To: Council
From: Rob Stovel
Date: June 16, 2016
Applicant: Robert Long, on behalf of Tri-County Aggregates Ltd. ("Tri-County")
Subject: Applications to amend the Official Plan and the Zoning By-law
To allow for the establishment of a gravel pit
Township File Numbers: (OPA1-15 and Z1-15)
Part of Lots 2 and 3, Concession 18

Official Plan Designation: Agricultural to Extractive Industrial
Zoning: Agricultural to Extractive Industrial

1. PURPOSE OF APPLICATION

The Township of East Garafraxa received Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") applications to re-designate and re-zone lands from Agricultural to Extractive Industrial. The purpose of the amendments is to permit the establishment of an above the water table gravel pit on the subject properties. The subject properties consist of portions of two farms located on Part of Lots 2 and 3, Concession 18 in the Township of East Garafraxa (see Map 1).

In addition to the planning applications, Tri-County made application to the Ministry of Natural Resources and Forestry ("MNRF") for a Class A Pit – Category 3 Licence (Extraction to Remain 1.5 m above the Established Water Table).

The purpose of this interim report is to provide a summary of the Township's preliminary review of the applications.

2. AGGREGATE RESOURCES ACT APPLICATION

The Aggregate Resources Act ("ARA") application process is proponent driven, meaning that the applicant is responsible for carrying out the notification and consultation processes and resolving concerns. It has been our experience that the Planning Act process should run concurrently with the ARA process as much as possible.

Many of the same types of reports that are required under the ARA process are deemed suitable for the Planning Act process.

The 45-day ARA consultation period started on April 30, 2015, and the last date for objections/comments
under this process was June 15, 2015. The applicant hosted a public information session on May 21, 2015 at the Marsville Community Hall. An objection letter from the Township of East Garafraxa ("Township") was submitted to the MNRF and the applicant, as per the requirements of the ARA, on June 12, 2015.

Initially, there were four (4) objectors to the proposed licence:

- Township of East Garafraxa
- County of Dufferin
- MNRF, and
- Heleene and John Kamphuis.

Over the past year, the applicant has been able to resolve the concerns of the MNRF and they no longer object to the licence application.

3. CIRCULATION AND TIMEFRAMES

The OPA and ZBA applications were received by the Township on March 24, 2015 and deemed complete on April 16, 2015. Thus far, the Township has received "no objection" letters from the following:

- Region of Peel,
- Town of Caledon,
- Credit Valley Conservation,
- Dufferin Peel District Secondary School Board, and
- Enbridge Gas Distribution.

Six Nations of the Grand River submitted a letter requesting to be informed of the approvals process.

The County of Dufferin – Works Department has responded that they have concerns with regard to the maintenance and improvement of the proposed haul road and concerns related to the Traffic Study.

The Ministry of Municipal Affairs and Housing ("MMAH") provided comments on the application (dated August 28, 2015). MMAH advises that the following matters should to be addressed before the application moves forward:

- The need for additional work to confirm the presence of endangered species habitat (i.e. little brown myotis and northern myotis);
- The need to identify potential impacts from water taking on the water resource system, including adjacent key natural heritage features and key hydrological features related to the Shaw’s Creek tributary;
- The need to clarify rehabilitation with respect to the proposed wetland pond; and
- Consideration of the comprehensive rehabilitation of the area, given the concentration of existing and proposed mineral aggregate operations.

The Township received correspondence from Credit Valley Conservation ("CVC") dated March 10, 2016. The CVC notes the following:

- The Subject Site contains no watercourses or associated hazards (flood plain or erosion).
- The proposed licence area contains no significant natural heritage features of concern to the CVC.
• However, a tributary of Shaws Creek traverses north of the site on lands owned by the Licensee.
• In addition, a portion of a significant woodland is located on lands owned by the Licensee. The woodland also contains wetlands.
• CVC is satisfied with the response regarding hydrogeological comments.
• The proponent has agreed to include the CVC in the Permit To Take Water ("PTTW") application process which will confirm their preliminary analysis.
• 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.

Recently, the Township received correspondence from a concerned neighbour, Borislav and Michelle Posavec (Correspondence dated June 12, 2016). Several concerns were noted by the Posavec’s including: impacts on health, impact on property values, impacts on water wells, noise impacts, traffic concerns, and wildlife impacts. Township staff directed the correspondence to the applicants and has asked for a response documenting each issue. At the time of writing this report, the applicant has not provided a response.

A copy of the related correspondence is attached to this report.

4. REPORTS AND SITE PLANS

Tri-County has submitted several technical reports in support of the planning amendment and licence applications, including the following:

• Planning Report,
• Excerpt from Aggregate Resource Evaluation – Nodwell Estate,
• Air Quality Assessment,
• Surficial Soils Study,
• Water Resources Assessment,
• Level 1 and 2 Natural Environment Assessment,
• Stage 1 and 2 Archaeological Assessment,
• Traffic Impact Study,
• Noise Control Plan, and
• Site Plans.

The Township retained consultants to peer review the application and associated technical reports. A summary of these peer reviews is provided in Section 5 below. Tri-County addressed these peer review comments (May 10, 2016), however at the time of writing this report, the final responses from Township Peer Review Team have not been completed. However, recently an update letter from R. J. Burnside & Associates was received which is appended to this Report.

The Township did not peer review the Aggregate Resource Evaluation report or the Stage 1 and 2 Archaeological Assessment. However, correspondence from the Ministry of Tourism, Culture and Sport ("MTCS") dated April 14, 2015 notes that the "archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario". The technical recommendations must be shown on the Site Plans.

Stovel and Associates Inc., 655 Orangeville Road, Fergus ON, N1M 1T9 Phone: 519 843-3112
5. PRELIMINARY REVIEW OF APPLICATION

The Tri-County pit is approximately 62.2 ha in size and consists of portions of two farm parcels as described below:

a) Tri-Kamp Farm is located along the western portion of the proposed pit (West 1/2 of Lot 3, Concession 18). Approximately 12.6 ha of the Tri-Kamp Farm are included in the proposed aggregate licence and associated OPA/ZBA. The Tri-Kamp Farm provides access to 17th Line. The Tri-Kamp Farm is an active livestock farm.

b) Tri-County Farm (formerly the Nodwell Estate) is located on the eastern and central portion of the proposed pit (East 1/2 of Lot 2 and Part of the East 1/2 of Lot 3, Concession 18). The proposed extraction area is approximately 50 ha of the Tri-County Farm. There are natural areas associated with the local reach of Shaws Creek, including an intermittent stream and woodlot with the the 21 ha of the Applicant' s adjacent property, located north of the proposed licence area.

The following provides a summary of the peer review comments.

Traffic
The Traffic Impact Study provided an assessment of the extent of traffic-related impacts on the proposed haul route to be used by the Tri-County Pit. As expected, 17th Line and Dufferin Road 3 will be employed as the haul road.

Of particular note, this haul road is the same route that the Greenwood Aggregates ("Greenwood") operations have used and are proposing to upgrade, as part of their proposed East Pit and West Pit expansion. Greenwood has also proposed tonnage increases for the existing pit operations, such that, it would appear that Greenwood wishes to establish a cumulative tonnage limit of 2,000,000 tonnes per year of aggregate to be shipped from any of its licensed pit operations in the local area.

