

Planning Addendum Report Spencer Pit

Part Lots 14, 15 and 16, and Lots 17 and 18, Concession B
Township of Guelph/ Eramosa, County of Wellington
Tri City Lands Ltd.

November 2016



BACKGROUND

In 2014 Tri City Lands Ltd made applications under the Aggregate Resources Act and the Planning Act to permit the development of a sand and gravel operation in the Township of Guelph Eramosa. The applications were supported by the following technical reports submitted by the applicant:

- 'Hydrogeologic Assessment, Tri City Lands Ltd. Proposed Spencer Pit Part Lots 14, 15, 16, and Lots 17 & 18, Concession B, Township of Guelph/ Eramosa, County of Wellington', dated February 2014, prepared by Groundwater Science Corp.
- 'Spencer Pit Natural Environmental Level 1 & 2 Technical Report', dated February 25, 2014, prepared by Stantec Consulting Ltd.
- 'Stage 1 -2 Archaeological Assessment: Spencer Pit', dated November 6, 2013, prepared by Stantec Consulting Ltd.
- 'Acoustic Assessment Report', dated February 2014, prepared by Conestoga-Rovers & Associates
- 'Tri City Lands Ltd. Traffic Impact Assessment', dated February 2014, prepared by GHD

The application was reviewed by the Township of Guelph, the County of Wellington, the Ministry of Natural Resources and Forestry (MNRF), the Grand River Conservation Authority (GRCA), Hydro One Networks Inc. (HONI), as well as the adjacent municipalities (Township of Puslinch, City of Cambridge, Township of Woolwich, and the Region of Waterloo).

Through the consultation and review process, which included peer review of the technical reports, Tri City made a number of modifications to the proposal and provided additional information in response to questions that were raised. As a result of the review process, the Spencer Pit proposal received support from all of the agencies, and in May 2016, the Township of Guelph Eramosa passed Zoning Bylaw 26-2016 which rezoned the property from Agriculture to Extractive Industrial. Some of the key dates in the consultation process are listed below, and a full record of the agency correspondence and sign off can be found in Appendix 1.

The Zoning bylaw for the Spencer Pit was appealed by one of the neighboring residents, and referred to the Ontario Municipal Board (OMB). In addition, there were 4 residents whose objections to the Aggregate Resources Act application were unresolved, and as a result, the Ministry of Natural Resources and Forestry (MNRF) referred the ARA license application to the OMB. The OMB set a hearing date of January 18, 2016 to hear the appeals.

On August 8, 2016, the Township of Guelph Eramosa passed a new comprehensive zoning bylaw for the entire municipality (40-2016) which repealed and replaced the former Zoning Bylaw (57/1999). As a result, a housekeeping amendment is required, to recognize the Zoning amendment for the Spencer Pit property under the Township's current Zoning Bylaw. This will, in effect, also give the OMB jurisdiction to deal with the Zoning.

In addition to the new Comprehensive Zoning Bylaw, since the time the applications were originally filed, the County of Wellington has adopted a new Official Plan (OPA 81) and a new Provincial Policy Statement (PPS 2014) has come into effect.

This Planning Addendum Report has been prepared to address these policy changes and assess the conformity of the applications with current provincial and local planning policies. The Report should be read in conjunction with the previously filed applications, and relevant supporting reports and information.

KEY DATES

| | |
|------------------|---|
| February 2, 2014 | Application for ARA License submitted to MNRF |
| March 7, 2014 | Application for ZBA submitting to Township of Guelph Eramosa |
| March 22, 2014 | ARA Application Deemed Complete |
| April 17, 2014 | Zoning Bylaw Amendment Application Deemed Complete |
| May 15, 2014 | Landowner and Agency ARA Notification Letters sent |
| April 28, 2014 | County Official Plan (OPA 81) approved (and appealed to the OMB) |
| April 30, 2014 | New Provincial Policy Statement (PPS 2014) comes into effect |
| June 11, 2014 | ARA Information Session |
| Dec. 19, 2014 | OMB order re: County OPA 81 |
| Sep. 17, 2015 | GRCA letter – concerns resolved |
| Dec 24, 2015 | MNRF Sign off letter (ARA) |
| Feb. 26, 2016 | County of Wellington letter – concerns resolved |
| Mar 7 2016 | MHBC Planning Report to Township Council recommending approval |
| May 2, 2016 | Township Council Resolution supporting the applications |
| May 2, 2016 | Zoning By-law 28/2016 passed for the Spencer Pit |
| Aug. 8, 2016 | Township passes new Comprehensive Township Zoning Bylaw (40-2016) |

For a complete record of agency correspondence, please see Appendix B.

PROPOSAL SUMMARY

The proposed Spencer Pit is a Category 3 – Class ‘A’ Licence, Pit Above the Water Table to remove more than 20,000 tonnes of aggregate a year in Part Lots 14, 15 and 16, and Lots 17 and 18, Concession B, Township of Guelph/ Eramosa, County of Wellington.

.In order for the Ministry to grant a licence under the *Aggregate Resources Act* the zoning by-law must not prohibit the subject lands from being used for the making, establishing or operation of pits and quarries.

The subject land is designated as Mineral Aggregate Area in the *Wellington County Official Plan*, where aggregate extraction may be permitted through rezoning; therefore, an Official Plan amendment is not required. A zoning by-law amendment is required to change the zoning of the subject land from Agricultural (A) to Extractive Industrial (M3).

The subject property is approximately 51.16 hectares (126.42 acres) and is located on Part Lots 14, 15 and 16, and Lots 17 and 18, Concession B, Township of Guelph/ Eramosa, County of Wellington. The subject property consists of flat to gently rolling farmland with a small deciduous woodlot in the south central part of the property. The majority of the subject property is actively farmed and there is a farm residence and associated outbuildings mid-way along Highway 24. At the north end of the subject property there is another farm residence, associated outbuildings, and a small watercourse. A hydro right-of-way bisects the subject property with six (6) steel towers.

The subject property is bordered to the east by a Canadian National railway line and natural area, and to the southeast by an existing pit/ quarry (Licence No. 5482 held by Carmeuse Lime (Canada)). See Figure 2 in Appendix I for the Licenced Aggregate Operations Map. The west and northwest side of the property is bordered by Wellington Road 124 (Highway 24 or Hespeler Road) with agricultural land and rural residential properties across the road.

Highway 24/ Wellington Road 124 is a well-maintained road, constructed and maintained for heavy traffic. This road provides direct access to the City of Guelph and the Hanlon Expressway to the northeast, and direct access to Highway 401 to the south. Kossuth Road (Regional Road 31) provides access to Kitchener-Waterloo.

A “Planning Analysis Report” was prepared at the time the applications were filed in 2014. The Planning Report, prepared by Harrington McAvan Ltd., demonstrated that the applications met all requirements of relevant provincial and local planning policies.

- *Aggregate Resources Act*
- *Provincial Policy Statement, 2005*
- *Growth Plan for the Greater Golden Horseshoe*
- *Wellington County Official Plan*
- *Wellington County Active Transportation Plan*

- *Township of Guelph/ Eramosa Zoning By-Law 57/1999*

As stated previously, this report will focus on the policy changes in the PPS, and the County Official Plan that are relevant to this application. This addendum report is to be read in conjunction with the previous planning analysis for this project.

PROVINCIAL POLICY STATEMENT 2014 (PPS 2014)

The Minister of Municipal Affairs and Housing, under Section 3 of the Planning Act, can issue policy statements that provide direction to other ministries, municipalities and agencies on matters of provincial interest as they relate to land use planning. These policy statements are developed in consultation with other ministries and are updated from time to time. The latest PPS came into effect on April 30, 2014 and any land use decision by any authority that affects a planning matter must be consistent with the PPS.

The 2014 Provincial Policy Statement provides a policy-led planning approach that recognizes the complex inter-relationship among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrates and long-term approach to planning and recognizes linkages among policy areas. (Part III)

The PPS recognizes that the Province's natural heritage resources, water, agricultural lands, mineral aggregate resources, cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fiber, minimize environmental and social impacts and meet its long term economic needs. (PPS, Part IV)

The Tri City Lands Spencer pit property contains resources which are of provincial significance: a high quality aggregate resource, agricultural land, and natural heritage features. The operations and progressive rehabilitation plans, have been designed to achieve the balance required to manage these competing provincial interests. The proposal will provide for access to provincially significant mineral aggregate resource, while ensuring the protection of natural heritage features and returning the lands to agricultural use once extraction is completed.

The following provides a summary of the policy changes from PPS 2005 to PPS 2014, and outlines how the Spencer Pit proposal is consistent with the PSS 2014 policies.

Changes from PPS 2005

The Provincial Policy Statement, 2014 includes revised policies that further recognize and support rural Ontario, including but not limited to:

- a new policy section to support healthy, integrated and viable rural areas (policy 1.1.4);
 - recognition of the diversity of rural Ontario's communities and their importance to the provincial economy and overall quality of life (policy 1.1.4);
 - enhanced policies that clarify the types of uses that may occur on rural lands (policy 1.1.5);
- and
- expanded support and economic opportunities for agricultural uses in rural areas (policy 1.1.5.8)

The rural lands policies are focused on the lands outside both prime agricultural areas and rural settlement areas. On rural lands, certain development is allowed provided it meets specific criteria, for example: it is appropriate to the level of infrastructure (policy 1.1.5.5); and it does not conflict with other policies of the Provincial Policy Statement (policy 1.1.5.1).

PPS 2014 introduces additional policies which highlight the importance of rural areas to the economy and quality of life, and which recognize the interdependence of urban and rural areas "in terms of market, resources and amenities. PPS 2014 policies encourage opportunities for economic activities on prime agricultural lands to support viable rural economies (in accordance with policy 2.3)

As outlined in policy 1.1.5.2, permitted uses on rural lands include the management or use of resources; resource-based recreational uses (e.g., recreational dwellings); limited amounts of rural residential development; and other rural land uses.

The proposed Spencer Pit is located in a rural area. The sustainable management or use of mineral aggregate resources, contributes to the local economic base. The proposed pit and the return of the lands to an agricultural use post extraction represents sustainable resource management. The proposed Spencer pit represents to the use of a provincially significant natural resource (mineral aggregate) and is an appropriate rural land use. The site plans for the proposed pit have been designed to ensure that appropriate mitigation measures are in place to minimize the effects of the operation on surrounding land uses.

2.0 Wise Use and Management of Resources

Policy direction on the wise use and management of resources is set out in Section 2.0 and provides direction that can help planning authorities interpret these terms within the context of their local conditions:

- natural heritage (policy 2.1);
- water (policy 2.2);
- agriculture (policy 2.3);
- minerals and petroleum (policy 2.4);
- mineral aggregate resources (policy 2.5); and
- cultural heritage and archaeology (policy 2.6).

Examples of resource uses include agriculture uses, agriculture-related uses and on-farm diversified uses in areas with agricultural capability, extractive operations on or adjacent to aggregate, mineral or petroleum deposits, harvesting in forested areas, and the conservation of natural heritage.

2.1 Natural Heritage

To reflect the contribution natural heritage features and areas make to Ontario's long term economic prosperity, environmental health, and social wellbeing, the Provincial Policy Statement, 2014:

- requires identification of natural heritage systems in southern Ontario (policy 2.1.3);
- protects all Great Lakes coastal wetlands in southern Ontario that are not already protected as significant coastal wetlands (policy 2.1.5 f); and
- aligns the treatment of the habitat of endangered and threatened species under the Provincial Policy Statement with the requirements of the Endangered Species Act, 2007 (policy 2.1.7).

The Provincial Policy Statement, 2014 aligns the protection of habitat of endangered and threatened species with the requirements of the Endangered Species Act, 2007. This includes approaches for habitat protection and management established in associated regulations and policy. The Provincial Policy Statement, 2014 enables commitments or permits that are in accordance with the Endangered Species Act, 2007 to be taken into account when decision-makers determine whether a development proposal would be consistent with the policies.

The Natural Heritage Report has evaluated the impacts of the proposal on significant wetlands, woodlands, fish habitat, and habitat of endangered species and threatened species. The recommended mitigative measures are incorporated to ensure no negative impacts on these natural features or their functions. These recommendations have been peer reviewed, and revisions suggested by the agency experts have been incorporated into the Site Plans.

2.2 Water Resources

New policies have been added to the water section and other parts of the Provincial Policy Statement, 2014 in an effort to better manage our water resources, for example:

- supporting consideration of cumulative impacts on a watershed basis (policy 2.2.1 a);
 - ensuring consideration of environmental lake capacity where applicable (policy 2.2.1 g);
 - requiring identification of surface water features, including shoreline areas (policy 2.2.1 c);
- and
- recognizing the importance of the Great Lakes to Ontario's long-term prosperity, environmental health and social well-being (policy 4.13).

In many rural communities across the province, including the County of Wellington, sources of drinking water have been mapped in a local assessment report, as required under the Clean Water Act, 2006. The systems included in the assessment reports provide water to 90 per cent

of the population of Ontario and align with the definition of “designated vulnerable areas” for the purpose of policy 2.2.1 e of the Provincial Policy Statement, 2014.

The proposed Spencer Pit is located outside of the Wellhead Protection Areas that have been identified by the local Source Water Protection Plan, and which are reflected in the County’s Official Plan. No surface water features, hydrologic features or municipal drinking water sources are located on or within 120 metres of the Spencer Pit property. The proposal will ensure the preservation of existing groundwater quality and quantity by retaining a buffer between the pit floor and the established high water table.

Several operational best practices have been included on the Operations Plan in order to minimize any potential for surface activities to impact groundwater quality. These include groundwater level monitoring and restriction of surface activities in accordance with provincial guidelines.

2.3 Agriculture

The Provincial Policy Statement, 2014 provides direction to protect prime agricultural areas for long-term use for agriculture. Many of the key policies for prime agricultural areas outlined in the Provincial Policy Statement, 2005 have been continued. For example, policy direction related to specialty crop areas, lot creation, normal farm practices, and minimum distance separation formulae remain largely unchanged.

PPS 2014 Section 2.3.6 Non-Agricultural Uses in Prime Agricultural Areas

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; or b) limited non-residential uses, provided the conditions of the PPS are met.

The rehabilitation plan submitted as part of proposed Spencer pit ensures that substantially the same areas and same average soil quality for agricultural use will be restored progressively as extraction occurs and that the property will be protected for mixed crop production over the long-term.

2.4 Minerals and Petroleum

For minerals and petroleum resources and mineral aggregate resources, the Provincial Policy Statement, 2014 provides policy direction to protect these resources for long-term use, requires rehabilitation to accommodate subsequent land uses, and provides direction related to rehabilitation of extraction sites in prime agricultural areas. The Provincial Policy Statement, 2014 includes new or enhanced requirements for: identification of mineral aggregates, minerals and petroleum (policies 2.4.2.1, 2.4.2.2 and 2.5.1); conservation of mineral aggregate resources (policy 2.5.2.3); and rehabilitation of aggregate extraction sites in agricultural areas (policy 2.5.4.1).

The policy direction for mineral aggregate extraction in prime agricultural areas is clarified and, in some areas, enhanced (policy 2.5.4.1). For mineral aggregate operations on prime agricultural lands, the new policies clarify the requirement to rehabilitate back to an agricultural condition, which is defined in the Provincial Policy Statement, 2014.

Other changes support the conservation of mineral aggregates resources and rehabilitation considerations by:

- promoting accessory aggregate recycling facilities at extraction sites (policy 2.5.2.3);
- encouraging comprehensive rehabilitation planning where there is a concentration of mineral aggregate operations (policy 2.5.3.2); and
- requiring rehabilitation to mitigate negative impacts to the extent possible (policy 2.5.3.1).

The proposed Spencer pit will provide a significant supply of commercially viable aggregate material for the local and regional market. The proposed pit will increase access to close-to-market supply of aggregates in local construction markets. The operation has been designed to minimize social and environmental impacts. The rehabilitation plans will return the lands to an agricultural use once extraction is complete.

2.6 Cultural Heritage and Archaeology

PPS 2014 Section 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

PPS 2014 Section 2.6.5 Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.

The Stage 1 -2 Archaeological Assessment: Spencer Pit, dated November 6, 2013 was prepared by Stantec Consulting Ltd., as part of the cultural heritage resource information requirements outlined in Section 2.0 of the Aggregate Resources of Ontario: Provincial Standards, Version 1.0 for a Category 3 - Class 'A' Pit Above Water. This report was reviewed by the Ministry of Tourism, Culture and Sport and a letter of review and entry into the Ontario Public Register of Archaeological Reports from the Ministry, dated November 28, 2013.

PPS 2014 Summary

Based on the foregoing, the proposed Spencer Pit is consistent with the policies of the Provincial Policy Statement 2014. This analysis is consistent with the findings of the Township's Planning consultant (MHBC Planning) as stated in their report dated May 2, 2016.

COUNTY OF WELLINGTON OPA 81 POLICY CONSIDERATIONS

County Council adopted Official Plan Amendment No. 81 (OPA 81) in September, 2013. The province approved OPA 81 with some changes in April, 2014; and it was appealed by 4 landowners. The Ontario Municipal Board issued an Order on December 19, 2014, which, with the exception of outstanding site specific appeals, ordered the remainder of OPA 81 is in effect.

OPA 81 introduced a number of key policy changes including:

- New policies, definitions and Schedules to conform with the Greenbelt Plan;
- Provincial planning legislation updates including updated requirements for complete applications and pre-consultation;
- Revised environmental policies and mapping including: a) Greenlands System natural features and natural hazards map updates to Schedule 'A'; b) changing the area criterion for significant woodlands: in the Rural System from 10ha to 4ha, while plantations are considered significant if 10 ha or larger; and in the Urban System, from 10 ha to 1ha; c) increasing the extent of areas to be considered in environmental impact studies by increasing the adjacent lands policy to 120m for most features; d) policies recognizing the role of restoration, enhancement, and stewardship for the Greenlands System; and e) identifying the Paris and Galt moraines on Schedule 'B', and adding policies to protect their water resource functions and encourage stewardship.
- Expansion of the Mineral Aggregate Area overlay to include sand and gravel areas of secondary significance; and refining the overlay by excluding wetlands, significant woodlands, and lands within 300m of Urban Centers and Hamlets, except in existing approved areas of extraction. Adding a requirement for new mineral aggregate operations to be approved through an Official Plan Amendment.
- Expanded policy direction about cultural heritage landscapes and additional wording on mitigation measures in Heritage Impact Assessments;

The proposed Spencer Pit is designated as Prime Agricultural Area on the County OP Land Use Schedule A3 (Guelph/Eramosa) and is also identified on Schedule C Mineral Aggregate Resource Overlay as a "sand and gravel resources of primary and secondary significance". There are no Core Greenlands or Greenlands identified on the area to be licensed. The land to the east of the subject property designated as Core Greenlands is identified as a Provincially Significant Wetland. This application does not propose development or site alteration to occur in these wetlands. Please refer to the Figures at the end of this letter report which show the Spencer Pit lands on Schedule A3, B3 and C.

Many of the policies in the current Official Plan are reflected in the Official Plan that was in place

when the Spencer pit application was initially submitted in 2014. The Planning Analysis report, prepared by Harrington McAvan in February 2014, should be referred to for a complete analysis of the application in relation to the County's Official Plan policies. A review of OPA 81 has been completed to determine whether the proposed Spencer Pit meets the requirements of the County's current policy framework. Please note that this addendum report has been prepared to address only the relevant new policy areas which apply to the proposed Spencer Pit, and should be read in conjunction with the previously submitted Planning Analysis Report.

The technical consultants who prepared reports in support of the Spencer pit application have also reviewed OPA 81, and they have confirmed that their reports, and the corresponding technical recommendations, are in conformity with the current County of Wellington Official Plan policies. Copies of their letters, confirming conformity, can be found in Appendix A of this letter report, and are also attached to the original technical reports for reference.

The key policies of OPA 81 which are relevant to the Spencer Pit application, are found in Part 5: The Greenland System. The new policies related to the Paris and Galt moraines do not affect this application as the proposed pit is located outside of the area identified on Schedule B3 of the Official Plan. The new policies related to Source Water Protection also do not impact the Spencer Pit application, as the lands are not located within any wellhead protection areas identified in the Official Plan. The key new environmental policy areas of OPA 81 which are relevant to the Spencer Pit application are the policies related to habitat of endangered or threatened species (section 5.4.2) and the policies related to woodlands (section 5.5.4).

The Natural Environment Report prepared by Stantec analyzed all significant features on and within 120 m of the subject lands including: habitat of endangered or threatened species, fish habitat, a PSW, deer wintering area and amphibian breeding habitat. Based on their review, Stantec provided a number of recommendations for measures to mitigate any potential adverse impacts on environmental features on and off site. Their technical recommendations are included on the Site Plans.

The Stantec Natural Environment report was reviewed by, the County of Wellington, the Grand River Conservation Authority, MNRF and the Township's peer review consultants (Burnside). Through the review process, additional analysis was undertaken, and it was determined that while the woodlot located on the subject lands is not significant, it does contain habitat for the Little Brown Myotis (Little Brown Bat), an endangered species. The Site Plans have been revised to include protection for the Little Brown Bat to the satisfaction of the MNRF.

Specifically, the Site Plan was revised to include a conditional limit of extraction surrounding the wooded area. There will be no extraction within the wooded area until a permit has been issued under the Endangered Species Act (ESA) to permit the removal of the woodland or it until has been demonstrated to the satisfaction of the MNRF that the woodland no longer represents habitat for the Little Brown Bat. The issuance of authorization to remove the woodland under the ESA may require an amendment to the ARA Site Plans.

County Official Plan Summary

Based on a review of OPA 81, the proposed Spencer Pit satisfies the requirements of the County's Official Plan:

- The subject lands are designated Prime Agricultural and are within the Mineral Aggregate Resource Overlay Area.
- Aggregate extraction is permitted on lands designated Prime Agricultural subject to Official Plan and zoning amendments.
- The proposed pit satisfies the 'criteria' for the establishment of new aggregate operations as outlined in section 6.6.5 of the Official Plan
- The proposed pit will not impact any significant features within or adjacent to the subject lands, subject to mitigation measures.

CONCLUSIONS

The proposed application has been reviewed by Township staff, its consultants and applicable review agencies. The applicant has revised the application in response to public and agency comments. The proposed application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the County of Wellington Official Plan. Based on the foregoing, the proposed application is in the public interest and represents good planning.

Prepared by:

Melanie Horton, MCIP, RPP
Director of Planning
Harrington McAvan Ltd

November 22, 2016

AMENDMENT NUMBER ____
TO THE OFFICIAL PLAN FOR THE
COUNTY OF WELLINGTON

DRAFT

Tri City Lands Ltd.
Proposed Spencer Pit
Part of Lots 14-18, Concession B
Township of Guelph Eramosa

County File No. _____

May 2016

This draft amendment to the County of Wellington Official Plan was prepared by the applicant in support of their application. Please be advised that the amendment may be revised prior to final consideration by County Council.

