time.

Following the March 7, 2016 public meeting, a final planning report will be provided to Council. This final report will consider all public comments and make a recommendation on the Zoning By-law Amendment application for Council’s consideration.

## **PROVINCIAL POLICY STATEMENT**

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The 2014 Provincial Policy Statement (PPS) was issued by the Province of Ontario in accordance with Section 3 of the *Planning Act*. The PPS applies to all decisions that affect a planning matter made on or after April 30, 2014. All decisions shall be consistent with the PPS.

### Mineral Aggregate Resources

The subject lands are located within a prime agricultural area. Section 2.3.1 of the PPS provides that prime agricultural areas shall be protected for long-term use for agriculture. In addition to agricultural uses, Section 2.3.6.1 of the PPS provides that the extraction of mineral aggregate resources is permitted in accordance with the policies of the PPS pertaining to mineral aggregate resources.

Section 2.5 of the PPS sets out policies with respect to mineral aggregate resources. Section 2.5.2.1 requires that as much of the mineral aggregate resource as is realistically possible shall be made available as close to market as possible. Demonstration of the need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

The Planning Report prepared in support of the proposed Zoning By-law Amendment demonstrates that the mineral aggregate resources extracted from the subject lands will be made available to nearby markets. The subject lands are located within a Selected Sand & Gravel Area of Primary Significance in accordance with the Aggregate Resources Inventory Paper. Site specific studies have confirmed the existence of the aggregate deposit.

Section 2.5.2.2 of the PPS states that extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts. Section 2.5.3 requires progressive and final rehabilitation of aggregate operations to accommodate subsequent land uses, promote land use compatibility, recognize the interim nature of extraction and mitigate negative impacts to the extent possible.

The technical reports prepared in support of the proposed application set out a broad range of mitigation measures in order to minimize impacts of extraction. These reports have been reviewed and accepted by the applicable review departments and agencies and the proposed mitigation measures have been determined to be acceptable. The mitigation measures are included on the Site Plans and are enforceable under the ARA.

With respect to extraction in Prime Agricultural Areas, Section 2.5.4.1 of the PPS permits the extraction of mineral aggregate resources as an interim land use, provided that the site will be rehabilitated back to an agricultural condition. The PPS defines agricultural condition in regard to prime agricultural land, outside of specialty crop areas, as follows: *“a condition in which substantially the same area and same average soil capability for agriculture are restored”*.

The ARA Site Plans demonstrate that the subject lands will be progressively rehabilitated back to agriculture. It is noted that some of the lands extracted will not be considered prime agricultural land as a result of slopes (i.e. lands adjacent to existing hydro towers and rehabilitated side slopes). However, the rehabilitated area not impacted by slopes is considered to be substantially the same area as the existing prime agricultural lands.

The progressive rehabilitation identified on the Site Plans demonstrates that the proposed aggregate extraction operation is an interim land use. As the lands will be rehabilitated to agriculture, the long term use of the subject lands will be agricultural.

#### Natural Heritage

Section 2.1.5 of the PPS provides that development and site alteration shall not be permitted in significant woodlands or significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Further, Section 2.1.7 of the PPS provides that development and site alteration shall not be permitted in habitat of endangered or threatened species, except in accordance with provincial and federal requirements.

The subject lands feature a 6.03 hectare (14.9 acre) woodlot on the southern portion of the site. The woodlot has been assessed through the processing of the application and it has been determined that woodlot does not satisfy the criteria for significance set out in the MRNF's Natural Heritage Reference Manual. However, it has been determined that the woodlot contains habitat for the Little Brown Myotis (Little Brown Bat). The Little Brown Bat is listed as endangered and therefore receives general habitat protection under the Endangered Species Act.

The proposed aggregate operation affords protection to the Little Brown Bat to the satisfaction of the MNRF. A more detailed discussion regarding the proposed protection will follow in the discussion section of this report.

In addition, site specific investigations occurred on the subject lands to confirm the impact of the proposed pit on other species at risk. The barn located on the subject lands but outside of the area of extraction may contain Barn Swallow nests. The barn will remain intact and is setback approximately 50 m from the proposed area of extraction. Potential habitat for the Giant Swallowtail Butterfly will be maintained through the retention of American Prickly Ash in the area between the proposed limit of extraction and the CN Rail line. Maintenance of the woodlot within the setback between the CN Rail line and the extraction limits will also provide habitat for the Eastern Wood Pewee. The applicant provided documentation to the satisfaction of the GRCA, Burnside and the MNRF regarding species at risk.

The subject lands are also located adjacent to the Speed River Provincially Significant Wetland (PSW). Section 2.1.8 of the PPS provides that development and site alteration shall not be permitted on lands adjacent to PSWs unless the ecological function of the adjacent lands has been evaluated and there will be no negative impacts on the natural features or their ecological function.

The Natural Environment Report, prepared by Stantec, and the subsequent correspondence between the applicant and the GRCA, provide that the distance between the limits of extraction and the boundaries of the Speed River PSW vary from between 85 m to 125 m. Included within this distance is a 30 m wide rail corridor. It has been determined that the proposed extraction will not result in a negative impact on the PSW.

The subject lands are located within a Prime Agricultural Area and aggregate extraction is permitted provided substantially the same area and same average soil capability for agriculture is restored. It is proposed that the subject lands be progressively rehabilitated back to agriculture.

### **GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE**

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The Growth Plan for the Greater Golden Horseshoe (Growth Plan) was approved by the Province on June 6, 2006. The Growth Plan applies to the Greater Golden Horseshoe, which includes the Township of Guelph/Eramosa. The Growth Plan applies to all decisions on matters, proceedings and applications made under the *Planning Act*.

The Growth Plan states that a balanced approach to the wise use and management of all resources, including natural heritage, agriculture, and mineral aggregates, will be implemented.

The subject lands are located within a significant aggregate resource area which is located close to market. The applicant undertook a series of test pits to confirm the aggregate deposit on the subject lands. The Planning Analysis Report prepared in support of the proposed application indicates that there is a minimum of 2 million tones of quality sand and gravel on the subject lands. The proposed pit will be rehabilitated back to an agricultural condition.

### **COUNTY OF WELLINGTON OFFICIAL PLAN**

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Since submission of the application, the County of Wellington has amended their Official Plan (OPA 81). However, as the application was submitted prior to adoption of OPA 81, the application must be considered in the context of the Official Plan policies that were in force at the time the application was filed.

#### Mineral Aggregate Resources

The subject lands are designated *Prime Agricultural* by Schedule A3 of the County of Wellington Official Plan and are subject to a Mineral Aggregate Resource Overlay.

Prime Agricultural Areas are defined by Section 6.4.1 of the Official Plan as Class 1, 2 and 3 agricultural soils, associated Class 4-7 soils and additional areas where there is a local concentration of farms which exhibit the characteristics of ongoing agriculture, and specialty crop lands. Section 6.4.3 sets out the uses permitted within Prime Agricultural Areas. Permitted uses include licensed aggregate operations.

Section 6.6 of the Official Plan contains policies related to Mineral Aggregate Areas. Lands located within the Mineral Aggregate Resource Overlay are areas of high potential for mineral aggregate extraction that have been identified using information provided by the MNRF.

With respect to the establishment of new mineral aggregate operations, Section 6.6.5 provides that new mineral aggregate operations may be established within Mineral Aggregate Areas subject to appropriate rezoning and licensing. Section 6.6.5 of the Official Plan sets out a number of criteria to be considered in the evaluation of proposals to establish new aggregate operations:

*a) The impact on adjacent land uses and residents and public health and safety*

An Acoustic Assessment Report, prepared by Conestoga-Rovers & Associates (now GHD) concluded that the attenuated sound levels will be below the site-specific sound level limits. The report provides a number of technical recommendations to ensure that on-site noise generation and off-site environmental noise impacts do not exceed the levels that were estimated in the report. Mitigation measures include the construction of acoustic berms along Highway 124, the timing and phasing of operations, and the subsequent review of any changes to the equipment used on site which may increase noise generation. The berm construction is illustrated on the Site Plans and the Operational Plan B-E includes the report recommendations which will ensure that noise impacts are appropriately mitigated.

A peer review of the Acoustic Assessment Report was undertaken by the Township's consultant (Burnside). In response to the Burnside Peer Review, additional information was provided by GHD to the satisfaction of Burnside subject to confirmation of the timing of berm construction. Noise impacts resulting from the proposed pit should be acceptable subject to mitigation measures and confirmation of the timing of berm construction.

