

**Stovel and Associates Inc.**  
*Planners, Agrologists and Environmental Consultants*

**PLANNING REPORT– TRI-COUNTY PIT - TOWNSHIP OF EAST GARAFRAXA**

**To:** Council

**From:** Rob Stovel

**Date:** August 18, 2017

**Applicant:** Robert Long, on behalf of Tri-County Aggregates Ltd. ("Tri-County")

**Purpose:** **Applications to amend the Official Plan and the Zoning By-law**  
**Of this** To re-designate and rezone a significant forest to Environmental Protection  
**Report:** And  
 To update Council on the public consultation for the Tri-County Pit application  
 Township File Numbers: (OPA1-15 and Z1-15)  
 Part of Lots 2 and 3, Concession 18

**Proposed  
 Official Plan  
 For  
 Woodland:** Agricultural to Environmental Protection

**Proposed  
 Zoning for  
 Woodland:** Agricultural to Environmental Protection

**Attachments:** 1 – Letter from Credit Valley Conservation (June 20, 2016)

**1. BACKGROUND**

On March 24, 2015, the Township of East Garafraxa received an Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") application for portions of Part of Lots 2 and 3, Concession 18 to permit the establishment of a pit, with extraction limited to a depth of 1.5 m above the established water table. The proposed pit is known as the Tri-County Pit.

On April 16, 2015, the Township deemed the OPA and ZBA applications to be complete. A statutory public meeting under the Planning Act was held on June 21, 2016 for the subject applications. During the intervening time period, the Township Development Reviewer Team made various requests/comments and received information to satisfy concerns that were raised. A planning report was presented for Council's information which included a technical analysis and overview of the comments received.

In addition to the planning applications, Tri-County made application to the Ministry of Natural Resources and Forestry ("MNR") under the Aggregate Resources Act ("ARA") for a Class A Pit – Category 3 Licence (Extraction to Remain 1.5 m above the Established Groundwater Table). The Township and County are objectors to the licence.

## **2. AGENCY COMMENTS**

As part of the normal circulation process for the gravel pit OPA and ZBA applications, the Township received correspondence from Credit Valley Conservation ("CVC") dated March 10, 2016. The CVC noted the following:

- i. The Subject Site contains no watercourses or associated hazards (flood plan or erosion).*
- ii. The proposed licence area contains no significant natural heritage features of concern to the CVC.*
- iii. However, a tributary of Shaws Creek traverses north of the site on lands owned by the Licensee.*
- iv. In addition, a portion of a significant woodland is located on lands owned by the Licensee. The woodland also contains wetlands.*
- v. CVC is satisfied with the response regarding hydrogeological comments.*
- vi. The proponent has agreed to include the CVC in the Permit To Take Water ("PTTW") application process which will confirm their preliminary analysis.*
- vii. Although the watercourse, woodlot and associated significant wildlife habitat and buffers are located outside the licence area, the proponent has agreed to rezone the features from Agriculture to Open Space. This will ensure their long-term protection.*

Based on this, the CVC removed their objection with respect to the approval of these applications. Attachment 1 includes the CVC letter (June 20, 2016) confirming no objection to the application.

The applicant has agreed to re-designate and re-zone the adjacent natural heritage features referenced in the CVC letter. To this end, the environmental lands owned by Tri-County are proposed to be re-designated and rezoned accordingly.

It is recommended that the Township, as part of its Official Plan review and mapping process (that is currently underway), determine whether additional environmental lands owned by Tri-Kamp farm to the west of the Tri-County lands should be re-designated to Environmental Protection.

## **3. TOWNSHIP OF EAST GARAFRAXA OFFICIAL PLAN**

The subject lands are subject to the Greenbelt Protected Countryside, with much of the site being located within the Agricultural System overlay. A small portion of the subject lands is mapped within the Natural Heritage System overlay.

The site-specific Official Plan Amendment proposes to re-designate a significant natural heritage feature, i.e. woodlot to the northeast of the proposed pit, to Environmental Protection.

Within the Official Plan, the lands are subject to the Greenbelt Protected Countryside overlay. The lands will remain subject to that overlay and the corresponding policies for the designation.

## **4. TOWNSHIP OF EAST GARAFRAXA ZONING BY-LAW 60-2004**

Following the guidance of the CVC, significant natural heritage features in the north/northeast portion of the property will be re-zoned from Agriculture to Environmental Protection.

No further variances from the standards set out in Zoning By-law 60-2004 are required to rezone the woodland to Environmental Protection.