**AMENDMENT NUMBER ____
TO THE
COUNTY OF WELLINGTON OFFICIAL PLAN**

INDEX

PART A - THE PREAMBLE

The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

PART B - THE AMENDMENT

The Amendment describes the changes and/or modifications to the Wellington County Official Plan, which constitute Official Plan Amendment Number ____.

PART C - THE APPENDICES

The Appendices, if included herein, provide information related to the Amendment, but do not constitute part of the Amendment.

PART A – THE PREAMBLE

PURPOSE

The purpose of the proposed Official Plan Amendment is to revise Schedule A3 of the County's Official Plan (Township of Guelph Eramosa) by adding a new Mineral Aggregate Area designation to the subject lands to permit an above water pit.

LOCATION

The proposed amendment applies to Part of Lots, 14, 15, 17, 17 and 18, Concessions B in the Township of Guelph Eramosa (6939 Wellington Rd 124).

BACKGROUND

In 2014 Tri City Lands Ltd. applied for a licence under the Aggregate Resources Act, and a Zoning By-law Amendment to permit aggregate extraction on the subject lands. Allowing the applications would permit the establishment of a new sand and gravel pit operation on to the subject lands. The Zoning Bylaw amendment was passed by the Township in May 2016, and subsequently appealed to the Ontario Municipal Board by a neighbouring resident. The Township now has a new Comprehensive zoning bylaw in place (effective August 2016) and a housekeeping amendment is required to recognize the proposal under the current Zoning Bylaw. An amendment to the County Official Plan is now also required for the proposed pit operation.

BASIS

The County's Official Plan states that significant aggregate deposits will be identified and policies established to protect the resource and provide for appropriate extraction activities. The subject lands were identified within the Mineral Aggregate Area designation prior to OPA 81 and included within the Mineral Aggregate Resource Overlay on Schedule "C" of the current County Official Plan.

Section 6.6.5 states that new or expanded aggregate operations shall only be established through amendment to 'Mineral Aggregate Area' shown on Schedule 'A' of the County Official Plan. Tri City Lands Ltd. has applied for an amendment to the County Official Plan to permit the proposed pit extension by establishing the Mineral Aggregate Area on Schedule A3 (Guelph Eramosa) for the subject lands.

The operational design of the pit incorporates the recommendations of the technical reports prepared for the application in order that the pit can operate within the Provincial guidelines and minimize social and environmental impacts. The proposed Spencer Pit represents the wise use and management of provincially significant resources, is consistent with the Provincial Policy Statement, and conforms to the County of Wellington Official Plan, and the corresponding zoning bylaw amendment is supported by the Township of Guelph Eramosa.

PART B – THE AMENDMENT

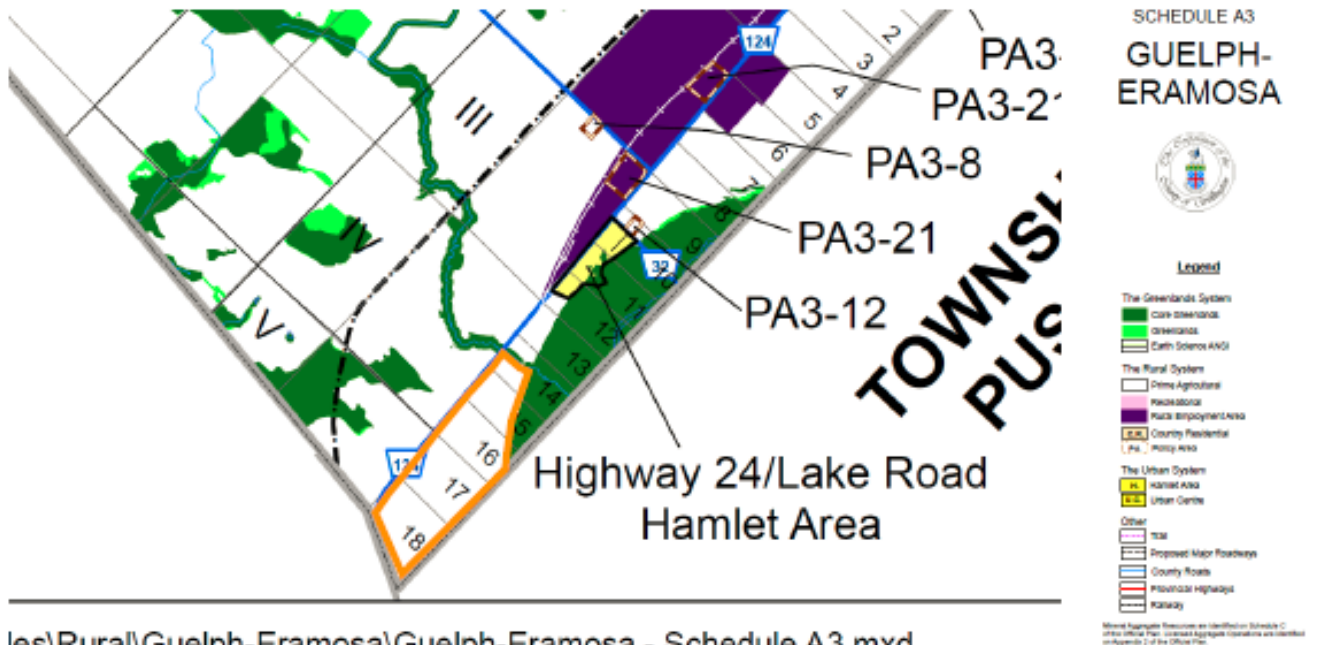
All of this part of the document entitled Part B – The Amendment, consisting of the following text and maps constitute Amendment No. ____ to the Official Plan for the County of Wellington.


DETAILS OF THE AMENDMENT

The Official Plan of the County of Wellington is hereby amended as follows:

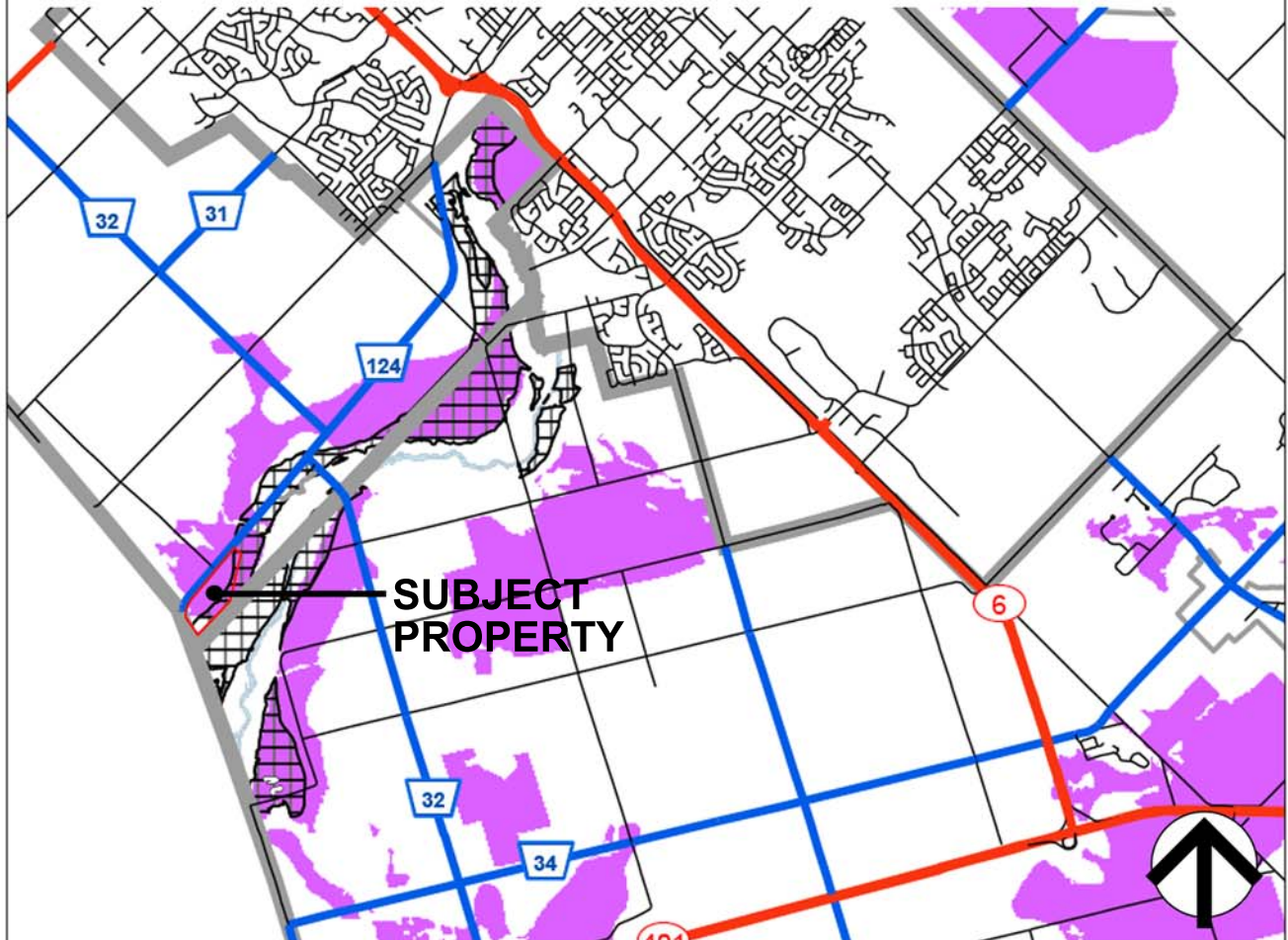
1. THAT **SCHEDULE A3 (Gueph Eramosa)** is amended as shown on schedule “A”.

SCHEDULE ‘A’ OF OFFICIAL PLAN AMENDMENT NO. ____



 'Mineral Aggregate Area' to be added

County of Wellington, OPA 81 Schedule C, Updated May 9, 2015





Corporation of the County of Wellington, Official Plan 2012, Schedule C, Updated May 9, 2015

Mineral Aggregate Resource Map

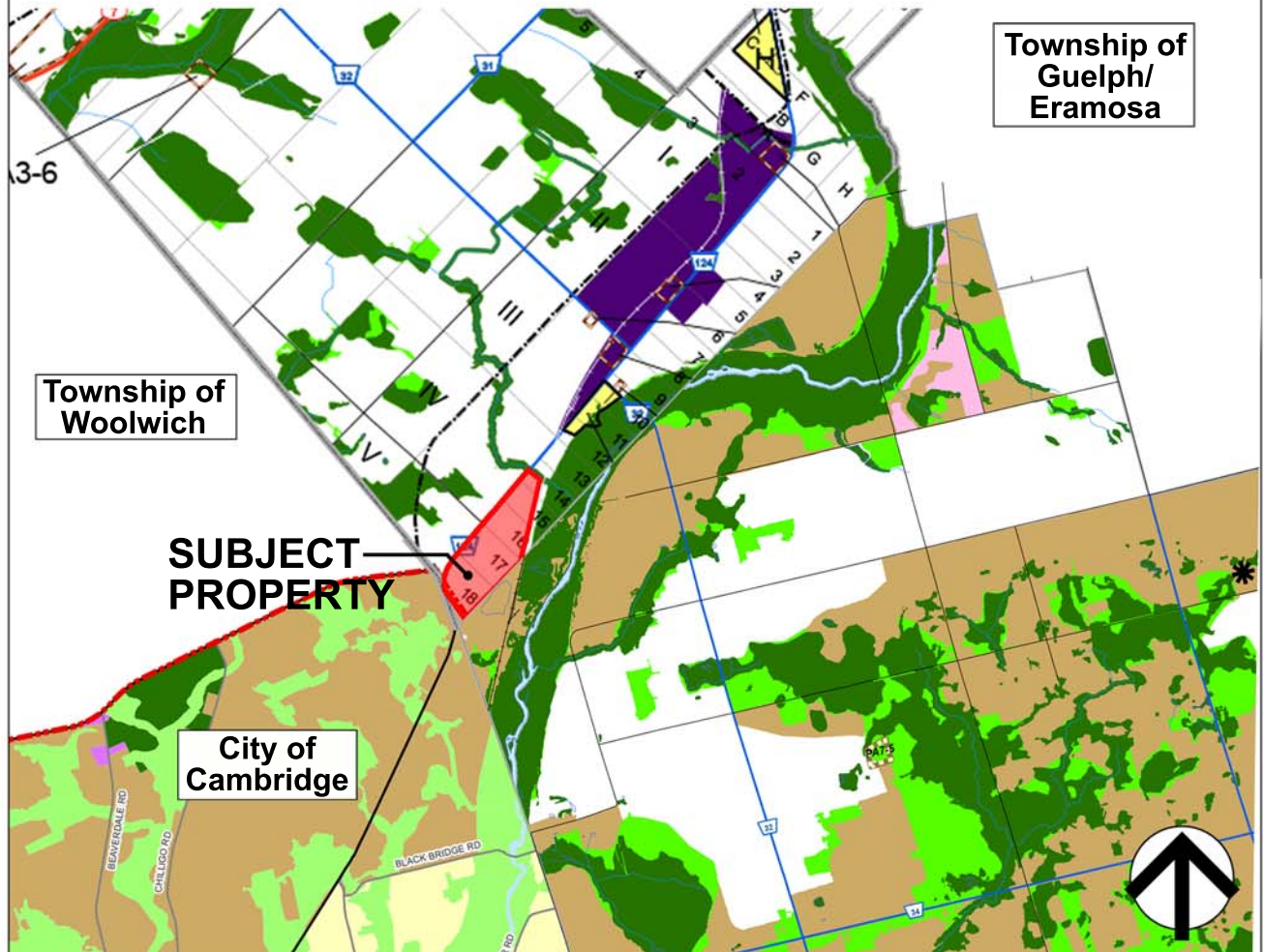
N.T.S.

Legend

-  Sand and gravel resources of Primary and Secondary Significance
-  Selected Bedrock Resource Areas

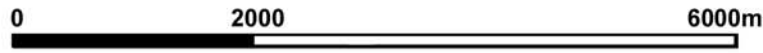


County of Wellington, OPA 81 Schedule A3/A7, Updated May 9, 2015



County of Wellington - Official Plan, 2012, Schedule A3, Guelph-Eramosa, Date Updated: March 9, 2015
Township of Puslinch Schedule A7, updated May 9, 2015, City of Cambridge Official Plan, dated November 21, 2012, Map 2- General Land Use Plan

Land Use Map

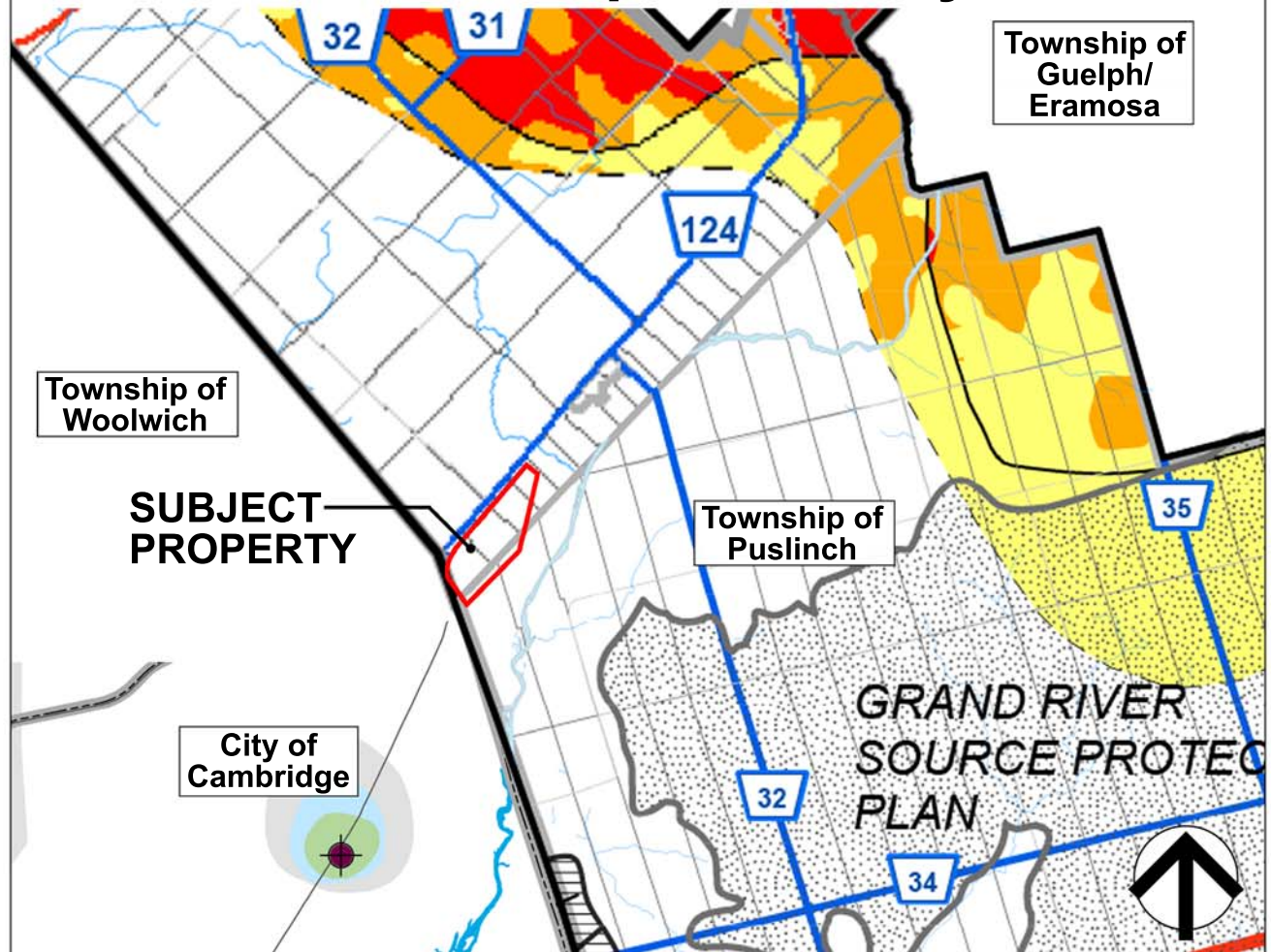


Legend

Township of Guelph-Eramosa/
Township of Puslinch

| | | |
|------------------------|--------------------------|-------------------------------------|
| Core Greenlands | Hamlet Area | Natural Open Space System |
| Greenlands | Proposed Major Roadway | Recreation, Cemetery and Open Space |
| Prime Agricultural | Railway | Rural Residential |
| Mineral Aggregate Area | County Roads | Low/ Medium Density Residential |
| Recreational | Provincial Highways | City Limits |
| Rural Industrial | Landfill Site | |
| Secondary Agriculture | City of Cambridge | |
| Country Residential | Prime Agricultural | |

County of Wellington, OPA 81 Schedule B3/B7, Updated May 12, 2016



County of Wellington - Official Plan, 2012, Wellhead Protection Areas, Schedule B3, Guelph-Eramosa Township and Schedule B7, Puslinch Township, Dated March 9, 2015 and Region of Waterloo Official Plan, Township of North Dumfries, Map 6b, Township of Woolwich Source Water Protection Areas Map 6e, 2009

Wellhead Protection Areas Map



Legend

County of Wellington

Source Protection Plan Boundary

Paris Galt Moraine Policy Area

Wellhead Protection Area

A

B

C

Issues Contributing Area

Vulnerability Score

10

8

2,4,6

Region of Waterloo

Wellhead Protection Sensitivity Area 1

Wellhead Protection Sensitivity Area 4

Wellhead Protection Sensitivity Area 7

Wellhead Protection Sensitivity Area 8



November 17, 2016

Reference No. 2821569 (13268)

Mr. Glenn Harrington
Harrington McAvan Ltd.
Landscape Architects
6882 14th Avenue
Markham, Ontario
L6B 1A8

Dear Mr. Harrington:

**Re: Spencer Pit Application
Review of OPA 81 Policies**

GHD has reviewed the relevant sections of OPA 81 as they relate to the Tri City Spencer Pit proposal and can confirm that our Traffic Impact Study is in conformity with the OPA 81 policies and there are no proposed changes in OPA 81 that impact the analysis and technical recommendations contained within our report.

Sincerely,

GHD

A handwritten signature in blue ink that reads 'William Maria'.

William Maria, P. Eng.

Senior Project Manager

WM/db/1



Stantec Consulting Ltd.
200-835 Paramount Drive, Stoney Creek ON L8J 0B4

November 17, 2016
File: 160940231 and 160940272

Attention: Melanie Horton, MCIP, RPP

Director of Planning
Harrington McAvan Ltd.
6882 14th Avenue
Markham, ON L6B 1A8

Dear Ms. Horton,

Reference: Conformity of Stage 1-2 Archaeological Assessment Reports for the Tri City Spencer Pit Application

Stantec Consulting Ltd. (Stantec) has reviewed the County of Wellington's Official Plan (OPA 81). Stantec confirms that our archaeological reports conform with the requirements for archaeological assessment as outlined in OPA 81.

Regards,

STANTEC CONSULTING LTD.

A handwritten signature in black ink that reads "Jim Wilson".

Jim Wilson, MA
Principal, Archaeology Regional Technical Leader, Central Canada
Phone: (613) 722-4420
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Jim.Wilson@stantec.com



Stantec Consulting Ltd.
200-835 Paramount Drive, Stoney Creek ON L8J 0B4

November 17, 2016
File: 160940231 and 160940272

Attention: Melanie Horton, MCIP, RPP

Director of Planning
Harrington McAvan Ltd.
6882 14th Avenue
Markham, ON L6B 1A8

Dear Ms. Horton,

Reference: Conformity of Stage 1-2 Archaeological Assessment Reports for the Tri City Spencer Pit Application

Stantec Consulting Ltd. (Stantec) has reviewed the County of Wellington's Official Plan (OPA 81). Stantec confirms that our archaeological reports conform with the requirements for archaeological assessment as outlined in OPA 81.

Regards,

STANTEC CONSULTING LTD.

A handwritten signature in black ink that reads "Jim Wilson".

Jim Wilson, MA
Principal, Archaeology Regional Technical Leader, Central Canada
Phone: (613) 722-4420
Fax: (613) 722-2799
Jim.Wilson@stantec.com



Stantec Consulting Ltd.
1-70 Southgate Drive, Guelph ON N1G 4P5

November 17, 2016
File: 160960833

Attention: Melanie Horton, MCIP, RPP, Director of Planning

Harrington McAvan Ltd., Landscape Architects
6882 14th Avenue
Markham, Ontario L6B 1A8

Dear Melanie,

**Reference: Spencer Pit Natural Environmental Level 1 & 2 Technical Report
Consideration of Wellington County OPA 81**

The Natural Environment Report Level 1&2 for Spencer Pit was prepared by Stantec on March 3, 2014. Since that time, the Wellington County Official Plan (2016) was updated to incorporate OPA 81 which included revision to the Greenlands policy, specifically policies regarding significant woodlands.

