

# **PLANNING REPORT**

***PROPOSED QUARRY EXPANSION  
660341 Ontario Inc.  
c/o Harold Sutherland Construction Ltd.***

**PART LOT 36, CONCESSION 2  
GEOGRAPHIC TOWNSHIP OF SARAWAK  
TOWNSHIP OF GEORGIAN BLUFFS  
COUNTY OF GREY**

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# **1. BACKGROUND**

## **1.1 The Proposal**

660341 Ontario Inc., operating as Harold Sutherland Construction Ltd., is proposing to expand an existing quarry and is seeking the necessary approvals.

## **1.2 Approvals Required**

In order to expand the quarry, the following approvals are required:

- an amendment to the County of Grey Official Plan;
- an amendment to the Township of Georgian Bluffs Zoning By-law; and,
- a Category 2 Class “A” license under the Aggregate Resources Act.

The amendment to the County Official Plan will identify the subject lands on Schedule B as ‘Mineral Resource Extraction’.

The amendment to the Township of Georgian Bluffs Zoning By-law will rezone the same lands from ‘A1’ (General Agricultural) to ‘M2’ (Extractive Industrial).

The Category 2 Class ‘A’ license would permit extraction of bedrock below the water table. The maximum amount of material to be extracted annually is 400,000 tonnes. The quarry expansion is being handled through a new license, separate from the existing license on the existing quarry which allows for up to 400,000 tonnes to be extracted per year. Despite there being two separate licenses, the amount of material proposed to be extracted between the existing quarry and the proposed expansion area combined will not exceed 400,000 tonnes, as stipulated in Note 18 on the Operational Plan. The License application is currently being processed in accordance with the regulations of the Aggregate Resources Act.

### **1.3 Purpose of this Report**

Ron Davidson Land Use Planning Consultant Inc. has been retained by Harold Sutherland Construction Ltd. to prepare a Planning Report that evaluates the proposed development within the context of sound land use planning principles.

## **2. SUBJECT LANDS AND SURROUNDING LAND USES**

### **2.1 Property Location and Description**

The subject property is located along the west side of County Road 1, approximately two kilometres northwest of the Cobble Beach settlement area, as illustrated on Figure 1 to this Planning Report.

The entire property owned by 660341 Ontario Inc. comprises 33.15 hectares of land. A detached dwelling and accessory building are located on the site, both approximately 50 metres back from the County Road. Approximately 18.5 hectares are currently cash-cropped. Forested areas exist in the northeast corner of the property and near the site's southwest corner, comprising 2.8 hectares and 3.6 hectares of land respectively. A few other pockets of grassland consume the remainder of the property.

The elevation of this 33.15 hectare parcel drops gradually across the site from west to east by about 4 metres.

The area to be licensed area applies to 15.55 hectares of the currently cash-cropped land of which 14.3 hectares are proposed for extraction.

Two large berms have been constructed on the subject property, outside of the eastern boundary of the license area, as illustrated on the Existing Features drawing.

The entire parcel owned by 660341 Ontario Inc. and the boundaries of the proposed license area have been superimposed on the aerial photograph provided in Figure 2 of this Planning Report.

### **2.2 Surrounding Land Uses**

The subject property is located within an area of the Township that is represented by a mix of agriculture and residential uses, as well by the adjacent aggregate extraction operation.

Several residential lots have been established along Grey Road 1 within this general area. A residential subdivision (Ishwar Drive) is located to the southeast. The lands to the south and west are used mostly for agricultural purposes. The applicant's existing quarry is located to the immediate north.

The adjacent land uses are depicted in the aerial photograph provided in Figure 2.

### **3. THE PROPOSED QUARRY**

#### **3.1 The Material**

The bedrock formation in this area is known as the Manitoulin Formation, which yields both Granular A and Granular B crushed stone. This material is typically used in road construction.

Whereas the County of Grey has mapped areas of known sand and gravel deposits and such areas are identified in the County Official Plan, bedrock formations have not been mapped and therefore reliance of the quality of the material is based on test hole observations and knowledge from operating the abutting quarry.

Based on an average extraction depth of six metres over an area of 14.3 hectares, a total of 2.1 million tonnes of crushable stone is available, according to the information provided in the Summary Statement.

#### **3.2 The Operation**

Of the 33.15 hectares of land comprising the subject property, 15.55 hectares will be licensed and 14.3 hectares will actually be extracted.

Extraction will occur in four phases as shown on the Operational Plan, with the first phase commencing in the northwest corner. This first phase will occur as an expansion of the existing quarry to the north. The operations will move southward and then easterly toward the County Road. Extraction will not occur within 250 metres of the County Road or within approximately 120 metres of the property to the south.

The aggregate material will be removed in a single lift to a depth of five to seven metres below existing grade. Extraction will occur to a depth between 0 metres and five metres below the established water table.

Extraction activities will involve the use of a rock drill to drill the blast pattern. Following blasting, the material will be transferred by a front-end loader to the crusher/screener, which will operate on the finished floor of the quarry. The crusher/screener will be moved as the quarry progresses. A second front-end loader will feed the crusher/screener, manage stockpiles and load outbound trucks.

Recyclable asphalt and/or concrete may be also be brought to the site for crushing and re-use but only if the Operational Plan is amended accordingly and approved by the Ministry of Natural Resources and Forestry.

Controlled blasting will occur in accordance with Provincial standards and the recommendations of the Blast Impact Assessment, as explained in Section 3.5.4 of this Planning Report. Blasting typically occurs no more than once per year. During the 2018 extraction season, no blasting occurred in the existing quarry.

The new quarry floor will be sloped to direct stormwater from rain or snowmelt to the northwest corner of the quarry and into the existing sump pond located to the immediate north (see Existing Features Plan), at which point the water will be pumped onto the adjacent farm fields. This arrangement has served the existing quarry since its inception.

The two aforementioned berms that already exist east of the proposed license boundary will remain to provide visual and noise buffers. The height of these berms may have to be increased. If necessary, the berms will be relocated such that they are located within the license area.

Equipment used as part of the aggregate operation will include scrapers, bulldozers, loaders, excavators, drill rigs, crushers, screeners, conveyers and dump trucks. Portable equipment will follow the phasing sequence but will never be located within 30 metres of the license boundary.

Dust will be mitigated onsite through the application of water. Regular visual inspections of the site will be undertaken by the quarry operator during dry weather periods to identify potential dust emissions and determine the necessary mitigation measures to be applied.

Quarry operations will occur between the hours of 7:00 a.m. to 6:00 p.m., Monday to Friday, and 8:00 a.m. to 12:00 p.m. on Saturday. There will be no processing on Saturdays.

Additional information regarding the operation of the proposed quarry is provided on the Operational Plan.

### **3.3 Haulage Route**

The entrance of the existing quarry will also serve as the entrance to the proposed quarry, even after the license for the existing quarry has been surrendered. No additional entrance will be necessary.

Trucks leaving the site will travel either north or south on Grey Road 1, depending on the destination of the aggregate.

The number of trucks leaving the site is dependent on the market; however, the number of truck trips should not change significantly since the annual tonnage limit for the new

quarry and existing quarry combined will not exceed the current limit (i.e. 400,000 tonnes) of the existing quarry.

### **3.4 Rehabilitation**

The final rehabilitation use is proposed to be a large pond area.

As the quarry progresses from phase to phase, the side slopes will be progressively rehabilitated to a 2:1 slopes. Certain tree plantings, rocks piles and boulders could be provided along the top edges of the rehabilitated quarry to provide wildlife habitat.

### **3.5 Information Available Regarding The Proposed Quarry**

A series of Site Plans has been prepared by William Bradshaw, P. Eng. showing existing conditions, proposed operations, consultants' recommendations, progressive and final rehabilitation, and cross-sectional views of the site. The Site Plans form the basis of the quarry license application under the Aggregate Resources Act. The Site Plans also form an integral part of the review process of the applications to amend the County Official Plan and the local Zoning By-law. The Site Plans include:

- i) Existing Features Plan (Drawing 1);
- ii) Operational Plan (Drawing 2);
- iii) Consultant Recommendations (Drawing 3); and,
- iv) Progressive Rehabilitation and Final Rehabilitation Plans (Drawing 4)

The Site Plans were prepared taking into consideration the requirements of the Aggregate Resources Act, the County of Grey Official Plan, the Provincial Policy Statement and the recommendations of the experts retained on behalf of the intended quarry operator.

In addition, a Summary Statement had been prepared by Dave Munro on behalf of Harold Sutherland Construction Ltd. to provide an overview of the proposed development as required by the Aggregate Resources Act.

Furthermore, the following studies have also been prepared:

- Combined Level 1 and 2 Hydrogeological Study (Whitewater Hydrogeology Ltd.)
- Natural Environment Technical Report: Level I & II (AWS Environmental Consulting Ltd.); plus addendum letter dated November 22, 2019;
- Noise Impact Assessment (HGC Engineering);

- Blast Impact Assessment (DST Consulting Engineers);
- Karst Hazard Assessment (Daryl W. Cowell); and,
- Stage 1 - 2 Archaeological Assessment (AMICK Consultants Limited);

The following is a summary of the above-noted studies:

### **3.5.1 Level 1 and 2 Hydrogeological Study**

Whitewater Hydrogeology Ltd. conducted this study to address potential impacts of the proposed below water quarry expansion on groundwater surface water resources in accordance with Provincial standards.

