

PLANNING REPORT & AGGREGATE RESOURCES ACT **Summary Statement**

OSTER PIT

Part of Lot 3, Concessions 1 and 2,
Township of Clearview, County of Simcoe

Date:

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EXECUTIVE SUMMARY

Lafarge Canada Inc. (Lafarge) is applying for a licence, pursuant to the Aggregate Resources Act (ARA), for a Category 1 – Class ‘A’ Pit Below Water for its lands, known as the Oster property, located in Part Lot 3, Concessions 1 and 2 in the Township of Clearview (former Township of Nottawasaga), County of Simcoe. The area proposed to be licenced under the ARA is 86.1ha and the proposed extraction area is 80.6 ha.

The proposal will allow for the extension of Lafarge’s existing Avening Pit which is located to the immediate south of the Oster property. In addition to the ARA application, Lafarge is also seeking approval to amend the Township of Clearview Official Plan and the Township of Clearview Zoning By-law to permit the proposed pit extension. A County of Simcoe Official Plan Amendment is not required.

The proposed Oster Pit would utilize the existing entrance/exit and haul route for the Avening Pit. The tonnage limit for the Avening Pit is 450,000 tonnes per annum and the tonnage limit for the proposed Oster Pit and Avening Pit is 450,000 tonnes per annum combined. As a result, the proposed Oster Pit will not result in any increase in permitted truck traffic.

A rehabilitation plan for the Oster Pit has been designed which maximizes the area to be returned to prime agricultural land (Class 2 and 3) and the remaining lands will be rehabilitated to agricultural (Class 5) and ecological enhancements.

The proposal is consistent with the Provincial Policy Statement and conforms to the County of Simcoe and the Township of Clearview Official Plans. The following is a summary:

1. The site contains four (4) million tonnes of a proven high quality sand and gravel resource.
2. The operational design of the proposed pit has been supported by technical reports addressing natural environment, water resources, noise, traffic, archaeology and agricultural. Operational controls and mitigation have been incorporated into the proposed ARA Site Plans. These site plans will regulate the operation to ensure that impacts from the operation satisfy provincial standards, regulations and guidelines.
3. Aggregate extraction is an established use in the area and the proposed Oster Pit will utilize existing infrastructure (entrance/ exit, haul route, drainage courses, settling pond and monitoring network).
4. The proposal makes available a needed resource while minimizing impacts on surrounding land uses.
5. The impacts of the proposed extraction can be appropriately mitigated and the proposed use is compatible with surrounding land uses.
6. There are no significant natural heritage features as defined in Section 2.1.5 of the Provincial Policy Statement (2014) on or within 120 metres of the site.

7. The proposed Oster Pit is located outside of the County and Township natural heritage system.
8. There is marginal fish habitat in a drainage channel located in the eastern part of the site (the "East Drain"). As extraction approaches the East Drain, the drain will be diverted to a new naturalized channel. The proposed East Drainage Channel will reduce existing barriers to fish passage, provide water cooling benefits and create fish refuge habitat. This will result in a net benefit to water quality and aquatic habitat on-site, as well as potential improvements to the Mad River system.
9. Adjacent to the proposed Oster Pit is the Mad River which is considered fish habitat. The proposed pit will maintain existing groundwater and surface flow to the Mad River and will not result in any negative impacts to its features and functions.
10. There is a barn on-site which contains barn swallow habitat. Prior to the removal of the barn Lafarge will comply with O. Reg 242/08 of the Endangered Species Act for this species.
11. There are no significant cultural heritage resources on-site.
12. The site is located within a Prime Agricultural Area and is currently actively farmed. An Agricultural Impact Assessment was completed and a rehabilitation plan has been designed to maximize agricultural rehabilitation on-site.
13. The remainder of the site will be rehabilitated to ecological enhancements (9.4 ha) consisting of the proposed East drainage channel, woodlands and wetlands. These enhancements will result in a net ecological gain and increase biodiversity of the site compared to existing conditions.
14. Similar to the existing Avening Pit, progressive rehabilitation will be on-going and minimize the disturbed area of the site. The remainder of the site will be maintained in a agricultural or natural heritage use.

1.0 INTRODUCTION

Lafarge is applying for a Category 1, Class "A" Pit Below Water under the Aggregate Resources Act ("ARA"), and a Township of Clearview Official Plan and Zoning By-law Amendment under the Planning Act to permit mineral aggregate extraction. A County of Simcoe Official Plan Amendment is not required.

The subject lands are located in Part of Lot 3, Concessions 1 and 2, Township of Clearview, County of Simcoe. The area proposed to be licenced under the ARA is 86.1 ha and the proposed extraction area is 80.6 ha. The Oster Pit shares a contiguous easterly and southerly boundary with Lafarge's existing Avening Pit.

A Location Map is provided as **Figure 1**.

Lafarge has operated the adjacent Avening Pit since 1999. The Avening Pit supplies a variety of high quality aggregate products. The majority of the Avening Pit has been extracted and rehabilitated. There is only a small area remaining to be extracted and there are limited aggregate reserves remaining at the existing Avening Pit. The proposed Oster Pit will allow for the recovery of an additional 4 million tonnes of a high-quality aggregate resource that is urgently needed by Lafarge to replace existing reserves from the Avening Pit. The existing entrance/exit to the Lafarge Avening Pit on Centre Line Road would be utilized for the proposed extension.

This Planning Report/Summary Statement has been prepared to satisfy the application requirements of the ARA and the Township of Clearview Official Plan and Zoning By-law amendment applications.

Prior to submitting the application, Lafarge had a Pre-Consultation meeting with the Township of Clearview, Nottawasaga Valley Conservation Authority (NVCA), Ministry of Natural Resources and Forestry (MNRF) and the County of Simcoe to discuss the required applications and studies that would be needed in conjunction with the application. Attached as **Appendix A** is a copy of the Preconsultation Record.

The following applications are required to permit the proposed pit extension:

Application	Approval Authority
Township of Clearview Official Plan Amendment	County of Simcoe
Township of Clearview Zoning By-law Amendment	Township of Clearview
Aggregate Resources Act (ARA) Licence application	Ministry of Natural Resources and Forestry

In addition to the Planning Report/Summary Statement, the following technical reports and site plans are being submitted as part of this application:

- "Proposed Oster Pit, Level 1 and 2 Hydrogeology Technical Report" by Golder Associates Inc., April, 2016;
- "Proposed Oster Pit, Level 1 and Level 2 Natural Environment Technical Report" by Golder Associates Inc., April, 2016;
- "Proposed Oster Pit, Agricultural Impact Assessment" by Colville Consulting, April, 2016;
- "Proposed Expansion of the Lafarge Pit Located in Part Lot 3 Concessions 1 and 2, Township of Clearview (formerly Township of Nottawasaga), Simcoe County, Ontario" by York North Archaeological Services, December 2003;
- "Proposed Oster Pit, Traffic Impact Study" by AECOM, April, 2016;
- "Proposed Oster Pit, Sound Impact Analysis" by Valcoustics Canada, April, 2016 and
- "Aggregate Resources Act Site Plans" by MHBC Planning, October, 2016.

This Planning Report and ARA Summary Statement should be read in conjunction with the above reports and plans.

1.1 Description of Property and Surrounding Land Uses

The proposed Oster Pit is located on Part Lot 3 in the east half of Concession 2 and Part Lot 3 in the west half of Concession 1. The site is located approximately 1 kilometre southeast of the community of Avening and approximately 5 kilometres southeast of Creemore.

The proposed Oster Pit is immediately abutting the north limit of the Avening Pit. See **Figure 2**.

The site is generally flat with surface drainage from northwest to southeast toward the Central Drain located on the Avening Pit. There is also an existing drainage channel located near the eastern boundary of the proposed Oster Pit (the East Drain). The East Drain is a linear constructed channel that was constructed for agricultural purposes.

The site is currently used for agricultural purposes and contains a mixture of cultivated fields and pasture lands. A dwelling and farm buildings are located near the northeast corner of the property.

The following land uses surround the proposed extension area:

- To the **south** of the subject site is Lafarge's existing Avening Pit which has a licenced area of 148 ha and an extraction area of 140 ha. To date, the majority of the site has been extracted and progressively rehabilitated.
- To the **west**: Agricultural lands including a farm residence and buildings associated with the active livestock operation. The Mad River is also located to the west.
- To the **east**: Agricultural lands, including a farm residence and buildings.
- To the **north**: Agricultural lands (row crops and forage lands) including two farm residences and farm buildings and an additional residence.

The predominant land use in the surrounding area is agriculture including row crops and forage lands together with livestock operations. Additional detail related to the nature of the adjacent agricultural uses is provided in *"Proposed Oster Pit, Agricultural Impact Assessment"* by Colville Consulting, April, 2016.

1.2 Description of Proposed Operations and Rehabilitation

The Oster pit will be operated as an extension of Lafarge's existing Avening pit located directly to the south. The proposed licenced area is 86.1 ha of which 80.6 ha is proposed to be extracted.

The sand and gravel to be extracted from the site will be used for a variety of construction products. The primary market to be served by the Oster Pit is Simcoe County, including Collingwood, Wasaga Beach, Stayner, CFB Borden, and Barrie. See **Figure 1**.

The existing tonnage limit for the Avening Pit is 450,000 tonnes per year. The proposed annual tonnage limit for the Oster Pit is 450,000 tonnes in combination with the Avening Pit. As a result, the Oster Pit will not result in an increase in permitted truck traffic.

Similar to the existing Avening Pit the proposed hours of operation are Monday to Friday (6:00 am to 7:00 pm) and Saturday (6:00 am to 12:00 pm). Between 6:00 am and 7:00 am only loading and shipping operations are permitted to occur. There will be no operations on Sundays or on statutory holidays.

As illustrated on the Proposed Phasing Plan (see **Figure 3**), extraction will occur in five phases. Extraction will commence in the southwest portion of the site (Phase 1) as an extension of the Avening pit. At the existing Avening Pit a small area is stripped and worked at a time. This keeps the disturbed area to a minimum and allows for progressive rehabilitation in a timely fashion. See **Figure 2**. Extraction and rehabilitation will occur in a similar manner at the Oster Pit.

The depth of extraction will be approximately 2 to 5 metres. The working face will be excavated using a backhoe stationed above the pit floor working along the pit face. The aggregate will be transported to the processing area located along the southern boundary of the site. See **Figure 3**.

Although the operation is located below the water table, due to the existing drainage network the site will be passively drained during operations and will be predominately rehabilitated back to agriculture similar to the existing Avening Pit. The groundwater and surface water from the site is already passively drained to these existing drainage channels (East Drain and Central Drain) and as a result the proposed Oster Pit will not change groundwater and surface water flows towards the Mad River.

As extraction is completed in each phase, the lands will be progressively rehabilitated. The Phase 2 area will have subsoil and topsoil placed upon it to a combined depth of one metre and the area will be restored to Class 2 and 3 soils. Phases 1, 3, 4 and 5 will have approximately 0.25 metres of soil materials replaced on them for creation of Class 5 agricultural soils.

The proposed after use of the lands is agriculture and natural area, with 18.6 ha of the site being rehabilitated to Class 2 and 3 agricultural soil capability. Of the remaining lands, 52.6 ha will be rehabilitated to Class 5 agricultural soil capability and 9.4 ha will be rehabilitated to natural areas. The natural area will consist of the proposed East Drainage Channel with riparian wetlands and woodlands. The proposed East Drainage Channel will reduce existing barriers to fish passage, provide water cooling benefits and create fish refuge habitat. This will result in a net benefit to water quality and aquatic habitat on-site, as well as potential improvements to the Mad River system. The wetlands and forested areas will increase biodiversity of the site compared to the existing conditions. The creation of the naturalized area will complement the off-site habitat and contribute to the biodiversity in the region compared to existing conditions. See **Figure 4** for a copy of the rehabilitation schematic.

The proposed operation, including setbacks, acoustical berms, equipment and phasing, has been designed to minimize impact on surrounding land uses and allow for progressive rehabilitation of the site.

Details of the proposed operations and rehabilitation are described on the proposed ARA Site Plans, MHBC, October 2016.

1.3 Policy and Legislative Framework

An ARA Licence and amendments to the Township of Clearview Official Plan and Zoning By-law are required to permit extraction on the Oster property. The related policy requirements and a discussion of how the proposal addresses these requirements are set out in Section 4.0 of this Report. The following is a brief summary:

1.3.1 Aggregate Resources Act

This proposal is considered a "Category 1 – Class 'A' (Pit Operation Below Water)" under the Provincial Aggregate Resources Act (ARA). The Provincial Standards for Category 1, Class 'A', Pit Operation Below Water, apply to this application.

Section 5 of this Report contains the required ARA Summary Statement and **Appendix B** provides qualifications and experience of MHBC Planning as required to be submitted with an ARA licence application. Statements of qualifications and experience of other experts are contained in their respective reports.

1.3.2 2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) issued under the authority of Section 3 of the Planning Act provides policy direction on matters of provincial interest. Section 4.2 requires that approval agencies, in making land use decisions, be consistent with the PPS.

An analysis of how the relevant provisions of the PPS are addressed with this application is provided in Section 4.1 of this Report.

1.3.3 County of Simcoe Official Plan

The 1997 County of Simcoe Official Plan was approved by the Ministry of Municipal Affairs and Housing on April 1, 1998 and an Office Consolidation of this Official Plan was prepared in 2007.

A new Official Plan was adopted by the County in 2008. Certain sections and maps of the Official Plan are now in force while others remain under appeal.

The County Official Plan policies are reviewed in Section 4.2 of this Report. An amendment to the County of Simcoe Official Plan is not required.

1.3.4 Township of Clearview Official Plan

The Township Official Plan was approved on January 29, 2002. Schedule A of the Township Official Plan designates the subject site as 'Agriculture' and the existing Avening Pit is designated 'Extractive Industrial'.

An amendment is required to redesignate the proposed Oster Pit to 'Extractive Industrial'.

The Township Official Plan policies are reviewed in Section 4.3 of this Report. The proposed Official Plan Amendment is attached as **Appendix C**.

1.3.5 Township of Clearview Zoning By-law

The proposed Oster Pit is currently zoned 'Agricultural' (AG) with a Hazard Land overlay (FP) on a portion of the lands in the Township of Clearview Comprehensive Zoning By-law. The Hazard Land overlay identifies the NVCA regulated area. As noted in Section 3.40 of the Zoning By-law, certain uses are exempt from permit requirements which include activities approved under the Aggregate Resources Act.

Through discussions with the Township it has been determined that a site specific rezoning will be required. The site specific rezoning will rezone the lands from 'Agricultural' (AG) to 'Extraction Industrial Two' (EX2) to permit below water extraction on the subject lands. The operations of the existing Avening Pit and proposed Oster Pit are intended to be integrated.

The existing Avening Pit is subject to the Town of Nottawasaga Zoning By-law 10-93 and is zoned 'Extractive Industrial Exemption No.1' (M3-E1). In order to integrate the operations an amendment to the existing Avening Pit would be required in conjunction with the proposed Oster Pit rezoning. The rezoning for the existing Avening Pit is to eliminate the yard requirement along the common boundary of the Oster Pit and Avening Pit.

The Township Zoning By-law is reviewed in Section 4.4 of this report.

The proposed amending Zoning By-laws are attached as **Appendix D**.

2.0 RESOURCE CONSIDERATIONS

2.1 Aggregate Resources

Information contained in the *Aggregate Resources Inventory Paper 188* for the County of Simcoe, prepared by the Ministry of Northern Development and Mines (2013), identifies the subject site as a secondary sand and gravel deposit. See **Figure 5**. This resource is located in the Simcoe Lowlands which consists largely of glaciofluvial outwash and glaciolacustrine sand, silt and clay with isolated deposits of till. These deposits contain variably bedded, fine sand to coarse gravel. The subject lands are described as having a good percentage of coarse aggregate.

Geological Investigations documented the geological characteristics of the area and evaluated the quality and quantity of the aggregate resource located within the proposed licensed area. The geological investigations are appended to the Golder Associates Level 1 and 2, Hydrogeology and Hydrology report.

The depth of topsoil and subsoil, the thickness of the aggregate deposit, and the depth to water table were recorded at a number of test pit locations on the property. The investigation showed that the water table is located 1.17 to 3.59 metres below the surface. Topsoil over the aggregate material is approximately 0.3 metres deep. Below the topsoil and subsoil, there is approximately 2 – 5 metres of sand and gravel with a stone content of 35% – 50%.

The geological investigations indicate that there is approximately four million tonnes of marketable sand and gravel at this site. Of the four million tonnes of material available it is estimated that:

- Approximately 443,000 tonnes are above 1.5 metres of the water table;
- Approximately 2,301,000 tonnes are within 1.5 metres of the water table; and
- Approximately 1,240,000 tonnes are below the water table.

When extraction is proposed within 1.5 metres of the water table, the ARA considers the proposal to be a below water table operation. In this case, 3.5 million tonnes are considered to be below the water table representing almost 90% of the total resource available on this site.

2.2 Agricultural Resources

In the Province of Ontario, Class 1-3 soils are considered to be prime agricultural land. According to the Canadian Land Inventory of Soil Capability for Agriculture, the majority of the soils on the subject lands are mapped as 2FM and 3FM and a small portion is mapped as Class 5. See **Figure 6**. This rating indicates that there are moderate limitations to common field crop production as a result of fertility (F) and droughtiness (M).

A detailed assessment of the soil conditions and agricultural capabilities was completed in the “*Proposed Oster Pit, Agricultural Impact Assessment*” prepared by Colville Consulting, April, 2016. Based on the field work conducted, it was concluded that 98.5% of the soils on-site are Class 2-3 and the remainder are Class 6 soils. See **Figure 7**.

As described in the Agricultural Impact Assessment, the Oster site contains prime agricultural land within a Prime Agricultural Area. Provincial and local policies permit aggregate extraction within prime agricultural areas. Section 2.5.4.1 of the PPS, 2014 states:

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. Complete rehabilitation to an agricultural condition is not required if:

- a) *outside of a specialty crop area, there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;*
- b) *in a specialty crop area, there is a substantial quantity of high quality mineral aggregate resources below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;*
- c) *other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Class 1, 2 and 3 lands; and*
- d) *agricultural rehabilitation in remaining areas is maximized.*

Agricultural condition is defined in the PPS and states “in regard to prime agricultural land outside of specialty crop areas, a condition in which substantially the same areas and same average soil capability for agriculture are restored.”

Due to the final elevations of the pit floor, the groundwater table and the availability of on-site subsoil / topsoil only a portion of the site can be rehabilitated back to Class 2 /3 soil capability.

The Phase 2 area is proposed to be restored to Class 2 and 3 soils, by placing a combined depth of 1 metre of subsoil and topsoil on the pit floor. Phases 1, 3, 4 and 5 will have approximately 0.25 metres of soil materials replaced on them due to availability of soils and these areas will be rehabilitated to Class 5 agricultural soils.

If Class 2-3 topsoil are available to be imported for rehabilitation these soils may be imported to maximize Class 2-3 rehabilitation in Phases 1, 3, 4 and 5. In addition, portions of Phases 4 and 5 will include naturalized drainage courses, riparian wetlands and woodland to enhance ecological conditions on site compared to existing conditions.

In total the lands will be rehabilitated as follows:

- 18.6 ha of the site will be rehabilitated to Class 2 and 3 agricultural soil capability;
- 52.6 ha will be rehabilitated to Class 5 agricultural soil capability; and
- 9.4 ha will be rehabilitated to natural areas, consisting of a new naturalized channel to enhance fish habitat with riparian wetland and woodlands.

See **Figure 4** for a copy of the rehabilitation schematic.

