

Zoning By-law Amendment 01/14 information Spencer Pit



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OTHER INFORMATION

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Applicant Comments



January 18, 2016

Kelsey Lang
Planning Associate
Township of Guelph/Eramosa
P.O. Box 700
8348 Wellington Road 124
Rockwood, Ontario
N0B 2K0

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

Dear Ms. Lang,

Further to the letter of July 4, 2014, we are pleased to provide the following responses to the items raised in the Burnside peer review.

1. Harrington McAvan response dated January 13, 2016 to the Site Plan Peer Review Comments.
2. Groundwater Science response dated January 13, 2016 to the Hydrogeologic Assessment Peer Review Comments.
3. Further response from Harrington McAvan to supplement the Groundwater Science response dated January 13, 2016 to the Hydrogeologic Assessment Peer Review Comments.
4. GHD (formerly Conestoga Rovers) response dated January 15, 2016 to the Acoustic Assessment Review Comments.
5. Conestoga-Rovers (now GHD) Acoustic Assessment Report dated January 2116 for reference.
6. GHD response dated January 15, 2016 to the Traffic Impact Assessment Review Comments.
7. Stantec response dated January 18, 2016 to the Environmental Technical Report Peer Review Comments.

Sincerely,

HARRINGTON McAVAN LTD.

A handwritten signature in black ink, appearing to read 'Glenn D. Harrington', is written over the typed name and title.

Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh



January 13, 2016

Kelsey Lang
Planning Associate
Township of Guelph/Eramosa
P.O. Box 700
8348 Wellington Road 124
Rockwood, Ontario
N0B 2K0

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

Dear Ms. Lang,

Further to the letter of July 4, 2014, we are pleased to provide the following response to the items raised in the Burnside review.

Existing Features Plan

1. 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 deeded to the County the boundary of the area to be licensed should be shown at the limit of licensing.

Response- This has been corrected on the site plans.

2. The ownership of the unopened road allowances on the property will need to be confirmed.

Response – The unopened road allowance has been purchased by Tri City.

Operational Plan Phase A

1. Phase A, Note 4 – Berm #4 is to be corrected to Berm #3

Response – This will be corrected.

2. Noise mitigation information:
 - Note 17 – Hours of Operation will be reviewed with Township.
 - Note 18 – Nighttime delivery will be reviewed with Township.

Response – We are prepared to discuss these notes if required.

Operational Plan B-E

1. Suggest adding the Section 5.3 Summary from the Archaeological Assessment to the Technical Recommendations Section.

Response – The 5.3 Summary is not an action which will require the attention of the licensee or MNR as it in fact recommends no action. The items included under technical recommendations are those from the report which might occur and therefore brought to the attention of the operator.

Rehabilitation Plan

1. Rehabilitation Notes
 - Note 10 should include spreading of available “overburden” and “topsoil”

Response – Spreading of available overburden is covered in Note 9 and is generally deemed to be “rough grading”.

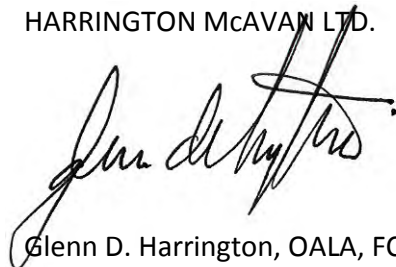
2. Section 2.3 of the Planning Report indicates that upon completion of the extraction operations the lands will be rehabilitated to agricultural. Rehabilitation Note 7 indicates that available topsoil replaced will be a minimum 150 mm thick. Given that the vertical limit of extraction is to the top of bedrock, a minimum depth of topsoil (and overburden) must be specified in order to support viable agricultural activities.

Response – We will add that a minimum depth of 500 mm of overburden and 150 mm of topsoil will be replaced.

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, FCCLA
Principal

GDH/sh



January 13, 2016

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

Dear Mr. Harrington:

**RE: Hydrogeologic Assessment Peer Review Comments, July 4, 2014
R.J. Burnside and Associates on behalf of the Township of Guelph Eramosa.**

This letter provides additional information and discussion in response to review comments provided by R. J. Burnside and Associates Limited on behalf of the Township of Guelph Eramosa in a letter dated July 4, 2014 regarding the proposed Spencer Pit.

We have summarized the study recommendations provided as follows, in *italics*, followed by our response:

1. *Install a number of monitoring wells in areas of surficial till in order to confirm that there is not an overburden water table.*

One monitoring well, BH2, was drilled through the mapped till unit on-site. As indicated by the borehole log, approximately 8.1 m of silt till to silt was encountered above bedrock. Although soils were noted to be damp within the till unit, no saturated soils were encountered. In addition, the water table observed to be 5 m below the bedrock contact.

As noted in the report, a total of 53 test pits were completed at the site, at depths up to 12 m, but more commonly in the 4 to 6 m range, and none of which encountered the water table. A total of 8 test pits extended to bedrock, including two (TP43 and TP44) at or near the mapped till unit. Both of these test pits illustrate that the till unit is dry from surface to bedrock.

Although the till unit and underlying silt unit consists of a fine grained material, it will be porous enough that it can be expected to transmit water at slow to moderate rates. With 5 m of unsaturated thickness below this sequence at the south edge of the site it is unlikely that a “perched” water table would naturally develop without, for example, a clay layer at the base of the till unit.

Given the adjacent historical extraction and existing open quarries with pond levels significantly below the bedrock contact in this area, if there was at one time a perched water table it has likely drained vertically and/or laterally (see Figure 6: Schematic Section A-A’). In addition, the area mapped as till forms a local topographic high point (see Site Plan Existing Conditions) within the site. Given the topographic slope, towards either the adjacent quarry lands or on-site gravel deposit, runoff will predominate and localized recharge within the mapped till unit would be low. Insufficient recharge would occur within this area to form a perched water table system.

The existing information at the site is sufficient to confirm that a significant perched overburden water table system does not occur with the till unit. The extraction plan is developed to maximize the permissible extraction footprint within the site. This will allow the operator to remove as much of the resource possible, where it occurs and as it is encountered. Till material when encountered, will be left in place or could be used, as suggested, as a base for the future wash ponds or refueling/maintenance areas.

2. *Conduct a door to door survey of private wells to establish pre-extraction water quality and quantity and identify shallow dug wells that do not show up in the water well record database.*

As noted in the report, because the proposed extraction is above water table, because water table at the site is within the bedrock, and, no downgradient residences exist (or could be expected in the future), impacts to any water wells (bedrock or overburden) in the wider area would not be expected.

A door to door survey is not typically required for above water table extraction applications, and in this setting is not justified. Groundwater conditions will now be monitored at the north edge of the site for the life of the pit, providing sufficient information to assess groundwater conditions between the extraction and private wells on an ongoing basis.

As noted by this reviewer and others, if a Permit To Take Water (PTTW) is required the door to door survey would likely be necessary.

3. *Need for additional test pits or boreholes as part of the aggregate resource assessment or for Site Plan development.*

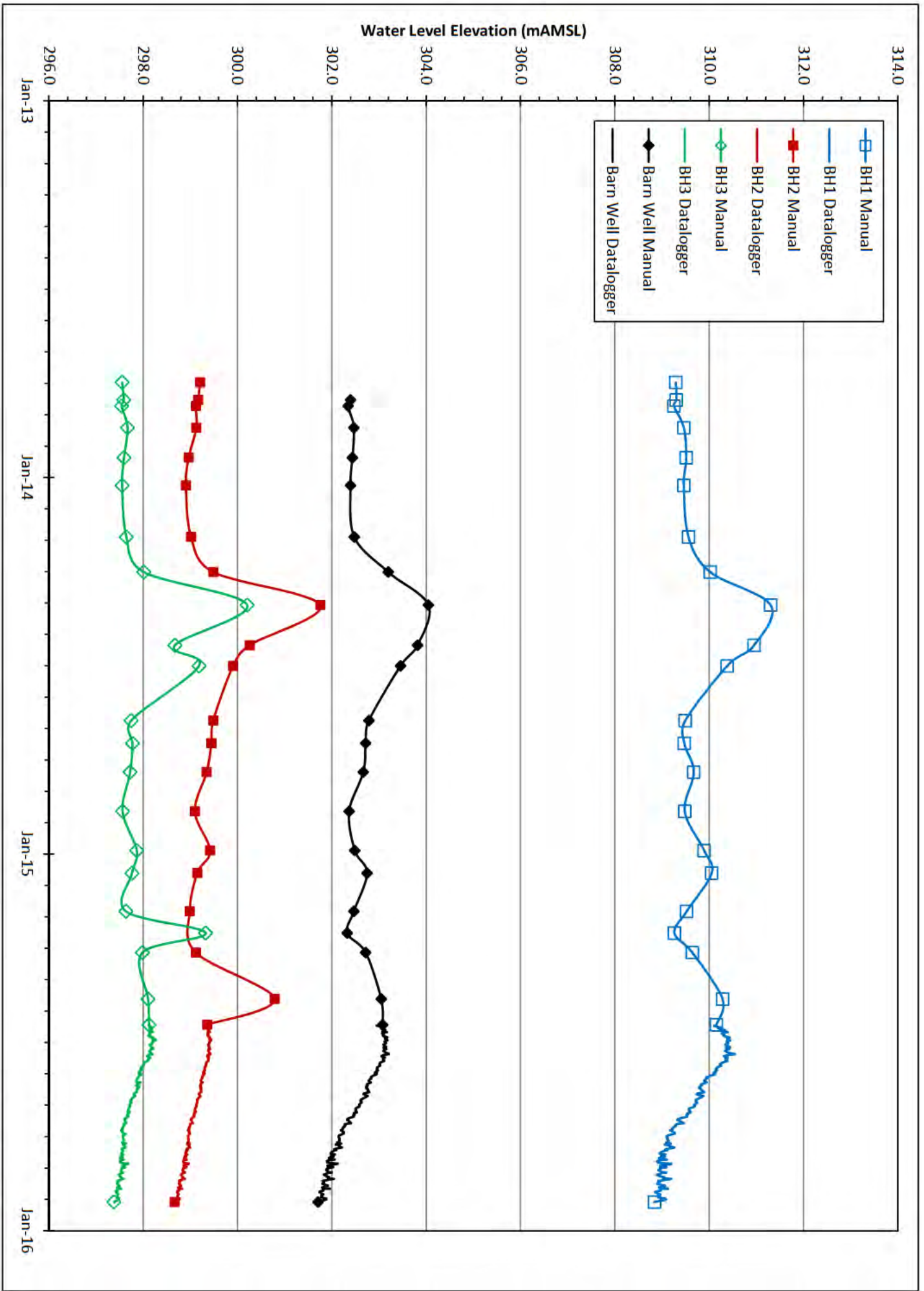
The aggregate resource assessment and extraction plan was completed by others, it is our understanding that resource volumes and locations have been determined sufficiently at the site and have informed the extraction plan. As noted previously, there is no need for additional investigation or monitoring of the till unit on-site for the purposes of the groundwater assessment.

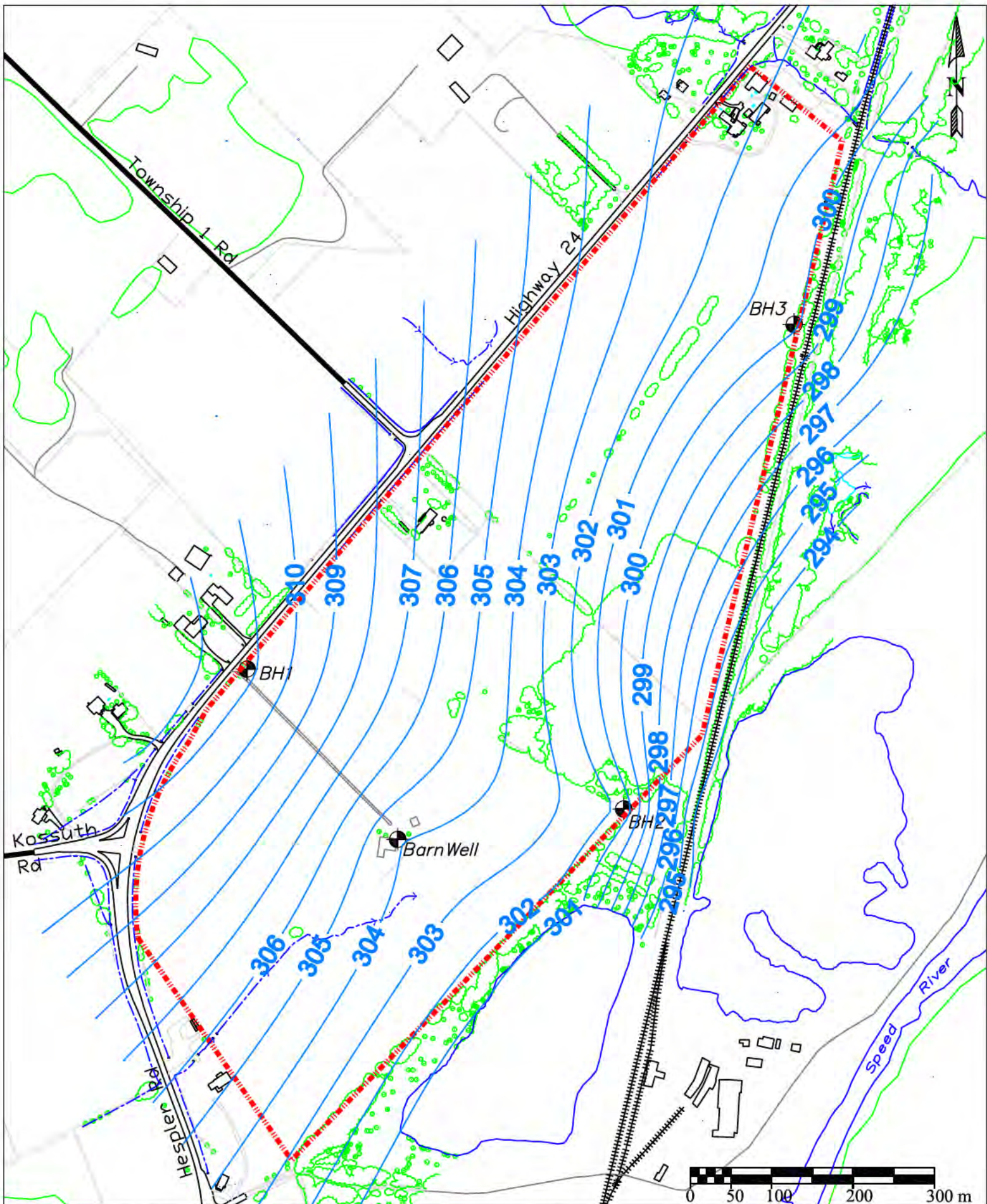
4. *Use of spring high water levels and establishment of a geodetic benchmark related to monitoring well elevations.*

In response to review comments provided by others, a geodetic survey of the monitoring locations was completed in July 2014 relative to an MTO elevation monument (station 0011916u87F) located at the site. The updated elevations are as follows:

| Location | Ground Surface Elevation (mASL) | Top of Well Elevation (mASL) | Bedrock Elevation (mASL) | Maximum Water Level Elevation (mASL) | Bedrock Surface to Maximum Water Level (m) |
|-----------|---------------------------------|------------------------------|--------------------------|--------------------------------------|--|
| BH1 | 318.18 | 319.10 | 312.24 | 311.30 | 0.93 |
| BH2 | 313.77 | 314.73 | 303.40 | 301.76 | 1.65 |
| BH3 | 307.93 | 308.88 | 303.97 | 300.20 | 3.76 |
| Barn Well | 315.99 | 316.99 | 306.84 | 304.05 | 2.80 |

| Date | Water Level Elevation (mASL) | | | |
|--|------------------------------|--------|--------|-----------|
| | BH1 | BH2 | BH3 | Barn Well |
| 1-Oct-13 | 309.29 | 299.21 | 297.55 | #N/A |
| 18-Oct-13 | 309.30 | 299.17 | 297.59 | 302.40 |
| 24-Oct-13 | 309.25 | 299.12 | 297.54 | 302.35 |
| 14-Nov-13 | 309.46 | 299.13 | 297.67 | 302.47 |
| 13-Dec-13 | 309.51 | 298.97 | 297.59 | 302.44 |
| 9-Jan-14 | 309.46 | 298.91 | 297.55 | 302.40 |
| 28-Feb-14 | 309.56 | 299.02 | 297.64 | 302.48 |
| 3-Apr-14 | 310.02 | 299.49 | 298.01 | 303.20 |
| 5-May-14 | 311.30 | 301.76 | 300.20 | 304.05 |
| 13-Jun-14 | 310.95 | 300.26 | 298.67 | 303.82 |
| 3-Jul-14 | 310.38 | 299.91 | 299.18 | 303.46 |
| 25-Aug-14 | 309.49 | 299.49 | 297.74 | 302.79 |
| 16-Sep-14 | 309.47 | 299.45 | 297.77 | 302.72 |
| 14-Oct-14 | 309.67 | 299.35 | 297.72 | 302.67 |
| 21-Nov-14 | 309.48 | 299.10 | 297.56 | 302.37 |
| 29-Dec-14 | 309.89 | 299.42 | 297.86 | 302.49 |
| 20-Jan-15 | 310.05 | 299.15 | 297.76 | 302.75 |
| 26-Feb-15 | 309.52 | 298.99 | 297.63 | 302.47 |
| 19-Mar-15 | 309.26 | #N/A | 299.32 | 302.33 |
| 7-Apr-15 | 309.64 | 299.12 | 297.98 | 302.72 |
| 22-May-15 | 310.28 | 300.79 | 298.10 | 303.05 |
| 16-Jun-15 | 310.15 | 299.36 | 298.12 | 303.08 |
| 5-Dec-15 | 308.84 | 298.67 | 297.38 | 301.71 |
| notes: mASL = metres above mean sea level | | | | |

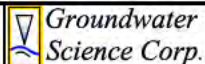




— projected water table contour (mAMSL)

modified from: OBM mapping
 UNDER LICENSE, WITHOUT PREJUDICE OR ENDORSEMENT,
 FROM THE QUEEN'S PRINTER OF ONTARIO

December 2015
 Scale: as shown



Updated Water Table Contours

Tri City Lands Ltd.
 Proposed Spencer Pit



January 18, 2016

Kelsey Lang
Planning Associate
Township of Guelph/Eramosa
P.O. Box 700
8348 Wellington Road 124
Rockwood, Ontario
N0B 2K0

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

Dear Ms. Lang,

Further to the response by Groundwater Science Corporation to the Burnside review, we would like to provide the following response. We prepared the necessary amendments to the plans based on the following:

3.8 Aggregate Resource Assessment

The testing done on the property was supervised by our aggregate resource specialist and overseen by the operator. The testing done was sufficient to confirm that the site contains sufficient material suitable to their needs to warrant licensing. As with all deposits, we expect it to vary as will the market for the resources produced in the license. The operator will manage the site to optimize the use of the reserves and the efficiency of the rehabilitation. This is done based on an exposed face which is much more detailed in the context of the market demand at the time.

The management of the till is one aspect of the detailed development of the site, product manufacture and rehabilitation.

The location of the re-fueling areas is not dependant on a till layer but on the security (visibility) of the area and a containment pad. See Note 25, Sheet 2 of the Site Plans.

Similarly, the location of the wash pads is determined by the proximity to the processing area and in an area extracted early in the life of the operation. The pads will be sealed to conserve water as their purpose is to clean and recycle water for efficiency. Loose water by infiltration would be counter-productive. How this is done would be part of the detailed design and the PTTW.

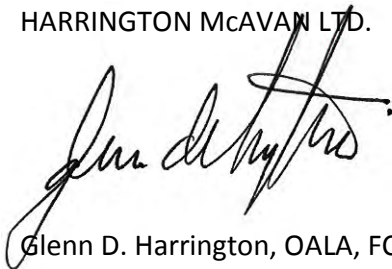
Record of Site Condition

A record of site condition is done when the zone change from industrial to agricultural is made. It is not a requirement of license surrender.

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.

A handwritten signature in black ink, appearing to read "Glenn D. Harrington". The signature is fluid and cursive, with a large initial "G" and "H".

Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh



January 15, 2016

Reference No. 078370-98

Ms. Kelsey Lang
Planning Associate
Township of Guelph/Eramosa
P.O. Box 700, 8348 Wellington Road 124
Rockwood, Ontario
N2M 3M4

Dear Ms. Lang:

**Re: Response Letter to Review Comments
Tri City Acoustic Assessment Report
Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
Project Number No.: 30035544.0000**

GHD Limited (GHD), formerly Conestoga Rovers & Associates (CRA), was retained by Tri City Lands Ltd. (Tri City) to prepare an Acoustic Assessment Report (AAR) to support an Application for the proposed Spencer Pit located at 6939 Wellington Road 124 in Guelph, Ontario (Site). The Site-wide AAR was prepared in accordance with the Aggregate Resources Act (ARA) as administered by the Ministry of Natural Resources (MNR). The purpose of this Letter Report (Report) is to provide responses to the comments provided by R.J. Burnside & Associates Limited (Burnside) regarding the AAR as detailed in their Peer Review letter dated July 4, 2014.

Review comments by Burnside are reproduced below in italics for reference.

Comment No. 1

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. Secondary Noise Screening Process for S.9 Applications, page 9 (12 of 25), EQUATION 3, says “ $SL = SL_{ref} - 20\log_{10}(DA/D_{ref}) + K_{size} - \text{Barrier Adjustment} + \text{Tonality Adjustment}$ ”. Since the last three terms are 0, the equation reduces to “ $SL = SL_{ref} - 20\log_{10}(DA/D_{ref})$ ”. For POR1, “ $SL = SL_{ref} - 20\log_{10}(DA/D_{ref}) = 71.6 - 20\log_{10}(55/9) = 71.6 - 15.72 = 55.9$ ”. All the other POR limits have the same discrepancy with the largest difference being at the largest distance.

Detailed calculation are to be provided explaining the method used to calculate the road noise impact at each POR and a sample calculation demonstrating that the values are appropriate or revise the allowable limits at the PORs.

GHD Response

The equation referenced by Burnside is not used to evaluate a line-type noise source such as a major road traffic corridor. This calculation is appropriate for a single and discrete point source and results in a 6 dBA reduction per doubling of distance from the source to the receiver.