R.J. Burnside ("RJB") completed a peer review of the Traffic Impact Study. The main findings of the RJB assessment are as follows:

- 3 m road widenings will be required on the 17th and 18th Lines.
- The need for clarity with respect to improvements on the 17th Line and willingness to participate in the upgrades.
- RJB supports the comments made by Triton Engineering on behalf of the County of Dufferin in memos dated June 5th and June 22nd, 2015.
- Sight line issues on the haul road to be resolved.
- Queuing lengths for trucks waiting at the unlocked gate to be clarified.

The County of Dufferin ("County") has objected to the Tri-County Pit licence based on the fact that improvements to County Road 3 are required.

Noise
A Noise Control Plan was prepared by Aeroustics Engineering Limited ("Aeroustics"). This study provides an evaluation of the potential off-site noise impacts from the proposed pit during normal operations. The Aeroustic report provides technical recommendations to ensure that noise generated from onsite pit sources does not result in off-site environmental noise impacts. To ensure that the mitigation measures recommended by Aeroustics are implemented properly, the Technical Recommendations, including perimeter berms, hours of operation and types/numbers of equipment
pieces are recorded on the Site Plans.

Valcoustics Engineering ("Valcoustics") completed a peer review of the Aercoustics report. The main concerns noted by Valcoustics are as follows:

- The existing landowner's residence is considered to be a sensitive receptor if it is rented or leased.
- Aercoustics is to provide copies of the CADnaA model.
- Table 2 and Table A should be revised to indicate that Loading and Shipping are permitted 06:00 to 07:00 Monday to Friday and 07:00 to 12:00 hours on Saturday.
- Construction activities should be restricted to 07:00 to 19:00 hours Monday to Friday.
- Aercoustics is to confirm that the assessment was completed using a worst-case scenario.
- Details of the noise enclosure are to be provided.
- Site Plan revisions are required to show the mitigation recommendations for each stage of the pit operation.
- Additional detail is required to assess the importation and recycling of 100,000 tonnes of concrete annually.
- Additional detail is required to predict the potential impact from the off site haul route.
- Noise monitoring is required.
- Complaint protocol is needed.

**Water Resources**

RJB peer reviewed the reporting related to hydrogeology. The following is a summary of the main comments noted by RJB:

- RJB notes a significant difference in the groundwater elevation (i.e. 1.7 m difference) between the subject site and the adjacent Greenwood site;
- A door-to-door well survey is needed to confirm the type of wells within 500 m of the site;
- The pumping of water for the washing operation has the potential to lower the water table. Cumulative effects of this operation with the adjacent washing operations on existing pits needs to be considered;
- If the bedrock "make-up" well is to be considered for the washing operation, the monitoring program should be expanded to consider the closest domestic well;
- Any required MOECC approvals, such as a Permit To Take Water, should be obtained prior to final approval by the Township. The Township should be copied with any application as well as supporting documentation.

**Surficial Soils**

Stovel and Associates Inc. ("SAI") undertook a peer review of the Surficial Soil Study of the subject property. This study was prepared by DBH Soil Services Inc. ("DBH").

The results of the study confirmed that the subject property is comprised primarily of Classes 2-3 soils and is considered to be prime agricultural land. SAI concurs with this evaluation.

DBH also provided recommendations for agricultural rehabilitation. The DBH report did not address the provincial policy requirement to ensure that the subject property is rehabilitated back to an agricultural condition. A statement from DBH in this regard is required.

The following comments were noted with the DBH report:

*Stovel and Associates Inc., 655 Orangeville Road, Fergus ON, N1M 1T9  Phone: 519 843-3112*
- DBH makes no reference to the importation and use of inert fill for rehabilitation purposes;
- DBH does not address the washing operation and whether silt will be used for rehabilitation purposes;
- There is no reference in the DBH report to the maximum disturbed area set out on the Site Plans. DBH should address this in terms of the soil budget (soils required to construct perimeter berms) and progressive rehabilitation of the site back to an agricultural condition;
- DBH does not address how the infiltration area and the wetland pond area on the floor of the rehabilitated pit will assist in the agricultural rehabilitation of the site; and
- There is no reference to monitoring protocols to ensure that the site is progressively rehabilitated to an agricultural condition.

**Natural Environment**

SAI completed a peer review of the Natural Environment Assessment and Natural Heritage Evaluation report completed by Beacon Environmental ("Beacon"). The main concerns with the Beacon report are set out below:

- Three threatened species were identified on the subject lands. Additional work is required to assess the potential for impacts and requirements for permits/mitigation related to these species;
- Additional clarification required to address policy requirements related to Significant Wildlife Habitat;
- Consideration of operational parameters, such as the maximum disturbed area (as it relates to habitat for rare species) and the use of fill for rehabilitation;
- The need to address operational activities (such as the washing operation/wash pond and re-fueling) and agricultural activities (such as manure management, the application of sprays/commercial fertilizers and cultivation practices) as it relates to proposed naturalized features; and
- Additional details with respect to the use of perennial native grasses and vegetation plantings in an agricultural setting.

As previously noted, the MNRF set out four general concerns related to: a) the need for additional work to confirm the presence of endangered species habitat (i.e. little brown myotis and northern myotis); b) the need to identify potential impacts from water taking on the water resource system, including adjacent key natural heritage features and key hydrological features related to the Shaw's Creek tributary; c) the need to clarify rehabilitation with respect to the proposed wetland pond; and d) consideration of the comprehensive rehabilitation of the area, given the concentration of existing and proposed mineral aggregate operations.

**Air Quality**

The following types of comments arose from RJB's review of the Air Quality Assessment prepared by Seres Consultants (January 2015):

- The diesel generator may require an Environmental Compliance Approval (ECA) or be registered on the Environmental Activity and Sector Registry (EASR);
- Clarification is required for the source and the data that was used for background data and location of berms;
- The permanent processing plant may require an ECA;
- Justification for the use of an older Emissions Model;
- There is a significant possibility that the worst-case exceedances might occur at receptor R9. Justification is needed to explain why the exceedances at the nearest receptor is considered acceptable.
Cumulative impacts with other local pits should be considered. Potentially, if approvals are given there could be several hundred acres of pits exposed and creating dust at the same time.

Site Plans
The plans filed in support of the proposed application (collectively referred to as the “Site Plans”) include the following:

I. Existing Features Plan
II. Operational Plan
III. Rehabilitation Plan.

The Site Plans were prepared under the ARA, and are administered by the MNRF. The Site Plans regulate the operation and rehabilitation of the pit.

The main features of the Site Plan are set out below:

- Maximum annual tonnage limit is 1,000,000 tonnes.
- A provision has been made to import recycled concrete (up to 100,000 tonnes annually).
- The pit is to be operated above the water table (1.5 m above the established water table).
- For the initial stage of operations, a portable processing plant will be used.
- The permanent processing plant will be enclosed.
- A washing plant may be used. A PTTW is required to provide water for this washing operation. A pond will be excavated and the water in the pond may be supplemented by a drilled bedrock well.
- An improved entrance onto 17th Line will be constructed to permit haulage of aggregate.
- The site will be progressively rehabilitated to an agricultural after-use.

The Hours of Operation are: 7 am to 6 pm Mondays to Friday, and 7 am to noon on Saturdays, with no operations on Sundays or Statutory Holidays.

Several concerns have been noted with the Site Plans by the Township peer review team. The concerns include:

- Inconsistency in the water tables between the adjacent Greenwood pits and the Tri-County Pit,
- Clarification that the Kamphuis homestead will be either abandoned or inhabited by the owner during the course of pit operations;
- Clarification that the onsite processing plant is portable or permanent, and determination as to whether an ECA is required for this plant;
- The use of imported fill for rehabilitation purposes;
- The importation of concrete for recycling purposes;
- The proposed weekend hours of operation; and
- The potential for cumulative impacts from the concentration of mineral aggregate operations in the immediate area.