The policy allows for portions of the site not to be rehabilitated back to Class 2 / 3 soil capability subject to the following:

- There is a substantial quantity of mineral aggregate resources below the water table warranting extraction. As outlined in Section 2.1 of this report 3.5 million tonnes are considered to be below the water table representing almost 90% of the total resource available on this site.
- Other alternatives have been considered by the applicant and found unsuitable. The proposed Oster Pit application is an application to extend the Avening Pit. Reserves at the existing Avening Pit are running out and Lafarge is proposing to expand this operation to maintain its ability to serve its existing market and utilize existing infrastructure. In consideration of alternatives, the Provincial Policy Statement: Training Manual for Non-Renewable Resources recognizes that alternatives may include lands adjacent to the existing pit. This recognizes the advantages of continuing an established use and utilizing existing infrastructure.
- As shown on Figure 5, the only lands directly adjacent to the Avening Pit that contain a selected sand and gravel resource area of secondary significance is the proposed Oster Pit. An extension of the Avening Pit to the south and west is not possible due to the location of the Mad River. Although the lands to the northeast of the site are lower agricultural capability (Class 4) these lands do not contain a selected sand and gravel resource area and are considered unsuitable. The lands to the east of the Avening Pit are separated by Centre Line Road there is only a small area identified as a selected sand and gravel resource area. This area is not contiguous with the existing operation and was found to be unsuitable.
- Agricultural rehabilitation in remaining areas has been maximized. Normally, when extraction is proposed below the water table there are limited opportunities to rehabilitate to agriculture within the extraction area. In this instance, the entirety of the Phase 2 lands will be rehabilitated to the same soil capability as existed prior to extraction (Class 2/3). Phases 1, 3, 4 and 5 will be rehabilitated to Class 5 soil capability for hay and pasture. If Class 2-3 topsoil are available to be imported for rehabilitation these soils may

be imported to maximize Class 2-3 rehabilitation in Phases 1, 3, 4 and 5. Overall, almost 90 % of the site will be rehabilitated back to agriculture.

2.3 Natural Heritage Resources

Golder Associates (Golder) conducted a detailed study to determine if any natural heritage features or areas occur on or within 120 metres of the proposed extraction area. As a result of their study and related fieldwork, Golder confirmed the following:

- The site is predominately cleared agricultural land and not located within a natural heritage system;
- The proposed pit will not impact the diversity and connectivity of natural features;
- The proposed rehabilitation plan will improve connectivity between natural features and biodiversity of the site compared to existing conditions;
- There are no significant wetlands on or within 120 metres of the site;
- There are no coastal wetlands on or within 120 metres of the site;
- There are no significant woodlands on or within 120 metres of the site;
- There are no significant valleylands on-site and the valleyland associated with the Mad River is located approximately 120 metres west of the site at its closest point. Based on the separation distance and the maintenance of flows to the Mad River there will be no negative impacts to the valleylands;
- There is no significant wildlife habitat on or within 120 m of the site;
- There are no Areas of Natural and Scientific Interest found on or within 120 metres of the site;
- There is marginal fish habitat in a drainage channel located in the eastern part of the site (the "East Drain"). As extraction approaches the East Drain, the drain will be diverted to a new naturalized channel that will result in improvements to fish habitat at that location and downstream. The proposed East Drainage Channel will reduce existing barriers to fish passage, provide water cooling benefits and create fish refuge habitat. This will result in a net benefit to water quality and aquatic habitat on-site, as well as potential improvements to the Mad River system;

A "Request for Review" will be submitted to the Department of Fisheries and Oceans for the proposed reconfiguration of the East Drain. In addition, prior to any work associated with the East Drain, a fish collection permit will be obtained and the fish will be relocated to a nearby surface water features;

- Adjacent to the proposed Oster Pit is the Mad River which is considered fish habitat. The proposed pit will maintain and improve existing groundwater and surface water flow and water quality to the Mad River and will not result in any negative impacts to its features and functions;
- There is a barn on-site which contains barn swallow habitat. Prior to the removal of the barn Lafarge will comply with O. Reg 242/08 of the Endangered Species Act for these species; and

- There are other natural heritage features beyond 120 m however these features will not be negatively impacted by the proposed Oster Pit.

See **Figure 8** for the location of natural heritage features on and adjacent to the site.

Overall, Golder has concluded that there will be no negative impacts to significant natural features and functions within the study area, subject to implementation of their recommendations. These recommended mitigation measures have been included on the ARA Site Plans.

2.4 Groundwater and Surface Water Resources

Golder prepared a Level 1 and 2 Hydrogeology and Hydrology Technical Report. As a result of their study and related fieldwork, Golder confirmed the following:

- The proposed Oster Pit is not located within a municipal wellhead protection area and will not impact municipal water supplies;
- Groundwater and surface water flow, in the area is largely controlled by a series of drainage ditches located on and adjacent to the site;
- During the operation of the proposed Oster Pit, groundwater and surface water will continue to discharge to the existing drainage ditches including the proposed North Drainage Channel which is located along the northern boundary of the site;
- A new settling pond is proposed within the Central Drain. The proposed settling pond will be designed according to MOECC guidelines and will improve water quality;
- As part of rehabilitation a new East Drainage Channel is proposed to maintain groundwater and surface water flows. The new East Drainage Channel will replace the existing East Drain and improve fish habitat at this location and downstream as it will reduce existing barriers to fish passage , provide water cooling benefits, and create fish refuge habitat;
- The water budget analysis for the site confirms that groundwater and surface water flow will be maintained to the Mad River during operations and after rehabilitation;
- The proposed Oster Pit does not result in any watershed or cross-watershed impacts;
- The proposed Oster Pit is located within an area of high aquifer vulnerability and a significant recharge area. This function of this site will be protected and maintained; and
- The groundwater drawdown from the proposed Oster Pit is localized. There are 4 shallow dug wells within the potential area of influence of the proposed Oster Pit that are hydraulically connected to the upper aquifer. These wells may experience some groundwater drawdown that could impact the wells. A groundwater monitoring program and domestic / agricultural well complaint procedure is recommended to ensure

these water supplies will be protected. In the event of an impact there are several mitigation options available to restore the water supply, if required. See Section 3.2.3 of this Report for more detail.

Overall, Golder has concluded that there will be no negative impacts to sensitive groundwater and sensitive surface water features and the water quality and quantity will be either be protected or restored and in some cases improved. Golder's recommended mitigation measures have been included on the ARA Site Plans.

2.5 Archaeological Resources

York North Archaeological Services conducted an Archaeological Assessment (Stage 1-2) on the subject lands. The Stage 2 Assessment did not result in the identification of any significant heritage resources on the site.

Attached in **Appendix E** is correspondence from the Ministry of Culture confirming that the provincial requirements have been satisfied.

3.0 LAND USE CONSIDERATIONS

3.1 Description of Surrounding Land Uses

The Oster property is located within an area dominated by agricultural land uses. Agricultural uses dominate to the north, east and west of the site. Agricultural activities include livestock operations and feed crops. The Mad River is situated to the west and south of the site.

The community of Avening is located approximately 1 kilometre to the north of the Oster property. A total of six residences are located within 300 metres of the proposed extraction area.

The lands to the south and southeast of the site are extractive industrial (Lafarge Avening Pit). See **Figure 9**.

3.2 Potential Impacts and Propose Mitigation

3.2.1 Noise

Valcoustics Canada Ltd. (Valcoustics) conducted a Sound Impact Analysis to identify potential noise sources and provide recommendations for mitigation in accordance with the Ministry of Environment and Climate Change (MOECC) noise guidelines.

With the implementation of the mitigation measures outlined in the Valcoustics Report, the sound exposures from the proposed Oster Pit will be in compliance with MOECC noise guidelines for all surrounding residents. All of the mitigation measures have been incorporated in the ARA Site Plans for the site. Some of the mitigation measures include:

- The sound emission level for all pieces of equipment used for construction activities including site preparation and rehabilitation must comply with the limits outlined in MOECC Publication NPC-115, "Construction Equipment";
- Instead of back up beepers, alternative technologies shall be incorporated on the on-site loader and excavator used for extraction and loading of shipping trucks to reduce noise impacts;
- Noise berms shall be constructed around the west, north and east boundaries of the site;
- There must be no more than 1 piece of equipment (i.e. excavator or front end loader) operating at the extraction face at any given time;

- The processing plant can only operate within a defined area and must be operated at an elevation no greater than 1 metre above the bottom of the proposed pit floor. The plant must be screened from the receptor locations by a local 10 metre high sound barrier;
- To maximize acoustical screening to surrounding receptors, trucks should be loaded from the south sides of the stockpiles at both the extraction face and at the processing plant locations;
- There must be no haul trucks operating within the northeast corner of the site. Excavated material can be moved from this area using conveyors or a front end loader;
- Extraction and processing shall be limited to 7:00 am to 7:00 pm. Only loading and shipping is permitted to occur between 6:00 am and 7:00 am;
- Stripping and rehabilitation should only occur between 7:00 am and 7:00 pm, Monday to Friday; and
- An off-site noise audit measurement shall be completed at the commencement of the operation to confirm the MOECC noise guideline limits are met. The audit measurements must be done by a qualified acoustical engineer.

With the mitigation measures proposed, Valcoustics concludes that MOECC noise guidelines can be met. These requirements will minimize the impact of noise created by the proposed Oster Pit and prevent adverse impacts on surrounding properties.

See **Figure 10** for a simplified operations schematic which identifies the berm height, location of the processing plant and the area which trucks are prohibited in the north east corner of the site.

3.2.2 Air Quality

The Province of Ontario has the following prescribed conditions that apply to all new mineral aggregate operations to control dust emissions:

1. Dust will be mitigated on-site;
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; and
3. Processing equipment will be equipped with dust suppressing or collection devices where the equipment creates dust and is being operated within 300 metres of a sensitive receptor.

These requirements will minimize the impact of dust created by the proposed Oster Pit and prevent adverse impacts on surrounding properties.

3.2.3 Residential and Agricultural Wells

Golder prepared a Level 1 and 2 Hydrogeology and Hydrology Technical Report. As part of this assessment Golder reviewed potential impacts on surrounding domestic and agricultural wells.

Golder identified all wells in proximity to the site and completed a water well inventory for properties within the potential area of influence (450 m) of the proposed Oster Pit.

The water well inventory identified that there were a total of seven (7) off-site domestic / agricultural wells being used within 450 metres of the site. Four (4) of these wells are shallow dug wells that are upgradient but hydraulically connected to the upper aquifer found within the proposed Oster Pit. These wells may experience some groundwater drawdown that could impact these wells.

To ensure all wells within the vicinity of the proposed Oster Pit are protected Golder has recommended:

- Monitoring of ten (10) existing and proposed monitoring wells located on-site and at the existing Avening Pit. Six (6) of these wells are located between the extraction area and the adjacent residential wells;
- The following Domestic / Agricultural Well Mitigation Plan be implemented.

Domestic / Agricultural Well Mitigation Plan:

If an agricultural or domestic water well complaint is received by the Licensee within 450 m of the subject site the following Actions will be taken:

- a) The Licensee will contact a local well contractor in the event of a well malfunction and the licensee shall provide a temporary water supply if the issue cannot be easily determined and rectified (see steps below);
- b) The well contractor will respond to the landowner with the supply issue and rectify the problem as expediently as possible.
- c) If the issue raised by the landowner is related to the loss of water supply, the Licensee will have a consultant/contractor determine the likely cause of the loss of water, which can result from a number of factors, including pump failure (owners expense), extended overuse of the well (owners expense) or lowering of the water levels in the area from the pit (Licensee expense). This assessment process would be carried out at the expense of the Licensee and the results provided to the landowner.
- d) If it has been determined that the pit caused the water supply interference, the Licensee shall continue to supply water at the Licensee's expense until the problem is rectified. The following mitigation measures shall be considered and the appropriate measure(s) implemented at the expense of the Licensee:
 - i) Drill a new well into the confined aquifer;
 - ii) Deepen dug wells and provide additional storage;

- iii) Relocate the dug well further up-gradient from the drawdown effects of extraction if the property size permits.

As part of Golder's assessment it was confirmed that replacement wells can be easily installed in the lower aquifer. This aquifer has a water supply capable of adequate to greater than adequate yields for domestic and livestock purposes and the quality of water is considered to greater than adequate, providing protection from near surface sources of contamination (i.e. agriculture fertilizers, roadside salt, etc).

The ARA Site Plans include the above noted monitoring program and the well complaint procedure to ensure that domestic and agricultural wells are protected.

3.2.4 Surrounding Agriculture

Colville Consulting Inc. completed an Agricultural Impact Assessment (AIA) for the proposed Oster Pit.

The land use in the area surrounding the site is predominantly agricultural and is characterized by a mix of livestock and cash crop operations.

A large traditional bank barn and shed are present on the Oster site and will be required to be demolished. The structures are in moderate to poor condition and appear not to have been in use for some time. Colville noted that bank barn and shed have not benefited from any recent improvements and that there was no investment in new farm infrastructure on site.

Colville also concluded that the proposed pit extension will not conflict with surrounding agricultural operations.

The proposed rehabilitation of the site will allow for a range of agricultural after uses which are comparable to other farming operations in the area.

3.2.5 Traffic

AECOM prepared a Traffic Impact Study (TIS). The existing tonnage limit for the Avening Pit is 450,000 tonnes per year. The proposed annual tonnage limit for the Oster Pit is 450,000 tonnes in combination with the Avening Pit. As a result, the Oster Pit will not result in an increase in permitted truck traffic.

The proposed Oster Pit will utilize the existing haul route and entrance/ exit on Centre Line Road. Centre Line Road is under the jurisdiction of the Township of Clearview and is classified as a Township arterial road. In December 2006 resurfacing of Centre Line Road was completed by Lafarge.

Truck traffic leaving the site will travel north along Centre Line Road to County Road 9, which is classified as a County arterial road. At the intersection of Centre Line Road and County Road 9 the truck traffic will disperse west, north and east to be shipped to market. See **Figure 11**.

The TIS concluded that no capacity-related improvements to the road network were required to support the proposed Oster Pit.

4.0 POLICY ANALYSIS

4.1 Provincial Policy Statement (PPS, 2014)

The Provincial Policy Statement ("PPS") was updated in 2014. The PPS establishes Provincial policy relating to land use planning and development. The PPS is issued under Section 3 of the Planning Act and applies to all applications, matters or proceedings commenced on or after April 30, 2014.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment.

Section 3 of the Planning Act requires that all decisions affecting land use planning matters "*shall be consistent with*" the PPS.

The PPS is a policy-led planning approach that recognizes the complex inter-relationship among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning and recognizes linkages among policy areas.

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

The following policies from the 2014 PPS are relevant to the Oster Pit application. A response follows each policy to demonstrate how the proposal is consistent with the PPS:

1.1.5 Rural Lands in Municipalities

"On rural lands located in municipalities, permitted uses are:

- a) *the management or use of resources;*
- b) *resource-based recreational uses (including recreational dwellings);*
- c) *limited residential development;" (1.1.5.2)*

"development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure." (1.1.5.5)

The management or use of mineral aggregate resources is a permitted use in the rural area. The proposed Oster Pit represents the wise management of a non-renewable resource. Additionally, the proposed Oster Pit would utilize existing infrastructure and would be a logical extension to the adjacent Avening Pit.

1.2.6 Land Use Compatibility

"Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities." (1.2.6.1)

The proposed Oster Pit has been designed and buffered to mitigate adverse effects on surrounding receptors. See Section 3.2 of this Report.

1.6.7 Transportation Systems

"Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs." (1.6.7.1)

"Efficient use shall be made of existing and planned infrastructure..." (1.6.7.2)

The proposed Oster Pit will utilize the existing Avening Pit entrance/ exit and haul route and will not result in an increase in truck traffic. The proposed Oster Pit will also utilize and enhance the existing drainage channels to protect water resources.

1.7 Long Term Economic Prosperity

"Long-term economic prosperity should be supported by:

- b) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities; "(1.7.1b)"*

The proposed Oster Pit represents an efficient use of existing infrastructure by utilizing the existing Avening Pit entrance/exit on Centre Line Road and an existing haul route. No upgrades to the haul route are required. See Section 3.2.5 of this Report.

Section 2 of the PPS is entitled "Wise Use and Management of Resources". The introduction to this Section reads:

"Ontario's long-term prosperity, environmental health, and social well-being depend on protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits." (2.0)

Making this site available for aggregate extraction represents the wise use and management of resources, providing economic and social benefits, while minimizing potential environmental impacts.

2.1 Natural Heritage

"Natural features and areas shall be protected for the long term." (2.1.1)

Natural features and areas will be protected for the long term. In addition, the rehabilitation plan for the proposed Oster Pit will enhance the ecological features and functions of the site. See Section 2.3 of this Report.

"The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features." (2.1.2)

The site is predominately cleared agricultural land and is not located within a natural heritage system. The proposed pit will not impact the diversity and connectivity of natural features and the proposed rehabilitation plan will improve connectivity between natural features and biodiversity of the site compared to existing conditions. See Section 2.3 of this Report.

"Development and site alteration shall not be permitted in:

- a) significant wetlands in Ecoregions 5E, 6E and 7E1; and
- b) significant coastal wetlands." (2.1.4)

These features do not exist within the proposed Oster Pit.

"Development and site alteration shall not be permitted in:

- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;
- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- d) significant wildlife habitat;
- e) significant areas of natural and scientific interest; and
- f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions." (2.1.5)

These features do not exist within the proposed Oster Pit.

"Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements." (2.1.6)

There is marginal fish habitat in an agricultural drainage channel located in the eastern part of the site (the “East Drain”). As extraction approaches the East Drain, the drain will be diverted to a new naturalized channel that will result in improvements to fish habitat at that location and downstream. The proposed East Drainage Channel will reduce existing barriers to fish passage, provide water cooling benefits and create fish refuge habitat. This will result in a net benefit to water quality and aquatic habitat on-site, as well as potential improvements to the Mad River system.

A “Request for Review” will be submitted to the Department of Fisheries and Oceans for the proposed reconfiguration of the East Drain. Prior to any work associated with the East Drain, a fish collection permit will be obtained and the fish will be relocated to a nearby surface water features.

“Development and site alteration shall not be permitted in habitat of endangered species and threatened species except in accordance with provincial and federal requirements.” (2.1.7)

There is a barn on-site which contains barn swallow habitat. Prior to the removal of the barn Lafarge will comply with O. Reg 242/08 of the Endangered Species Act for these species.

“Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.” (2.18)

The lands adjacent (within 120 m) do not contain any of the above noted except fish habitat within the Mad River. The proposed pit will maintain flows to the Mad River and will improve fish habitat. See Section 2.3 of this Report.

2.2: Water

“Planning authorities shall protect, improve or restore the quality and quantity of water by:

- a) *using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;*
- b) *minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;*
- c) *identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;*
- d) *maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;”* (2.2.1)

The Mad River is located to the east and south of the proposed Oster Pit. There will be no loss of base flow to the Mad River and overland flow from the surrounding area will continue to be collected within the existing and proposed drainage system and directed to the Mad River. Since water flows will be maintained and groundwater drawdown is localized, the proposed Oster Pit will not result in cross-jurisdictional or cross-watershed impacts.

The East Drain is proposed to be restored with a new naturalized channel that will maintain and improve linkages and related functions. See Section 2.3 and 2.4 of this Report.

"e) implementing necessary restrictions on development and site alteration to:

1. protect all municipal drinking water supplies and designated vulnerable areas; and" (2.2.1)

The proposed Oster Pit is not within a defined Well Head Protection Area for municipal drinking water and does not constitute a risk to municipal supplies or vulnerable areas. See Section 2.4 of this Report.

"2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;" (2.2.1)

The East Drain is proposed to be restored with a new naturalized channel that will maintain and improve its hydrologic function. See Section 2.3 and 2.4 of this Report.

"f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;" (2.2.1)

The proposed Oster Pit does not result in the consumption of water. Existing groundwater and surface water flow will be maintained. A new settling pond is proposed within the Central Drain. The proposed settling pond will be designed according to MOECC guidelines and will improve water quality. See Section 2.4 of this Report.

"Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions." (2.2.2)

There will be no negative impacts to sensitive groundwater and sensitive surface water features and the water quality and quantity will be protected or restored and in some cases improved. The recommended mitigation measures have been included on the ARA Site Plans. See Section 2.4 of this Report.

2.5 Mineral Aggregate Resources

"Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified." (2.5.1)

The mineral aggregate resources within the subject site have been identified as secondary sand and gravel deposit by Information contained in the *Aggregate Resources Inventory Paper 188* for the County of Simcoe.

"As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.

Demonstration of 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." (2.5.2.1)

The proposal makes available 4 million tonnes of a high quality aggregate resource that is located close to the County of Simcoe and Barrie markets. See Section 2.1 of this Report.

"Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts." (2.5.2.2)

The operation has been designed in a manner which minimizes social, economic and environmental impacts. See Sections 2.0 and 3.2 of this Report.

"Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration." (2.5.3.1)

Rehabilitation of the site will be progressive, and final rehabilitation of the site will be a combination of Class 2/3 and Class 5 agriculture lands and enhancement of natural land uses. The ARA Site Plans include specific requirements for progressive rehabilitation that must be completed prior to extraction in other areas of the site.