The road traffic generated sound level was conservatively estimated for each point-of-reception (POR) based on the lowest day or nighttime one-hour Leq, the reference distance (distance from the monitoring system to the median of the road), the source-to-receptor distance (distance from the median of the road to select PORs) and the following distance attenuation calculation that is appropriate for a line-type noise source such as a road:

$$L_{ATX} = L_{REF} - 10 \log [D_{rec}/D_{ref}]$$

Where:

L_{ATX} = the estimated Leq at the receptor location (dBA)

L_{REF} = the Leq measured at the monitoring system (dBA)

D_{rec} = the source-to-receptor distance (m)

D_{ref} = the reference distance (m) at L1

POR sample calculation:

$$L \text{ at POR1} = 71.6 - 10 \text{ Log} [55/9]$$

$$L \text{ at POR1} = 63.7 \text{ dBA (rounded to 64 dBA)}$$

This simplified equation is the industry standard for a line-type noise source.

Comment No. 2

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. Why is the difference between those same receptors 0 dB (58 dBA and 58 dBA respectively) in the “Shipping Operations” portion of the same table especially when the difference in recorded noise level is 6 dB (65.6 dBA at night and 71.6 dBA during the day)?

GHD Response

Table 3 has been updated to match the corresponding text in Section 5.0 to reflect the calculated nighttime site-specific for all PORs for the “Shipping Operations” scenario. The site-specific limits noted in Table 3 have increased as a result of this revision.

Comment No. 3

Page 2 (5 of 58), Section 2.0 says “There are no expected sources of impulse noise or vibration at the Facility.” Won’t the dropping of gravel into an empty haul truck bucket be impulsive? Please justify why the noise from dropping gravel into a truck need not be addressed or address that source of noise.

GHD Response

All environmentally significant noise sources were considered in the AAR, which are defined as noise sources that contribute a 25 dBA or more partial sound level that was predicted at one or more POR locations. Gravel that is dumped into a haul truck produces a sustained rushing water like steady state noise based on our field experience for quarries and concrete plants that process gravel. This activity is environmentally insignificant in comparison to the predominant and continuous environmental noise sources of significance that were summarized in Table 1 of the AAR.

Comment No. 4

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.” Since the location doesn’t meet the typical definition of a Class 1 area, please document why it should be considered as a Class 1 area or justify why it should be a different class with the corresponding limits.

GHD Response

Section B9.1 of NPC-300 details the methodology for determination of whether an area is Class 1, 2, or 3 by “...determining the proximity of the point of reception to roads, the volumes of road traffic (and associated sound levels), and the nature of land uses and activities (or lack thereof) in the area, as a function of time.” The measured sound levels and volume of road traffic observed for the site definitely supports a Class 1 designation.

Comment No. 5

Page 3 (6 of 58). The label for POR7 is missing but the building and driveway show in figure 1a and b. POR7 and POR7A appear in Table B.2. For clarity, wouldn’t it be better to identify it and then exclude it using NPC-300’s definition of a “Noise sensitive land use”?

GHD Response

The AAR has been updated to reflect a re-ordering of POR numbers.

Comment No. 6

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”. Why is the Source ID of “Scale” T6 in Table 2A and T9 in all the rest? Wouldn’t it have been more consistent to use a uniform Source ID? Why doesn’t Table 1 indicate this variable usage?

GHD Response

Analysis work for comprehensive site evaluations is constantly evolving with each project and source and receiver IDs change. Table 1 and Table 2A were revised to address the noted inconsistency for Source T6.

An updated AAR has been generated to address the necessary revisions. The proposed Spencer Pit remains in compliance with all applicable noise limits and ARA requirements.

Should you have any questions regarding this proposal, please do not hesitate to contact us.

Yours truly,

GHD Limited

A handwritten signature in black ink, appearing to read 'Tim Wiens', with a stylized flourish at the end.

Tim Wiens, BES

MM/sn/1



January 15 2016

Ms. Kelsey Lang
Planning Associate
The Township of Guelph/Eramosa
P.O. Box 700
8348 Wellington Road 124
Rockwood ON N0B 2K0

Our ref: 282/215/69

Dear Ms Lang

**Re: Proposed Spencer Pit
Response to Town Comments**

GHD is pleased to provide the following response to the comments dated July 4, 2015 based on a peer review of our Traffic Impact Assessment (April 2014) for the proposed Spencer Pit in the Township of Guelph Eramosa, County of Wellington.

Please note that the responses follow the same chronological order as the comments received.

1. "Widening of Wellington Road 124"

GHD Response:

The 2020 forecasted traffic volumes at the intersection of Kossuth Road and Wellington Road 124 show over capacity conditions without the provision of additional through lanes on Wellington Road 124. This is as stated in our report a result of corridor growth along Kossuth Road and Wellington Road 124 and is a condition that will exist if the projected growth is realized regardless of whether or not the pit is allowed to proceed.

It has been demonstrated that the intersection can accommodate the pit entrance in the 2015 horizon year with reserve capacity available. This confirms that the local road network can fulfil its primary function of accommodating local development. The ability for roads to accommodate corridor traffic (i.e. traffic without a "local" origin or destination) 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 alternate routes or adjusting trips to another time of day.

The overall predicted volume of traffic generated by the pit during the peak hour is 11 inbound and 7 outbound trips during the am peak hour and the reverse in the pm peak hour. This represents less than 1% of the total traffic on Wellington Road 124 or Kossuth Road. If this intersection begins to operate at or over capacity, it is expected that the proposed site traffic will be accommodated on the adjacent road network through the displacement of corridor traffic.

While 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 the widening of Wellington Road 124, this is a County issue and is being dealt with through discussions with the County who have also reviewed the traffic study and provided comments.

2. “The operational impact of only widening through the Wellington Road 124 intersection”

GHD Response:

The analysis provided in the traffic study confirms the expected future operating conditions assuming four lanes of capacity on Wellington Road 124 through the Kossuth Road intersection. While we agree that a localized widening may not be as effective operationally when compared to a full widening of Wellington Road 124, the impact will be primarily at the merging point after the intersection when the two lanes merge into one. The operation of this movement is mostly impacted by the design of the intersection and the total length of the widening beyond the intersection including the acceleration lane and taper. These details can be fine-tuned during the detailed design phase should the County decide to implement this option.

3. “Sight line analysis for right turning trucks out of the site”

GHD Response:

A cursory review of the available sight lines exiting the Pit shows that there is approximately 180 metres of straight line horizontal sight line to the west for a truck exiting the site. The stopping sight distance required for a truck assuming a 90 kph design speed is in the range of 130 to 170 metres based on TAC standards and therefore at this time we do not see a sight line issue.

Furthermore, the right turn on red for trucks exiting the site can be prohibited to ensure that trucks are exiting only during the green phase when traffic on Wellington Road 124 is stopped.

In conclusion, the intersection of Kossuth Road and Wellington Road 124 is forecasted to reach capacity by 2020 based on the assumptions made in our analysis with or without the addition of the fourth leg to access the proposed pit. The analysis also shows that the proposed pit traffic can be accommodated by the signalized intersection despite the high background traffic 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 a 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.

Sincerely
GHD Limited



William Maria, P.Eng.
Senior Transportation Manager
905 895 4397





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

January 18, 2016
File: 160960833

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

Dear Glenn,

Reference: RJ Burnside & Associates Ltd. Peer Review comments on Tri City Lands, Spencer Natural Environment Technical Report

Thank you for forwarding peer review comments from RJ Burnside & Associates Ltd. (Burnside) dated July 4, 2014 on behalf of the Township of Guelph/Eramosa, with regards to the Natural Environment Level 1 & 2 Technical Report (the Report) prepared by Stantec Consulting Ltd (Stantec) for the Category 3, Class "A" License application for the Spencer Pit.

Please note that we only received Burnside's letter on January 13, 2016 and were unaware of the comments contained therein. This letter provides responses to the Burnside comments as they pertain to the Report. The Burnside comments are not numbered, so for ease of reference, our responses are presented in the same order as the comments in the Burnside letter, and we have repeated the comment prior to providing a response.

Burnside comment: In Section 2.1 regarding literature review for this Report, reference is made to a NHIC database search dated 2010. If this is a typographical error it should be changed. If not, it would be more accurate to have completed an NHIC in 2014 for this report in order to include the most recent available information and to address any species who's status has changed between 2010 and 2014.

Stantec response: At the time the Report was prepared, 2010 was the standard citation for species statuses in the NHIC database as a reference source. However, the actual NHIC database search for the Project was conducted on May 27, 2013, between the initiation of the project (May 14, 2013) and prior to the core of the 2013 field season. Subsequently, a pre-submission consultation meeting was held with MNR on June 17, 2013 and Stantec has been consulting with MNRF since 2013 to ensure that species statuses are current and properly reflected in the Report.

Burnside comment: In Section 2.3.1 Vegetation, a reference is made to the 2008 revised version of the ELC manual for Southern Ontario. The most recent version of this document is actually dated October 2013 and can be found here:

http://www.conservationontario.ca/events_workshops/ELC_portal/



January 18, 2016
Mr. Glenn Harrington
Page 2 of 7

Reference: RJ Burnside & Associates Ltd. Peer Review comments on Tri City Lands, Spencer Natural Environment Technical Report

Stantec response: ELC fieldwork was conducted on June 12 and August 7, 2013, prior to the release of the October 2013 document. As ELC field cards are included in Appendix D of the Report, it was important that the version of the ELC document used in the Report reflected the coding used during data collection. We have reviewed the potential changes that would occur if the October 2013 ELC codes were used and none of the potential changes would affect the conclusions of the EIS.

Burnside comment: In Section 2.3.3 Amphibians, we would suggest that a late April call count survey should have been completed regardless of the interpretation that it was a "late spring", as per the MMP protocol. We do not agree that a May survey is sufficient to detect any early spring calling species.

Stantec response: A late April call count was not possible, as the project began in mid-May. As per the MMP protocol, the prescribed dates are intended to serve only as a guideline; air temperature and lack of wind are the most important factors in selecting dates for conducting the surveys. No amphibian breeding habitat was present in the proposed license area; all potential habitat was located to the east of the proposed license area. Spring Peepers (an early caller) and Gray Treefrog were recorded in the MAM2, MAS2-1 and SWC1-1 communities to the east of the proposed license area; as a result these communities were considered SWH as per the criteria in the draft Significant Wildlife Habitat EcoRegion 6E Criterion Schedule. It is our opinion that conducting a call count in late April would not have changed the result of our assessment of these communities as SWH for amphibian breeding habitat.

Burnside comment: In Section 3.2 it would be helpful to have a reference to a figure illustrating the locations of OP natural heritage features.

Stantec response: As stated in Section 3.2, there are no features in the proposed license area that are identified as Greenlands or Core Greenlands in the OP – as such, a figure showing OP natural heritage features would not be relevant. Section 3.2 indicates that the proposed license area is within 120 m of the Speed River PSW complex, which was mapped and provided through MNR(F)'s Land Information Ontario mapping, and is shown in Appendix A, Figure 2.

Burnside comment: In Section 4.4 Vegetation Communities, there should be consistent reference to the ELC community type that was mapped (e.g., vegetation type, ecosite, etc.).

Stantec response: Noted. Vegetation communities defined to the Ecosite level include CUM1, CUW1 and MAM2. These communities were located outside of the proposed license area. Vegetation communities defined to the Vegetation Type level include CUW1-3, FOD2-2, FOD3-1, FOD5-1, MAS2-1 and SWC1-1. These communities were located either within the proposed license area or on lands outside of the proposed license area that were owned by the proponent (and where access was granted).

Burnside comment: In Section 4.4 the scientific names for species are missing. Standard protocol is to include the scientific name the first time a species is referenced in a report.



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Reference: RJ Burnside & Associates Ltd. Peer Review comments on Tri City Lands, Spencer Natural Environment Technical Report

Stantec response: Scientific names for plants are provided in Appendix D. Including scientific names for all of the plant species in Section 4.4 would have resulted in lengthy paragraphs, and would have been redundant with the scientific names provided in Appendix D.

Burnside comment: In Section 4.4 a reference to the percent cover of woody canopy, understory and shrub and sapling layer should be included for every community that meets forest, swamp or woodland criteria under the ELC.

Stantec response: This information is provided in the Stand Description section of the ELC cards for the relevant vegetation communities in Appendix D.

Burnside comment: In Section 4.4 some of the community descriptions refer to soil type and texture and some do not. This should be revised for consistency.

Stantec response: Soil cores were taken in communities that were within the proposed extraction area and information has been reported accordingly in the Report. Soils will not be disturbed in areas not proposed for extraction; as such, soils information for these communities was not collected.

Burnside comment: In Section 4.4.1 Vascular Plant Species, there is reference to a butternut within the study area. The distance from the proposed license area should be provided here.

Stantec response: The locations of the two butternut specimens were provided in Section 7.1 and shown in Appendix A, Figure 3. The first specimen was located 8 m east of the railroad tracks, and was dead. The second specimen was located in excess of 25 m outside the proposed license area and separated from it by the rail corridor. This specimen was considered "retainable" by Stantec, but will not be affected by the proposed Spencer Pit.

Burnside comment: In Section 4.5.1 there is reference to a rail line. Please provide a figure reference for this feature, especially as it provides habitat for a species regulated under the ESA (2007).

Stantec response: The rail line runs along the east boundary of the proposed license area and the location is shown on all figures in Appendix A. The rail line is outside of the proposed license area.

Burnside comment: Section 4.5.2 Amphibians, does not provide a description of why the author has summarized that "No amphibian breeding habitat was encountered in the proposed license area". Please provide an explanation for this conclusion along with an appropriate figure reference.

Stantec response: As discussed in Section 2.3, a preliminary site visit was conducted on May 14, 2013 to identify natural heritage features on and within 120 m of the proposed license area. This included searches for potential amphibian breeding habitat – open water features, wetlands, vernal pools or watercourses. As reported in Section 2.3.3, none of these features was present



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Reference: RJ Burnside & Associates Ltd. Peer Review comments on Tri City Lands, Spencer Natural Environment Technical Report

within the proposed license area. As a result, amphibian call count surveys were conducted in potential habitats that were identified to the east of the proposed license area. These locations are shown in Appendix A, Figure 3.

Burnside comment: Section 4.5.3 Mammals states that "no bats were observed during the course of the field investigations". An explanation as to why none were documented is required here. Was it due to the timing of the surveys (daytime vs. evening?).

Stantec response: No bats were observed during evening field surveys conducted in 2013, which included amphibian call-count surveys conducted at a similar time of day when bats would be active and visible. As discussed in Section 2.3.5, bat maternity roost assessments of the FOD3-1 and FOD 5-1 communities were conducted on May 14, 2013 and determined that these communities did not meet the MNR criteria for cavity tree density (as reported in Section 4.5.3). However, since the preparation of the Report, additional work was conducted in late June 2015, at the request of the MNRF, to conduct exit surveys and acoustic monitoring for bats, specifically Little Brown Myotis (*Myotis lucifugus*). Stantec will continue to work with MNRF with regards to potential permitting requirements for Little Brown Myotis under the ESA (2007).

Burnside comment: Section 4.5.1 concludes that fish habitat was not present in the proposed license area, however no explanation of how this conclusion was derived is provided. Please provide an explanation.

Stantec response: As discussed in Section 2.3, a preliminary site visit was conducted on May 14, 2013 to identify natural heritage features on and within 120 m of the proposed license area. This included searches for potential fish habitat – open water features, wetlands, or watercourses. As reported in Section 2.3.4, none of these features was present within the proposed license area therefore fish habitat was also considered absent.

Burnside comment: In Section 5.1 a number of SAR that had the potential to occur on the Site are dismissed due to a lack of habitat on the Site. An explanation of this exclusion process should be provided (SAR screening table including habitat preferences or requirements would be suggested).

Stantec response: the second set of bullet points in Section 5.1 provides the justification as to why some SAR were dismissed, based on the primary habitat requirements as defined in the Significant Wildlife Habitat Technical Guide (MNR, 2000). In the cases where species were dismissed, the reasons for exclusion from further consideration were fairly obvious (i.e., the lack of large grasslands/meadows, diverse forests in excess of 100 ha or aquatic features), so a detailed screening table was not prepared.

Burnside comment: In Section 5.1 the number of Barn Swallow nests documented in the barn is discussed. Please provide the timing of the survey and an explanation as to why the nests were not surveyed during the breeding season. Discussion on the potential for the Site to provide



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Reference: RJ Burnside & Associates Ltd. Peer Review comments on Tri City Lands, Spencer Natural Environment Technical Report

foraging habitat for this species is not adequately addressed. The proposed activities may require permitting under the ESA. This has not been addressed in a satisfactory manner within the report.

Stantec response: The barn was surveyed on October 29, 2013 once the study team was made aware that Barn Swallows had been seen using the structure. As the barn was located on a private residential property, and was actively used for housing cattle, surveyors did not access the structure during the breeding season and were therefore unaware that birds were present. However, when the barn was surveyed on October 29, it was determined that the nests likely were active during breeding season and have been considered as such in the Report. With regards to protection of the nests and foraging habitat, the barn will remain intact and will not be removed to accommodate the proposed pit. The southern corner of the large wooden barn is the nearest point of the structure to the proposed extraction limit, and the two are separated by approximately 50 m. The 50 m area between the southern corner of the barn and the proposed extraction will serve as the buffer; it will be left intact and available for foraging by Barn Swallow. As per the MNR's "General Habitat Description for the Barn Swallow (*Hirundo rustica*)", maintaining the 50 m buffer protects Category 1, 2 and 3 habitats for the species. Existing foraging habitat to the east, north and west of the barn is in excess of 200 m. These areas will be unaffected by the proposed pit and available to birds breeding in the barn. This approach has been accepted by the MNRF and they have no further concerns with regards to Barn Swallow.

Burnside comment: In Section 5.3 Fish Habitat, there should be some discussion regarding how the water balance within aquatic and wetland features will be maintained.

Stantec response: Section 5.3 identifies fish habitat features within 120 m of the proposed license area. The assessment of potential effects on fish habitat and recommended mitigation is provided in Section 7.3.

Burnside comment: In Section 5.4.1 Seasonal Concentration Area requires additional discussion as to why deer movement into the proposed license area is not occurring.

Stantec response: Deer yards and wintering areas are identified and mapped by MNRF. A Deer Wintering Area has been identified to the east of the proposed license area, and is shown in Appendix A, Figure 2. No deer yard is present in or within 120 m of the proposed license area. Deer movement onto the site is likely restricted a result of the agricultural nature of the site, proximity to Highway 24 and the separation of the site from the wetland/wintering area by the active rail line.

Burnside comment: In Section 5.4.2 Rare Vegetation Communities and Specialized Habitats for Wildlife, requires discussion as to how the water balance will be maintained within the pond and wetland communities for amphibian breeding.

Stantec response: Stantec response: Section 5.4.2. identifies amphibian breeding habitat within 120 m of the proposed license area. The assessment of potential effects on amphibian breeding habitat and recommended mitigation is provided in Sections 7.2 and 7.5.



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Reference: RJ Burnside & Associates Ltd. Peer Review comments on Tri City Lands, Spencer Natural Environment Technical Report

Burnside comment: In Section 5.4.3 under Reptiles please provide an explanation as to why no species specific surveys for snakes were completed on the Site. Under Insects discuss if any toothwort (food source for West Virginia White) was documented in this community.

Stantec response: Species-specific surveys for snakes were not conducted on the site as potential habitat features (e.g., talus, rock barrens, crevices or caves, as described in the MNR's draft Significant Wildlife Habitat EcoRegion 6E Criterion Schedule and discussed in Appendix F, Table F-1 of the Report) were not identified during the preliminary site visit. As discussed in Section 2.3 of the Report, general wildlife surveys for reptiles (including snakes) were conducted concurrent with breeding bird and vegetation surveys. Toothwort was not recorded in any of the communities during botanical inventories. The FOD forest communities were contaminated by garlic mustard, which is a deterrent to egg laying by West Virginia White.

Burnside comment: In Section 5.5.2 Ecological Functions (of the woodland) we do not agree that the rail line poses a barrier to animal movement, especially for birds.

Stantec response: the Burnside comment is unclear; no references to animal movements are made in Section 5.5.2. An assessment of wildlife habitat is presented in Section 5.4 of the Report and indicates that there is no significant wildlife habitat associated with the onsite woodlot, or animal movement corridors between the woodlot and the nearest natural heritage feature (i.e., the Speed River PSW).

Burnside comment: In Section 5.8 Summary of Natural Heritage Features (of the woodland) there is not adequate assessment of potential Barn Swallow habitat with respect to foraging opportunities.

Stantec response: Barn Swallow is a grassland bird and was not observed foraging in the woodland. As such, the woodland would not be considered potential habitat for the species. The assessment of potential impacts on Barn Swallow are provided in Section 7.1 of the Report, and state that nests will not be affected by the proposed pit as the barn will not be removed. Discussion on the maintenance of foraging habitat is provided previously in this letter.

Burnside comment: In Section 7.1 there should be a description as to whether a Butternut Health Assessment was/was not completed with an explanation.

Stantec response: Butternut Health Assessments were not conducted for the two specimens recorded as neither specimen was in the proposed license area and they will not be affected by the proposed pit. Both specimens were, however, identified by a qualified Butternut Health Assessor in the field, who was able to make an informal determination that one specimen was "dead" and the other was likely "retainable".

Burnside comment: In Section 7.3 Fish Habitat the potential indirect effects need to be addressed and mitigation measures recommended.



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Reference: RJ Burnside & Associates Ltd. Peer Review comments on Tri City Lands, Spencer Natural Environment Technical Report

Stantec response: Indirect effects to fish habitat in the Speed River are not anticipated as extraction will not take place below the water table, and groundwater inputs to the river and the stream to the north of the proposed license area will be mainlined. Maintaining surface water flows within the existing catchment areas (i.e., either directed into the pit, which will discharge as groundwater to the river, or overland to the stream corridor north of the proposed license area) will also maintain current surface water contributions to these features. With respect to previous comments made by Burnside on Sections 5.3 and 5.4.2, this will also maintain the water balance within the aquatic and wetland features downgradient of the proposed pit.

Burnside comment: In Section 7.4 Amphibian Breeding Habitat (Woodland) there needs to be an explanation of the potential indirect effects and recommended mitigation measures.

Stantec response: The assessment of potential effects and mitigation measures for amphibian breeding habitat (woodland) are provided in Sections 7.2. and 7.5. Indirect effects to amphibian breeding are not anticipated as the breeding habitats east of the proposed license area will be separated from the pit by the extraction setback, railway line/corridor and upland FOC2-2 community. This represents a minimum separation distance in excess of 30 m between the pit and the breeding habitat. As discussed in Section 7.5, existing and former aggregate operations are present to the east and south of the wetland communities, and the presence of breeding amphibians in closer proximity to these operations indicates that animals' ability to adapt to aggregate operations.

I trust that these responses satisfy Burnside's comments with regards to the Natural Environment Technical Report for the Spencer Pit. It is our assumption that you will be addressing Burnside's comments with regards to comments related to natural heritage on the Site Plans and Summary Report. Please feel free to contact me should Burnside or the Township have any further questions or comments.