6. ADJACENT AGGREGATE OPERATIONS

Greenwood Construction Ltd. ("Greenwood") operates its main pit on an abutting parcel, south and west of the proposed Tri-County Pit. The Greenwood main pit has frontage on 17th Line and this road operates as the main haul route for the Greenwood pit operation. Greenwood has proposed to utilize the existing approved entrance on 17th Line to provide a haul route for two proposed pit expansions. A Development Agreement that incorporates provisions for the upgrade and maintenance of the 17th Line and Dufferin
Road #3 must be prepared. It is anticipated that the County of Dufferin will also be a party to this Agreement.

Given that Tri-County proposes to use the same haul road, it will be important to ensure that provisions for cost-sharing and timing are incorporated into the Agreement, should the Township consider approval of either pit application. As noted below, Tri-County will be required to pay the fees and provide a deposit to cover the costs of preparing a suitable Agreement.

7. DEVELOPMENT AGREEMENT

The applicant was advised that they would require a Development Agreement. The applicant submitted the requisite fees and a deposit. Presently, the Township Solicitor has provided a draft of this Agreement and has received comments from the Applicant. A primary objection of the Agreement is to clarify the financial obligations of the proponent with respect to the required upgrades of the haul road.

8. PUBLIC MEETING

The Township has scheduled the Public Meeting for this application on June 21st, 2016. The purpose of this Public Meeting is to obtain input from the public and the government agencies. Following the Public Meeting, a Planning Report will be prepared to summarize the results of the meeting and to provide recommendations for Council.

Respectfully submitted,

[Signature]

Robert P. Stovel MCIP, RPP
Consulting Planner to the Township of East Garafraxa
AREA SUBJECT TO APPLICATIONS

APPLICANT: TRI-COUNTY AGGREGATES LTD.
PREPARED BY: STOVEL and Associates Inc.
LOCATION OF SUBJECT LANDS
MAP 1
June 9, 2016

Via: Email

Mr. Rob Stovel
Stovel & Associates
297 Briarhill Dr.,
Stratford ON N5A

Dear Rob:

Re: Tri County Aggregates
Project No.: 300034724.0000

There has been an ongoing exchange of letters and memoranda between R.J. Burnside & Associates Limited (Burnside) and Groundwater Science pertaining to the hydrogeology of the proposed Tri-County site. This letter provides our reply to their letter of April 28.

1. **Integrity of Monitor MW7-14** – We could debate what is meant by "physically compromise", but it would not do anything to advance the project. We had noted two peculiarities about MW7-14. Firstly, it demonstrates hydraulic conductivity that is inconsistent with the borehole log description of the soils surrounding the screened interval, and secondly, it is showing water levels that are much different than Greenwood’s well which is located in close proximity. We felt that it would be prudent to replace MW7-14. It would seem to be a relatively small investment compared with the effects of data that appears unreliable. But there is a difference of opinion and no benefit in prolonging the discussion. We will accept that Tri County is not going to install a replacement. Burnside recommends that water levels on the Greenwood and Tri County sites be collected on the same day and shared by both parties so that the data can be used to establish consistency in final pit floor elevations on the adjacent portions of the two sites.

2. **Established Water Table** – We find the directional references to be confusing. Groundwater Science Corp considers MW5-14 to represent the south end of the site. We note that this borehole is located near the point that the access road intersects with 17th Line. Long Environmental Consultants follows the local convention of 17th Line being west and 18th Line being east. There should be consistency in directional references.

We appreciate the correction of the typographical error, which was the cause of much concern.

3. **Water Table Contours** – Our previous letter made reference to an external pond shown on Tri-County’s drawings and having a water level of +/- 473 m. Groundwater Science Corp says that pond does not exist, the elevation as shown is not supportable, and it should in no way be used to assess the accuracy of ground water contours. This would
seem to be an issue that should be sorted out between the consultants representing Tri County. Either the pond exists, as put forward by Long Environmental Consultants, or it does not exist, as suggested by Groundwater Sciences Corp. If in fact the pond does not exist, then we suggest it should be removed from the drawings. Likewise, if the pond elevation is uncertain or cannot be relied on (noting again that the same drawing shows two pond elevations that are different by 2.26 m) then we suggest that Tri County remove this elevation from their drawings.

4. Depth of Excavation – The revisions to the extraction depth address our concerns.

As requested, we hereby recognize that our statement “Site monitoring should continue as planned and adjustment made if necessary” is consistent with Tri-County’s proposal from the beginning.

Please let me know if further discussion is required.

Yours truly,

R.J. Burnside & Associates Limited

Gord Feniak, P.Eng.
GF:mp

cc: Sue Stone, Township of East Garafraxa (Via: Email)
    Jeff Wilker, Thomson Rogers (Via: Email)

Other than by the addressee, copying or distribution of this document, in whole or in part, is not permitted without the express written consent of R.J. Burnside & Associates Limited.
Christine Gervais

From: Michelle Posavec <michelle.posavec@gmail.com>
Sent: Sunday, June 12, 2016 7:16 PM
To: boris posavec; michelle posavec; Susan Stone; Karen Canivet; Dave Menary; Christine Gervais; Jessica Kennedy; Catherine Goustos; Guy Gardhouse; jstirke@eastgarafraxa.ca; Lenora Banfield; Fran Pinkney; Tom Nevills
Subject: Application #: OPAl/15 & Z1/15
Attachments: IMG_2160.JPG; IMG_2149.JPG; IMG_2158.JPG; IMG_2157.JPG; IMG_2161.JPG; IMG_2163.JPG

Please read the attached letter and look at the photos I have included with my letter of concern, they clearly show how close the proposed pit will be to my home.

June 10th 2016

Corporation of The Township of East Garafraxa


Application Number : OPAl/15 & Z1/15

Applicants: Long Environmental Consultants Inc

Owners: Tri County Aggregates Ltd. / Jacob and Jonathan Kamphuis

Location: Concession 18, Part Lots 2,3 &4

Development Area: 62.3ha (154ac)

Present Designation: Agricultural

Purpose and Effect: to redesignate and rezone the subject properties to allow the development of an aggregate operation.
RE: Affected Home/Property of Borislav & Michelle Posavec

Address: 064344 County Road 3, East Garafraxa Ontario L9W 7J5

*****

We address this letter to all parties that this concerns, and I would like to have all of my concerns go on record.

Guy Gardhouse (mayor) ggardhouse@eastgarafraxa.ca
John Stirk (deputy mayor) jstirk@eastgarafraxa.ca
Lenora Banfield (councillor) lbanfield@eastgarafraxa.ca
Frances Pinkney (councillor) fpinkney@eastgarafraxa.ca
Tom Nevills (councillor) tnivills@eastgarafraxa.ca
Sue Stone (treasurer) suestone@amaranth-eastgary.ca
Karen Canivet (deputy clerk) kcanivet@amaranth-eastgary.ca
Dave Menary (director of public works) dmenary@amaranth-eastgary.ca
Christine Gervais (township planner) cgervais@amaranth-eastgary.ca
Jessica Kennedy (administration) jkennedy@amaranth-eastgary.ca
Catherine Goustos (administration) cgoustos@amaranth-eastgary.ca
Including the general mail box: township@amaranth-eastgary.ca

*****

We received the above mentioned notice in the mail on Wednesday June 8th, 2016 much to our
shock and worry about the things that were about to happen to and around our home. We talked with some of our neighbors and found that only 3 of us had received this notice, when all of us will be affected if this pit goes though with its plans. Why were the others not informed of the application and of the meeting to be held on June 21, 2016 at 4:00 pm at the town hall.

