

**C.1.2 Joint Public Meeting: County of Grey and Town of The Blue Mountains -
Official Plan Amendment Application and Rezoning Application, Conn Pit
North Part of Lot 6, Concession 3, RP 16R9097, Part 1**

Deputy Mayor Gail Ardiel read the Notice of Application for Consent & Public Meeting to consider an Official Plan Amendment and Rezoning.

Gail noted the County of Grey and the Town of The Blue Mountains want your feedback on a new development proposal.

Gail noted the County and the Town are seeking input on development applications to consider allowing an expansion of a gravel pit known as “the Conn Pit” to the vacant area of the property (east side). This proposal requires Town Council and Grey County approvals, and the applicant applied for Official Plan and Zoning amendments to seek permission to expand the gravel pit.

Gail noted the applications have been filed by 2223117 Ontario Inc. and the Agent representing the applicant is Brian Zeman, MHBC Planning.

Gail noted the subject lands are located in the Town of The Blue Mountains. Gail noted the legal description of the property is North Part of Lot 6, Concession 3, RP 16R9097 Part 1, (geographic Township of Collingwood), the Town of The Blue Mountains

Gail noted that Council of the Corporation of the Town of The Blue Mountains will hold a Public Meeting under Sections 34 and 51 of the *Planning Act*, R.S.O. 1990.

Gail noted this development requires three applications, a County of Grey Official Plan Amendment application, a Town of The Blue Mountains Official Plan Amendment application and a Town of The Blue Mountains Zoning By-law Amendment application. John noted in order for the development to move forward, approvals are needed on all of these applications. John noted the County makes the decision on the County and Town Official Plan Amendment applications and the Town makes the decision on the Zoning By-law Amendment.

Gail noted if this proposal is approved, the amendments would change the permitted uses on the property to allow gravel extraction.

Gail noted the County Official Plan designation would change from Rural to Mineral Resource Extraction. John noted the Town of The Blue Mountains Official Plan designation would change from Rural to Extractive Industrial, and the Zoning would change from the General Rural Exception 209 (A1-209) to Extractive Industrial (M4), or other suitable zone to allow the proposed extraction uses. John noted the proposed amendments to the Town of The Blue Mountains Official Plan and Zoning By-law also include some mapping corrections for the existing pit operation, to better reflect the uses of the lands.

Gail noted the applications have been deemed complete, under the *Planning Act*, which means that it is now time to receive public feedback on the proposals. Gail noted in deeming the applications complete, the County and the Town have enough information to seek public input on the development. Gail noted no decisions have been made on the applications, and no decisions will be made until the public process has been completed.

Gail noted within Ontario the planning and development process is an open and transparent process, where opinions from all individuals and groups are welcomed. Gail noted by law a municipality must hold a public meeting, and this meeting is just one of your chances to learn about the development proposal and offer your opinions. Gail noted under the legislation governing this development, which is sections 51 and 34 of the *Planning Act*, you have the following rights:

1. Any persons may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Official Plan Amendments or Zoning Bylaw Amendment.
2. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the Zoning By-law Amendment is approved or to the County of Grey before the Official Plan Amendments are approved, the person or public body is not entitled to appeal the decisions of the Town of The Blue Mountains or the County of Grey to the Ontario Municipal Board.
3. If a person or public body does not make oral submission at a public meeting, or make written submissions to the Town of The Blue Mountains before the Zoning By-law Amendment is approved or to the County of Grey before the Official Plan Amendments are approved, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.
4. If you wish to be notified of the decision of the Town of The Blue Mountains in respect to the approval of the Zoning By-law Amendment, or the County of Grey in respect to the passing of the Official Plan Amendments, you must make a written request to the Town or the County, at the addresses noted on the previous page. Please note Zoning By-law Amendment file number (Z-16) when directing correspondence to the Town. The County Plan of Subdivision file number is 42T-2016-02.

The Clerk noted that notice of the public meeting was given in accordance with the *Planning Act*, and that in response comments were received from Niagara Escarpment Commission, Grey Sauble Conservation Authority and resident Bernard Homonick.

Planner Denise Whaley spoke noting that #4 on the list of rights notes the incorrect file numbers, further noting that this will be corrected.