Regards,

STANTEC CONSULTING LTD.

A handwritten signature in black ink, appearing to read "V. Deschamps".

Vince Deschamps, M.Sc, MCIP, RPP
Senior Environmental Planner
Phone: (519) 780-8164
Fax: (519) 836-2493
vince.deschamps@stantec.com

c. David Charlton, Stantec Consulting Ltd.

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December 16, 2015

Robert Kelly
Chief Building Official
Township of Puslinch
RR 3, 7404 Wellington Road 34
Guelph, Ontario
N1H 6H9

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

Dear Mr. Kelly,

Further to your letter dated June 20, 2014, we are pleased to provide the attached response from our hydrogeologist. Based on his recommendations, we have revised the rehabilitation plan, revised the monitoring recommendations and added notes on the operational plan to require a minimum of 1m of overburden over the bedrock in refuelling areas (NOTE 25), recycling areas (NOTE 10) and scrap storage areas (NOTE 24)

We trust that the information provided adequately addresses your concerns. If you have any questions, please do not hesitate to contact the undersigned.

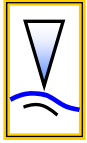
Sincerely,

HARRINGTON McAVAN LTD.

A handwritten signature in black ink, appearing to read 'Glenn D. Harrington'.

Glenn D. Harrington, OALA, FCSLA
Principal

Enclosures - 2
GDH/sh



December 14, 2015

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

Dear Mr. Harrington:

**RE: Hydrogeologic Assessment Peer Review Comments, June 20, 2014
GM BluePlan on behalf of the Township of Puslinch.**

This letter provides additional information and discussion in response to review comments provided by GM BluePlan Engineering Limited on behalf of the Township of Puslinch in a letter dated June 20, 2014 regarding the proposed Spencer Pit.

The review provided the following recommendations:

- *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.*

With regard to the door to door survey, we concur with the GM BluePlan conclusion that *it is reasonable to expect that the proposed aggregate operation will not impact local bedrock water supply wells*. By extension, as the proposed extraction is above water table, because water table at the site is within the bedrock, and, no downgradient residences exist (or could be expected in the future), impacts to any water wells (bedrock or overburden) in the wider area would also not be expected. A door to door survey is not typically required for above water table extraction applications, and in this setting is not justified. The comments indicate that if a Permit To Take Water (PTTW) is required the door to door survey would likely be necessary. Therefore we recommend that a note be added to the Site Plan that upon License approval a door to door water well survey should be completed as required by MOECC as part of any Permit To Take Water application at the site.

A geodetic survey of the monitoring locations was completed in July 2014 relative to an MTO elevation monument (station 0011916u87F) located at the site. The updated elevations are as follows:

| Location | Ground Surface Elevation (mASL) | Top of Well Elevation (mASL) | Bedrock Elevation (mASL) | Maximum Water Level Elevation (mASL) | Bedrock Surface to Maximum Water Level (m) |
|-----------|---------------------------------|------------------------------|--------------------------|--------------------------------------|--|
| BH1 | 318.18 | 319.10 | 312.24 | 311.30 | 0.93 |
| BH2 | 313.77 | 314.73 | 303.40 | 301.76 | 1.65 |
| BH3 | 307.93 | 308.88 | 303.97 | 300.20 | 3.76 |
| Barn Well | 315.99 | 316.99 | 306.84 | 304.05 | 2.80 |

In addition, groundwater level monitoring has continued at the site. In June 2015 dataloggers were installed at each location and programmed to collect measurements at 4 hour intervals. The updated monitoring results are summarized on the attached table and hydrograph.

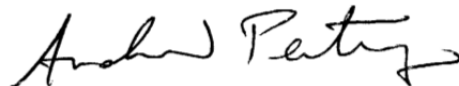
An updated high water table contour map, representative of May 2014 conditions, is also attached for reference. As requested the updated water table map includes surface water elevations for the creek at the railway crossing (301 mASL), wetland within the river valley floor (294.5 mASL), east and west ponds within the Carmeuse Quarry (292 and 301 mASL respectively – see report page 5, last paragraph). We note that surface water elevations at the river east of the quarry ponds will not affect conditions at the site to any significant degree. High water table elevations as compared to bedrock elevations, are provided in the table above. The overall water table pattern is similar to the original interpretation, however the maximum water table elevations are higher based on the continued monitoring and revised reference elevations. Appropriate adjustments to the proposed maximum extraction elevations have been made on the Site Plan.

Mitigative measures related to bedrock exposure are included within the appropriate Site Plan notes.

In response to comments received by both GRCA and local residents the groundwater monitoring program now includes routine water level measurements, both manually and using dataloggers (already installed), for the life of the pit. Datalogger measurements will be obtained at a 4 hour interval and manual measurements obtained on a quarterly basis. Annual monitoring reports will be provided to MNRF, GRCA and the Township.

If you have any questions, or require further information, please do not hesitate to contact us.

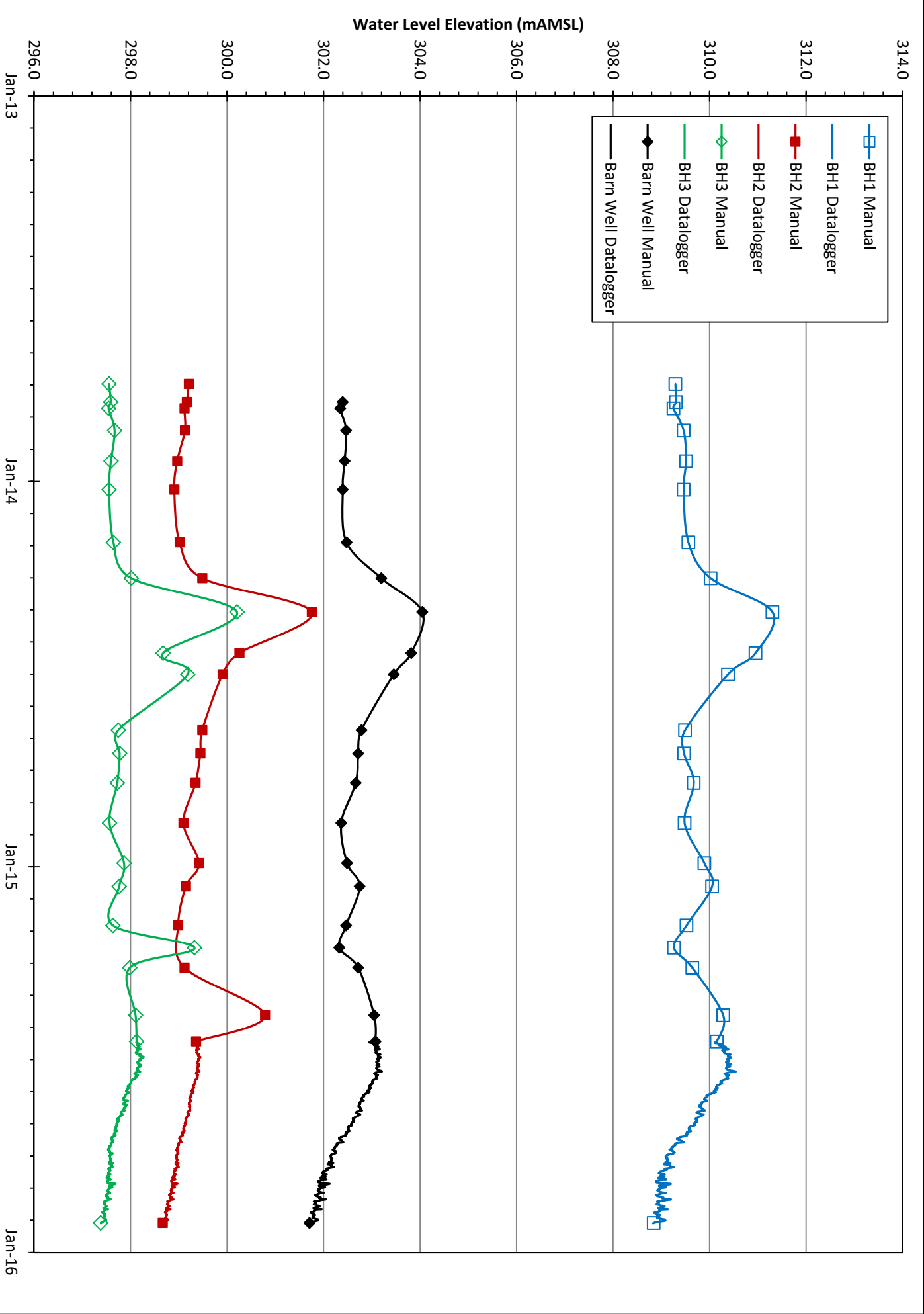
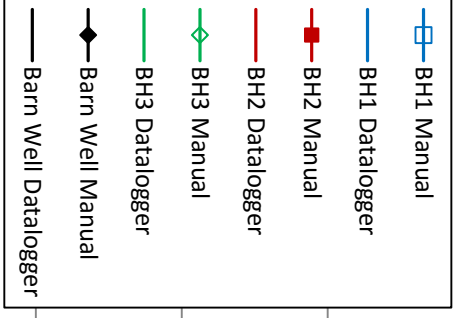
Sincerely,

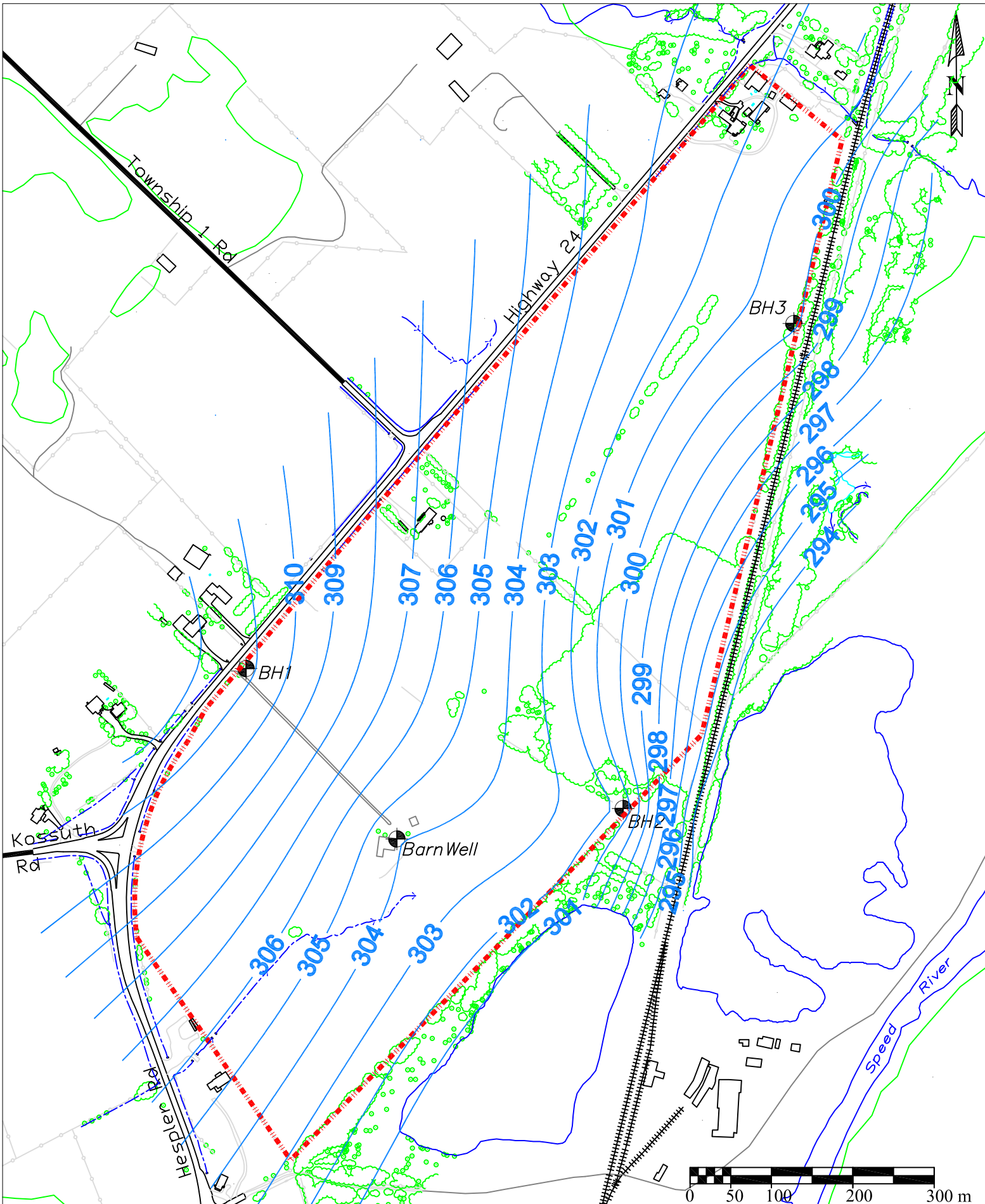


Andrew Pentney, P.Geo.
Hydrogeologist

Attached: Manual Water Level Monitoring Summary
Water Level Monitoring Hydrograph Update
Updated High Water Table Contours

| Date | Water Level Elevation (mASL) | | | |
|--|------------------------------|--------|--------|-----------|
| | BH1 | BH2 | BH3 | Barn Well |
| 1-Oct-13 | 309.29 | 299.21 | 297.55 | #N/A |
| 18-Oct-13 | 309.30 | 299.17 | 297.59 | 302.40 |
| 24-Oct-13 | 309.25 | 299.12 | 297.54 | 302.35 |
| 14-Nov-13 | 309.46 | 299.13 | 297.67 | 302.47 |
| 13-Dec-13 | 309.51 | 298.97 | 297.59 | 302.44 |
| 9-Jan-14 | 309.46 | 298.91 | 297.55 | 302.40 |
| 28-Feb-14 | 309.56 | 299.02 | 297.64 | 302.48 |
| 3-Apr-14 | 310.02 | 299.49 | 298.01 | 303.20 |
| 5-May-14 | 311.30 | 301.76 | 300.20 | 304.05 |
| 13-Jun-14 | 310.95 | 300.26 | 298.67 | 303.82 |
| 3-Jul-14 | 310.38 | 299.91 | 299.18 | 303.46 |
| 25-Aug-14 | 309.49 | 299.49 | 297.74 | 302.79 |
| 16-Sep-14 | 309.47 | 299.45 | 297.77 | 302.72 |
| 14-Oct-14 | 309.67 | 299.35 | 297.72 | 302.67 |
| 21-Nov-14 | 309.48 | 299.10 | 297.56 | 302.37 |
| 29-Dec-14 | 309.89 | 299.42 | 297.86 | 302.49 |
| 20-Jan-15 | 310.05 | 299.15 | 297.76 | 302.75 |
| 26-Feb-15 | 309.52 | 298.99 | 297.63 | 302.47 |
| 19-Mar-15 | 309.26 | #N/A | 299.32 | 302.33 |
| 7-Apr-15 | 309.64 | 299.12 | 297.98 | 302.72 |
| 22-May-15 | 310.28 | 300.79 | 298.10 | 303.05 |
| 16-Jun-15 | 310.15 | 299.36 | 298.12 | 303.08 |
| 5-Dec-15 | 308.84 | 298.67 | 297.38 | 301.71 |
| notes: mASL = metres above mean sea level | | | | |

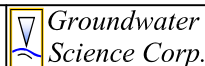




— projected water table contour (mAMSL)

modified from: OBM mapping
 UNDER LICENSE, WITHOUT PREJUDICE OR ENDORSEMENT,
 FROM THE QUEEN'S PRINTER OF ONTARIO

December 2015
 Scale: as shown



Updated Water Table Contours

Tri City Lands Ltd.
 Proposed Spencer Pit

November 26, 2015

Joan Zhao, Sr. Real Estate Coordinator
Facilities & Real Estate
Hydro One Networks Inc.
185 Clegg Road
Markham, ON L6G 1B7



Re: Proposed Spencer Pit (Guelph 635.06-4586)

Our Project # 10-47

Dear Ms. Zhao:

Further to your email dated January 13, 2014, we are pleased to provide clarification on the following details regarding the proposed Spencer Pit site plans.

- 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 6m (20'). The slope of this road should not be steeper than 10:1. Sharp curves in the roads should be avoided when possible.*

Structure 51 and 52 will be accessible through the existing approach from the road allowance adjacent to Wellington Road 124, the lands on the northwest side of the towers will remain unchanged. A 6m wide access road has been provided for Structure 53, 54, 55 and 56. There will be no changes to Structure 57 as it is not part of the property/ proposed licence boundary. Refer to Rehabilitation Plan for details.

- 2. The plan shows 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 on how this would be achieved.*

Sand and gravel laid down by melting glaciers retains a vertical face when extracted and for years if left. We have seen extraction faces of 30 m remain stable. This is in part due to the nature of the material and its deposition, but also because vertical faces are not subject to surface runoff as a slope would be. We have enclosed photos of vertical faces.



Figure 1. Vertical sand and gravel face (+/- 30m) during active extraction.



Figure 2. Vertical sand face (+/- 8m) during active extraction.

Excavation will proceed to the setback 15m from the base of the tower. Even at the maximum face height of 9m, this is well beyond the bearing area of the towers (45° from footing). When excavation is complete, the slope will be backfilled to 3:1, top-soiled, and revegetated. We have enclosed photos of existing pits with hydro towers within the license which have existed without incident for many years.

Harrington M^cAvan 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

In order to assure you that towers will not be left with exposed pit faces, we would propose to add a condition to the plans which would require extraction faces to be backfilled with 1 year of extraction to the 15m setback.



Figure 3. Rehabilitated pit face in close proximity to hydro towers.

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.*

Structure 56 includes a 15m clearance zone, similar to the other 15m clearance zone surrounding the hydro towers located within the proposed licence boundary. Graphically, this structure has been shown with a hatch pattern indicating that the area will not be disturbed; the other structures do not have this hatch pattern. The Operational Plan will be revised to clarify that all hydro towers (including Structure 56) will be protected.

It should be noted that the rehabilitation of the pit is to one large agricultural field and no new structures are proposed anywhere on the property.

4. *The proponent should provide cross sections of the access route for Hydro One maintenance vehicles, indicating that slopes that the vehicles will need to traverse. The slopes of this road should not be steeper than 10:1.*

We have added a section of the access road to be provided to all towers.

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.*

Harrington M^cAvan 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

Fencing and gates will be provided to secure the structures while providing access for maintenance. The Operational Plan/ Rehabilitation Plan has been revised to show the fencing/ gates.

6. *Proper anchor and footing stability must also be maintained.*

As mentioned earlier, the typical standard for footing stability is 45° from the bottom of the footing, or a slope of 1:1. Assuming a footing depth of 1.5m, this would be 8.5m above bedrock in the worst case. A setback of 8.5m would therefore be sufficient in the spot and less everywhere else. The setback of 15m is therefore almost twice what is required. We have provided a section of this area of tower 53, which is the highest (worst case) tower.

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 need to be completed outside the easement (no planting in the easement lands).*

Fuel, oil, radiator, hydraulic fluid and other chemicals needed on site will be stored appropriately in above-ground containers and will be located in Area 4a (west of Structure 55), approximately 100m outside of the easement corridor lands. Refer to Operational Note #25.

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.*

We do not believe that this will be required. The easement should remain accessible at all times.

9. *Any berm to be installed require approval for clearances.*

There are no berms proposed to be constructed within the easement corridor lands. We will add a note to the plans stating that should any construction of berms within the easement be required, it must be with written permission of Hydro One.

Sincerely,

HARRINGTON McAVAN LTD.

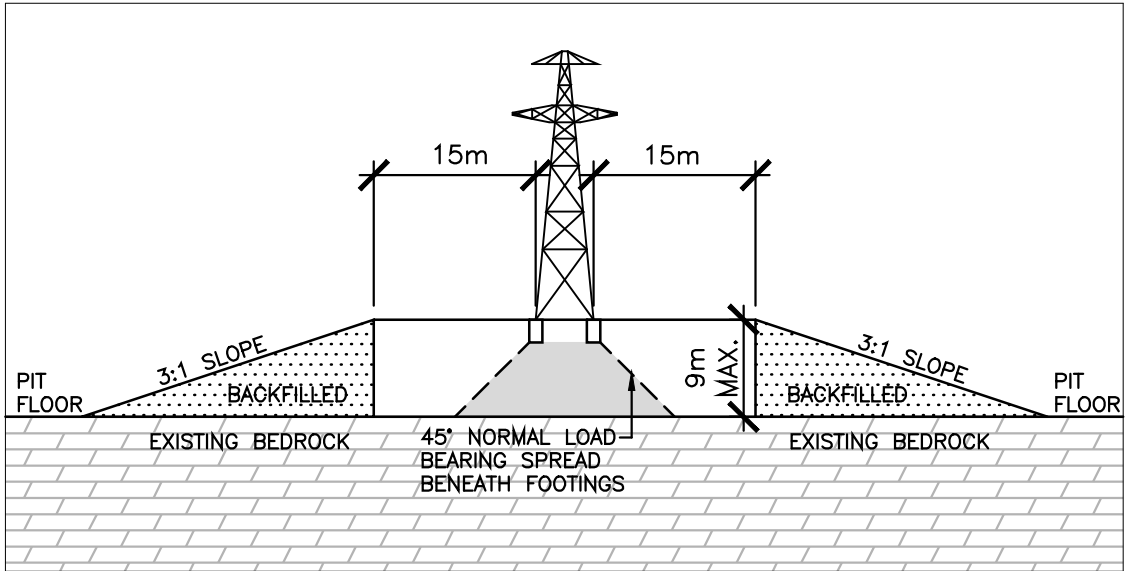


Glenn D. Harrington, OALA, FCSLA
Principal

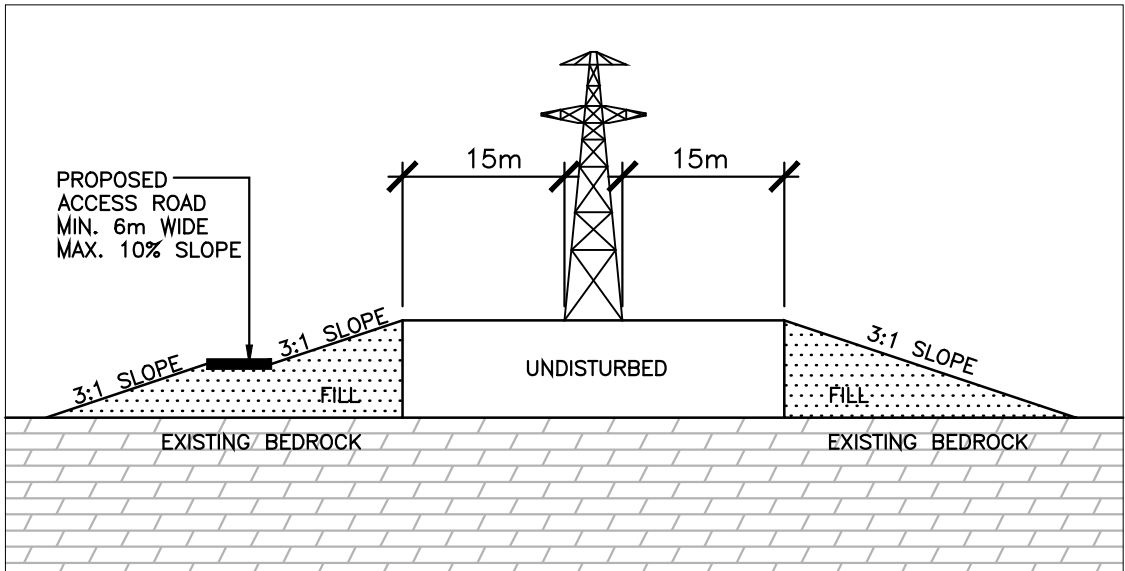
Enclosures

Harrington M^cAvan 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



SECTION 1



SECTION 2



September 23, 2015

Gord Ough
County Engineer
74 Woolwich Street
Guelph, ON
N1H 3T9

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

We are now at the point where we would like to advance the zone change application to a decision by Council. To do this, the Township planners will be asked to write a planning report and they will want to know that the County is satisfied with the proposed entrance changes.