Through the agency review and consultation of the Natural Environment Report, the significant woodland policies from OPA 81 have been previously considered by Stantec in the context of the Spencer Pit lands. As stated in Stantec's letter dated August 19, 2015:

Section 5.5.4 (Woodlands) of the 2015 Wellington County OP incorporates wording from OPA 81, and states that, "In the Rural System, woodlands over 4 hectares and plantations over 10 hectares are considered to be significant by the County, and are included in the Greenlands system. Woodlands of this size are important due to their contribution to the amount of forest cover on the County landscape. Exceptions may include a plantation established and continuously managed for the sole purpose of complete removal at rotation without a reforestation objective, as demonstrated with documentation acceptable to the County". Section 5.6.1 (Permitted Uses) of the Wellington County OP states that aggregate extraction within Mineral Aggregate Areas is permitted in Core Greenlands areas and in Greenlands areas (with the exception of Provincially Significant Wetlands or significant habitat of threatened or endangered species). Permitted uses therefore include the development of aggregate extraction in significant woodlands subject to appropriate rezoning, licensing and the policies of the Plan.

The woodlot associated with the Spencer Pit is not identified as significant woodlands, nor is it included in the Greenlands or Core Greenlands mapping as presented in Schedule A3 (Guelph-Eramosa, updated March 9, 2015) of the Wellington County OP. The site is identified as Sand and Gravel Resources of Primary and Secondary Significance on Schedule C (Mineral Aggregate Resource Overlay, updated March 9, 2015) of the Wellington County OP. As development of the Spencer Pit will necessitate removal of most of the woodlot, this situation could represent one of the "exceptions" alluded to in Section 5.5.4, as the woodlot provides none of the ecological



November 17, 2016
Melanie Horton, MCIP, RPP, Director of Planning
Page 2 of 2

**Reference: Spencer Pit Natural Environmental Level 1 & 2 Technical Report
Consideration of Wellington County OPA 81**

functions identified in the Natural Heritage Reference Manual, and the extraction area will be rehabilitated to agricultural lands after closure.

Based on this information, Stantec maintains the opinion that the onsite woodlot should not be considered significant, despite it meeting the minimum size criterion under OPA 81. As the woodland provides none of the ecological functions identified in the Natural Heritage Reference Manual, a demonstration of no negative impacts on the ecological functions of the woodland is not required, and therefore no reforestation objective is necessary under the Wellington County OP. This is consistent with the Core Greenlands mapping as presented in Schedules A3 and C of the Wellington County Official Plan.

I trust the previous consideration of the woodland policies in OPA 81 satisfy the conditions in the updated Wellington County Official Plan (2016). Please feel free to contact the undersigned should Wellington County have any further requests.

Regards,

STANTEC CONSULTING LTD.

Andrew Taylor

Andrew Taylor
Senior Ecologist
Phone: (519) 780-8122
Fax: (519) 836-2493
andrew.taylor@stantec.com



TOWNSHIP OF GUELPH / ERAMOSIA PLANNING REPORT

Prepared by MacNaughton Hermsen Britton Clarkson Planning Limited
MHBC File: 9902IZ Report Date: April 27, 2016

- Application:** Zoning By-law Amendment Application
File No. ZBA01/14
Tri City Lands Ltd. Spencer Pit
- Location:** 6939 Wellington Road 124
Part Lots 14-16 and Lots 17 & 18, Concession B, (Former Township of Eramosa),
Township of Guelph Eramosa, County of Wellington
- Council date:** May 2, 2016
- Attachments:**
1. Aerial Photograph
 2. Aggregate Resources Act Site Plan
 3. Draft Zoning By-law Amendment
 4. Agency Comments

TOTAL PAGES: 90

SUMMARY

The Township of Guelph/Eramosa received a Zoning By-law Amendment application from Harrington McAvan Ltd to amend the Township's Comprehensive Zoning By-law 57/1999 to rezone 6939 Wellington Road 124 from Agricultural (A) to Extractive Industrial (M3) in order to permit an above the water table pit. The Township deemed the application complete on April 17, 2014. An Aggregate Resources Act (ARA) application for a new pit licence has been filed with the Ministry of Natural Resources and Forestry (MNRF).

The purpose of this report is to provide a planning analysis of the proposed Zoning By-law Amendment in consideration of the applicable planning policy framework, and comments received from agencies and the public.

The application has been reviewed by Township staff and applicable review agencies. The applicant has revised the application in response to public and agency comments. Approval of the proposed Zoning By-law Amendment to permit a pit on the subject lands is recommended.

RECOMMENDATION

It is recommended that the Township of Guelph/Eramosa:

- Approve Zoning By-law Amendment Application ZBA01/14.
- Withdraw its objection to the related pit licence application under the Aggregate Resources Act and notify the applicant and Ministry of Natural Resources and Forestry.

Submitted by:

Dan Currie, MA, MCIP, RPP

Neal DeRuyter, BES

REPORT ORGANIZATION

The purpose of this report is to provide a planning analysis of the proposed Zoning By-law Amendment in consideration of the applicable planning policy framework, and comments received from agencies and the public.

This report is organized into the following sections:

1. Background
2. Review of Policy and Regulatory Context
3. Review of Agency Comments
4. Review of Public Comments
5. Recommendation

The Background outlines the application process and public consultation to date. The Review of Policy and Regulatory Context assesses the proposed application for conformity to the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, County of Wellington Official Plan and Township Zoning By-law.

The Review of Agency and Public Comments sections outline comments received by the Township and how the applicant has responded to these comments.

Lastly, the Recommendation on the proposed Zoning By-law Amendment application is provided for Council's consideration.

1. BACKGROUND

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

A planning report providing an overview of the proposal and a summary of the application process was provided to Council at the February 1, 2016 meeting. Council approved the recommendation to schedule a public meeting under the Planning Act.

The public meeting was held on March 7, 2016 at the Marden Community Centre for the proposed Zoning By-law Amendment application. A planning report was presented for Council's information which included a planning analysis and overview of comments received by the Township.

Approximately 30 people attended the public meeting. Several members of the public expressed concerns with the proposed pit at the public meeting. Council requested that any additional public comments be provided to the Township by April 15, 2016.

Since the March 7, 2016 public meeting, additional comments were received from four residents, the City of Guelph and the applicant. These additional comments along with the comments received at the public meeting have been considered in the preparation of this report.

RELATED APPLICATION

Concurrent with the Zoning By-law Amendment application, Tri City Lands Ltd. submitted a new pit licence application to the Ministry of Natural Resources and Forestry under the Aggregate Resources Act (ARA). The ARA process included a similar public process as the Zoning By-law Amendment application.

The Township filed a formal objection to the ARA application on June 18, 2014 since the zoning did not permit a new pit. The Township objected to the licence until the municipal planning process had concluded and the required approvals were in place. The County filed a similar objection. The lands must be zoned to permit aggregate extraction before a licence can be issued by the MNRF.

A decision to approve the ARA licence application rests with the MNRF or the Ontario Municipal Board. If there are unresolved ARA objections, the MNRF may refer the application to the Ontario Municipal Board for a hearing.

2. REVIEW OF POLICY AND REGULATORY CONTEXT

PROVINCIAL POLICY STATEMENT

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

Three sections of the PPS provide specific policy context for the proposed application including agriculture, mineral aggregate resources and natural heritage.

Agriculture – Section 2.3

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

Mineral Aggregate Resources – Section 2.5

Section 2.5 of the PPS sets out policies with respect to mineral aggregate resources. Section 2.5.2.1 requires that as much of the mineral aggregate resource as is realistically possible shall be made available as close to market as possible. Demonstration of the need for mineral

aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

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

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

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

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

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

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

Natural Heritage – Section 2.1

Section 2.1.5 of the PPS provides that development and site alteration shall not be permitted in significant natural features unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Further, Section 2.1.7 of the PPS provides that development and site alteration shall not be permitted in habitat of

endangered or threatened species, except in accordance with provincial and federal requirements.

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

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

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

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

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

PPS Summary

Based on the foregoing, the proposed Zoning By-law Amendment to rezone the site to Extractive Industrial to allow an above water table pit complies with the policies of the PPS.

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

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

The Growth Plan does not include specific policies that would apply to this proposed application. The Growth Plan states that a balanced approach to the wise use and management of all resources, including natural heritage, agriculture, and mineral aggregates, will be implemented.

The proposed pit makes available a provincially significant resource while proposing to rehabilitate the land back to prime agriculture. The proposed application conforms to the Growth Plan for the Greater Golden Horseshoe.

COUNTY OF WELLINGTON OFFICIAL PLAN

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

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

Prime Agriculture

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

Mineral Aggregate Resources

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

With respect to the establishment of new mineral aggregate operations, Section 6.6.5 provides that new mineral aggregate operations may be established within Mineral Aggregate Areas subject to appropriate rezoning and licensing, and the following criteria:

"In considering proposals to establish new aggregate operations, the following matters will be considered:

- a) *the impact on adjacent land uses and residents and public health and safety;*
- b) *the impact on the physical (including natural) environment;*
- c) *the capabilities for agriculture and other land uses;*
- d) *the impact on the transportation system;*
- e) *existing and potential municipal water supply resources are protected in accordance with Section 4.9.5 of this Plan.*
- f) *the possible effect on the water table or surface drainage patterns;*
- g) *the manner in which the operation will be carried out;*
- h) *the nature of rehabilitation work that is proposed; and*
- i) *the effect on cultural heritage resources and other matters deemed relevant by Council."*

The matters identified in Section 6.6.5 are reviewed in the context of the proposed application:

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

An Acoustic Assessment Report, prepared by Conestoga-Rovers & Associates (now GHD) concluded that the attenuated sound levels will be below the site-specific sound level limits. The report provides a number of technical recommendations to ensure that on-site noise generation and off-site environmental noise impacts do not exceed the levels that were estimated in the report. Mitigation measures include the construction of acoustic berms along Highway 124, and the timing and phasing of operations. These mitigation measures have been implemented on the Site Plans.

A peer review of the Acoustic Assessment Report was undertaken by the Township's consultant (Burnside). Additional information was provided by GHD to the satisfaction of Burnside. Noise impacts resulting from the proposed pit will meet Provincial guidelines subject to implementation of the required mitigation measures.

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

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

Transportation and water quality impacts are addressed in subsequent subsections.

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

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

The Natural Environment Report assessed the various significant natural features located within 120 m of the subject lands, including habitat for endangered and threatened species, the Speed River PSW, Fish Habitat, Deer Wintering Area and Amphibian Breeding Habitat, and determined that there will be no direct impacts to significant features within 120 m of the proposed licence area. Mitigation measures have been proposed to address potential indirect impacts. The mitigation measures proposed are included on the Site Plans.

The Natural Environment Report was reviewed by the GRCA, MNRF and Burnside. As a result of these reviews, additional fieldwork was undertaken and documentation was submitted. The review agencies have confirmed they are satisfied with the Natural Environment Report and supplementary information.

Based on the foregoing, the impacts on the physical (including natural) environment associated with the proposed pit will be appropriately mitigated. The natural features within 120 m of the subject lands and their ecological functions will be maintained over the long term.

c) The capabilities for agriculture and other land uses

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

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

The County is satisfied that substantially the same areas for agriculture that currently exist can be restored to agriculture.

d) The impact on the transportation system

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

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

The proposed haul routes from the pit are as follows:

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

The applicant retained GHD to conduct a Traffic Impact Assessment (TIA) to analyze the traffic impacts of the proposed pit. The TIA has been reviewed by the County and Burnside. As a result of these reviews supplementary information was provided. With respect to the anticipated traffic impact, the TIA and supplementary information determined the following:

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

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

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

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

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

The applicant prepared a TIA to assess the traffic impacts from the proposed pit. This report was reviewed by the County and Burnside. The County indicated that the location of the proposed entrance is suitable. A commercial entrance permit will be required from the County. Based on the applicant's materials and comments from Burnside and the County, it has been demonstrated that impacts on the transportation system as a result of the proposed pit are acceptable.

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

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

In comments dated March 15, 2016, the City of Guelph noted that the City's draft Wellhead Protection Area Q1/Q2 local area extends nearby the proposed pit. However, the City stated the delineation of the local area is still being refined and is subject to change. The City cautions the applicant that future water quantity policies may include limitations on certain activities associated with the subject application. The City concluded they have no concerns with the proposed application at this time. The Township's Source Water Protection Risk Management Official was made aware and reviewed the City's comments.

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

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

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

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

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

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

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

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

The applicant's hydrogeologist provided a technical response to groundwater-related comments and concerns raised at the March 7, 2016 public meeting. The response concluded

that groundwater quality impacts are typically not observed at above water pits and that the proposed extraction will not directly interrupt the groundwater system or affect groundwater levels in the area.

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

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

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

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

A processing plant will be used to crush and wash aggregate at the site. Off-site materials (topsoil, aggregate, manure, organic peat) may be imported into the site for blending and custom products. Additional materials (brick, clay, glass and ceramic) may be imported for recycling and will be stored in stockpiles within the plant area. Recycling will not continue after extraction has ceased. All plant materials and equipment will be removed upon completion of extraction.

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

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

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

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

h) The nature of rehabilitation work that is proposed

The Site Plans demonstrate that the subject lands will be rehabilitated back to agriculture following extraction. All existing topsoil and overburden on site will be stripped and

stockpiled separately in berms or stockpiles and replaced as quickly as possible in the progressive rehabilitation process.

The Operational Plans and Rehabilitation Plan identify the phases in which the planned progressive rehabilitation is to occur.

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

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

Based on the foregoing, the proposed application satisfies the criteria for establishing a new aggregate operation in accordance with the policies in Section 6.6.5.

Core Greenlands

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

Section 5.6.3 of the Official Plan provides that where development is proposed adjacent to lands within the Greenlands System, the developer is required to: identify the nature of the natural heritage resource potentially impacted by the development; prepare an environmental impact assessment to address potential impacts; consider enhancements to the natural area; demonstrate that there will be no negative impacts on the natural heritage resources feature or on its ecological function. Lands located within 120 m of PSWs are considered to be adjacent, in accordance with Section 5.6.1 of the Official Plan.

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

The report was reviewed by applicable commenting department and agencies including the GRCA, County, MNRF and Burnside. Through the review process additional analysis was undertaken and it was determined that while the woodlot located on the subject lands is not significant, it does contain habitat for the Little Brown Myotis (Little Brown Bat), an

endangered species. The Site Plans have been revised to include protection for the Little Brown Bat to the satisfaction of the MNRF.

County Official Plan Summary

Based on the foregoing, the proposed application conforms to the County's Official Plan:

- The subject lands are designated Prime Agricultural and are subject to the Mineral Aggregate Resources Overlay.
- The proposed pit is permitted on lands designated Prime Agricultural subject to appropriate zoning.
- The proposed pit satisfies the 'criteria' for the establishment of new aggregate operations.
- The proposed pit will not impact any significant features within or adjacent to the subject lands, subject to mitigation measures.

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

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

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

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

| Applicable Regulation | Zoning By-law Requirements | Proposed Development |
|------------------------------|---|--|
| Setback for excavation | Within 15 m (49.2 ft) of any lot line | The proposed extraction is set back at least 15 m from lot lines. |
| | Within 30 m (98.4 ft) from any part of the boundary of the site that abuts: a public road or highway or land zoned or used for residential purposes | The proposed excavation is set back 30 m from lot lines that abut Wellington Road 124 and lands used for residential purposes. |
| | Within 30 m (98.4 ft) from any body of water that is not the result of excavation below the water table | NA |

| | | |
|---|---|--|
| Setbacks for buildings, structures and stockpiles | Within 30 m (98.4 ft) of any lot line | The proposed structures and stockpiles are set back greater than 30 m from any lot line. |
| | Within 90 m (295.3 ft) from any part of the boundary of the site that abuts land zoned or used for residential purposes | The proposed structures and stockpiles are set back greater than 90 m from lands zoned or used for residential purposes. |
| Maximum building height | 25 m (82.0 ft) | The proposed maintenance building is less than 25 m in height. |

The proposed application complies with the provisions of the Zoning By-law.

3. REVIEW OF AGENCY COMMENTS

The Zoning By-law Amendment application was circulated to the required agencies for review and comments. A summary of the comments received to date is included in the chart below (agency comments are enclosed in Attachment 4):

| AGENCY COMMENTS | | |
|---|---|---|
| Agency | Comment Summary | Concerns Addressed |
| Grand River Conservation Authority | Impact on natural heritage features | Concerns addressed by Stantec's further assessment of woodlot (Sept 17, 2015). |
| | Hydrogeological impacts | |
| | Impact on on-site woodland | |
| | Impact on wildlife | |
| Upper Grand District School Board | No objections | N/A |
| Region of Waterloo (Transportation Planning) | Region has no jurisdiction over proposed access | N/A |
| Township of Puslinch | Impact on private wells | Concerns addressed by revised site plan and supplemental information from Groundwater Science Corp. (Jan 11, 2016). |
| | Accuracy of water table elevation | |
| | Potential impacts to ground water | |
| | Monitoring Program / Mitigation | |
| County of Wellington (Emergency Management) | No comments | N/A |
| County of Wellington (Planning & Development) | Entrance on county road | Concerns addressed by Stantec's further assessment of woodlot and the revised site plans (Feb 26, 2016). |
| | Removal of woodlot | |
| | Recycling operations | |
| | Rehabilitation to prime agriculture | |

| | | |
|--|--|--|
| County of Wellington (Roads Division) | Entrance location / design | No objection to entrance location in principle, additional information regarding Traffic Impact Study required prior to approval of entrance (Nov 6, 2015). |
| | Traffic on Wellington Road 124 intersection with Kossuth Road | |
| Township of Guelph/Eramosa (Engineering Consultants – Burnside) | Technical site plan comments | Applicant provided technical responses on site plan review, hydrogeology, noise, traffic and natural environment. Supplemental materials and responses address all remaining issues. |
| | Hydrogeological concerns, including: impact on water table/groundwater, impact on private wells, monitoring program, location of wash pond | |
| | Clarification regarding acoustic assessment | |
| | Widening of Wellington Road 124 | |
| | Sight line analysis for truck traffic | |
| | Impact on habitat/wildlife | |
| CN | Extraction setbacks from rail line | Response from applicant provided, February 17, 2016. No further comments received from CN. |
| | Drainage patterns | |
| | Security and fencing | |
| Township of Woolwich | Vertical zoning | Response from applicant provided, March 29, 2016. No further comments received from Woolwich. |
| | Visual impacts | |
| | Air quality impacts | |
| | Impacts on County Road 124 | |
| City of Guelph | Sourcewater protection | No concerns but noted potential presence of future Wellhead Protection Area (Mar 15, 2016). |
| Comments related to ARA Application | | |
| Ministry of Natural Resources & Forestry | Removal of woodlands | Concerns addressed by revised site plans protecting species at risk habitat (Dec 24, 2015). |
| | Impact on Species at Risk and Endangered Species | |
| | Impact on natural heritage features | |
| | Adequacy of mitigation measures | |
| | Groundwater monitoring | |
| Ministry of Tourism, Culture and Sport | Ministry satisfied with archaeological assessment. | N/A |
| Six Nations of the Grand River | Interest in development relating to land, water and resources | Applicant met with representatives on October 1, 2014. No response received since meeting. |
| | Interest in archaeological information | |
| Hydro One | Access to transmission towers | Response from applicant provided, November 26, 2015. |
| | Extraction surrounding towers (face of undisturbed area) | |

CN and the Township of Woolwich have not indicated that their concerns are resolved. CN's comments are more directly related to the ARA process and the Site Plans. However, the

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

The Township of Woolwich provided comments prior to the public meeting on March 7, 2016. The applicant responded to these comments on March 29, 2016. The applicant has demonstrated that the berms will mitigate views into the pit from adjoining residences and public views. In addition to provincial requirements, the Site Plans include provisions for mitigating dust.

The appropriate zoning of the pit is a matter for the Township of Guelph/Eramosa to decide. Similarly, County Road 124 is under the jurisdiction of the County of Wellington. These matters have been appropriately considered as outlined in this report.

In summary, the following agencies have confirmed no objections to the proposed Zoning By-law Amendment application:

- City of Guelph
- County of Wellington
- GRCA
- Ministry of Natural Resources and Forestry
- Region of Waterloo
- Township of Puslinch
- Upper Grand District School Board

4. REVIEW OF PUBLIC COMMENTS

As a result of the notice of complete application, eight members of the public submitted comments on the application. In addition, public consultation as required by the ARA was undertaken by the applicant. A public information session for the ARA was held on June 11, 2014. Approximately 30 people attended.

Approximately 30 people also attended the public meeting required under the Planning Act held on March 7, 2016. The public expressed several concerns with the proposed application including:

- Questions were posed to the applicant why responses or follow-up had not been provided since the ARA public information session in 2014.
- Residents were concerned that extraction activities will affect water supply in private wells due to the applicant using water from the same aquifer. Concerns were also expressed regarding the potential for groundwater contamination and fuel spills.

- Residents questioned the need for another pit in the Township and cited impacts to property values as a key concern.
- Concerns were expressed regarding the loss of agricultural land and whether an aggregate operation could be rehabilitated back to an agricultural condition. Questions were raised regarding the management of topsoil.
- Dust, air quality and noise impacts as a result of the proposed pit were raised at the meeting. Residents stated that the applicant would not be able to mitigate dust and that there were too many homes in close proximity to the proposed pit.
- The lifespan of the proposed pit was raised as a concern in terms of how long the pit and related activities may be in operation, and whether rehabilitation would occur in a timely manner.
- Residents were concerned that existing traffic issues with Wellington Road 124 and Kossuth Road would be made worse due to additional trucks from the proposed pit.
- Concerns were expressed regarding impacts to natural features specifically the on-site woodlot. Questions were raised regarding the protection of species at risk habitat.

Following the public meeting on March 7, 2016, the Township directed that any additional comments or information be provided by April 15, 2016. Additional comments were received from four members of the public and the applicant.

In general, the additional comments were similar to the issues identified at the public meeting except for the following:

- Township obligated to refuse application based on provincial policy and legislation requiring protection of prime agricultural land.
- Impacts of berms on surface drainage patterns and potential flooding.

The following outlines the public comments identified above relative to the proposed application and responses from the applicant:

1. Lack of commitment and responses from the applicant

Following the public meeting, the applicant confirmed in writing that private well supplies will be maintained and outlined an action plan in the event of any interruptions caused by the pit. This documentation was provided to residents who expressed related concerns at the public meeting.

2. Impacts to private wells

The applicant's hydrogeologist provided a technical response to the concerns raised at the public meeting regarding groundwater impacts. The hydrogeologist stated that it is anticipated that there will be no adverse impacts to private wells as a result of the proposed pit.

According to the applicant's technical response, there are no residences or private wells located between the site and the discharge points downgradient of the site. Therefore there is no potential for any water quality impact to move from the site toward local private wells. The MNRF, County, GRCA, Township of Puslinch and Burnside have no concerns with the Hydrogeological Assessment and supplemental information provided by the applicant.

3. Impacts to property values

The subject lands are located within an area containing significant sand and gravel resources and are included within the County's Mineral Aggregate Resource Overlay. Aggregate extraction is permitted within these areas subject to meeting applicable criteria.