As part of the study, six groundwater observation wells were drilled on the expansion lands and a survey was conducted of the five domestic wells located within 500 metres of the site. The consultant also took into consideration the existence of any municipal water supplies and Wellhead Protection Areas located within the general proximity of the subject lands. Furthermore, the study reviewed all surface water features in the area.

The Hydrogeological Study concluded that there will be no adverse impacts on the domestic water wells in the area as no wells are located within the estimated area of influence. Given the considerable separation distance between the quarry and closest municipal water supply / Wellhead Protection Area, the quarry operations will have no impact on any such water source. Furthermore, the Study also states that there is no potential interference with surface water as there are no significant features reliant upon hydrology functions within 500 metres of the site. Despite these conclusions, the Hydrogeological Study has recommended a series of preventative operational practices to further protect groundwater quality including the monitoring of the onsite wells and the domestic wells within 500 metres of the subject lands.

The recommendations of the Assessment have been incorporated into the design of the site plans and stated in the notes of these drawings.

For more detailed information regarding the findings of Whitewater Hydrogeology Ltd., please refer to the Hydrogeological Assessment.

### **3.5.2 Natural Environment Technical Report: Level I & II**

AWS Environmental Consulting Inc. was retained to prepare a Natural Environment Technical Report (NETR) to meet the requirements under the Aggregate Resources Act for establishing new quarries. The Report also serves as an Environmental Impact Study for the purposes of addressing the environmental policies of the Provincial Policy Statement and the County of Grey Official Plan.

The Provincial Policy Statement and the County Official Plan identify natural heritage features that are to be protected. The objective of the NETR was to determine whether any of these features exist on or within 120 metres of the site, and if so, to further address the nature of these identified heritage features and determine the anticipated impact of the proposed operation on these features. The NETR discovered the following within the study area:

- Habitat of Threatened and Endangered Species; and,
- Significant Wildlife Habitat.

The following summarizes the findings and recommendations of Natural Environment Report with regard to these natural heritage features:

## 1. Habitat of Threatened or Endangered Species

### A. Butternut (Endangered)

Three mature Butternut trees have been identified in the woodlot located near the southwest corner of the subject property, outside of the proposed license area as illustrated on Figure 8 to the NETR. All three trees, however, have significant canker advancement and are deemed non-retainable. As such, no mitigation measures are required.

### B. Barn Swallow (Threatened)

Barn swallows were observed foraging over the proposed license area. No nesting activity or nesting habitat, however, was identified within the proposed license area or within the adjacent 120 metre study area. The only confirmed nesting/rearing habitat within the broader search coverage area was a barn located 800 metres north of the site. Given the considerable separation distance between the proposed quarry and this identified barn swallow habitat, no mitigation measures are necessary.

## 2. Significant Wildlife Habitat

### A. Eastern Wood-peewee (Special Concern)

This bird species was identified in three locations in the woodland located near the southwest corner of the property, outside of the license area. A 20 metre no-disturbance area adjacent to the woodland will ensure that no impact to this bird habitat occurs.

## Conclusion

The Natural Environment Technical Report concluded that the proposed quarry operations would not create any negative impacts on any natural heritage features or their functions provided the mitigative measures stated above are followed.

The recommendations of the Report have been incorporated into the design of the site plans and stated in the notes of these drawings.

Addendum:

The 2012 version of the Grey County Official Plan was in effect when the Natural Environment Technical Report was prepared. That document did not identify the adjacent forested areas as 'Significant Woodlands'. The new Official Plan, however, does show these forested lands as 'Significant Woodlands' and therefore the AWS Environmental Consulting Inc. has provided an addendum letter dated November 22, 2019 which states that the adjacent forested areas were taken into consideration during the preparation of the original report and that appropriate mitigation measures were established at that time to ensure that no negative impact on the wooded areas would occur; and, therefore, no additional mitigation measures above and beyond those stated in the original report are necessary.

For more detailed information regarding the findings and recommendations of AWS Environmental Consulting Ltd., please read the NETR and the addendum letter.

### **3.5.3 Noise Impact Assessment**

HGC Engineering conducted a Noise Impact Assessment to ensure that the predicted sounds levels of the proposed quarry expansion comply with the applicable noise limits of the Ministry of the Environment, Conservation and Parks. To ensure this occurs, the noise expert provided a series of recommendations which have been incorporated into the design of the quarry operation as shown on the series of Site Plans. The recommendations include:

- restrictions on the hours of operation;
- erecting a berm on the east side of the property;
- limitations on the use of processing equipment; and,
- shielding of rock drilling and processing equipment.

For more detailed information regarding the findings and recommendations of HGC Engineering, please read the Noise Impact Assessment.

### **3.5.4 Blast Impact Assessment**

DST Consulting Engineers Inc. carried out the Blast Impact Assessment to ensure that: blasting operations are conducted in a safe and productive manner; no possibility of damage exists to the receptors in the area, including the water wells; and, Provincial guidelines and regulations regarding vibration and overpressure are met. In this regard,

the blasting expert provided a series of recommendations that have been carried forward onto the Consultant Recommendations drawing.

More detailed information regarding the findings and recommendations from DST Consulting Engineering is provided in the Blast Impact Assessment.

### **3.5.5 Karst Hazard Impact Assessment**

Appendix A of the previous version (2012) of the Grey County Official Plan identified a 'Special Policy Area (Karst)' constraint on the lands located to the immediate east of the proposed license boundary. In this regard, Daryl W. Cowell, P. Eng. conducted a Karst Hazard Impact Assessment. No significant karst features were observed on the subject property or adjacent lands. The Assessment concluded that the quarry expansion lands are not considered to be a karst hazardous site.

It should be noted that the new Official Plan (approved by the Province in 2019), which came into effect after circulation of the Aggregate Resource Act license application began, does not identify karst features on any lands in this general area.

### **3.5.6 Stage 1 – 2 Archaeological Assessment (AMICK Consultants Limited)**

AMICK Consultants Limited conducted a Stage 1 - Stage 2 Archaeological Assessment to identify any archaeological sites of cultural heritage value or interest on the subject property. No such sites were found during the field investigations and therefore the Assessment recommended that no further archaeological review to be required.

For more detailed information regarding this matter, please read the Stage 1 - 2 Archaeological Assessment.

#### **4. AGENCY RESPONSES TO AGGREGATE RESOURCES ACT APPLICATION**

The Aggregate Resources Act (ARA) application for a quarry license was processed in advance of the Planning Act applications (Official Plan Amendment and Zoning By-law Amendment) being submitted to the County of Grey and Township of Georgian Bluffs respectively.

In this regard, please be advised that there are no outstanding objections to the quarry license application from the public agencies. Based on the foregoing, support of the Official Plan Amendment and Zoning By-law Amendment applications from these agencies is also expected.

Also note that no members of the public objected to the quarry application.

## **5. LAND USE POLICY ANALYSIS OF THE APPLICATION**

The subject lands fall within the Planning jurisdiction of the County of Grey Official Plan. No local Official Plan applies to this area of the Township.

This Report will evaluate the proposed extraction operation within the context of the County Plan as well as the Provincial Policy Statement.

### **5.1 County of Grey Official Plan**

#### **5.1.1 Existing Land Use Designation**

The lands proposed to be licensed are designated 'Agricultural' on Schedule A to the County of Grey Official Plan, as shown on Figure 3 to this Planning Report

The 'Agricultural' policies permit agriculture, forestry and conservation type uses and small-scale commercial and industrial uses, as well as aggregate extraction operations where the subject lands are shown entirely as 'Aggregate Resource Area' on Schedule B to the County Official Plan. In this regard, the 'Aggregate Resource Area' does not apply to the subject lands and therefore an amendment to the Official Plan is required.

#### **5.1.2 Official Plan Policies Pertaining to Extractive Industrial Operations**

Section 5.6.4 *Policies for the Establishment of New Mineral Resource Extraction Land Use Types* states the following:

- 1) *The following proposed mineral aggregate extraction operations will require an amendment to the County Official Plan except for those proposed within the Niagara Escarpment Plan Area as shown on Schedule A-Maps 1, 2 and 3:*
  - a) *All new or expanding quarry operations proposed within the County of Grey;*
  - b) *All new sand and/or gravel operations proposed outside of the areas identified as an Aggregate Resource Area shown on Schedule B, or within Core Areas shown on Schedule C; and,*
  - c) *All proposed expansions beyond the areas identified as an Aggregate Resource Area on Schedule B*

*For new or expanding sand and/or gravel operations proposed within the Aggregate Resource Area identified on Schedule B, a County Official Plan Amendment and a*

*local municipal official plan amendment will not be required. Should the proposed operation receive a license under the Aggregate Resources Act, the Mineral Resource Extraction area will be identified on Scheduled B at the time of the next update to this Plan. A zoning by-law amendment will be required.*

Comment: This expanding quarry requires amendments to the County of Grey Official Plan and the Township of Georgian Bluffs Zoning By-law.

- 2) *Where a new or expanded pit operation is proposed partially within an Aggregate Resource Area and partially outside of an Aggregate Resource Area, an amendment to this Plan is required for those areas outside of the Aggregate Resource Area. If the proposed extraction area is within the Aggregate Resource Area, an amendment to this Plan is not required.*

Comment: The subject lands are not shown within an 'Aggregate Resource Area' on Schedule B of the Grey County Official Plan, and therefore an amendment to the Official Plan is required.