In addition to creating an acoustic barrier, the proposed berms will also create a visual barrier. All berms will have a height of 4.0 m and slopes will not exceed 2:1. All berms will be seeded immediately after creation in order to minimize dust and erosion.

With respect to air quality impacts, Operation Note 19 on the Operational Plan – Phase A, states that water or calcium chloride will be applied to internal haul roads and processing areas as often as required to mitigate dust. It is a Provincial requirement that all dust generated at licenced pits be mitigated on site by the aggregate operator. The proposed dust mitigation measures represent accepted standard practice to suppress dust and ensure air quality is not adversely impacted by the proposed operation.

Transportation and water quality impacts are addressed in subsequent subsections.

*b) The impact on the physical (including natural) environment*

Through the processing of the application, it has been determined that the on-site wooded area does not constitute a significant woodland. However, it has been determined that the wooded area contains habitat for the Little Brown Bat. The Site Plan was revised to include a conditional limit of extraction surrounding the wooded area. In accordance with the Operational Plan, no extraction shall occur within the wooded area until a permit has been issued under the Endangered Species Act (ESA) to permit the removal of the woodland or it has been demonstrated to the satisfaction of the MNRF that the woodland no longer represents habitat for the Little Brown Bat. The issuance of authorization to remove the woodland under the ESA may require an amendment to the ARA Site Plans.

The Natural Environment Report assessed the various significant natural features located within 120 m of the subject lands, including habitat for endangered and threatened species,

the Speed River PSW, Fish Habitat, Deer Wintering Area and Amphibian Breeding Habitat, and determined that there will be no direct impacts to significant features within 120 m of the proposed licence area. Mitigation measures have been proposed to address potential indirect impacts. The mitigation measures proposed are included on the Site Plans.

The Natural Environment Report was reviewed by the GRCA, MNRF and the Township's engineering consultant (Burnside). As a result of these reviews, additional fieldwork was undertaken and documentation was submitted. All review agencies are satisfied with the Natural Environment Report and supplementary information.

*c) The capabilities for agriculture and other land uses*

The subject lands are currently used for agricultural purposes. The proposed aggregate operation is limited to above-water table extraction with the maximum depth of extraction to remain 1.5 m above the established water table. It is the intent of the applicant that the lands be progressively rehabilitated back to agriculture.

The applicant will be required to rehabilitate the land so that substantially the same area and same average soil capability for agriculture are restored. The Rehabilitation Plan provides that the lands will be rehabilitated back to agriculture. It is noted that some areas of the subject lands will not be considered prime agriculture following rehabilitation due to 3:1 slopes. The areas that will not be considered prime agricultural following rehabilitation do not constitute a significant portion of the subject lands.

*d) The impact on the transportation system*

It is proposed that the pit entrance be located along Wellington Road 124, aligned with the existing Kossuth Road intersection. The new site access would form a four-legged intersection. Several improvements to the intersection are planned to accommodate the new pit entrance, including:

- A southbound left turn lane for inbound truck trips from the northeast
- A northbound right taper lane to provide a deceleration facility for inbound trucks to the pit
- Signalized intersection infrastructure to accommodate the proposed site access.

The proposed haul routes from the pit are as follows:

- Wellington Road 124 – to serve the local Guelph market
- Kossuth Road – to serve the local Kitchener market
- Hespeler Road – to provide a route south to Highway 401 and markets further east and west

The applicant retained GHD to conduct a Traffic Impact Assessment (TIA) to analyze the traffic impacts of the proposed pit. The TIA has been reviewed by the County of Wellington and the Township's engineering consultants (Burnside). As a result of these reviews supplementary

information was provided. With respect to the anticipated traffic impact, the TIA and supplementary information determined the following:

- The proposed pit operation is expected to generate a seasonal / daily peak of 18 trips (11 inbound and 7 outbound) during the morning peak hour and 18 trips during the afternoon peak hour (11 inbound and 7 outbound). This represents about 1 percent of the future traffic flows along Wellington Road 124 or Kossuth Road.
- 2015 background traffic and the trips associated with the proposed pit can be accommodated by the existing roadway system with the implementation of exclusive left turn lane configurations at the pit entrance.
- The future (2020) traffic growth along Wellington Road 124, east of Kossuth Road, is expected to increase to approximately 1,600 vehicles per hour in the peak direction without traffic from the proposed pit. This increased traffic is in excess of the road's theoretical capacity as a two-lane arterial road. Accordingly, the TIA recommended that the road authority (County) consider widening Wellington Road 124 to four lanes to accommodate existing and future forecasted traffic.
- By 2020, provided that Wellington Road 124 is widened to four lanes, local traffic and future pit traffic can be accommodated with good levels of service through the Wellington Road 124/Kossuth Road intersection.

It is noted that need to widen of Wellington Road 124 is triggered by predicted growth in traffic flows and not the truck trips introduced by the proposed pit. The widening of Wellington Road 124 is recommended, regardless of the proposed pit. As Wellington Road 124 is a County Road, the decision to widen Wellington Road 124 rests with the County.

The County is also the approval authority for the proposed pit entrance. The County, in correspondence dated November 6, 2015, confirmed that there is no objection in principle to the request for a fourth leg to be added to the Wellington Road 124 and Kossuth Road intersection to accommodate the entrance to the proposed pit. The County has stated that if the pit is approved, detailed design and entrance approval will need to be addressed through the submission of a commercial entrance permit with the County.

Through its latest comments dated February 23, 2016, Burnside noted that the intersection is in the County's jurisdiction and they do not object to the fourth leg. They also noted the need for the widening of Wellington Road 124 which is also under the County's jurisdiction. Burnside recommended that a by-law be passed to restrict right turns from the pit on red lights when the site plan is approved or driveway is built.

Residents living near the proposed pit have expressed concerns with the traffic impacts that will result from the proposed pit. In particular, residents were concerned with the road safety, increased congestion and the impact of a future road widening on adjacent properties. Comments from the public will be considered in the future recommendation report.

- e) *Existing and potential municipal water supply resources are protected, in accordance with the policies of the Official Plan*



Schedule B3 of the County's Official Plan identifies Wellhead Protection Areas in the Township of Guelph/Eramosa. The subject lands are not located within a Wellhead Protection Area.

*f) The possible effect on the water table or surface drainage patterns*

The proposed extraction is to remain above the water table. No extraction is proposed within 1.5 m of the established groundwater table.

A Hydrogeological Assessment was prepared by Groundwater Science Corp. This report has been reviewed by the County, GRCA, the Township of Puslinch and the Township's Engineering Consultants (Burnside). In response to comments received, supplementary information, including additional water level monitoring results were provided.

The analysis contained in the Hydrogeological Assessment was used to determine the established water table elevation. In order to determine the established water table elevation, ground water level monitoring occurred between October 2013 and December 2015. The maximum depth of extraction is illustrated on the Site Plan.

The Hydrogeological Assessment also provides an examination of the impact of the proposed extraction on the local groundwater system and determined that as the proposed extraction will remain above the water table, no direct water level effects are expected. The report identifies a number of indirect effects of the proposed extraction and rehabilitation related to changes in the on-site water balance (runoff and infiltration). A number of mitigation measures are proposed in order to address the potential impacts. The recommended mitigation measures are as follow:

- Water level monitoring using data loggers shall be obtained at four hour intervals, with manual measurements obtained on a quarterly basis
- Monitoring data shall be summarized in an annual report to the MNRF, GRCA and Township
- After licence approval, a door-to-door well survey shall be completed prior to the commencement of aggregate extraction activities
- The barn well that is within the proposed extraction area should be abandoned in accordance with the applicable regulations if the well is not utilized as a monitor or water supply well

In addition, the Site Plan requires a minimum of 1 m overburden cover over bedrock in refueling areas, recycling areas and scrap storage areas. The purpose of this requirement is to mitigate potential impacts to bedrock groundwater quality.

Residents living near the proposed pit have expressed concerns with the impact of the proposed development on their private water wells. A detailed groundwater monitoring program will be in place for the life of the pit operation. In the case of any future water well interference complaint, sufficient on-site groundwater information will be available to definitely show the effect (or lack thereof) of the above water table extraction.