Property value is a complex matter given the number of variables involved and the subjective nature of the issues. The applicant is responsible to ensure the proposed pit does not result in adverse impacts on surrounding properties and their uses. The applicant has incorporated mitigation measures such as a groundwater monitoring program, and acoustic and visual berms which will minimize social impacts.

4. Loss of agricultural land

The subject lands are located within a prime agricultural area. The applicant has demonstrated through the ARA Site Plans that the site will be rehabilitated back to an agricultural condition in accordance with the PPS and County's Official Plan. The loss of agricultural lands will be temporary as the final land use will be returned to agriculture.

The County is satisfied that substantially the same areas for agriculture that currently exist can be restored to agriculture.

5. Dust, air quality and noise impacts

The ARA Provincial Standards require that dust be mitigated on site. The Site Plans state that water or calcium chloride will be applied to internal haul roads and processing areas as often as required to mitigate dust. The proposed dust mitigation measures represent accepted standard practice to suppress dust and ensure air quality is not adversely impacted by the proposed operation. The MNRF has no concerns with the proposed dust mitigation.

The applicant is proposing to construct 4 m acoustic berms around the perimeter of the site to mitigate noise impacts on nearby residences. The proposed phasing of the operation has

been designed in a manner to also mitigate noise impacts at source. Burnside peer reviewed the noise study and proposed mitigation, and has no further concerns.

6. Concerns with lifespan of operation

The applicant has indicated that the lifespan of the proposed pit will be approximately 5 to 10 years depending on market conditions. Following extraction, the site will be rehabilitated back to agriculture. The applicant will be required to remove all processing and recycling equipment following extraction.

The inclusion of time limits or 'sunset clauses' for aggregate operations have been contentious in other jurisdictions and opposed by the Province and the aggregate industry. If a pit has been approved to operate in accordance with all current applicable environmental standards, the best management of the aggregate resource would be to allow the material to be extracted rather than prematurely closing a site and moving extraction to another location. The Site Plans require ongoing progressive rehabilitation so that the disturbed and active areas of the pit are minimized to the extent possible. The Township has not previously regulated the time of extraction through a Zoning By-law.

7. Truck traffic and impacts to Wellington Road 124 and Kossuth Road

The applicant prepared a traffic study to assess impacts as a result of the pit. This report was reviewed by the County and Burnside. The County indicated that the location of the proposed entrance is suitable. A commercial entrance permit will be required from the County. Based on the applicant's materials and comments from Burnside and the County, it has been demonstrated that impacts on the transportation system as a result of the proposed pit are acceptable.

8. Impacts to natural features

The applicant was required to determine whether any significant natural features existed on or within 120 m of the site and if so, what mitigation measures are required to minimize impacts on these features. The applicant's consultant, Stantec, prepared a detailed Natural Environment Report with follow-up fieldwork and technical responses to initial concerns raised by agencies.

The GRCA, MNRF, County and Burnside are all satisfied that the proposed application will not adversely impact significant natural features. Mitigation measures are in place to ensure the protection of adjacent features and species at risk habitat including the Little Brown Bat.

9. Obligations to provincial policy and legislation requiring protection of agricultural land

The PPS must be read in its entirety and all applicable policies must be applied including the protection of prime agricultural lands and aggregate resources. The PPS and County's Official

Plan permit extraction on prime agricultural lands. The applicant has demonstrated that the lands will be returned to an agricultural condition following rehabilitation. The ARA Site Plans outline the methods and approach for progressive rehabilitation.

The proposed pit and Zoning By-law Amendment application are consistent with the PPS and conform to the County's Official Plan. The Township is satisfied that there will be no negative impacts on adjacent or surrounding properties as a result of surface drainage or runoff.

10. Impacts on surface drainage patterns

According to the applicant, the highly permeable sand and gravel soils underlying the site allow fairly rapid infiltration, and as a result, there are no permanent surface water drainage courses on the site. There will be relatively little surface runoff expected from the site except during heavy rainfall events and spring snow melt over frozen ground, which restricts the infiltration of surface water into the underlying soil and bedrock. Surface drainage is either internal or directed to the north or south to the lower areas within the fields to contribute to groundwater recharge.

According to the Site Plans, final surface drainage will be internal to the site and directed to the infiltration areas on the pit floor.

5. RECOMMENDATION

Tri City Lands Ltd. submitted an application to amend the Township's Zoning By-law to permit an above the water table pit at 6939 Wellington Road 124. The applicant also submitted an application for a new pit licence under the Aggregate Resources Act through the Ministry of Natural Resources and Forestry.

The proposed Zoning By-law Amendment application has been reviewed by Township staff, its consultants and applicable review agencies. The applicant has revised the application in response to public and agency comments. Except for the Township of Woolwich, the review agencies have no further concerns with the proposed application.

The proposed Zoning By-law Amendment application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the County of Wellington Official Plan based on the following:

- The site is located within an aggregate resource area containing close to market sand and gravel resources.
- The technical reports prepared in support of the proposed pit set out a broad range of mitigation measures in order to minimize impacts of extraction. These reports have been reviewed and accepted by the applicable review departments and agencies.
- The proposed pit will be rehabilitated back to an agricultural condition in accordance with the PPS and the County's Official Plan.


- Potential impacts on the natural environment will be appropriately mitigated. Natural features will be maintained over the long-term.
- The applicant has demonstrated to the satisfaction of applicable review agencies that impacts on the transportation system as a result of the proposed pit are acceptable.
- The proposed pit will not directly interrupt the groundwater system or affect groundwater levels in the area.

Based on the foregoing, the proposed application is in the public interest and represents good planning. It is recommended that the Township of Guelph/Eramosa approve Zoning By-law Amendment Application 01/14 as outlined in Attachment 3 and withdraw its objection to the related pit licence application under the Aggregate Resources Act.



**Attachment: 1
Location Plan**

LEGEND

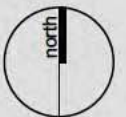
 Subject Lands

DATE: January 2016

FILE: 9902IZ

SCALE 1:10,000

DRAWN: nz



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

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

Base Map Source: Google Earth 2016

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3K9
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

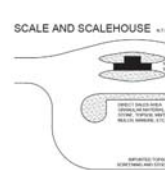
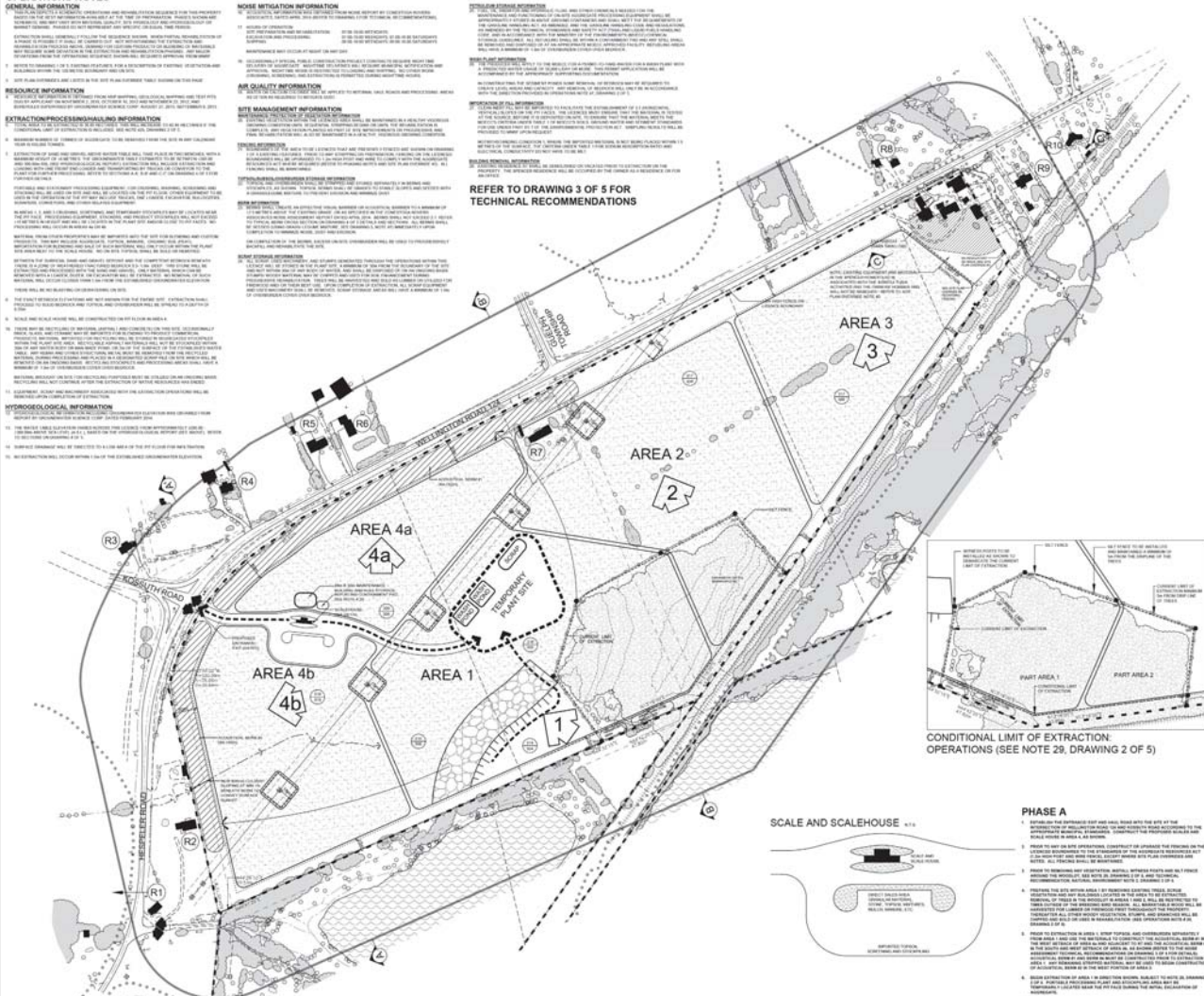
OPERATIONS NOTES

GENERAL INFORMATION
REQUIREMENTS AND CONDITIONS OF THIS DRAWING
EXTRACTOR OPERATIONS
RESOURCE INFORMATION
EXTRACTION/PROCESSING INFORMATION

NOISE MITIGATION INFORMATION
AIR QUALITY INFORMATION
SITE MANAGEMENT INFORMATION
OTHER INFORMATION

EXTRACTION/PROCESSING INFORMATION
OTHER INFORMATION
REFER TO DRAWING 3 OF 5 FOR TECHNICAL RECOMMENDATIONS

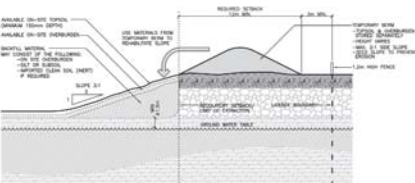
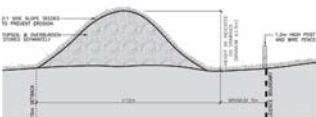
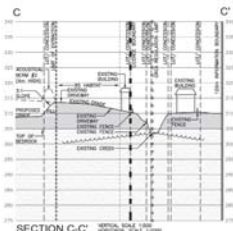
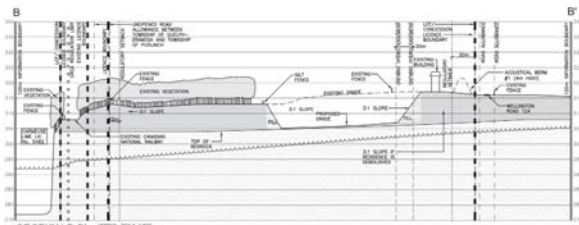
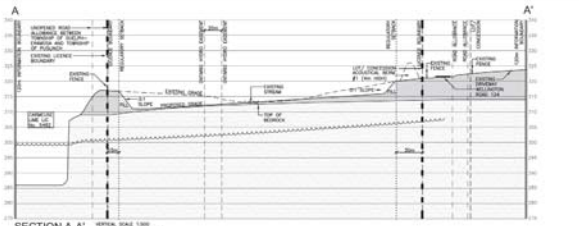
LEGEND
NOTES CONTINUED
SITE PLAN OVERRIDE (VARIANCE)



PHASE A
1. EXTRACTOR OPERATIONS...
2. EXTRACTOR OPERATIONS...
3. EXTRACTOR OPERATIONS...
4. EXTRACTOR OPERATIONS...
5. EXTRACTOR OPERATIONS...
6. EXTRACTOR OPERATIONS...
7. EXTRACTOR OPERATIONS...

Table with 4 columns: Item, Description, Value, and Unit. Includes site plan override details.

Harrington McAvan Ltd
TRI CITY MATERIALS
SPENCER PIT
PART OF LOTS 16, 15 AND 16, AND LOTS 17 AND 18, CONVESSION B TOWNSHIP OF GUELPH ERAMOSA FORMERLY GUELPH TOWNSHIP, COUNTY OF WELLINGTON
Scale: 1:2000
Drawing Status: PRELIMINARY FOR DISCUSSION
Drawing Title: OPERATIONAL PLAN PHASE A
Project Number: 10-47
Drawing Number: 2 OF 5



LEGEND

| | |
|--|--------------------------------------|
| | BOUNDARY OF ISSUE TO BE LICENSED |
| | BOUNDARY OF LICENSED AREA |
| | REGULATORY REFERENCE LINE |
| | TOP BOUNDARY LINE |
| | LICENSE BOUNDARY LINE |
| | ROAD ALIGNMENT |
| | UTILITY OR OTHER CONSTRUCTION |
| | LIGHT OF EXCAVATION |
| | PROPOSED LAND USE OR CONSTRUCTION |
| | EXISTING CONSTRUCTION |
| | BACKFILL MATERIAL |
| | PROPOSED BACKFILL |
| | EXISTING CONSTRUCTION TO BE RETAINED |

NOTES
 GENERAL INFORMATION
 1. WIDTH LINES ARE INDICATED ON SHEETS 1 & 2.

| | |
|--------------------|-----------------------|
| Pre Licence Review | Site Plan Assessments |
|--------------------|-----------------------|

Harrington M'Avan Ltd.
 885-100 Avenue
 Peterborough, Ontario K9J 1S8
 Tel: 705-294-0001 Fax: 705-294-7822
 www.harringtonmavan.com
 Office in Waterloo & Cambridge

Project Name
TRI CITY MATERIALS
 TRI CITY LANDS LTD. BAYVIEW RD. P.O. BOX 289
 PETERSBURG ONTARIO N0B 2Y0

SPENCER PIT
 PART OF LOTS 14, 15 AND 16, AND LOTS 17 AND 18, CONCESSION B
 TOWNSHIP OF GUELPH, ERAMOSA FORMERLY GUELPH TOWNSHIP,
 COUNTY OF WELLINGTON

| | | | | | |
|----------------|----------------------------|---------|----------------|------------|----------|
| Scale | AS SHOWN | North | | Stamp | |
| Drawing Status | PRELIMINARY FOR DISCUSSION | | | | |
| Drawn | SJP/BS | Checked | GDH | Issue Date | DEC 2018 |
| Drawing Title | SECTIONS AND DETAILS | | Project Number | 10-47 | |
| | | | Drawing Number | 4 OF 5 | |

Attachment 3 – Draft Zoning By-law Amendment

The Corporation of the Township of Guelph/Eramosa

By-Law Number ___/2016

**A BY-LAW TO AMEND TOWNSHIP OF GUELPH/ERAMOSIA
ZONING BY-LAW NUMBER 57/1999**

**6939 Wellington Road 124,
Part of Lots 14, 15 and 16, and Lots 17 and 18, Division B
Former Township of Guelph
(Tri City Lands Ltd. Spencer Pit)**

WHEREAS the Council of the Corporation of the Township of Guelph/Eramosa deems it expedient to enact this By-law to amend Zoning By-law Number 57/1999;

AND WHEREAS Council is empowered to enact this By-law under the authority of Section 34 of the *Planning Act*, R.S.O. Chapter P. 13, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Guelph/Eramosa hereby enacts as follows:

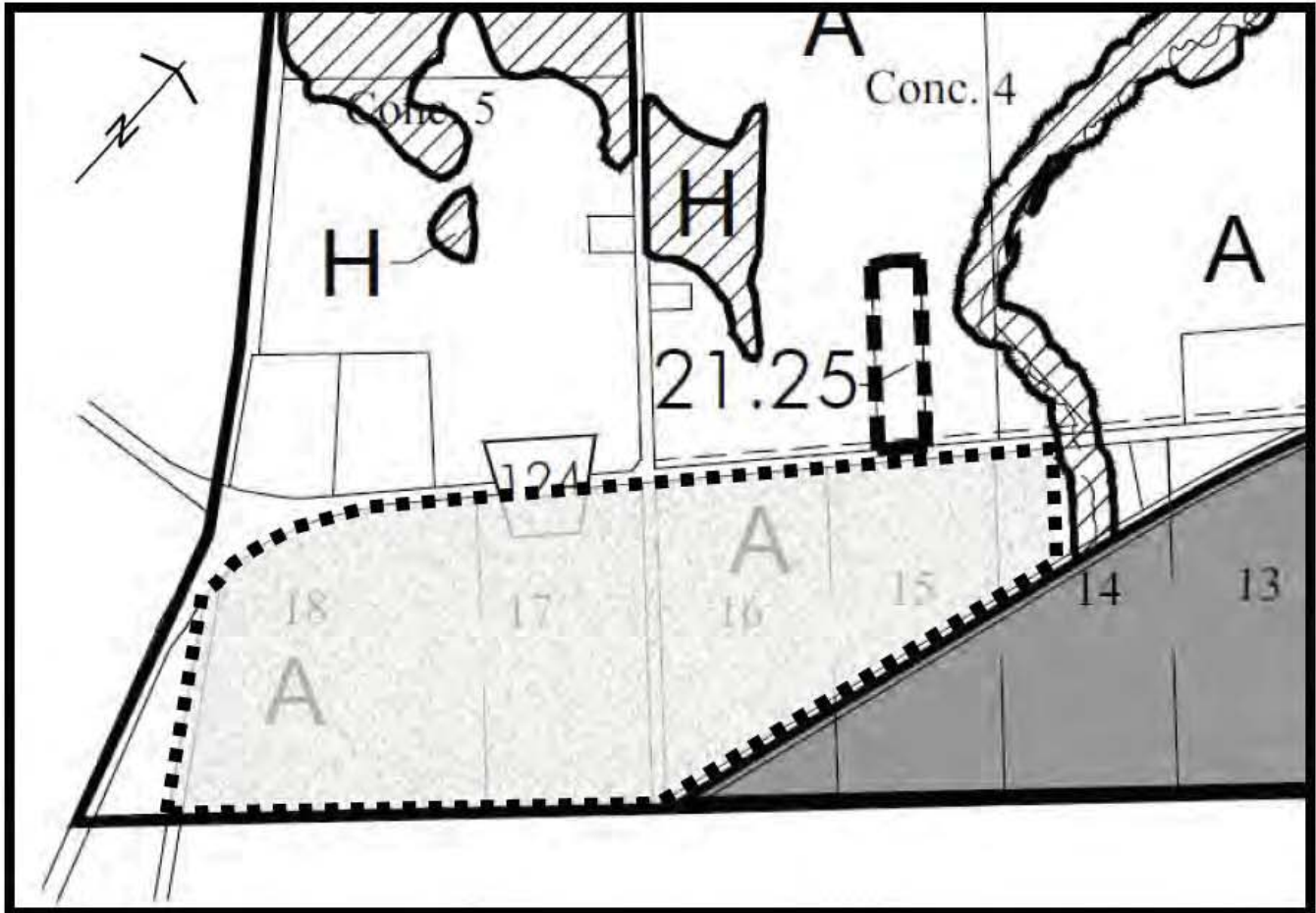
1. That Zoning By-law Number 57/1999 is hereby amended to rezone a portion of the lands legally described as Part of Lots 14, 15 and 16, and Lots 17 and 18, Division B, Former Township of Guelph, and municipally described as 6939 Wellington Rd 124, from Agricultural (A) to Extractive Industrial (M3) as illustrated on Schedule "A" to this By-law.
2. All other applicable provisions of By-law No. 57/1999 shall continue to apply to the lands affected by this amendment.
3. That this By-law shall become effective from the date of passing hereof.


READ three times and finally passed this ___ day of _____, 2016


Chris White, Mayor

Meaghan Reid, Clerk

SCHEDULE "A" TO BY-LAW NUMBER ___/2016



A Agriculture
 Hazard

 Lands to be rezoned from Agricultural (A) to Extractive Industrial (M3)



January 27, 2016

Via: Email

Ms. Kelsey Lang
 Planning Associate
 Township of Guelph/Eramosa
 P.O. Box 700
 Rockwood ON N0B 2K0

Dear Ms. Lang:

**Re: Tri City Lands Ltd. - Spencer Pit
 Second Submission – Site Plans Review
 Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
 6939 Wellington Road 124, Township of Guelph/Eramosa
 Project No.: 300035544.0000**

We have completed our review of the letter from Harrington McAvan Ltd. dated January 13, 2016, received as part of the January 18, 2016 submission by Harrington McAvan Ltd. along with the following drawings.

- Existing Features Plan, Drawing 1 of 5, Issue Date: December 2015, Revision 2.
- Operational Plan Phase A, Drawing 2 of 5, Issue Date: December 2015, Revision 3.
- Operational Plan Phase B-E, Drawings 3 of 5, Issue Date: December 2015, Revision 2.
- Section Details, Drawing 4 of 5, Issue Date: December 2015, Revision 0.
- Rehabilitation Plan, Drawing 5 of 5, Issue Date: December 2015, Revision 1.

Our current submission comments are listed in the table below (the "Re" refers to the number in previous submission. Comments on a drawing should be reflected on all drawings.

| No. | Re | Comment |
|-------------------------------|----|--|
| Existing Features Plan | | |
| 2.1 | 1. | <i>The drawing shows a dashed line along Wellington Road 124 on the property which could be a road widening. If a road widening has been decided to the County the boundary of the area to be licensed should be shown at the limit of widening.</i> |
| | | No further comments. |

| No. | Re | Comment |
|-----------------------------------|----|--|
| 2.2 | 2. | <i>The ownership of the unopened road allowances on the property will need to be confirmed.</i> |
| | | No further comments. |
| Operational Plan Phase A | | |
| 2.3 | 1. | <i>Phase A, Note 4 – Berm #4 is to be corrected to Berm #3.</i> |
| | | No further comments. |
| 2.4 | 2. | <i>Noise mitigation information:</i> |
| | | <ul style="list-style-type: none"> • <i>Note 17 – Hours of Operation will be reviewed with Township.</i> • <i>Note 18 – Nighttime delivery will be reviewed with Township.</i> |
| | | Comment still applicable. |
| Operational Plan Phase B-E | | |
| 2.5 | 1. | <i>Suggest adding the Section 5.3 Summary from the Archeological Assessment to the Technical Recommendations Section.</i> |
| | | No further comments. |
| Section Details | | |
| 2.6 | - | <i>No comment.</i> |
| | | No additional comments. |
| Rehabilitation Plan | | |
| 2.7 | 1. | <i>Rehabilitation Notes</i> |
| | | <ul style="list-style-type: none"> • <i>Note 10 should include spreading of available “overburden” and “topsoil”.</i> |
| | | No further comments. |

| No. | Re | Comment |
|-----|----|--|
| 2.8 | 2. | <i>Section 2.3 of the Planning Report indicates that upon completion of the extraction operations the lands will be rehabilitated to agricultural. Rehabilitation Note 7 indicates that available topsoil replaced will be a minimum 150 mm thick. Given that the vertical limit of extraction is to the top of bedrock, a minim depth of topsoil (and overburden) must be specified in order to support viable agricultural activities.</i> |
| | | No further comments. |

The final submission of Site Plan Drawings will be reviewed to confirm all comments are reflected on the drawing.