Denise noted that this application includes three files, 2 zoning by-law amendment applications and an official plan amendment application for the Conn Pit expansion. Denise noted that if Council approves the zoning by-law amendments that, the County would then consider the official plan amendment. Denise noted that there are two approval authorities on this file. Denise confirmed that the Ministry of Natural Resources are involved with this application as well.

Denise spoke noting this application is on the same site as the current Conn Pit, east of the existing pit, further noting that we are early in the process on this, and that the applicant has done much work on the study. Denise noted that staff are currently going through the reports to determine if anything further has to be done, and that the

comments are being reviewed. Denise confirmed that there is still time for the public to provide comment on the applications.

Sarah Morrison, Grey County Intermediate Planner, spoke noting if there are any questions of the County, to please forward them to her.

Brian Zeman, President of MHBC Planning & Landscape Architecture spoke noting he is the consultant for the applicant, 2223117 Ontario Inc.

Brian spoke providing the location of the Conn Pit, noting the proposed extraction area is 10.7 hectares. Brian noted that the proposal is to extract below the water line, as is permitted in the existing pit. Brian noted that the official plan amendment is required by the County because the entire site is not identified as an aggregate site.

Brian Zeman noted that the site is identified as a secondary sand and gravel area, and that an Official Plan Amendment and Zoning by-law amendment is required from the Town. Brian confirmed there is a viable aggregate on the site, as is available in the existing Conn pit. Brian noted that the Conn pit is to the west of the subject site. Brian noted that the current licenced area is 15.4 hectares, and that most of the above water aggregate has been extracted. Brian noted that the extension proposed is in the easterly area, but still using the same entrance, with continued use of the existing haul route on the 6th Line.

Brian noted that the site contains 3.6 hectares of woodland, less than .4% of existing woodland, further noting that the woodland can be removed without a negative impact to the features and functions of the woodland and habitat. Brian noted that the application includes 4.6 hectares of woodland planting to increase the forest cover.

Brian noted that the site is not a prime agricultural area, designated as rural in the County Official Plan and Town of The Blue Mountains official plan. Brian noted that the site is appropriate for rehabilitation to its natural use.

Brian confirmed that the site is not identified as a significant heritage landscape.

Brian noted that the surrounding uses are to the north an existing gravel pit, the east the Pretty River Valley Provincial Park, to the south, agricultural, to the west, existing gravel pit.

Brian noted that the County Official Plan speaks to social impacts, further noting that a noise study has been performed, and that noise guidelines are put in place to minimize impacts on the existing haul route. Brian noted that there have been no impacts on the residential wells, further noting that production will not be increased, but will be lengthened in time. Brian noted that the hydrogeological study has been completed, and that comprehensive well monitoring is performed, including monitoring private wells. Brian noted that the applicants ensure that if there is an impact on a residential well, that the licensee must provide water to that resident and must investigate to determine if the pit has had an impact on the well. The pit operator is then required to restore the well to its previous level if it is determined that the pit was responsible for its failure.

Brian spoke regarding the proposed rehabilitation plan, noting there will be a three metre deep pond, with forested side slopes.

Brian noted that the County official plan amendment proposes a mapping change, and that the Town requires a housekeeping mapping change.

Charles Stevens, resident at Lot 4, Concession 6 in Gibraltar spoke expressing concern that notice of the public meeting was sent to residents just within 120 metres of the pit. With respect to residential wells, Mr. Stevens asked if the Town will co-sign or be responsible if the gravel pit company goes out of business and residential wells are impacted by the pit. Mr. Stevens expressed concern with the truck route, and that the gravel extraction at the pit will be extended if this application proceeds.

Mr. Stevens questioned if a noise study had been completed, further noting that there are gravel trucks every three to four minutes. Mr. Stevens questioned when the pit will be empty at the existing rate of extraction.

Ian Sinclair, resident at 615411 Third Line, spoke noting he has lived in this location for 39 years. Mr. Sinclair noted that Council should do what is best for the area ecologically, and questioned if members of Council had been to the site. Mr. Sinclair noted that the location of the pit borders a conservation area, further noting there are a number of high end homes in this area. Mr. Sinclair noted that Council should consider the long term versus the short term effects of granting the official plan amendment and zoning by-law amendment. Mr. Sinclair noted that the Bruce Trail is in this area and the proposed amendments will have an effect on the trail and its users.