## **5. UPDATE ON PUBLIC CONSULTATION FOR THE PROPOSED PIT APPLICATION**

The following information is provided to Council and for the information of the applicant regarding concerns raised as part of the consideration of the Tri-County request to establish a pit.

Several letters of objection were received by the Township for the proposed Tri-County Pit application. The types of concerns follow closely with what was addressed at the Public Meeting. Concerns that were noted by the public generally relate to the following:

- Need: why another pit in the area.
- Traffic-related concerns due to increased truck traffic and safety on the Township and County roads.
- Impacts on water and private drinking wells.
- Impacts on health.
- Increased noise and hours of operation, including Saturday operations.
- Increased dust.
- Impacts on the natural environment and wildlife.
- Impacts on property values.
- Who and how will their complaints be handled.
- Visual impacts.
- Monitoring.

Additional steps were taken by the Township Development Review Team, including meeting with various residents to discuss the proposed Tri-County Pit application.

The following provides a summary of the issues identified by the residents:

- Why hasn't the applicant met with the residents?
- Why are there two different processes with different timelines?
- What is the need for the pit and why isn't need a consideration?
- What will be the Impact on Land Value?
- What will be the impact on the Township and County Road system?
- Why can't the 16th or 18<sup>th</sup> Lines be used for truck traffic?
- Who will be responsible for improving and maintaining the roads, including replacement of culverts?
- What are the hours of operation? They said existing pits normally end operations at 5 or 5:30 and 7 pm is right at supper. They have had trucks on their road as early as 4:20 am and 5 am.
- How will complaints be handled? What good is a complaint procedure if Tri-County doesn't call back or won't meet with the public?
- Will the pit be operational on Saturdays?
- Can a different type of backup beeper be used?
- Is County Road 3 safe for slow trucks as there is a hill that they feel creates a blind spot?
- Can the township and county roads could handle such volumes of truck traffic?
- How will the township deal with rolling stops by gravel trucks at the intersection of SR17/CR3?
- Why is it necessary for trucks to use air brakes along most of the haul road, especially since the trucks will be returning empty on the CR3?
- What will happen with early morning trucks, i.e. before 6 am?
- How will water be protected?
- What is the impact on wells and natural environment from the loss of water from the washing operation?
- Will the quality of water be impaired?
- What will be impacts from noise and dust and blasting?
- What are the visual impacts from where their houses are located?
- What are monitoring measures and how is the pit policed to ensure rehabilitation?
- Where are the gravel reserves located in the Township in proximity to their lands?
- Will there be more pit applications in the area?

- What are the impacts if extraction proceeds below the water table? Water impacts and could they go below water?
- Will recycling occur at the pit and if so, would recycling operations extend past the life of the pit?

The Township's Development Review Team has been and will be considering these issues as part of the peer review process. As part of the process, the Township Development Review Team will consider whether there are appropriate conditions and regulations within the Site Plans, Development Agreement and site specific OPA/ZBA to address the concerns being raised. Discussions remain ongoing with Tri-County on these matters.

**6. CONCLUSION**

The proposed site-specific OPA and ZBA from Agricultural to Environmental Protection will identify and protect significant natural features, namely a significant forest.

Based on the foregoing, it is the writer's opinion that the proposed OPA and ZBA represents good planning.

Respectfully submitted by:



Robert P. Stovel MCIP, RPP  
Consulting Planner to the Township of East Garafraxa



## **MEMO**

**To: Christine Gervais  
Planner  
Township of East Garafraxa**

**CC: Bob Long  
Long Environmental**

**From: Liam Marray  
Manager Planning Ecology**

**Date: June 20, 2016**

**Re: Notice of Receipt of Complete Applications &  
Notice of Public Meeting For Proposed Amendments to the  
Official Plan and Zoning By-Law For  
Tri County Aggregates**

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Christine

Staff of Credit Valley Conservation (CVC) have reviewed the above-noted applications and provide the following comments for your consideration.

CVC has worked with the proponent to address the natural hazards and natural heritage features and functions on the subject property. On March 10, 2016, CVC wrote a letter to the Township that we no longer had an objection to the applications since our concerns had been addressed.

In addition, the proponent has agreed to include CVC in the PTTW application process which will confirm their preliminary analysis. As well, although the watercourse, woodlot and associated significant wildlife habitat and buffers are located outside the license area, the proponent has agreed to rezone the significant natural features from Agriculture to Open Space. This was reconfirmed today in an email from Bob Long.

As a result, CVC confirms that we have no objection to the applications.

Please do not hesitate to contact me, if you have any additional questions.

Yours truly,

Liam Marray  
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