The applicant has committed to adding a note to the Site Plan requiring a door-to-door well survey be completed prior to the commencement of aggregate extraction.

As a result of these changes, applicable review agencies are satisfied with the Hydrogeological Assessment.

*g) The manner in which the operation will be carried out*

The proposed pit includes extraction above the water table at a rate of up to 650,000 tonnes of aggregate material annually. No extraction will occur within 1.5 m of the established groundwater table. Extraction is planned to occur in five phases with a total of 2 million tonnes aggregate expected to be extracted. No blasting or dewatering is proposed.

Following extraction, each phase will be progressively rehabilitated back to agriculture using overburden and topsoil from previous phases. Slopes (minimum 3:1) are to be rehabilitated by backfilling or the cut-fill method using overburden and topsoil from within the site. Additional topsoil may be imported for enhanced rehabilitation. Any imported fill must satisfy Ministry of Environment and Climate Change (MOECC) regulations.

A temporary aggregate processing plant is proposed during extraction in Area 1 (this plant will be used to crush and wash aggregate), as shown on the Operational Plan, Phase A (Attachment 2). The plant will be established on the pit floor during the second operational phase. Off-site materials (topsoil, aggregate, manure, organic peat) may be imported into the site for blending and custom products. There may be recycling of material (asphalt and concrete) on the site. Additional materials (brick, clay, glass and ceramic) may be imported for recycling and will be stored in stockpiles within the plant area. Recycling will not continue after extraction has ceased. Wash ponds, scrap storage and recycling will be located within the plant site. All plant materials and equipment will be removed upon completion of extraction.

The proposed hours of operation for the aggregate extraction operation are as follows:

- Site Preparation and Rehabilitation - 7:00 am – 7:00 pm weekdays
- Excavation and Processing - 7:00 am – 7:00 pm weekdays; 7:00 am – 6:00 pm Saturdays
- Shipping – 6:00 am – 7:00 pm weekdays; 6:00 am – 6:00 pm Saturdays

On occasion, nighttime deliveries may be required for special public construction projects. Nighttime deliveries require municipal notification and approval. No other work (crushing, screening and extraction) is permitted during nighttime hours.

The Site Plans filed in support of the proposed application include the recommendations of the Technical Reports. The incorporation of these recommendations is intended to minimize impacts on surrounding properties and the natural environment.

*h) The nature of rehabilitation work that is proposed*

The Site Plans demonstrate that the subject lands will be rehabilitated back to agriculture following extraction. All existing topsoil and overburden on site will be stripped and stockpiled separately in berms or stockpiles and replaced as quickly as possible in the progressive rehabilitation process.

The Operational Plans and Rehabilitation Plan identify the phases in which the planned progressive rehabilitation is to occur. All internal haul routes will be rehabilitated once no longer in use for extraction related activities.

*i) The effect on cultural heritage resources and other matters deemed relevant by the County*

A Stage 1-2 Archaeological Assessment Report prepared by Stantec Consulting identified two archaeological sites on the subject lands. Both were determined to be of no cultural heritage value or interest and were not recommended for further assessment or mitigation. The Ministry of Tourism, Culture and Sport stated that the report has been reviewed and accepted into the Ontario Public Register of Archaeological Reports. Accordingly, the proposed extraction is not anticipated to impact any cultural heritage resources.

Core Greenlands

Schedule A3 of the Official Plan designates the lands located immediately east of the subject lands as Core Greenlands. These lands are specifically identified as a Provincially Significant Wetland (PSW) on Appendix 3 of the Official Plan as they form part of the Speed River PSW.

In accordance with Section 5.4.1 of the Official Plan, development and site alteration will not be permitted within PSWs. Further, Section 5.6.3 of the Official Plan provides that where development is proposed adjacent to lands within the Greenlands System, the developer is required to: identify the nature of the natural heritage resource potentially impacted by the development; prepare an environmental impact assessment to address potential impacts; consider enhancements to the natural area; demonstrate that there will be no negative impacts on the natural heritage resources feature or on its ecological function. Lands located within 120 metres of PSWs are considered to be adjacent, in accordance with Section 5.6.1 of the Official Plan.

The proposed aggregate operation does not propose development or site alteration within lands identified as a PSW. The Natural Environmental Report analyzed all significant features on and within 120 m of the subject lands including: habitat of endangered or threatened species, fish habitat, a PSW, deer wintering area and amphibian breeding habitat. This report concludes that there will be no direct impact on significant features within or adjacent to the subject lands and recommends a number of mitigation measures to mitigate any indirect impacts. Recommended mitigation measures are included on the Site Plans.

The report was reviewed by applicable commenting department and agencies including the GRCA, County, MNR and the Township's engineering consultants (Burnside). Through the review process additional analysis was undertaken and it was determined that while the

woodlot located on the subject lands is not significant, it does contain habitat for the Little Brown Myotis (Little Brown Bat), an endangered species. The Site Plans have been revised to include protection for the Little Brown Bat to the satisfaction of the MNR.

### **TOWNSHIP OF GUELPH/ERAMOSIA ZONING BY-LAW 57/1999**

The subject lands are currently zoned *Agricultural ('A')* by the Township Zoning By-law 57/1999. The application proposes an amendment to the Zoning By-law in order to permit a pit and aggregate processing facility. The proposed Zoning By-law Amendment would rezone the subject lands to *Extractive Industrial ('M3')*.

Permitted uses in the M3 zone are as follows: accessory use; accessory single detached dwelling; aggregate processing facility; agricultural use; conservation; pit; quarry; portable asphalt plant; retail outlet, wholesale outlet or business office accessory to a permitted use; structure or machinery accessory to a permitted use; wayside pit or quarry.

The following table illustrates the Township Zoning By-law requirements for the M3 zone in relation to the proposed Site Plan.

<b>Applicable Regulation</b>	<b>Zoning By-law Requirements</b>	<b>Proposed Development</b>
Setback for excavation	Within 15 m (49.2 ft) of any lot line	The proposed extraction is set back at least 15 m from lot lines.
	Within 30 m (98.4 ft) from any part of the boundary of the site that abuts: a public road or highway or land zoned or used for residential purposes	The proposed excavation is set back 30 m from lot lines that abut Wellington Road 124 and lands used for residential purposes.
	Within 30 m (98.4 ft) from any body of water that is not the result of excavation below the water table	NA
Setbacks for buildings, structures and stockpiles	Within 30 m (98.4 ft) of any lot line	The proposed structures and stockpiles are set back greater than 30 m from any lot line.
	Within 90 m (295.3 ft) from any part of the boundary of the site that abuts land zoned or used for residential purposes	The proposed structures and stockpiles are set back greater than 90 m from lands zoned or used for residential purposes
Maximum building height	25 m (82.0 ft)	The proposed maintenance building is less than 25 m in height

## AGENCY AND PUBLIC COMMENTS

### Agency Comments

The Zoning By-law Amendment application was circulated to the required agencies for review and comments. A summary of the comments received to date is included in the chart below (agency comments and responses are available on the Township’s website - [www.get.on.ca/tricity](http://www.get.on.ca/tricity)):

<b>TABLE 2. AGENCY COMMENTS</b>		
<b>Agency</b>	<b>Comment Summary</b>	<b>Concerns Addressed</b>
Grand River Conservation Authority	Impact on natural heritage features	No objection to the application being taken forward for consideration
	Hydrogeological impacts	
	Impact on on-site woodland	
	Impact on wildlife	
Upper Grand District School Board	No objections	N/A
Region of Waterloo (Transportation Planning)	Region has no jurisdiction over proposed access	N/A
Township of Puslinch	Impact on private wells	Comments adequately addressed by revised site plan and supplemental information provided
	Accuracy of water table elevation	
	Potential impacts to ground water	
	Monitoring Program / Mitigation	
County of Wellington (Emergency Management)	No comments	N/A
County of Wellington (Planning & Development)	Entrance on county road	Comments adequately addressed by revised site plan and supplemental information provided
	Removal of woodlot	
	Recycling operations	
	Rehabilitation to prime agriculture	
County of Wellington (Roads Division)	Entrance location / design	No objection to entrance location in principle, additional information regarding Traffic Impact Study required prior to approval of entrance
	Traffic on Wellington Road 124 intersection with Kossuth Road	
Township of Guelph/Eramosa (Engineering Consultants – Burnside)	Technical site plan comments	Supplemental materials and responses generally addressed remaining issues. Additional information required regarding timing of construction of berms (noise report).
	Hydrogeological concerns, including: impact on water table/groundwater, impact on private wells, monitoring program, location of wash pond	
	Clarification regarding acoustic assessment	
	Widening of Wellington Road 124	
	Sight line analysis for truck traffic	
	Impact on habitat/wildlife	
	Impact on species at risk/endangered species	