In October of 1999 we moved in our home, leaving Brampton to provide our 4 children with a cleaner, safer environment to grow up in. George and Linda Weisenbourne had built the perfect home, they too had raised their 4 children in our home and due to failing health were forced to move from this little piece of heaven they called home. It was perfect for us too, the house was set back 2/3 rd of the way back allowing our children to be free to be children and gave us the peace of mind that they had room to run and roam and not fear road traffic or any of the other concerns that city life has to offer. Over the years that we resided here we have made many improvements to the property, we build a 4 car garage and a storage pole barn on the property to make our life here more comfortable and to better suit our needs. We have been expanding our "Fore Ever" home just as George and Linda before us. They had Started a tree planting tradition that we have continued to celebrate the important events in life (births, graduations and memorials) key moments in time and our lives, living memories of moments.

For almost 17 years we have awaited the spring thaw to here the singing of the spring peeper frogs, see the breeding pair of mallard ducks that come every year to have their babies and the Canadian geese that do the same in Bradley swampy bit along our lane way. We place a salt block out for the deer just to see them come to it, and to watch them and their little ones run though the open fields. The wild turkeys have found a safe haven here to raise their young here too, we laugh at the young birds chasing their mothers and how they pop out of the bush and startle my children as the walk down the lane way to and from school. In the fall the deer come to eat the apples that have fallen from the trees and we have seen bucks rutting from the windows of our house. this house has blessed us in so many ways, a wholesome environment to live in, enabling us to see God's creatures free and in their natural environment.

My fear is all of this is going to change and not for the better. We have built this place up to be our "Forever" home, to stay here as long as God gives us the good health to maintain it as George and Linda Weisenbourne did. This raises so many questions and problems for us.

*I'm diabetic and stress directly affects my blood sugar which affects my overall health and living here has a calming effect on my life until this situation has come up.

*did anyone even take a close look at the map you provided on the notice to see how close this venture even comes to my home?

*what will become of the investment we have made in our home?

*what will happen to the property values?

*what will happen to the resale of our home?

*we are self employed and our home resale will be an asset that we will depend on in our later years to help sustain the balance of our lives.

*this has left us hanging on a hook and left out to dry, this will undoubtedly effect us financially with the value of our home and resale value.

*what will happen to our drinking water?
*what if something happens to our well?
*we were told we have a spring fed well what if that gets damaged?
*who will pay if we have a problem with our water or well?
*will they guaranty that we will not have any water issues?
*will they guaranty that they will fix any problems that arise to ensure that we have the exact same standard of living (ex. drinking water, water flow, well, air quality, noise levels)?
*what effect will this have on the water table for all of the surrounding homes?
*was told by neighbors that a private school was turned away but you're going ahead with a pit expansion that will have an impact on the environment, permanently.
*what about air quality, and the dust particles in the air?
*what about the noise of machinery?
*what about the blasting?... noise? ...dust?
*are there any environmental health issues that could affect us living so close to the pit?
*what about the heavy equipment traffic?
*what is going to happen to the normal residential traffic?
*we drove our children to school because the school bus was rear ended twice in the first few month of living here, also there were a couple of accidents in front of my home when my children were getting off the bus after school when they were in high school?
*our home is set at the back of our property less than approximately 600 feet to the property line.
*this will destroy the view of the natural landscape.
*what of all the natural and wild life that inhabit this area?
*what about rodents and vermin when their homes have been torn up?
*how will the animals that live here be impacted?
*is there not enough functioning quarries and pits in the county that this one needs to expand its operations even further?

In closing this has made us feel like our whole world is about to come crashing in, the life that we have made here and the home and the community that we have invested in is about to be changed forever, with no thought on how it would impact one family's home and life style. They say a man's home is castle and feels like ours is under siege.
Sincerely,  Borislav & Michelle Posavec
March 10, 2016

Township of East Garafraxa
191282 13th Line
East Garafraxa, ON L9W 7B4

ATTN: Christine Gervais
Township Planner

ARA Application
for a Category 3 – Class A Pit Above Water
and associated Official Plan Amendment
and Zoning By-Law Amendment for
Tri-County Aggregate
Part Lots 2 and 3, Concession 18
Township of East Garafraxa

Staff of the Credit Valley Conservation (CVC) have had an opportunity to review the proponent’s responses to our October 9, 2015 letter for the above noted applications and provide the following comments for your consideration.

Material Reviewed

1) Consolidated Response to CVC’s letter to the Township dated October 9, 2015 prepared by Long Environmental dated November 2, 2015;

2) Teleconference between Long Environmental, Beacon Environmental and CVC, December 17, 2015;

3) Letter response to our teleconference from Long Environmental dated January 8, 2016; and


As stated previously, the subject site contains no watercourses or associated hazards (floodplain or erosion). Furthermore, the proposed licensed area contains no significant natural heritage features of concern to CVC. However, a tributary of Shaws Creek traverses north of the site on lands own by the Licensee. In addition, a portion of a significant woodland is located on the lands own by the Licensee. The woodland also contains wetlands. CVC has worked with the proponent with respect to locating the license area outside of the hazards associated with the tributary of Shaws Creek.

CVC is satisfied with the response regarding our hydrogeological comments. In addition, the proponent has agreed to include CVC in the PTTW application process which will confirm their preliminary analysis.

Credit Valley Conservation 1255 Old Derry Road, Mississauga, Ontario L5N 6R4
Phone (905) 670-1615 Fax (905) 670-2210
Although the watercourse, woodlot and associated significant wildlife habitat and buffers are located outside the license area, the proponent has agreed to rezone the features from Agriculture to Open Space. This will ensure their long term protection.

On this basis, CVC removes our objection to the approval of these applications.

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

Yours truly,

[Signature]

Manager Planning Ecology

Cc  Ministry of Natural Resource and Forestry
    Guelph District
    1 Stone Road West
    Guelph, ON N1G 4Y2
    ATTN: Seana Richardson
          Aggregate Inspector

    Long Environmental
    43 Forest Park Road
    Orangeville, ON L9W 1A1
    ATTN:  Bob Long

    Stovel and Associates Inc.
    297 Briarhill Drive
    Stratford, ON N5A 7T1
    ATTN:  Rob Stovel
Township of East Garafraxa
191282 13th Line
East Garafraxa, ON L9W 7B4

ATTN: Christine Gervais
Township Planner

ARA Application
for a Category 3 – Class A Pit Above Water
and associated Official Plan Amendment
and Zoning By-Law Amendment for
Tri-County Aggregate
Part Lots 2 and 3, Concession 18
Township of East Garafraxa

Staff of the Credit Valley Conservation (CVC) have had an opportunity to review the above noted applications and provide the following comments for your consideration.

Material Reviewed
1) Tri-County Pit Site Planning Report February 2015 prepared by Long Environmental
2) Site Plan Drawings 1-3 dated February 2015 prepared by Long Environmental

The subject site contains no watercourses or associated hazards (floodplain or erosion). Furthermore, the property contains no significant natural heritage features of concern to CVC. However, a tributary of Shaws Creek traverses north of the site on lands owned by the Licensee. In addition, a portion of a significant woodland is located on the lands owned by the Licensee. The woodland also contains wetlands.