Our proposal is to improve the intersection as detailed in our consultant's traffic report. County staff have indicated that you are in agreement with this location and that the road has the capacity to accept the proposed truck traffic and that our proposal for intersection improvements would function well for our use.

At our meeting of September 3, 2014 we discussed the possibility that the County may want to upgrade the intersection to a roundabout. We offered to contribute the money that we would spend constructing the improvements required by our project alone if the County wished to have a roundabout at this location. That offer still stands however, our client would prefer the entrance proposed by our consultants.

On December 3, 2014, we met with County staff on site to review the intersection and discuss options. We were told that an assessment of the feasibility of a roundabout would be required and agreed that since our consultants had already completed half of the work required in assessing this options for us, that it would be cost-effective to have them also complete the report. They subsequently prepared a very reasonable proposal dated December 8, 2014 and submitted it to the County for approval. There has not been any response on this matter to date.

In the intervening nine months we, our consultant and our client have made several attempts to contact your department regarding this matter without response.

We are now at the point where we must proceed with the application based on what we have, we believe, agreed to. This is:

1. Our plans will be revised to show the lands owned by the County.
2. The intersection as shown in our consultant's report is the best location for the site.
3. There is capacity on the adjoining roads to adequately handle the proposed truck traffic.
4. The proposal for improvements put forward by our consultant would create safe access and egress to our project.

Based on this, we must assume that the Region is satisfied with the proposed application from a traffic perspective. If you disagree, please let us know.

Our client has had a contractor associate prepare a cost estimate for the intersection improvements. As we have stated previously, we would prefer to do this work as we can supply much of the aggregate from the proposed pit and co-ordinate it with the site development within the license.

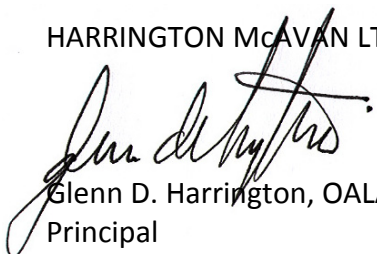
The estimate for the intersection improvements is \$202,500.00 plus the cost of electrical poles and traffic lights estimated at \$50,000.00. A total of \$252,500.00, subject to confirmation of the cost of the electrical and lights.

We will either commit to construction of this improvement under your supervision or to providing this sum to you to undertake this work or a roundabout as long as it is done in time to service the proposed pit.

We are open to further discussion on this proposal however we can no longer wait for a response. Please contact me if you wish to discuss this further.

Sincerely,

HARRINGTON McAVAN LTD.



Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh

cc: Paul Johnson
Mark Eby
Pasquale Contanzo
Aldo Salis



March 29, 2016

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

**RE: TOWNSHIP OF WOOLWICH LETTER DATED MARCH 7, 2016
COMMENTS ON ZONING BY-LAW AMENDMENT APPLICATION ZBA 01/14
PROPOSED SPENCER GRAVEL PIT**

Dear Ms. Reid,

We are pleased to provide our response to the comments made by Mr. Kennaley.

1. Vertical Zoning – In this particular case, the surficial sand and gravel deposits are for the most part above 1.5m above the groundwater because the groundwater is within the bedrock. Extracting into the bedrock would be a change in License Category and therefore require a new license application.
2. Visual Impact – At the request of one landowner, we prepared a section showing the effectiveness of the berms as a visual barrier (attached). It illustrates no visibility of equipment or stockpiles from the ground floor and only the tops of the stacks and stockpiles from the second floor of the home.
3. Air Quality – The Provincial Standards require that all licenses use the following prescribed conditions:
 - 3.1. Dust will be mitigated on site.
 - 3.2. Water or another provincially approved dust suppressant will be applied to internal haul roads and processing areas as often as required to mitigate dust.
 - 3.3. Processing equipment will be equipped with dust suppressing or collection devices where the equipment aerates dust and is being operated within 300m of a sensitive receptor.

Harrington McAvan Ltd - Landscape Architects

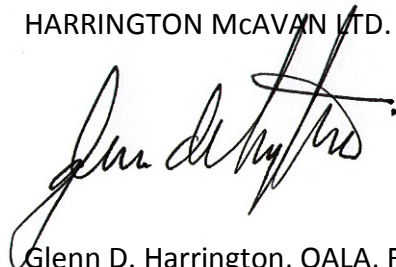
6882 14th Avenue, Markham, Ontario L6B 1A8 Phone: 905-294-8282 Fax: 905-294-7623
Offices in Markham, Cambridge, and Aylmer Ontario Visit us on the web at www.harringtonmccavan.com

4. Wellington Road – We have proposed entrance improvements to allow for the safe exit and entrance of trucks for the pit. The details of this will require County approval. The County has indicated that they agree with the entrance location.

We hope that the information provided has satisfactorily addressed comments in the Township of Woolwich's letter. Please let us know if you require further information.

Sincerely,

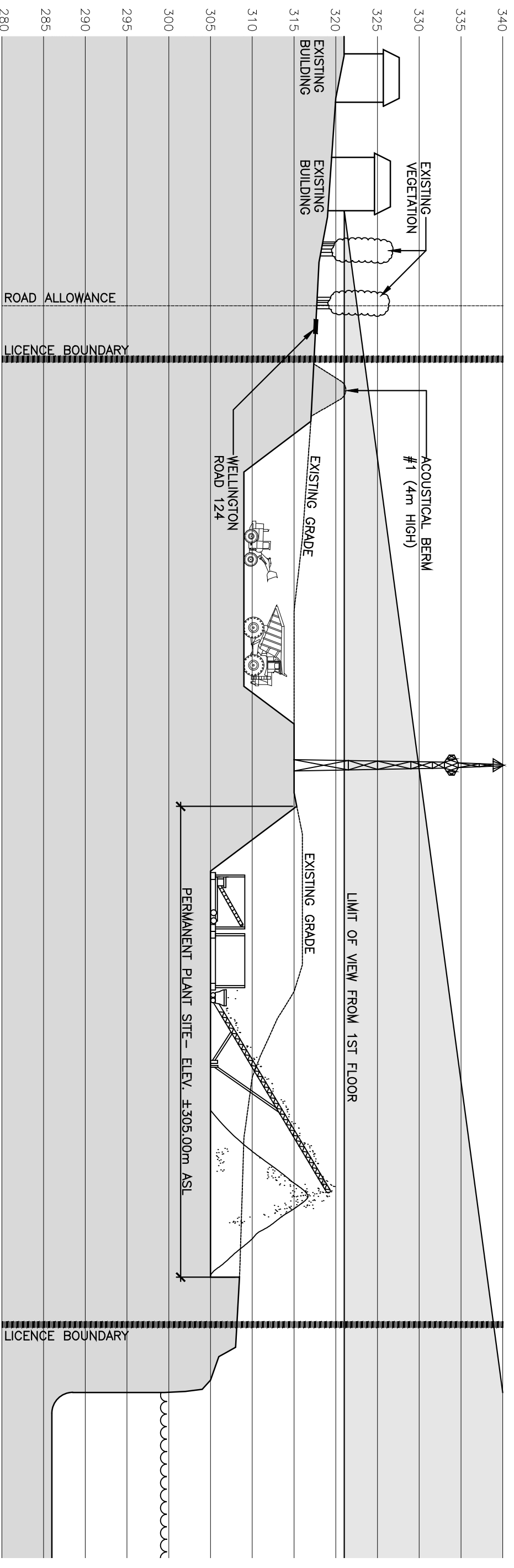
HARRINGTON McAVAN LTD.



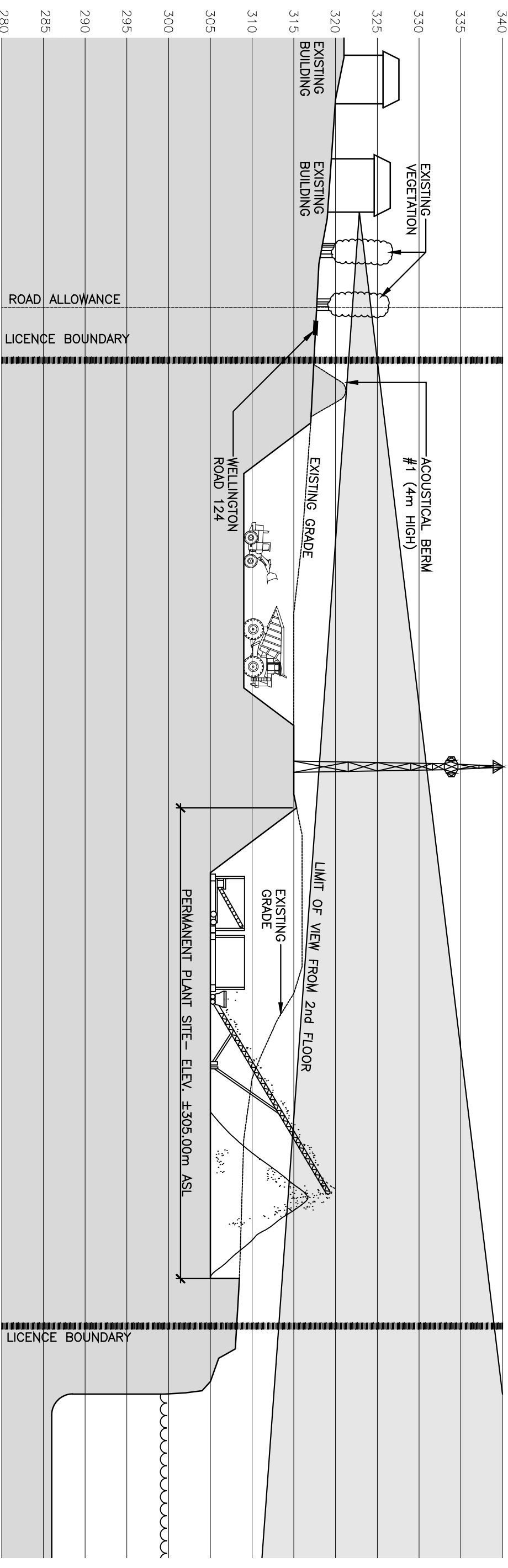
Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh

Encl: Section showing visual impact



SECTION THROUGH RESIDENCE (1st STOREY) ON WELLINGTON ROAD 124 VERTICAL SCALE 1:500 HORIZONTAL SCALE 1:2000



SECTION THROUGH RESIDENCE (2nd STOREY) ON WELLINGTON ROAD 124 VERTICAL SCALE 1:500 HORIZONTAL SCALE 1:2000

March 1, 2016



Gaetanne Kruse
Planning Administrator
Township of Guelph/Eramosa
P.O. Box 700
8348 Wellington Road 124
Rockwood, Ontario
N0B 2K0

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

Dear Ms. Kruse,

Further to the Burnside reviews provided to us, we have the following response.

The traffic review does not require any further information from us and seems to indicate that this is a County decision. We agree. The County agrees with the entrance location and we are prepared to coordinate the details of the entrance design with them.

With regard to the Hydrogeology comment on rehabilitation, we are pleased to provide the following response.

Comment:

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.

Response:

In documenting the superficial deposits on this site, a total of 52 test pits were dug. This represents a good coverage of a site this size. Test pits were dug up to 8m in depth, however many were terminated because the pits were collapsing. The information provided represents only the top of the deposit.

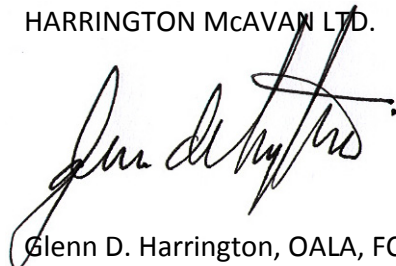
In the 52 test pits, the average depth of topsoil is 0.27m and the average thickness of overburden (till) is 1.47m. The minimum requirement is 150mm of topsoil and 500mm of overburden.

From these calculations, there is double the quantity of topsoil and triple the quantity of overburden required for rehabilitation on the site.

We trust that this provides the information requested.

Sincerely,

HARRINGTON McAVAN LTD.

A handwritten signature in black ink, appearing to read "Glenn D. Harrington". The signature is fluid and cursive, with a prominent initial "G".

Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh



February 17, 2016

Helen Fleischer
Community Planning and Development
Canadian National Railway Company
Box 8100 Montreal PQ H3C 3N4

Dear Ms. Fleisher,

**RE: Comments on the Spencer Zone Change Application
Proposed Spencer Pit
Part of Lots 14-16, Lots 17 and 18, Concession B, Township of Guelph/Eramosa**

Most of the comments which you have made are pertinent to the site plans and not the zone change. The site plans are prepared under the Aggregate Resources Act administered by MNRF. The license application process was started in May of 2014 and as an adjacent landowner, CN was notified of the application and of the public meeting where further information would be provided. The deadline for comments under the ARA process was July 14, 2014 after which you are presumed to have no objection to the license. The site plans deal with issues such as setbacks, fencing, vibration and the location of structures.

Regardless of this, we are pleased to address the comments in your email.

General

This application is for a Category 3 sand and gravel pit with extraction limited to a minimum of 1.5m above the water table. The water table is within the bedrock below the sand and gravel deposit. It is not a quarry and there is therefore no blasting on this site. All of the existing surface water infiltrates into the bedrock and leaves the site as groundwater and this will not change. Aggregate extraction is an interim use and the site is to be rehabilitated to agriculture following extraction.

Comments on Non-Sensitive Developments

1. An adequate setback to build and maintain the structure off of the right-of-way.

Response

There are no buildings proposed adjacent to the right-of-way

2. The provision of 1.83 meter chain link security fencing.

Response

The boundary between the proposed license and the right-of-way is currently fenced with a page wire fence. Under the ARA the site must be fenced with a 1.2m high fence and this fence must enclose the entire property. Any gates must be locked when not in use and all fencing must be kept in good repair and inspected annually. We are certain that this provides improved fencing on the site and adequate security for CN.

We would also note that none of the adjoining properties have fencing and thus adding a chain-link fence here would seem pointless.

3. 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.

Response

This comment presumes a traditional “development” where buildings and paving could change the surface flows. This is not the case. The site infiltrates 100% now, will infiltrate 100% as a pit and will infiltrate 100% when it is returned to a farm.

4. A 30 meter setback of access points to avoid the potential for impacts to traffic safety when located near at-grade railway crossings.

Response

There are no access points near the CN right-of-way

- 5. We ask that there be no resource extraction within 75m 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.**

Response

This comment clearly refers to the existing quarry east of this land. Note that the Provincial Standards under the ARA require that all stockpiles be a minimum of 30m from the license boundary.

The 75m extraction setback is also clearly a requirement for a quarry where blasting would occur. The maximum depth of extraction adjacent to the CN right-of-way for this proposal is about 10m (30') and is set-back 15m from the property boundary. In our experience this is not unusual and quite stable as the sand and gravel is an excellent base and the face is back filled sequentially once extraction is completed to a 3:1 slope. Tri City operates the Petersburg Pit which is set-back 15m from a Rail America line leased by CN which is twice as deep (+/- 24m) and remains stable.

- 6. 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.**

Response

This again is a requirement we would expect for a quarry where blasting would occur. Crushers and screen plants do not produce significant vibration.

- 7. 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.**

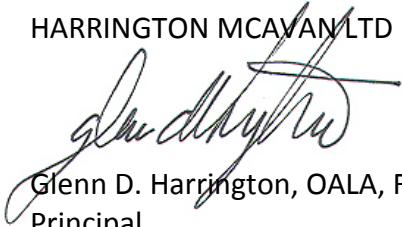
Response

There are no proposed new crossings of the CN right-of-way.

I hope this addresses your comments. Please feel free to contact me if you have any further questions.

Sincerely,

HARRINGTON MCAVAN LTD

A handwritten signature in black ink, appearing to read "Glenn D. Harrington", written over the company name.

Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh

August 20, 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,

Attached please find Stantec's response to the issues raised in your letter of July 9, 2015. For your convenience we have also included your letter dated July 9, 2015 and our previous response dated June 2, 2015.

We trust that the information provided adequately addresses your concerns. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

HARRINGTON McAVAN LTD.

A handwritten signature in black ink, appearing to read 'Glenn D. Harrington'.

Glenn D. Harrington, OALA, FCSLA
Principal

Enclosures - 3
GDH/sh

cc: B. Hermsen, MHBC



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

August 19, 2015
File: 160960833

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

Dear Glenn,

Reference: GRCA comments on Natural Environment Technical Report components of the Spencer Pit Zoning By-lay Amendment Application ZBA 01/14

Thank you for forwarding comments from the Grand River Conservation Authority (GRCA) dated July 9, 2015 with regards to the Zoning By-lay Amendment application for the Spencer Pit. This letter provides responses to the GRCA comments as they pertain to components in the Natural Environment Level 1 & 2 Technical Report (the Report) prepared by Stantec Consulting Ltd (Stantec). For ease of reference, our responses are numbered consistently with the comments provided in the GRCA letter.

Comment/response 1: We note that staff agrees with the labelling error with regards to the wetland evaluation mapping, and are pleased that GRCA will notify MNRF with regards to the error. We would also note, however, that the change in mapping will not affect our determination of no negative impact on the Speed River Wetland Complex, and that GRCA's notification of the mapping error to MNRF should not delay GRCA's review of the Report.

Comment/response 3: Noted, with thanks.

Comment/response 4: While Stantec agrees with GRCA's comment that "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 continue to be of the opinion that these ecological benefits are not sufficient to designate the woodland as a significant woodland or as part of the County Greenlands system.

Prior to OPA 81, Section 5.5.4 (Woodlands) of the Wellington County OP provided criteria for significance as woodlands over 10 hectares (ha) in area. Woodlands in excess of 10 ha were included in the Greenlands system. With regard to ecological functions, Section 5.5 of the Natural Environment Report assesses the onsite woodland against each of the criteria for ecological functions for significant woodlands as defined in the Natural Heritage Reference Manual (MNR, 2010), and clearly indicates that no criterion for significance is met. We would request clarification of which ecological benefits GRCA considers to be provided by the woodlot that would merit it being designated as a Significant Woodland (keeping in mind our previous responses to GRCA's comments on potential ecological benefits in our July 30, 2014 letter).



August 19, 2015
Mr. Glenn Harrington
Page 2 of 3

Reference: GRCA comments on Natural Environment Technical Report components of the Spencer Pit Zoning By-law Amendment Application ZBA 01/14

With respect to County OPA 81, which reduced the size threshold for significant woodlands in rural areas from 10 ha to 4 ha, it is our understanding that OPA 81 was not in force when the application that the Report addresses was submitted, and that OPA 81 does not apply to the application. Regardless of the applicability of the policies in OPA 81, we are of the opinion that removal of the woodlot (without rehabilitation to woodlands) to accommodate extraction of the aggregate beneath is supported in the current version of the Wellington County OP. We offer the following discussion to support this opinion.

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 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.

Comment/response 5: Noted, with thanks.

Comment/response 6: It is not clear how the GRCA would propose to use the age and health of a single species (in this case hop-hornbeam) to determine the age of the forest communities in the proposed extraction zone. The information that Stantec used to describe the age and condition of the forest communities is provided on the ELC sheets (e.g., Size Class Analysis and/or



August 19, 2015
Mr. Glenn Harrington
Page 3 of 3

Reference: GRCA comments on Natural Environment Technical Report components of the Spencer Pit Zoning By-law Amendment Application ZBA 01/14

Community Age). Hop-hornbeam is a slow growing, long lived tree highly adaptable tree that can thrive in open areas or in a forest understory. The presence of even very old specimens of hop-hornbeam does not convey useful information about woodland age, since the tree(s) may have started off in an open agricultural setting and may predate the surrounding woodland by many years.

Hop hornbeam was recorded in the woodlot during a late spring botanical survey on June 12, 2013, but was not listed on the ELC data sheets as it was not recorded during the ELC surveys on August 7, 2013.

Comment/response 7: Noted, with thanks.

I trust that these responses satisfy GRCA's comments with regards to natural heritage features associated with the Spencer Pit Zoning B-law Amendment. Please feel free to contact me should GRCA have any further questions or comments.

Regards,

STANTEC CONSULTING LTD.

Vince Deschamps, M.Sc, MCIP, RPP
Senior Environmental Planner
Phone: (519) 780-8164
Fax: (519) 836-2493
vince.deschamps@stantec.com

c. David Charlton, Stantec Consulting Ltd.

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June 2, 2015

The County of Wellington
Planning Dept.
Date 06/03/15



Aldo Salis
County of Wellington
Department of Planning and Development
Administration Centre
74 Woolwich Street
Guelph, ON
N1H 3T9

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

Dear Mr. Salis,

Further to your letter of June 27, 2014, we are pleased to provide the following response to the items raised.

Entrance on County / Regional Roads

At our request, a meeting was held in September 2014 with the County Roads Division to discuss the entrance. The Region of Waterloo was invited to attend, however Mr. Bruce Erb indicated to the County that as the entrance was in Wellington, they were content to leave the review to the County of Wellington and therefore did not attend.

The County has agreed that the proposed entrance to this property should function well with the necessary road improvements as agreed to.