Ministry of Tourism, Culture and Sport	Ministry satisfied with archaeological assessment.	N/A
CN	Extraction setbacks from rail line	Response from applicant provided, February 17, 2016. Comments pending.
	Drainage patterns	
	Security and fencing	
Ministry of Natural Resources & Forestry*	Removal of woodlands	MNRF's outstanding concerns have been addressed.
	Impact on Species at Risk and Endangered Species	
	Impact on natural heritage features	
	Adequacy of mitigation measures	
	Groundwater monitoring	
Six Nations of the Grand River*	Interest in development relating to land, water and resources	Applicant met with representatives on October 1, 2014. No response received since meeting.
	Interest in archaeological information	
Hydro One*	Access to transmission towers	Response from applicant provided, November 26, 2015. Comments pending.
	Extraction surrounding towers (face of undisturbed area)	

\*MNRF, Hydro One and Six Nations comments relate only to the ARA application

With respect to the outstanding comments from Hydro One, it is noted that the subject lands are bisected by a High Voltage Transmission Corridor with five transmission towers located within the area of extraction. Excavation is proposed to be set back 15 m from the base of each tower. When excavation is complete, the slope will be backfilled to 3:1, topsoiled and re-vegetated.

Hydro One has reviewed the application and the submitted plans. A number of revisions were made to the Site Plans in order to address comments from Hydro One including a condition requiring extraction faces adjacent to hydro towers to be backfilled within one year of extraction. At this time, final comments from Hydro One accepting the Site Plans have not been provided. Hydro One has not objected to the proposed aggregate operation in principle. Details regarding the Site Plan will be resolved through the ARA process.

CN's comments are more directly related to the ARA process and the Site Plans. However, the applicant responded to their comments through the processing of the zone change. It was noted that several of CN's comments were related to the adjacent Carmeuse Lime Quarry site and not the subject application. CN has not provided comments in response to the applicant's supplemental information. It should be noted that CN did not object to the ARA application.

### Public Comments

As a result of the notice of complete application, eight (8) members of the public have submitted comments on the application. These comments have been filed with the Township Clerk. In addition, public consultation as required by the ARA was undertaken by the applicant. A public information session for the ARA was held on June 11, 2014. Approximately 30 members of the public attended.

The public will be provided with an additional opportunity to become aware of further details on the proposal and comment on the Zoning By-law Amendment application through the public meeting required by the *Planning Act*. Public comments provided through the process will be considered prior to providing a recommendation to Council.

## **NEXT STEPS**

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A final Planning Report will be provided to Township Council following the public meeting pursuant to the *Planning Act*. This final Planning Report will evaluate public comments and provide a recommendation to Council with respect to the Zoning By-law Amendment application.

Further discussions will occur with the applicant to ensure the changes discussed in this report and identified through the application review are appropriately included on the ARA Site Plans.



**Attachment: 1  
Location Plan**

**LEGEND**

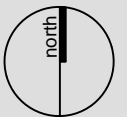
 Subject Lands

**DATE:** January 2016

**FILE:** 9902IZ

**SCALE** 1:10,000

**DRAWN:** nz



C:\USERS\NZRINI\DESKTOP\9902IZ-LOCATIONMAP-JAN27-16.DWG

**6939 Wellington Road 124  
Township of Guelph Eramosa**

Base Map Source: Google Earth 2016

**MHBC** PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE  
200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3X9  
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM



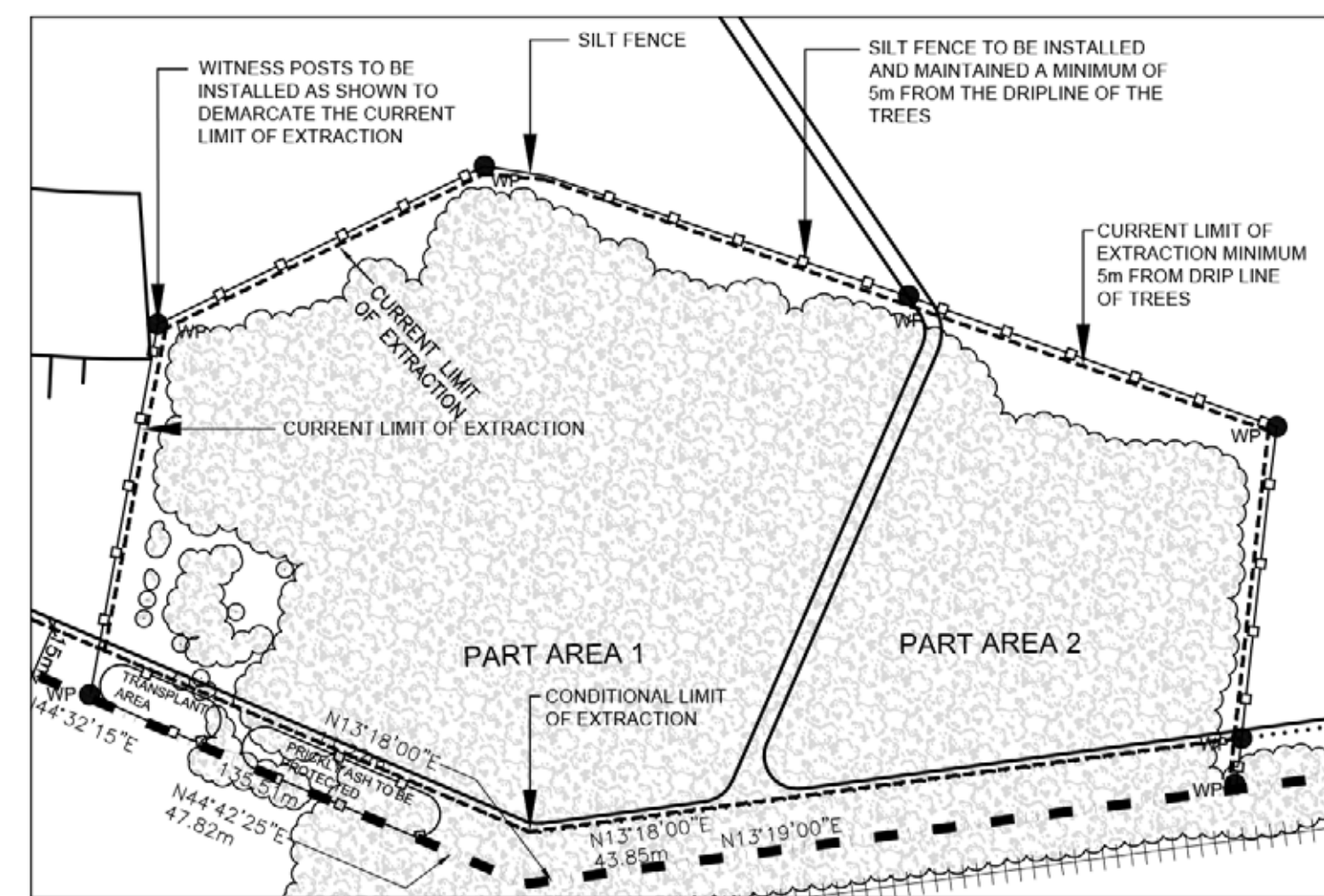
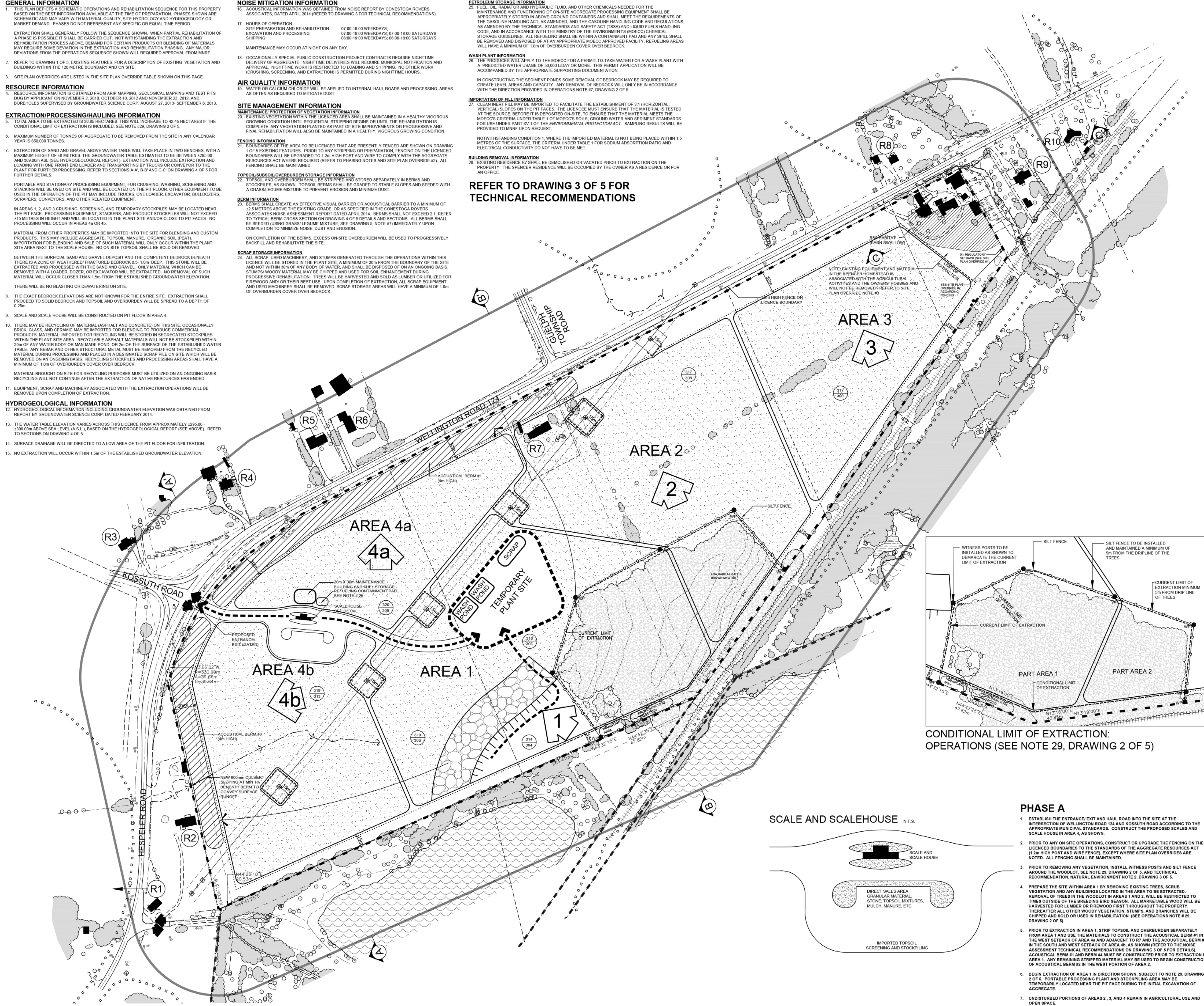
**OPERATIONS NOTES**