CVC has worked with the proponent with respect to locating the site outside of the hazards associated with the tributary of Shaws Creek. CVC has reviewed the site boundaries and has no objection to the location of the boundary with respect to the floodplain and erosion hazards.

The site is located within the 25 year time of travel zone of the Well Head Protection Area (WHPA) of the Alton supply well. The regional mapping undertaken for the Source Water Protection studies does infer a different groundwater flow direction than that concluded...
through this study. Although there are differences between the 2 studies, CVC has no concerns with the proposed pit from a Source Water Protection perspective.

In general, CVC is satisfied with the methodology, monitoring network, and the analysis that the consultant employed to identify the groundwater system. Although 2014 was a wet year, CVC recommends that the Operation Plan contain a condition that explicitly states that groundwater monitoring will continue on site until excavation is complete and that the pit floor will remain 1.5 metres above the identified high groundwater level.

CVC is generally satisfied with the methodology applied to undertake the water balance assessment and the results that were generated. The major surface water features is Shaws Creek Tributary. The water balance concludes that aggregate extraction will decrease future runoff into Shaw Creek Tributary by 0.59L/s (0.07%). The report suggests that given the intermittent nature of the creek and the fact that it receives runoff mostly during snowmelt (800L/s) and heavy precipitation, the reduction of runoff as a result of aggregate extraction does not represent a significant impact. The water balance shows that in the existing condition, runoff into the Shaw Creek Tributary is 1.52 L/s. In respect of this, we do not fully understand how a post-development run-off reduction of 0.59 L/s is assessed as representing a loss of only 0.07%. Why is the runoff amount in the post-situation being compared against the snowmelt amount, but not against the run-off assessed in the pre-condition? Please explain.

A preliminary water taking assessment for aggregate wash was undertaken. The study shows that consumptive use of water is 382.9L/min for 182 days. The simulation for pumping from wash pond will result in approximately 80 cm drawdown of groundwater in the creek, which was indicated to happen only during the period that groundwater levels are naturally below the creek bed. It is expected that a detailed review of water taking will take place at the stage of the PTTW application, where a pointed water taking assessment will be conducted with more field study, aquifer tests and monitoring. CVC requests an opportunity to review and comment on the reports submitted in support of the PTTW in order to confirm that the water taking will not result in negative impacts to the watercourse and wetlands.

It should be noted that any infrastructure required for the mitigation measures for the water taking within area subject to Ontario Regulation 160/06 that is not part of the ARA application would require a permit from CVC. It is also not clear how the mitigation measure would mitigate the impacts to the shallow groundwater system. Further discussion is required both from a technical perspective and a policy perspective.

The Shaws Creek tributary is identified as direct fish habitat. Section 2.1.6 of the Provincial Policy Statement states:
Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

CVC no longer has an agreement with Fisheries and Oceans Canada (DFO) to review applications to determine impacts to fish habitat. As a result, CVC recommends that confirmation be received by the municipality from (DFO) that the proposal meets all federal requirements with respect to fish habitat.

The Natural Environment Report identified 1 Endangered Species (Butternut) and 3 threatened species (Bank Swallow, Barn Swallow and Bobolink) on the property. Section 2.17 of the Provincial Policy states:

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

CVC recommends that confirmation be received by the municipality that the proposal meets the requirements of the Province and that there are no implications to the planning act applications. It should be noted that although there may not be suitable breeding habitat for Bank Swallow on the subject property, all life stages should be considered.

The report addresses Significant Wildlife Habitat based on the Criteria outlined in the Significant Wildlife Habitat Technical Guide 2002. CVC would recommend that Significant Wildlife Habitat Eco-region Criteria Schedules for Eco-region 6E (2015) be used. CVC recognizes that this document has only recently been finalized; however, drafts of the document have been in use for a number of years. We recommend that this document be referenced in determining Significant Wildlife Habitat. Two areas of potential concern are habitat of eastern Wood Pewee (Species of Concern) and potential that the wetland (Unit 6) is significant due to amphibian breeding. The report should identify all significant wildlife habitat, buffers and potential impacts and mitigation measures.

CVC would recommend that the significant woodland, significant wildlife habitat and associated buffers be zoned appropriately.

CVC is supportive of working with the proponent and MNRF for the development of the Restoration Plan as identified on Drawing 3 of 3.

At the present time, CVC cannot support the application until the above noted items are appropriately addressed. We are willing to work with the proponent, municipality and MNRF to address these issues.
Please do not hesitate to contact me if you have any additional questions.

Yours truly,

Liam Murray
Manager Planning Ecology

Cc  Ministry of Natural Resource and Forestry
    Guelph District
    1 Stone Road West
    Guelph, ON  N1G 4Y2
    ATTN:  Seana Richardson
           Aggregate Inspector

    Long Environmental
    43 Forest Park Road
    Orangeville, ON  L9W 1A1
    ATTN:  Bob Long

    Stovel and Associates Inc.
    297 Briarhill Drive
    Stratford, ON  N5A 7T1
    ATTN:  Rob Stovel

    Regional of Peel
    ATTN:  Mark Schiller
    ATTN:  Luis Lasso
August 28, 2015

Christine Gervais, MCIP, RPP
Township of East Garafraxa
191282 13th Line
East Garafraxa, ON
L9W 7B4

Dear Ms. Gervais:

Subject: Official Plan Amendment and Zoning By-law Amendment Applications
Tri-County Aggregates Limited (OPA 1/15 and Z1/15)
Part of Lots 2, 3 & 4, Concession 16 (311543 17th Line/391090 18th Line)
Township of East Garafraxa
MMAH File No.: 22-EOPA-150256

Thank you for the opportunity to provide comments on the above noted Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBLA) applications submitted by Tri-County Aggregates Ltd. for a proposed gravel pit in the Township of East Garafraxa.

The applications apply to two abutting properties ("the subject lands") municipally known as 311543 17th Line and 391090 18th Line. Both properties are currently designated Agricultural in the Township’s Official Plan and zoned Agricultural in the Zoning By-law (60-2004). The properties are also located within the Greenbelt Protected Countryside Area, portions of which are included within the Greenbelt Natural Heritage System.

Both the Official Plan Amendment application and Zoning By-law Amendment application propose to re-designate and re-zone a 12.6 ha portion of 311543 17th Line and a 49.7 ha portion of 391090 18th to Extractive Industrial to permit the gravel pit use. An application for a license under the Aggregate Resources Act (ARA) has been submitted to the Ministry of Natural Resources and Forestry (MNRF) for a Category 3 – Class A Pit above water. The area to be licensed is 63.2 hectares, with 59.1 hectares proposed for excavation.

As the new Dufferin County Official Plan is in force and effect, the approval authority for Official Plan Amendments now rests with the County of Dufferin. However, the Ministry of Municipal Affairs and Housing (MMAH) is providing support to the County of Dufferin during this transition period. As such, the applications and supporting materials were circulated as part of the One Window Planning Service to the Ministry of the Environment and Climate Change (MOECC), Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Agriculture, Food and Rural Affairs (OMAFRA). The comments outlined below are intended to assist the Township and the County in the decision-making process.
Prime Agricultural Areas

Section 2.3 of the Provincial Policy Statement, 2014 (PPS) provides that prime agricultural areas shall be protected for long-term use for agriculture. While permitted uses and activities include agricultural uses, agricultural related uses and on-farm diversified uses, policy 2.3.6.1 permits non-agricultural uses in prime agricultural areas for the extraction of mineral aggregate resources in accordance with policy 2.5. Section 2.5.4.1 of the PPS states that in prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition.