Yours truly,

R.J. Burnside & Associates Limited



Glenn E. Clarke, S.T.
GEC:mp

cc: Ms. Meaghen Reid, Township of Guelph/Eramosa (enc.) (Via: Email)
Mr. Dan Currie, MHBC Planning (enc.) (Via: Email)
Ms. Emily Elliott, MHBC Planning (enc.) (Via: Email)



January 27, 2016

Via: Email

Ms. Kelsey Lang
Planning Associate
Township of Guelph/Eramosa
P.O. Box 700
Rockwood ON N0B 2K0

Dear Ms. Lang:

**Re: Tri City Lands Ltd. - Spencer Pit
Second Submission – Natural Environment
Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
6939 Wellington Road 124, Township of Guelph/Eramosa
Project No.: 300035544.0000**

We have completed our review of the Stantec letter dated January 15, 2016, received as part of the January 18, 2016 submission by Harrington McAvan Ltd.

With the additional explanation provided as part of the detailed and thoughtful response, it is clear that Stantec has addressed all of Burnside's outstanding concerns for the proposed Spencer Pit development. Each comment was methodically outlined and addressed with further detail and explanation of Stantec's analysis and with guidance where the information could be found within the report appendices or in the response letter itself.

At this time we do not have any additional questions or concerns.

Yours truly,

R.J. Burnside & Associates Limited

Nicholle Smith, B.A., EMPD
Senior Terrestrial Ecologist
NS:sd

cc: Ms. Meaghen Reid, Township of Guelph/Eramosa (enc.) (Via: Email)
Mr. Dan Currie, MHBC Planning (enc.) (Via: Email)
Ms. Emily Elliott, MHBC Planning (enc.) (Via: Email)



January 27, 2016

Via: Email

Ms. Kelsey Lang
 Planning Associate
 Township of Guelph/Eramosa
 P.O. Box 700
 Rockwood ON N0B 2K0

Dear Ms. Lang:

**Re: Tri City Lands Ltd. - Spencer Pit
 Second Submission - Acoustic Peer Review
 Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
 6939 Wellington Road 124, Township of Guelph/Eramosa
 Project No.: 300035544.0000**

We have completed our review of the GHD letter dated January 15, 2016 and the CRA's Acoustic Assessment Report dated January 2016, received as part of the January 18, 2016 submission by Harrington McAvan Ltd.

Page references use the page number shown on the page with the page of the .pdf in brackets. For instance "Page 2 (5 of 58)" indicates that the report numbers this page as 2. It is the page 5 of 58 in the .pdf reviewed.

Our current submission comments are listed in the table below (the "Re" refers to the number in previous submission. Comments on a drawing should be reflected on all drawings.

| No. | Re | Comment |
|-----|----|--|
| 2.1 | 1. | <p><i>Table B.2 calculates the impact of road noise on the Points of Reception (PORs) at varying distances relative to the measured values of 71.6 dBA (day) and 65.6 dBA (night). This impact is then used as the limit which the on-site activities must not exceed.</i></p> <p><i>Secondary Noise Screening Process for S.9 Applications, page 9 (12 of 25), EQUATION 3, says "SL = SLref - 20Log10(DA/Dref) + Ksize - Barrier Adjustment + Tonality Adjustment". Since the last three terms are 0, the equation reduces to "SL = SLref - 20Log10(DA/Dref)". For POR1, "SL = SLref - 20Log10(DA/Dref) = 71.6 - 20Log10(55/9) = 71.6 - 15.72 = 55.9. All the other POR limits have the same discrepancy with the largest difference being at the largest distance.</i></p> <p>Burnside accepts CRA/GHD response.</p> |

| No. | Re | Comment |
|-----|----|---|
| 2.2 | 2. | <p><i>Table 3 shows the POR impacts of the site-generated noise against their respective limits (generated by measured road noise impacts). The difference in road noise impact is as much as 12 dB (between POR8A at 75 dBA and POR9 at 63 dBA) during the day.</i></p> <p>Burnside accepts CRA/GHD response.</p> |
| 2.3 | 3. | <p><i>Page 2 (5 of 58), Section 2.0 says "There are no expected sources of impulse noise or vibration at the Facility."</i></p> <p>Burnside accepts CRA/GHD response.</p> |
| 2.4 | 4. | <p><i>Page 2 (5 of 58), paragraph 2 says "The Site is located in an Acoustical Class 1 area based on heavy traffic observed along Hespeler Road/Wellington Road 124."</i></p> <p>Burnside accepts CRA/GHD response.</p> |
| 2.5 | 5. | <p><i>Page 3 (6 of 58). The label for POR7 is missing but the building and driveway show in figure 1a and 1b. POR7 and POR7A appear in Table B.2.</i></p> <p>Burnside accepts CRA/GHD response.</p> |
| 2.6 | 6. | <p><i>Page 2 (5 of 58), Section 2.0 says "One idling truck at scale (Source T6 or T9 depending on operating scenario)". Table 1 does not indicate that the Source ID, T6, is anything other than the "Plant Site Front End Loader Route".</i></p> <p>Burnside accepts CRA/GHD response.</p> |
| 2.7 | - | <p>Section 6, last paragraph (p.26 of 82) says "Berm section 2 will be constructed prior to start of operations in Area 3 and will remain until the end of Site operations." Section 8.0, #3 (p. 27 of 82) says "Berm 2 Construction - Constructed to the required height and prior to start of extraction operations in Area 3 and shall remain until the end of Site Operations".</p> <p>Berm 2 is shown in the acoustic model for mitigation of noise from Area 2 on Figure 3A and Figure 3B. The noise contours appear to be influenced by the berm.</p> <p>Should these locations say "Area 2" rather than "Area 3"?</p> |

| No. | Re | Comment |
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| 2.8 | - | Section 1.0 (p.19 of 82) says "NPC-300, 'Stationary and Transportation Sources - Approval and Planning', October 2013". The currently available MOECC version of NPC-300 shows "August 2013" on page 2 despite the fact that MOECC did not issue the document until October 2013. Should the referenced say "August 2013"? |
| 2.9 | - | Table C.1 shows values of "Height above Roof" for all sources with values between 5.10 and 2.0. Since these sources are not enclosed in a building, should the title say "Height above Ground"? |

Yours truly,

R.J. Burnside & Associates Limited



Harvey Watson
Technical Group Leader, Air and Noise
HW:sd

cc: Ms. Meaghen Reid, Township of Guelph/Eramosa (enc.) (Via: Email)
Mr. Dan Currie, MHBC Planning (enc.) (Via: Email)
Ms. Emily Elliott, MHBC Planning (enc.) (Via: Email)



February 23, 2016

Via: Email

Ms. Kelsey Lang
 Planning Associate
 Township of Guelph/Eramosa
 P.O. Box 700
 Rockwood ON N0B 2K0

Dear Ms. Lang:

**Re: Tri City Lands Ltd. - Spencer Pit Site Plans
 Third Submission – Traffic Impact Assessment
 Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
 6939 Wellington Road 124, Township of Guelph/Eramosa
 Project No.: 300035544.0000**

We have completed our review of the GHD letter dated February 16, 2016, received as part of the submission for the above development.

Our current submission comments are listed in the table below (the "Re" refers to the number in previous submission. Comments on a drawing should be reflected on all drawings.

| No. | Re | Comment |
|-----|-----|---|
| 3.1 | 2.1 | <p><i>The meeting did not occur to our knowledge and our review at that time focused on larger transportation issues. In fact, the County in correspondence dated July 2, 2014 also requested a meeting with the applicant and Region.</i></p> <p>GHD identifies that a meeting occurred and agencies were invited. No further response required.</p> |
| 3.2 | 2.2 | <p><i>GHD indicated that the road network shows over capacity conditions without the provision of additional through lanes on Wellington Road 124 at the Kossuth Road intersection for 2020 forecast traffic volumes, which they stated is a result of corridor growth along the two roads. They indicated that this condition will exist regardless, independent of whether the pit is allowed to proceed. Based upon their analysis, we concur that the road network will be at capacity.</i></p> <p><i>GHD indicated:</i></p> <p><i>"It has been demonstrated that the intersection can accommodate the pit entrance in the 2015 horizon year with reserve capacity available. This confirms</i></p> |

| No. | Re | Comment |
|-----|----|--|
| | | <p><i>that the local road network can fulfil its primary function of accommodating local development. The ability for roads to accommodate corridor traffic ... should be considered secondary as this traffic is highly unpredictable and subject to a variety of influences outside the immediate study area. Without the widening of Wellington Road 124, it is expected that corridor traffic will decline as the capacity of the road is reduced and these drivers respond by finding alternative routes or adjusting trips to another time of day... If this intersection begins to operate at over capacity, it is expected that the proposed site traffic will be accommodated on the adjacent road network through the displacement of corridor traffic."</i></p> <p><i>There are a number of issues with the above. Firstly, we are now in 2016 and the road is projected to reach capacity by 2020 (in 4 years the intersection will be at capacity). The study projected out to 2020, but it is also common to have longer horizon years for aggregate studies.</i></p> <p><i>I would say that both roads are clearly higher in classification than a local road accommodating local development. In addition to carrying local traffic, they are County and Regional roads that carry more than local road traffic. The road network connectivity in this area is constrained with limited alternative routes. The assumption is that traffic will divert, where are they diverting to? If GHD believes their growth assumptions are too high, will the road network function with lower growth? Support should be provided that corridor traffic will decline as the capacity of the road is reached. In our opinion, traffic volumes will plateau as capacity is reached, but we would not expect a decline in corridor traffic.</i></p> <p><i>They indicated that "the applicant is responsible for certain intersection improvements including a southbound left turn lane and right turn lane on Wellington Road 124 into the Pit and traffic signal modifications, as for widening of Wellington Road 124, this is a County issue and is being dealt with through discussions with the County who have reviewed the traffic study and provided comments."</i></p> <p><i>We concur that widening of Wellington Road 124 is a County concern and we would also say the Region should have input as well. We have not seen any comments from the Region. We have reviewed the County's comments of November 6, 2015 and they indicate the following:</i></p> <p><i>"... the County of Wellington does not object in principal to the request for a fourth leg to be added to the Wellington Road 124 and Kossuth Road intersection to accommodate an entrance to the proposed Spencer Pit.</i></p> <p><i>Based on the attached peer review that was completed on your traffic impact study, the County will not approve an entrance until all comments have been addressed satisfactorily.</i></p> <p><i>The County will work with the proponent to determine the best design and type of intersection to meet both the proponent's needs for an entrance as well as the long term needs of the forecast traffic volumes."</i></p> |

| No. | Re | Comment |
|-----|-----|---|
| | | <p><i>Subject to the County providing more current information, there still appears to be outstanding items in getting an entrance approved.</i></p> <p>GHD identified that they agree the roads are more than local roads. We concur with GHD that capacity along the corridor is a broader network item beyond the development level and not entirely associated with just the proposed development. Part of our concern is the limited connectivity of the road network and where traffic volumes can disburse to.</p> <p>The County of Wellington in their letter of November 6, 2015 indicates "... the County will not approve an entrance until all comments have been addressed satisfactorily.</p> <p>The County will work with the proponent to determine the best design and type of intersection to meet both the proponent's needs for an entrance as well as the long term needs of the forecasted traffic volumes. Details related to financial arrangements will be determined at a later time."</p> <p>The County is not objecting to a fourth leg being added to the intersection, but want an appropriate design and type of intersection. Development approval needs to be subject to satisfying County conditions.</p> |
| 3.3 | 2.4 | <p><i>GHD undertook a cursory review of sight lines and determined that there is approximately 180 m of sight distance available to the west and that under Transportation Association of Canada ("TAC") standards that a truck requires 130 to 170 m for stopping sight distance based upon a 90 km/h design. They also indicated that right turns on red for trucks can be prohibited.</i></p> <p><i>We request the reference to their calculations. Our review would have a stopping sight distance of about 160 m required for a vehicle based upon Figure 2.3.3.6 for a 90 km/h design speed. This figure is not truck specific. Allowing for trucks, based upon equation 2.3.3 and Table 2.3.3.2a, would result in an intersection sight distance of 212 m if utilizing a single unit truck and longer for a larger truck. This is greater than the available distance that GHD reports for a right turn from the driveway onto Wellington Road 124. Also right turns onto a two lane road would also consider sight distance required to turn right without being overtaken by a vehicle approaching from the left. This would result in a longer sight distance than stopping sight distance. Therefore, if the development is approved, we would also recommend that right turns be restricted on red from the driveway unless during the detailed design process, additional and appropriate sight distance is available.</i></p> |

| No. | Re | Comment |
|-----|-----|--|
| | | <p>GHD responded that the “stopping site distance was based on the required distance for a vehicle or truck on Highway 124 to come to a stop should a truck exit the pit onto the road.” They agree with the calculations provided using equation 2.3.3 and Table 2.3.3.2a, but would not apply as right turning vehicles from the pit would be stopped at the traffic light since right turns from the driveway would be restricted. GHD identifies that “more important is the available sight distance for a vehicle approaching the intersection to be able to see the traffic signals so they can come to a stop.” We concur that available sight distance is necessary to see the traffic signal based upon the appropriate criteria and that this will need to be addressed during the design stage.</p> <p>GHD then identify “the sight line distance shown on our previous drawings of 160 m is not be maximum sight distance provided for the driveway but was displayed to show that at a minimum the 160 m was available. The actual sight distance available to traffic exiting the site may be longer than 212 m based on the existing topography and right-of-way.” We don't agree with the approach they used and they do not indicate whether there is 212 m. However, they have proposed that right turns on red will be restricted and as such the above becomes a mute point.</p> <p>As a condition of approval, right turns should be restricted from the driveway on red lights unless sightlines are provided to acceptable standards. Signalization of the intersection will be required upon site approval prior to construction of the driveway if the driveway is to be used for preparing the pit facilities. The appropriate by-law will need to be passed to restrict right turns on red from the driveway when the site plan is approved or the driveway built.</p> |
| 3.4 | 2.5 | <p><i>GHD concluded with “The analysis also shows the proposed pit traffic can be accommodated by the signalized intersection despite the high background growth used for the future analysis. The widening of Wellington Road 124 should be investigated by the County and the timing of such a capital improvement advanced to mitigate what is likely a pre-existing capacity deficiency. In the short term, constructing the improvements recommended in our traffic study will allow the additional entrance to the proposed pit to operate with acceptable v/c ratios and delays.”</i></p> <p><i>GHD analysis shows that with widening of Wellington Road 124 and turn lanes at the intersection, the intersection will function with excess capacity in 2020; however, their analysis demonstrates that with just the turn lane improvements, movements will be over capacity in 2020. Therefore, we cannot concur that with just their recommended improvements of turn lanes and modifications to the signals (which are a result of the additional turn lanes and/or widening of the road), that the road can accommodate the traffic.</i></p> <p><i>The County will need to accept over capacity conditions should only the turn lanes be added as the roadway is under their jurisdiction.</i></p> |

| No. | Re | Comment | | | | | | | | | | | | | | | | | | | | |
|--------------------|----------------------|--|----------------------|----------------------|--|----------------------|--|--|-----------------|------------|-----------------|------------|--------------------|-----|------|--|--|--------------------|------|------|-----|------|
| | | <p>GHD identifies they "continue to be of the opinion that with the proposed turning lanes and modifications to the signal timings, the intersection of Highway 124 and Kossuth Road is expected to operate with acceptable v/c ratios of LOS until sometime in the future when the continued growth in corridor traffic will cause the intersection to reach capacity. As indicated by Burnside, we expect traffic to plateau as capacity is reached and then for the intersection to continue to operate at capacity during the peak hours."</p> <p>We cannot support the statement that the operations will operate with acceptable volume to capacity ratios and level of service because the road traffic volume will plateau when capacity is reached. GHD's traffic report shows over capacity movements for 2020 background conditions. This means that between now and 2020 the capacity of the road will be reached, not accounting for the pit traffic. Summarized in the table below is the movement operation at the intersection for 2020 background and total traffic volumes where the volume to capacity exceeds 1.0 from the GHD traffic report.</p> <table border="1"> <thead> <tr> <th></th> <th colspan="2">Weekday AM Peak Hour</th> <th colspan="2">Weekday PM Peak Hour</th> </tr> <tr> <th></th> <th>2020 Background</th> <th>2020 Total</th> <th>2020 Background</th> <th>2020 Total</th> </tr> </thead> <tbody> <tr> <td>Northbound Through</td> <td>1.0</td> <td>1.12</td> <td></td> <td></td> </tr> <tr> <td>Southbound Through</td> <td>1.03</td> <td>1.17</td> <td>1.1</td> <td>1.25</td> </tr> </tbody> </table> <p>As shown in the above table, the development does further reduce capacity on the road network. With widening through the intersection, movements will operate within capacity.</p> <p>The County's position is that they will work with the applicant to determine the most appropriate set of improvements and do not object to the fourth leg. This intersection is in the County's jurisdiction and as such the condition of approval should be that the applicant satisfies the County's requirements.</p> | | Weekday AM Peak Hour | | Weekday PM Peak Hour | | | 2020 Background | 2020 Total | 2020 Background | 2020 Total | Northbound Through | 1.0 | 1.12 | | | Southbound Through | 1.03 | 1.17 | 1.1 | 1.25 |
| | Weekday AM Peak Hour | | Weekday PM Peak Hour | | | | | | | | | | | | | | | | | | | |
| | 2020 Background | 2020 Total | 2020 Background | 2020 Total | | | | | | | | | | | | | | | | | | |
| Northbound Through | 1.0 | 1.12 | | | | | | | | | | | | | | | | | | | | |
| Southbound Through | 1.03 | 1.17 | 1.1 | 1.25 | | | | | | | | | | | | | | | | | | |

Yours truly,

R.J. Burnside & Associates Limited



David Argue, P.Eng., PTOE
 Vice President, Transportation
 DA:mp

cc: Ms. Meaghan Reid, Township of Guelph/Eramosa (enc.) (Via: Email)
 Mr. Dan Currie, MHBC Planning (enc.) (Via: Email)
 Ms. Emily Elliott, MHBC Planning (enc.) (Via: Email)



February 25, 2016

Via: Email

Ms. Kelsey Lang
 Planning Associate
 Township of Guelph/Eramosa
 P.O. Box 700
 Rockwood ON N0B 2K0

Dear Ms. Lang:

**Re: Tri City Lands Ltd. - Spencer Pit
 Third Submission - Hydrogeologic Peer Review
 Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
 6939 Wellington Road 124, Township of Guelph/Eramosa
 Project No.: 300035544.0000**

We have completed our review of the Groundwater Science Corp. (WSC) letter dated February 9, 2016, and the Harrington McAvan Ltd. email dated February 19, 2016, received as a response to the Burnside letter dated January 27, 2016.

Our current submission comments are listed in the table below (the "Re" refers to the number in previous submission. Comments on a drawing should be reflected on all drawings.

| No. | Re | Comment |
|-----|-----|---|
| 3.1 | 2.2 | <p><i>It is our understanding that a note has been added to the site plan indicating that a door to door survey will be required as part of any Permit to Take Water application which will likely be required for the supply of water to the wash pond. R.J. Burnside & Associates Limited (Burnside) continues to recommend that the survey be completed prior to any significant site work taking place in order to document pre-extraction conditions that can be used in the resolution of any well interference complaint that may arise.</i></p> <p>Burnside is satisfied with the WSC response.</p> |
| 3.2 | 2.4 | <p><i>A geodetic survey was completed and high water levels collected in May 2014 are within 1.5 m of the water table at BH1 and are 1.65 m above the water table at BH2. It is our understanding that appropriate adjustments to the proposed maximum extraction elevations have been made on the site plan. Burnside recommends that water level monitoring using data loggers continue to be used to revise the extraction depths should higher water levels be observed.</i></p> |

Ms. Kelsey Lang
 February 25, 2016
 Project No.: 300035544.0000

| No. | Re | Comment |
|-----|-----|--|
| | | Burnside is satisfied with the WSC response. |
| 3.3 | 2.5 | <i>Given that the Harrington McAvan Ltd. Letter of January 13, 2016 recommends that a minimum depth of 500 m of overburden and 150 mm of topsoil be replaced at the final elevation of the base of the quarry, Burnside recommends that the proponent confirm that this volume of material is available on site. If not, the methodology to be used to confirm that the material meets the applicable soil quality (O.Reg. 153/04 as amended by O.Reg. 511/09) for agricultural use needs to be specified.</i> |
| | | Burnside is not satisfied with this response. Burnside would like more detail on how the volumes of topsoil and overburden were calculated |

Yours truly,

R.J. Burnside & Associates Limited



Dave Hopkins, P.Geol.
 Senior Hydrogeologist
 DH:mp

cc: Ms. Meaghan Reid, Township of Guelph/Eramosa (enc.) (Via: Email)
 Mr. Dan Currie, MHBC Planning (enc.) (Via: Email)
 Ms. Emily Elliott, MHBC Planning (enc.) (Via: Email)

March 15, 2016

Meaghen Reid,
Clerk/Director of Legislative Services
Township of Guelph/Eramosa
8348 Wellington Road 124, P.O. Box 700
Rockwood, Ontario
N0B 2K0

Dear Ms. Reid,

**RE: Zoning By-law Amendment application ZBA 01/14 – Proposed
Aggregate Extraction**

Thank you for circulating the notice of a public meeting for the above noted file. The City is generally concerned with the impacts of mineral aggregate operations adjacent to the City. Staff have reviewed the application and supporting information you have provided and have no concerns with the proposal at this time.

As the Township is aware, the Lake Erie Region Source Protection Committee will be developing water quantity policies over the next couple of years that will be integrated into the approved Grand River Source Protection Plan. We note that the City's draft WHPA Q1/Q2 local area extends nearby the proposed pit extraction area. The delineation of the local area is still being refined and is therefore subject to change. As a result, the Township may have responsibilities to protect the City's water supply from a water quantity perspective, should the WHPA Q1/Q2 local area encompass the subject property.

Accordingly, we would caution the proponent that future water quantity policies may include limitations on certain activities associated with the subject application.

Please notify the City of the Township's decision on this matter.