- 3) *Where pit or quarry operations are being proposed in close proximity to one another, in a similar timeframe, cumulative impacts need to be addressed. Background and technical reports will be reviewed simultaneously and a joint third party peer reviewer may be requested to review the studies. If a pit or quarry operation is being proposed in an area where there are already existing pit and quarry operations within close proximity, cumulative impacts such as traffic and noise may be considered in the technical reports. These requirements will be outlined further at the time of pre-submission consultation.*

Comment: Harold Sutherland Construction Ltd. is not aware of any other pit or quarry proposal within the immediate area.

The only pit or quarry that exists at this time within the general vicinity is the quarry that is being expanded through this application. With regard to cumulative impacts, it is important to understand that the new quarry is replacing the existing quarry. The amount of aggregate to be extracted on an annual basis will remain at 400,000 tonnes, and therefore the amount of activity occurring on the site and the number of trucks leaving the site will not change. In addition, the haulage trucks will continue to utilize the existing entrance located in the existing quarry. For these reasons, no additional impacts are expected as a result of the quarry expansion.

- 4) *The following studies/reports, prepared by qualified individuals, shall be provided to support applications for new or expanded pits or quarries. These studies/reports shall meet the requirements of the Planning Act, Provincial Policy Statement, Niagara Escarpment Plan (if within the Niagara Escarpment Plan area), County Official Plan, and municipal Official Plans (where applicable):*

- a) *Submission of copies of all documentation provided to the Ministry of Natural Resources and Forestry as required for licensing, pursuant to the Aggregate Resources Act;*
- b) *A planning report prepared by a Registered Professional Planner, addressing the requirements of the Planning Act, Provincial Policy Statement, Niagara Escarpment Plan (if within the Niagara Escarpment Plan area), County Official Plan, and municipal Official Plans (where applicable);*
- c) *A noise impact study in accordance with the Aggregate Resources of Ontario: Provincial Standards;*
- d) *A Traffic Impact Study and/or road assessment, unless otherwise waived at the discretion of municipal, County, or Provincial road authorities, based on the amount of traffic involved, or the existing construction of the haul route roads;*
- e) *For mineral aggregate operations proposing to remain above the established water table level as identified in the Aggregate Resources of Ontario: Provincial Standards, a letter of opinion shall be provided by a qualified individual estimating the current water table level, determining whether the proposed operation will have any impacts to the quality or quantity of the surface or groundwater resources, as well as how any impacts relate to natural areas, features and systems;*
- f) *A hydrogeological study for proposed aggregate operations looking to proceed below the established water table level identified in the Aggregate Resources of Ontario: Provincial Standards;*
- g) *An environmental impact study, however a Level 2 – Natural Environment Report required under the Aggregate Resources Act can act as a substitute for an environmental impact study. Where there are discrepancies between the terms of reference for a Natural Environment Report or an environmental impact study, as defined by this Plan, the more protective study requirements shall be considered applicable;*
- h) *An archaeological assessment prepared by a qualified individual;*
- i) *An Agricultural Impact Assessment, if the proposed new or expanding extraction operation is within the Agricultural or Special Agricultural land use types, that evaluates the potential impacts on agriculture, including agricultural operations, agricultural uses, and prime agricultural areas and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts, as well as inform future rehabilitation of a proposed mineral aggregate operation;*

- j) *A progressive rehabilitation plan, including the use of maximum disturbed area provisions where feasible.*

*The requirements of this section do not prejudice a municipality from asking for additional studies/reports in support of a pit or quarry application, where official plan policies require such studies/reports. Where there is a discrepancy between a defined study/report in this Plan, the Planning Act, or the Provincial Policy Statement, and the Aggregate Resources of Ontario: Provincial Standards under the Aggregate Resources Act (or any successor thereto), the more protective standard shall be applied, unless deemed by the Ministry of Natural Resources and Forestry to be in conflict with Provincial legislation or regulation.*

*The County requires that the proponent consult with the County and the local municipality prior to submitting any pit or quarry application to determine the scope of the studies that are required.*

Comment: In addition to this Planning Report, the following documents have been prepared in support of this proposed quarry expansion as requested during the preconsultation discussions: Site Plans (Existing Features, Operational Plan, Consultant Recommendations, and Progressive Rehabilitation and Final Rehabilitation Plan; Summary Statement; Combined Level 1 and 2 Hydrogeological Study; Natural Environment Technical Report: Level I & II; Noise Impact Assessment; Blast Impact Assessment; Karst Hazard Assessment; and, Stage 1 - 2 Archaeological Assessment.

The County Transportation Department advised that a Traffic Impact Study was not required given that the quarry entrance location is not changing and that an increase in truck traffic will not result from this quarry expansion.

- 5) *Lands may not be excluded from the Agricultural or Special Agricultural land use types for the creation of a new extraction operation. Where an extraction operation is proposed in the Agricultural or Special Agricultural land use types, the lands will remain Agricultural or Special Agricultural but may also allow for extraction if the required aggregate license and applications are approved.*

Comment: The subject lands are designated 'Agricultural' on Schedule A to the County of Grey Official Plan, as illustrated on Figure 3. Approval by way of an amendment to the Official Plan is being sought to allow for extraction on the property.

- 6) *In Karst areas identified on Appendix A, an environmental or hydrogeological study will be required. This study should make recommendations on mitigation measures and any precautionary measures to be included in the licensed operational plan to ensure that any chemical or gas spills from equipment are prevented. Should a spill occur, clean-up procedures shall be identified within the licensed operational plan.*

Comment: As noted earlier in this Planning Report, the previous version (2012) of the Official Plan identified the lands to the immediate east as “Special Policy Karst”. As such, a Karst Hazard Assessment was carried out and identified no karst features on the site. Recently, however, the new Official Plan (2018) was approved by the Province, with the new mapping no longer identifying a karst constraint anywhere close to the property.

7) *New pits or quarries are not permitted within Core Areas on Schedule C to this Plan, except via amendment to this Plan. New pits or quarries may be permitted within Linkages identified on Schedule C, provided the rehabilitation plan restores the Linkage. Expansions to existing pits or quarries can be considered in Core Areas or Linkages, subject to meeting all applicable policies of this Plan.*

Comment: Neither the subject property nor any other lands in the general vicinity are shown as ‘Core Areas’ or ‘Linkages’ on Schedule C.

8) *Within areas identified as Significant Woodlands as shown on Appendix B, cutting of the woodland to facilitate a pit or quarry operation may be permitted where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. If this can be demonstrated, cutting of the woodland should be minimized and the woodland area cleared for extraction shall be progressively rehabilitated back to a woodland use. Permitted pit or quarry operations shall be carried out in a manner that is environmentally sensitive to the remaining portions of the Significant Woodland in-line with the recommendations from the environmental impact study as required by this Plan.*

Comment: The forested areas located to the east and south of the proposed licensed areas are identified in the Official Plan as ‘Significant Woodlands’. In the addendum to the Natural Environment Technical Report, the author states that the proposed extraction, as proposed on the site plans, will not negatively impact this natural heritage feature.

9) *Independent peer reviews, at the expense of the proponent, of these technical studies/reports may be required at the discretion of County and/or municipal staff; where staff or agency technical review is insufficient to determine the adequacy of the conclusions of these reports/studies. Where simultaneous County and municipal applications are being processed, individual County/municipal peer reviews will be discouraged, in favour of a joint peer review serving both parties.*

Comment: The reports submitted as part of the Aggregate Resources Act application submission have been reviewed by the various agency experts. There are no outstanding concerns from any of these governmental bodies. It is doubtful that County or Township staff would find it necessary to have any of the documents peer reviewed, although it would be their prerogative to do so.

Section 5.6.5 *Mineral Resource Extraction Development Criteria Policies* states the following:

- 1) *Where an applicant wishes to undertake a sand and/or gravel or quarry operation other than a wayside pit and quarry, the local municipality or the County of Grey, may require the applicant to enter into a development agreement with the municipality or the County. The agreement shall be entered into prior to local Council's enactment of the implementing zoning by-law amendment, or as a condition of a holding 'h' symbol in the by-law.*

*Such an agreement may include:*

- a) *Capital arrangements regarding improvements beyond the boundary of the applicant's land, as they may be required by reason of the operation of that extractive industry, e.g. widening and improving roads; and*
- b) *Routes to be used by trucks carrying aggregate.*

*Information should be provided by the applicant identifying the proposed haul route, estimating the average number of trucks per day, the potential impacts to traffic and road conditions on the proposed haul route, as well as a cost estimate for any necessary upgrades required to the proposed haul route. Where the haul route has existing deficiencies and has existing traffic, cost-sharing will be considered between the applicant and the road authority. Costs to upgrade the haul road that are directly attributable to the proposed extractive operation, (for example, but not limited to, turning lanes into or out of the extractive operation, or climbing lanes on steep hills) shall be the responsibility of the applicant and will be based on use of the haul route.*

Comment: Given that the haulage route for the quarry expansion is not changing, and neither is the amount of material being removed annually from this quarry, the County did not request during the Aggregate Resources Act application review process that the operator enter into a haulage route agreement.