The policies in the Greenbelt Plan also permit mineral aggregate resources within the prime agricultural area of the Protected Countryside. More specifically Section 4.3.2.1 states that activities related to the use of non-renewable resources are permitted within the Protected Countryside subject to all other applicable legislation, regulations and municipal official plan policies and by-laws.

Furthermore, Section 4.2.3.1 of the County of Dufferin Official Plan permits the extraction of mineral aggregate resources within the agricultural areas. While a site specific local municipal official plan amendment is required to permit the non-agricultural use within the agricultural area, an amendment to the County Official Plan is not required.

However, the proposed re-designation of the subject lands from Agricultural to Extractive Industrial would constitute the removal of land from the prime agricultural area. Section 2.3.5.1 of the PPS states that planning authorities may only exclude land from prime agricultural areas for expansions of or identification of settlement areas, while Section 3.1.3.2 of the Greenbelt Plan states that prime agricultural areas shall not be re-designated in municipal official plans for non-agricultural uses except for refinements to the prime agricultural and rural area designations or settlement area expansion.

Given that the policies in the PPS, Greenbelt Plan and the County Official Plan permit the extraction of mineral aggregate resources as an interim use within prime agricultural areas, and that the re-designation is not part of any settlement area expansion, there is no requirement to remove the lands from the Agricultural designation. As such, it is recommended that the subject lands be identified as a site-specific exception within the Agricultural designation to recognize the mineral aggregate operation as a permitted use, should the Township support the application.

Key Natural Heritage Features and Key Hydrological Features

As noted earlier, the subject lands are located within the Protected Countryside of the Greenbelt Plan, with a small portion (0.6 ha) being subject to the policies of the Greenbelt Natural Heritage System. Mineral aggregate operations are permitted within the Protected Countryside and the Natural Heritage System, subject to the policies of the Greenbelt Plan.

In support of the proposal, a Natural Environmental Assessment and Natural Heritage Evaluation Report (prepared by Beacon Environmental) were submitted by the proponent. These reports indicate that, aside from the endangered and threatened species habitat noted below, there are no significant key natural heritage features or key hydrological features located within the proposed licensed area.
Section 4.3.2.3a)ii) of the Greenbelt Plan does not permit new mineral aggregate operations within the significant habitat of endangered and threatened species. This policy protection is also reflected in the PPS. The submitted reports have identified that suitable habitat for the little brown myotis and northern myotis, both endangered bat species, may exist on the subject lands, but no surveys have been undertaken to confirm the presence of such species. In order to satisfy the requirements of the Greenbelt Plan and PPS, it is necessary for the proponent to undertake a bat survey to determine if suitable habitat is present in the old farmhouse and shed on the subject lands. Staff from the MNRF are available to advise on the requirements of such a study.

In addition, the reports also identified the presence of significant habitat for two endangered and threatened bird species, Bobolink and Barn Swallow, on the subject lands. In this case, MNRF is satisfied that appropriate mitigation measures, as described in the reports, will be undertaken by the proponent to address provincial concerns.

Beyond the licensed area, there are a number of other key features that have been identified within the northern limit of the subject lands. These key features are within the Greenbelt Natural Heritage System and include a significant woodland, intermittent stream (tributary of Shaw's Creek), and fish habitat. Based on its review of the submitted reports, MNRF has identified concerns with respect to potential impacts to the Shaw's Creek tributary.

Section 4.3.2.3b) of the Greenbelt Plan permits applications for new mineral aggregate operations in other key natural heritage features and key hydrologic features and any vegetation protection zone associated with such features where demonstration of connectivity, habitat and water resources will be protected or enhanced.

Specifically, MNRF is concerned about the proposed water taking and the potential drawdown of the water table and the associated impacts to key hydrological features (e.g. streamflow in Shaw's Creek) and key natural heritage features (e.g. fish habitat - seasonal spawning in Shaw's Creek). MOECC has also expressed concerns about impacts to the surface water features, as noted below in the comments on 'Water Resources'. As such, further information is required from the proponent to address these concerns.

Water Resources

MOECC staff have completed a technical review of the Water Resources Assessment Report to determine the feasibility of operating the proposed extraction operation and associated water taking without having adverse effects to the Alton municipal water supply and Shaw's Creek tributary. MOECC has also noted the need for additional approvals, including a Permit to Take Water and potentially an Environmental Compliance Approval.

Based on the overall assessment of the data and analysis provided in the report, MOECC has indicated that they concur with the report's conclusion that the proposed gravel extraction (above the water table) is unlikely to have any significant impact to the groundwater within the site's vicinity. However, the impact of the water taking for mineral aggregate washing and evaporation from the proposed supply pond will remove water from the system and the extent of that impact has not been accurately evaluated at this time. MOECC has indicated, however, that a more detailed assessment, to be undertaken by the proponent at the time of their application for a Permit to Take Water, would potentially address any outstanding concerns with respect to negative impacts on the water resource system.

With respect to source water protection, MOECC has noted that the proposed mineral aggregate operation is located within the wellhead protection area (WHPA-D) for the Alton
Village municipal wells #3 and #4. Based on site specific data and information gathered as a part of the water resources assessment, the report concluded that there is no direct connection between the local shallow groundwater system at the site and regional flow system contributing to the Alton municipal wells. Given that the site is located within a secondary protection zone with associated travel time between 5-25 years and the site is located more than 6 km from the municipal wells, it has been determined that the proposed mineral aggregate operation will have no impact on the Alton municipal wells.

Rehabilitation

The Site Planning Report submitted by the proponent indicates that rehabilitation will be progressive and the site will be restored to a similar soil quality to support future agricultural use. Approximately 88% of the excavated site is proposed to be rehabilitated. This approach is supported by both the PPS and the Greenbelt Plan.

Section 4.3.2.4 of the Greenbelt Plan sets out a number of provisions for MNRF to pursue through the ARA for all mineral aggregate operations in the Protected Countryside. Subsection d) of this policy, states that rehabilitated areas will be maximized and the disturbed area will be minimized on an ongoing basis during the life-cycle of an operation. This is reflected in Section 2.5.3.1 of the PPS, which requires that negative impacts of rehabilitation (eg. site disturbance) be mitigated to the extent possible.

The Operational Plan outlined in the Site Planning Report states that “as the excavation advances, topsoil and overburden will be stripped and transported to areas undergoing progressive rehabilitation. It is expected that up to 40 hectares or 64% of the site including the haul road, berms and wash ponds, could be disturbed during peak development.” To meet the intent of the Greenbelt Plan and PPS, the wording within ‘Note 2’ on Drawing 3 (Progressive and Final Rehabilitation Plan), should be replaced to reflect the same wording noted above. Should the application be approved, it is recommended that this wording also be reflected in the official plan amendment.

Section 4.3.2.5d) of the Greenbelt Plan requires that when undertaking rehabilitation in the Protected Countryside, operators shall ensure that aquatic areas remaining after extraction are to be rehabilitated to aquatic enhancement, representative of the natural ecosystem in the particular setting or ecodistrict, and meeting certain criteria.

In Drawing 3, Progressive and Final Rehabilitation Plan, the proponent has identified a wetland pond as part of the rehabilitated area. This is the location of the proposed washing ponds that will be used during extraction. After a review of the submitted material, it is unclear how the proponent intends to meet the intent of Greenbelt policy 4.3.2.5d) noted above. As such, additional information is required from the proponent to demonstrate how the pond will be rehabilitated to aquatic enhancement.