The final rehabilitation of the Oster Pit will be integrated with the approved rehabilitation plan for the Avening Pit and will contribute to agricultural and natural heritage uses which are the predominate land uses in the area.

"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. Complete rehabilitation to an agricultural condition is not required if:

- a) *outside of a specialty crop area, there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;*
- b) *in a specialty crop area, there is a substantial quantity of high quality mineral aggregate resources below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;*
- c) *other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Class 1, 2 and 3 lands; and*
- d) *agricultural rehabilitation in remaining areas is maximized." (2.5.4.1)*

Due to the final elevations of the pit floor, the groundwater table and the availability of on-site subsoil / topsoil only a portion of the site can be rehabilitated back to Class 2 /3 soil capability.

The Phase 2 area is proposed to be restored to Class 2 and 3 soils, by placing a combined depth of 1 metre of subsoil and topsoil on the pit floor. Phases 1, 3, 4 and 5 will have approximately 0.25 metres of soil materials replaced on them due to availability of soils and these areas will be rehabilitated to Class 5 agricultural soils. If Class 2-3 topsoil are available to be imported for rehabilitation these soils may be imported to maximize Class 2-3 rehabilitation in Phases 1, 3, 4 and 5.

In total the lands will be rehabilitated as follows:

- 18.6 ha of the site will be rehabilitated to Class 2 and 3 agricultural soil capability;
- 52.6 ha will be rehabilitated to Class 5 agricultural soil capability; and
- 9.4 ha will be rehabilitated to natural areas, consisting of a new naturalized channel to enhance fish habitat with riparian wetland cells and woodlands.

See Section 2.2 of this report for a summary of the amount of aggregate located below the water table (almost 90%), consideration of the other alternatives and how rehabilitation back to agriculture has been maximized on-site.

2.6 Cultural Heritage and Archeology

"Significant built heritage resources and significant cultural heritage landscapes shall be conserved."
(2.6.1)

There are no known significant built heritage or significant cultural heritage landscapes on-site.

"Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved."
(2.6.2)

A Stage 1-2 Archaeological Assessment was undertaken and no significant archaeological resources were encountered on the site.

"Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."
(2.6.3)

There are no known protected heritage properties on adjacent lands.

3.1 Natural Hazards

3.1.1 *"Development shall generally be directed to areas outside of:*

- a) *hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*
- b) *hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*

- c) hazardous sites. (3.1.1.)

Development and site alteration shall not be permitted within:

- a) the dynamic beach hazard;
- b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
- d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding. (3.1.2)"

The site is located outside of the hazard lands associated with the floodplain of the Mad River. (See **Figure 12**).

3.2 Human-Made Hazards

"Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed." (3.2.1)

The Oster Pit represents the wise use and management of an aggregate resource and a logical extension of the existing Avening Pit. There are no known or suspected hazards.

In summary, the proposed Oster Pit is consistent with the policies in the Provincial Policy Statement, 2014.

4.2 County of Simcoe Official Plan

The 1997 County of Simcoe Official Plan was approved by the Ministry of Municipal Affairs and Housing on April 1, 1998 and an Office Consolidation of this Official Plan was prepared in 2007.

A new Official Plan was adopted by the County in 2008. Certain sections and maps of the Official Plan are now in force while others remain under appeal. A County of Simcoe Official Plan Amendment is not required.

The Land Use Schedule (5.1) in the new Official Plan is still under appeal. In this Plan, the property is proposed to be designated Agriculture. The current approved Land Use Schedule is found in the previous 2007 Official Plan. In this Official Plan the subject site is designated as "Rural and Agriculture" on Schedule 5.1.

See **Figure 13**.

Goals of the Official Plan

1.1.3 *The goals of this Plan are:*

- *To protect, conserve, and enhance the County's natural and cultural heritage;*
- *To achieve wise management and use of the County's resources;*
- *To implement growth management to achieve lifestyle quality and efficient and cost- effective municipal servicing, development and land use;*
- *To achieve coordinated land use planning among the County's local municipalities and with neighbouring counties, districts, regions, and separated cities, and First Nations lands;*
- *To further community economic development which promotes economic sustainability in Simcoe County communities, providing employment and business opportunities; and*
- *To promote, protect and enhance public health and safety.*

Information contained in the *Aggregate Resources Inventory Paper 188* for the County of Simcoe, prepared by the Ministry of Northern Development and Mines (2013), identifies the mineral aggregate resources within the proposed Oster Pit as secondary sand and gravel deposit. The proposed Oster Pit contains 4 million tonnes of a high quality aggregate resource. Making this site available for aggregate extraction represents the wise use and management of resources, providing economic and social benefit, while minimizing potential environmental impacts. In summary:

- The Oster Pit is located outside of the County's Greenlands System.
- The Oster Pit will be progressively rehabilitated to 18.6 hectares of the lands to Class 2/3 soil agricultural lands and 52.6 hectares to Class 5 soil and 9.4 hectares to natural area with ecological enhancements.
- Existing surface water and groundwater from the Oster site is already directed to the passive drainage system at the existing Avening Pit and then flows to the Mad River through a series of settling ponds. This will continue during extraction and there will be no loss of base flow to the Mad River and overland flow from the surrounding area will continue to be collected at the existing and proposed drainage system and directed to the Mad River. The new settling pond and proposed East Drainage Channel will improve groundwater and surface water resources on-site and to the Mad River.
- The rehabilitation plan includes enhancements that will result in improvements to fish habitat and increase biodiversity of the site.
- There are six (6) sensitive receptors within 300 m of the subject site and the site has been designed to prevent adverse effects on these receptors.
- Domestic and agricultural wells will be protected.
- Surrounding agricultural operations will not be impacted.
- The proposed operation will utilize an existing entrance/exit and haul route.
- There are no significant cultural heritage resources on-site.

Aggregate Developments

"Proposed new and/or expansions to existing mineral aggregate operations shall require a local municipal official plan amendment, unless otherwise permitted. The Ministry of Natural Resources licences and regulates mineral aggregate operations under the Aggregate Resources Act. Accordingly when considering Section 4.4 Aggregate Developments and Section 4.5 Resource Conservation, applications for proposed new and/or expansions to existing mineral aggregate operations are to be supported by studies that are based on predictable, measurable, objective effects on people and the environment, and evaluated in accordance with provincial policy, provincial standards, regulations and guidelines, and if approved under the Aggregate Resources Act, will operate under a site-specific licence/permit and according to site plan provisions."

See Section 1.0 of this Report for a list of the required studies.

The subject site is designated "Agriculture" on Schedule A of the Township Official Plan and an Official Plan Amendment is required to permit the proposed Oster Pit.

"4.4.1 Mineral aggregate operations are not subject to Section 3.3.15, 3.3.18, 4.5.6 and 4.5.18 and shall be located according to the following criteria:

- i. *"Shall not be located in significant wetlands or significant coastal wetlands;"*

These features do not exist within the proposed Oster Pit.

- ii. *"Shall not be permitted in significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, and coastal wetlands (not subject to 4.4.1(i)) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions;"*

These features do not exist within the proposed Oster Pit.

- iii. *"Shall not be permitted in fish habitat except in accordance with provincial and federal requirements;"*

There is marginal fish habitat in a drainage channel located in the eastern part of the site (the "East Drain"). As extraction approaches the East Drain, the drain will be diverted to a new naturalized channel. The proposed East Drainage Channel will reduce existing barriers to fish passage, provide water cooling benefits and create fish refuge habitat. This will result in a net benefit to water quality and aquatic habitat on-site, as well as potential improvements to the Mad River system.

A "Request for Review" will be submitted to the Department of Fisheries and Oceans for the proposed reconfiguration of the East Drain. Prior to any work associated with the East Drain, a fish collection permit will be obtained and the fish will be relocated to a nearby surface water features.

- iv. *"Shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements;"*

There is a barn on-site which contains barn swallow habitat. Prior to the removal of the barn Lafarge will comply with O. Reg 242/08 of the Endangered Species Act for these species.

- v. *"Shall not be permitted on adjacent lands to the natural heritage features and areas identified above unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions;"*

The lands adjacent (within 120 m) do not contain any of the above noted except fish habitat within the Mad River. The proposed pit will maintain flows to the Mad River and will improve fish habitat. See Section 2.3 of this Report.

- vi. *"Within the Niagara Escarpment Plan area, shall not be located in the Escarpment Natural or Escarpment Protection Areas identified on Schedule 5.3.1;"*

The proposed Pit is located outside of the Niagara Escarpment Plan.

- vii. *"Within the Oak Ridges Moraine Conservation Plan area, shall be permitted in the Natural Linkage Area and Countryside Area Designations identified on Schedule 5.3.2, and be subject to the policies of Section 3.11 and the provisions of the Oak Ridges Moraine Conservation Plan;"*

The proposed Pit is located outside of the Oak Ridges Moraine Conservation Plan.

- viii. *"Within the Greenbelt Plan area, shall be permitted in the Protected Countryside designation identified on Schedule 5.3.3, and be subject to the policies of Section 3.12 and the provisions of the Greenbelt Plan."*

The proposed Pit is located outside of the Greenbelt Plan.

"In assessing negative impact, proposed mitigation measures, rehabilitation and ecological enhancements, if any, shall be considered."

"4.4.2 High potential mineral aggregate resource areas shall be protected for potential long-term use. As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. Demonstration of 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."

Information contained in the *Aggregate Resources Inventory Paper 188* for the County of Simcoe, prepared by the Ministry of Northern Development and Mines (2013), identifies the mineral aggregate resources within the proposed Oster Pit as secondary sand and gravel deposit. The site contains 4 million tonnes of high quality aggregate resource. See Section 2.1 of this Report.

The proposal makes available a mineral aggregate resource that is located close to the County of Simcoe and Barrie a markets.

"4.4.3 Licensed mineral aggregate operations shall be protected from development and uses which would preclude or hinder their expansion or continued use. Suitable uses in areas of high aggregate potential include those related to other resources found in the area such as agriculture, forestry operations, and other resource-related developments, as well as public utility installations, if their siting does not preclude or hinder aggregate development. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act."

The approval of the proposed Oster Pit would assist in protecting and maximizing resource recovery from the adjacent Avening Pit by removing setbacks adjacent to the common boundaries.

"4.4.5 High potential mineral aggregate resource areas include all identified Sand and Gravel and Bedrock Aggregate Resources shown on Schedule 5.2.1. The mapping is approximate and can be further refined through detailed information and consultation with the Province and the County. Such areas shall be protected to allow as much of the resource as is realistically possible to be made available for use to supply resource needs, as close to markets as possible, in a manner which minimizes social and environmental impacts. All applications for new or expanded mineral aggregate operations shall satisfy the requirements of the Aggregate Resources Act or its successor and be supported by an EIS and meet all applicable policies of this Plan, including Sections 3.3.5, 3.8, and 4.5. A County Official Plan amendment is not necessary to permit aggregate development however County interests and issues will be addressed through a local municipal Official Plan amendment. Licensed pits and quarries will be added to Schedule 5.2.1 during the five year review of the Plan."

The proposed Oster Pit is not mapped in the County of Simcoe Official Plan as a high potential mineral resource area. Information contained in the 2013 Aggregate Resource Inventory Paper 188 identifies the site as a secondary sand and gravel resource area. These resource areas contain high quality aggregate resources. Geological investigations have been completed and the site contains 4 million tonnes of high quality aggregate consistent with the resource at the Avening Pit. Approval of the proposed Oster Pit would make available an important aggregate resource in a manner which minimizes social and environmental impacts. See Sections 2.0 and 3.0 of this Report. An EIS has been prepared and a Local Official Plan Amendment application has been submitted.

"4.4.6 Mineral aggregate operations shall minimize impacts to adjacent or nearby uses by reason of dust, noise, effects on water table and quantity or other effects from mining activities or transportation of aggregates."

There are six (6) residential uses within 300 m of the subject site. The operation is appropriately designed, buffered and/or separated from sensitive land uses to minimize impacts. See Section 3.2 of this Report.

"4.4.7 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration."

The Oster property will be progressively rehabilitated to 18.6 hectares of the lands to Class 2/3 soil agricultural lands and 52.6 hectares to Class 5 soil and 9.4 hectares to natural area with ecological enhancements. This subsequent land use is compatible with the primary land uses that currently exist in the area.

"4.4.8 The County may require a Cultural Heritage Report in support of a proposed new or expanded mineral aggregate operation to identify significant cultural features as outlined in Section 4.6. If significant cultural features are identified they shall be conserved which may include mitigation measures and/or alternative development approaches."

There are no known significant built heritage resources or significant cultural heritage landscapes. An archeological assessment was completed and the site does not contain any significant archaeological resources.

"4.4.10 Local municipal official plans and zoning bylaws may address additional matters regarding mineral aggregate operations and protection of high potential mineral aggregate resource areas within the context of and consistent with provincial legislation and regulations and this Plan and the NEP and the Oak Ridges Moraine Conservation Plan, where applicable. Areas in addition to those areas of high aggregate potential as identified by Schedule 5.2.1 should be shown in local municipal official plans."

See Section 4.3 and 4.4 for a summary of the Township Official Plan and Zoning By-law.

"4.4.11 In prime agricultural areas, on prime agricultural land, extraction of mineral aggregates is permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored. On these prime agricultural lands, complete agricultural rehabilitation is not required if:

- a) *there is a substantial quantity of mineral aggregates below the water table warranting extraction; or*
- b) *the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and*
- c) *other alternatives have been considered by the applicant and found unsuitable; and*
- d) *agricultural rehabilitation in remaining areas will be maximized."*

Due to the final elevations of the pit floor, the groundwater table and the availability of on-site subsoil / topsoil only a portion of the site can be rehabilitated back to Class 2 / 3 soil capability.

The Phase 2 area is proposed to be restored to Class 2 and 3 soils, by placing a combined depth of 1 metre of subsoil and topsoil on the pit floor. Phases 1, 3, 4 and 5 will have approximately 0.25 metres of soil materials replaced on them due to availability of soils and these areas will be rehabilitated to Class 5 agricultural soils. If Class 2-3 topsoil are available to be imported for rehabilitation these soils may be imported to maximize Class 2-3 rehabilitation in Phases 1, 3, 4 and 5.

In total the lands will be rehabilitated as follows:

- 18.6 ha of the site will be rehabilitated to Class 2 and 3 agricultural soil capability;
- 52.6 ha will be rehabilitated to Class 5 agricultural soil capability; and
- 9.4 ha will be rehabilitated to natural areas, consisting of a new naturalized channel to enhance fish habitat with riparian wetland cells and woodlands.

See Section 2.2 of this report for a summary of the amount of aggregate located below the water (almost 90%), consideration of the other alternatives and how rehabilitation back to agriculture has been maximized on-site.

"4.4.12 The County may enter into agreements with the owners and operators of mineral aggregate extractive developments to determine the appropriate use of County Roads as haul routes. The County will seek to establish haul routes on County Roads that are suitable for the function based on traffic patterns and existing and proposed land uses served by the roads. Where there are two or more

alternative haul routes, the haul route having the least impact shall be selected. The costs of upgrading the roads shall be borne by the operators who require the upgrading."

The proposed Oster Pit utilizes the existing entrance/exist and haul route at the existing Avening Pit. The application will not result in any increase in permitted truck traffic. The primary haul route is on a local road that Lafarge resurfaced in 2006. From Center Line Road, some trucks travel east and west on County Road 9. A Traffic Impact Study was completed and no upgrades are required. See Section 3.2.5 of this Report.

In summary, the proposed Oster Pit conforms to the policies of the County of Simcoe Official Plan.

4.3 Township of Clearview Official Plan

The subject lands are designated "Agriculture" in the Township Plan. See **Figure 12**. An amendment is required to redesignate the lands from "Agriculture" to "Extractive Industrial" to permit the proposed pit extension.

A draft Official Plan Amendment is attached as **Appendix C**.

4.3.1 Municipal Growth Strategy and Vision

Clearview's Municipal Growth Strategy constitutes Section 2.0 of the Township Plan. Of relevance to the Oster Pit proposal is Section 2.2.2. It is noted that any development within or adjacent to an identified natural heritage resource should minimize disruption to the resource and that aggregate operations should be appropriately rehabilitated. This Section goes on to note that aggregate reserves are a valuable non-renewable resource important to the local, regional and provincial economies.

The Lafarge application is consistent with this component of the Township Growth Management Strategy. See Section 2.0 of this Report.

4.3.2 Goals and Objectives

The Township Plan, in Section 3, establishes a number of goals and objectives which form the basis for Plan policy.

Section 3.3 addresses Environmental and Hazard Land goals and objectives. This addresses maintenance of natural heritage features, protection of health and safety due to flooding, protection of the quality and quantity of surface and groundwater resources and conserving the Township's heritage by preserving significant cultural and natural heritage resources. The proposed Oster Pit is supportive of these goals as demonstrated in the various technical reports submitted as part of the application. See Section 2.0 of this Report.

Objective 4 seeks to ensure that potential adverse impacts of one land use on another are appropriately investigated and mitigated. Mitigation measures are recommended and are established as site plan notes on the proposed ARA site plans to prevent adverse impacts on surrounding uses. See Section 3.2 of this Report.

Section 3.4 establishes goals and objectives for Mineral Aggregates. The goals are to protect aggregates for existing and future extraction and to encourage rehabilitation of exhausted pits. See Section 2.1 of this Report.

The Mineral Aggregate objectives are to protect aggregate resources from incompatible land uses which could hinder their future extraction and to ensure proper rehabilitation in order to maintain visual attractiveness of the municipality.

The proposed Oster Pit application supports the goals and objectives of Section 3.4 of the Township Plan. See Section 2.1 of this Report.

4.3.3 Land Use Policy – Greenland

The Greenland Policy is provided in Section 4 of the Township Plan. Land Use Schedule "A" of the Township Plan illustrates that there are no Greenlands on the Oster property. Greenlands are located to the west, associated with the Mad River. See **Figure 12**.

Section 4.1.2.1.2 of the Township Plan indicates that disturbance to Greenland-Natural Heritage Areas be discouraged and that proposed development within 50 metres be subject to an EIS demonstrating how impacts will be avoided or mitigated.

The Golder Natural Environment Technical Report and Hydrogeology Technical Report have concluded that there will not be any negative impact to the off-site Greenlands. See Sections 2.3 and 2.4 of this Report.

The proposed Oster Pit application complies with Section 4 of the Township Plan.

4.3.4 Land Use Policy - Agriculture

Section 4.3.2.2 provides Amendment Criteria for lands designated Agricultural. A change in the boundaries of the Agricultural designation must occur by way of an Official Plan Amendment and is subject to a number of considerations by Council, including the existing soil capability, the history of agricultural activity, potential impact on surrounding agriculture operations, compliance with MDS formulae, need for the proposed use and availability of alternate locations.

These criteria are addressed as follows:

- The Canada Lands Inventory identifies the subject lands as having Class 2, 3 and 5. See **Figure 6**. An AIA was completed and refined the soil mapping based on site specific work. Based on this work, the site plan contains Class 2, 3 and 6 soils. See **Figure 7**.
- The property has been historically used for agricultural purposes including row crop and forage crops. This is consistent with the surrounding agricultural land uses. The Agricultural Impact Assessment Report prepared by Colville Consulting Inc., outlines the proposed use and rehabilitation of the site and concludes that there will not be an unacceptable impact on surrounding agricultural operations.
- Aggregate extraction is an interim land use. The lands will be returned, in part, to an agricultural after use once extraction and rehabilitation of the lands is complete.

- The MDS formulae does not apply since aggregate extraction is not considered to be a sensitive land use.
- In accordance with the Provincial Policy Statement (2014) "*Demonstration of 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*" (2.5.2.1).
- Mineral aggregate operations can only be located where suitable resources are found. The proposal will permit an extension of an existing pit operation (the Avening Pit).

See Sections 2.1, 2.2, and 3.2.4 of this Report.

Section 4.3.3 of the Official Plan states:

"Where, by amendment to this Official Plan pursuant to the provisions of Section 4.9, mineral aggregate extraction (pits or quarries) is permitted to occur in areas of Class 1, 2 or 3 soils, according to the Canada Land Inventory, it is the intent of Council that conditions be imposed requiring the rehabilitation of such lands to permit their future use for agricultural purposes. The terms and conditions for such rehabilitation shall be established, in consultation with the authorities responsible for the approval of such extractive operations, during the project's planning and licensing phases."