City Hall
1 Carden St
Guelph, ON
Canada
N1H 3A1

T 519-822-1260
TTY 519-826-9771

guelph.ca

Meaghen Reid
March 15, 2016
RE: Zoning By-law Amendment application ZBA 01/14 – Proposed Aggregate
Extraction
Page 2 of 2

Sincerely,



Tim Donegani
Policy Planner

Infrastructure, Development and Enterprise
Planning, Urban Design and Building Services
Location: 1 Carden St.

T 519-822-1260 ext. 2521
F 519-822-4632
E tim.donegani@guelph.ca

C Melissa Aldunate, Manager of Policy Planning and Urban Design
 Dave Belanger, Water Supply Program Manager
 Peter Rider, Risk Management Official
 Todd Salter, General Manager of Planning, Urban Design and Building
 Services
 Kyle Davis, RMO, Wellington County

From: Helene Fleischer [<mailto:Helene.Fleischer@cn.ca>]
Sent: February-15-16 2:52 PM
To: Meaghen Reid
Cc: Raymond Beshro
Subject: 6939 Wellington Road 124 (File No. ZBA 01/14)

Good afternoon,

Thank you for circulating CN on this application.

We do note that the subject property is in close proximity to CN's railway right-of-way. While non-sensitive uses are more compatible than sensitive uses near railway operations, CN does pursue implementation of our habitual criteria for such developments. I will attach these criteria to this email. At a minimum, our focus for non-sensitive developments in proximity to our operations has been increasingly limited to:

- An adequate setback to build and maintain the structure off of the right-of-way;
- The provision of 1.83 meter chain link security fencing;
- Confirmation that there will be no adverse impacts to the existing drainage pattern on the railway right-of-way and that there will be no additional runoff to CN lands in the event of a 100-yr storm;
- A 30 meter setback of access points to avoid the potential for impacts to traffic safety when located near at-grade railway crossings.

Due to the fact that the subject property is to be rezoned for extraction purposes, we have additional concerns:

- We ask that there be no resource extraction within 75 m of CN's right-of-way, as to avoid adverse impacts on the integrity of the track bed. We note that there has been aggregate piled very high in close proximity to the rail corridor, which could lead to safety and drainage concerns on the right-of-way. If this has not already been resolved, the property owner needs to correct this;
- Extraction and other activities shall not generate vibration exceeding 100 mm/sec, as measured on the edge of the rail right-of-way, again for safety reasons;
- If resource is to be trucked over a nearby grade crossing, impacts of the added truck traffic need to be considered and addressed, subject to review and approval by CN Engineering.

Regards,
Helene Fleischer - **CN**
Planification et développement communautaires
Community Planning & Development
helene.fleischer@cn.ca
514-399-7211

NON-RESIDENTIAL DEVELOPMENT ADJACENT TO THE RAILWAY RIGHT-OF-WAY (Branch Lines)

CN recommends the following protective measures for non-residential uses adjacent Branch Lines (note some are requirements):

- A minimum 15 metre building setback, from the railway right-of-way, in conjunction with a 2.0 metre high earthen berm is recommended for institutional, commercial (i.e. office, retail, hotel, restaurants, shopping centres, warehouse retail outlets, and other places of public assembly) and recreational facilities (i.e. parks, outdoor assembly, sports area).
- No specific minimum setback, from the railway right-of-way, is recommended for heavy industrial, warehouse, manufacturing and repair use (i.e. factories, workshops, automobile repair and service shops).
- A minimum 30 metre setback is **required** for vehicular property access points from at-grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may be a suitable alternative.
- A chain link fence of minimum 1.83 metre height is **required** to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence.
- Any proposed alterations to the existing drainage pattern affecting Railway property **require** prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- While CN has no specific noise and vibration guidelines that are applicable to non-residential uses, it is recommended the proponent assess whether railway noise and vibration could adversely impact the future use being contemplated (hotel, laboratory, precision manufacturing). It may be desirable to retain a qualified acoustic consultant to undertake an analysis of noise and vibration, and make recommendations for mitigation to reduce the potential for any adverse impact on future use of the property.
- For sensitive land uses such as schools, daycares, hotels etc, the application of CN's residential development criteria is **required**.
- There are no applicable noise, vibration and safety measures for unoccupied buildings, but chain link fencing, access and drainage requirements would still apply.

From: Helene Fleischer [mailto:Helene.Fleischer@cn.ca]
Sent: February-16-16 1:26 PM
To: Glenn Harrington
Cc: Gaetanne Kruse
Subject: RE: ZONING BY-LAW 01/14 TRI CITY LANDS LTD. - SPENCER PIT

Hi Glenn,

Sorry for the confusion, the comment regarding the aggregate stockpile was mistakenly included in these comments.

Helene Fleischer - **CN**
Planification et développement communautaires
Community Planning & Development
helene.fleischer@cn.ca
514-399-7211



400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6
 Phone: 519-621-2761 Toll free: 866-900-4722 www.grandriver.ca

May 12, 2014

Township of Guelph/Eramosa
 8348 Wellington Road 124
 P.O Box 124
 Rockwood, ON
 N0B 2K0

Attention: Meaghen Reid, Clerk/Direction of Legislative Services

Re: Zoning By-law Amendment Application ZBA 01/14 (Spencer Pit)
6939 Wellington Rd 124, Township of Guelph/Eramosa
Div B Part Lots 14, 15, and 16, and Lots 17 and 18
TriCity Lands Ltd

The Grand River Conservation Authority (GRCA) is not in a position to comment on the proposed zoning by-law amendment application at this time. GRCA technical staff are currently reviewing the reports which were included with the application submitted to the GRCA. We will provide comments upon the completion of our review.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2320.

Yours truly,

Jason Wagler MCIP RPP
 Resource Planner
 Grand River Conservation Authority

cc. Bernie Hermsen & Dan Currie, MHBC Planning Ltd.
 Aldo Salis, County of Wellington
 Glenn D. Harrington, Harrington McAvan Ltd., 6882 14th Avenue, Markham, ON L6B 1A8
 Rich Esbaugh, TriCity Lands Ltd., Snyder Road, P.O. Box 209, Petersburg, ON, N0B 2H0



400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 866-900-4722 www.grandriver.ca

PLAN REVIEW REPORT: Meaghan Reid, Clerk/Director of Legislative Services

DATE: June 19, 2014

YOUR FILE: ZBA01/14

GRCA FILE: Wellington/GuelphEramosa/2014/ZC

RE: **Zoning By-law Amendment Application ZBA 01/14 (Spencer Pit)**
6939 Wellington Rd 124, Township of Guelph/Eramosa
Div B Part Lots 14, 15, and 16, and Lots 17 and 18
TriCity Lands Ltd

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) recommends that the application be deferred until the comments identified below are addressed.

BACKGROUND:

1. Resource Issues:

Information currently available at our office indicates the lands to be rezoned are within the adjacent area of the Provincially Significant Speed River and Ellis Creek wetland complexes and the adjacent area of a tributary of the Speed River.

2. Legislative/Policy Requirements and Implications:

A license is required for aggregate extraction on private lands in areas designated under the Aggregate Resources Act (ARA). It is our understanding the entire property is to be licenced and the proponents will be applying for a Class A, Category 3 License for a pit above water.

3. Additional Information/Suggestions provided in an advisory capacity:

GRCA Staff have reviewed the above noted application along with the following documentation:

- Summary Report, prepared by Harrington McAvan Ltd., dated April 2014;
- Planning Analysis Report, prepared by Harrington McAvan Ltd, dated February 2014;
- Site Plans, by Harrington McAvan Ltd., dated April 2014:
 - Page 1 of 5, Existing Features Plan
 - Page 2 of 5, Operational Plan Phase A

RECEIVED

JUN 25 2014

TOWNSHIP OF
GUELPH / ERAMOSIA

- Page 3 of 5, Operational Plan Phase B - E
- Page 4 of 5, Sections and Details
- Page 5 of 5, Rehabilitation Plan
- Natural Environment Technical Report: Level 1 and 2, prepared by Stantec Consulting Limited, dated February 25, 2014;
- Hydrogeologic Assessment, prepared by Groundwater Science Corp., dated February 2014.

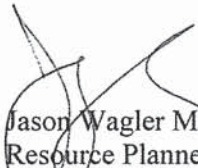
We offer the following comments based on the reports submitted with this application:

1. Staff are satisfied with the assessment of wetlands and watercourse features adjacent to the site. As noted above, a portion of the Speed River PSW Complex and Ellis Creek PSW Complex are confirmed to be within 120 m of the proposed extraction area. The latter was not mentioned or discussed in Stantec's report.
2. According to the hydrogeological assessment, water level measurements were obtained in October and November and represent seasonal high conditions in the fall. We agree that water level monitoring should continue on this site in order to determine seasonal high conditions during the spring, but would recommend using continuous monitoring using data loggers for a minimum of one year in order to ensure a more precise determination of seasonal groundwater levels. Continuous monitoring is also recommended for the first 3 years of extraction.
3. Three woodland communities (FOD5-1, FOD3-1, and CUW1-3) were identified within the proposed extraction area. Staff note that vegetation surveys were conducted on June 12 and August 17, 2013 in accordance with the Ecological Land Classification System for Southern Ontario. One additional hawthorn survey was conducted on September 14, 2013. A survey was conducted on October 30, 2013 to identify vegetation species within the adjacent lands. It is recommended that the botanical checklist presented in Table 1 be revised to clearly indicate which species were documented within each of these woodland communities. The reference to Riley 1989 in Table 1 is unclear as a good majority of the species on this list have a check mark, which is misleading. Locally and/or regionally significant plant species observed within this woodland should be clearly noted.
4. Staff acknowledge that the woodland on the site measures 6.03 ha in size and therefore does not meet the size threshold for significance in the Wellington County Official Plan. However, the woodland is located in proximity to a treed portion of the Speed River PSW Complex, which we note designated Core Greenland by the County. Notwithstanding the active rail bed, we suggest that the 3 woodland communities do in fact provide several ecological benefits (e.g. soil erosion prevention, nutrient cycling, hydrological cycling, wildlife habitat) and contribute to the overall value of the Core Greenland in the County of Wellington. According to the Natural Heritage Reference Manual, "woodlands that overlap, abut, or are close to other significant natural heritage features or areas could be considered more valuable or significant than those that are not." The guidelines and criteria are considered "minimum standards" only. It appears that 3 isolated woodland patches west of the rail bed and south of the proposed license area are currently mapped as Core Greenland. Therefore, it would not be unreasonable to incorporate this woodland into the County's Core Greenlands.

5. We note the presence of black maple (*Acer nigrum*) within this woodland. Although the number, size, and health of these trees have not been discussed by Stantec, we can assume that this species was not considered abundant or dominant based on the ELC assessment. Please confirm.
6. The existing features plan indicates that hop hornbeam (*Ostrya virginia*) is also present within the on-site woodland, although the location of this species is not clearly indicated in Stantec's report. If confirmed within the onsite woodland, we would recommend that the age and health of the trees be determined.
7. At least 2 old foundations are illustrated on the existing features plan. Snake surveys are recommended to determine the presence or absence of snake hibernaculae, and to identify and implement appropriate mitigation measures, as necessary.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2320.

Yours truly,



Jason Wagler MCIP RPP
Resource Planner
Grand River Conservation Authority

cc. Bernie Hermsen & Dan Currie, MHBC Planning Ltd.
Aldo Salis, County of Wellington
Glenn D. Harrington, Harrington McAvan Ltd., 6882 14th Avenue, Markham, ON L6B 1A8
Rich Esbaugh, TriCity Lands Ltd., Snyder Road, P.O. Box 209, Petersburg, ON, N0B 2H0

Spencer Pit

LEGEND

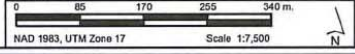
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-  PUBLIC
-  CLOSED
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-  ROADS-ADDRESSED (MNR)
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-  PARCELS-ASSESSMENT (MPAC)
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-  FLOODPLAIN (GRCA)
-  ENGINEERED
-  APPROXIMATE
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-  ESA (NRVIS)
-  ANSI (NRVIS)
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-  PROPERTY-OTHER (GRCA)
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-  REGULATION LIMIT (GRCA)
-  DRAINAGE-POLY (NRVIS)
-  2010 ORTHO (ONT)

GRCA Disclaimer

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The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

<http://grims.grandriver.ca/docs/SourcesCitations1.htm>





400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 866-900-4722 www.grandriver.ca

PLAN REVIEW REPORT: Meaghan Reid, Clerk/Director of Legislative Services

DATE: June 19, 2014

YOUR FILE: ZBA01/14

GRCA FILE: Wellington/GuelphEramosa/2014/ZC

RE: **Zoning By-law Amendment Application ZBA 01/14 (Spencer Pit)**
6939 Wellington Rd 124, Township of Guelph/Eramosa
Div B Part Lots 14, 15, and 16, and Lots 17 and 18
TriCity Lands Ltd

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) recommends that the application be deferred until the comments identified below are addressed.

BACKGROUND:

1. Resource Issues:

Information currently available at our office indicates the lands to be rezoned are within the adjacent area of the Provincially Significant Speed River and Ellis Creek wetland complexes and the adjacent area of a tributary of the Speed River.

2. Legislative/Policy Requirements and Implications:

A license is required for aggregate extraction on private lands in areas designated under the Aggregate Resources Act (ARA). It is our understanding the entire property is to be licenced and the proponents will be applying for a Class A, Category 3 License for a pit above water.

3. Additional Information/Suggestions provided in an advisory capacity:

GRCA Staff have reviewed the above noted application along with the following documentation:

- Summary Report, prepared by Harrington McAvan Ltd., dated April 2014;
- Planning Analysis Report, prepared by Harrington McAvan Ltd, dated February 2014;
- Site Plans, by Harrington McAvan Ltd., dated April 2014:
 - Page 1 of 5, Existing Features Plan
 - Page 2 of 5, Operational Plan Phase A

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JUN 25 2014

TOWNSHIP OF
GUELPH / ERAMOSIA

- Page 3 of 5, Operational Plan Phase B - E
- Page 4 of 5, Sections and Details
- Page 5 of 5, Rehabilitation Plan
- Natural Environment Technical Report: Level 1 and 2, prepared by Stantec Consulting Limited, dated February 25, 2014;
- Hydrogeologic Assessment, prepared by Groundwater Science Corp., dated February 2014.

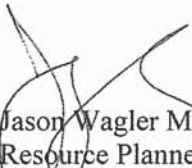
We offer the following comments based on the reports submitted with this application:

1. Staff are satisfied with the assessment of wetlands and watercourse features adjacent to the site. As noted above, a portion of the Speed River PSW Complex and Ellis Creek PSW Complex are confirmed to be within 120 m of the proposed extraction area. The latter was not mentioned or discussed in Stantec's report.
2. According to the hydrogeological assessment, water level measurements were obtained in October and November and represent seasonal high conditions in the fall. We agree that water level monitoring should continue on this site in order to determine seasonal high conditions during the spring, but would recommend using continuous monitoring using data loggers for a minimum of one year in order to ensure a more precise determination of seasonal groundwater levels. Continuous monitoring is also recommended for the first 3 years of extraction.
3. Three woodland communities (FOD5-1, FOD3-1, and CUW1-3) were identified within the proposed extraction area. Staff note that vegetation surveys were conducted on June 12 and August 17, 2013 in accordance with the Ecological Land Classification System for Southern Ontario. One additional hawthorn survey was conducted on September 14, 2013. A survey was conducted on October 30, 2013 to identify vegetation species within the adjacent lands. It is recommended that the botanical checklist presented in Table 1 be revised to clearly indicate which species were documented within each of these woodland communities. The reference to Riley 1989 in Table 1 is unclear as a good majority of the species on this list have a check mark, which is misleading. Locally and/or regionally significant plant species observed within this woodland should be clearly noted.
4. Staff acknowledge that the woodland on the site measures 6.03 ha in size and therefore does not meet the size threshold for significance in the Wellington County Official Plan. However, the woodland is located in proximity to a treed portion of the Speed River PSW Complex, which we note designated Core Greenland by the County. Notwithstanding the active rail bed, we suggest that the 3 woodland communities do in fact provide several ecological benefits (e.g. soil erosion prevention, nutrient cycling, hydrological cycling, wildlife habitat) and contribute to the overall value of the Core Greenland in the County of Wellington. According to the Natural Heritage Reference Manual, "woodlands that overlap, abut, or are close to other significant natural heritage features or areas could be considered more valuable or significant than those that are not." The guidelines and criteria are considered "minimum standards" only. It appears that 3 isolated woodland patches west of the rail bed and south of the proposed license area are currently mapped as Core Greenland. Therefore, it would not be unreasonable to incorporate this woodland into the County's Core Greenlands.

5. We note the presence of black maple (*Acer nigrum*) within this woodland. Although the number, size, and health of these trees have not been discussed by Stantec, we can assume that this species was not considered abundant or dominant based on the ELC assessment. Please confirm.
6. The existing features plan indicates that hop hornbeam (*Ostrya virginia*) is also present within the on-site woodland, although the location of this species is not clearly indicated in Stantec's report. If confirmed within the onsite woodland, we would recommend that the age and health of the trees be determined.
7. At least 2 old foundations are illustrated on the existing features plan. Snake surveys are recommended to determine the presence or absence of snake hibernaculae, and to identify and implement appropriate mitigation measures, as necessary.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2320.

Yours truly,



Jason Wagler MCIP RPP
Resource Planner
Grand River Conservation Authority

cc. Bernie Hermsen & Dan Currie, MHBC Planning Ltd.
Aldo Salis, County of Wellington
Glenn D. Harrington, Harrington McAvan Ltd., 6882 14th Avenue, Markham, ON L6B 1A8
Rich Esbaugh, TriCity Lands Ltd., Snyder Road, P.O. Box 209, Petersburg, ON, N0B 2H0

Spencer Pit

LEGEND

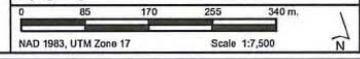
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Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

July 9, 2015

Township of Guelph/Eramosa
8348 Wellington Road 124
P.O Box 124
Rockwood, ON
N0B 2K0

Attention: Meaghen Reid, Clerk/Direction of Legislative Services

Re: Zoning By-law Amendment Application ZBA 01/14 (Spencer Pit)
6939 Wellington Rd 124, Township of Guelph/Eramosa
Div B Part Lots 14, 15, and 16, and Lots 17 and 18
TriCity Lands Ltd

Grand River Conservation Authority staff has reviewed the following supplementary materials provided in support of the proposed Spencer Pit:

- Response to June 19, 2014 GRCA Comments, prepared by Harrington McAvan Ltd., dated June 2, 2015.

Based on our review of the above listed materials, GRCA staff recommends that the subject application is deferred until the following comments are addressed:

Response #1 – Staff agree that there appears to be a labelling error in the evaluated wetland mapping. The wetland located off site and upstream of Highway 124 is hydrologically connected to the Speed River Wetland Complex downstream of the railway tracks. GRCA staff will notify MNR promptly.

Response #2 – Noted

Responses #3 – The intent of this GRCA comment was to clarify the composition of the 3 vegetation communities that make up the woodland area within the proposed licensed area. The ELC data sheets will suffice.

Response #4 – There is sufficient information within the Natural Environment Report to conclude that the onsite woodland within the proposed extraction area provides several ecological benefits. We note that the information presented thus far has not considered County Official Plan Amendment 81, which reduced the size threshold for significant woodlands to 4 hectares from 10 hectares in rural areas. The Natural Heritage Report identifies the woodland as 6.03 hectares in size. We suggest that the woodlot feature is also reassessed based on the above.

Response #5 – Noted

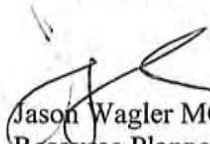
Response #6 – The age and health of the trees hop hornbeam (*Ostrya virginiana*) are of interest because this will help determine the age of the forest communities within the proposed extraction zone. This species was not recorded on the ELC data sheet, but is listed in Table 1 (botanical list). As noted previously, the existing features plan indicates that this species is present within the on-site woodland.

Response #7 – Noted

We note that the plans should identify the minimum soil depth above bedrock required to provide viable agricultural use.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2320.

Yours truly,


Jason Wagler MCIP RPP
Resource Planner
Grand River Conservation Authority

Encl. (1)

cc. Bernie Hermsen & Dan Currie, MHBC Planning Ltd.
Aldo Salis, County of Wellington
Glenn D. Harrington, Harrington McAvan Ltd., 6882 14th Avenue, Markham, ON L6B 1A8
Rich Esbaugh, TriCity Lands Ltd., Snyder Road, P.O. Box 209, Petersburg, ON, N0B 2H0

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JUL 13 2015

Township of Guelph/Eramosa

June 2, 2015
 Jason Wagler
 Resource Planner
 Grand River Conservation Authority
 400 Clyde Rd,
 Cambridge ON
 N1R 5W6



**Re: Proposed Spencer Pit
 Part of Lots 14-16, Lots 17 and 18, Concession B, Township of Guelph-Eramosa**

Dear Mr. Wagler,

Further to your letter of June 19, 2014, we are pleased to provide the following response to the items raised.

1. Background

We wish to provide a clarification to Legislation / Policy Requirements and Implications: The entire property owned by the applicant is not proposed to be licensed. The property extends to the other side of the CNR ROW (East and North). These lands are not proposed for licensing. These lands are shown schematically in a 1:7500 plan on sheet 1 (one) of the site plans. No development or site plan alteration is proposed on these adjacent lands at this time and the zone change and license application does not include them.

Comment/response 1: We note that staff are satisfied with the wetland assessment, and we offer the following clarification regarding the names and extent of PSW complexes.

As shown in Figure 2, Appendix A of the Report, there is a wetland polygon located to the north of the proposed license boundary and Hwy 24. LIO mapping indicates that this polygon is part of the Ellis Creek PSW. This polygon is located on Guelph-Eramosa Township Concession 4, Lot 2, but is not included in either of the MNR's evaluation records for Ellis Creek or Speed River PSW complexes. As a result, the inclusion of the polygon as part of the Ellis Creek PSW complex may represent an error in the LIO mapping. Stantec would suggest that, based on its proximity and connectivity to the Speed River PSW via a stream corridor that runs adjacent to the northeast boundary of the proposed license area, that the polygon would more accurately be included in the Speed River PSW complex. This determination would be more consistent with the application of the complexing principles under the Ontario Wetland Evaluation System for Southern Ontario, as well as the application of complexing of wetland communities in similar situations to the east of the Speed River. It should be noted that, regardless of its inclusion in either the Speed River or Ellis Creek PSW, there will be no impacts on this wetland.

Comment/response 2: We will monitor all monitoring wells using data loggers for the first year and

Harrington McAvan Ltd • Landscape Architects

6882 14th Avenue, Markham, Ontario L6B 1A8 Phone: 905-294-8282 Fax: 905-294-7623
 Offices in Markham, Cambridge, and Aylmer Ontario Visit us on the web at www.harringtonmcavan.com

for the first 3 years of extraction. ✓

Comment/response 3: it is unclear what benefit would be provided by indicating which plant species were identified in each of the individual woodland communities in Table 1, Appendix D. The intent of the botanical inventory is to document species diversity across the subject lands, including the contiguous woodland block represented by the three woodland communities (FOD5-1, FOD3-1 and CUW1-3). Information specific to the individual ELC communities (including plant species characteristic of each of the three woodland communities) is provided in the ELC cards and community descriptions that are included in Appendix D. Given that all plants observed are common plants and can be expected to be widespread in suitable habitats there is no resource management benefit to producing a community specific list.