- 2) *Access to pit or quarry operations shall be from a public road that is of a construction and standard to service the traffic associated with the use. Haul routes should be identified to minimize the impact of truck traffic on residential uses and avoid existing settlement areas where practically feasible.*

*The County recognizes that Provincial Highways and County Roads shall constitute the majority of the haul routes with Grey County. There are instances where haul routes will be required to pass through settlement areas, based on the need to use Provincial Highways and County Roads. The above policy shall not be interpreted so as to prohibit haul routes through settlement areas using Provincial Highways and County Roads.*

Comment: The current haulage route associated with the existing quarry operation will not be changing as a result of the quarry expansion, nor will the amount of truck traffic.

- 3) *All pit and quarry operations shall comply with the Aggregate Resources Act and its most current regulations.*

Comment: The Site Plans, which will form the basis of the quarry license, have been prepared in accordance with the Aggregate Resources Act and the associated regulations.

- 4) *All pit and quarry operations shall satisfy the legal requirements of the Ministry of the Environment, Conservation and Parks or the authority having jurisdiction over water supply, disposal of liquid wastes, and the control of air pollution.*

Comment: Extraction will occur in accordance with all relevant Provincial standards.

- 5) *When a pit or quarry operation has been depleted and is rehabilitated in-line with the licence, a zoning by-law amendment will be required for any use not permitted in Section 5.6.2 and 5.6.3. Upon the surrender of the licence, and the passing of a zoning by-law amendment, the policies of the applicable land use type for the subject property identified on Schedule A apply. Any rezoning will trigger the requirement to meet Provincial MDS formulae. The lands identified as Mineral Resource Extraction on Schedule B are then removed at the time of the next review of the County Official Plan.*

Comment: Upon the material within the quarry being depleted and the site being rehabilitated in accordance with the Site Plans, the license will be surrendered and the property will be rezoned to the appropriate zoning category.

- 6) *Measures to conserve and recycle mineral aggregate resources are encouraged including the utilization or extraction of on-site mineral aggregate resources prior to development. Where environmental and locational site conditions are feasible, such as being located on suitable roads, extractive operations are encouraged to include aggregate recycling facilities where the public, businesses, and/or municipal waste collection systems may deposit aggregates, stone, porcelain, asphalt, concrete, and similar substances for processing for reuse as aggregates.*

Comment: The importation of concrete and asphalt will likely occur on the site, as an accessory use to the quarry operation, if approved by the Ministry of Natural Resources and Forestry. As explained on Note 21 of the Operational Plan, no materials will be stockpiled within 30 metres of any open body of water or within two metres of the established water table.

- 7) *Asphalt plants and concrete batching plants may be permitted in the Mineral Resource Extraction land use type as accessory use to a licensed extractive operation subject to the following items being addressed through the Aggregate Resources Act site plan amendment process:*
- a) *It is a non-permanent use and will cease to operate once the aggregate material has been completely removed or the operator stops removing material from the site on a regular basis;*
  - b) *If required, a Traffic Impact Study is provided to the satisfaction of the County and the local municipality;*
  - c) *The applicant shall demonstrate that the proposed location is appropriate and that impacts to the social, cultural heritage, and natural environment can be minimized; and*
  - d) *Noise, odour, and dust studies are provided which satisfy the Ministry of the Environment, Conservation and Parks (MECP)'s standards.*

Comment: Neither an asphalt plant nor a concrete plant is proposed for this site.

- 8) *Outside of settlement area land use types an official plan amendment will be required for asphalt plants and concrete batching plants proposing to locate outside of the Mineral Resource Extraction areas identified on Schedule B or aggregate licensed operations approved under the Aggregate Resources Act. Within settlement area land use types, the municipal official plan and/or zoning by-law shall determine the permissions for asphalt plants and concrete batching plants.*

Comment: This policy is not applicable.

- 9) *The County requires the progressive rehabilitation of pit or quarry operations back to agricultural uses. Maximum Disturbed Area provisions should be included on the license, where feasible, to ensure progressive rehabilitation. Progressive and final rehabilitation is required to:*
- a) *Accommodate subsequent land uses;*
  - b) *To promote land use compatibility; and*
  - c) *To recognize the interim nature of extraction, in accordance with the rehabilitation plans as part of the license.*

*Progressive rehabilitation is required where feasible. Final rehabilitation shall take surrounding land uses and approved land use types into consideration.*

Comment: Because this is a below water quarry, the final rehabilitation use is proposed to be a large pond area, as permitted by Section 5.6.5 (11) of the Official Plan (see below). As the quarry progresses from phase to phase, the side slopes will be progressively rehabilitated to 2:1 slopes. Certain tree plantings, rocks piles and boulders could be provided along the top edges of the rehabilitated quarry to provide wildlife habitat. This natural land use will be consistent with the rehabilitated quarry to the north and should not create a land use conflict with any other land use in the area.

10) *Comprehensive rehabilitation is required between neighbouring pit or quarry operations where feasible.*

Comment: This quarry expansion area will be rehabilitated in the same manner as the existing quarry, i.e. in the form of large pond.

11) *Extraction of mineral aggregate resources may be permitted as an interim use in the Agricultural and Special Agricultural land use types as identified on Schedule A of this Plan, so long as rehabilitation of the site is back to an agricultural condition. Complete rehabilitation to an agricultural condition will not be required if the following occurs:*

- a) *Outside of the Special Agricultural land use type, a substantial quantity of the aggregate is below the water table warranting extraction or the extraction is at a depth which would make restoration of pre-extraction agricultural capability unfeasible;*
- b) *Within the Special Agricultural land use type, there is a substantial quantity of high quality mineral aggregate resources below the water table warranting extraction, and the depth of planned extraction makes the restoration of pre-extraction agricultural capability unfeasible;*
- c) *In the Agricultural and Special Agricultural land use types other alternatives have been considered and found unsuitable by the applicant. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 lands, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3 lands; and*
- d) *Agricultural rehabilitation in remaining areas will be maximized.*

Comment: The subject lands are designated 'Agricultural' on Schedule A of the Official Plan. A good quantity of material exists below the water table, which lends considerable merit to extracting below this ground water feature. Returning the lands back to an agricultural use would therefore be impossible.

This particular site was chosen for the quarry expansion due to the fact that it is located immediately adjacent to the existing quarry, which is obviously necessary for an expansion. It should be noted that despite the soil classification of the site (70% Class 1 / 30% Class 7), the local farmer who has been cropping this property for decades is of the opinion that these lands are not Class 1 due to the shallow topsoil depth of approximately 0.25 metres (as evidenced in Appendix B Borehole Logs of the Hydrogeology Report) and the low yields on the crops that have been planted. Furthermore, this site is ideal for an expansion because of the absence of ecological features and threatened and endangered species, as explained in the Natural Environment Technical Report.

With regard to alternatives, the lands to the west and the north were not available for purchase. Also, the property to the west is of no lesser agricultural value according to the Canada Land Inventory mapping which has also almost an identical soil classification in terms of breakdown by class. The property to the north appears to fall mostly within a Class 7 soils rating; however, this property is not for sale and there may possibly be issues with endangered species habitat (e.g. barn swallows) on that site. As an alternative to expanding the quarry, a different location for an entirely new quarry could be considered, but such an idea has little merit, if any. From the operator's perspective, expanding the existing quarry will give Harold Sutherland Construction Ltd. an efficient use of the existing infrastructure and controls that are already in place by, for example, utilizing the existing fuel storage facilities, using the same sump area (which already has a Permit To Take Water), sharing heavy on-site heavy equipment and utilizing the same quarry entrance/exit. From the perspective of potential impact on the community, there is no doubt that expanding the existing quarry (which has existed for many years) and not increasing the annual extraction limit (in the spirit of being a good neighbour) would result in an overall lesser impact on the larger community than establishing a new, second quarry elsewhere.

- 12) *Where it is not feasible to return the lands to agriculture, priority should be given to assessing the feasibility of rehabilitation to a use that provides social and environmental benefits, and that is compatible with surrounding land use types. The use should result in environmental improvement or net environmental gain. Features such as woodlands, wetlands, fish and wildlife habitat areas, integrated water systems, or passive recreational opportunities may be appropriate.*

Comment: The quarry expansion area, once extracted, in conjunction with the existing quarry will fill partially with water and form a large pond. Such a natural use will provide environmental and social benefits and prove to be compatible with other land uses in the area.

- 13) *In the case of adjacent pit or quarry operations owned by different property owners, the County will, wherever practical, encourage the removal of all economically viable material between the pits or quarries. This may include eliminating the property line setbacks between the operations. Such operations are encouraged to utilize continuous and harmonious rehabilitation.*

Comment: The quarry being expanded through this application process allows for the standard setback requirements to be avoided.

- 14) *Where pit or quarry operations are separated by a County or municipal road, the feasibility of allowing the producers to temporarily re-route and then replace the road at a lower elevation will be considered to enable operators to remove viable material between the operations. An agreement will be needed to address timing, re-construction, and compensation for the materials under the road.*

Comment: This policy is not relevant to the subject proposal.

- 15) *Existing licensed mineral aggregate extraction operations are permitted and shall be recognized in local zoning by-laws. Licensed mineral aggregate extraction operations are identified on Schedule B of this Plan as Mineral Resource Extraction.*

Comment: The existing quarry is identified on Schedule B of the Grey County Official Plan and is zoned accordingly in the Township's Zoning By-law.