Mr. Sinclair noted that he is totally opposed to the application, further noting that the noise from the gravel pit and the truck traffic is horrendous. Mr. Sinclair noted that Council should encourage residential development not gravel pit development. Mr. Sinclair noted that the taxes on his property are over \$13,000 per year, and his neighbour pays over \$35,000 per year. Mr. Sinclair noted that he did not receive written notice of the public meeting, he was notified verbally by a neighbour, and requested that the proposed amendments be delayed. Mr. Sinclair noted that he is prepared to hire legal counsel to represent him in this matter.

Kevin Bambrough, owner of five properties in the area, including 569469 6th Sideroad, spoke noting that on two of his properties he has been working with the Ministry of Natural Resources to plant trees. Mr. Bambrough noted that his property is in the managed forest program, and that he started purchasing properties in the area approximately eight years ago. Mr. Bambrough noted that this area is the highest part of the Niagara Escarpment, and that there are so many Trilliums and wildlife in this area. Mr. Bambrough noted that staff have indicated that many studies have been completed and asked that he have an opportunity to review the studies. Mr. Bambrough noted that he would like to complete a hydrogeological study himself. Mr. Bambrough noted that residents in the community work hard to keep the area and trails clean, and expressed concern for the well water. Mr. Bambrough noted that there is a great risk in allowing the expansion of the gravel pit. Mr. Bambrough noted that he purchased in this location because the Niagara Escarpment Commission want to increase the protection of the Niagara Escarpment, further noting that he does not want an expanded gravel pit in this community, on the edge of a conservation area. Mr. Bambrough noted that many residents in the area are opposed to the requested applications.

Donald Avery, of the Blue Mountain Watershed Trust Foundation ("BMWTF") spoke noting that for the last 21 years the BMWTF has been working to preserve the Blue Mountains ecosystem, further noting that Council should reject the proposed applications for aggregate extraction when a zoning by-law amendment is required. Mr. Avery noted that the Aggregate Resources Act should be reviewed and followed. Mr. Avery referred to the Niagara Escarpment Plan and noted that it should be considered as well when considering the requested amendments.

Mr. Avery questioned if the amendment is a legitimate extension of the existing pit, or if it is a new pit, further noting that the Niagara Escarpment Commission passed a motion not allowing new pits. Mr. Avery questioned the blasting techniques of the pit and the number of trucks leaving the pit each day. Mr. Avery noted that the pit operator will undermine the ecological and ecotourism potential when the Niagara Escarpment is expanded. Mr. Avery noted that there are 11 ANSI's that are within close proximity of the proposed pit.

Mr. Avery asked that he be permitted to view the hydrogeological report, further questioning if it includes extraction below the water-table and it is effects the Pretty River tributaries.

Mr. Avery noted that the revised Aggregate Act prohibits mining below the water level.

Mr. Avery then spoke regarding rehabilitation, noting that reforestation should be commenced in the early stages, not at the latter stages of the life of the pit. Mr. Avery noted there are many abandoned pits with ponds that are not usable, further noting that BMWTF realizes the mining/aggregate industry is vital, but that the government needs to recognize the adverse effects.

Michael Storey, 569239 6th Line, Gibraltar, spoke noting he has lived on the west side of Gibraltar for 25 years, further noting that he has seen the area change over the years. Mr. Storey noted that the gravel pits are concerning, and that he has been subject to the increased gravel pit noise over the years. Mr. Storey noted that the truck traffic in the area is significant and asked if truck drivers could be asked to refrain from using engine brakes, and asked that signs be erected to this effect. Mr. Storey noted that residents have two pits operating in the area, further noting that he has requested the Ministry of Environment to take sound readings, but noted that the noise fell within the permitted guidelines. Mr. Storey noted that the Ministry of Environment suggested that he contact the gravel pit operators directly. Mr. Storey noted that it seems that the residents have to protect themselves from what is going on, further noting that the owner of the pit does not visit local residents to see if they have concerns.