The reference to Riley 1989 in Table 1, Appendix D is the only available source of information on the status of vascular plants in Wellington County. An X (or "checkmark") in that column of the Table indicates that the species was considered to be common in Wellington County as of 1989. Plants considered to be rare or uncommon in Wellington County as of 1989 would have an R or U in that column. Species that have no mark in that column were not listed in Riley 1989. This can occur when plant names have changed over the years, for example Blue Cohosh is now *Caulophyllum giganteum* whereas in Riley 1989 it is listed as *Caulophyllum thalictroides*; or if the species are exotic (i.e. introduced, weedy or horticultural plants) such as Garlic Mustard or Common Yarrow. Regionally-rare species are noted with an "R" in the column. Only one regionally-rare species, Pringle's aster (*Symphotrichum pilosum* var. *pringlei*) was recorded during the botanical inventory; this species was found only on adjacent lands and not within the proposed license area. ✓

In short, all of the species encountered on the proposed license area are common in Wellington County. No Provincially, Regionally or Locally rare plants were encountered in the proposed license area. Butternut (S3) were observed on adjacent lands and have been dealt with in Section 7.1 of the Report.

Comment/response 4: We respectfully disagree with GRCA's comment that "it would not be unreasonable to incorporate this woodland [the on-site woodland] into the County's Core Greenlands". Based on our review of the on-site woodlot with the significant woodland criteria provided in the Natural Heritage Reference Manual, the woodlot does not meet any of the criteria that would qualify it as significant (see Section 5.5 of the Report). This is reflected in the omission of the woodlot from the County's Core Greenland mapping. The GRCA assertion that the woodlot could be considered significant based on its proximity to the Speed River PSW is considered in Section 5.5.2 of the Report. With respect to the specific ecological functions identified by GRCA that may be provided by the woodlot (e.g., soil erosion prevention, nutrient cycling, hydrological cycling and wildlife habitat), it is not clear how GRCA determined that these functions may be present and how they may "contribute to the overall value of the Core Greenland in the County of Wellington". Although the on-site woodlot is "close to" the Speed River PSW, the two are separated by an active rail line approximately 30 m wide and the upland FOC2-2 to the east of the rail line (i.e. a total distance between the woodlot and the wetland boundary of more than 60 m). Soil erosion prevention to the wetland would not be provided by the woodlot as the raised rail bed is located between the two and would capture any overland sediment dispersal. Soil erosion prevention to the wetland may be provided by the FOC2-2 community between the (up-gradient) raised rail line

and the (down-gradient) wetland; this community will be left intact and any soil erosion prevention functions will be maintained. As there is no hydrological connection between the woodlot and the Speed River PSW, there is no mechanism that would facilitate nutrient cycling or hydrological cycling between the two. An assessment of wildlife habitat is presented in Section 5.4 of the Report and indicates that there is no significant wildlife habitat (including animal movement corridors between the woodlot and the PSW) associated with the onsite woodlot. Based on this information, Stantec maintains the opinion that the onsite woodlot should not be considered significant. This is consistent with the Core Greenlands mapping as presented in Schedule A3 of the Wellington County Official Plan.

We also note that we are unable to locate the "3 isolated woodland patches west of the rail bed and south of the proposed license area" referred to in this comment on the current Wellington County Greenlands mapping.

Comment/response 5: Black maple (*Acer nigrum*) was recorded as a rare occurrence in the FOD3-1 community. GRCA's assumption that the species was not considered abundant or dominant is correct.

Comment/response 6: it is not clear why GRCA recommends determining the age and health of hop hornbeam (*Ostrya virginiana*) recorded from the woodlot. The species is not considered at risk or rare in Wellington County. As such, we request clarification as to why GRCA recommends an assessment of the age and health of the trees.

Comment/response 7: the foundations were assessed for potential snake hibernacula during the preliminary wildlife habitat assessment on May 14, 2013. At that time, it was determined that the old foundations would not serve as suitable hibernacula as they did not extend below the frost line. Casual surveys for snakes were undertaken concurrent with breeding bird and botanical inventories throughout the site (including at the old foundations), but no snakes were observed. This approach was included in the Terms of Reference developed in consultation with the MNR, which is included in Appendix B of the Report.

We hope that the information provided has satisfactorily addressed comments in your letter. Please let us know if you require further information.

Sincerely,

HARRINGTON McAVAN LTD.



Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh

Harrington McAvan Ltd · Landscape Architects

6882 14th Avenue, Markham, Ontario L6B 1A8 Phone: 905-294-8282 Fax: 905-294-7623
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Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

September 17, 2015

Township of Guelph/Eramosa
8348 Wellington Road 124
P.O Box 124
Rockwood, ON
N0B 2K0

Attention: Meaghen Reid, Clerk/Direction of Legislative Services

Re: Zoning By-law Amendment Application ZBA 01/14 (Spencer Pit)
6939 Wellington Rd 124, Township of Guelph/Eramosa
Div B Part Lots 14, 15, and 16, and Lots 17 and 18
TriCity Lands Ltd

Grand River Conservation Authority staff has reviewed the following supplementary materials provided in support of the proposed Spencer Pit:

- GRCA comments on Natural Heritage Technical Report components of the Spencer Pit Zoning By-law Amendment Application ZBA 01/14, prepared by Stantec Consulting Ltd., dated August 19, 2015.

Based on our review of the submitted response, we wish to note that Stantec's assessment of the woodland on site is quite thorough. Our comments dated July 9, 2015 have been addressed in the August 19, 2015 response.

At this time, GRCA has no further comments on the application and has no objection to the application being taken forward for consideration.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2320.

Yours truly,

Jason Wagler MCIP RPP
Resource Planner
Grand River Conservation Authority

Encl. (1)

cc. Bernie Hermsen & Dan Currie, MHBC Planning Ltd.
Aldo Salis, County of Wellington
Glenn D. Harrington, Harrington McAvan Ltd., 6882 14th Avenue, Markham, ON L6B 1A8
Rich Esbaugh, TriCity Lands Ltd., Snyder Road, P.O. Box 209, Petersburg, ON N0B 2H0

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SEP 22 2015

Township of Guelph/Eramosa

From: joan.zhao@HydroOne.com [mailto:joan.zhao@HydroOne.com]

Sent: Monday, January 13, 2014 5:03 PM

To: April Szeto <april@harringtonmcavan.com>

Subject: Proposed Spencer Pit (Guelph 635.06-4586)

8.1

April,

This is further to our phone conversation of past Friday. In reply to the Spence Pit proposal dated October 31, 2013, Hydro One have completed review of the summited plan. We require the proponent to revise the proposal per following comments from Hydro stakeholders.

1. All transmission towers must be accessible to Hydro One crews. Access will be provided by a road to each tower or by a road between towers. This road must have a minimum width of 6 m (20'). The slope of this road should not be steeper than 10:1. Sharp curves in the roads should be avoided when possible.
2. The plan shown 15 meters undisturbed area around each tower base. However we have some concern over extracting sand and gravel up to the 15m undisturbed footprint and replacing with other material. We wonder how this can be accomplished; making a vertical cut in sandy material to depth of 9 to 12 meters? We need explanation how this would be achieved.
3. The proponent should provide an access route and 15 meters clearance zone for Structure 56 (see attached map) similar to that of the other structures on the corridor, as this is not indicated on the drawings. The Operational Plan on Drawing Number 2 of 2 does not demonstrate access to Structure 56, which is located in Area 4b.
4. The proponent should provide cross sections of the access route for Hydro One maintenance vehicles, indicating slopes that the vehicles will need to traverse. The slope of this road should not be steeper than 10:1.
5. A fence should be installed along the 15 meters undisturbed area around each tower as workpad space for Hydro maintenance crew. A gap or gate in the fence would be required where the access route connects to this area.
6. Proper anchor and footing stability must also be maintained.
7. On the easement corridor lands: No flammables are to be used or stored, no snow stockpiling will be permitted, and garbage bins are not to be stored there. Any pit rehabilitation that involves trees needs to be completed outside the easement (no planting in the easement lands).
8. Should fencing and the access to the pit out outside the existing easement Hydro One has acquired, the lands owner are required to grant Hydro One with a new easement.
9. Any berm to be installed require approval for clearances.

Please forward a revised plan to this office. Upon receipt, we will circulate to our stakeholders for further review/approval.

Thanks,

Joan Zhao SR/WAt

Sr. Real Estate Coordinator
Facilities & Real Estate
Hydro One Networks Inc.

T: (905) 946-6230 | F: (905) 946-6242

P.O. Box 4300 | Markham ON | L3R 5Z5

Courier: 185 Clegg Road | Markham ON | L6G 1B7

joan.zhao@hydroone.com

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Ministry of Tourism, Culture and Sport

Culture Programs Unit
Programs and Services Branch
Culture Division
401 Bay Street, Suite 1700
Toronto ON M7A 0A7
Tel.: (416) 314-7152
Email: Sarah.Roe@ontario.ca

Ministère du Tourisme, de la Culture et du Sport

Unité des programmes culturels
Direction des programmes et des services
Division de culture
401, rue Bay, bureau 1700
Toronto ON M7A 0A7
Tél. : (416) 314-7152
Email: Sarah.Roe@ontario.ca



Nov 28, 2013

Jim Wilson (P001)
Stantec Consulting
400 - 1331 Clyde Ottawa ON K2C 3G4

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 1-2 Archaeological Assessment: Spencer Pit Part of Lots 14 to 18, Concession B Township of Guelph-Eramosa, Wellington County, Ontario ", Dated Nov 6, 2013, Filed with MTCS Toronto Office on Nov 18, 2013, MTCS Project Information Form Number P001-741-2013, MTCS File Number 0000447

Dear Mr. Wilson:

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c 0.18.¹ This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 Standards and Guidelines for Consultant Archaeologists set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.

The report documents the assessment of the study area as depicted in Figure No. 1: General Project Location and Figure No. 4: Stage 2 Methods of the above titled report and recommends the following:

5.0 Recommendations

5.1 LOCATION 1

The artifact assemblage from Location 1 contains less than 20 artifacts that date prior to 1900 and background information related to the 20th century occupation of the study area does not indicate possible cultural heritage value or interest. Therefore, Location 1 does not fulfill the criteria of Section 2.2 of the 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011) and retains no further cultural heritage value or interest. Thus, no further work is recommended for Location 1.

5.2 LOCATION 2

The artifact assemblage from Location 2 contains less than 20 artifacts that date prior to 1900 and background information related to the 20th century occupation of the study area does not indicate possible cultural heritage value or interest. Therefore, Location 2 does not fulfill the criteria of Section 2.2 of the 2011 Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011) and retains no further cultural heritage value or interest. Thus, no further work is recommended for Location 2.

5.3 SUMMARY

Two archaeological locations were documented during the Stage 1-2 assessment of the Spencer Pit study area. Both Location 1 and Location 2 retain no further cultural heritage value or interest and are not recommended for further Stage 3 assessment or mitigation. Therefore, no further archaeological assessment of the Spencer Pit study area is recommended.

The MTCS is asked to review the results presented and accept this report into the Ontario Public Register

of Archaeological Reports.

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,
Sarah Roe
Archaeology Review Officer

cc. Archaeology Licensing Officer
Rick Esbaugh, Tri City Lands
unknown unknown, Ministry of Natural Resources

¹In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.

Ministry of Tourism, Culture and Sport

Culture Programs Unit
Programs and Services Branch
Culture Division
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Ministère du Tourisme, de la Culture et du Sport

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Jun 6, 2014

Parker S. Dickson (P256)
Stantec Consulting
171 Queens London ON N6A 5J7

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 1-2 Archaeological Assessment: Spencer Pit, Additional Lands, Wellington Road 124, Part of Lot 17, Concession B, Geographic Township of Guelph, now Township of Guelph-Eramosa, Wellington County, Ontario", Dated May 28, 2014, Filed with MTCS Toronto Office on May 30, 2014, MTCS Project Information Form Number P256-0149-2014

Dear Mr. Dickson:

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c 0.18.¹ This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 Standards and Guidelines for Consultant Archaeologists set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.

The report documents the assessment of the study area as depicted in Figure No. 4: Stage 2 Methods of the above titled report and recommends the following:

The Stage 1-2 assessment of the Spencer Pit Additional Lands study area did not identify any archaeological sites, and therefore no further archaeological assessment is required.

The MTCS is asked to review the results presented and accept this report into the Ontario Public Register of Archaeological Reports.

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,
Sarah Roe
Archaeology Review Officer

cc. Archaeology Licensing Officer

Rick Esbaugh, Tri City Lands
Unknown Unknown, Ministry of Natural Resources

¹In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.



THE TOWNSHIP OF
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March 7, 2016

Meaghen Reid
Clerk/Director of Legislative Services
Township of Guelph Eramosa
8348 Wellington Road 124
P.O. Box 700
Rockwood, Ontario
N0B 2K0

Dear Ms. Reid,

Re: Zoning By-law Amendment Application
Your File No. ZBA 01/14
Proposed Spencer Gravel Pit

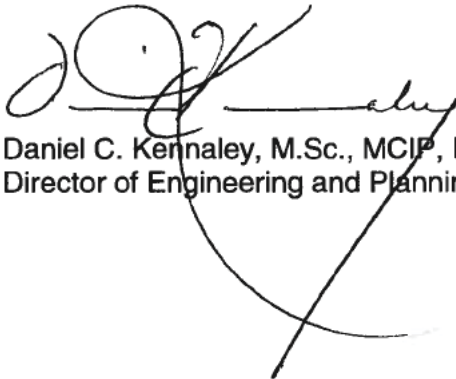
I would like to provide the following comments with regards to the above noted zoning by-law amendment application.

1. As the associated application for a ARA licence is for an above water table gravel pit operation, if Guelph Eramosa Township supports the application for a zoning by-law amendment, the Township of Woolwich requires that the zoning by-law amendment only allow for above water table mineral aggregate extraction. This approach will provide an opportunity for the Township of Woolwich to comment on, and if necessary, appeal any future application which proposes below water table extraction. This approach will also require an applicant to provide documentation that might justify an application for rezoning to allow below water table extraction at some future date--documentation which has not been provided thus far in the context of the current application for above water table extraction.
2. The visual impact of the application needs to be evaluated so as to determine if mitigation of visual impacts is required in accordance with the Provincial Policy Statement's requirement that social impacts be minimized. This requirement for visual impact evaluation must examine the loss of view from nearby properties in Woolwich associated with the proposed acoustical berms and the impacts of any aspects of the operation such as stockpiles, and crushing, screening and washing infrastructure, that may be visible above the acoustical berms.

3. Air quality impacts need to be evaluated to determine if mitigation of air quality impacts is required in accordance with the Provincial Policy Statement's requirement that social impacts be minimized. This requirement for air quality impacts should address the need for, and the form of, monitoring of dust to ensure the accuracy of modelling of the impact of dust from the proposed gravel pit on air quality.

4. It is noted that Wellington County Road has been identified as in need of upgrading and that this matter has not been resolved to date. The approval of the rezoning for the gravel pit should not occur until this issue has been resolved.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. Kennaley', is written over a horizontal line. The signature is stylized and includes a large loop at the end.

Daniel C. Kennaley, M.Sc., MCIP, RPP
Director of Engineering and Planning Services



June 20, 2014
Our File: 114006-2

Township of Puslinch
RR 3, 7404 Wellington Road 34
Guelph, ON N1H 6H9

Attention: Mr. Robert Kelly
Chief Building Official

Re: Hydrogeologic Assessment – Peer Review
Prepared by Groundwater Science Corp.
Proposed Spencer Pit
Township of Guelph/Eramosa

Dear Mr. Kelly:

As per your request, we have reviewed the Report entitled '*Hydrogeologic Assessment – Tri City Lands Ltd. Proposed Spencer Pit, Part Lots 14, 15, 16 and Lots 17 & 18, Concession B, Township of Guelph/Eramosa, County of Wellington*' (February 2014) prepared by Groundwater Science Corp (GSC). This report was completed as part of a Category 3, Class "A" License Application under the Aggregate Resources Act (ARA) to extract more than 20,000 tonnes of aggregate per year from "above the water table". We provide you with the following comments pertaining to the Hydrogeological Assessment and in response to the circulation regarding a zoning by-law amendment application. We understand the recommendations provided herein may be submitted and form an objection under the ARA consultation process.

The 51.16 hectare (126.4 acre) subject property is located in the southwest portion of the Township of Guelph/Eramosa and abuts the Township of Puslinch along its southerly boundary. The proposed extraction area is 42.45 hectares (104.9 acres) with a proposed annual tonnage limit of 650,000 tonnes. Based on the results of the Geotechnical Investigations associated with the site, it has been determined that there is a minimum of approximately 2.0 million tonnes of sand and gravel above the water table. The projected Site Life of the Spencer Pit is estimated to be between 5 to 7 years.

The Hydrogeological Report was prepared to characterize the site setting, groundwater occurrence and water table elevations, and to investigate the potential for adverse effects on the local water resources. The investigative methodology included a review of background reports, including site-specific data (i.e. previous test pit investigations) and additional field investigations including borehole logging, monitoring well installation and water level measurements. The aggregate extraction is to occur from a minimum of 1.5 m above the water table and no dewatering or groundwater diversion will reportedly occur as part of the operation. However, as noted in the Hydrogeologic Assessment, the proposed aggregate processing would include washing activities, which may require a separate application for a Permit to Take Water (PTTW) and Environmental Compliance Approval (ECA) from the Ministry of the Environment (MOE). The PTTW and/or ECA application would include the preparation of technical support documents and a separate review of the potential impacts by the MOE.

Private Water Wells

The local water well records on file with the MOE Water Well Information System were reviewed and summarized by GSC to assess both the geology and hydrogeology. The water well records indicate that the majority of the 27 wells identified within (or just beyond) 500 m of the site are completed in bedrock to depths of 10.6 to 61.6 m



below ground surface (bgs) and one well is completed in the overburden to a depth of 13.1 m. It is noted that upon further review, this overburden domestic well is reportedly located to the southwest and crossgradient to the Site and, based on the figure provided, is situated beyond the 500 m radius. Based on our review, it is assumed that GSC has inferred that impacts to this overburden well are not likely.

With respect to the water supply wells, we generally concur with the report findings that:

'the bedrock aquifer forms the primary source of water for local supply wells. All of the local water supply wells are located upgradient (east and north) or cross-gradient (north or south) of the site. There are no reported domestic wells located downgradient of the Site, between the site and either the existing quarry or river.'

However, given that the coordinates provided in the MOE well records are not always accurate combined with the proximity of the proposed pit to several residences along Hespeler Road, it is suggested that correlation of the MOE well records to the nearby residences be attempted. Based on the dwelling locations shown in the Figures provided, the wells associated with several properties situated to the north and west of the Site along Hespeler Road/Hwy 124 are likely within 100 m of the Site. In addition, the Summary Report (April 2014) prepared by Harrington McAvan Limited indicates that the closest off-site residence is located to the west of the property, which, based on the Figures provided, appears to abut the property line to the west. No well was identified for this parcel of land within the MOE Well Records, even though it is reasonable to expect that one would exist (where no municipal services are available).

While we concur that it is reasonable to expect that the proposed aggregate operation will not impact local bedrock water supply wells, we recommend that the existence, location, type and construction of nearby wells be further investigated through, as a minimum, a door to door survey. Such information will likely be required for a PTTW and would assist in the event of an interference complaint. It is recommended that the survey encompass properties to the north and west of the site that have frontage along Hespeler Road/Hwy 124 and any dwellings identified within 120 m of the Site. This type of survey would also facilitate a review of the potential existence of shallow domestic water wells, dug or otherwise, that may be present in proximity to the site.

Groundwater Elevation Map

The report suggests that the water table occurs within the unconfined bedrock aquifer, and slopes relatively steeply from west to east and that the water table along the southeast and east edges of the site is controlled by surface water features (with assumed discharge to these features) adjacent to the Site, including (i) the Speed River and associated valley wetlands and (ii) the ponds within the adjacent inactive/closed quarry. One additional surface water feature was identified approximately 30 m to the east of the site and is described as an unnamed intermittent tributary. The identification of these surface water/discharge features and their approximate elevations is well documented in the report. However, this information could be used to further develop the overall groundwater flow regime associated with the proposed pit property and the area downgradient of the proposed pit.

Based on a comparison of the water levels to the reported bedrock elevations, the GSC Report concludes that *'the water table is approximately 3 to 4 m below the bedrock surface near County Road 124 and 4 to 6 m below the bedrock surface along the southeast and east edges of the Site'*. Based on the information provided from the 3 monitoring wells and the Barn Well and given that pit operations are proposed to extend to bedrock surface and must maintain a minimum separation distance from the water table of 1.5 m, we concur with the overall conclusions of this assessment. However we offer the following comments pertaining to the establishment and delineation of the groundwater table elevation:

1. On page 8 of the report GSC describes that the elevation data for the water level monitors was determined by a level survey completed by GSC relative to an assumed ground surface elevation of 318.0 masl at BH1 (based on Site Plan elevation contours). While this provides an approximate elevation and establishes the elevation of each monitoring point relative to BH1, it does not provide an exact ground surface elevation or reference elevation for future measurements (i.e. top of casing

[TOC] elevation). Given the nature of the activities at the site and the importance of establishing an accurate water table elevation for comparison to the bedrock surface elevation, it is recommended to provide elevation data based on established geodetic elevations.

2. This comment is provided in reference to the water levels presented for BH3. Table 2 which summarizes the water level elevations indicates that the water level in this well is in the range of 296.7 while the water level in Figure 4 indicates that the water level is in the range of 298 masl. While this potential error would serve to increase the distance between the water table and the top of bedrock, it is recommended that the water table contours or Table 2 be corrected to reflect this inconsistency.
3. While the water elevation data established from the monitoring wells provides sufficient data for the evaluation of the on-site groundwater flow regime, given the existence of several surface water features and discharge areas in close proximity (i.e. within 500 m) to the Site, and the known elevations of these features presented in the GSC report, we recommend that a larger-scale water level assessment be presented. The following elevations were provided in the report:

| LOCATION/FEATURE | ELEVATION (Reported) |
|---|----------------------|
| POND 1 (East Quarry Pond) | 292 masl |
| POND 2 (West Quarry Pond) | 299 masl |
| Speed River elevation (based on topographic mapping) | 290 to 295 masl |
| Speed River elevation (based on X-Section A-A') | 290 masl |
| Valley floor (page 5 of GSC Report) – assumed wetland complex within Speed River Valley | Below 296 masl |
| Unnamed Intermittent Tributary – adjacent to site | 301 to 304 masl |
| Bedrock Surface Elevation | 303 to 314 masl |
| Bedrock Potentiometric Surface | 296 to 309 masl |

It is recommended that this information be incorporated into Figure 4 to aid in the establishment/verify the water table contours and the associated 'boundary conditions' in the vicinity of the Site.