### **5.1.3 Official Plan Policies Pertaining to the Natural Environment**

Section 7 *Natural Grey* of the Grey County Official Plan provides policies aimed at protecting various aspects of the natural environment, including the following which are relevant to the subject property and adjacent lands:

#### **7.4 Significant Woodlands**

*Significant Woodlands mapping as shown on Appendix B was developed by the County of Grey with assistance from the Ministry of Natural Resources and Forestry (MNRF). The identification was primarily a desktop based Geographic Information Systems (GIS) exercise and the County acknowledges that inaccuracies or omissions in the mapping may be present. As a result, site visits by qualified individuals may be required at the application stage to scope any potential studies.*

*The Significant Woodlands layer was refined in 2017 by using data collected as part of the Natural Heritage Systems Study – Green in Grey, data from the MNRF and through airphoto analysis. Once the refinement occurred, it was then assessed through the original criteria used when creating the original woodlands layer and adjusted accordingly.*

*This has improved the accuracy of the data; however errors and omissions could still exist.*

*In order to be considered significant, a woodland shall be either greater than or equal to forty (40) hectares in size outside of settlement areas, or greater than or equal to four (4) hectares in size within settlement area boundaries. If a woodland fails to meet the size criteria outside a settlement area, a woodland can also be significant if it meets any two of the following three criteria:*

- *Proximity to other woodlands i.e. if a woodland was within 30 metres of another significant woodland, or*
  - *Overlap with the boundaries of a Provincially Significant Wetland and Significant Coastal Wetlands, Core Area, Significant Valleylands, or a Significant Areas of Natural and Scientific Interest , or*
  - *Interior habitat of greater than or equal to eight (8) hectares, with a 100 metre interior buffer on all sides.*
- 1) *No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Adjacent lands are defined in Section 7 and 9.18 of this Plan.*

*Projects undertaken by a municipality or conservation authority may be exempt from the environmental impact study requirements, provided said project is a public work or conservation project.*

- 2) *Where it can be proven that a woodland identified as significant has ceased to exist, or ceased to exhibit characteristics of significance, an environmental impact study may not be required. Site photographs or a site visit by a qualified individual may be necessary to determine that a woodland no longer exists.*
- 3) *Tree cutting and forestry will be permitted in accordance with the County Forest Management By-law (or successor thereto), and guided by the policies of Section 5.5 of this Plan.*
- 4) *Fragmentation of significant woodlands is generally discouraged.*
- 5) *Significant Woodlands are not meant to include orchards, nurseries, or holiday tree plantations. Where it can be demonstrated that the mapping inadvertently mapped an orchard, nursery, or holiday tree plantation, an EIS will not be required for new development or site alteration.*

- 6) *Not all mapped Significant Woodlands are naturally occurring. In some cases, plantations have begun to transform into more naturalized woodlots, or fallow fields have over-grown to include early woodland features. Where these circumstances have occurred, an EIS may not be required for new development or site alteration, subject to the advice of a qualified professional, MNRF, conservation authority staff, or municipal/County staff. Where a significant amount of time has passed, and such plantation woodlands may now hold further natural value, an EIS may still be required.*

Comment: The wooded areas located to the east and south of the proposed licensed area are identified in the Grey County Official Plan as 'Significant Woodland'. Mitigation measures have been recommended in the Natural Environment Technical Report to ensure no negative impact on this natural heritage features occurs, and such recommendations have been carried forward onto the Site Plans.

It should be noted that the Natural Environment Technical Report complies with the policies of Section 7.11.1 *Environmental Impact Study* of the Grey County Official Plan.

## 7.5 Karst Areas

*Karst Areas are a development constraint area that is shown on Appendix A. Karst topography generally forms on limestone and dolostone plains and is marked by sink or karst holes, interspersed with abrupt ridges and irregular protuberant bedrock that is commonly underlain by caverns and solution-enhanced joints and bedding planes that influence the flow of surface and groundwaters. Due to the nature of its formation, karst terrains are ephemeral and are controlled by past and present climatic and local weather conditions. Due to its geological nature, karst topography presents a potential hazard to human safety which must be mitigated through development controls and approvals.*

*Areas shown on the Appendix A to this Plan as being karst topography are considered to be potential development constraint areas. It is recognized that the mapping is approximate and identifies areas of potential environmental constraint to development that must be addressed prior to development occurring. Development shall generally be directed to areas outside of karst topography unless the effects and risk to public safety are minor so as to be managed or mitigated. In areas suspected to have karst topography, the following shall be undertaken for any Planning Act to assess for the presence of karst topography and to mitigate against any potential hazard:*

*In areas mapped as 'Karst Area' on Appendix A, it will be necessary for the proponent of any planning application to provide an assessment of the proposed area of development. Often, this can be accomplished by on-site test holes, however in some circumstances broader landscape features may indicate karst and may indicate the need for further assessment/confirmation. Depending on the site and the scale of the development, an*

*environmental impact study, Hydrogeological or Karst Study, completed by a qualified individual may be required.*

- 1) *In determining if the constraint feature is present, the proponent shall dig two test holes in the location of the proposed main building (e.g. in the northwest & southeast corners), one test hole in the location of the proposed sewage system and one test hole in the proposed location of each accessory structure. The test holes shall be inspected by a qualified municipal or conservation authority official, or a qualified third party consultant, capable of determining karst features. A brief report of the findings is then be prepared and submitted to the County of Grey and local municipality.*
- 2) *If the test holes reveal shallow overburden, less than one metre in depth, above fractured bedrock, or if broader landform features indicative of karst are observed on the landscape, a study by a qualified individual shall be prepared to assess impacts and mitigation measures relating to the proposed development. Considerations addressed by this study should include surface water drainage; groundwater quality; bedrock erosion; and, any anticipated hazard associated with unstable bedrock conditions potentially arising as a result of karst features. The study shall be to the satisfaction of the County of Grey, the local municipality, and the appropriate authority designated under the Ontario Building Code for sewage systems.*

*For the development of a single dwelling or accessory building the scale of the potential environmental impact, hydrogeological or karst studies may be limited. However for larger developments, including plans of subdivision, or commercial / industrial developments with the potential for greater impacts, a more robust study will be required by a qualified individual. In areas where full municipal water and sewer services are already installed, the Karst Area test hole/study requirements will not apply for new fully serviced development, save and except for proposed developments that by their nature or operation, could accidentally spill contaminants into sinkholes or disappearing streams.*

Comment: Appendix A of the former Grey County Official Plan (2012) identified the easterly portion of the subject property – although outside of the actual area to be licensed – as ‘Special Policy Area (Karst)’. That edition of the Official Plan was in effect at the time in which the Aggregate Resources Act application was initiated. In this regard, a karst expert was retained to undertake an assessment which confirmed that the quarry expansion lands have no karst constraints. It should also be noted that the new Grey County Official Plan, which is now in effect, no longer identifies any lands within the generally vicinity of the subject property as having karst constraints.

## 7.10 Other Natural Features

*The policies in this Section address specific significant natural areas within the County for which mapping is generally not available or is incomplete at present, including Habitat of Threatened and Endangered Species, and Significant Wildlife Habitat.*

- 1) *Development and site alteration is not permitted within, Significant Wildlife Habitat (including Deer Wintering Yards), and their adjacent lands, unless it has been demonstrated through an acceptable environmental impact study, completed in accordance with Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.*
- 2) *No development or site alteration will be permitted within the Habitat of Threatened / Endangered Species adjacent lands except in accordance with provincial and federal requirements. No development or site alteration will be permitted within the adjacent lands to these areas unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the natural features or their ecological functions. The adjacent lands are defined in Section 9.18 of this Plan and through provincial and federal requirements.*
- 3) *When the more detailed identification of areas of threatened and endangered species, and significant wildlife habitat has been completed by the County or appropriate authority, they will be recognized by amendment to this Plan.*

Comment: The Natural Environmental Technical Report identified the adjacent forested area to the south of the licensed area as Significant Wildlife Habitat for the Eastern Wood-peewee (Special Concern). A 20 metre no-disturbance area adjacent to the woodland will ensure that no impact to this bird habitat occurs.

The Report also identified the same forested area as Habitat of Threatened and Endangered Species for Butternut trees (Endangered) and Barn Swallows (Threatened). The field investigations determined that the three identified Butternut trees are dying and therefore require no protection. With regard to the Barn Swallows, no nesting activity or nesting habitat were identified within the proposed licensed area or within the adjacent 120 metre study area. The only confirmed nesting/rearing habitat within the broader search coverage area was a barn located 800 metres north of the site, and therefore the Report determined that no mitigation measures are necessary.

Appendix B to the County Official Plan shows an 'Other Wetlands' located approximately 150 metres southwest of the proposed license area, as illustrated on Figure 6. This separation distance exceeds the required minimum, above-noted setback of 30 metres.

#### 5.1.4 Official Plan Review Summary

Based on the foregoing, the proposed quarry is in compliance with the relevant policies of the County of Grey Official Plan.

### 5.2 The Provincial Policy Statement

Section 3 of the Planning Act requires all decisions made under the Act by an approval authority to “be consistent with” the Provincial Policy Statement (PPS).

The PPS provides a number of policies that are designed to protect planning matters of interest to the Ontario Government. The following is an evaluation of the proposed development within the context of the PPS policies that are relevant to a pit or quarry operation:

#### 5.2.1 Healthy Communities

Section 1.1 provides general statements that encourage sound land use planning decisions, including:

*1.1.1 Healthy, livable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*

**Comment:** A properly planned aggregate operation - as is being proposed - can represent an appropriate and efficient use of land. In this location and with the implementation of the experts' recommendations, the quarry should cause no environmental or public health and safety concerns, nor should it interfere with any larger plans within the municipality to expand an existing settlement area.