Almost 90% of the site is proposed to be rehabilitated back to agricultural. See Section 2.2 of this report.

4.3.5 Land Use Policy - Extractive Industrial

The Official Plan recognizes that "*mineral aggregate resources are essential to the economic life of the Province, County and Township. They are non-renewable resources which are found only in select locations in the Province*" (Section 4.9.1).

The Township Plan in Section 4.9.3.1 sets out that the establishment of new aggregate operations requires an amendment to the Plan. An application for Official Plan Amendment requires submission of all relevant data required by MNRF for the ARA licence application, an EIS and any other information deemed appropriate by the Township.

The Lafarge application is supported by a complete set of technical studies including the ARA Summary Statement and Planning Justification Report and the proposed ARA site plans. Prior to submission of the application, pre-consultation meetings were held with Township staff and public agencies to confirm the study requirements. See **Appendix A** for preconsultation record and Section 1 for a list of reports submitted within the application. As a result, the amendment criteria of Section 4.9.3.1 are met. See **Appendix A**.

A number of considerations relative to an aggregate application are established in Section 4.9.3.2. The Lafarge proposal meets the requirements of this Section as follows:

1. The site is currently designated "Agriculture". The Agricultural Impact Assessment carefully assessed the impact on surrounding agricultural operations and impacts will be minimized and agricultural rehabilitation will be maximized. In addition, alternative pit

expansion scenarios have been assessed and the Oster site represents a logical extension that utilizes existing infrastructure. See Sections 2.2 and 3.2.4 of this Report.

2. The proposal will protect surrounding natural heritage features and functions and the proposed rehabilitation will result in a net ecological gain. See Section 2.3 of this Report.
3. The proposal will permit the extension of an existing licenced pit operation. To reduce the sterilization of aggregate, the proposed setback between the Oster and Avening Pits will be eliminated to allow for the recovery of the aggregate. This represents wise management of the resource.
4. An Application for an ARA licence has been prepared with the applications for Zoning and Official Plan Amendments. The proposed ARA Site Plans set out the details of the proposed operation including setbacks, phasing, screening, and rehabilitation of the site in accordance with Township policy.
5. The operation will utilize the existing entrance and haul route established for the Avening Pit. Center Line Road was resurfaced by Lafarge in 2006.

In conclusion, the proposed Oster Pit satisfies the requirements of the Township of Clearview Official Plan.

4.4 Township of Clearview Zoning By-law

The proposed Oster Pit is currently zoned 'Agricultural' (AG) with a Hazard Land overlay (FP) on a portion of the lands in the Township of Clearview Comprehensive Zoning By-law. The Hazard Land overlay identifies the NVCA regulated area. As noted in Section 3.40 of the Zoning By-law, certain uses are exempt from permit requirements which include activities approved under the Aggregate Resources Act.

Through discussions with the Township it has been determined that a site specific rezoning will be required. The site specific rezoning will rezone the lands from 'Agricultural' (AG) to 'Extraction Industrial Two' (EX 2) to permit below water extraction on the subject lands. The operations of the existing Avening Pit and proposed Oster Pit are intended to be integrated.

The existing Avening Pit is subject to the Town of Nottawasaga Zoning By-law 10-93 and is zoned 'Extractive Industrial Exemption No.1' (M3-E1). In order to integrate the operations an amendment to the existing Avening Pit would be required in conjunction with the proposed Oster Pit rezoning. The rezoning for the existing Avening Pit is to eliminate the yard requirement along the common boundary of the Oster Pit and Avening Pit.

The proposed amending Zoning By-laws are attached as **Appendix D**. See **Figure 14**.

5.0 ARA SUMMARY STATEMENT

Lafarge Canada Inc. (Lafarge) is applying for a Category 1, Class A licence (below water) under the Aggregate Resources Act ("ARA") for its lands known as the Oster property, located in Part Lot 3, Concession 1 and 2 in the Township of Clearview (former Township of Nottawasaga). The area proposed to be licenced under the ARA is 86.1 hectares and the proposed extraction area is 80.6 hectares.

The proposal will allow for the extension of Lafarge's existing Avening Pit which is located to the immediate south of the Oster property. The proposed Oster Pit would utilize the existing entrance/exit and haul route for the Avening Pit. The annual tonnage limit for the Avening Pit is 450,000 tonnes per annum and the annual tonnage limit for the proposed Oster Pit and Avening Pit is 450,000 tonnes per annum combined. As a result, the proposed Oster Pit will not result in any increase in permitted truck traffic.

The complete Licence application consists of the following.

5.1 Site Plans

The Site Plans provide details of existing features, the operational plan, progressive rehabilitation, planned final rehabilitation and cross-sections of existing conditions and planned final rehabilitation of the site. The site plans are included in the application package.

5.2 Technical Reports

The following sections fulfill the study requirements of the Aggregate Resources Act:

- 2.2.1 & 2.2.2 Level 1 and 2 Hydrogeology Technical Report was completed by Golder Associates;
- 2.2.3 & 2.2.4 Level 1 and 2 Natural Environment Technical Report, Golder Associates,;
- 2.2.5 & 2.2.6 Stage 1 and 2 Archaeological Assessment, York North Archeological Services;
- 2.2.7 A Stage 3 and 4 Cultural Heritage Resource Report was not required.
- 2.2.8 Sound Impact Analysis, Valcoustics.

- 2.2.9 Each report includes the qualifications and experience of the individual (s) that have prepared the report.

In addition to the required studies a Traffic Impact Study was completed by AECOM and an Agricultural Impact Assessment was completed by Colville Consulting for the proposed Oster Pit.

5.3 Summary Statement: Required Information

The following sections are structured to provide information required under the Provincial Standards Version 1.0 for a Class A, Category 1 Aggregate Resources Act Summary Statement.

5.4 Planning and Land Use Considerations – Standard 2.1.1

The proposed Oster Pit represents good planning and is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan, County of Simcoe Official Plan and Township of Clearview Official Plan for the following reasons:

1. The site contains four (4) million tonnes of a proven high quality sand and gravel resource.
2. The operational design of the proposed pit has been supported by technical reports addressing natural environment, water resources, noise, traffic, archaeology and agricultural. Operational controls and mitigation have been incorporated into the proposed ARA Site Plans. These site plans will regulate the operation to ensure that impacts from the operation satisfy provincial standards, regulations and guidelines.
3. Aggregate extraction is an established use in the area and the proposed Oster Pit will utilize existing infrastructure (entrance/ exit, haul route, drainage courses, settling pond and monitoring network).
4. The proposal makes available a needed resource while minimizing impacts on surrounding land uses.
5. The impacts of the proposed extraction can be appropriately mitigated and the proposed use is compatible with surrounding land uses.
6. There are no significant natural heritage features as defined in Section 2.1.5 of the Provincial Policy Statement (2014) on or within 120 metres of the site.
7. The proposed Oster Pit is located outside of the County and Township natural heritage system.
8. There is marginal fish habitat in a drainage channel located in the eastern part of the site (the “East Drain”). As extraction approaches the East Drain, the drain will be diverted to a new naturalized channel. The proposed East Drainage channel will reduce existing barriers

to fish passage, provide water cooling benefits and create fish refuge habitat. This will result in a net benefit to the water quality and aquatic habitat on-site, as well as potential improvements to the Mad River System.

9. Adjacent to the proposed Oster Pit is the Mad River which is considered fish habitat. The proposed pit will maintain existing groundwater and surface flow to the Mad River and will not result in any negative impacts to its features and functions.
10. There is a barn on-site which contains barn swallow habitat. Prior to the removal of the barn Lafarge will comply with O. Reg 242/08 of the Endangered Species Act for this species.
11. There are no significant cultural heritage resources on-site.
12. The site is located within a Prime Agricultural Area and is currently actively farmed. An Agricultural Impact Assessment was completed and a rehabilitation plan has been designed to maximize agricultural rehabilitation on-site.
13. The remainder of the site will be rehabilitated to ecological enhancements (9.4 ha) consisting of the proposed East drainage channel, woodlands and wetlands. These enhancements will result in a net ecological gain and increase biodiversity of the site compared to existing conditions.
14. Similar to the existing Avening Pit, progressive rehabilitation will be on-going and minimize the disturbed area of the site. The remainder of the site will be maintained in a agricultural or natural heritage use.

See Sections 1.0, 2.0 and 3.0 of this Report for additional information.

5.5 Agricultural Classification of the Proposed Site – Standard 2.1.2

The proposed Oster Pit is an agricultural use and based on the Agricultural Impact Assessment the site contains Class 2FM and 3FM soils with a small portion of Class 5 agricultural land. The subject site is within a Prime Agricultural Area on Prime Agricultural Land and therefore rehabilitation back to agriculture is required by the PPS, except as provided in Section 2.5.4.1.

Section 2.5.4.1 of the PPS, 2014 states:

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. Complete rehabilitation to an agricultural condition is not required if:

- e) outside of a specialty crop area, there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;

- f) in a specialty crop area, there is a substantial quantity of high quality mineral aggregate resources below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;
- g) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Class 1, 2 and 3 lands; and
- h) agricultural rehabilitation in remaining areas is maximized.

Agricultural condition is defined in the PPS and states "in regard to prime agricultural land outside of specialty crop areas, a condition in which substantially the same areas and same average soil capability for agriculture are restored."

Due to the final elevations of the pit floor, the groundwater table and the availability of on-site subsoil / topsoil only a portion of the site can be rehabilitated back to Class 2 / 3 soil capability.

The Phase 2 area is proposed to be restored to Class 2 and 3 soils, by placing a combined depth of 1 metre of subsoil and topsoil on the pit floor. Phases 1, 3, 4 and 5 will have approximately 0.25 metres of soil materials replaced on them due to availability of soils and these areas will be rehabilitated to Class 5 agricultural soils. If Class 2-3 topsoil are available to be imported for rehabilitation these soils may be imported to maximize Class 2-3 rehabilitation in Phases 1, 3, 4 and 5. In addition, portions of Phases 4 and 5 will include naturalized drainage courses, riparian wetlands and woodland to enhance ecological conditions on site compared to existing conditions.

In total the lands will be rehabilitated as follows:

- 18.6 ha of the site will be rehabilitated to Class 2 and 3 agricultural soil capability;
- 52.6 ha will be rehabilitated to Class 5 agricultural soil capability; and
- 9.4 ha will be rehabilitated to natural areas, consisting of a new naturalized channel to enhance fish habitat with riparian wetland and woodlands.

See **Figure 4** for a copy of the rehabilitation schematic.

The policy allows for portions of the site not to be rehabilitated back to Class 2 / 3 soil capability subject to the following:

- There is a substantial quantity of mineral aggregate resources below the water table warranting extraction. As outlined in Section 2.1 of this report 3.5 million tonnes are considered to be below the water table representing almost 90% of the total resource available on this site.
- Other alternatives have been considered by the applicant and found unsuitable. The proposed Oster Pit application is an application to extend the Avening Pit. Reserves at the existing Avening Pit are running out and Lafarge is proposing to expand this operation to

maintain its ability to serve its existing market and utilize existing infrastructure. In consideration of alternatives, the Provincial Policy Statement: Training Manual for Non-Renewable Resources recognizes that alternatives may include lands adjacent to the existing pit. This recognizes the advantages of continuing an established use and utilizing existing infrastructure.

- As shown on Figure 5, the only lands directly adjacent to the Avening Pit that contain a selected sand and gravel resource area of secondary significance is the proposed Oster Pit. An extension of the Avening Pit to the south and west is not possible due to the location of the Mad River. Although the lands to the northeast of the site are lower agricultural capability (Class 4) these lands do not contain a selected sand and gravel resource area and are considered unsuitable. The lands to the east of the Avening Pit are separated by Centre Line Road there is only a small area identified as a selected sand and gravel resource area. This area is not contiguous with the existing operation and was found to be unsuitable.
- Agricultural rehabilitation in remaining areas has been maximized. Normally, when extraction is proposed below the water table there are limited opportunities to rehabilitate to agriculture within the extraction area. In this instance, the entirety of the Phase 2 lands will be rehabilitated to the same soil capability as existed prior to extraction (Class 2/3). Phases 1, 3, 4 and 5 will be rehabilitated to Class 5 soil capability for hay and pasture. If Class 2-3 topsoil are available to be imported for rehabilitation these soils may be imported to maximize Class 2-3 rehabilitation in Phases 1, 3, 4 and 5. Overall, almost 90% of the site will be rehabilitated back to agriculture.

5.6 Quality and Quantity of Aggregate Onsite- Standard 2.1.3

The proposed Oster Pit is located within the Simcoe lowlands which consists of largely glaciofluvial outwash and glaciolacustrine sand, silt and clay with isolated deposits of till. Within the proposed extraction there is approximately 4 million tonnes of aggregate resources.

Information contained in the *Aggregate Resources Inventory Paper 188* for the County of Simcoe prepared by the Ministry of Northern Development and Mines (2013) identifies the subject site as a secondary sand and gravel deposit. This resource area contains a high-quality aggregate that can be used for most road-building and construction projects.

5.7 Main Haulage Routes – Standard 2.1.4

Material from the Oster Pit is proposed to be transported to market from the existing Avening Pit entrance/ exit located on the west side of Centre Line Road. Trucks will utilize the existing haul route and travel north along Centre Line to County Road 9. At the Centre Line Road and County Road 9 intersection truck traffic will disperse west, north and east to be shipped to market.

The annual tonnage limit for the Avening Pit is 450,000 tonnes per annum and the annual tonnage limit for the proposed Oster Pit and Avening Pit is 450,000 tonnes per annum combined.

As a result, the proposed Oster Pit will not result in any increase in permitted truck traffic. The proposed haul route is illustrated on Figure 11.

5.8 Progressive and Final Rehabilitation – Standard 2.1.5

Rehabilitation of the site will be progressive, and agricultural rehabilitation will be maximized in accordance with the Provincial and Regional policy requirements. To keep the disturbed area to a minimum a small area will be stripped and worked at a time, this allows for progressive rehabilitation as extraction is completed in each phase. The rehabilitation plan proposes 18.6 ha of the site being rehabilitated to Class 2 and 3 agricultural soil capabilities. Of the remaining lands, 52.6 ha will be rehabilitated to Class 5 agricultural soil capability and 9.4 ha will be rehabilitated to natural areas. See Figure 4 for a copy of the rehabilitation schematic.

The surrounding land uses are utilized for agricultural purposes and the proposed rehabilitation plan to agricultural uses will be representative of the uses in the area. The final rehabilitation of the proposed Oster Pit will be integrated with the approved rehabilitation plan for Avening Pit.

6.0 CONCLUSIONS

The proposed Oster Pit is a logical extension of the existing Avening Pit and represents wise resource management. For the reasons outlined in this report, the application represents good planning and:

- Is consistent with the Provincial Policy Statement;
- Conforms to the County of Simcoe Official Plan;
- Conforms to the Township of Clearview Official Plan; and
- Complies with the Township of Clearview Zoning By-law.

Respectfully submitted,

MacNaughton Hermsen Britton Clarkson Planning Limited

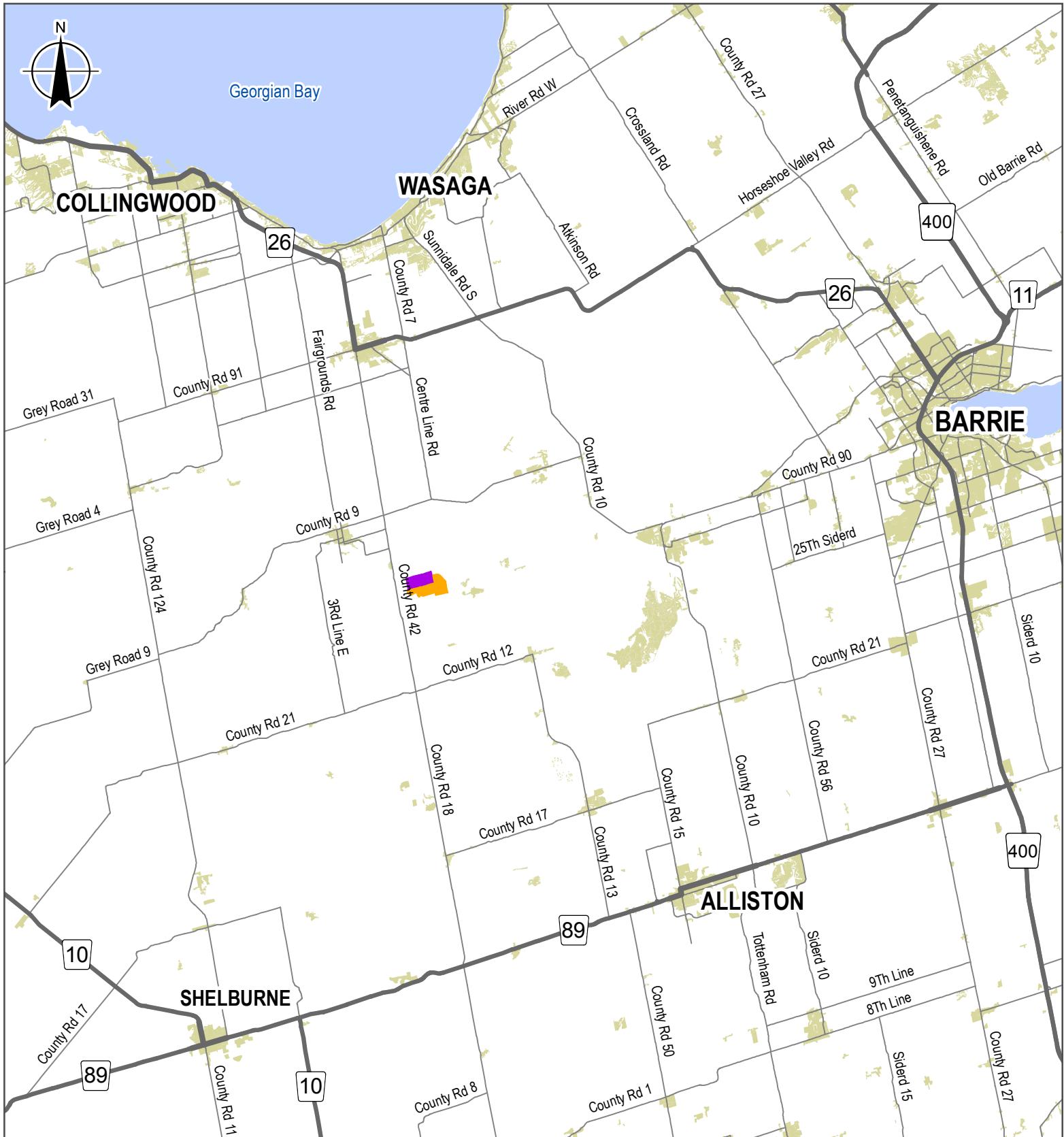


Brian Zeman, BES, MCIP RPP
President



Carly Marshall, M.PI.
Planner

Figures



**FIGURE #1
LOCATION MAP**

Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- [Purple square] Proposed Oster Pit
- [Orange square] Existing Avening Pit
- [Light green square] Built-up Areas
- [Black line] Highway
- [Grey line] Arterial / Collector Road

DATE	April 2016			
SOURCES	Contains information licensed under the Open Government Licence - Ontario			
SCALE				
0	2,000	4,000	6,000	8,000
Metres				
N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS				
 PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE				