Since that time, we have been unable to substantially further the discussion on the details of the intersection required despite several attempts on our part. We remain ready to finalize the detailed design with the County.

Proposed Removal of the Woodland Feature

The County refers to the on-site woodland as "a large hardwood bush" approximately 6.03 ha in area. While the area is consistent with that presented in the Report, it is important to note that the "hardwood" component of this woodlot relates only to the FOD5-1 community, which is a Dry-Fresh Sugar Maple Deciduous Forest (as defined using Ecological Land Classification, or ELC), and covers an area of 3.05 ha. The balance of the woodland consists of ELC communities typically associated with "softwood" species and cultural hawthorns; the FOC3-1 community (Dry-Fresh Poplar Deciduous Forest) covers an area of 1.92 ha and the CUW1-3 (Hawthorn Cultural Woodland) covers 1.06 ha. As such, only about half of the woodland should be considered "hardwood bush".

Harrington M^cAvan 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

The County refers to Section 5.5.4 of the Wellington County Official Plan, which states that “smaller woodlots [i.e., <10ha] may also have local significance and, where practical, these smaller woodlots should be protected”. As there are no guidelines for what would constitute “local significance” in the Official Plan, the Natural Heritage Reference Manual (MNR, 2010) provides the appropriate guidance for determining significance of woodlands that don’t meet the minimum size requirements. 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).

As noted by the County, OPA 81 reduced the size requirement for significant woodlands in the County of Wellington to 4 ha. OPA 81 was not, however, in force when the Report was submitted to the. As a result, we are of the opinion that the minimum size requirements prescribed in the Official Plan at the time of submission (i.e., 10 ha) remain in force for this application.

The MNR may have only considered the 3.05 ha FOD5-1 community as “woodland”, which may explain why MNR mapping estimated that woodlot to be less than 4 ha. As described previously, the balance of the feature consists primarily of softwood species and cultural hawthorns. Despite the discrepancy in the size of the woodland in the MNR mapping (i.e., < 4 ha) and Stantec’s delineation (i.e., 6.03 ha), the woodland fails to meet the minimum size criteria in force at the time of submission of the Report (i.e., 10 ha). Furthermore, as the woodlot fails to meet any of the other criteria for significance for woodlots smaller than 10 ha, Stantec remains of the opinion that the woodlot is not significant.

Recycling Facility Within This Proposed Licensed Area

The proposed recycling facility is mainly for recycling of asphalt and concrete. Some recycling of granular from the road bed may also occur. The recycled material will be stockpiled as and when it arrives until sufficient quantity exists to warrant processing. For quality control, stockpiles must be segregated to prevent different materials from mixing. Processing is usually limited to crushing and stockpiling, however stockpiles must also be segregated to maintain the quality of the final product. Final products require a loading area where trucks can be loaded and the material shipped to market. The segregation of materials as described is essential to product “acceptable recycled aggregates” as defined by the Aggregate Recycling Promotion Act 2014. Five acres is required to accommodate these activities.

Rehabilitation of Prime Agricultural Land

The areas around the towers will have 3:1 side slopes as will the side slopes around the pit. These can be used as pasture or hay and are still available for agricultural use. There are other areas of the site which cannot presently be cultivated such as hedgerows, steeper slopes, the wooded areas, old foundations and areas around the existing buildings which will be made available for cultivation. These total about 7 ha. The proposed gentle slopes, pit floor and large open fields will be more conducive to the use of large modern agricultural equipment making it more efficient to cultivate, plant and harvest crops. The removal of the sandy soils and leveling of the pit floor should also make moisture more readily available to crops. In the final analysis, the property should have more

Harrington McAvan Ltd - Landscape Architects

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Offices in Markham, Cambridge, and Aylmer Ontario Visit us on the web at www.harringtonmcavan.com

arable land available for use and this land should be more efficient to work. We believe that this meets or exceeds the PPS requirements.

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.

A handwritten signature in black ink, appearing to read "Glenn D. Harrington". The signature is fluid and cursive, with a large initial "G" and "H".

Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh

Township and Consultants

Planning Reports



TOWNSHIP OF GUELPH / ERAMOSIA PLANNING REPORT

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

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

TOTAL PAGES: 17

SUMMARY

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

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

RECOMMENDATION

It is recommended:

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

Submitted by:

Dan Currie, MA, MCIP, RPP

Neal DeRuyter, BES

BACKGROUND

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

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

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

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

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

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

PROVINCIAL POLICY STATEMENT

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

Mineral Aggregate Resources

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

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

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

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

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

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

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

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

Natural Heritage

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

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

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

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

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

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

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

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

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

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

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

COUNTY OF WELLINGTON OFFICIAL PLAN

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

Mineral Aggregate Resources

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

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

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

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

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

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

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

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

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

Transportation and water quality impacts are addressed in subsequent subsections.

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

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

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

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

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

c) The capabilities for agriculture and other land uses

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

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

d) The impact on the transportation system

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

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

The proposed haul routes from the pit are as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

h) The nature of rehabilitation work that is proposed

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

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

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

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

Core Greenlands

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

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

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

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

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

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

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

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

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

| 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 |

AGENCY AND PUBLIC COMMENTS

Agency Comments

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

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

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

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

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

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

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

Public Comments

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

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

NEXT STEPS


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

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



**Attachment: 1
Location Plan**

LEGEND

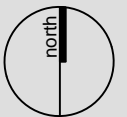
 Subject Lands

DATE: January 2016

FILE: 9902IZ

SCALE 1:10,000

DRAWN: nz



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

Base Map Source: Google Earth 2016

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



TOWNSHIP OF GUELPH / ERAMOSIA PLANNING REPORT

Prepared by MacNaughton Hermsen Britton Clarkson Planning Limited
MHBC File 9902IZ Report Date January 28, 2016

- Application:** Zoning By-law Amendment Application
File No. ZBA 01/14
- 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:** February 1, 2016
- Attachments:** 1. Aerial Photo
2. Operational Plan, Phase A, prepared by Harrington McAvan, dated December 23, 2016

TOTAL PAGES: 10

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 (the "subject lands") from Agricultural (A) to Extractive Industrial (M3) in order to permit an above the water table pit. The Township deemed the application complete on April 17, 2014. An *Aggregate Resources Act* (ARA) application for a new pit licence has also been filed with the Ministry of Natural Resources and Forestry.

The purpose of this report is to provide Council with an overview of the processing of the application to date and recommend that Council schedule the Statutory Public Meeting, required by Section 34(12) of the *Planning Act*, to consider the proposed Zoning By-law Amendment application. A subsequent report containing an evaluation of the application in accordance with the Provincial Policy Statement (2014), the County of Wellington Official Plan, and the Township of Guelph/Eramosa Zoning By-law 57/99 will be provided to Council for the public meeting.

RECOMMENDATION

It is recommended:

- The Township of Guelph/Eramosa conduct a public meeting pursuant to the *Planning Act* to consider the request to amend the Township of Guelph/Eramosa Zoning By-law

Submitted by:

Emily Elliott, BES, MCIP, RPP

Dan Currie, MA, MCIP, RPP

SITE DESCRIPTION AND PROPOSAL

The subject lands comprise an area of 51.16 hectares (126.4 acres) and are located on the south side of Wellington Road 124 and north of the existing Canadian National Railway line (Attachment 1 – Aerial Photo). The subject lands are located in an area predominantly comprised of agricultural uses, with some non-farm residences and commercial uses along Wellington Road 124. Adjacent to the subject lands to the south is an inactive quarry, licenced to Carmeuse Lime (Canada). This inactive quarry contains two large ponds in the area where extraction previously occurred. South of the Carmeuse quarry is the Speed River. The subject lands are located at the southwesterly limit of the Township of Guelph/Eramosa. To the east of the subject lands, on the west side of Highway 24 (Hespeler Road) is the City of Cambridge (Region of Waterloo). To the south of the subject lands is the Township of Puslinch.

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

The subject lands are designated *Prime Agricultural* by the County of Wellington Official Plan (the “Official Plan”) and are subject to a Mineral Aggregate Resource Overlay by Schedule C of the Official Plan. Schedule C identifies “Sand and Gravel Resources of Primary and Secondary Significance” on the subject lands. Aggregate extraction and associated uses are permitted on lands designated Prime Agricultural within the Mineral Aggregate Resource Overlay, subject to rezoning.

The proposed area to be extracted is 36.85 hectares (91.06 acres). It is proposed that the area of extraction may be increased to 42.45 hectares (104.9 acres) if the conditional limit of extraction is included. The conditional limit of extraction includes the woodlot on the southern portion of the subject lands. This woodlot has been determined to contain habitat for the Little Brown Myotis (Little Brown Bat). The Little Brown Bat is classified as an engendered species and is therefore afforded protection under the Endangered Species Act (“ESA”). The conditional limit of extraction is subject to the issuance of authorization under the ESA permitting the removal of the woodlot, or demonstration, to the satisfaction of the Ministry of Natural Resources & Forestry (“MNRF”) that the woodland no longer represents protected habitat for the Little Brown Bat. A site plan amendment under the ARA may be required to reflect the conditions of the ESA authorization, if necessary.

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 metres of the established groundwater table. Extraction is planned to occur in five phases with a total of 2.0 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. Under the Provincial Policy Statement, 2014, the applicant is required to demonstrate that substantially the same areas and same average soil capability for agriculture will be restored. 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 Regulations.

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

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

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

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

Vehicular access to the proposed pit will be directly from Wellington Road 124 opposite Kossuth Road at its intersection with Wellington Road 124. The new site access will be aligned with the existing intersection and will create a new four-legged intersection. Several improvements to the intersection are planned to accommodate the new pit entrance, including: a southbound left turn lane, a northbound right turn taper lane and traffic signal infrastructure.

Berm construction is proposed along Wellington Road 124 in order to mitigate visual and noise impacts. Berms will be constructed in sections depending on the location of operations. All berms are proposed to be 4.0 metres above-grade.

The following plans (collectively referred to as the “Site Plans”) were filed in support of the Zoning By-law Amendment application:

- Existing Features Plan, prepared by Harrington McAvan Ltd, revised December 23, 2015
- Operational Plan Phase A, prepared by Harrington McAvan Ltd, revised December 23, 2015
- Operational Plan Phases B-E, prepared by Harrington McAvan Ltd, revised December 23, 2015

- Section and Details, prepared by Harrington McAvan Ltd, revised December 23, 2015
- Rehabilitation Plan, prepared by Harrington McAvan Ltd, revised December 23, 2015

The following reports and documents were filed in support of the zoning by-law amendment application:

- Application Form
- Summary Report, prepared by Harrington McAvan Ltd, dated April 2014.
- Hydrogeological Level 1 Assessment, prepared by Groundwater Science Corp., dated February 2014.
- Natural Environment Level 1 and 2 Technical Report, prepared by Stantec Consulting Ltd., dated February 25, 2014.
- Archaeological Assessment, Stage 1-2, prepared by Stantec Consulting Limited, dated May 28, 2014
- Acoustic Assessment Report, prepared by Consetoga-Rovers & Associates, dated February 2014, revised April 2014.
- Traffic Impact Assessment, prepared by GHD, dated April 2014.
- Planning Analysis Report, prepared by Harrington McAvan Ltd, dated February 2014.
- Resource Assessment, prepared by Applicant and Harrington McAvan Ltd.
- Correspondence Review, including all agency comments and response letters, compiled by Harrington McAvan Ltd., dated December 23, 2015
- Response to Burnside Peer Review, compiled by Harrington McAvan Ltd., dated January 18, 2016

RELATED APPLICATION

Concurrent with the Zoning By-law Amendment application, Tri City Lands Ltd., has filed an application with the MNRF pursuant to the *Aggregate Resources Act* ("ARA"), for a new pit licence. The purpose of this application is for a Category 3 – Class A Licence to permit a pit above water with a proposed maximum annual tonnage of 650,000. The application has been deemed complete by the MNRF. The 45-day public consultation process required by the ARA occurred between May 20, 2014 and July 4, 2014. This process included an ARA required public information session on June 11, 2014.

Currently, the zoning of the subject lands does not permit the establishment of a new aggregate extraction operation. Accordingly, the Township filed a formal objection to the ARA application with the MNRF on June 18, 2014. The Township objected to the approval of the aggregate licence until the municipal planning process has concluded and the required approvals are in place. The County of Wellington filed an objection to the ARA application with the MNRF on June 12, 2014 for the same reason. 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 objections, the MNRF may refer the application to the Ontario Municipal Board for a hearing.

PROCESS TO DATE

The Zoning By-law Amendment application was received by the Township of Guelph/Eramosa on March 10, 2014. The application was deemed complete by the Township on April 17, 2014 and was subsequently circulated to applicable review agencies. Comments were requested by May 15, 2014.

As a result of comments from review agencies, revisions to the proposal were required. The applicant worked directly with each of the commenting agencies, including the County of Wellington, the Grand River Conservation Authority and the Township of Puslinch, in an effort to resolve outstanding concerns. In addition the applicant worked directly with the MNRF to resolve issues related to the ARA application.

The applicant provided the Township with a revised Zoning By-law Amendment submission on January 12, 2016. This revised submission included correspondence and response letters with the following agencies: the County of Wellington, Hydro One, Puslinch Township, the City of Cambridge, the Six Nations of the Grand River, the Region of Waterloo, the Upper Grand District School Board, the Grand River Conservation Authority, the Ministry of Natural Resources and Forestry and the Ministry of Tourism, Culture and Sport.

Further, the applicant provided written response to the comments raised by the Township's engineering consultant, R. J. Burnside ("Burnside"), on January 18, 2016. This response was provided to Burnside for review that same day.

A planning report providing an analysis of the Zoning By-law Amendment application will be provided to Council for information for the public meeting. This report will include consideration of the applicable planning policy framework all agency comments received. There will not be a recommendation on the Zoning By-law Amendment application made at the public meeting.

Following the public meeting, full consideration of the zoning by-law amendment application can occur and a final report can be prepared for Council. This report will consider all public and agency comments and provide a recommendation to Council on the Zoning By-law Amendment application. This report will be presented to Council for decision at a Council meeting scheduled following the public meeting.

Table 1 summarizes the major application milestones and sets out upcoming target dates for the next steps for the processing of the application (target dates *italicized*). Future dates are tentative and set out for information purposes only. A more fulsome discussion of the next steps will follow.

| TABLE 1. PROCESS TIMELINE | |
|----------------------------------|---|
| Date | Event |
| March 10, 2014 | Application received by Township |
| April 17, 2014 | Application deemed complete by Township |
| April 18, 2014 | Application circulated to commenting agencies |
| April 24, 2014 | Revised application received by Township |

| | |
|------------------|--|
| May, 2014 | Related ARA application deemed complete by MNRF |
| May 20, 2014 | 45-day ARA public consultation process commences |
| June 11, 2014 | ARA public information session |
| June 12, 2014 | County files objection to ARA licence application |
| June 18, 2014 | Township files objection to ARA licence application |
| July 4, 2014 | ARA public consultation process concludes |
| January 12, 2016 | Revised zoning by-law amendment submission received by Township |
| January 18, 2016 | Applicant's response to Burnside comments received by Township |
| February 1, 2016 | Recommendation to schedule public meeting considered by Council |
| March 7, 2016 | <i>Public Meeting (no decision on zoning by-law amendment application)</i> |
| TBD | <i>Recommendation on application considered by Council</i> |

COMMENTS RECEIVED

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 Table 2 below:

| TABLE 2. AGENCY COMMENTS | | |
|---|---|--|
| Agency | Comment Summary | Concerns Addressed |
| Grand River Conservation Authority | Impact on natural heritage features | No objection to the application being taken forward for consideration |
| | Hydrogeological impacts | |
| | Impact on on-site woodland | |
| | Impact on wildlife | |
| Upper Grand District School Board | No objections | N/A |
| Region of Waterloo (Transportation Planning) | Region has no jurisdiction over proposed access | N/A |
| Township of Puslinch | Impact on private wells | Comments adequately addressed by revised site plan and supplemental information provided |
| | Accuracy of water table elevation | |
| | Potential impacts to ground water | |
| | Monitoring Program / Mitigation | |
| County of Wellington (Emergency Management) | No comments | N/A |
| County of Wellington (Planning & Development) | Entrance on county road | Comments pending |
| | Removal of woodlot | |
| | Recycling operations | |
| | Rehabilitation to prime agriculture | |
| County of Wellington (Roads Division) | Entrance location / design | No objection to entrance location in principal, additional information regarding Traffic Impact Study required prior to approval of entrance |
| | Traffic on Wellington Road 124 intersection with Kossuth Road | |
| Township of Guelph/Eramosa | Technical site plan comments | Response from applicant provided January 18, 2016. Comments |
| | Hydrogeological concerns, including: | |

| | | |
|---|---|---|
| (Engineering Consultants – Burnside) | impact on water table/groundwater, impact on private wells, monitoring program, location of wash pond | pending |
| | Clarification regarding acoustic assessment | |
| | Widening of Wellington Road 124 | |
| | Sight line analysis for truck traffic | |
| | Impact on habitat/wildlife | |
| | Impact on species at risk/endangered species | |
| Ministry of Tourism, Culture and Sport | Ministry satisfied with archaeological assessment. | N/A |
| Ministry of Natural Resources & Forestry* | Removal of woodlands | MNRF's outstanding concerns have been addressed. |
| | Impact on Species at Risk and Endangered Species | |
| | Impact on natural heritage features | |
| | Adequacy of mitigation measures | |
| | Groundwater monitoring | |
| Six Nations of the Grand River* | Interest in development relating to land, water and resources | Applicant met with representatives on October 1, 2014. No response received since meeting |
| | Interest in archaeological information | |
| Hydro One* | Access to transmission towers | Response from applicant provided, November 26, 2015. Comments pending |
| | Extraction surrounding towers (face of undisturbed area) | |

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

PUBLIC COMMENTS

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

The written comments and comments received by the public at the ARA required open house are summarized below:

- Impact on adjacent properties such as: decrease in property values, visual impact, noise impacts, dust impacts
- Agricultural impacts such as: loss of agricultural land and rehabilitation
- Air quality impacts related to extraction, truck traffic, plant operations, recycling operation
- Impact on water quality and water supply, including: impact on private wells, ground water, source water and the Speed River
- Environmental impacts, including impacts to: Speed River, species at risk, on-site woodlot, wildlife habitat
- Traffic impacts such as: increased congestion, increased truck/equipment traffic, increased accidents, impact on road safety

- Operational impacts such as: timeline for operations, need for extraction

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

Following receipt of all agency comments, a planning analysis report will be prepared for Council's consideration. Given the number of technical issues raised through the processing of the application, all agency comments must be considered in formulating a planning opinion on the Zoning By-law Amendment application.

NEXT STEPS / RECOMMENDATION


We recommend that the Township conduct a public meeting, pursuant to the *Planning Act* to consider the Zoning By-law Amendment application. This public meeting will allow Township Council and residents an opportunity to discuss the revised Zoning By-law Amendment application and express comments. A planning report providing an analysis of the Zoning By-law Amendment application will be provided to Council for information for the public meeting. There will not be a recommendation on the Zoning By-law Amendment application made at the public meeting.

Following the public meeting, full consideration of the zoning by-law amendment application can occur and a final report can be prepared for Council. This report will consider all public and agency comments and provide a recommendation to Council on the Zoning By-law Amendment application. This report will be presented to Council for decision at a Council meeting scheduled following the public meeting.



**Attachment: 1
Location Plan**

LEGEND

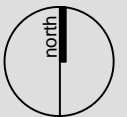
 Subject Lands

DATE: January 2016

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Township of Guelph Eramosa**

Base Map Source: Google Earth 2016

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OPERATIONS NOTES

- GENERAL INFORMATION**
1. THE PLAN DEPICTS A SCIENTIFIC OPERATIONS AND REMEDIATION SCHEME FOR THE PROPERTY SHOWN AND ANY VARIATION FROM THE SCIENTIFIC OPERATIONS AND REMEDIATION SCHEME SHOULD BE APPROVED BY THE LOCAL AUTHORITY AND THE ENVIRONMENTAL AGENCY.
 2. THE OPERATIONS AND REMEDIATION SCHEME SHOULD BE MONITORED AND REPORTED ON REGULARLY TO THE LOCAL AUTHORITY AND THE ENVIRONMENTAL AGENCY.
 3. THE OPERATIONS AND REMEDIATION SCHEME SHOULD BE REVIEWED AND UPDATED AS NECESSARY.
 4. THE OPERATIONS AND REMEDIATION SCHEME SHOULD BE COMPLETED BY THE DATE SPECIFIED IN THE OPERATIONS AND REMEDIATION SCHEME.
 5. THE OPERATIONS AND REMEDIATION SCHEME SHOULD BE COMPLETED BY THE DATE SPECIFIED IN THE OPERATIONS AND REMEDIATION SCHEME.