## 5.2.2 Prime Agricultural Lands

The subject lands are recognized in the County Official Plan as prime agricultural lands by their 'Agricultural' designation. The PPS serves to protect prime agricultural lands. Permitted uses on such lands are agricultural uses, agriculture-related uses and on-farm diversified uses. In addition to these land uses, Section 2.3.6 *Non-Agricultural Uses in Prime Agricultural Areas* states:

2.3.6.1 *Planning authorities may only permit non-agricultural uses in prime agricultural areas for:*

- a) *extraction of minerals, petroleum resources and mineral aggregate resources, in accordance with policies 2.4 and 2.5;*

Comment: An aggregate operation may be considered on prime agricultural lands, according to this policy.

Section 2.4 pertains to minerals and is not relevant to the proposed quarry operation. An evaluation of the proposed quarry within the context of policy 2.5 of the PPS is provided below.

## 5.2.3 Mineral Aggregate Resources

Section 2.5 states:

2.5.2 *Protection of Long-term Resource Supply*

2.5.2.1 *As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.*

*Demonstration of 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.*

Comment: This policy speaks to the recognized importance of pits and quarries in Ontario.

2.5.2.2 *Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.*

Comment: The extraction of the aggregate will occur in accordance with the approved Site Plans. These drawings take into account the recommendations of the Natural Environment Technical Report, the Hydrogeological Assessment, the Noise Impact Assessment and the Blasting Impact Assessment, as well

as the requirements of the Aggregate Resources Act and the various policies of the County Official Plan that are intended to minimize the social, environmental and economic impacts of a quarry.

2.5.2.3 *The conservation of mineral aggregate resources should be promoted by making provision for the recovery of these resources, wherever feasible.*

2.5.2.3 *Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.*

2.5.2.4 *Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.*

2.5.2.5 *In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:*

- a) *resource use would not be feasible; or*
- b) *the proposed land use or development serves a greater long-term public interest; and*
- c) *issues of public health, public safety and environmental impact are addressed.*

Comment: The County's aggregate mapping does not include bedrock resources and therefore this area of the County is not considered from the perspective of the County Official Plan to have a known deposit of mineral aggregate.

### 2.5.3 *Rehabilitation*

2.5.3.1 *Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.*

2.5.3.2 *Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.*

2.5.3.3 *In parts of the Province not designated under the Aggregate Resources Act, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.*

Comment: Because this is a below water quarry, the final rehabilitation use is proposed to be a large pond area. As the quarry progresses from phase to phase, the side slopes will be progressively rehabilitated to 2:1 slopes. Certain tree plantings, rock piles and boulders could be provided along the top edges of the rehabilitated quarry to provide wildlife habitat.

## 2.5.4 *Extraction in Prime Agricultural Areas*

2.5.4.1 *In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition.*

*Complete rehabilitation to an agricultural condition is not required if:*

- a) *outside of a specialty crop area, there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of preextraction agricultural capability unfeasible;*
- b) *in a specialty crop area, there is a substantial quantity of high quality mineral aggregate resources below the water table warranting extraction, and the depth of planned extraction makes restoration of preextraction agricultural capability unfeasible;*
- c) *other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Class 1, 2 and 3 lands; and*
- d) *agricultural rehabilitation in remaining areas is maximized.*

Comment: The subject lands are designated 'Agricultural' on Schedule A of the Official Plan. A good quantity of material exists below the water table, which lends considerable merit to extracting below this ground water feature. Returning the lands back to an agricultural use would therefore be impossible.

This particular site was chosen for the quarry expansion due to the fact that it is located immediately adjacent (south) to the existing quarry, which is obviously necessary for an expansion. It should be noted that despite the soil classification of the site (70% Class 1 / 30% Class 7), the local farmer who has been cropping this property for decades is of the opinion that these lands are not Class 1 due to the shallow topsoil depth of approximately 0.25 metres (as evidenced in Appendix B Borehole Logs of the Hydrogeology Report) and the low yields on the crops that have been planted. Furthermore, this site is ideal for the quarry expansion because of the absence of ecological features and threatened and endangered species, as explained in the Natural Environment Technical Report.

With regard to alternatives, the lands to the west and the north were not available for purchase. Also, the property to the west is of no lesser agricultural value according to the Canada Land Inventory mapping which has also almost an identical soil classification in terms of breakdown by class. The property to the north appears to fall mostly within a Class 7 soils rating; however, this property is not for sale and there may possibly be issues with endangered species habitat (e.g. barn swallows) on that site.

#### **5.2.4 Natural Heritage**

Section 2.1 states:

- 2.1.1 *Natural features and areas shall be protected for the long term.*
- 2.1.2 *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*
- 2.1.3 *Natural heritage systems shall be identified in Ecoregions 6E and 7E<sup>1</sup>, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and agricultural areas.*
- 2.1.4 *Development and site alteration shall not be permitted in:*
  - a) *significant wetlands in Ecoregions 5E, 6E and 7E<sup>1</sup>; and*
  - b) *significant coastal wetlands.*
- 2.1.5 *Development and site alteration shall not be permitted in:*

- a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E<sup>1</sup>;*
- b) *significant woodlands in Ecoregions 5E, 6E and 7E<sup>1</sup> (excluding islands in Lake Huron and the St. Marys River)<sup>1</sup>;*
- c) *significant valleylands in Ecoregions 5E, 6E and 7E<sup>1</sup> (excluding islands in Lake Huron and the St. Marys River)<sup>1</sup>;*
- d) *significant wildlife habitat;*
- e) *significant areas of natural and scientific interest; and,*
- f) *coastal wetlands in Ecoregions 5E, 6E and 7E<sup>1</sup> that are not subject to policy 2.1.4(b);*

*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

2.1.6 *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*

2.1.7 *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*

2.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

2.1.9 *Nothing in policy 2.1 is intended to limit the ability of existing agricultural uses to continue.*

Comment: AWS Environmental Consulting Inc. conducted the Natural Environment Technical Report for the proposed quarry which identified the following natural heritage features existing on the subject property and/or adjacent lands:

- Habitat of Threatened and Endangered Species; and,
- Significant Wildlife Habitat.

Since the completion of the Natural Environment Technical Report, the new Grey County Official Plan has come into effect; and, Appendix B of this new

document identifies the two, adjacent forested areas as 'Significant Woodland'. An addendum letter to the Report has been prepared.

As explained in Section 3.5.2 of this Planning Report, the Natural Environment Technical Report and addendum letter concluded that no measurable negative impacts or cumulative negative impacts should occur to the natural heritage features or ecological functions identified offsite provided the recommended mitigation measures are implemented. In this regard, the recommendations of the Report have been incorporated into the Site Plans.

## 5.2.5 Water

Section 2.2 states:

*2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:*

- a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;*
- b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;*
- c) identifying surface water features, ground water features, hydrologic functions and natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;*
- d) maintain linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;*
- e) implementing necessary restrictions on development and site alteration to:*
  - 1. protect all municipal drinking water supplies and designated vulnerable areas; and*
  - 2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;*
- f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;*

- g) *ensure consideration of environmental lake capacity, where applicable; and,*
- h) *ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.*

2.2.2 *Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.*

*Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.*

Comment: The Hydrogeological Assessment concluded that the proposed extraction operation should have no impact on any groundwater or surface water feature in the area. Although there are no anticipated impacts associated with this quarry operation, the Hydrogeological Study has recommended a series of preventative operational practices to further protect groundwater quality including the monitoring of the on-site wells and the domestic wells within 500 metres of the subject lands.

## **5.2.6 Cultural Heritage and Archaeology**

Section 2.6 states:

- 2.6.1 *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*
- 2.6.2 *Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.*
- 2.6.3 *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*
- 2.6.4 *Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.*

2.6.5 *Planning authorities shall consider the interests of the Aboriginal communities in conserving cultural heritage and archaeological resources.*

Comment: AMICK Consultants Limited conducted a Stage 1 - 2 Archaeological Assessment. The Stage 2 Assessment did not result in the identification of any archaeological site of cultural heritage value or interest and therefore recommended that no further archaeological assessment be required.

## **5.2.7 Provincial Policy Statement Evaluation Summary**

Based on the foregoing, the proposed quarry can be deemed consistent with the Provincial Policy Statement.

## 6. ZONING BY-LAW

The lands to be licensed are currently zoned entirely 'A1' (General Rural) in the Township of Georgian Bluffs Zoning By-law, as shown on Figure 6 to this Planning Report.

The requested Zoning By-law Amendment would place the licensed area in the 'M2' (Extractive Industrial) zone, which would allow for proposed quarry operation.

It should be noted that the 'M2' zone provisions prohibit extraction within 200 metres of a residential dwelling, 30 metres of a road allowance, 50 metres of body of water and 120 metres of significant wetland. The proposed quarry will comply with all of these standards.

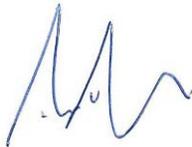
## **7. CONCLUSION AND RECOMMENDATION**

660341 Ontario Inc. c/o H.S.C. Aggregates Ltd. retained the services of several experts to properly plan the expansion of an existing quarry. The team of experts, which included a wildlife expert, hydrogeologist, noise expert, blasting engineer, karst expert, aggregate specialist and archaeologist, studied the subject lands and surrounding area and collectively designed a quarry proposal that would:

- be as compatible with the adjacent properties as possible;
- have no noticeable impact on the natural environment;
- have a minimal impact on the social environment of the area;
- maintain the intent and purpose of the County of Grey Official Plan; and,
- be consistent with the Provincial Policy Statement.