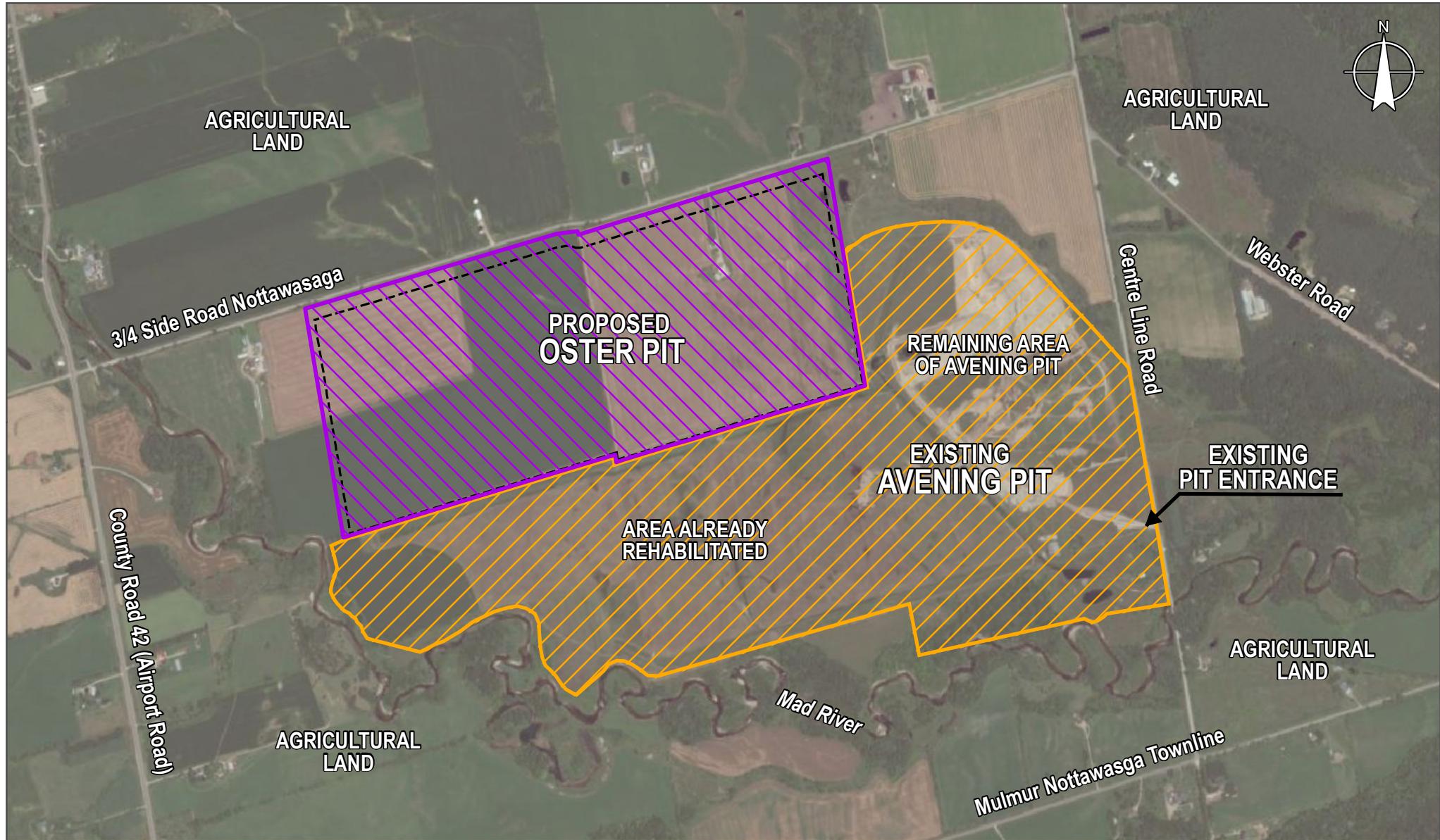


FIGURE #2
**OSTER SITE &
SURROUNDING LANDS**

Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

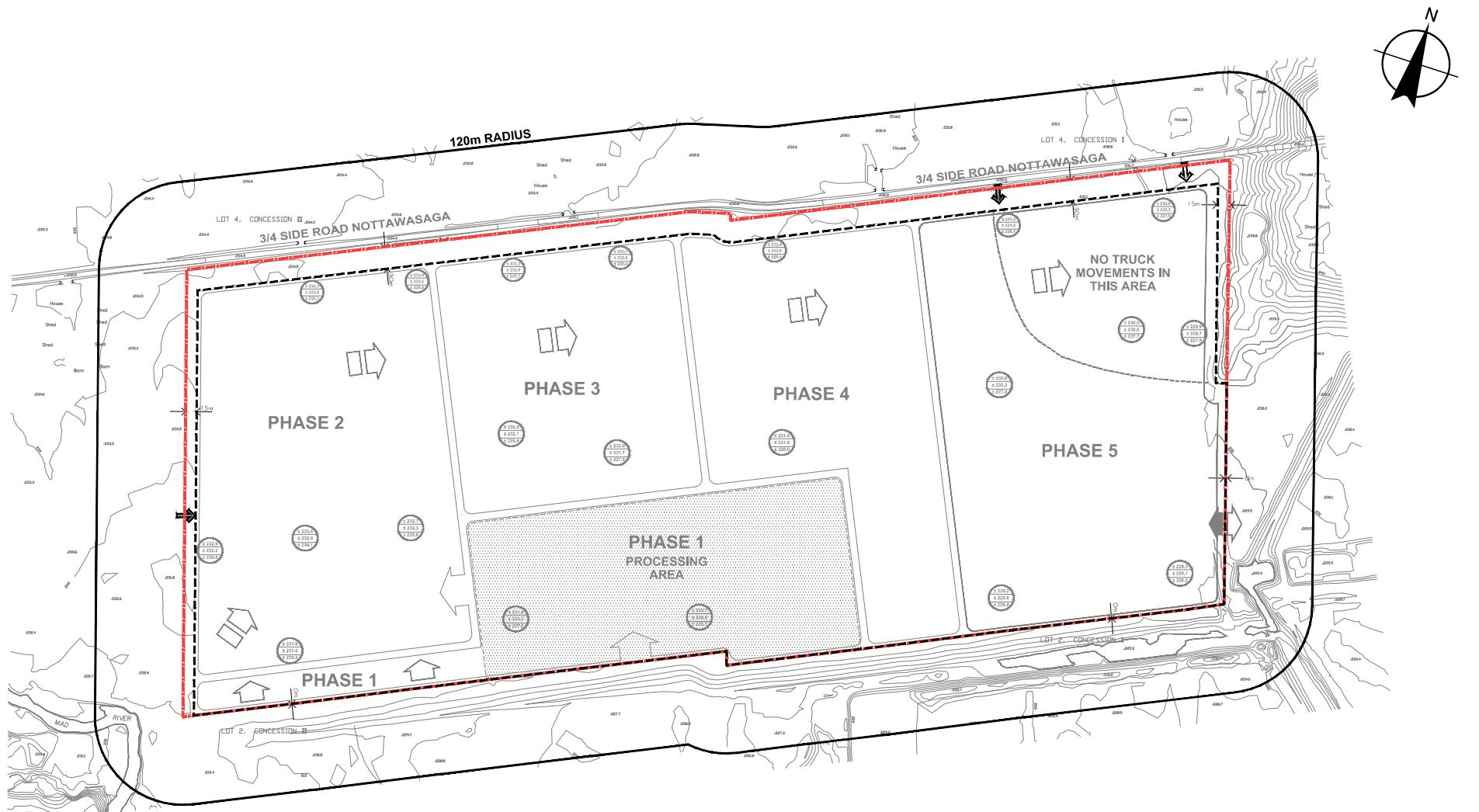
- Proposed Oster Pit
- Existing AVENING PIT
- Proposed Limit of Extraction

DATE	April 2016
SOURCES	Microsoft Corp. - Bing
SCALE	0 100 200 300 400 500 Metres

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PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE



**FIGURE #3
PROPOSED
PHASING PLAN**

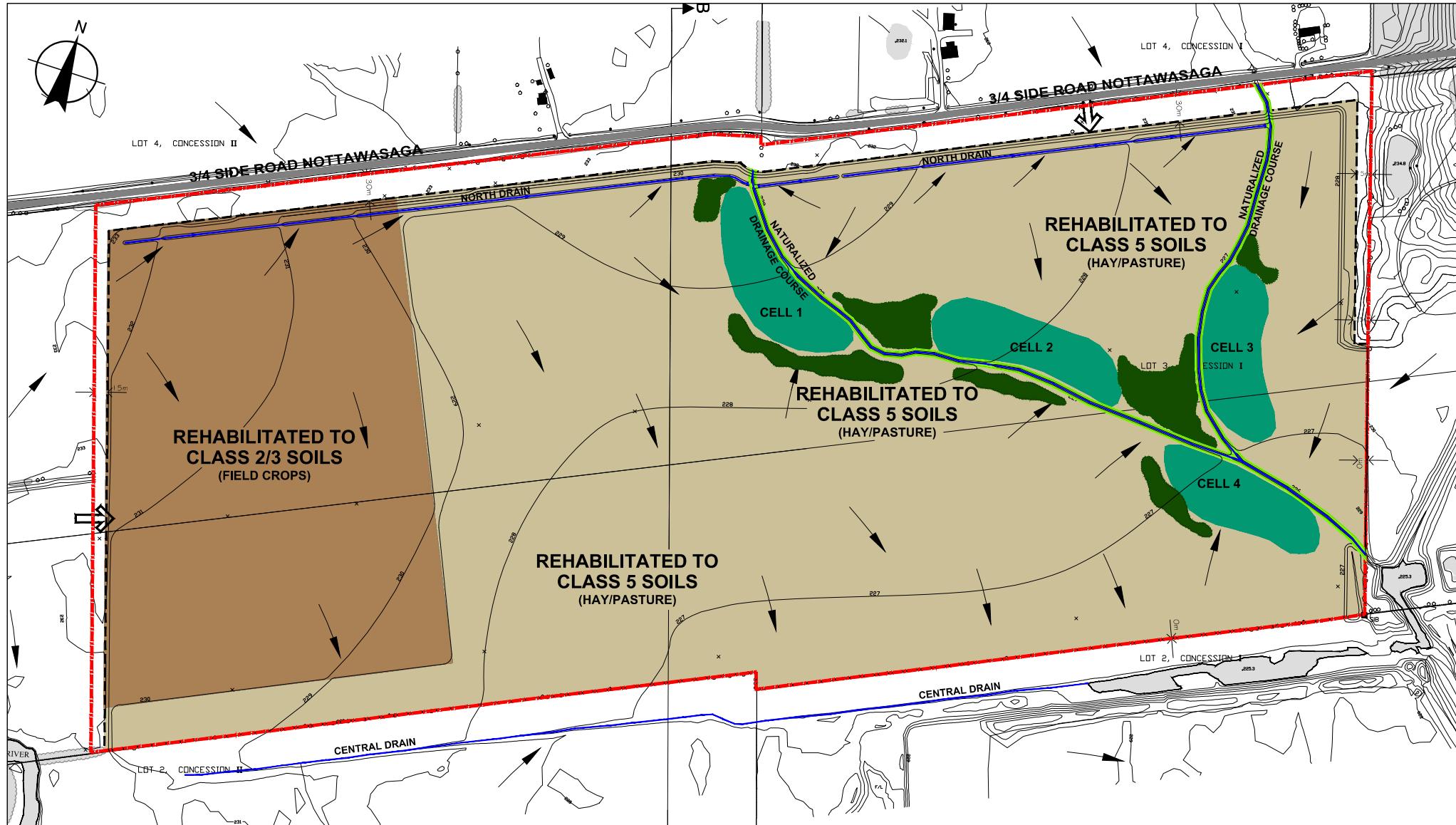
Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- Proposed Oster Pit Licence Boundary
- Proposed Limit of Extraction
- Processing Area
- Direction of Extraction

DATE	April, 2016
SOURCES	
Oster Pit - Operational Plan	
SCALE	0 50 100 150 200 250 Metres
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PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE	



**FIGURE #4
REHABILITATION
SCHEMATIC**

Proposed Oster Pit

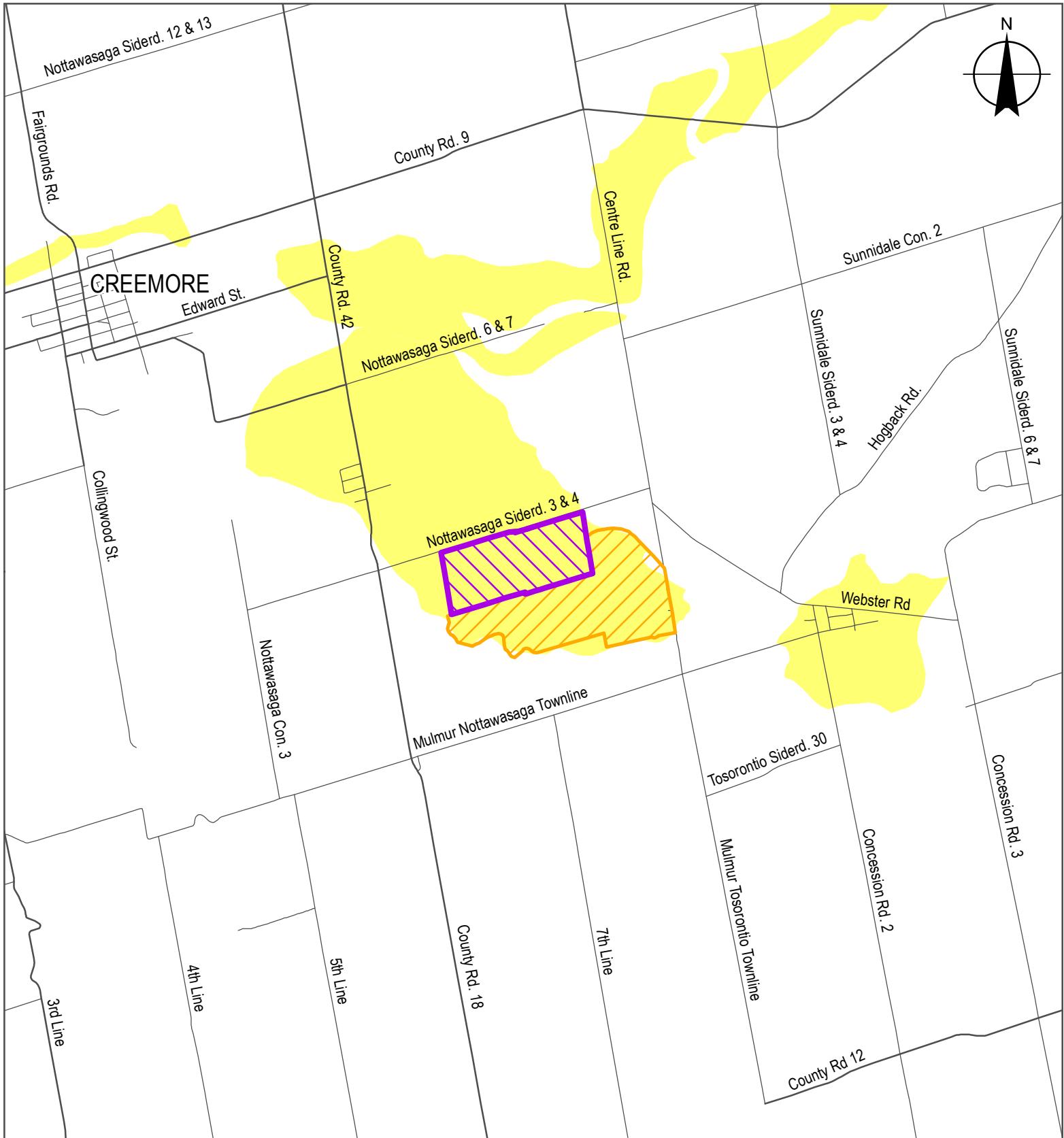
Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- Proposed Oster Pit Licence Boundary
- Proposed Limit of Extraction
- Proposed East Drainage Channel
- Drainage Channel
- Wetland
- Woodland
- Rehabilitated Class 5 Soils
- Rehabilitated Class 2/3 Soils

DATE	April 2016
SOURCES	
Oster Pit - Rehab Plan	
SCALE	

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**FIGURE #5
SAND & GRAVEL
RESOURCES**

AGGREGATE RESOURCES
INVENTORY PAPER (188)

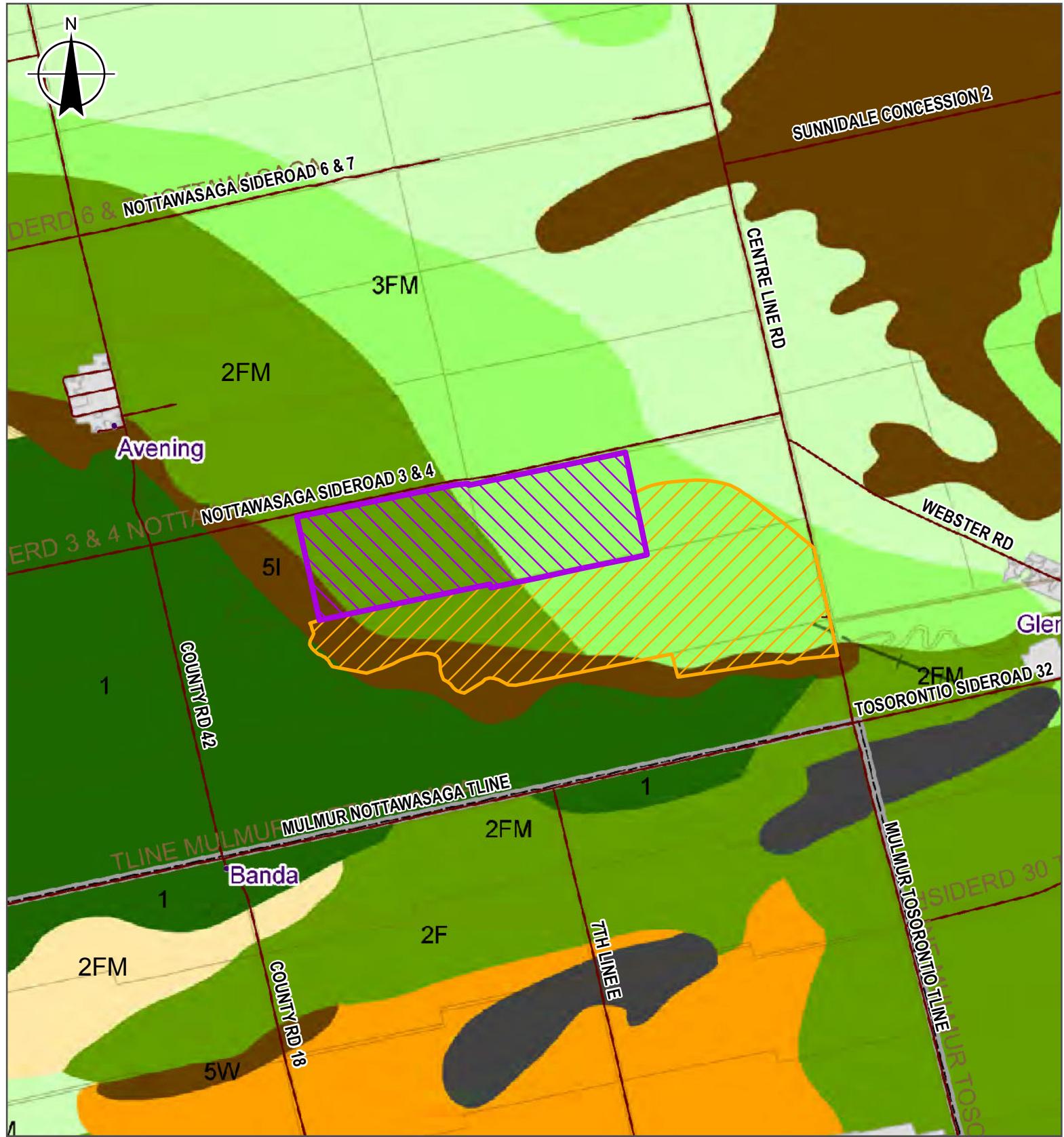
Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- Proposed Oster Pit
- Existing Avening Pit
- Selected Sand and Gravel Resource Area, Secondary Significance

DATE	April 2016
SOURCES	Contains information licensed under the Open Government Licence - Ontario Geology Ontario - ARIP 188 & 163 REV
SCALE	0 500 1,000 1,500 Metres
N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS	
 PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE	



**FIGURE #6
AGRICULTURAL CAPABILITY**

CANADA LAND INVENTORY
AGRICULTURAL CAPABILITY
INDEX 41A8 - 2009

Proposed Oster Pit

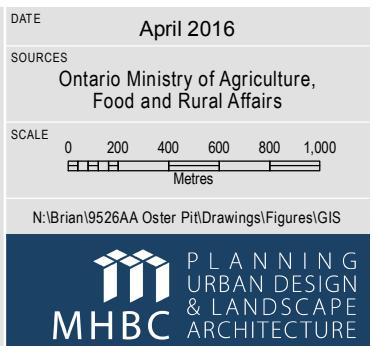
Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