EXTRACTION/PROCESSING INFORMATION

1. EXTRACTION OF SAND AND GRAVEL FROM WASTE TIPS SHALL TAKE PLACE BY THE METHOD OF EXTRACTION OF SAND AND GRAVEL FROM WASTE TIPS AS SET OUT IN THE OPERATIONS AND REMEDIATION SCHEME.
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RESOURCE INFORMATION

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HYDROLOGICAL INFORMATION

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NOISE MITIGATION INFORMATION

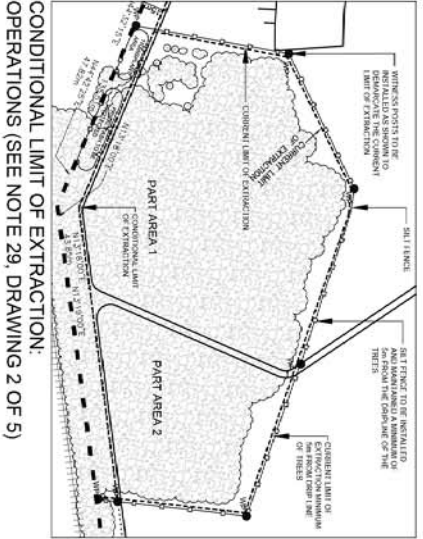
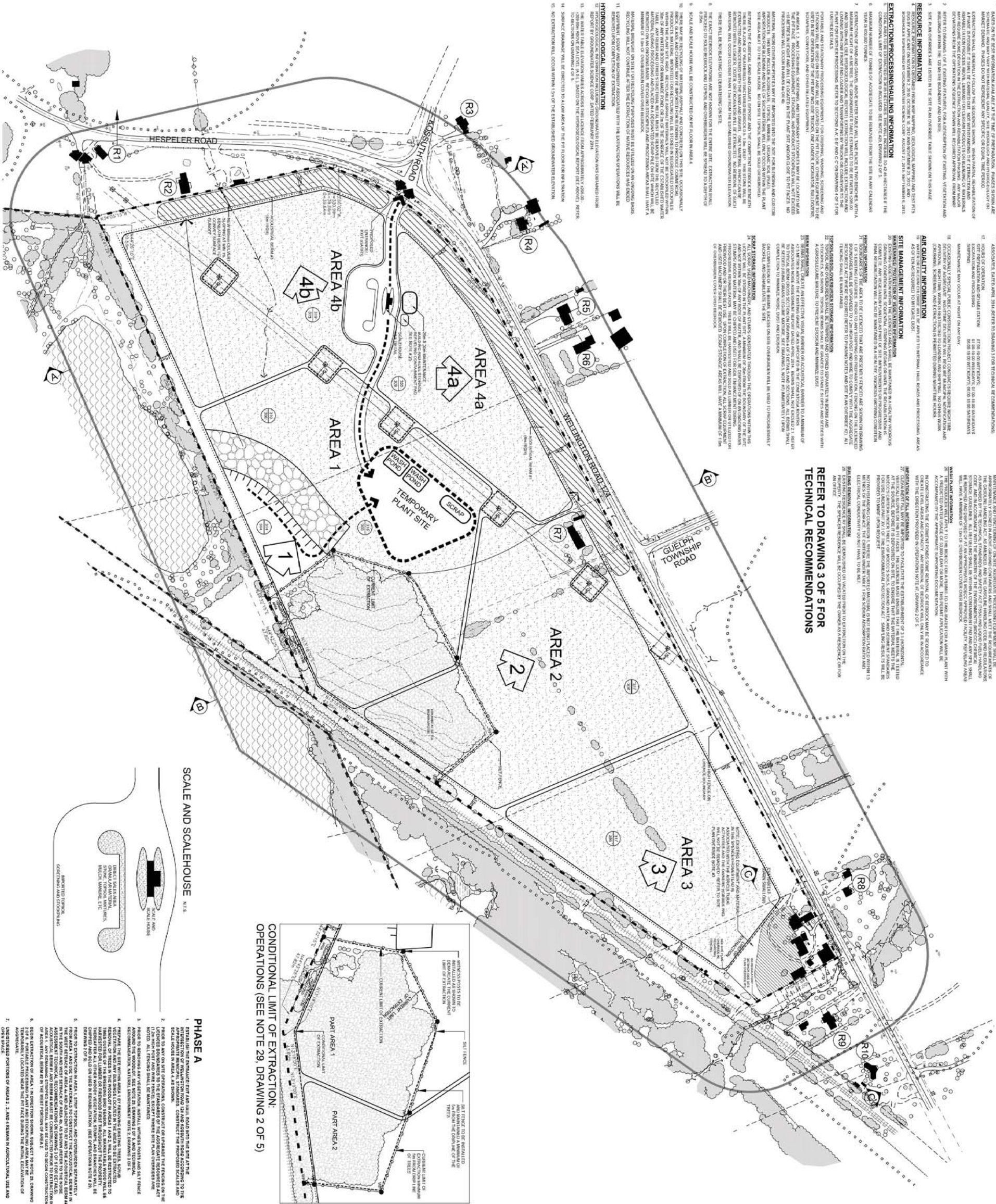
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AIR QUALITY INFORMATION

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REFER TO DRAWING 3 OF 5 FOR TECHNICAL RECOMMENDATIONS

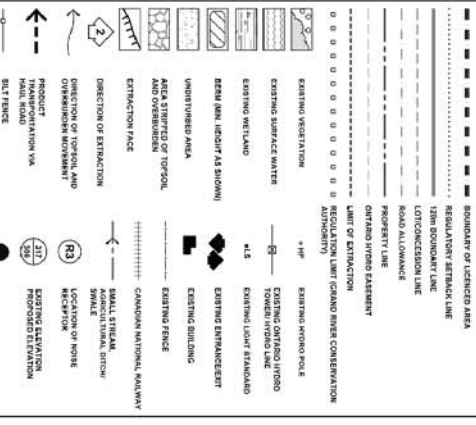
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PHASE A

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LEGEND



NOTES CONTINUED

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SITE PLAN OVERLIE (VARIANCE)

| NO. | DESCRIPTION | DATE | BY | FOR |
|-----|--|----------|----|-----|
| 1 | EXISTING PROPOSED OFFSET FROM THE NORTH EAST LICENSE BOUNDARY SHALL BE MAINTAINED. | 15/11/15 | GH | GH |
| 2 | EXISTING PROPOSED OFFSET FROM THE NORTH EAST LICENSE BOUNDARY SHALL BE MAINTAINED. | 15/11/15 | GH | GH |
| 3 | EXISTING PROPOSED OFFSET FROM THE NORTH EAST LICENSE BOUNDARY SHALL BE MAINTAINED. | 15/11/15 | GH | GH |
| 4 | EXISTING PROPOSED OFFSET FROM THE NORTH EAST LICENSE BOUNDARY SHALL BE MAINTAINED. | 15/11/15 | GH | GH |
| 5 | EXISTING PROPOSED OFFSET FROM THE NORTH EAST LICENSE BOUNDARY SHALL BE MAINTAINED. | 15/11/15 | GH | GH |

Project Name
TRI CITY MATERIALS
 TRI CITY LANDS LTD, SANDERS RD, P.O. BOX 209
 PETERSBURG ONTARIO N0B 2H0

Harrington McAvan Ltd
 1022 10th Avenue
 Markham, Ontario L3R 9V6
 Tel: 905-546-5222 Fax: 905-546-7923
 Office: 10th Avenue & Cummer

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

OPERATIONAL PLAN PHASE A

Drawing Number 2 OF 5

Issue Date DEC 2015

Project Number 10-47

Scale 1:2000

North

Stamp

Drawn SJP/ASJ/SB Checked GH

Drawing Title OPERATIONAL PLAN PHASE A

MEMO

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE

| | |
|-----------------|--|
| To: | Kim Wingrove, Meaghen Reid, Kelsey Lang, Jordan Dolson |
| From: | Bernie Hermsen / Emily Elliott |
| Date: | March 31, 2014 |
| File: | 9902IZ |
| Subject: | Zoning By-law Amendment Application (ZBA 01/14) Tri-City Materials (Spencer Sand and Gravel) REVIEW FOR COMPLETE APPLICATION 6939 Wellington Road 124 |

The Township of Guelph/Eramosa has received the above-noted Zoning By-law Amendment application. The application is briefly summarized below:

| | |
|------------------------|---|
| Application No.: | ZBA 01/14 |
| Landowner: | Tri City Lands Ltd. |
| Agent: | Glenn Harrington, Harrington McAvan Ltd. |
| Location: | 6939 Wellington Road 124 (Part of Lots 14, 15 and 16 and Lots 17 and 18, Concession B, Township of Guelph/Eramosa, County of Wellington) |
| Request: | An amendment to the Township of Guelph/Eramosa Zoning By-Law 57/1999 to rezone the site Extractive Industrial (M3) to permit aggregate extraction on the site. The application will permit a Category 3 – Class ‘A’ Licence, Pit Above Water Table, to remove more than 20,000 tonnes of aggregate a year. The area of the proposed extraction is 42.25 hectares. Upon completion of the extraction operations, the area of the extraction is proposed to be rehabilitated to agriculture. Surrounding land uses are generally agricultural, with scattered non-farm residences along Wellington Road 124. The adjacent property to the south, within the Township of Puslinch, is an inactive quarry, licensed to Carmeuse Lime (Canada) and contains two large ponds in two of the areas of the extraction. |
| Current Official Plan: | Prime Agricultural and Mineral Aggregate Area |
| Current Zoning By-law: | Agricultural (A) |

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| Application Requirements | We have undertaken a review of the policy direction for new aggregate operations set out at Section 6.6.5 of the County of Wellington Official Plan and are generally satisfied that the matters to be considered have been included in the following reports and drawings. |
| Plans and Drawings Submitted | <ul style="list-style-type: none"> • Existing Features Plan, prepared by Harrington McAvan Ltd, dated February 2014; • Operational Plan Phase A, prepared by Harrington McAvan Ltd, dated February 2014; • Operational Plan Phases B-E, prepared by Harrington McAvan Ltd, dated February 2014; • Section and Details, prepared by Harrington McAvan Ltd, dated February 2014; • Rehabilitation Plan, prepared by Harrington McAvan Ltd, dated February 2014. |
| Additional Materials Submitted: | <ul style="list-style-type: none"> • Application Form • Summary Report, prepared by Harrington McAvan Ltd, dated February 2014. <ul style="list-style-type: none"> ○ This report is intended to satisfy Section 2.1 of the <i>Aggregate Resources of Ontario: Provincial Standards, Version 1.0</i> for a Category 3 – Class ‘A’ Pit Above Water Table. It summarizes the information and conclusions of the reports listed below. • Hydrogeological Level 1 Assessment, prepared by Groundwater Science Corp., dated February 2014. <ul style="list-style-type: none"> ○ This report presents the results of a hydrogeologic assessment and is intended to address the current groundwater standards in addition to general Environmental Impact Study type requirements. • Natural Environment Level 1 and 2 Technical Report, prepared by Stantec Consulting Ltd., dated February 25, 2014. <ul style="list-style-type: none"> ○ This report identifies natural features located on the site and on adjacent lands and evaluates the impact of the proposed operation on these features. This report is intended to fulfil the ARA requirements for a Level 1 and 2 Natural Environment Technical Report and address Environmental Impact Study requirements. • Archaeological Assessment, Stage 1-2, prepared by Stantec Consulting Limited, dated November 6, 2013. <ul style="list-style-type: none"> ○ This report evaluates the archaeological potential and cultural heritage significance of the site. • Acoustic Assessment Report, prepared by Consetoga-Rovers & Associates, dated February 2014. <ul style="list-style-type: none"> ○ This study provides an evaluation of potential off-site noise impacts from the proposed facility’s significant environmental noise sources and provides technical recommendations necessary to ensure that on-site noise generation and the off-site environmental noise impacts meet and do not exceed levels estimated in the report. • Traffic Impact Assessment, prepared by GHD, dated February 2014. <ul style="list-style-type: none"> ○ This study assesses the extent of traffic-related impacts on the |

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| | <p>abutting roadway system generated by the proposal and reviews the application in the context of applicable Official Plan policies.</p> <ul style="list-style-type: none"> • Planning Analysis Report, prepared by Harrington McAvan Ltd. <ul style="list-style-type: none"> ○ This report analyses the planning and land use considerations of the application. • Resource Assessment, prepared by Applicant and Harrington McAvan Ltd. <ul style="list-style-type: none"> ○ This report contains the test pit log data. |
| <p>Related Applications:</p> | <p>An <i>Aggregate Resources Act</i> (ARA) application for a new pit licence has been filed with the Ministry of Natural Resources (“MNR”). The purpose of this application is to obtain a Category 3 – Class ‘A’ licence to permit a pit above water table with extraction of more than 20,000 tonnes of material annually on private lands.</p> <p>An application for a Class ‘A’ licence must meet the requirements of the <i>Aggregate Resources of Ontario: Provincial Standards Version 1.0</i>, including acceptance of site plans and technical reports. The reports and plans listed above were all included with the application.</p> <p>In addition, notification and consultation is required as part of the licence application process. This includes: a public information session; written notice to adjacent landowners; notice published in the local newspaper; circulation of the application to prescribed agencies; and submission of a consultation package to the MNR. Any member of the public or circulated agency, including municipalities, may provide comments or objections to the applicant and MNR within the 45-day notification period. If a member of the public files an objection letter, the applicant must try to resolve all issues raised.</p> <p>A decision with respect to the ARA licence application can be issued by the MNR. If there are unresolved objections or if MNR fails to render a decision or refuses to issue the licence, the application may be referred or appealed to the Ontario Municipal Board for a hearing.</p> |

This application has been reviewed in terms of the *Planning Act* requirements for a complete application (Regulation 545/06, Schedule A) and the applicable provisions of the zoning by-law. **The application is deemed to be complete.** It is noted that as a result of agency comments, additional information may be required to address any issues or concerns that may arise.

Recommendation:

It is recommended that:

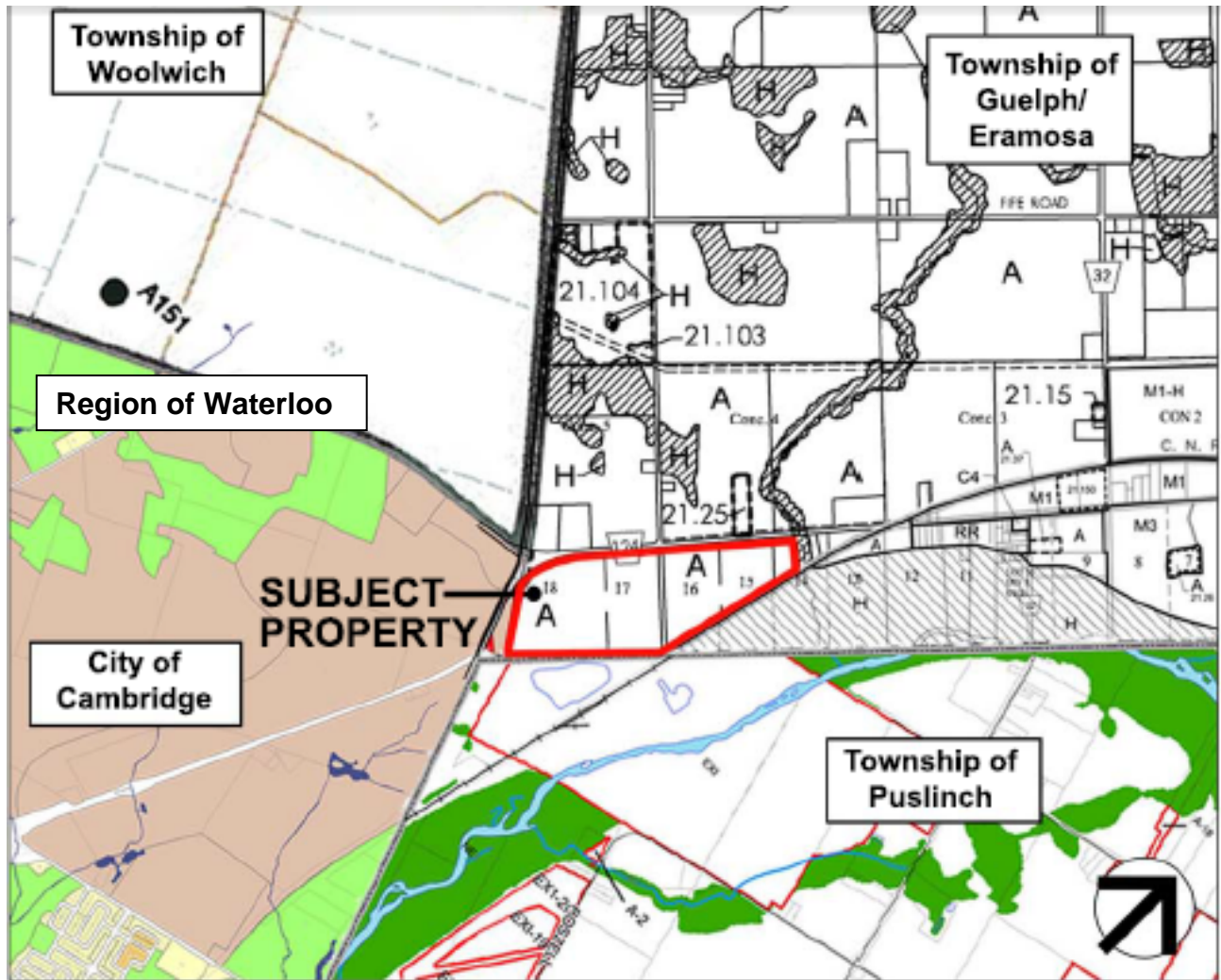
1. The Township proceed with the required notice of a complete application, as per section 34(10.7)(a) of the *Planning Act* and Ontario Regulation 545/06;
2. The Zoning By-law Amendment application be circulated to the required agencies for comments as per the *Planning Act*; and,
3. The application be forwarded to the Township’s Planners, MHBC Planning, for a preliminary planning report.

Yours Truly,
MHBC

A handwritten signature in black ink that reads "Bernie Hermsen". The signature is written in a cursive, flowing style.

Bernie Hermsen, MCIP, RPP

Encl. Zoning Map



Corporation of the Township of Woolwich Zoning By-law No. 55-85, Key Map 'A', July 2012; Corporation of the City of Cambridge Zoning By-Law, Cambridge General Zoning Map, February 8, 2013; Township of Guelph/ Eramosa Zoning By-Law 57/1998, Schedule 'A' Map 1 & 1B, December 2009; Township of Puslinch Zoning ByLaw No. 19/85, Schedule A, Consolidation dated September 27, 2012

Zoning Map



Legend

Township of Woolwich

- Rural Site Specific - See Section Noted
- ▭ Township Boundary
- Unless otherwise indicated lands are zoned Agricultural

City of Cambridge

- Open Space
- Medium High Density Residential
- Low Density Residential
- Commercial
- Agricultural

Township of Guelph/ Eramosa

- A Agricultural
- RR Rural Residential
- C4 Highway Commercial
- M1 Rural Industrial
- M3 Extractive Industrial
- Hazard
- ▭ Special Provisions

Township of Puslinch

- A Agricultural Zone
- EXI Extractive Industrial Zone
- NE Natural Environmental Zone

Consultants

Peer Reviews



July 4, 2014

Via: Mail

Ms. Kim Wingrove
CAO
Township of Guelph Eramosa
P.O. Box 700
8348 Wellington Road 124
Rockwood ON N0B 2K0

Dear Ms. Wingrove:

**Re: Hydrogeologic Assessment
Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
TriCity Lands Ltd. Spencer Pit
6939 Wellington Road 124
Township of Guelph/Eramosa
Project No.: 300035544.0000**

Section 1.0 Introduction

At your request, R.J. Burnside & Associates Limited (Burnside) has reviewed a February 2014 report prepared by Groundwater Science Corp. entitled "*Hydrogeologic Assessment, Tri-City Lands Ltd. Proposed Spencer Pit Part Lots 14, 15, 16, and Lots 17 and 18, Concession B, Township of Guelph/Eramosa County of Wellington*". The report has been prepared for Harrington McAvan Ltd. as part of a Category 3 licence application under the Aggregate Resources Act (ARA) to extract aggregate from above the water table.

The proposed Spencer Pit is located on the south side of Wellington Road 124, Northeast of the unopened road allowance dividing the City of Cambridge and the Township of Guelph/Eramosa and north-west of the unopened road allowance between the Township of Puslinch and the Township of Gueph/Eramosa. Land use in the area is primarily agricultural with some rural residential properties located along Wellington Road 124 and on Kossuth Road. There are 2 quarries located immediately south of the site, both of which have undergone below water table extraction and now are filled with water.

Section 2.0 Study Components

The objective of the study as indicated by Groundwater Science Corp. (GSC) is to determine the elevation of the established groundwater table within the site and demonstrate that the final depth of extraction is at least 1.5 m above the water table. In order to demonstrate this, GSC has undertaken the following as part of their study:

- A description of the topographic setting.
- A description of reported water well locations based on information from the MOE water well records.
- A description of geologic and hydrogeologic setting.
- A brief description of the proposed extraction.
- An examination of the proposed extraction.
- Conclusions and recommendations.

The GSC study included a review of a variety of reports that were prepared specifically for the site as well as other documents prepared by government sources such as the Grand River Conservation Authority in support of source water protection initiatives in the area. On-site work included the installation of 3 wells and collection of water levels from these 3 wells along with existing on-site drinking water supply well (the Barn well) on the site. In addition, 52 test pits were excavated by others as part of an investigation to look at aggregate quality. This information was also used by GSC in their assessment of the site.

Water levels were measured in the 3 boreholes and the onsite well on 6 occasions between October 1, 2013 and January 9, 2014.

The information from the test pits and boreholes was used to prepare a bedrock surface map and the water level data was used to prepare a map of water table contours.

Section 3.0 Burnside Comments

The comments below are numbered according to the section numbers in the GSC report.

Section 3.4 Quaternary Geology

The Quaternary geology mapping which is provided in Appendix A of the report suggests there is a small area of till found at surface at the southern portion of the site. A number of test pits in the south western portion of the site did not encounter sand and gravel, but found till from the surface to the bottom of the test pit. There are no monitoring wells completed in the overburden materials.

Although observations during test pitting and borehole drilling indicated unsaturated conditions in the overburden, it would be prudent to install a number of monitoring wells in the areas of surficial till in order to confirm that there is not an overburden water table. In addition, additional investigations in areas of surficial till may guide the proponent in their plans for extraction and may also be a suitable area to construct a wash pond given the fine grained materials.

Section 3.7 Private Water Wells

GSC provided a map showing the location of private water wells within 500 m of the site based on information obtained from the Ministry of Environment (MOE) on-line database. The information from the MOE well records indicates that the majority of the wells in the area obtain their supplies from the bedrock and that most of the wells are located up-gradient of the proposed pit.

Although the documentation indicates that the wells are up-gradient of the proposed pit and the above water table extraction should not cause any issues, it is Burnside's recommendation that GSC conduct a door to door survey of wells in order to establish pre-extraction water quality and quantity. The door to door survey may also identify shallow dug wells that do not show up in the MOE water well record database. The door to door survey will provide protection for both the proponent and homeowners in the event that there is an issue with a well in the future. In addition, the information may prove useful in the event that a PTTW is required for washing operations at the site.

Section 3.8 Aggregate Resource Assessment

GSC indicates that at 11 locations fine grained (e.g., Wentworth Till) materials occurred at surface and extended to depth (or bedrock). It would be prudent to provide better definition of areas where there are no sand and gravel resources as these may be appropriate locations to construct a wash water pond. This would be preferable to constructing a pond directly on the bedrock surface where there will be limited protection provided to the underlying aquifer. Burnside recommends that the extent of the till be better defined by excavating additional test pits or advancing additional boreholes. The information should then be used to provide an updated bedrock topography map for the pit and a map showing the till thickness. This will assist the proponent in selecting the best area for establishing a wash pond and refueling area. Additionally, the till material may be suitable for use in pit rehabilitation and the additional information will assist in refining the volume of material present.

Section 4.2 Water Level Monitoring

GSC installed 3 monitoring wells on the site and also utilized an existing well (the barn well) to obtain water level measurements on six occasions. The measurements indicated that the water table was found at depths below the bedrock surface ranging from 2.82 m at BH1 to 6.3 m at BH3. As a result, it appears that the water table is found within the underlying bedrock. Burnside recommends that water level data collected during the spring of 2014 be used as water levels should be at their peak following the spring snowmelt. GSC indicates that all elevations are relative to an assumed ground elevation of 318.0 masl at BH3. Burnside recommends that a geodetic benchmark be established at the site since the ground surface may change as operations at the site proceed.