- GENERAL INFORMATION**
- THIS PLAN DEPICTS A SCHEMATIC OPERATIONS AND REHABILITATION SEQUENCE FOR THIS PROPERTY BASED ON THE BEST INFORMATION AVAILABLE AT THE TIME OF PREPARATION. PHASES SHOWN ARE SCHEMATIC AND MAY VARY WITH MATERIAL QUALITY, SITE HYDROLOGY AND HYDROGEOLOGY OR MARKET DEMAND. PHASES DO NOT REPRESENT ANY SPECIFIC OR EQUAL TIME PERIOD.
  - EXTRACTION SHALL GENERALLY FOLLOW THE SEQUENCE SHOWN, WHEN PARTIAL REHABILITATION OF A PHASE IS POSSIBLE IT SHALL BE CARRIED OUT. NOTWITHSTANDING THE EXTRACTION AND REHABILITATION PROCESS ABOVE, DEMAND FOR CERTAIN PRODUCTS OR BLENDING OF MATERIALS MAY REQUIRE SOME DEVIATION IN THE EXTRACTION AND REHABILITATION PHASING. ANY MAJOR DEVIATIONS FROM THE OPERATIONS SEQUENCE SHOWN WILL REQUIRE APPROVAL FROM MNR.
  - REFER TO DRAWING 1 OF 5 EXISTING FEATURES, FOR A DESCRIPTION OF EXISTING VEGETATION AND BUILDINGS WITHIN THE 120 METRE BOUNDARY AND ON SITE.
  - SITE PLAN OVERRIDES ARE LISTED IN THE SITE PLAN OVERRIDE TABLE EXISTING ON THIS PAGE.
- RESOURCE INFORMATION**
- RESOURCE INFORMATION IS OBTAINED FROM AIRP MAPPING, GEOLOGICAL MAPPING AND TEST PITS DUG BY APPLICANT ON NOVEMBER 2, 2010, OCTOBER 10, 2012 AND NOVEMBER 23, 2012, AND BOREHOLES SUPERVISED BY GROUNDWATER SCIENCE CORP. AUGUST 27, 2013, SEPTEMBER 6, 2013.
- EXTRACTION/PROCESSING/HAULING INFORMATION**
- TOTAL AREA TO BE EXTRACTION IS 38.85 HECTARES. THIS WILL INCREASE TO 42.45 HECTARES IF THE CONDITIONAL LIMIT OF EXTRACTION IS INCLUDED. SEE NOTE #20, DRAWING 2 OF 5.
  - MAXIMUM NUMBER OF TONNES OF AGGREGATE TO BE REMOVED FROM THE SITE IN ANY CALENDAR YEAR IS 650,000 TONNES.
  - EXTRACTION OF SAND AND GRAVEL ABOVE WATER TABLE WILL TAKE PLACE IN TWO BENCHES, WITH A MAXIMUM HEIGHT OF 1.8 METRES. THE GROUNDWATER TABLE IS ESTIMATED TO BE BETWEEN +205.00 AND +200.00 ASL. (SEE HYDROGEOLOGICAL REPORT #1). EXTRACTION WILL INCLUDE EXTRACTION AND LOADING WITH ONE FRONT END LOADER AND TRANSPORTED BY TRUCKS OR CONVEYOR TO THE PLANT FOR FURTHER PROCESSING. REFER TO SECTIONS A, B, C AND C.C. ON DRAWING 4 OF 5 FOR FURTHER DETAILS.
  - PORTABLE AND STATIONARY PROCESSING EQUIPMENT, FOR CRUSHING, WASHING, SCREENING AND STOCKING WILL BE USED ON SITE AND WILL BE LOCATED ON THE PIT FLOOR. OTHER EQUIPMENT TO BE USED IN THE OPERATION OF THE PIT FLOOR WILL INCLUDE TRUCKS, ONE LOADER, EXCAVATOR, BULLDOZERS, SCRAPERS, CONVEYORS, AND OTHER RELATED EQUIPMENT.
  - IN AREAS 1, 2, AND 3 CRUSHING, SCREENING, AND TEMPORARY STOCKPILES MAY BE LOCATED NEAR THE PIT FACE. PROCESSING EQUIPMENT, STOCKERS, AND PRODUCT STOCKPILES WILL NOT EXCEED +15 METRES HEIGHT AND WILL BE LOCATED IN THE PLANT SITE AND/OR CLOSE TO PIT FACES. NO PROCESSING WILL OCCUR IN AREAS 4a OR 4b.
  - MATERIAL FROM OTHER PROPERTIES MAY BE IMPORTED INTO THE SITE FOR BLENDING AND CUSTOM PRODUCTS. THIS MAY INCLUDE AGGREGATE, TOPSOIL, MANURE, ORGANIC SOIL (PEAT), IMPORTATION FOR BLENDING AND SALE OF SUCH MATERIAL WILL ONLY OCCUR WITHIN THE PLANT SITE AREA NEXT TO THE SCALE HOUSE. NO ON SITE TOPSOIL SHALL BE SOLD OR REMOVED.
  - BETWEEN THE SUBSIDENT SAND AND GRAVEL DEPOSIT AND THE COMPETENT BEDROCK BENEATH THERE IS A ZONE OF WEATHERED/FRACTURED BEDROCK WITH 10% TO 20% STONE WHICH WILL BE EXTRACTION AND PROCESSED WITH THE SAND AND GRAVEL. ONLY MATERIAL WHICH CAN BE REMOVED WITH A LOADER, DOZER, OR EXCAVATOR WILL BE EXTRACTION. NO REMOVAL OF SUCH MATERIAL WILL OCCUR CLOSER THAN 1.5m FROM THE ESTABLISHED GROUNDWATER ELEVATION.
  - THERE WILL BE NO BLASTING OR DEWATERING ON SITE.
  - THE EXACT BEDROCK ELEVATIONS ARE NOT KNOWN FOR THE ENTIRE SITE. EXTRACTION SHALL PROCEED TO SOLID BEDROCK AND TOPSOIL AND OVERBURDEN WILL BE SPREAD TO A DEPTH OF 0.25m.
  - SCALE AND SCALE HOUSE WILL BE CONSTRUCTED ON PIT FLOOR IN AREA 4.
  - THERE MAY BE RECYCLING OF MATERIAL (ASPHALT AND CONCRETE) ON THIS SITE. OCCASIONALLY BRICK, GLASS, AND CERAMIC MAY BE IMPORTED FOR RECYCLING TO PRODUCE COMMERCIAL PRODUCTS. MATERIAL IMPORTED FOR RECYCLING WILL BE STOCKED IN SEGREGATED STOCKPILES WITHIN THE PLANT SITE AREA. RECYCLABLE ASPHALT MATERIALS WILL NOT BE STOCKPILED WITHIN 30m OF ANY WATER BODY OR MAN MADE POND, OR 2m OF THE SURFACE OF THE ESTABLISHED WATER TABLE. ANY REBAR AND OTHER STRUCTURAL METAL MUST BE REMOVED FROM THE RECYCLED MATERIAL DURING PROCESSING AND PLACED IN A DESIGNATED SCRAP PILE ON SITE WHICH WILL BE REMOVED ON AN ONGOING BASIS. RECYCLING STOCKPILES AND PROCESSING AREAS SHALL HAVE A MINIMUM OF 1.0m OF OVERBURDEN COVER OVER BEDROCK.
  - MATERIAL BROUGHT ON SITE FOR RECYCLING PURPOSES MUST BE UTILIZED ON AN ONGOING BASIS. RECYCLING WILL NOT CONTINUE AFTER THE EXTRACTION OF NATIVE RESOURCES HAS ENDED.
  - EQUIPMENT, SCRAP AND MACHINERY ASSOCIATED WITH THE EXTRACTION OPERATIONS WILL BE REMOVED UPON COMPLETION OF EXTRACTION.
- HYDROGEOLOGICAL INFORMATION**
- HYDROGEOLOGICAL INFORMATION INCLUDING GROUNDWATER ELEVATION WAS OBTAINED FROM REPORT BY GROUNDWATER SCIENCE CORP. DATED FEBRUARY 2014.
  - THE WATER TABLE ELEVATION VARIES ACROSS THIS LICENCE FROM APPROXIMATELY +205.00 - +200.00m ABOVE SEA LEVEL (LA S.L.) BASED ON THE HYDROGEOLOGICAL REPORT (SEE ABOVE). REFER TO SECTIONS ON DRAWING 4 OF 5.
  - SURFACE DRAINAGE WILL BE DIRECTED TO A LOW AREA OF THE PIT FLOOR FOR INFILTRATION.
  - NO EXTRACTION WILL OCCUR WITHIN 1.5m OF THE ESTABLISHED GROUNDWATER ELEVATION.