Proposed Oster Pit Existing Avening Pit

CANADA LAND INVENTORY RATING

1	4	7
2	5	Organics
3	6	





3/4 Nottawasaga Sideroad

Phase 2

Phase 3

Phase 4

Phase 1

2F

Phase 5

2F

3W

3W

6WI

FIGURE #7
SOIL & CLI CAPABILITY

Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND



Proposed Oster Pit Licence Boundary



Proposed Limit of Extraction

DATE	April 2016
SOURCES	Colville Consulting Inc. Figure 2 Soil and CLI Capability - April 2016
SCALE	0 60 120 180 Metres

N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS

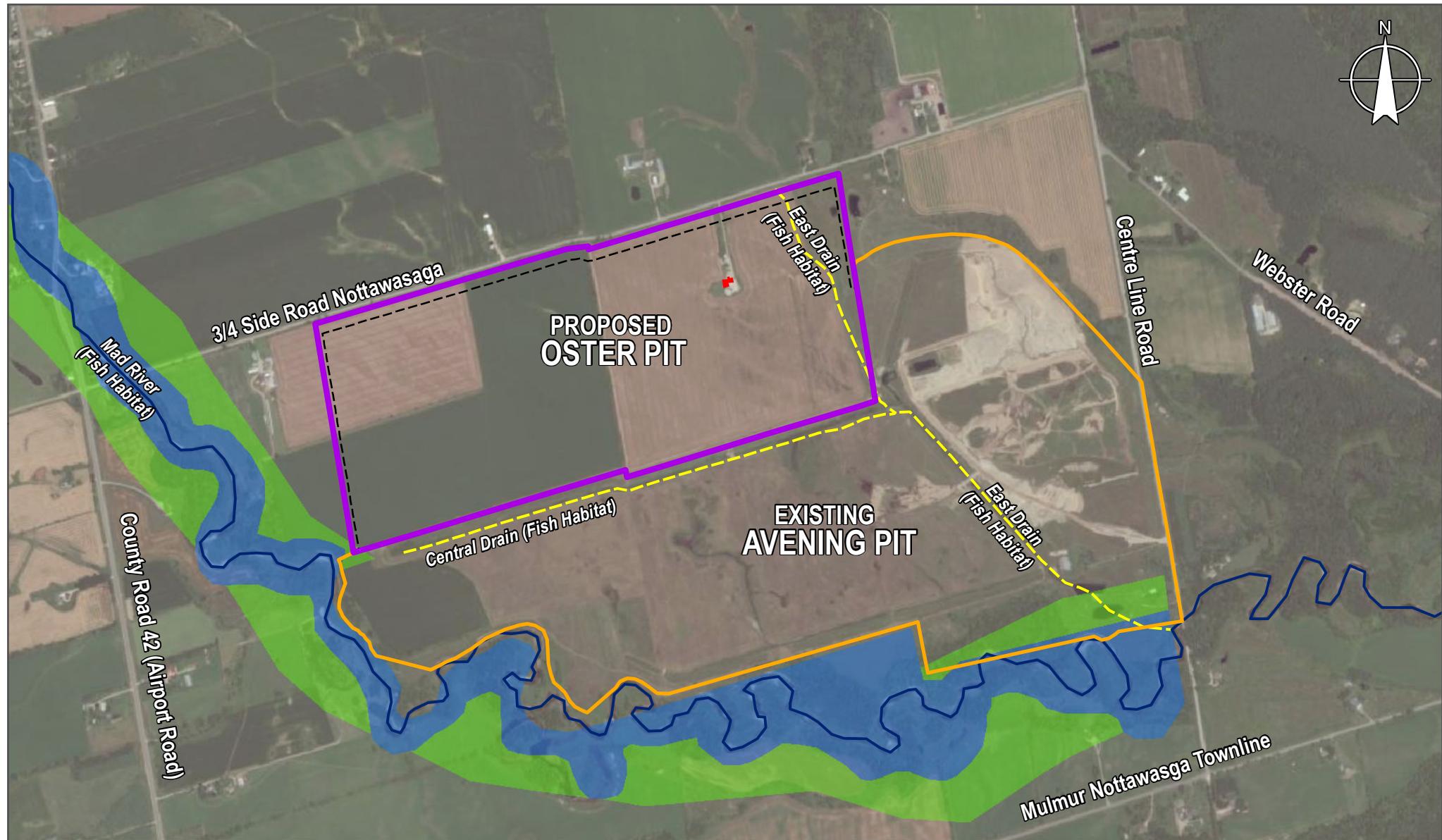


FIGURE #8
NATURAL HERITAGE FEATURES

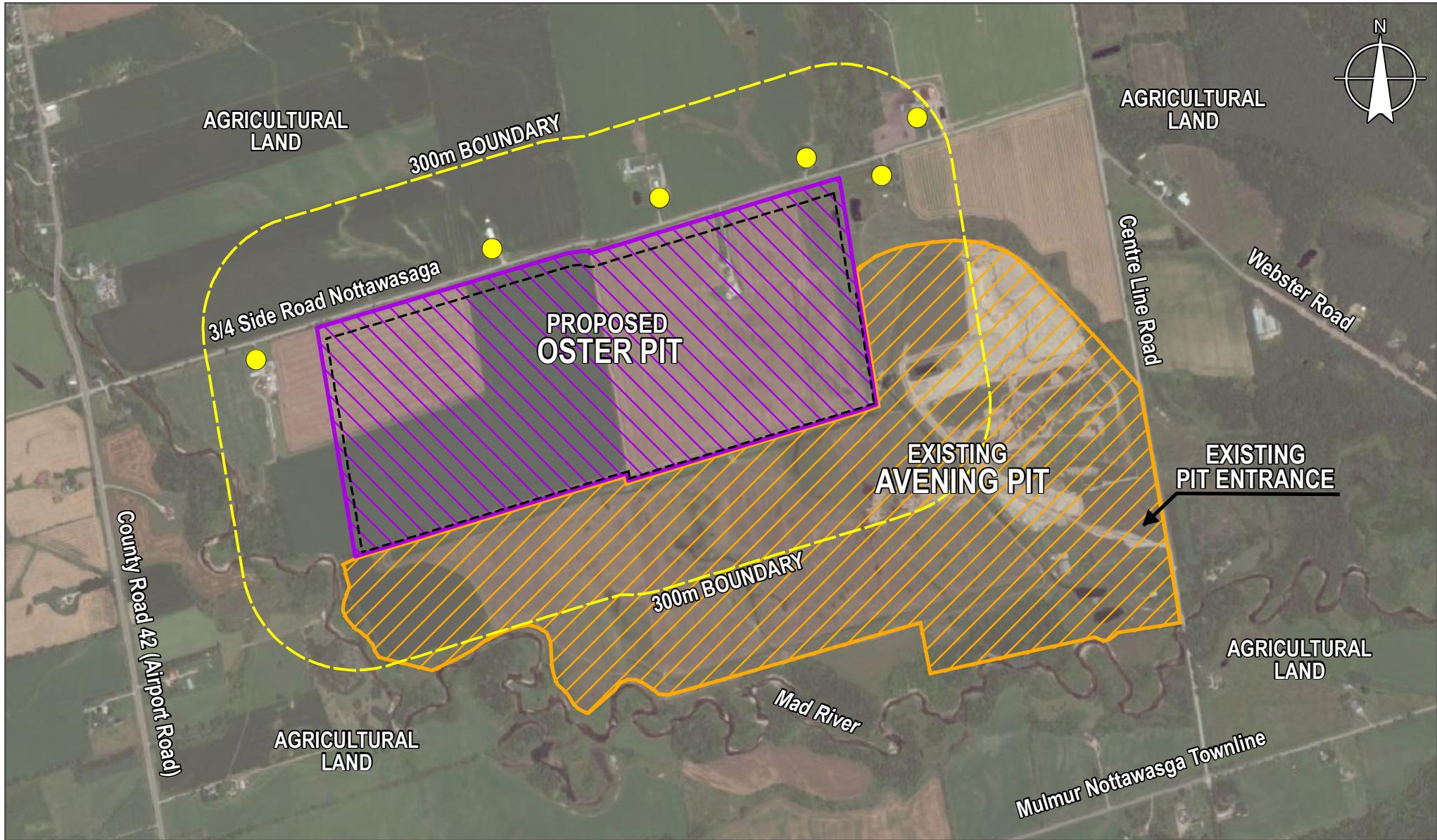
Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- [Purple Box] Proposed Oster Pit Licence Area
- [Orange Box] Existing Avening Pit
- [Dashed Box] Proposed Limit of Extraction
- [Blue Line] Watercourse
- [Yellow Dashed Line] Drainage Channel
- [Red Box] Barn Swallow Habitat
- [Green Box] Greenland - Natural Heritage Lands (Township Official Plan - Schedule A)
- [Blue Box] Greenland - Hazard Land Areas (Township Official Plan - Schedule A)

DATE	April 2016
SOURCES	Microsoft Corp. - Bing Township of Clearview - Official Plan - Schedule A
SCALE	0 100 200 300 400 500 Metres
N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS	
 PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE	



**FIGURE #9
RESIDENCES
WITHIN 300m**

Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- Proposed Oster Pit
- Existing Avening Pit
- Proposed Limit of Extraction
- 300m Boundary
- Residences within 300m

DATE	April 2016
SOURCES	Microsoft Corp. - Bing
SCALE	0 100 200 300 400 500 Metres

N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS

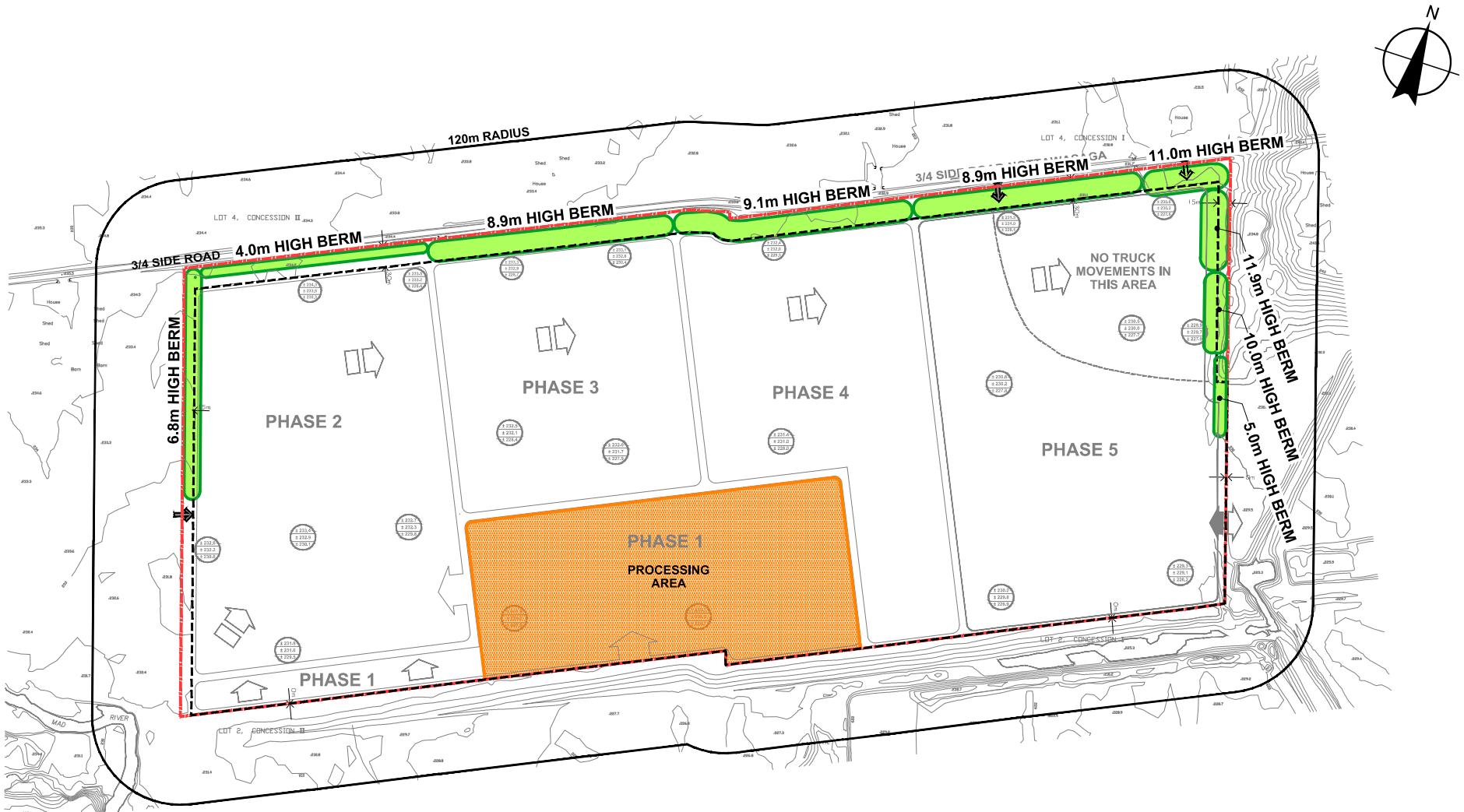


FIGURE #10
SIMPLIFIED OPERATIONS SCHEMATIC

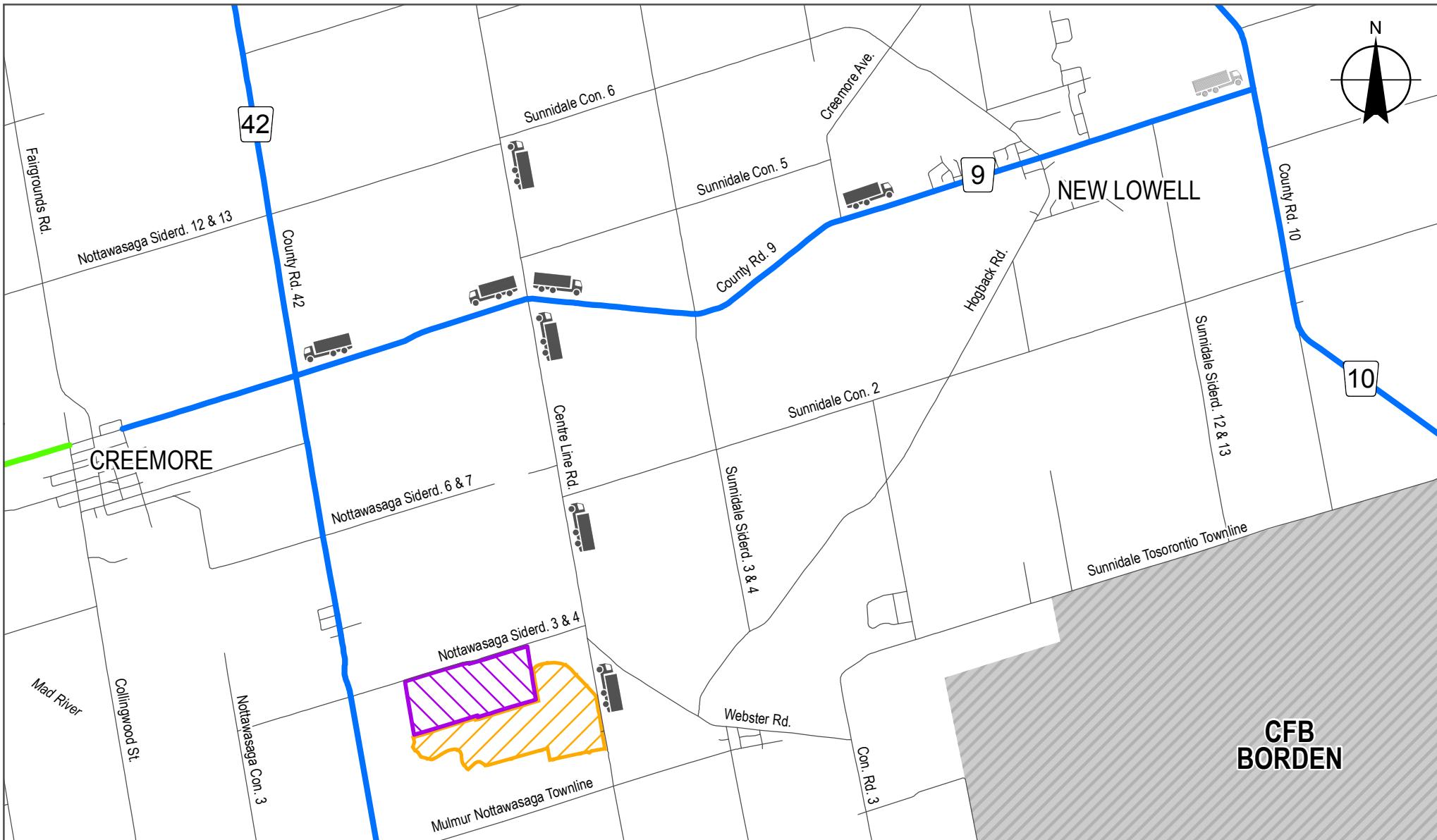
Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- Proposed Oster Pit Licence Boundary
- Proposed Limit of Extraction
- Berm
- Processing Area

DATE	April 2016
SOURCES	
Oster Pit - Operational Plan	
SCALE	0 40 80 120 160 200 Metres
N:\Brian\19526AA_Oster Pit\Drawings\Figures\CAD	
PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE	



**FIGURE #11
HAUL ROUTE**

SIMCOE COUNTY OFFICIAL PLAN
SCHEDULE 5.5.1 (2015)

Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- Proposed Oster Pit
- Existing Avening Pit
- CFB Borden
- Haul Route Direction

- Primary Arterial
- Secondary Arterial
- Local Road

DATE	April 2016
SOURCES	
Contains information licensed under the Open Government Licence - Ontario Corporation of the County of Simcoe	
SCALE	0 500 1,000 1,500 Metres
N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS	

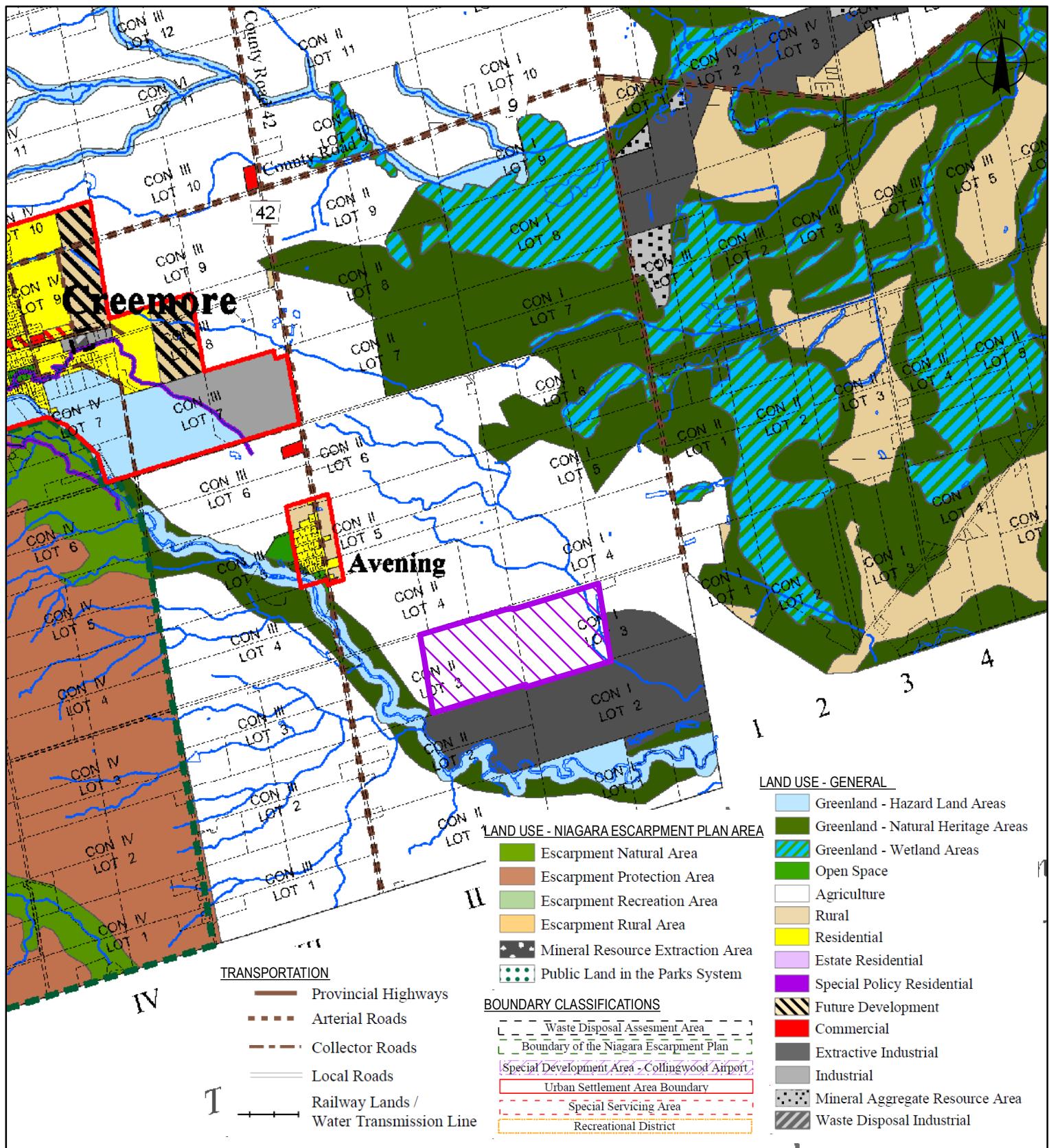


FIGURE #12
CLEARVIEW TOWNSHIP
LAND USE

CLEARVIEW TOWNSHIP
OFFICIAL PLAN
SCHEDULE A - MAP 5 (2002)

Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND



DATE	April 2016		
SOURCES	Township of Clearview		
0	500	1,000	1,500
Metres			
N:\Brian\9526AA Oster Pit Drawings\Figures\GIS			

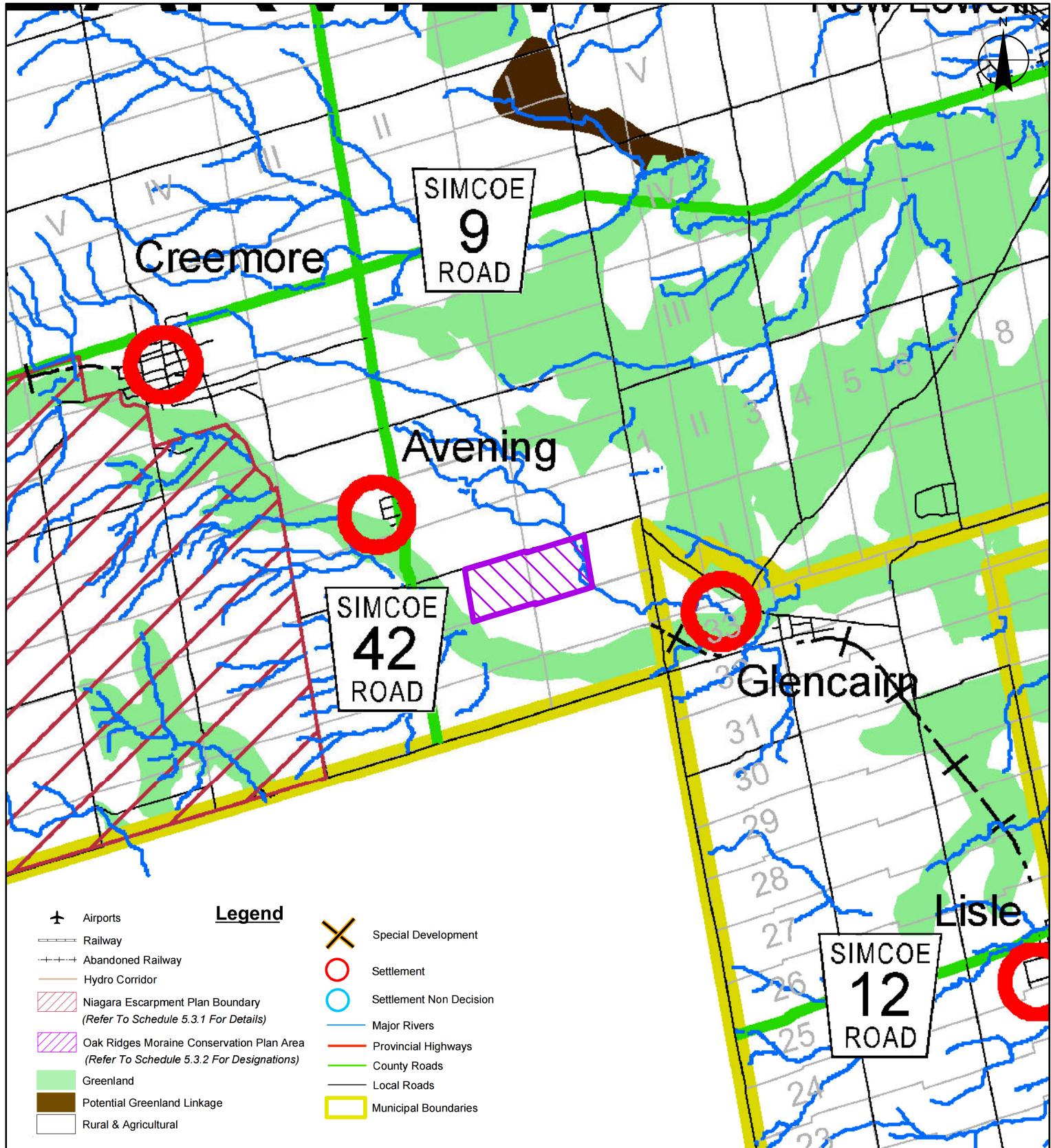


FIGURE #13
SIMCOE COUNTY LAND USE

SIMCOE COUNTY OFFICIAL PLAN (2007)
SCHEDULE 5.1

Proposed Oster Pit

Part of Lot 3, Concession I & II
Township of Clearview
County of Simcoe

LEGEND

Proposed Oster Pit

DATE	April 2016		
SOURCES	County of Simcoe		
0	500	1,000	1,500
Metres			
N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS			
 PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE			

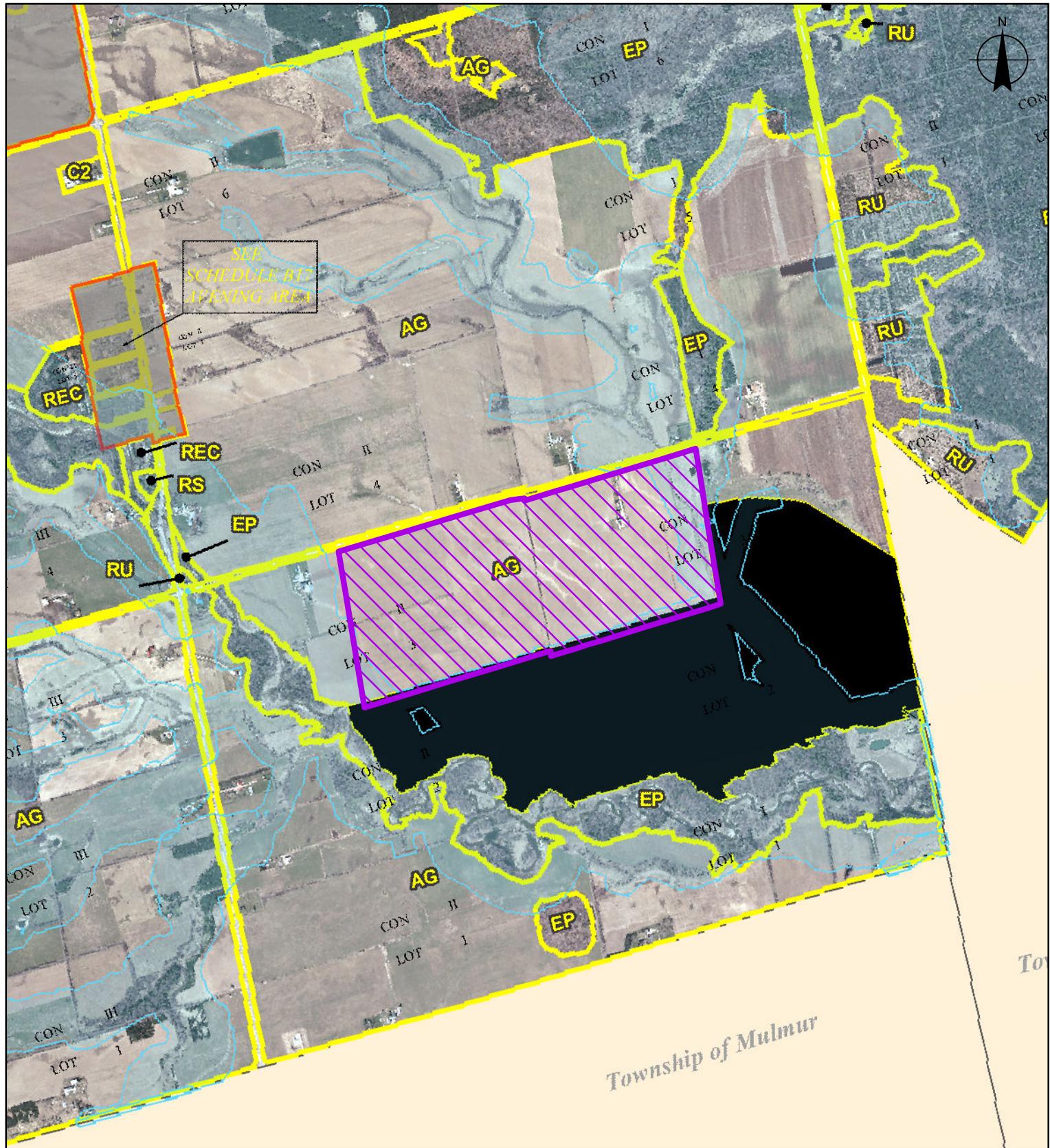


FIGURE #14
CLEARVIEW TOWNSHIP
ZONING BY-LAW

CLEARVIEW TOWNSHIP
ZONING BY-LAW
SCHEDULE A2 (2006)

Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- Proposed Oster Pit
- Former By-laws Continue to Apply
- Hazard Lands Overlay (FP)

- AG** Agricultural Zone
- RU** Rural Zone
- RS** Residential Hamlet
- C2** Highway Commercial Zone
- REC** Recreation Lands Zone
- EP** Environmental Protection Zone

DATE	April 2016
SOURCES	
Township of Clearview	
0	100 200 300 400 500
Metres	
N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS	
PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE	

Appendix A



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

May 1, 2015

Rossalyn Workman
Township of Clearview
Planning & Development Department
Box 200, 217 Gideon Street
Stayner, ON L0M 1S0

Dear Ms. Workman,

**RE: Township of Clearview Pre-Consultation Application
Proposed Oster Pit- Lafarge Canada Inc.
OUR FILE 9526AA**

On behalf of Lafarge Canada Inc. please find enclosed an application to initiate the pre-consultation process for the proposed Oster Pit (legally described as Part of Lot 3, Concession 1 & 2 Nottawasaga- now Clearview). Pre-consultation is being requested in compliance with the Township of Clearview's requirement for pre-consultation for applications requiring an Official Plan Amendment and/or Zoning By-law Amendment.

In support of the application the following documents have been provided:

- One (1) Completed Pre-Consultation Application Form;
- One (1) Cheque payable to the Township of Clearview for \$250.00;
- Two (2) 11"x17" hard copies illustrating the existing features of the subject site;
- Two (2) 11"x17" hard copies illustrating the proposed phasing plan; and
- One (1) 8 1/2" X11" hard copy aerial of the subject site.

Upon review of the submission documents if the Township determines that it is beneficial to have other agencies in attendance at the pre-consultation meeting would you please advise MHBC Planning of the selected agencies.

If you have any questions regarding the application, please do not hesitate to contact the undersigned directly. We would be pleased to undertake a pre-consultation meeting at your earliest convenience.

Yours truly,
MHBC Planning,

Brian Zeman, BES, MCIP, RPP
President

cc. Dana Hewson, Lafarge Canada Inc.



PRE-CONSULTATION REQUEST FORM

Thank you for your request to initiate the pre-consultation process with the Community Planning Department. This request form has been provided to you as a first step in the compulsory pre-consultation process, and provides you with the space to outline all the information relating to your development proposal. This form must be completed if you are pursuing development that will require any of the following types of *Planning Act* applications:

- ♦ Official Plan Amendment Applications
- ♦ Zoning By-law Amendment Applications
- ♦ Draft Plan Subdivision/Condominium Applications
- ♦ Site Plan Approval Applications

Based on the information provided in this form, Planning Staff will provide you with a Pre-Consultation Checklist that will outline those items (plans and studies) that are required to initiate a formal application. Any comments produced by the Community Planning Department as a result of the information provided in this form are preliminary and are not to be taken as an opinion of Planning Staff or a decision of any kind. Participating in the pre-consultation process does not authorize the initiation of any construction or preparatory work on site, including the clearing of trees or vegetation or any site alteration. Please refer to the Development Application Guideline for complete information on pre-consultation.

Along with this completed form, all submissions must include [a] two (2) hard copy drawings (at least 11"x17") and [b] a digital (PDF) copy of concept plans. Other supporting drawings such as elevations and floor plans are beneficial. Plans must show in metric the following:

- Dimension of property (frontage/area) and delineation of lot lines
- Location of existing and proposed buildings/structures
- Setbacks from existing and proposed buildings/structures to adjacent lot lines, wells, septic systems, and other buildings/structures on the property
- Location and setbacks from any features on the property including natural features (stream courses, slopes, wetlands, forests), man-made features (utility lines, railways, easements, roads), and agricultural features (barns, silos, manure storage, paddocks)
- Size and height of existing and proposed buildings/structures

FOR OFFICE USE ONLY:

Date Request Form Received: _____

Fee Payment Date: _____

Payment Receipt No.: _____

CONTACT INFORMATION

Date of Request: May 1, 2015

Name: Brian Zeman, MHBC Planning

Address (OPTIONAL): 113 Collier Street Barrie, ON L4M 1H2

Phone Number: 705-728-0045 ext. 226

Email

Address:

bzeman@mhbcplan.com

PROPERTY & PROPOSAL INFORMATION:

Municipal Address: 6797 3/4 Nottawasaga Side Road

Roll: 4329010000100600

Legal Address: Part Lot 3, Conc. 1 & 2, Former Township of Nottawasaga, Township of Clearview, County of Simcoe

Present use of the subject lands: Agriculture

Description of the existing structures on the subject lands: One residential dwelling unit, one farm building and one shed. Property is an active agricultural use (e.g cash crops). Attached is a copy of the Existing Features of the subject site.

Description of the proposed use:

Lafarge operates the Avening Pit located to the south of the proposed Oster Pit. Aggregate reserves are diminishing in the Avening Pit and Lafarge is proposing to extend the pit to the North (proposed Oster Pit). The Oster Pit will operate as an extension to the Avening Pit and proposes to utilize the same existing entrance/ exit.

Description of any new structures and construction proposed on the subject lands:

There are no new structures proposed. Attached is a copy of the Proposed Phasing Plan.

Have you had any previous conversations with Township Staff regarding this proposal or a similar proposal on the subject lands?

 Yes No

Have you had any previous conversations with staff from any outside agency (e.g., NVCA, MTO) regarding this proposal or a similar proposal on the subject lands?

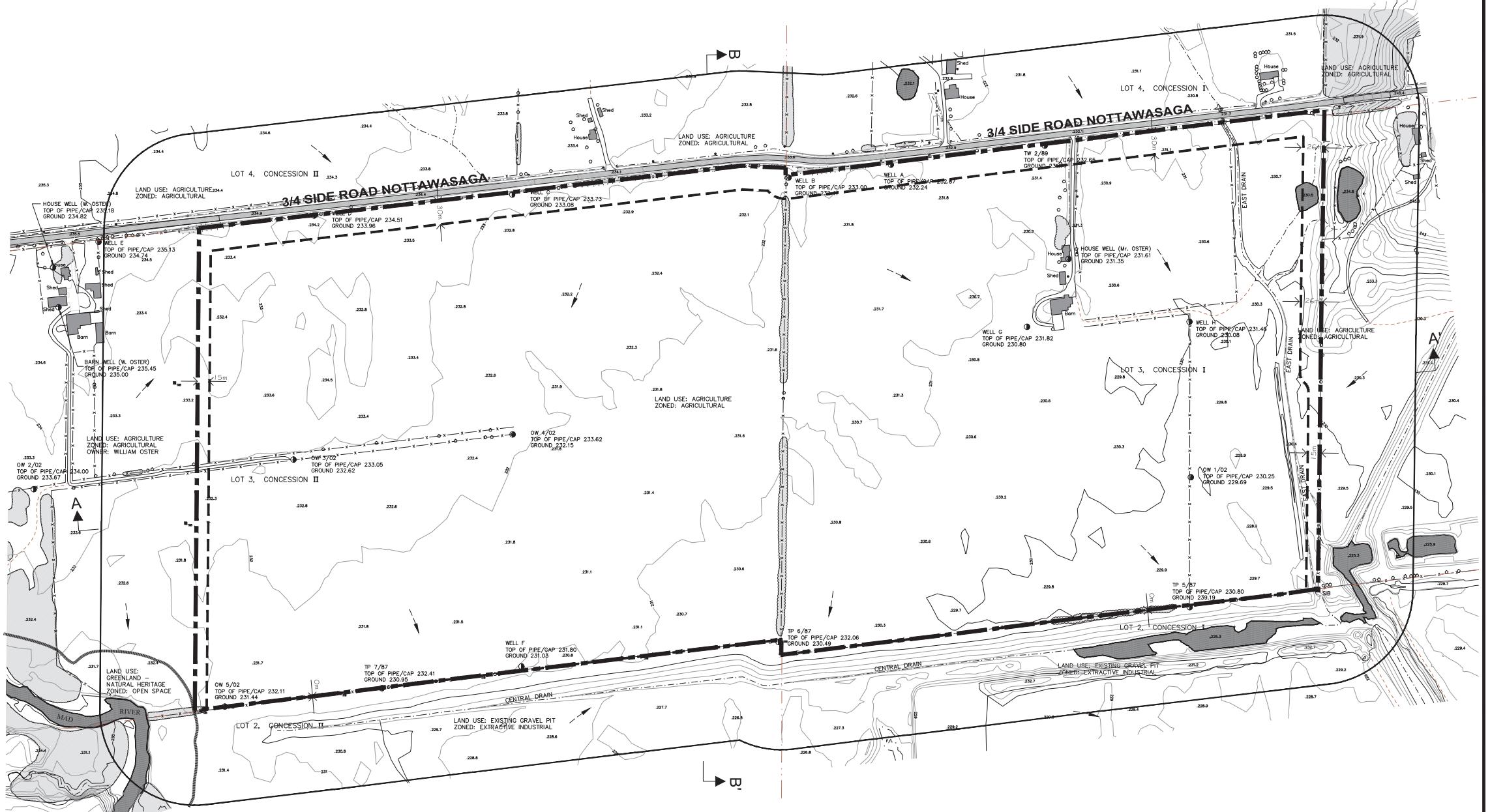
 Yes No

If you answered yes to either of the above two questions, please submit your correspondence or a summary of your correspondence along with this form.

The pre-consultation with the agencies dates back to 2007. Since that time components of the proposed application have changed.