As indicated previously, Burnside recommends that additional monitoring wells be installed in areas where there was till encountered from surface to the bedrock in order to see if these areas have a localized water table in the overburden and also whether they would be suitable for leaving in place to facilitate the construction of a wash water pond.

Proposed Extraction

GSC indicates that the extraction plan is referenced on the site plan. However, since the water table is in the bedrock the general plan is to extract gravel to a maximum depth corresponding to the bedrock surface and remaining 1.5 m above the established groundwater table. Rehabilitation will include replacing topsoil once extraction is completed in order to return the site to agricultural use post extraction. Additionally, GSC indicates that the aggregate processing will include washing activities which is anticipated to require a separate application for a permit to take water from the MOE. GSC also indicates that fuel storage and equipment maintenance will occur on site.

Burnside recommends that the area with till material between surface and the underlying bedrock be considered as the location for wash ponds in order to provide some protection to the underlying bedrock aquifer. In addition, since the land use will be returning from industrial to agricultural use (the most sensitive land use), a Record of Site Condition should be provided by the proponent prior to the surrendering of the license. Since extraction to the bedrock surface is proposed, the proponent will need to provide more detail on how much material will be required to provide a suitable thickness of overburden to support agricultural operations. Similarly, the extraction will result in exposed bedrock which will be susceptible to impacts from anthropogenic activities. As a result, Burnside recommends that equipment refueling should be done on a concrete pad which has provisions for spill collection.

Section 7.1 Monitoring Plan

GSC proposes that water level measurements shall be obtained at the existing on-site monitoring well locations BH1, BH2, BH3, and Barn Well on a monthly basis for one year with subsequent water level measurements obtained on a quarterly basis at existing on site well locations BH1, BH2, BH3 and Barn Well during the first 3 years of extraction operations. GSC also indicates that the barn well is within the proposed extraction area and should be abandoned in accordance with the applicable regulations if it is not to be utilized as a monitor or water supply well. At the end of the 3 years of monitoring the data should be summarized in a report provided to the MNR. The monitoring program should be discontinued if no groundwater impacts are observed after 3 years.

Burnside concurs with the proposed monitoring plan, but recommends that some additional overburden wells be installed. Although no impacts to existing domestic wells are expected, Burnside recommends that a pre-extraction well survey be completed to establish baseline water quality/quantity.

Yours truly,

R.J. Burnside & Associates Limited



David Hopkins, P. Geo.
Senior Hydrogeologist
DH:sd

cc: Mr. Bernie Hermsen, MHBC (Via: Email)
Mr. Neal Deruyter, MHBC (Via: Email)
Ms. Meaghen Reid, Township of Guelph/Eramosa (Via: Email)



July 4, 2014

Via: Email

Kimberly Wingrove, CAO
Township of Guelph/Eramosa
P.O. Box 700,
8348 Wellington Road 124
Rockwood ON N0B 2K0

Dear Ms Wingrove:

**Re: Peer Review - Tri City Lands Ltd. - Spencer Pit
Project No.: 300035544.0000**

1.0 Introduction

The following letter has been compiled to provide comments in the form of a Peer Review of the Tri City Lands Ltd. Spencer Pit Summary Report and Appendix B-Natural Environment Technical Report: Level 1 and 2 (the Report) by Stantec Consulting Limited. In conjunction with the review of the NETR, the Site plans (Harrington McAven) were also reviewed.

2.0 Comments

We would like to provide the following comments for the Report:

- In Section 2.1 regarding literature reviewed for this Report, reference is made to a NHIC database search dated 2010. If this is a typographical error it should be changed. If not, it would be more accurate to have completed an NHIC in 2014 for this report in order to include the most recent available information and to address any species who's status has changed between 2010 and 2014.
- In Section 2.3.1 Vegetation, a reference is made to the 2008 revised version of the ELC manual for Southern Ontario. The most recent version of this document is actually dated October 2013 and can be found here:
http://www.conservationontario.ca/events_workshops/ELC_portal/
- In Section 2.3.3 Amphibians, we would suggest that a late April call count survey should have been completed regardless of the interpretation that it was a "late spring", as per the MMP protocol. We do not agree that a May survey is sufficient to detect any early spring calling species.
- In Section 3.2 it would be helpful to have a reference to a figure illustrating the locations of OP natural heritage features.
- In Section 4.4 Vegetation Communities, there should be consistent reference to the ELC community type that was mapped (e.g., vegetation type, ecosite, etc.).

- In Section 4.4 the scientific names for species are missing. Standard protocol is to include the scientific name the first time a species is referenced in a report.
- In Section 4.4 a reference to the percent cover of woody canopy, understory and shrub and sapling layer should be included for every community that meets forest, swamp or woodland criteria under the ELC.
- In Section 4.4 some of the community descriptions refer to soil type and texture and some do not. This should be revised for consistency.
- In Section 4.4.1 Vascular Plant Species, there is reference to a butternut within the study area. The distance from the proposed license area should be provided here.
- In Section 4.5.1 there is reference to the rail line. Please provide a figure reference for this feature, especially as it provides habitat for a species regulated under the ESA (2007).
- Section 4.5.2 Amphibians, does not provide a description of why the author has summarized that "No amphibian breeding habitat was encountered in the proposed license area". Please provide an explanation for this conclusion along with an appropriate figure reference.
- Section 4.5.3 Mammals states that "no bats were observed during the course of the field investigations". An explanation as to why none were documented is required here. Was it due to the timing of the surveys (daytime vs. evening?).
- Section 4.5.4 concludes that fish habitat was not present in the proposed license area, however no explanation of how this conclusion was derived is provided. Please provide an explanation.
- In Section 5.1 a number of SAR that had the potential to occur on the Site are dismissed due to a lack of habitat on the Site. An explanation of this exclusion process should be provided (SAR screening table including habitat preferences or requirements would be suggested).
- In Section 5.1 the number of Barn Swallow nests documented in the barn is discussed. Please provide the timing of the survey and an explanation as to why the nests were not surveyed during the breeding season. Discussion on the potential for the Site to provide foraging habitat for this species is not adequately addressed. The proposed activities may require permitting under the ESA. This has not been addressed in a satisfactory manner within the report.
- In Section 5.3 Fish Habitat, there should be some discussion regarding how the water balance within aquatic and wetland features will be maintained.
- In Section 5.4.1 Seasonal Concentration Area, requires additional discussion as to why deer movement into the proposed license area is not occurring.
- In Section 5.4.2 Rare Vegetation Communities and Specialized Habitats for Wildlife, requires discussion as to how the water balance will be maintained within the pond and wetland communities for amphibian breeding.
- In Section 5.4.3 under Reptiles please provide an explanation as to why no species specific surveys for snakes were completed on the Site. Under Insects discuss if any toothwort (food source for West Virginia White) was documented in this community.
- In Section 5.5.2 Ecological Functions (of the woodland) we do not agree that the rail line poses a barrier to animal movement, especially for birds.
- In Section 5.8 Summary of Natural Heritage Features (of the woodland) there is not adequate assessment of potential Barn swallow habitat with respect to foraging opportunities.
- In Section 7.1 there should be a description as to whether a Butternut Health Assessment was/was not completed with an explanation.

- In Section 7.3 Fish Habitat the potential indirect effects need to be addressed and mitigation measures recommended.
- In Section 7.4 Amphibian Breeding Habitat, (Woodland) there needs to be an explanation of the potential indirect effects and recommended mitigation measures.
- The Site Plans provided do not provide adequate mitigation recommendations for the types of habitat and the potential direct and indirect effects associated with the proposed aggregate extraction. Potential for indirect effects associated with transfer of sediment, disturbance to wildlife, changes to surface and ground water and protection of the seed bank should be addressed. In addition, the mitigation measures should be provided within the body of the Report.

3.0 Summary

The Tri City Lands Ltd. Spencer Pit Summary Report and Appendix B-Natural Environment Technical Report: Level 1 and 2 was well written and thorough. The appendices were very helpful and more extensive than what would be "typical" of these reports. We do not feel that any of the above issues should be difficult to address or that any additional field data collection is required to meet the reporting protocol for this application under the Aggregate Resources Act. Please do not hesitate to contact the undersigned if you have any questions or concerns.

Yours truly,

R.J. Burnside & Associates Limited



Nicholle Smith
Senior Terrestrial Ecologist
NJS:sd

cc: Mr. Bernie Hermsen, MHBC (Via: Email)
Mr. Neal Deruyter, MHBC (Via: Email)
Ms. Meaghen Reid, Township of Guelph/Eramosa (Via: Email)



July 4, 2014

Via: Email

Ms. Kim Wingrove
CAO
Township of Guelph/Eramosa
P.O. Box 700, 8348 Wellington Road 124
Rockwood, ON N0B 2K0

Dear Kim:

Re:

**Spencer Pit Site Plans
Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
TriCity Lands Ltd. Spencer Pit
6939 Wellington Road 124
Township of Guelph/Eramosa
Project No.: 300035544.0000**

We have completed our review of the Site Plans for the above noted application. The Plans prepared by Harrington McAvan Ltd. Included the following:

- Existing Features Plan, Drawing 1 of 5, Issue Date: April 2014, Revision 1, April 2014
- Operational Plan Phase A, Drawing 2 of 5, Issue Date: April 2014, Revision 1, April 2014
- Operational Plan Phase B-E, Drawing 3 of 5, Issue Date: April 2014, Revision 1, April 2014
- Sections and Details, Drawing 4 of 5, Issue Date: April 2014, Revision 1, April 2014
- Rehabilitation Plan, Drawing 5 of 5, Issue Date: April 2014, Revision 1, April 2014

Based on our review we have the following comments:

Existing Features Plan, April 2014 – Drawing 1 of 5

1. 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.
2. The ownership of the unopened road allowances on the property will need to be confirmed.

Operational Plan Phase A, April 2014 – Drawing 2 of 6

1. Phase A, Note 4 – Berm #4 is to be corrected to Berm #3.
2. Noise mitigation information:
 - Note 17 – Hours of Operation will be reviewed with Township.
 - Note 18 – Nighttime delivery will be reviewed with Township.

Operational Plan Phase B-E, April 2014 – Drawing 3 of 5

1. Suggest adding the Section 5.3 Summary from the Archeological Assessment to the Technical Recommendations Section.

Sections and Details, April 2014 – Drawing 4 of 5

No comment.

Rehabilitation Plan, April 2014 – Drawing 5 of 5

1. Rehabilitation Notes
 - Note 10 should include spreading of available “overburden” and “topsoil”.
2. 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.

Yours truly,

R.J. Burnside & Associates Limited



Glenn Clarke, S.T.
GEC:hl

cc: Mr. Bernie Hermsen, MHBC (Via: Email)
Mr. Neal Deruyter, MHBC (Via: Email)
Ms. Meaghen Reid, Township of Guelph/Eramosa (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> |
| | | Burnside accepts CRA/GHD response. |

| 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 |
|-----|----|---|
| 2.8 | - | <p>Section 1.0 (p.19 of 82) says "NPC-300, 'Stationary and Transportation Sources - Approval and Planning', October 2013".</p> <p>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.</p> <p>Should the referenced say "August 2013"?</p> |
| 2.9 | - | <p>Table C.1 shows values of "Height above Roof" for all sources with values between 5.10 and 2.0.</p> <p>Since these sources are not enclosed in a building, should the title say "Height above Ground"?</p> |

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)



July 4, 2014

Via: Email

Ms. Kimberly Wingrove, CAO
Township of Guelph/Eramosa
P.O. Box 700
8348 Wellington Road 124
Rockwood ON N0B 2K0

Dear Kim:

**Re: Traffic Impact Assessment Preliminary Review
Zoning By-Law Amendment Application ZBA 01/14 (Township File D14 TR)
TriCity Lands Ltd. Spencer Pit
6939 Wellington Road 124
Township of Guelph/Eramosa
Project No.: 300035544.0000**

As requested we have completed a preliminary review of the "Traffic Impact Assessment Proposed Spencer Pit - Town of Guelph / Eramosa" prepared by GHD for the Spencer Pit application. In keeping with discussions between the Township, MHBC Planning and Burnside, as well as the May 27, 2014 MHBC memo regarding the application, a coordination meeting is recommended with Transportation planning staff from the County and Region. Our focus at this time was therefore to assess if there were any major issues within the traffic study which would require advanced discussion and is not a detailed review of the analysis. Our findings in that regard are as follows:

The major item in the study for discussion is the road network improvement required and who is responsible. GHD has projected background traffic volumes to be 1600 vehicles per hour in the peak direction of the peak hour by 2020 on Wellington Road 24. They have identified the need for Wellington Road 24 to be four lanes through the intersection, where currently it is only two lanes. The inference is that this is a background improvement and should be paid for by the municipal agencies. However, it is our understanding that Wellington Road 24 widening is not currently identified in future capital programs. Therefore, how does this improvement get completed? In terms of improvements the applicant is responsible for, having identified the driveway out to the signal opposite Kossuth Road, a southbound left turn lane on Wellington Road 24 to service the site, and traffic signal modifications to accommodate the driveway.

Secondly, the operational assessment assumes that Wellington Road 24 has been widened through the intersection; however, from an operations perspective, the intersection operations will not be as efficient as indicated. The operations assume Wellington Road 24 as a four lane road, but it would be essentially a lane widening through the intersection. The additional lane is

not as effective operationally as you get fewer people in the lane that move over as they have to merge once they get through the intersection. The operational analysis should reflect this.

Finally, we recommend an analysis of sight lines be provided for trucks turning right out of the site onto Wellington Road 24 given the driveway would be on the inside of the curve. The analysis should consider the operating characteristics of the trucks.

Should you have any immediate questions regarding our preliminary comments, please contact the undersigned. Otherwise we look forward to the upcoming traffic meeting.

Yours truly,

R.J. Burnside & Associates Limited



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

cc: Mr. Bernie Hermsen, MHBC (enc.) (Via: Email)
Mr. Neal Deruyter, MHBC (enc.) (Via: Email)
Ms. Meaghen Reid, Township of Guelph/Eramosa (enc.) (Via: Email)

o ents



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 | <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> |
| | | GHD identifies that a meeting occurred and agencies were invited. No further response required. |
| 3.2 | 2.2 | <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> <i>GHD indicated:</i> <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> |

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| | | <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 |
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| | | <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> |

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| | | <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> |

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|--------------------|----------------------|--|----------------------|----------------------|--|----------------------|--|--|-----------------|------------|-----------------|------------|--------------------|-----|------|--|--|--------------------|------|------|-----|------|
| | | <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. 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 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 | <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> |
| | | Burnside is satisfied with the WSC response. |
| 3.2 | 2.4 | <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> |

| No. | Re | Comment |
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| | | 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. 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.

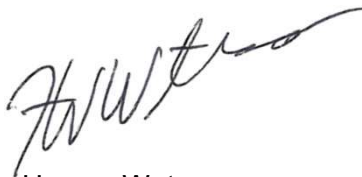
| No. | Re | Comment |
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| 2.1 | 1. | <p><i>Table B.2 calculates the impact of road noise on the Points of Reception (PORs) at varying distances relative to the measured values of 71.6 dBA (day) and 65.6 dBA (night). This impact is then used as the limit 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> |
| | | Burnside accepts CRA/GHD response. |

| No. | Re | Comment |
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| 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 | - | <p>Section 1.0 (p.19 of 82) says "NPC-300, 'Stationary and Transportation Sources - Approval and Planning', October 2013".</p> <p>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.</p> <p>Should the referenced say "August 2013"?</p> |
| 2.9 | - | <p>Table C.1 shows values of "Height above Roof" for all sources with values between 5.10 and 2.0.</p> <p>Since these sources are not enclosed in a building, should the title say "Height above Ground"?</p> |

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)



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 - 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 January 13, 2016, and the Harrington McAvan Ltd. Letter dated January 18, 2016, received as part of the January 18, 2016 submission by Harrington McAvan Ltd.

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 | - | <p><i>Section 3.4</i></p> <p><i>The Quaternary geology mapping which is provided in Appendix A of the report suggests there is a small area of till found at surface at the southern portion of the site. A number of test pits in the south western portion of the site did not encounter sand and gravel, but found till from the surface to the bottom of the test pit. There are no monitoring wells completed in the overburden materials.</i></p> <p><i>Although observations during test pitting and borehole drilling indicated unsaturated conditions in the overburden, it would be prudent to install a number of monitoring wells in the areas of surficial till in order to confirm that there is not an overburden water table. In addition, additional investigations in areas of surficial till may guide the proponent in their plans for extraction and may also be a suitable area to construct a wash pond given the fine grained materials.</i></p> |
| | | <p>The WSC response is satisfactory.</p> |

| No. | Re | Comment |
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| 2.2 | - | <p>Section 3.7 Private Water Wells</p> <p><i>GSC provided a map showing the location of private water wells within 500 m of the site based on information obtained from the Ministry of Environment (MOE) on-line database. The information from the MOE well records indicates that the majority of the wells in the area obtain their supplies from the bedrock and that most of the wells are located up-gradient of the proposed pit.</i></p> <p><i>Although the documentation indicates that the wells are up-gradient of the proposed pit and the above water table extraction should not cause any issues, it is Burnside's recommendation that GSC conduct a door to door survey of wells in order to establish pre-extraction water quality and quantity. The door to door survey may also identify shallow dug wells that do not show up in the MOE water well record database. The door to door survey will provide protection for both the proponent and homeowners in the event that there is an issue with a well in the future. In addition, the information may prove useful in the event that a PTTW is required for washing operations at the site.</i></p> <p>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.</p> |
| 2.3 | - | <p>Section 3.8 Aggregate Resource Assessment</p> <p><i>GSC indicates that at 11 locations fine grained (e.g., Wentworth Till) materials occurred at surface and extended to depth (or bedrock). It would be prudent to provide better definition of areas where there are no sand and gravel resources as these may be appropriate locations to construct a wash water pond. This would be preferable to constructing a pond directly on the bedrock surface where there will be limited protection provided to the underlying aquifer. Burnside recommends that the extent of the till be better defined by excavating additional test pits or advancing additional boreholes. The information should then be used to provide an updated bedrock topography map for the pit and a map showing the till thickness. This will assist the proponent in selecting the best area for establishing a wash pond and refueling area. Additionally, the till material may be suitable for use in pit rehabilitation and the additional information will assist in refining the volume of material present.</i></p> <p>We are satisfied with the WSC response.</p> |
| 2.4 | - | <p>Section 4.2 Water Level Monitoring</p> <p><i>GSC installed 3 monitoring wells on the site and also utilized an existing well (the barn well) to obtain water level measurements on six occasions. The measurements indicated that the water table was found at depths below the</i></p> |

| No. | Re | Comment |
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| | | <p><i>bedrock surface ranging from 2.82 m at BH1 to 6.3 m at BH3. As a result, it appears that the water table is found within the underlying bedrock. Burnside recommends that water level data collected during the spring of 2014 be used as water levels should be at their peak following the spring snowmelt. GSC indicates that all elevations are relative to an assumed ground elevation of 318.0 masl at BH3. Burnside recommends that a geodetic benchmark be established at the site since the ground surface may change as operations at the site proceed.</i></p> <p><i>As indicated previously, Burnside recommends that additional monitoring wells be installed in areas where there was till encountered from surface to the bedrock in order to see if these areas have a localized water table in the overburden and also whether they would be suitable for leaving in place to facilitate the construction of a wash water pond.</i></p> <p>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.</p> |
| 2.5 | - | <p><i>Proposed Extraction</i></p> <p><i>GSC indicates that the extraction plan is referenced on the site plan. However, since the water table is in the bedrock the general plan is to extract gravel to a maximum depth corresponding to the bedrock surface and remaining 1.5 m above the established groundwater table. Rehabilitation will include replacing topsoil once extraction is completed in order to return the site to agricultural use post extraction. Additionally, GSC indicates that the aggregate processing will include washing activities which is anticipated to require a separate application for a permit to take water from the MOE. GSC also indicates that fuel storage and equipment maintenance will occur on site.</i></p> <p><i>Burnside recommends that the area with till material between surface and the underlying bedrock be considered as the location for wash ponds in order to provide some protection to the underlying bedrock aquifer. In addition, since the land use will be returning from industrial to agricultural use (the most sensitive land use), a Record of Site Condition should be provided by the proponent prior to the surrendering of the license. Since extraction to the bedrock surface is proposed, the proponent will need to provide more detail on how much material will be required to provide a suitable thickness of overburden to support agricultural operations. Similarly, the extraction will result in exposed bedrock which will be susceptible to impacts from anthropogenic activities. As a result, Burnside recommends that equipment refueling should be done on a concrete pad which has provisions for spill collection.</i></p> |

| No. | Re | Comment |
|-----|----|--|
| | | <p>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.</p> |
| 2.6 | - | <p><i>Section 7.1 Monitoring Plan</i></p> <p><i>GSC proposes that water level measurements shall be obtained at the existing on-site monitoring well locations BH1, BH2, BH3, and Barn Well on a monthly basis for one year with subsequent water level measurements obtained on a quarterly basis at existing on site well locations BH1, BH2, BH3 and Barn Well during the first 3 years of extraction operations. GSC also indicates that the barn well is within the proposed extraction area and should be abandoned in accordance with the applicable regulations if it is not to be utilized as a monitor or water supply well. At the end of the 3 years of monitoring the data should be summarized in a report provided to the MNR. The monitoring program should be discontinued if no groundwater impacts are observed after 3 years.</i></p> <p><i>Burnside concurs with the proposed monitoring plan, but recommends that some additional overburden wells be installed. Although no impacts to existing domestic wells are expected, Burnside recommends that a pre-extraction well survey be completed to establish baseline water quality/quantity.</i></p> <p>Burnside is in agreement with the current monitoring program proposed by WSC. It is our understanding that a wash pond will be required for the operation and that the required volumes of water will necessitate that the proponent obtain a permit to take water (PTTW) from the MOECC. The current monitoring program will need to be reviewed as part of the PTTW process.</p> |

Yours truly,

R.J. Burnside & Associates Limited



Dave Hopkins, P.Geo.
Senior Hydrogeologist
DH: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 – 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

A handwritten signature in blue ink, appearing to read 'Nicholle Smith', with a long horizontal line extending to the right.

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 – 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 – 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 January 15, 2016, received as part of the January 18, 2016 submission by Harrington McAvan Ltd.