4. To further support development of the water table elevations and for clarity (and associated mapping on Figure 4 and 5), we recommend the following updates to supporting figures:
 - a. that the highest water table elevation measured since the implementation of the monitoring program be presented.
 - b. the inclusion of the water level measurement used for each monitoring location and the associated bedrock surface elevation as determined from the borehole log could be included along with the Well ID.

Impact Assessment

Although we concur that the proposed extraction will have no direct effect on the water levels and the local groundwater system, further assessment of the existence, location, type and construction of potential nearby wells (drilled and/or dug) along Hespeler Road/Highway 124 and within 120 m of the Site has been recommended. Based on our experience at similar sites, it is typically in the best interest of all parties to document the condition of nearby wells and any potential water quality/quality issues prior to the development of a site so that, should problems arise, the status of a private water supply prior to site development can be referenced.

Based on the GSC report, the rehabilitation plan will reportedly create a large enclosed drainage area that will ultimately result in a conversion of existing run-off to future groundwater recharge. It is interpreted that surface water run-off within the open pit will infiltrate through the coarse-grained soils or directly into the



bedrock, through fractures. Any on-site recharge will enter the groundwater system and will generally migrate toward the Speed River Valley. Based on the inferred high permeability and infiltration rates of water through the coarse-grained soils and fractured bedrock, significant or long-term pooling of water after precipitation events is not anticipated during operational periods.

However, the potential for impacts to groundwater is considered to arise from direct infiltration of surface water into the bedrock, where the overburden materials have been completely removed. In this scenario, surface activities can influence groundwater quality directly, or without attenuation through the unsaturated zone. To mitigate potential impacts to bedrock groundwater quality, it is recommended that pit operations prevent activities that expose contaminants to groundwater in these areas. It is recommended that operational practices and/or mitigative measures be addressed in these areas. Such mitigative measures, may include limitations on placement/location of fuel handling storage, and stormwater sediment and erosion controls.

Monitoring

It is our understanding that the monitoring program proposed in Section 7.1 of the GSC Report recommends that water level measurements be obtained from the existing network of four (4) on-site wells on a monthly basis for a period of one year and subsequently on a quarterly basis for an additional two years. At the end of the three year monitoring period, it is proposed that the monitoring program would be discontinued if no groundwater impacts were observed.

While we find the program to be more than sufficient for the period of time it covers, it is noted that information collected over the life of the pit operation would provide additional information regarding the potential for interference with area water resources. Therefore, it is recommended that water level information be collected from on-site monitoring wells on at least a twice annual basis for the operational life of the proposed pit.

Summary Remarks

In general, we concur with the findings of the Hydrogeological Study, which states that *'there is no potential for adverse effects to groundwater and surface water resources and their uses; and, no potential or significant impacts to local natural environment features or water wells associated with the Spencer Pit extraction as proposed'*. However, to provide more certainty regarding the findings and provide sufficient information regarding the potential for interference with area resources, several recommendations have been provided herein.

A summary of the recommendations is:

- To complete a door-to-door survey at properties to the north and west of the site that have frontage along Hespeler Road/Hwy 124 and any dwellings identified within 120 m of the Site. This information should be used to update the area well search and identify the potential for unregistered shallow/dug wells in the area.
- To update the groundwater elevation and supporting mapping by:
 - Confirming geodetic elevation (as opposed to an assumed elevation at ground surface),
 - Updated contours based on elevations presented for BH3,
 - Inclusion of known surface water level elevations and surface water features,
 - Presentation of high groundwater elevation data and bedrock surface elevation at each borehole (data point).
- To update mitigative measures to include consideration of operations in areas where bedrock exposed through extraction processes.
- To update the water level monitoring program to include data collection over the operational period of the pit.



Please feel free to contact me should you wish to discuss these recommendations in more detail.

Yours Truly,

GM BluePlan Engineering Limited

Per:

A handwritten signature in blue ink, appearing to read 'Matthew Nelson', written over a horizontal line.

Matthew Nelson, M.Sc. P. Eng. P. Geo.

MN/af

cc: Steve Conway, GM BluePlan Engineering
Amanda Pepping, GM BluePlan Engineering



January 11, 2016
Our File: 114006-2

Township of Puslinch
RR 3, 7404 Wellington Road 34
Guelph, ON N1H 6H9

Attention: Ms. Kelly Patzer
Development Coordinator

Re: Hydrogeologic Assessment
Continued Peer Review Comments
Proposed Spencer Pit
Township of Guelph/ Eramosa

Dear Ms. Patzer,

As per your request, we have reviewed the supplemental information provided by Groundwater Science Corp. dated December 14, 2015 and accompanied with revised Site Plan Drawings completed by Tri City Lands Ltd. This review is being completed further to our comments provided in correspondence dated June 20, 2014.

A summary of the recommendations made in our June 20, 2014 are as follows:

- *To complete a door-to-door survey at properties to the north and west of the site that have frontage along Hespeler Road/Hwy 124 and any dwellings identified within 120 m of the Site. This information should be used to update the area well search and identify the potential for unregistered shallow/dug wells in the area.*
- *To update the groundwater elevation and supporting mapping by:

 - *Confirming geodetic elevation (as opposed to an assumed elevation at ground surface),*
 - *Updated contours based on elevations presented for BH3,*
 - *Inclusion of known surface water level elevations and surface water features,*
 - *Presentation of high groundwater elevation data and bedrock surface elevation at each borehole (data point).**
- *To update mitigative measures to include consideration of operations in areas where bedrock exposed through extraction processes.*
- *To update the water level monitoring program to include data collection over the operational period of the pit.*

It is our opinion that the supplemental information provided and updates to the Site Plans adequately address our comments.

A door-to-door survey was recommended since it is typically in the best interest of all parties to document the condition of nearby wells and any potential water quality/quality issues prior to the development of a site so that, should problems arise, the status of a private water supply prior to site development can be referenced. While a door-to-door survey was not completed, a note has been added to the Site Plan to ensure one is completed as part of any Permit-to-Take-Water (PTTW) application, even though this would likely be a requirement of the Ministry of Environment and Climate Change (MOECC). Further, based on the revised groundwater monitoring program, information regarding the water levels at the site will be available in the event of a complaint.



Yours truly,

GM BLUEPLAN ENGINEERING LIMITED

Per:

A handwritten signature in blue ink, appearing to read 'Matthew Nelson', with a long horizontal flourish extending to the right.

Matthew Nelson, M.Sc. P. Eng. P. Geo.
MN/



UPPER GRAND DISTRICT SCHOOL BOARD
500 Victoria Road North, Guelph, Ontario N1E 6K2
Phone: (519) 822-4420 Fax: (519) 822-2134

Martha C. Rogers
Director of Education

May 27, 2014

PLN: 14-53
File Code: R14
Sent by: email

Kelsey Lang
Acting Planning Administrator
Township of Guelph Eramosa
8348 Wellington Road 124
Rockwood, Ontario NOB 2K0

Dear Ms. Lang;

Re: Proposed Zoning By-law Amendment – ZBA 01/14 (D14 TR), TriCity Land, 6939 Wellington Road 124,
Township of Guelph/Eramosa

Planning staff at the Upper Grand District School Board has received and reviewed the above Notice of Complete Application to rezone the subject lands to permit aggregate extraction on the site.

Please be advised that the Planning Department at the Upper Grand District School Board **does not object** to the application.

Thank you for the opportunity to review this application. Should you require additional information, please feel free to contact me at (519)822-4420 ext. 863.

Sincerely,

Emily Bumbaco
Planning Department

c.c. – MHBC Planning Ltd

8.1

From: Linda Dickson [mailto:lindad@wellington.ca]
Sent: May-23-14 8:55 AM
To: Meaghen Reid
Subject: ZBA01/14 - TriCity Lands

Good morning Meaghen,

How are you? Hope all is well?

Meaghen I received the information with respect to the this application and I don't have any comments to make with respect to this application.

Have a good weekend.

Linda Dickson, MCIP, RPP
Emergency Manager - CEMC
536 Wellington Rd 18, R.R. #1
Fergus, Ontario, N1M 2W3
Phone: 519-846-8058
Fax: 519-846-8482
Email: lindad@wellington.ca
[Emergency Management Website](#)



COUNTY OF WELLINGTON

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GORDON J. OUGH, P. Eng.
COUNTY ENGINEER

MEMORANDUM

TO: Bernie Hermsen, MHBC Planning – bhermsen@mhbcplan.com
Meaghen Reid, Clerk, – Township of Guelph/Eramosa
Aldo Salis, Manager of Development Planning – County of Wellington
Bruce Erb, Corridor Management – Region of Waterloo
BErb@regionofwaterloo.ca

FROM: Pasquale Costanzo, Technical Services Supervisor - County of Wellington

RE: Zoning By-law Amendment Application ZBA 01/14
TriCity Lands Ltd. – Spencer Pit, 6939 Wellington Road 124
Div B Part Lots 14, 15, and 16 and Lots 17 and 18
Township of Guelph/Eramosa, County of Wellington

DATE: July 2, 2014

The Wellington Roads Division request that a formal meeting be held with the proponent to discuss the proposed entrance location and any required improvements to accommodate pit operations at the intersection of Wellington Road 124 and Kossuth Road. The Region of Waterloo Corridor Management shall be present at the meeting as Two Regional road (Kossuth Road and Hespeler Road) meet at this intersection.

Sincerely

Pasquale Costanzo C.E.T.
Technical Services Supervisor



8.1
**The Corporation of the
County of Wellington**

74 Woolwich Street, Guelph, Ontario N1H 3T9
519.837.2600 fax 519.837.8138 www.wellington.ca

November 6, 2015

CW File No: 124-Eng-Kosuth Road Intersection

Harrington McAvan Ltd.
6882 14th Avenue
Markham, ON L6B 1A8

Attn: Mr. Glenn D. Harrington, OALA, FCSLA

RE: Proposed Spencer Pit
Pit Entrance Request at Kosuth Road

Dear Sir;

Further to your letter dated September 23, 2015 the County of Wellington does not object in principal to the request for a fourth leg to be added to the Wellington Road 124 and Kosuth Road intersection to accommodate an entrance to the proposed Spencer Pit.

Based on the attached peer review that was completed on your traffic impact study, the County will not approve an entrance until all comments have been addressed satisfactorily.

The County will work with the proponent to determine the best design and type of intersection to meet both the proponent's needs for an entrance as well as the long term needs of the forecasted traffic volumes. Details related to financial arrangements will be determined at a later time.

Should you have any questions, do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink that reads "Mark Eby".

Mark Eby, P.Eng.

Construction Manager
ME/me

cc: Gord Ough, County Engineer, County of Wellington
Ian Roger, CAO, Guelph Eramosa Township
Gary Cousins, Director, Planning and Development, County of Wellington



Memorandum

| | |
|-------|---|
| DATE: | October 15, 2015 |
| TO: | Pasquale Costanzo |
| FROM: | Howard Wray, P. Eng. |
| RE: | Traffic Impact Assessment Tri City Lands Ltd. Proposed Spencer Pit |
| FILE: | A690015 03 |

We have undertaken a peer review of the Traffic Impact Assessment, April 2014, prepared by GHD on behalf of Tri City Lands Ltd. for the proposed Spencer Pit in the Township of Guelph Eramosa, County of Wellington. The proposed access to the pit is to Wellington Road 124 at the signalized intersection with Kossuth Road (Waterloo Regional Road 31)

We have identified the following comments and areas of concern with respect to road operations.

Existing Intersection Operations (Section 2.3)

The existing intersection Level of Service has been calculated to be LOS B. The report notes that WR 124 just east of Kossuth Road has existing traffic volumes (counted in 2013) that exceed the theoretical capacity of a two lane arterial road. GHD note that the actual capacity has not been met since the road has been observed to be operating satisfactorily (with some evident queuing).

County staff may have more observations of traffic operations on WR 124, but it appears that the road is at or very near capacity now. The report identifies that widening is not programmed by 2020.

Future Traffic Growth (Section 3.2)

The report identifies that the opening of the new Fairway Road Bridge in December 2012 has increased the traffic growth on Kossuth Road, and made it difficult to apply a growth rate. GHD adopted an annual growth rate of 5% to calculation Future Background Traffic Growth. This is a very high annual rate, and as a result, forecast 2015 and 2020 traffic volumes are very high. Calculations showing how the growth rate was calculated were not provided in the report, so we cannot verify whether this growth rate is reasonable.

Future Background Traffic Conditions (Section 3)

The report found that under background traffic growth, by 2015 intersection operations would still be acceptable without capacity improvements, but by 2020 the existing intersection will reach its design capacity. Due to the already high traffic volumes and high annual growth rate, it is not unexpected that capacity deficiencies will be forecast.

Site Generated Traffic (Section 4)

Traffic Impact Studies typically estimate site traffic volumes from average production and truck size, with adjustments for seasonal variations and daily peaking. There are no published standards for these variations. We have reviewed the assumptions used by GHD and consider them to be reasonable, although we do not consider them to be overly conservative. They have used a Passenger Car Equivalency (PCE) of 3.5 for loaded trucks and 2.0 for empty trucks, which is acceptable. In summary the values used are acceptable for the analysis, but higher peaks could be encountered at times based on pit operations.

Total Future Traffic Impact Analysis (Section 5)

Access at the signalized intersection directly across from Kossuth Road is proposed, as illustrated in figure 7. GHD are recommending a southbound left turn lane to separate the trucks from the through traffic. We concur that this lane is required for this reason and to oppose the existing northbound left turn lane. GHD are recommending a northbound right turn taper. This should be a taper and parallel lane to allow for queuing at the signal. All taper and parallel lane lengths should be reviewed to confirm they meet design requirements for the design speed as well as the intersection geometrics. A detailed review of the proposed intersection design has not been undertaken as part of this review.

The GHD Report analyzed the Kossuth Road intersection with the addition of the proposed pit access. They are forecasting overall intersection LOS C in 2015. However, in reviewing individual lane movements, some are approaching v/c of 1.0 (capacity) and increased queue lengths in comparison to the tee intersection are forecast. The key lanes are Kossuth Road EB Through/Left and Wellington Road 124 NB Through in the AM Peak, and SB Through in the PM Peak.

GHD conclude that the site traffic will not make intersection operations "*significantly worse*" In our opinion, with certain movements forecast to be near capacity, we do not consider that this can be concluded with certainty.

At the 2020 forecast traffic volumes, the intersection will be over capacity without the provision of additional through lanes. GHD attribute this to background traffic growth, and note that "*the truck trips introduced by the Spencer Pit do not trigger the widening of this facility.*" We acknowledge that it is largely driven by background traffic growth, but in the absence of plans to widen the facility, its ability to accept an additional entrance is in question.

CLOSING COMMENT

The intersection of WR 124 and Kossuth Road is forecast to reach capacity prior to 2020, with or without the addition of a fourth leg to access the proposed gravel pit. Accordingly it does not seem prudent to construct certain improvements (turn lanes) and allow an additional entrance when operations would meet capacity within 5 years. The need for additional lanes at the intersection should be investigated.



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
 GARY A. COUSINS, M.C.I.P., DIRECTOR
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ADMINISTRATION CENTRE
 74 WOOLWICH STREET
 GUELPH, ONTARIO
 N1H 3T9

June 27, 2014

Meaghen Reid, Clerk
 Township of Guelph/Eramosa
 8348 Wellington Rd 124
 P.O. Box 700
 Rockwood, ON N0B 2K0

Dear Ms. Reid:

**Re: Zoning By-law Application - File ZBA 01/14
 To permit an aggregate extraction operation
 Part Lot 14, 15 & 16, and Lots 17 & 18, Con. B
 6939 Wellington Road 124 (Former Township of Guelph)
Proposed Spencer Pit – Tri City Lands Limited**

We provide the following comments in response to your circulation of the Notice of Complete Application for the above-referenced zone change application.

We understand that the purpose of the rezoning application is to permit the subject land to be used for aggregate extraction (above the water table). Based on the site plans filed by the applicant, the land to be licenced for aggregate extraction is approximately 51.16 hectares (126.4 acres) with the area of extraction being approximately 42.45 hectares (105 acres).

The applicant has also submitted a Class 'A' Category 3 (Pit Above Water) licence application with the Ministry of Natural Resources pursuant to the Aggregate Resources Act. The licence is to allow for aggregate extraction above the water table to a maximum annual production limit of 650,000 tonnes.

The applicant is required to demonstrate that the proposed land use change is consistent with the Provincial Policy Statement (PPS). Some of the provincial matters to be addressed include: extraction in prime agriculture areas; protection of water quality and quantity; protection and utilization of mineral aggregate resources; protection of natural heritage features, protection of cultural heritage and archaeology resources; and potential impacts on adjacent sensitive land uses.

According to Schedule A3 (Guelph/Eramosa) of the County Official Plan, the subject land is designated PRIME AGRICULTURAL. Lands immediately adjacent to the subject property (illustrated as 'Other lands owned by the Applicant') are within the CORE GREENLANDS designation. According to the applicant's site plans, the Core Greenlands areas are not part of the proposed extraction areas and are not areas to be rezoned to an extractive industrial category.

The County Official Plan identified the subject property as having the MINERAL AGGREGATE AREA boundary as the Official Plan existed the day the zone change application was deemed complete. Accordingly, an amendment to the Official Plan is not necessary to consider a zone change request to permit aggregate extraction. However, in assessing this rezoning application, the proponent must address the applicable policies of the County Official Plan and in particular those provided under Section 6.6 - Mineral Aggregate Areas.

Section 6.6.5, New Aggregate Operations, of the County Official Plan states: "In considering proposals to establish new aggregate operations, the following matters will be considered:

- a) the impact on adjacent land uses and residents and public health and safety;
- b) the impact on the physical (including natural) environment;
- c) the capabilities for agriculture and other land uses;
- d) the impact on the transportation system;
- e) the impact on any existing or potential municipal water supply resource area;
- f) the possible effect on the water table or surface drainage patterns;
- g) the manner in which the operation will be carried out;
- h) the nature of rehabilitation work that is proposed; and
- i) the effect on cultural heritage resources and other matters deemed relevant by Council."

The applicant has submitted technical reports in support of their aggregate proposal. The Township should be satisfied that the applicant has adequately addressed all applicable Provincial and County policies and ensure that aggregate extraction, if approved, is carried out with as little social and environmental impact as practical. Provincial standards and guidelines should be used to assist in minimizing any potential impacts.

The following sections refer to specific matters that, in our view, require further information and consideration by the proponent.

Entrance on County/Regional Roads

The subject land is situated west side of the Township of Guelph/Eramosa on the boundary with the City of Cambridge and Township of Woolwich. The subject property has frontage on Wellington Road 124 and Hespeler Road (Regional Road 24). As such, the proposed entrance for the proposed use will need to be reviewed by both the County and Region of Waterloo. Separate comments on this matter will be provided by the County Engineering Department.

Proposed Removal of the Woodland Feature

There is a large hardwood bush on the south side of the subject property that the applicant intends to remove. The Natural Environment Report prepared by Stantec indicates that "the wooded area in the proposed license area (as delineated by the FOD5-1, FOD3-1 and CUW1-3 complex) is approximately 6.03 ha in area. This area is below the size required for significance in the Wellington County Official Plan. As such, it has not been included in the Greenlands system as shown on Schedule A3 of the Wellington County Official Plan."

Within the current County Official Plan, woodlands of 10 hectares or larger are deemed to be significant. However, Section 5.5.4 states: "Smaller woodlots may also have local significance and, where practical, these smaller woodlots should be protected". We would also note that in 2013 County Council adopted Official Plan Amendment 81 which reduced the size requirement for significant woodlands to 4 hectares. Official Plan Amendment 81 was approved by the Ministry of Municipal Affairs in April 2014 (but appealed in relation to site specific property concerns).



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ADMINISTRATION CENTRE
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 N1H 3T9

February 26, 2016

Meaghen Reid
 Clerk/Director of Legislative Services
 Township of Guelph/Eramosa
 8348 Wellington Rd 124
 P.O. Box 700
 Rockwood, ON
 N0B 2K0

Dear Ms. Reid:

**Re: Zoning By-law Application - File ZBA 01/14
 To permit an aggregate extraction operation
 Part Lot 14, 15 & 16, and Lots 17 & 18, Con. B
 6939 Wellington Road 124 (Former Township of Guelph)
Proposed Spencer Pit – Tri City Lands Limited**

This office provided comments in 2014 in response to your circulation of the Notice of Complete Application. At that time, we raised some preliminary comments and concerns regarding the proposed driveway entrance, woodland feature, proposed recycling facility, and site rehabilitation. The proponent has since responded with additional reports and information and we provide the Township with these updated comments.

Entrance on County Road

The applicant is proposing to establish a truck entrance onto Wellington Road 124 and early discussions between the applicant and County Engineering Services have taken place. It is our understanding that an initial review by County Engineering suggests that the proposed pit entrance location is suitable. If the proposed land use is approved, detail design and entrance approval will need to be addressed through the submission of a commercial entrance permit with the County.

Woodland Feature

This office previously noted that the proposed aggregate extractive use would result in the removal of a large woodland area on the south side of the property. This woodland is not part of the GREENLANDS designation of the County Official Plan and our comment was based on the policy that "smaller woodlands may also have local significance and, where practical, these smaller woodlands should be protected". In response to our comment, the proponent's environmental consultant (Stantec) provided a supplementary review (August 19, 2015).

In that review, Stantec indicated that the woodland feature was assessed against the criteria for ecological functions for significant woodlands as provided in the Natural Heritage Reference Manual and concluded that "no criterion for significance is met". The Grand River Conservation Authority also reviewed this matter and agreed with Stantec's assessment. With that, our comments regarding the woodland feature are resolved.

Notwithstanding the above, the Township may wish to consider tree replacement at this site with the proponent. A tree replanting or ecological enhancement initiative at appropriate locations on the property could form part of the site plans of the aggregate licence currently under review.

Proposed Recycling Facility

According to the applicant, the proposed “recycling facility” identified on the Operational Plan, is solely for the purposes of processing/stockpiling of granular material from recycled asphalt and concrete from road beds. Further, it was suggested that the equipment used for this activity is essentially the same type of equipment that would be used elsewhere on the licenced site. We generally support the recycling of aggregate products and thus have no objection to this activity as an ancillary use.

Rehabilitation of Prime Agricultural Land

Our initial comments related to the proposed rehabilitation plans for the subject property have been addressed. We are satisfied that substantially the same areas for agriculture that currently exist can be restored to agriculture post-extraction as required by Provincial and County policy.

We trust that these additional comments are helpful in Council’s consideration of this application. We would appreciate a notice of decision and copies of any amending documents for our files.

Yours truly,

A handwritten signature in black ink, appearing to read 'A. Salis', with a long horizontal line extending to the right.

Aldo L. Salis, M.Sc., MCIP, RPP
Manager of Development Planning