Both the Greenbelt Plan and the PPS also encourage the need for comprehensive rehabilitation where there is a concentration of mineral aggregate operations. There are a number of existing and proposed mineral aggregate operations in the vicinity of the subject lands. Moving forward, the Township and County should work together with MNRF and the aggregate industry to consider the long-term rehabilitation objectives for this area.

Closing Comments

Thank you again for the opportunity to review and provide comments on the Tri-County Aggregate proposed OPA and ZBLA. These comments have been provided to assist the
Township in its review and consideration of the planning applications and to inform the County, as the approval authority, about provincial concerns that have been identified. In summary, the province has identified the following matters for consideration:

- the need for additional work to confirm the presence of endangered species habitat (little brown myotis and northern myotis);
- the need to identify potential impacts from water taking on the water resource system, including adjacent key natural heritage features and key hydrological features related to the Shaw's Creek tributary;
- the need to clarify rehabilitation with respect to the proposed wetland pond; and
- consideration of the comprehensive rehabilitation of the area, given the concentration of existing and proposed mineral aggregate operations.

These matters should be addressed before moving forward with the applications. Further provincial comments can be provided to the Township and County should additional information be forwarded and/or undertaken by the proponent to address the concerns raised in this letter.

Should you have any questions regarding our comments please contact me at (416) 585-6063, or alternatively Laura Daly at (416) 585-7578.

Sincerely,

Mark Christie, MCIP, RPP
Manager, Community Planning and Development

cc: Sue Stone, CAO/Clerk-Treasurer
    Rob Stovel, Stovel and Associates Inc.
July 8, 2015

Township of East Garafraxa
Planning Department
191282 13th Line
East Garafraxa, ON
L9W 7B4

Dear Sir/Madame:

RE: Notice of applications and request for comments Applications to amend the Official Plan and Zoning By-law: to permit the development and operation of a gravel pit: OPA1/15 & Z1/15

The Six Nations of the Grand River (Six Nations) is in receipt of the notice for the above noted proposed gravel pit dated May 13, 2015. The applicant is proposing to construct a new gravel pit at Lots 2, 3, & 4, Concession 18, East Garafraxa. Be advised, this project is within Six Nation’s Treaty Lands.

I trust you will agree Six Nation’s unresolved Land Rights that are the responsibility of the Crown in Right of Canada and the Crown in Right of Ontario to resolve. Unfortunately, no negotiations to restore justice towards a productive resolution relating to these particular lands are taking place with Canada or Ontario. Instead Canada and Ontario appear to have delegated responsibility for their legal duty to consult and accommodate us to proponents and municipalities. Also be advised, that the said lands as described are subject to litigation against Canada and Ontario.

The Supreme Court of Canada’s key court cases Haida Nation, Taku River Tlingit First Nation, Mikisew Cree, Tsilhqot’in and Keewatin decisions confirm the legal obligation to consult and accommodate with First Nations. Six Nations Elected Council (SNEC) requires that the Crown, proponents and municipalities consult with SNEC in good faith in order to obtain its free, prior and informed consent.

Six Nations Elected Council would like to thank you for providing the notice on the above noted project. Six Nations is concerned about any development relating to land, water and resources which occur throughout their treaty territory and any archeological issues associated with such development(s). At this time, we have no further comments however would like to be kept updated on the project.
Should you have any questions or require clarification please feel free to contact me at (519)-753-0665.

Respectfully Yours,

[Signature]

Lonny Bomberry, Director
Six Nations Lands and Resources

CC: Minister David Zimmer, Ontario Ministry of Aboriginal Affairs
Minister Bernard Valcourt, Aboriginal Affairs and Northern Development Canada
Tri County Aggregates

This letter is without prejudice to the positions that Six Nations has and may take in respect to its claims and litigation in relation to the Six Nations Tract/ Haldimand Proclamation Land and the 1701 Fort Albany Treaty.
Date: June 19th, 2015
To: Christine Gervais, Township of East Garafraxa
From: Brock Criger, Manager, Development Services
Subject: Application for Official Plan and Zoning By-law Amendment
Township Files: OPA1/15 and Z1/15
North of the East Garafraxa-Erin Townline, Township of East Garafraxa, Ontario

Regional staff have reviewed the application to apply for an Official Plan Amendment (OPA1/15) and Zoning By-law Amendment (Z1/15) to permit the development and operation of a gravel pit. Please be advised that the subject site falls outside of the Region of Peel’s vulnerable wellhead protection areas, and Regional staff have no objection to this application.

I trust this information is of assistance. Please call me directly at 905-791-7800, ext. 4307 if you have any questions or if you require any further information from the Region of Peel regarding this matter.

Yours truly,

[Signature]

Brock Criger
Manager, Development Services
Public Works Department
Regional Municipality of Peel
We had previously undertaken a peer review of the Draft Traffic Impact Study, March 2014, prepared by C.F. Crozier & Associates Inc., for the proposed Tri-County Aggregate extraction pit, and provided comments dated June 5, 2015. We were subsequently advised that this report is out of date, and that reference should be made to the Traffic Analysis prepared for Greenwood Aggregates Limited by Paradigm Transportation Solutions dated Feb. 28, 2014. That report did not address the proposed Tri-County pit, but did assume a total pit license volume of 3 million tonnes. We understand that the current proposals call for 2 million tonnes from Greenwood, and 1 million tonnes from Tri-County for a total of 3 million tonnes.

Following are our review comments on the Paradigm report. We have made comparisons to the Crozier Report where appropriate.

It should be noted that the Paradigm report dealt only with the Greenwood Pit application. Accordingly, it did not address the proposed access from the Tri-County pit to 17th Line. Refer to our June 5, 2015 memo for our comments on that issue.

Existing Traffic Data

Existing traffic at the intersection was derived from counts provided by Dufferin County for County Road 3, and derived for 17th Line based on assumed pit operations and residential traffic. The Crozier Report was based on intersection traffic counts. It is difficult to compare the two because Paradigm do not indicate which hour is represented in their Figure 3. The Paradigm report appears to understates the traffic on 17th Line, since actual counts were not taken. However, these volumes are still relatively low in both reports.

Site Generated Traffic

Paradigm have used information from the existing pit operation to calculate average daily traffic during the peak month. This does not account for peaks in operation based on normal fluctuations for this this type of activity. A factor of 2.0 to 4.0 is usually applied when analyzing pit operations to better represent peak hourly volumes.

Future Intersection Operations

The existing intersection operations are calculated as LOS B. Under future peak conditions (3 million tonnes) the Level of Service is forecast to be LOS C. This is acceptable.

The Report states that there is an existing acceleration lane for trucks on County Road 3. This is not the case. There is a short section of paved shoulder which might be used on occasion, but it is not marked or signed as such, and does not have sufficient length or tapers to be considered an acceleration lane.

An analysis should be done of the distance required for trucks to attain operating speed on the eastbound grade, the differential in operating speeds between the trucks and eastbound through traffic, and whether an acceleration lane is required.
The Report identifies that a westbound left turn lane will be warranted based on the MTO method. The design would need to meet the approval of the County of Dufferin.

**Sight Distance**

The report does not address available or required intersection sight distances on County Road 3 at 17th Line. This should be assessed.
We have undertaken a peer review of the Draft Traffic Impact Study, March 2014, prepared by C.F. Crozier & Associates Inc., for the proposed Tri-County Aggregate extraction pit. Our review was focused on issues pertaining to the County Road system.

Our comments are referenced to the applicable sections in the report.