Based on the foregoing, it is evident that this proposed aggregate operation, as specifically proposed on the site plans, will represent appropriate land use planning.

Respectfully submitted,



Ron Davidson, BES, MCIP, RPP

Acknowledgements:

William Bradshaw, P. Eng.  
AWS Environmental Consulting Ltd.  
HGC Engineering  
DST Consulting Engineers  
Daryl W. Cowell  
AMICK Consultants Limited

## **APPENDIX A**

Figure 1: Location Map

Figure 2: Aerial Photograph (2015)

Figure 3: County of Grey Official Plan Schedule A (GIS Version)

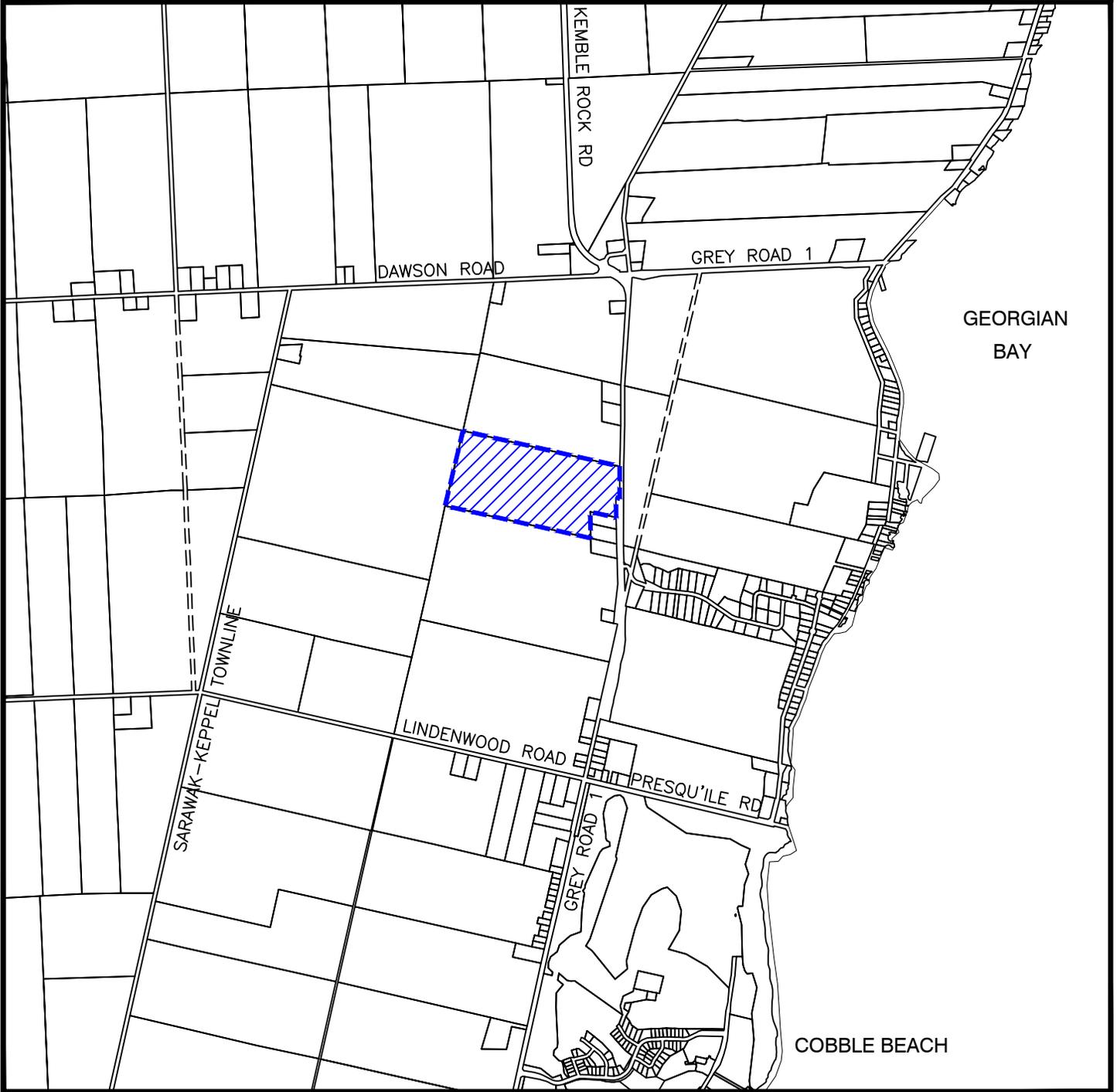
Figure 4: County of Grey Official Plan Schedule B (GIS Version)

Figure 5: County of Grey Official Plan Appendix B (GIS Version)

Figure 6: Township of Georgian Bluffs Zoning By-law (GIS Version)

Figure 1: Location Map

 Lands owned by 660341 Ontario Inc.



Proposed Quarry Expansion  
660341 Ontario Inc. c/o Harold Sutherland Construction Ltd.  
Part Lot 36, Concession 2  
Geographic Township of Sarawak  
Township of Georgian Bluffs

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:30 000

Figure 2: Aerial Photograph (2015)

-  Lands to be Licensed
-  Lands owned by 660341 Ontario Inc.



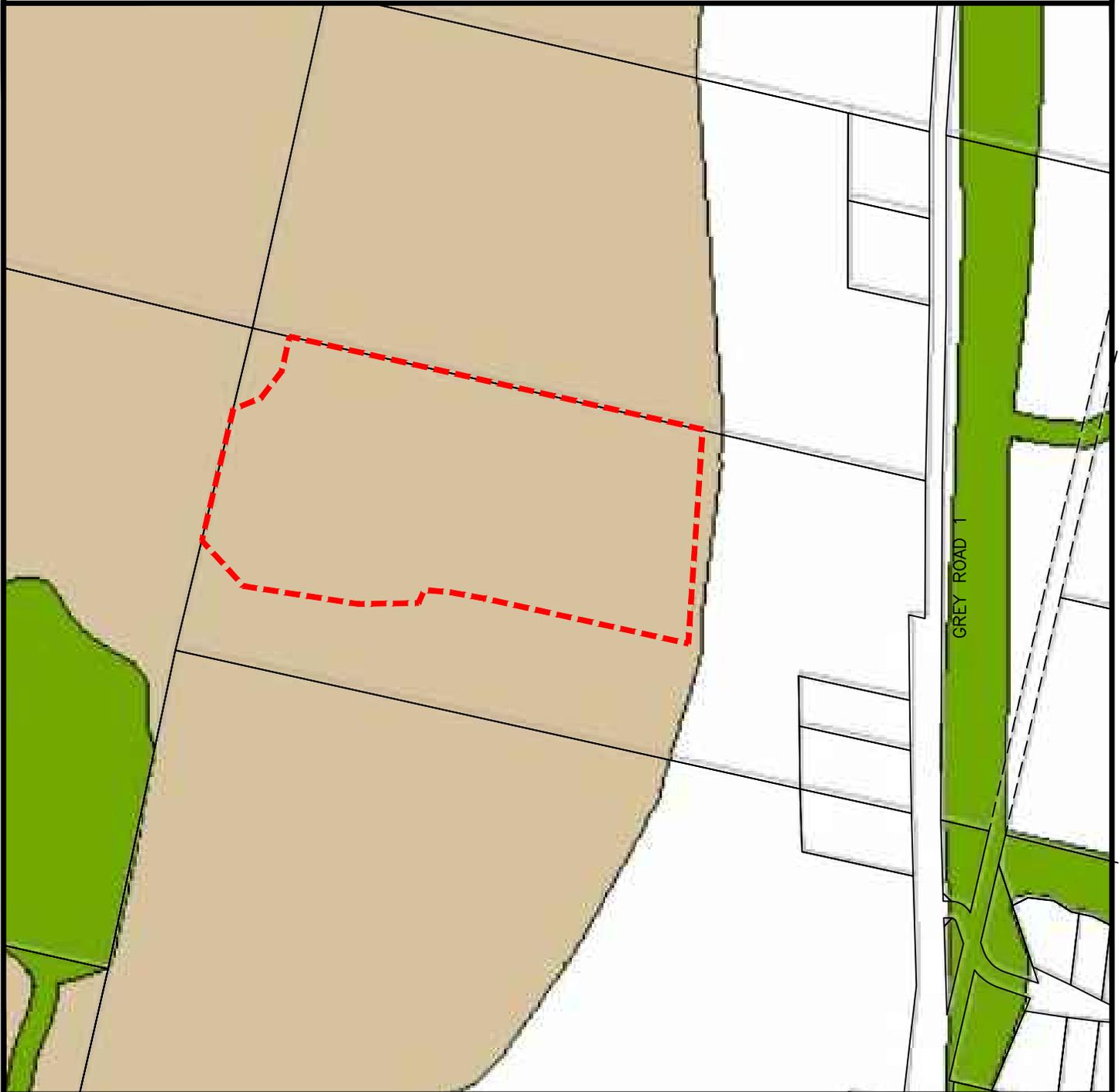
Proposed Quarry Expansion  
660341 Ontario Inc. c/o Harold Sutherland Construction Ltd.  
Part Lot 36, Concession 2  
Geographic Township of Sarawak  
Township of Georgian Bluffs