- NOISE MITIGATION INFORMATION**
- ACOUSTICAL INFORMATION WAS OBTAINED FROM NOISE REPORT BY CONESTOGA ROVERS ASSOCIATES, DATED APRIL 2014 (REFER TO DRAWING 3 FOR TECHNICAL RECOMMENDATIONS).
  - HOURS OF OPERATION:
    - SITE PREPARATION AND REHABILITATION: 07:00-19:00 WEEKDAYS
    - EXCAVATION AND PROCESSING: 07:00-19:00 WEEKDAYS, 07:00-18:00 SATURDAYS
    - SHIPPING: 06:00-19:00 WEEKDAYS, 06:00-18:00 SATURDAYS
    - MAINTENANCE MAY OCCUR AT NIGHT ON ANY DAY.
  - OCCASIONALLY SPECIAL PUBLIC CONSTRUCTION PROJECT CONTRACTS REQUIRE NIGHT TIME DELIVERY OF AGGREGATE. NIGHT TIME DELIVERIES WILL REQUIRE MUNICIPAL NOTIFICATION AND APPROVAL. NIGHT TIME WORK IS RESTRICTED TO LOADING AND SHIPPING. NO OTHER WORK (CRUSHING, SCREENING, AND EXTRACTION) IS PERMITTED DURING NIGHTTIME HOURS.
- AIR QUALITY INFORMATION**
- WATER OR CALCIUM CHLORIDE WILL BE APPLIED TO INTERNAL HAUL ROADS AND PROCESSING AREAS AS OFTEN AS REQUIRED TO MITIGATE DUST.
- SITE MANAGEMENT INFORMATION**
- MAINTENANCE PROTECTION VEGETATION INFORMATION**
- EXISTING VEGETATION WITHIN THE LICENCED AREA SHALL BE MAINTAINED IN A HEALTHY VIGOROUS GROWING CONDITION UNTIL SUFFICIENT STRIPPED BERMS OR UNTIL THE REHABILITATION IS COMPLETE. ANY VEGETATION PLANTED AS PART OF SITE IMPROVEMENTS OR PROGRESSIVE AND FINAL REHABILITATION WILL ALSO BE MAINTAINED IN A HEALTHY, VIGOROUS GROWING CONDITION.
- FENCING INFORMATION**
- BOUNDARIES OF THE AREA TO BE LICENCED THAT ARE PRESENTLY FENCED ARE SHOWN ON DRAWING 1 OF 5 EXISTING FEATURES. PRIOR TO ANY STRIPPING OR PREPARATION, FENCING ON THE LICENCED BOUNDARIES WILL BE UPGRADED TO 1.2m HIGH POST AND WIRE TO COMPLY WITH THE AGGREGATE RESOURCES ACT WHERE REQUIRED (REFER TO PHASING NOTES AND SITE PLAN OVERRIDE #2). ALL FENCING SHALL BE MAINTAINED.
- TOPSOIL/SUBSOIL/OVERBURDEN STORAGE INFORMATION**
- TOPSOIL AND OVERBURDEN SHALL BE STRIPPED AND STORED SEPARATELY IN BERMS AND STOCKPILES, AS SHOWN. TOPSOIL BERMS SHALL BE GRADED TO STABLE SLOPES AND SEEDED WITH A GRASS/LEGUME MIXTURE TO PREVENT EROSION AND MINIMIZE DUST.
- BERM INFORMATION**
- BERMS SHALL CREATE AN EFFECTIVE VISUAL BARRIER OR ACOUSTICAL BARRIER TO A MINIMUM OF 1.5 METRES ABOVE THE EXISTING GRADE, OR AS SPECIFIED IN THE CONESTOGA ROVERS ASSOCIATES NOISE ASSESSMENT REPORT DATED APRIL 2014. BERMS SHALL NOT EXCEED 1.8 METRES HEIGHT AND SHALL BE LOCATED IN THE PLANT SITE AND/OR CLOSE TO PIT FACES. ALL BERMS SHALL BE SEEDED (USING GRASS/LEGUME MIXTURE. SEE DRAWING 5, NOTE #7) IMMEDIATELY UPON COMPLETION TO MINIMIZE NOISE, DUST AND EROSION.
  - ON COMPLETION OF THE BERMS, EXCESS ON-SITE OVERBURDEN WILL BE USED TO PROGRESSIVELY BACKFILL AND REHABILITATE THE SITE.
- SCRAP STORAGE INFORMATION**
- ALL SCRAP, USED MACHINERY, AND STUMPS GENERATED THROUGH THE OPERATIONS WITHIN THIS LICENCE WILL BE STORED IN THE PLANT SITE. A MINIMUM OF 30m FROM THE BOUNDARY OF THE SITE AND NOT WITHIN 30m OF ANY BODY OF WATER, AND SHALL BE DISPOSED OF ON AN ONGOING BASIS. STUMPS/WOODY MATERIAL MAY BE CHIPPED AND USED FOR SOIL ENHANCEMENT DURING PROGRESSIVE REHABILITATION. TREES WILL BE HARVESTED AND SOLD AS LUMBER OR UTILIZED FOR FIREWOOD AND/OR THEIR BEST USE. UPON COMPLETION OF EXTRACTION, ALL SCRAP EQUIPMENT AND USED MACHINERY SHALL BE REMOVED. SCRAP STORAGE AREAS WILL HAVE A MINIMUM OF 1.0m OF OVERBURDEN COVER OVER BEDROCK.