Mr. Storey noted that he agrees that sufficient notice was not provided to area residents, further noting that the 120 metre circulation area is not enough. Mr. Storey noted that all area residents should have been provided with notice of what is proposed. Mr. Storey noted that many are opposed to the gravel pits in the area. Mr. Storey noted that the Conn pit was reopened six years ago, via lease, then stopped abruptly for non-payment to the owner. Mr. Storey noted that it is important for residents that, if the amendments are granted, that the company that operates the pit can be trusted. Mr. Storey noted that there should be direct communication with the residents, and the pit owners need to be responsible gravel pit owners.

Paul Lockett, resident at 569306 6th Sideroad, spoke noting he lives four units down from the pit, and has lived in this location for nine years. Mr. Lockett noted that he is concerned about water and water quality, further noting that his water was tested when he purchased the property, and that it was tested again three years ago. Mr. Lockett noted that his water has significantly changed since he purchased his property. Mr. Lockett expressed concern about the speed of trucks travelling on the 50 km road and the noise. Mr. Lockett noted that he spoke with the owner of the Bates pit, and asked that the truck drivers slow down. Mr. Lockett noted that the Conn pit truck drivers drive fast, and that the pit has had an effect on his property value, and has lowered his quality of life with the noise and dust. Mr. Lockett noted that he is not able to open his windows because of the noise and dust, further noting that the vibration from the pit can be felt in his home. Mr. Lockett noted that trees should be protected, further noting that the deer will be effected by the expanded pit.

Bernard Homonick, owner of South ½ Lot 7, Concession 3, spoke questioning if Council will receive his correspondence, the Clerk replying yes, further noting that Council has received Mr. Homonick's correspondence and that all correspondences received in response to the public meeting notice will be attached to a future staff report. Mr. Homonick noted that he would like to see proactive communication from the Ministry of Natural Resources and The Blue Mountains.

Kevin Bambrough spoke again, asking that Council not allow the expansion of the pit and risk the water table in this area. Mr. Bambrough noted the expansion to the pit will damage the surrounding areas, further noting this is a special conservation area with ANSI features.

Ian Sinclair then spoke again asking how long before a decision will be considered so that the community can organize themselves, further noting the community is prepared to hire legal counsel to protect their interests.

Denise Whaley spoke noting a subsequent staff report will be presented to the Committee of the Whole meeting at a future meeting, probably over two months of time, and that residents can ask to be included on the notice list. Denise noted that the circulation area of 120 metres is set by the Planning Act.

Diane Hudson, 4th Line resident spoke suggesting that residents grieve their taxation after reassessment.

Councillor Seguin spoke questioning if the Conn pit is in operation currently. Consultant Brian Zeman spoke noting yes the pit is being operated by the existing licenced operator, further noting that the pit has been inactive for four years, and that it never lost its licence. Brian noted that all operations were inactive for four years, further noting that a public open house was held six years ago for the public. Brian noted that the Conn pit owners want to keep the community informed, and want to work with the community to find resolutions. Brian noted that this is a site identified by the County and The Blue Mountains for existing and future gravel operations for resource area.

Councillor Martin spoke questioning what is required for the project to continue, Brian Zeman spoke in response noting that in order for the Minister to issue a licence, that the zoning needs to be in place through Council or the OMB.

Mayor McKean spoke suggesting that to reduce the noise level in the pit, that electric motors be used for the crushers, further noting that it would reduce the noise by half. Brian Zeman spoke in response noting that he is unaware of technology for crushers, but noted that the applicant is trying to capitalize on new technology, referencing broadband technology for backup beepers are proposed. Brian Zeman noted that a portable crusher and screener are designed to follow the pit face with additional berms to meet the Ministry of the Environment guidelines.

Councillor McGee spoke questioning the life of the existing pit, Brian spoke noting that the above water portion of the pit has been depleted, and that there is 10 to 15 years remaining below water. Brian noted that the application includes a blend of above water with below water product, further noting that without the pit expansion, that the pit will have a life of 10 to 15 years.

Councillor McGee then spoke questioning if the estimated life of the pit, if expanded, could be 35 years. Brian Zeman spoke in response noting that yes, the tonnage limit is generally higher than what is reached, further noting that this is an aggregate area.

As no one further wished to speak, Deputy Mayor Ardiel declared the public meeting to be closed.