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 | - | <i>In keeping with discussions between the Township, MHBC Planning and Burnside, as well as the May 27, 2014 MHBC memo regarding the application, a coordination meeting is recommended with Transportation planning staff from the County and Region.</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. |

| No. | Re | Comment |
|-----|----|--|
| 2.2 | - | <p><i>The major item in the study for discussion is the road network improvement required and who is responsible. GHD has projected background traffic volumes to be 1600 vehicles per hour in the peak direction of the peak hour by 2020 on Wellington Road 24. They have identified the need for Wellington Road 24 to be four lanes through the intersection, where currently it is only two lanes. The inference is that this is a background improvement and should be paid for by the municipal agencies. However, it is our understanding that Wellington Road 24 widening is not currently identified in future capital programs. Therefore, how does this improvement get completed? In terms of improvements the applicant is responsible for, having identified the driveway out to the signal opposite Kossuth Road, a southbound left turn lane on Wellington Road 24 to service the site, and traffic signal modifications to accommodate the driveway.</i></p> <p>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.</p> <p>GHD indicated:</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 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>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.</p> <p>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.</p> |

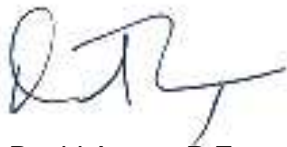
| No. | Re | Comment |
|-----|----|--|
| | | <p>The assumption is that traffic will divert, where are they diverting to? If GHD believes their growth assumptions are too high, will the road network function with lower growth? Support should be provided that corridor traffic will decline as the capacity 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.</p> <p>They indicated that <i>“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>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:</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> <p>Subject to the County providing more current information, there still appears to be outstanding items in getting an entrance approved.</p> |
| 2.3 | - | <p><i>Secondly, the operational assessment assumes that Wellington Road 24 has been widened through the intersection; however, from an operations perspective, the intersection operations will not be as efficient as indicated. The operations assume Wellington Road 24 as a four lane road, but it would be essentially a lane widening through the intersection. The additional lane is not as effective operationally as you get fewer people in the lane that move over as they have to merge once they get through the intersection. The operational analysis should reflect this.</i></p> <p>GHD confirmed that localized widening may not be as effective operationally when compared to full widening of Wellington Road 124, but that the operation is impacted by the design of the intersection and total length of widening, which can</p> |

| No. | Re | Comment |
|-----|----|---|
| | | <p>be fined tuned during the detailed design with the County. We accept this approach.</p> |
| 2.4 | - | <p><i>We recommend an analysis of sight lines be provided for trucks turning right out of the site onto Wellington Road 124 given the driveway would be on the inside of the curve. The analysis should consider the operating characteristics of the trucks.</i></p> <p>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.</p> <p>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.</p> |
| 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>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</p> |

| No. | Re | Comment |
|-----|----|--|
| | | road), that the road can accommodate the traffic. The County will need to accept over capacity conditions should only the turn lanes be added as the roadway is under their jurisdiction. |

Yours truly,

R.J. Burnside & Associates Limited



David Argue, P.Eng.
Vice President, Transportation
DA: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)

Agencies

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 (ie. 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

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)

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

This e-mail message is intended only for the addressee. It contains privileged and/or confidential information. Any unauthorized copying, use or disclosure is strictly prohibited. If this message has been sent to you in error, please notify the sender immediately and delete it without reading, copying or forwarding to anyone. Thank you.



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

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,

A handwritten signature in black ink, appearing to read "Jason Wagler", is written over a circular stamp that partially overlaps the typed name below.

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

RECEIVED

SEP 22 2015

Township of Guelph/Eramosa



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

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

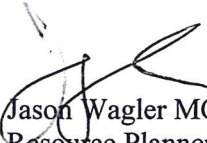
Response #6 – The age and health of the trees hop hornbeam (*Ostrya virginiana*) are of interest because this will help determine the age of the forest communities within the proposed extraction zone. This species was not recorded on the ELC data sheet, but is listed in Table 1 (botanical list). As noted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

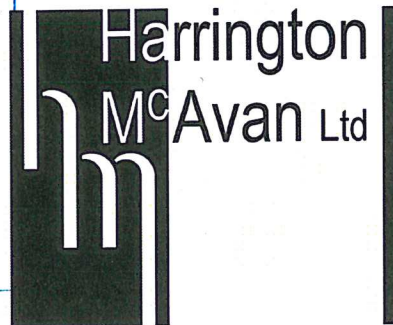
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JUL 13 2015

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.harringtonmccavan.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.

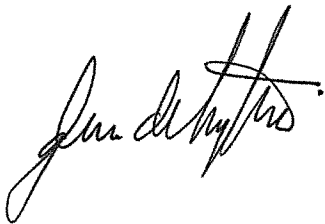
Comment/response 6: it is not clear why GRCA recommends determining the age and health of hop hornbeam (*Ostrya virginiana*) recorded from the woodlot. The species is not considered at risk or rare in Wellington County. As such, we request clarification as to why GRCA recommends an assessment of the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

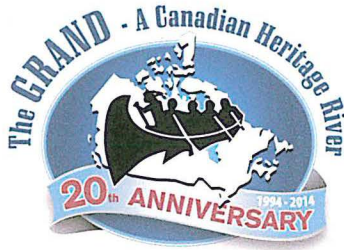
Sincerely,

HARRINGTON McAVAN LTD.



Glenn D. Harrington, OALA, FCSLA
Principal

GDH/sh



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.

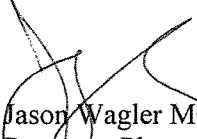
We offer the following comments based on the reports submitted with this application:

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

- WATERSHED BOUNDARY (GRCA)
- TRAIL (GRCA)
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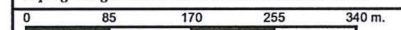


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400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6

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.

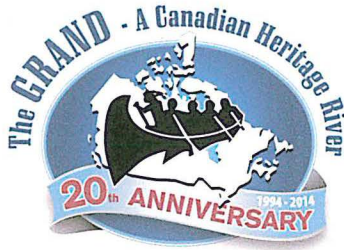
Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2320.

Yours truly,

A handwritten signature in black ink, appearing to read "Jason Wagler".

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

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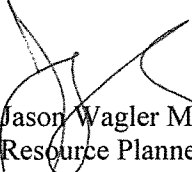
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Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2320.

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
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Spencer Pit

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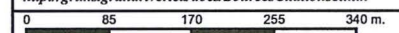


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NAD 1983, UTM Zone 17

Scale 1:7,500



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



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.

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
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 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.



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/



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 thin blue horizontal line.

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

MN/af

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



THE TOWNSHIP OF
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FINANCE / RECREATION / FACILITIES FAX 519-669-9348

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

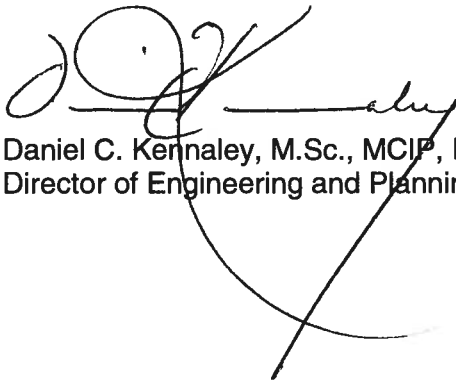
I would like to provide the following comments with regards to the above noted zoning by-law amendment application.

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 circular flourish on the left side.

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



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

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](#)



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



**TRITON
ENGINEERING
SERVICES
LIMITED**
Consulting Engineers

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.

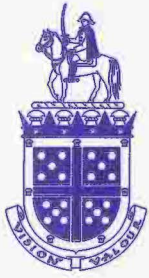
The GHD Report analyzed the Kossuth Road intersection with the addition of the proposed pit access. They are forecasting overall intersection LOS C in 2015. However, in reviewing individual lane movements, some are approaching v/c of 1.0 (capacity) and increased queue lengths in comparison to the tee 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

OFFICE OF THE COUNTY ENGINEER
ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9
T 519.837.2601
T 1.866.899.0248
F 519.837.8138

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



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

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).



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
TEL: (519) 837-2600
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
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

Letters of Objection

December 24, 2015

Glenn Harrington, Principal
Harrington McAvan Limited
6882 14th Avenue
Markham ON
L6B 1A8

Re: MNRF Comments - Tri City Lands Ltd. Spencer Pit - Category 3, Class A Licence Application under the *Aggregate Resources Act*, Part of Lots 14-16, Lots 17 & 18, Concession B, Township of Guelph-Eramosa, County of Wellington

Mr. Harrington

The Ministry of Natural Resources and Forestry (MNRF) Guelph District Office is in receipt of the updated site plans from Harrington McAvan Limited (dated December 23, 2015), submitted in support of the proposed Spencer Pit license application. The MNRF has had an opportunity to review the plans, and can provide the project team with the following comments for your consideration.

The Ministry's most recent objection letter was dated November 13, 2015. The MNRF's comments outlined required updates to the site plans to address the protection afforded to Little Brown Myotis under the *Endangered Species Act* (ESA), and other operational matters on the plans. The MNRF and the project team met on November 25, 2015 to discuss the approaches to address the ESA and Little Brown Myotis on the plans.

MNRF staff also provided preliminary comments to the project team on draft revisions to the site plans on December 21, 2015 (email correspondence).

MNRF Comments

The MNRF appreciates the project team's attention to our comments to-date.

The updated site plans (dated December 23, 2015) have appropriately addressed the MNRF's outstanding concerns in principle with the license application. This includes the protection afforded to Little Brown Myotis under the ESA. However, there appears to be a minor typo in technical note #14 on the Rehabilitation Plan. This note refers to the 'MNRFF' as the approval agency. It is recommended that this be corrected to the 'MNRF.'

Provided the above noted correction is reflected on the final site plans provided to the MNRF, the Ministry no-longer objects to the proposed Spencer Pit license application.

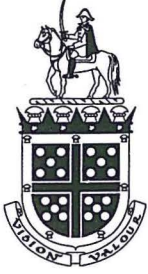
The Ministry would be pleased to discuss the content of this letter with the project team. If further comment or clarification is required please contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read 'D. Marriott', written over a horizontal line.

Dave Marriott, District Planner
Ministry of Natural Resources and Forestry, Guelph District
1 Stone Road West
Guelph, ON, N1G 4Y2
Phone: (519) 826-4926

cc: Ian Thornton, MNRF
Seana Richardson, MNRF
Graham Buck, MNRF



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
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ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

June 12, 2014

RECEIVED

JUN 18 2014

TOWNSHIP OF
GUELPH/ERAMOSIA

Mr. Ian Hagman, District Manager
Ministry of Natural Resources
Guelph District Office
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Dear Mr. Hagman,

**Re: Notice of Application for Licence
Category 3, Class 'A' (Pit Above Water)
Pt. Lots 14-16, and Lots 17 & 18 Con. B (Former Township of Eramosa)
Township of Guelph/Eramosa, County of Wellington
Tri City Lands Inc. – Proposed Spencer Pit**

The current municipal zoning of the subject land does not permit the establishment of an aggregate extraction operation. We understand that a zoning by-law application has been filed by the proponent and that the planning process has only recently been initiated by the Township. That review process, pursuant to the requirements of the Planning Act, will provide the Township and other stakeholders an opportunity to identify concerns and recommend measures to minimize potential impacts. As such, this office would object to the approval of an aggregate licence until the municipal planning process has concluded and the required approvals are in place.

Should the Ministry eventually grant a licence for the subject land, we would appreciate a copy of the licence and approved site plans for our files.

Sincerely,

Gary Cousins, MCIP, RPP
Director of Planning & Development

cc. **K. Wingrove, Township of Guelph/Eramosa**
G. Ough, Wellington County Engineering Services
G. Harrington, Harrington & McAvan Ltd.
B. Hermson, MHBC

June 18, 2014

Mr. Ian Hagman, District Manager
Ministry of Natural Resources - Guelph District Office
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Dear Mr. Hagman,

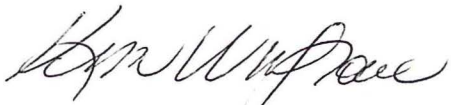
Re: Notice of Application for Licence
Category 3, Class 'A' (Pit Above Water)
Pt. Lots 14-16, and Lots 17 & 18 Con. B (Former Township of Eramosa)
Township of Guelph/Eramosa, County of Wellington
Tri City Lands Inc. - Proposed Spencer Pit

The current municipal zoning of the subject land does not permit the establishment of an aggregate extraction operation. A zoning by-law application has been filed by the proponent with the Township, and the planning process has recently begun, yet will take some time to conclude.

This review process, pursuant to the requirements of the Planning Act, will provide the Township and other stakeholders an opportunity to identify concerns and recommend measures to minimize potential impacts. As such, the Township would object to the approval of an aggregate licence until the municipal planning process has concluded and the required approvals are in place.

Should the Ministry eventually grant a licence for the subject land, we would appreciate a copy of the licence and approved site plans for our files.

Regards,



Kimberly Wingrove
Chief Administrative Officer

KW/kl

cc. G. Harrington, Harrington & McAvan Ltd.
Mayor and Council of Guelph-Eramosa Township
B. Hermsen, MHBC Planning
G. Cousins, County of Wellington Planning and Development Department

June 27, 2014

Glenn Harrington, Principal
Harrington McAvan Limited
6882 14th Avenue
Markham ON L6B 1A8

**Re: MNR Comments on Tri City Lands Ltd., proposed Spencer Pit:
Category 3, Class “A” Licence Application under the *Aggregate Resources Act*,
Part of Lots 14-16, Lots 17 & 18, Concession B,
Township of Guelph-Eramosa, County of Wellington**

Mr. Harrington:

The Ministry of Natural Resources (MNR) Guelph District Office is in receipt of an application for the proposed Spencer Pit – Category 3 (pit above water table), Class “A” Licence under the *Aggregate Resources Act* (ARA). A Summary Report (April 2014), Hydrogeological Assessment (February 2014), Natural Environment Technical Report: Level 1 and 2 (February 25, 2014) and various other reports have been submitted in support of the licence application.

MNR understands that the proposed licence area is approximately 51.16 hectares, with 42.45 hectares proposed for extraction. The application is for a new pit with a proposed annual tonnage limit of 650,000 tonnes. The water table has been estimated to be located within the bedrock at elevations ranging from approximately 295 to 309 MASL. Extraction will be limited to no lower than 1.5 m above the water table.

The Speed River Provincially Significant Wetland (PSW) Complex and the Ellis Creek PSW Complex are in close proximity to the proposed licence area. We note that the majority of the site consists of agricultural fields used for cash crops with some meadow habitat. A 6.03 hectare woodland (mainly deciduous) is located along the south-central portion of the property. Progressive rehabilitation of the licence area is proposed to return the site to an agricultural use.

MNR staff has reviewed the technical reports and Site Plans (dated April 2014) and offer the following comments for consideration:

Natural Environment Technical Report: Level 1 and 2

Significant Woodlands

Section 5.5.5 of the Natural Environment Technical Report concludes that the woodland within the licence boundary does not meet the criteria for significant woodland. MNR notes that removal of the entire woodland is proposed.

- Under Section 5.5.1 (Woodland Size): MNR notes that Section 3.2 (Literature Review) lists Wellington County Official Plan (1999) but does not include Wellington County Official Plan Amendment (OPA) 81. Wellington County OPA 81, which is in effect, has changed the significant woodland size criteria for the County to 4.0 hectares in rural areas (10.0 hectares for plantations). The woodland located within the proposed licence area is approximately 6.03 ha in size. Therefore, the report's criterion for significant woodland needs to be reassessed based on OPA 81 and the Natural Environment Technical Report and Site Plans should be updated accordingly.
- With respect to proximity to other woodlands or habitats, the Natural Heritage Reference Manual (NHRM) provides the following guideline: "*Woodland areas are considered to be generally continuous even if intersected by narrow gaps 20m or less in width between crown edges*". Another significant consideration for the ecological function criteria is proximity to other habitats. The NHRM suggests that if a woodland that meets the size threshold criteria is within a specified distance (e.g., 30 m) of another significant feature, it could contribute to the determination of significance.
- Section 5.5.2 – Ecological Function (Woodland Diversity): The Natural Environment Technical Report states that "*Approximately 41% of the plants recorded from the proposed licence area were exotics. As such, there is no woodland diversity function provided by the woodland*". Please clarify if this statistic is for species collected in the woodland only or the entire proposed licence area. This criterion should be assessed using data collected from the woodland only.

Species at Risk

- The Natural Environment Technical Report identifies that Barn Swallow (*Hirundo rustica*), a threatened species, is presumed to be nesting within the northern limits of the proposed licence area (in a large wooden barn) outside of the proposed extraction limits. Please identify the size of the buffer proposed to ensure that nest habitat is protected.
- MNR notes that Yellow Bumble Bee (*Bombus fervidus*) was identified within the proposed extraction area. This species prefers grassy, open areas, such as forest clearings and meadows. Although the NHIC lists this species as S4, MNR is aware that a COSEWIC status report is underway and that the International Union for Conservation of Nature (IUCN) assessment will be completed in September 2014. MNR understands that the species is currently assessed to be included as vulnerable on the IUCN Red List, pending peer review. As noted in the Significant Wildlife Habitat Technical Guide, species with populations known to be experiencing substantial declines in Ontario can be considered species of conservation concern. Recent research has shown significant declines in *B. fervidus* populations in southern Ontario and throughout Eastern North America. It is possible that the species will be evaluated by COSSARO in the near future. MNR is of the opinion that due to the probable decline of the species, the status of Yellow Bumble Bee (*B. fervidus*) will need to be updated to reflect current information. It is likely much more rare than previously listed and no longer S4. If the species is S3 or lower the site would be considered candidate significant wildlife habitat. If the licence was proposing to extract only within the agricultural crop lands and avoid the meadow habitat, MNR would not be as concerned with potential impacts to this species.

- The proposed licence area is a historical location for Rusty-Patched Bumble Bee (*B. affinis*), a habitat generalist that utilizes forest and grasslands. This species is listed as endangered on the SARO list. MNR understands that *B. affinis* is often confused with Half-black Bumble Bee (*B. vagans*) which MNR notes was found within the proposed licence area. An expert in differentiating the two species is necessary to confirm identification. Due to the similarity between the two species, MNR is of the opinion that further work is required in 2014 to confirm the presence/absence of *B. affinis* within the proposed licence area. Surveys should be done by an expert familiar with the two species, or by a person less qualified if photographs are obtained and analysed by an expert in *B. affinis*. If the licence was proposing to protect the woodland and meadow and extract only the agricultural crop lands, MNR would not be as concerned with potential impacts to this species.
- Eastern Wood Pewee (*Contopus virens*) was assessed by COSSARO as special concern and was added to the SARO list on June 27, 2014. Therefore, because its habitat is candidate significant wildlife habitat, the Natural Environment Technical Report needs to be updated to reflect the status of this species, and any implications within the proposed extraction area should be reflected in the Report and on the Site Plans.
- MNR is of the opinion that the snag density surveys conducted by Stantec were adequate at the time the surveys were undertaken. However, because Little Brown Myotis (*Myotis lucifugus*), Northern Myotis (*M. septentrionalis*) and Eastern Small-foot Bat (*M. leibii*) have since been added to the SARO list as endangered, more rigour in the surveys is now required. It must be determined whether these species are using the woodland as material roosts. MNR recommends assessing the wooded habitats for snags initially, and if snags are present and could be impacted (e.g., removed), MNR recommends acoustical monitoring near the snags to determine whether any of the bat species identified above are present and using the snag. If the licence was proposing to protect the wooded area and extract only the agricultural crop lands, MNR would not be as concerned with potential impacts to bats.
- The presence of Prickly Ash indicates the possible presence of Giant Swallowtail Butterfly (S3). If the species is present there is candidate significant wildlife habitat within the proposed licence boundary. If there is potential to damage or destroy the habitat of Giant Swallowtail Butterfly, MNR recommends a survey for this species when it will be flying.

Potential Environmental Effects and Mitigation Measures

- Section 7.2. (Speed River Provincially Significant Wetland) identifies that a 15m setback is proposed from the eastern limit of the pit between the extraction limit and the licence area boundary. This section notes that the Speed River Complex is separated from the proposed licence area by an existing rail corridor. The Natural Environment Technical Report should identify the width of the rail corridor. In addition, this section states that, “when the extraction setback is combined with the existing rail corridor and upland FOC2-2 community, the wetland communities will be afforded in excess of 30 m of separation from the pit”. Please identify the separation distance from the PSW in areas where the setback is not combined with FOC2-2.

Site Plans

Please be advised that the Ministry may provide additional comments on the Site Plans when the above comments on the Natural Environment Technical Report have been addressed. However, MNR can offer the following preliminary comments on the Site Plans for consideration:

- As noted in the Natural Environment Technical Report, Barn Swallow is presumed to be nesting in a wooden barn within the proposed licence area outside of the area proposed for extraction. The Site Plans should identify the buffer distance between the proposed extraction area and the barn to ensure that Barn Swallow habitat is protected.
- On the 1: 7500 inset map (Existing Features Plan), the map appears to be incorrectly drawn showing the proposed licence boundary aligning with the CNR line. This differs from what is shown on the main map (1:2000) for the Existing Features Plan.
- According to the Natural Environment Technical Report, a portion of the woodland (FOD 3-1) within the proposed licence area is dominated by trembling aspen with elm and ash as commonly associated. This should be identified on the Existing Features Plan.
- MNR recommends that the meadow habitat to the west of the woodland within the proposed licence area be identified on the Existing Features Plan to distinguish this habitat from the agricultural crop areas. The Natural Environment Technical Report noted that this habitat was preferred by bumble bees.
- For consistency, MNR recommends that the following information be added to Phase B technical note 1: "Removal of trees in the woodlot will be restricted to outside the breeding bird season".

Editorial Comments

- Pg 1 of the Summary Report identifies that the wooded area within the proposed licence boundary is 5.0 hectares. However, the size of the woodland is 6.03 hectares as identified in the Natural Environment Technical Report.

Summary

In light of the above comments, the Ministry objects to the proposed Spencer Pit (Category 3, Class "A") licence application at this time.

The Ministry would appreciate a response to the comments provided on the technical reports and the Site Plans. Please be advised that MNR staff may have additional comments on the technical reports and the Site Plans when a response to the above has been provided for review.

The Ministry would be pleased to discuss the content of this letter with the project team. Please contact the undersigned at 519-826-4912 or annemarie.laurence@ontario.ca if further comment or clarification is required.

Yours truly,

A handwritten signature in cursive script that reads "AM Laurence".

Anne Marie Laurence
A/District Planner

cc (email): Ian Thornton, Resources Operations Supervisor, MNR
David Marriott, District Planner, MNR
Diane Schwier, Aggregate Technical Specialist, MNR

Other Information

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



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.