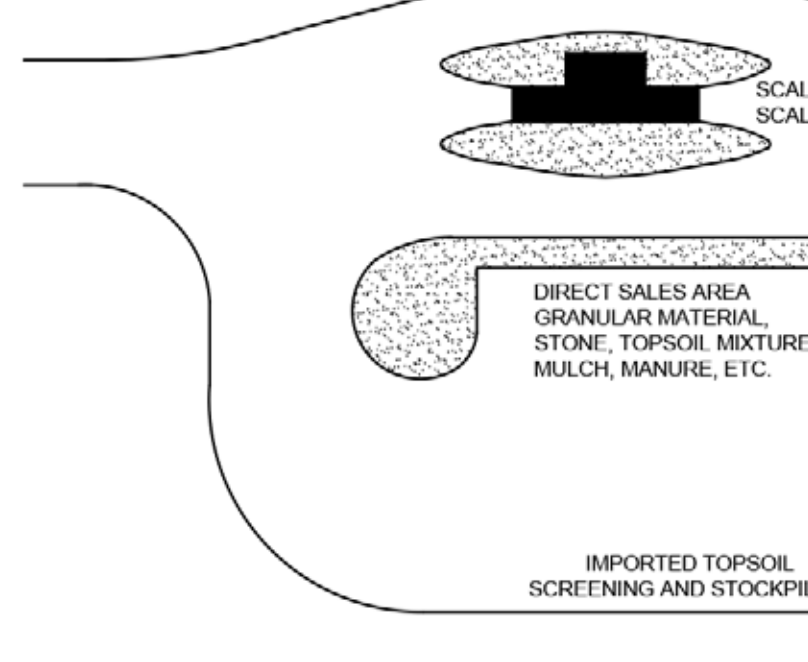
- PETROLEUM STORAGE INFORMATION**
- TUEL, OIL, RADIATOR AND HYDRAULIC FLUID, AND OTHER CHEMICALS NEEDED FOR THE MAINTENANCE AND FUNCTIONING OF ON-SITE AGGREGATE PROCESSING EQUIPMENT SHALL BE APPROPRIATELY STORED IN ABOVE GROUND CONTAINERS AND SHALL MEET THE REQUIREMENTS OF THE GASOLINE HANDLING ACT, AS AMENDED, AND THE GASOLINE HANDLING CODE AND REGULATIONS, AS AMENDED BY THE TECHNICAL STANDARDS AND SAFETY ACT (TSSA) AND LIQUID FUELS HANDLING CODE, AND IN ACCORDANCE WITH THE ENVIRONMENT'S (MOECC) CHEMICAL STORAGE GUIDELINES. ALL REFUELING SHALL BE WITHIN A CONFINEMENT PAD AND ANY SPILL SHALL BE REMOVED AND DISPOSED OF AT AN APPROPRIATE MOECC APPROVED FACILITY. REFUELING AREAS WILL HAVE A MINIMUM OF 1.0m OF OVERBURDEN COVER OVER BEDROCK.
- WASH PLANT INFORMATION**
- THE PRODUCER WILL APPLY TO THE MOECC FOR A PERMIT TO TAKE WATER FOR A WASH PLANT WITH A PREDICTED WATER USAGE OF 50,000 L/DAY OR MORE. THIS PERMIT APPLICATION WILL BE ACCOMPANIED BY THE APPROPRIATE SUPPORTING DOCUMENTATION.
  - IN CONSTRUCTING THE SETBACK POND SOME REMOVAL OF BEDROCK MAY BE REQUIRED TO CREATE LEVEL AREAS AND CAPACITY. ANY REMOVAL OF BEDROCK WILL ONLY BE IN ACCORDANCE WITH THE DIRECTION PROVIDED IN OPERATIONS NOTE #7, DRAWING 2 OF 5.
- IMPORTATION OF FILL INFORMATION**
- CLEAN INERT FILL MAY BE IMPORTED TO FACILITATE THE ESTABLISHMENT OF 3:1 HORIZONTAL VERTICAL SLOPES ON THE PIT FACES. THE LICENCEE MUST ENSURE THAT THE MATERIAL IS TESTED AT THE SOURCE, BEFORE IT IS DEPOSITED ON-SITE, TO ENSURE THAT THE MATERIAL MEETS THE MOECC'S CRITERIA UNDER TABLE 1 OF MOECC'S SOILS, GROUND WATER AND SEDIMENT STANDARDS FOR USE UNDER PART XV.1 OF THE ENVIRONMENTAL PROTECTION ACT. SAMPLING RESULTS WILL BE PROVIDED TO MNR UPON REQUEST.
  - NO WITHSTANDING CONDITION 1, WHERE THE IMPORTED MATERIAL IS NOT BEING PLACED WITHIN 15 METRES OF THE SURFACE, THE CRITERIA UNDER TABLE 1 FOR SODIUM ADSORPTION RATIO AND ELECTRICAL CONDUCTIVITY DO NOT HAVE TO BE MET.
- BUILDING REMOVAL INFORMATION**
- EXISTING RESIDENCE #1 SHALL BE DEMOLISHED OR VACATED PRIOR TO EXTRACTION ON THE PROPERTY. THE SPENCER RESIDENCE WILL BE OCCUPIED BY THE OWNER AS A RESIDENCE OR FOR AN OFFICE.

**REFER TO DRAWING 3 OF 5 FOR TECHNICAL RECOMMENDATIONS**



CONDITIONAL LIMIT OF EXTRACTION: OPERATIONS (SEE NOTE 29, DRAWING 2 OF 5)

**SCALE AND SCALEHOUSE**



**PHASE A**

- ESTABLISH THE ENTRANCE/EXIT AND HAUL ROAD INTO THE SITE AT THE INTERSECTION OF WELLINGTON ROAD 124 AND KOSSUTH ROAD ACCORDING TO THE APPROPRIATE MUNICIPAL STANDARDS. CONSTRUCT THE PROPOSED SCALES AND SCALE HOUSE IN AREA 4, AS SHOWN.
- PRIOR TO ANY ON SITE OPERATIONS, CONSTRUCT OR UPGRADE THE FENCING ON THE LICENCED BOUNDARIES TO THE STANDARDS OF THE AGGREGATE RESOURCES ACT AROUND THE WOODLOT. SEE NOTE 29, DRAWING 2 OF 5, AND TECHNICAL RECOMMENDATION, NATURAL ENVIRONMENT NOTE 2, DRAWING 3 OF 5. NOTE: ALL FENCING SHALL BE MAINTAINED.
- PRIOR TO REMOVING ANY VEGETATION, INSTALL WITNESS POSTS AND SILT FENCE AROUND THE WOODLOT. SEE NOTE 29, DRAWING 2 OF 5, AND TECHNICAL RECOMMENDATION, NATURAL ENVIRONMENT NOTE 2, DRAWING 3 OF 5.
- PREPARE THE SITE WITHIN AREA 1 BY REMOVING EXISTING TREES, SCRUB VEGETATION AND ANY BUILDINGS LOCATED IN THE AREA TO BE EXTRACTION. REMOVAL OF TREES IN THE WOODLOT IN AREAS 1 AND 2, WILL BE RESTRICTED TO THOSE OUTSIDE OF THE BREEDING BIRD BEASON. ALL MARKETABLE WOOD WILL BE HARVESTED FOR LUMBER OR FIREWOOD FIRST THROUGHOUT THE PROPERTY. THEREAFTER ALL OTHER WOODY VEGETATION, STUMPS, AND BRANCHES WILL BE CHIPPED AND SOLD OR USED IN REHABILITATION (SEE OPERATIONS NOTE # 29, DRAWING 2 OF 5).
- PRIOR TO EXTRACTION IN AREA 1, STRIP TOPSOIL AND OVERBURDEN SEPARATELY FROM AREA 1 AND USE THE MATERIALS TO CONSTRUCT THE ACOUSTICAL BERM #1 IN THE WEST SETBACK OF AREA 4a AND ADJACENT TO R7 AND THE ACOUSTICAL BERM #4 IN THE SOUTH AND WEST SETBACK OF AREA 4b, AS SHOWN (REFER TO THE NOISE ASSESSMENT TECHNICAL RECOMMENDATIONS ON DRAWING 3 OF 5 FOR DETAILS). ACOUSTICAL BERM #1 AND BERM #4 MUST BE CONSTRUCTED PRIOR TO EXTRACTION IN AREA 1. ANY REMAINING STRIPPED MATERIAL MAY BE USED TO BEGIN CONSTRUCTION OF ACOUSTICAL BERM #2 IN THE WEST PORTION OF AREA 2.
- BEGIN EXTRACTION OF AREA 1 IN DIRECTION SHOWN. SUBJECT TO NOTE 29, DRAWING 2 OF 5, PORTABLE PROCESSING PLANT AND STOCKPILING AREA MAY BE TEMPORARILY LOCATED NEAR THE PIT FACE DURING THE INITIAL EXTRACTION OF AGGREGATE.
- UNDISTURBED PORTIONS OF AREAS 2, 3, AND 4 REMAIN IN AGRICULTURAL USE AND OPEN SPACE.