3.3 Traffic Data

The existing traffic counts were increased to account for additional trips from existing and proposed other gravel sources. However, little information was provided to indicate how these trips were calculated (e.g., assumptions regarding daily production etc). A table should be provided detailing this, and a separate figure provided showing the trips generated from future sources.

The study has included background traffic including active and proposed Greenwood's pits 3, 4, 5 and 6 in a total annual extraction limit of 1,000,000 tonnes. We have been provided with a copy of a Traffic Study prepared by Paradigm Transportation Solutions for Greenwood Aggregates Limited that identifies that Greenwood are applying to increase their annual extraction limit from 1,000,000 tonnes to 3,000,000 tonnes. If approved, this would significantly increase the background traffic.

3.4 Intersection Operations

The existing intersection operations are calculated as LOS B. While this indicates a very good level of service (refer to definitions in Appendix B), the closing statement that the intersections operate "without traffic operations issues" is too general, and should be revised to identify the LOS characteristic only (this statement also occurs elsewhere in the report).

6.0 Site Generated Traffic

More information is required detailing how the site generated traffic was calculated, including extraction rate and truck size. The report indicates that the number of trips was calculated based on average production throughout the day and operating year. This does not account for peaks in operation based on normal fluctuations for this type of activity. A factor of 2.0 to 4.0 is usually applied when analyzing pit operations to better represent peak hourly volumes.

7.2 Auxiliary Lane Analysis

The TAC Manual does not provide specific warrants for left turn lanes. The method in the MTO Geometric Design Standards for Ontario Highways should be used.

8.1 Sight Distance

A design speed of 100 km/h (posted + 20 km/h) should be used for CR 3.
The report states that the available sight distance was measured as 211 metres. The report does not indicate what driver's eye and target heights were used in the measurement. For stopping sight distance, the eye height should be 1.05, and the object height 0.38. The sight distance should be shown graphically on the road profile. Based on the above parameters, the reported sight distance of 211 metres does not appear to be available based on the profile provided.

The report does not address Intersection Sight Distance. The County of Dufferin requires a minimum sight distance of 230 metres at commercial entrances. This sight distance should be provided at this intersection given the heavy commercial truck traffic proposed.

8.3 17th Line Vertical Profile

The section title refers to 17th Line, but information is also provided for CR 3.

The profiles show numerous sub-standard vertical curves. It is noted that the profiles were obtained from digital elevation modelling with an error of up to 0.3 m, and may not be accurate enough to determine the vertical curve K values. In particular, the reported crest of K=6 on CR 3 should be confirmed by survey.

In regard to CR 3, the sight distance and K values in the vicinity of the intersection needs to be confirmed before further recommendations are made. In regard to the four points at the bottom of page 11, we offer the following preliminary comments:

1. It is acknowledged that collision statistics do not indicate an existing problem. However, if there are alignment deficiencies, these should be addressed in light of the proposed continuing heavy truck traffic. The report does not identify the “very specific set of conditions that must apply”.
2. Speed reduction warning signs are not used for vertical curves (a hidden intersection tab may be used, and is currently in place). The regulatory speed can be reduced in rare circumstances, but this should be after all other options are exhausted.
3. Reducing the speed limit along CR 3 is not practical or desirable.
4. Road reconstruction should be considered to address sub-standard sight distance.

8.4 Truck Acceleration Lane

An analysis should be done of the distance required for trucks to obtain operating speed on the eastbound grade, and the differential in operating speeds between the trucks and eastbound through traffic.

ADDITIONAL COMMENTS

It is acknowledged that the intersection of CR 3 and 17th Line has operated for a number of years with heavy gravel truck traffic, and the reported collision experience is low. However, given the proposed usages that will continue to generate heavy truck traffic, the intersection should be studied more closely to identify any improvements that could enhance safety and operations.

Intersection operations and improvements need to consider the total future volume from licensing of all pits that will use this haul route. Some means of apportioning improvement costs should be determined.
June 11, 2015

Planning Department
Township of East Garafraxa
191282 13th Line
East Garafraxa, ON, L9W 7B4

Attention: Christine Gervais, B.Sc., MCIP, RPP

Dear Ms. Gervais:

Re: Proposed Official Plan Amendment (File No. OPA1/15) and
Proposed Zoning By-law Amendment (File No. Z1/15)
Tri County Aggregates Ltd.
Part of Lots 2, 3 & 4, Concession 18

Background Information
On May 20 2015, Town of Caledon Clerk's Department received a Notice of Application and request for comments concerning a proposed Official Plan Amendment Application and a proposed Zoning By-law Amendment Application for the lands located at Part of Lots 2, 3 & 4, Concession 18 in the Township of East Garafraxa.

The purpose of the applications is to permit the development and operation of a 62.3 hectare (154 acre) gravel pit on the subject lands.

As indicated in the planning justification report and in the traffic impact study, the proposed haul route does not include a road access owned by the Town of Caledon or Region of Peel.

Planning Documents
The lands are located within the Protected Countryside and Natural Heritage System of the Greenbelt Plan and designated Agricultural on Schedule A of the Township of East Garafraxa Official Plan. The subject lands are located in a High Potential Aggregate Resource Area in accordance with Schedule B of the Township of East Garafraxa Official Plan.

According to Section 5.6 of the Township of East Garafraxa Official Plan, new extractive industrial operations require an amendment to the Official Plan and Zoning By-law. In addition, aggregate operations may occur in the Agricultural Area provided the site is rehabilitated.

Comments
Development staff has no concerns with the proposed applications at this time; however, we request notification of any future Public Meetings wherein additional information will be presented.
Please send all peer review report(s) regarding noise and vibration, air quality assessment and water resources assessment once they become available. The Town reserves the right to provide further comments as additional information becomes available.

If you have any questions please contact me at (905) 584 2272 ext. 4024.

Yours truly,

[Signature]
Melissa Mohr, MCIP, RPP
Community Development Planner
May 28, 2015

Christine Gervais, B.Sc., MCIP, RPP
Township Planner
Township of East Garafraxa
Planning Department
191282 13th Line
East Garafraxa, ON L9W 7B4

Dear Christine Gervais,

Re: Amend the Official Plan, Zoning By-law Amendment
(To permit the development and operation of a gravel pit)
Tri Country Aggregates Ltd. and Jacob & Jonathan Kamphuis
Part of Lots 2, 3 & 4, Concession 18
File No.: OPA1-15 and Z1-15

Enbridge Gas Distribution does not object to the proposed application(s).

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Sincerely,

[Signature]

Municipal Planning Advisor
Distribution Planning & Records

ENBRIDGE GAS DISTRIBUTION
TEL: 416-758-4754
500 Consumers Road North York, Ontario M2J 1P8

enbridgegas.com
Integrity. Safety. Respect.

ND/rv
Dear Christine,

Re: Application to Amend the Official Plan and Zoning By-Law
To Permit development and operation of a gravel pit
Tri County Aggregates Ltd
Parts of Lots 2, 3 & 4, Concession 18
Files: OPA1/15 and Z1/15
Township of East Garafraxa

The Dufferin-Peel Catholic District School Board has reviewed this application for permitting development and operation of a gravel pit; no student yields are anticipated from this development. The Board therefore has no comments or objection to the further processing of this application.

Kindly notify our Board of any decisions pertaining to this proposed application.

Regards,

Nishka Waite
Planner
Dufferin-Peel Catholic District School Board
Phone: (905) 890-0708 ext. 24407
Fax: (905) 890-1557
E-mail: nishka.waite@dpcdsb.org