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LAND USE PLANNING CONSULTANT INC  
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SCALE 1:30 000

Figure 3: County of Grey Official Plan Schedule A (GIS Version)

 Lands to be Licensed  
 Agricultural

 Rural  
 Hazard Lands



Proposed Quarry Expansion  
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Township of Georgian Bluffs

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SCALE 1:30 000

Figure 4: County of Grey Official Plan Schedule B (GIS Version)



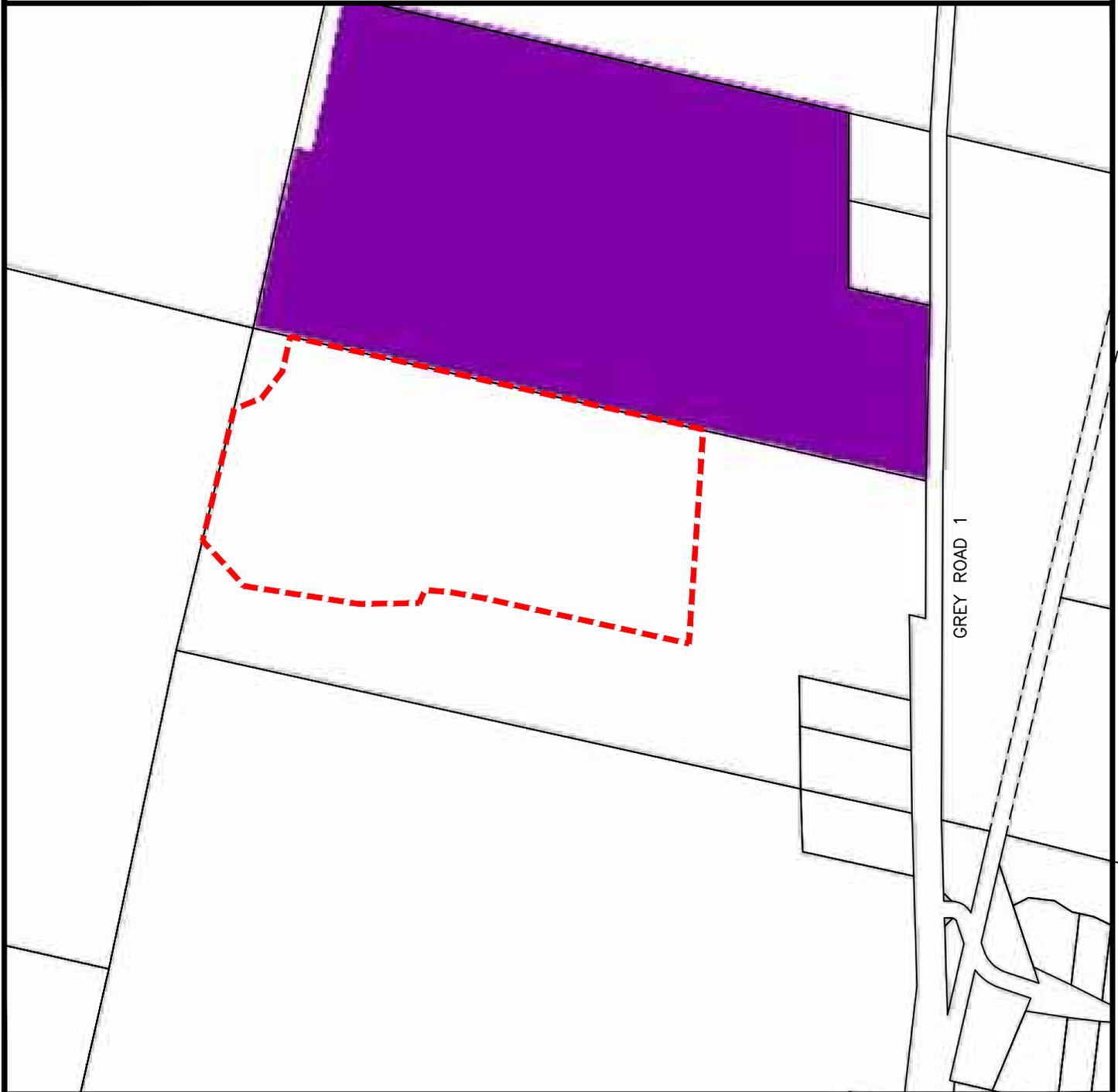
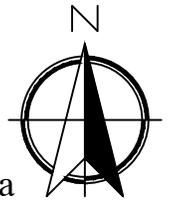
Lands to be Licensed



Mineral Resource Extraction Area



Aggregate Resource Area



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Figure 5: County of Grey Official Plan Appendix B (GIS Version)

 Lands to be Licensed

 Significant Woodlands

 Other Wetlands



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OWEN SOUND, ONTARIO  
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Figure 6: Township of Georgian Bluffs Zoning By-law (GIS Version)

 Lands to be Licensed and Zoned 'M2'

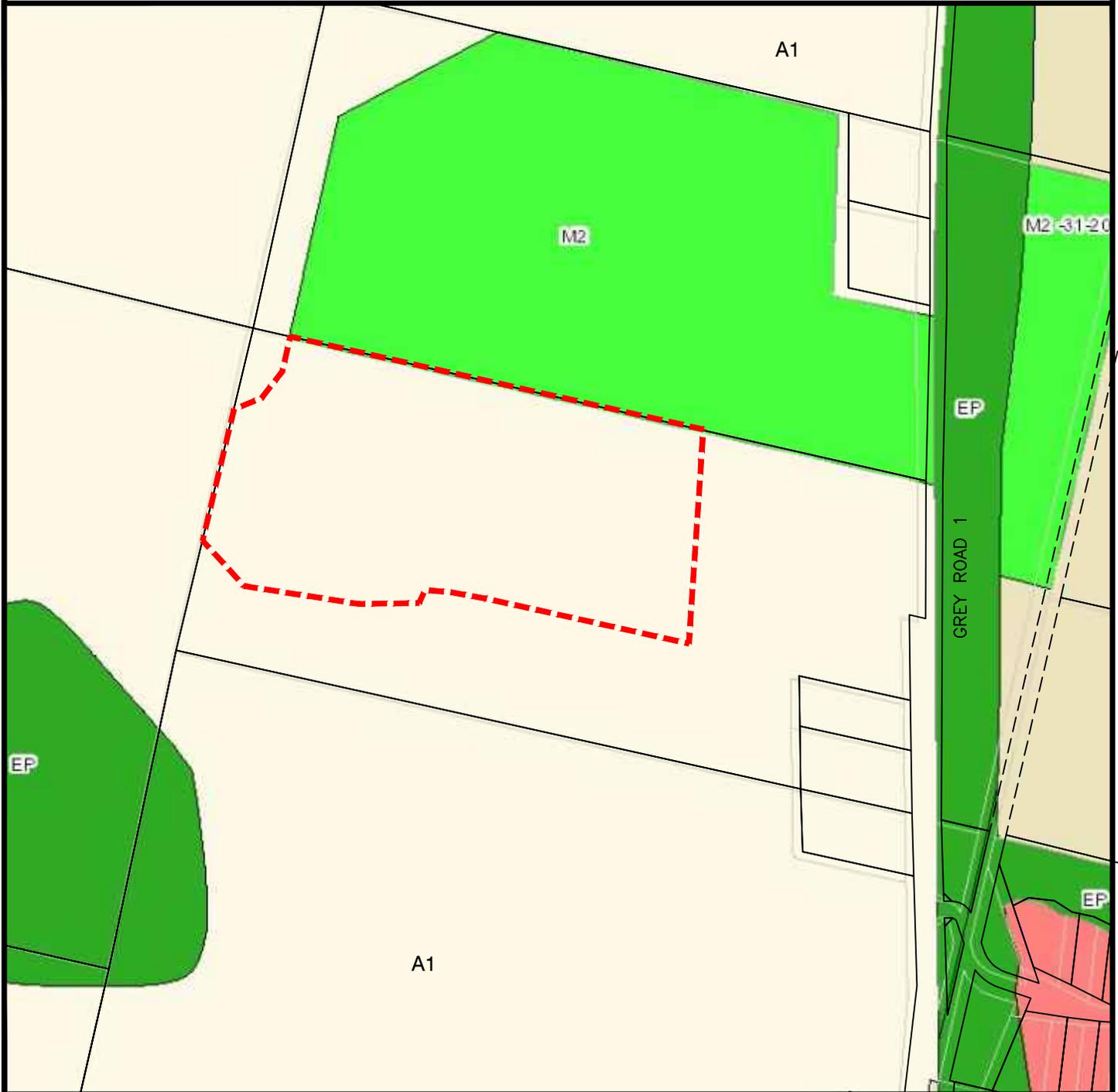


Proposed Quarry Expansion  
660341 Ontario Inc. c/o Harold Sutherland Construction Ltd.  
Part Lot 36, Concession 2  
Geographic Township of Sarawak  
Township of Georgian Bluffs

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LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:30 000

Figure 7: Township of Georgian Bluffs Zoning By-law (GIS Version)

 Lands to be Licensed and Zoned 'M2'



Proposed Quarry  
660341 Ontario Inc.  
319600 Grey Road 1  
Geographic Township of Sarawak  
Township of Georgian Bluffs

**RD** RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:30 000