**LEGEND**

- BOUNDARY OF AREA TO BE LICENCED
- BOUNDARY OF LICENCED AREA
- REGULATORY SETBACK LINE
- 120m BOUNDARY LINE
- LOT/CONCESSION LINE
- ROAD ALLOWANCE
- PROPERTY LINE
- ONTARIO HYDRO EASEMENT
- LIMIT OF EXTRACTION
- REGULATION LIMIT (GRAND RIVER CONSERVATION AUTHORITY)
- EXISTING VEGETATION
- EXISTING SURFACE WATER
- EXISTING WETLAND
- BERM (MIN. HEIGHT AS SHOWN)
- UNDISTURBED AREA
- AREA STRIPPED OF TOPSOIL AND OVERBURDEN
- EXTRACTION FACE
- DIRECTION OF EXTRACTION
- DIRECTION OF TOPSOIL AND OVERBURDEN MOVEMENT
- PRODUCT TRANSPORTATION VIA HAUL ROAD
- SILT FENCE
- ESA HABITAT (LITTLE BROWN MYOTIS)
- ESA HABITAT (BARN SWALLOW)
- HYPO
- EXISTING HYDRO POLE
- EXISTING ONTARIO HYDRO TOWER/HYDRO LINE
- EXISTING LIGHT STANDARD
- EXISTING ENTRANCE/EXIT
- EXISTING BUILDING
- EXISTING FENCE
- CANADIAN NATIONAL RAILWAY
- SMALL STREAM, AGRICULTURAL DITCH/ SWALE
- LOCATION OF NOISE RECEPTOR
- EXISTING ELEVATION
- PROPOSED ELEVATION
- WITNESS POST

**NOTES CONTINUED**

- SPECIES AT RISK INFORMATION**
- AS SHOWN ON THE PLANS, PROTECTED HABITAT FOR SPECIES AT RISK HAS BEEN IDENTIFIED WITHIN THE WOODLAND IN THE LICENCED AREA TO ENSURE CONSISTENCY WITH THE ENDANGERED SPECIES ACT (ESA). THE CURRENT LIMIT OF EXTRACTION SHALL BE SETBACK 1.5 METRES FROM THE DRIP LINE OF THE WOODLAND. THE INSERT ON THIS PLAN ALSO IDENTIFIES A CONDITIONAL LIMIT OF EXTRACTION IN AREAS 1 AND 2. NO EXTRACTION ACTIVITIES WILL BE PERMITTED WITHIN THE CONDITIONAL LIMIT OF EXTRACTION, UNTIL THE FOLLOWING HAS BEEN ADDRESSED TO THE SATISFACTION OF THE MNR:
    - THE ISSUANCE OF AN AUTHORIZATION UNDER SECTION 17 (2) (C) OF THE ESA PERMITTING THE REMOVAL OF THE WOODLAND.
    - THE LICENSEE DEMONSTRATING, TO THE SATISFACTION OF THE MNR, THAT THE WOODLAND NO LONGER REPRESENTS PROTECTED HABITAT FOR LITTLE BROWN MYOTIS UNDER THE ESA.
  - THE ISSUANCE OF AN AUTHORIZATION UNDER SECTION 17 (2) (C) OF THE ESA MAY ALSO REQUIRE ADDITIONAL APPROVALS UNDER THE AGGREGATE RESOURCES ACT (E.G. PLAN AMENDMENT) TO ENSURE THE SITE PLANS ACCURATELY REFLECT THE CONDITIONS OF THE ESA PERMIT AS REQUIRED.
  - PRIOR TO EXTRACTION ACTIVITIES COMMENCING ON THE SITE, SILT FENCING SHALL BE INSTALLED ALONG THE 5 METER SETBACK FROM THE DRIP LINE OF THE WOODLAND. THE SILT FENCING SHALL BE MAINTAINED IN GOOD CONDITION. NO EXTRACTION ACTIVITIES ARE PERMITTED WITHIN THE CONDITIONAL LIMIT OF EXTRACTION AS DESCRIBED ABOVE. THE SILT FENCING AROUND THE WOODLAND WILL NO LONGER BE REQUIRED.
- HYDRO INFORMATION**
- EXTRACTION FACES WILL BE REQUIRED TO BE BACKFILLED WITHIN ONE YEAR OF EXTRACTION TO THE 15m SETBACK.
  - SHOULD CONSTRUCTION OF A BERM BE REQUIRED WITHIN THE HYDRO EASEMENT, WRITTEN PERMISSION WILL BE OBTAINED FROM HYDRO ONE.

**SITE PLAN OVERRIDE (VARIANCE)**

THE FOLLOWING CONDITIONS ILLUSTRATED ON THESE PLANS VARY FROM THE REQUIREMENTS OF THE OPERATIONAL STANDARDS MADE UNDER THE AGGREGATE RESOURCES ACT

ITEM	DESCRIPTION	SECTION
1.	REGULATORY SETBACK REDUCED FROM 30m to 6m ALONG THE NORTHEAST LICENCE BOUNDARY, AS LANDS ARE UNDER SAME OWNERSHIP.	5.10.1
2.	EXISTING FENCING OFFSET FROM THE NORTH EAST LICENCE BOUNDARY SHALL BE MAINTAINED.	5.1
3.	EXISTING STORAGE OF EQUIPMENT AND MATERIAL IN THE SPENCER HOMESTEAD AT THE NORTH END OF THE PROPERTY WILL NOT REQUIRE REMOVAL. (SEE NOTE IN PHASE 2 OF OPERATIONAL PLAN PHASE A).	5.9
4.	EXISTING FENCING OFFSET FROM THE NORTH LICENCE BOUNDARY SHALL BE MAINTAINED.	5.1

NO.	DATE	REVISIONS	OWNER	DATE	NO.	DATE	REVISIONS	OWNER	DATE
3.	DEC 2015	REVISED AS PER MNR COMMENTS							
2.	NOV 2015	REVISED AS PER AGENCY COMMENTS							
1.	APRIL 2014	REVISED AS PER MNR COMMENTS							

Pre Licence Review Site Plan Amendments

**Harrington McAvan Ltd**  
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 Tel: 905-294-8282 Fax: 905-294-7823  
 www.harringtonmcan.com  
 Offices in Markham & Cambridge

**Project Name TRI CITY MATERIALS**  
 TRI CITY LANDS LTD. SNYDERS RD, P.O. BOX 209  
 PETERSBURG ONTARIO NOB 2H0

**SPENCER PIT**  
 PART OF LOTS 14, 15 AND 16, AND LOTS 17 AND 18, CONCESSION B TOWNSHIP OF GUELPH/ERAMOSHA (FORMERLY GUELPH TOWNSHIP), COUNTY OF WELLINGTON

Scale 1:2000 North Stamp  
 Drawing Status PRELIMINARY FOR DISCUSSION  
 Drawing SJP/ AS/ SB Checked GDH Issue Date DEC 2015

Drawing Title OPERATIONAL PLAN PHASE A  
 Project Number 10-47  
 Drawing Number 2 OF 5

DRAWN: TERRY TUCKER/PLANNING  
 PLOT DATE: FEBRUARY 21, 2015