Existing Features

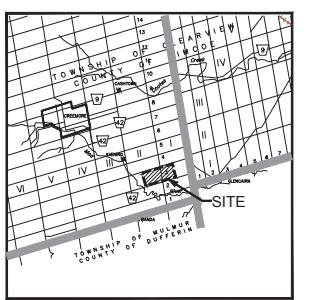
1 of 4



Legend

	Boundary of Area to be Licensed
	Limit of Extraction ALL SETBACKS DRAWN TO SCALE EXCEPT 0m SETBACKS AND SHOW LABELLED DISTANCES
	Lot/Concession
	Zone/Designation
	Existing Piezometers/ Wells/Test Wells
	Building/Structure LOCATION AND USE FOR BUILDINGS ON SITE AND WITHIN 120m ARE SHOWN ON THIS PLAN
	Contours/ Spot Elevations
	Existing Vegetation
	Pond/Surface Water
	Existing Fence POST AND WIRE FARM FENCE UNLESS OTHERWISE NOTED
	Intermittent Water Course
	Public Road
	Internal/Private Road
	Trail

Key Map



SUBJECT PROPERTY
PROPOSED EXPANSION LANDS
N
NOT TO SCALE

- A. GENERAL
1. THIS SITE PLAN IS PREPARED UNDER THE AGGREGATE RESOURCES ACT FOR A CLASS "A" LICENCE, CATEGORY 1, PIT BELOW WATER.
 2. THE CONTOUR MAPPING WAS PREPARED BY NORTHWAY PHOTOMAP INC. USING 2002 AERIAL PHOTOGRAPHY. CONTOURS ARE 5 METRE INTERVALS WITH 1 METRE INTERPOLATION.
 3. ELEVATIONS INDICATED ARE RELATED TO THE GEOGRAPHIC BENCHMARK PROVIDED BY COUNTY OF SIMCOE ENGINEERING DEPARTMENT LOCATED ON COOK'S BRIDGE OVER MAD RIVER, 1.1km NORTHWEST OF STATION AND 30m SOUTH OF CONCRETE ABUTMENT OF ABANDONED C.N.R. TABLET IN TOP OF NORTHWEST BALLAST WELL, 60cm WEST OF CENTRELINE OF WEST TRUSS.
 4. THE WATER TABLE ELEVATIONS WERE OBTAINED FROM GOLDEN ASSOCIATES LTD., BASED ON WELL DATA AND ON SITE TESTING.
 5. PROPERTY BOUNDARY INFORMATION OBTAINED FROM DELPH & JENKINS LIMITED.
 6. BOUNDARY OF AREA TO BE LICENSED 86.11 ha.
 7. ZONING INFORMATION OBTAINED FROM THE TOWNSHIP OF NOTTAWASAGA ZONING BY-LAW NO. 10-93.
 8. EXISTING GROUNDWATER ELEVATIONS ON SITE RANGE FROM 225.4m ASL to 232.1m ASL
 9. ALL MEASUREMENTS SHOWN ON THESE SITE PLANS ARE METRIC.
 10. THESE SITE PLANS CONSIST OF: PAGE 1 of 4, EXISTING FEATURES; PAGE 2 of 4, OPERATIONAL PLAN; PAGE 3 of 4, PROGRESSIVE AND FINAL REHABILITATION PLAN; AND PAGE 4 of 4, CROSS SECTIONS.

DRAFT REVISIONS	
BRENT CLARKSON IS AUTHORIZED BY MINISTRY OF NATURAL RESOURCES PURSUANT TO SECTION 10 OF THE AGGREGATE RESOURCES ACT TO PREPARE AND CERTIFY SITE PLANS.	APPROVED LICENSED SITE PLAN AMENDMENTS DATE: JUNE 14, 2005 DESCRIPTION:
 MacNaughton Hermsen Britton Clarkson Planning Limited REGIONAL AND URBAN PLANNING & RESOURCE DEVELOPMENT 7050 Weston Road, Suite #230, Woodbridge, Ontario L4L 8G7 T: (905) 761.5588 F: (905) 761.5589 E: clarkson@mhbcplan.com	

PROJECT NAME:
Oster Pit

Job No.: 9526 'AA' LAF-CLE-SIMC 'EXFPLAN'
Dwn. By: J.F.D. Chkd. By: B.C.

LAFARGE
CANADA INC.

Part of Lot 3, Concession I & II
Formerly in the Township of Nottawasaga
Now in the Township of Clearview
County of Simcoe

LAFARGE CANADA INC.
7880 KEELE STREET
CONCORD, ONTARIO
L4K 4G7

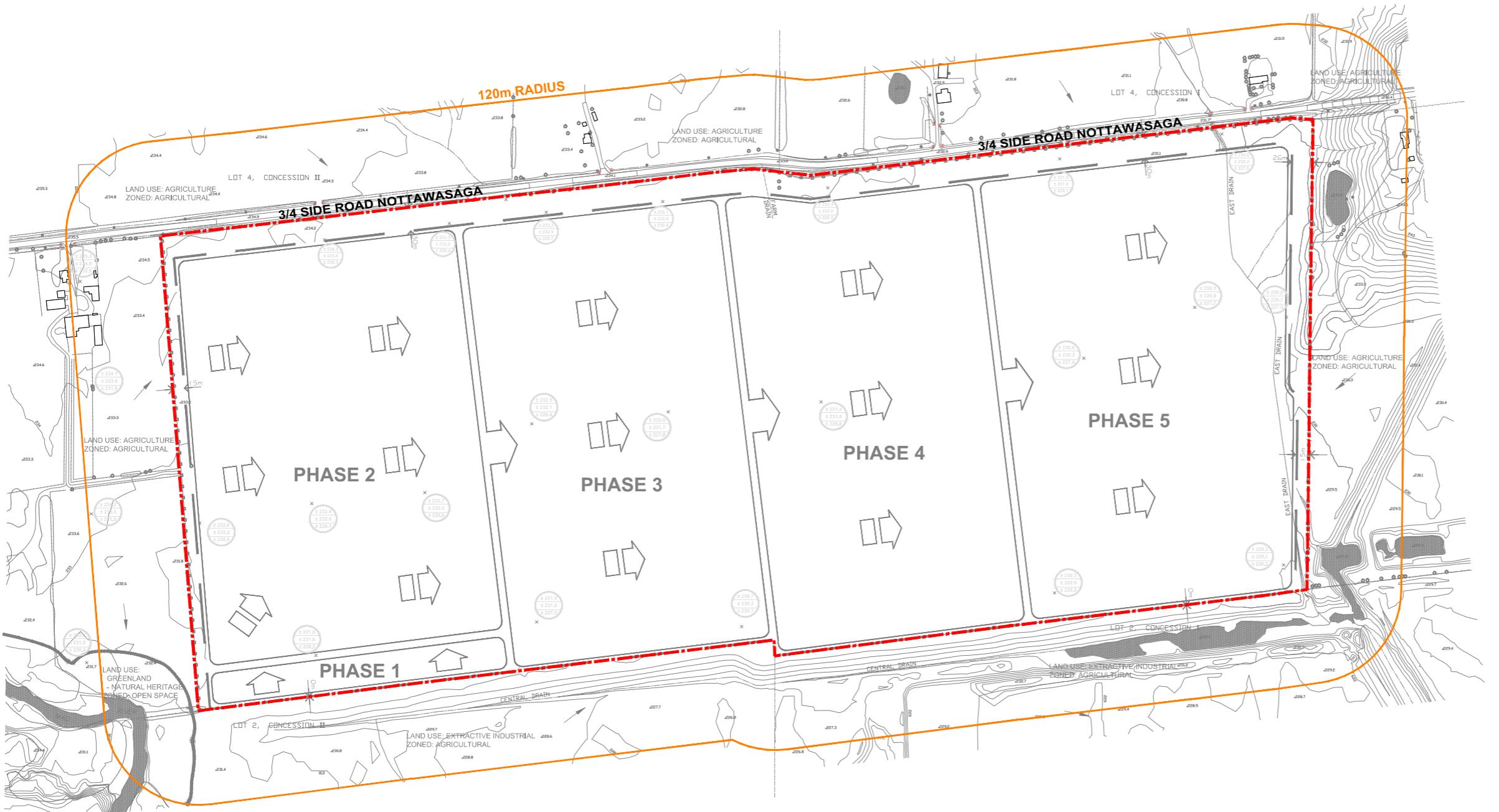
PROPOSED PHASING PLAN

Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

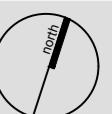
LEGEND

 Proposed Boundary



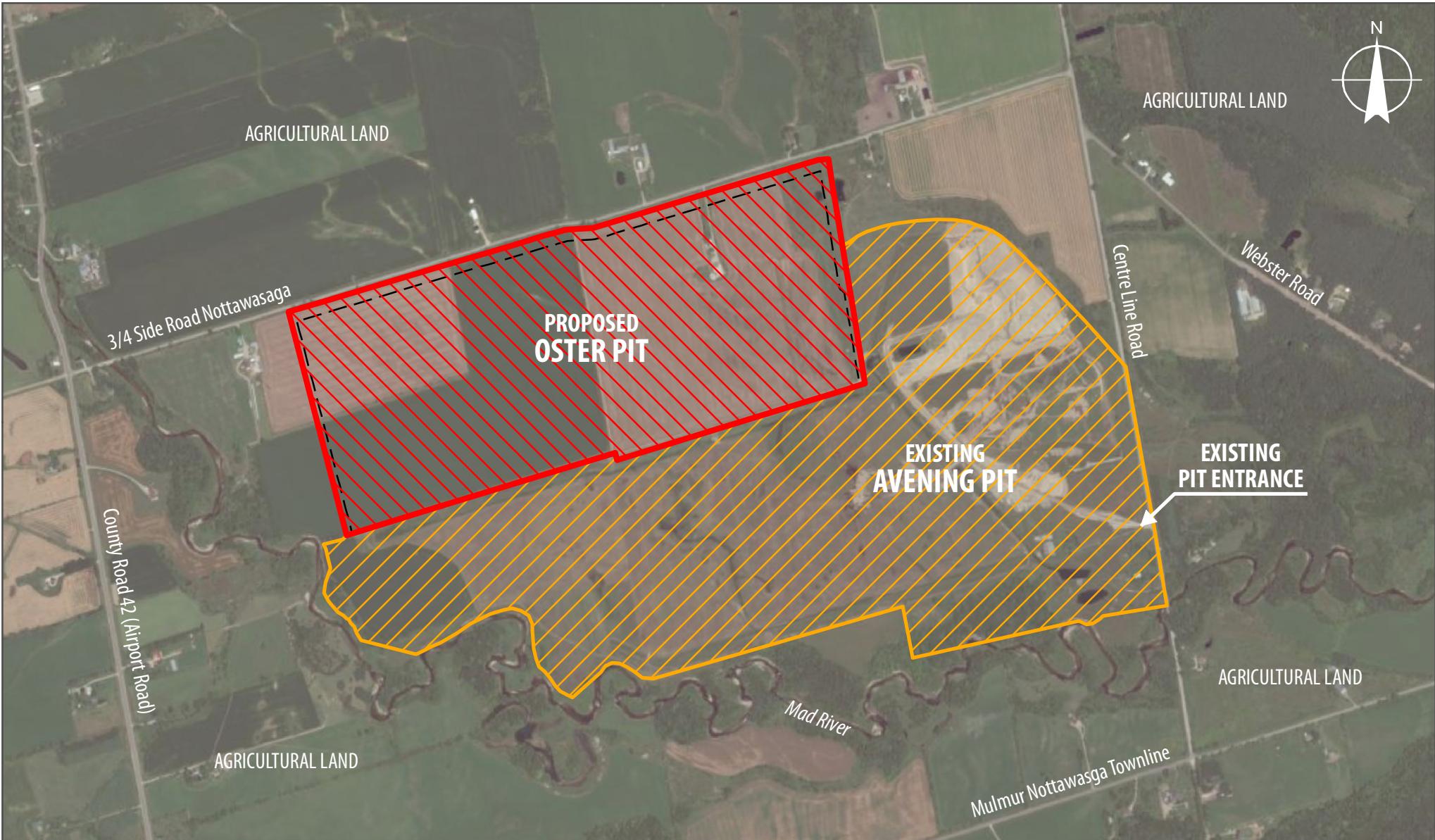
0 40 80 200m 400m

DATE: April 27, 2015



SCALE: 1:6,000

N:\BRIAN\9526AA LAFARGE CANADA INC OSTER PIT
APPLICATIONS\DRAWINGS\FIGURES\CAD\PROPOSED PHASING PLAN - 27APR2015.DWG



OSTER SITE & SURROUNDING LANDS

Proposed Oster Pit

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe

LEGEND

- Proposed Oster Pit Licence Area (Red Hatched)
- Existing Avening Pit (Yellow Hatched)
- Proposed Limit of Extraction (Dashed Line)

DATE	April 29, 2015
SOURCES	Microsoft Corp. - Bing

SCALE	0	150	300	450
Metres				

N:\Brian\9526AA Oster Pit\Drawings\Figures\GIS

From: Rossalyn Workman [rworkman@clearview.ca]
Sent: May-15-15 3:36 PM
To: Carly Marshall; Brian Zeman
Cc: Steve Sage
Subject: Pre-consultation Checklist - 6797 3/4 Nottawasaga Sideroad
Attachments: Pre-consultation Checklist - May 15, 2015.pdf

Hi Carly and Brian

I'm attaching the pre-consultation checklist in response to your package which was received May 4, 2015. We are also in receipt of your pre-consultation fee. Thank you.

As part of the pre-consultation process we like to follow up with a meeting to go over the checklist and answer any questions.

As I suggested in earlier emails it might be helpful to arrange to have the agencies that we recommend that you pre-consult with also attend the meeting. I would suggest the County of Simcoe, Planning and Transportation Departments; Nottawasaga Valley Conservation Authority; as well as our General Manager of Transportation and Drainage. In addition, I have also suggested the MNR, however they aren't involved in our process, so not sure how important their attendance would be.

Prior to the meeting I would send out your pre-consultation form, and supporting documents as well as the pre-consultation checklist.

Anyhow let me know if you have any further questions and how you would like to proceed.

Have a great weekend, Rossalyn

Rossalyn Workman, MURP, MCIP, RPP

Community Planner, Policy and Approvals



CONFIDENTIALITY NOTICE: This e-mail message (including attachments, if any) is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, proprietary, confidential and exempt from disclosure. If you are not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender and permanently delete this email.



CLEARVIEW

PRE-CONSULTATION CHECKLIST

Thank you for pre-consulting with the Township of Clearview on your development proposal. The purpose of this checklist is to provide you with the information you need to prepare a complete application as set out in the Planning Act. This checklist will work to identify key issues and to establish what technical studies/plans will be required for a formal submission.

This checklist is based on the proposal description as written in the Pre-Consultation Request Form provided by the proponent, which can be found attached. Comments contained here are preliminary and this checklist is not to be taken as an opinion of Planning Staff, or a decision of any kind. During review of a formal submission (if one is made), additional studies may be required. This checklist expires one (1) year from the date of signing.

OWNER & AGENT INFORMATION

Owner(s) Information:	Name: Lafarge Canada Inc.
	Phone: _____ Email: _____
Agent Information:	Name: Brian Zeman
	Firm: MHBC Planning
	Phone: 705-728-0045 x 226 Email: bzeman@mhbcplan.com

PROPERTY & PROPOSAL INFORMATION:

Municipal Address: 6797 3/4 Nottawasaga Sideroad Roll# 432901000100600
 Legal Address: West Part of Lot 3, East Part of Lot 3, Concession 1 and 2, formerly in Nottawasga now in Clearview
 Current Official Plan Designation: Agricultural
 Current Zoning Category: Agricultural (AG) and Hazard Land Overlay (FP)
 Other categories of interest on/around the subject lands: _____

Township Applications Required for this Project:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Official Plan Amendment Application | <input checked="" type="checkbox"/> Zoning By-law Amendment Application |
| <input type="checkbox"/> Subdivision/Condominium Application | <input checked="" type="checkbox"/> Site Plan Approval Application |
| <input type="checkbox"/> Consent Application | <input type="checkbox"/> Minor Variance Application |

Pre-Consultation Application Form: <input type="checkbox"/> Attached <input type="checkbox"/> Filed Digitally	Inquiry No.: 138
Pre-Consult. Checklist sent to referenced Township Staff & Partner Agencies: _____ DATE _____	
Pre-Consult. Meeting held on: _____ DATE _____	Pre-Consult. Fee paid on: May 5, 2015
Pre-Consult. Checklist dated this: May 15, 2015 DATE	Signed: <u>Rossallyn Dahn</u> DATE DEVELOPMENT PLANNER

ITEMS REQUIRED FOR A COMPLETE APPLICATION

For a detailed description of the items referenced below, please refer to the **Glossary of Plans & Studies** included in your Application Guideline.

- Completed Application Form(s)
- Required Application Fee(s) and Deposit(s)
All current fees and deposits are laid out in the Planning Fees By-law No. 08-05, as is attached hereto.
- A survey (to scale) showing the present legal configuration of the subject lands
- A Service Ontario PIN printout for each subject parcel

PLANS AND DRAWINGS

- Site Sketch
- Formal Site Plan
- Landscape Plans
- Elevation Drawings
- Draft Plan of Subdivision/Condominium

ENGINEERING STUDIES & PLANS

- Stormwater Management Study
- Grading and Drainage Plan
- Sediment and Erosion Control Plan
- Servicing Study/Plan
- Traffic Impact or Transportation Study

CULTURAL HERITAGE STUDIES

- Archaeological Site Assessment
- Cultural Heritage Impact Study

AGRICULTURAL STUDIES

- Agricultural Minimum Distance Separations Study
- Agricultural Impact Study
- Agricultural Assessment Report
- Nutrient Management Plan

ADDITIONAL STUDIES & PLANS

- Comprehensive Rehabilitation Plan
- Studies and supporting documents associated with MNR license application
- Official Plan Policies 4.9.3.

PLANNING STUDIES

- Planning Justification Report
- Site Plan Design Brief
- Land Use Compatibility Study

ENVIRONMENTAL STUDIES

- Environmental Site Assessment
- Environmental Impact Study
- Floodplain Analysis or Hazard Land Study (*Creek to East*)
- Groundwater Level Assessment
- Hydrogeological Impact Study
- Landfill Assessment (MOE D4 Study)
- Tree Inventory & Preservation Study
- Stream Corridor Management Study (*Creek to East*)
- Risk Assessment for Source Water Protection

MISCELLANEOUS STUDIES

- Housing Study/Housing Market Impact Study
- Financial Impact Study
- Commercial Market Impact Study
- Industrial Impact Study
- Aggregate Extraction Compatibility Report
- Visual Impact Study
- Noise & Vibration Study
- Odour, *Dust* & *Emissions* Study

REQUIRED PRE-CONSULTATION WITH OTHER DEPARTMENTS & BODIES

As part of this preconsultation exercise, you are advised to contact the following Township Departments and outside agencies for more information. These bodies may have additional permits, fees, or other requirements related to pre-consultation, development review, and development approvals process. Correspondence and feedback obtained from these bodies about their requirements must be submitted to the Township as part of your formal submission package. Note that this checklist will be forwarded to the staff and agencies checked off below in order to inform them of your proposal and to streamline the consultation and review processes.

- Clearview Public Works - Environmental Services
- Clearview Public Works - Transportation & Drainage
- Clearview Building Department
- Clearview Emergency Services Department
- Nottawasaga Valley Conservation Authority
- Niagara Escarpment Commission
- County of Simcoe Transportation Department (Haul Route)
- County of Simcoe Planning Department
- Simcoe Muskoka District Health Unit
- Barrie-Collingwood Railway
- Ministry of MNR
- Other: _____

Brent Armstrong 705-725-7532
Jason McLay - 519-371-8470

MAKING A FORMAL APPLICATION

Please consult the Township's Application Guideline for direction on how to submit a formal application. This Guideline discusses process, detailed submission requirements, consultation, and policy framework. The Guideline is available on the Township's website, and can be obtained in print at the Clearview Administration Office. As part of the formal application signing requirements, you must confirm that you have read and understand the Application Guideline.

Please contact us with any questions you may have.

NOTES

Official Plan Fees - \$4000.00
Deposit - \$2000.00

Zoning Amendment Fees - \$5000.00
Deposit - 1500.00

Site Plan - greater of:

"\$2500 for first 200m² GFA plus \$100 for every additional 25m² GFA."

"\$2500 for first 4500m² site area plus \$350.00 for every additional 500m² site area" to maximum of

\$35000.00



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

June 3, 2015

**Rossalyn Workman
Township of Clearview
Planning & Development Department**

Box 200, 217 Gideon Street
Stayner, ON L0M 1S0

Dear Ms. Workman,

**RE: Township of Clearview Pre-Consultation Application
Proposed Oster Pit- Lafarge Canada Inc.
OUR FILE 9526AA**

Thank you for taking the time to meet with MHBC and Lafarge to discuss the proposed Oster Pit. MHBC submitted a pre-consultation application with the Township of Clearview on May 1, 2015. On June 1, 2015 a pre-consultation meeting was held at the Township of Clearview offices with the Township of Clearview, the Ministry of Natural Resources and Forestry, Nottawasaga Valley Conservation Authority, the County of Simcoe, Lafarge Canada Inc. and MHBC Planning.

Through the discussions held at the meeting it is understood that the studies required by the Township in the consultation checklist are not required to be stand alone studies and can be integrated as part of the other studies. An outline will be provided with the application indicating where the requirements of each study can be found in the submitted reports. The list below outlines the required studies provided by the Township and which study they are anticipated to be integrated into.

Required Studies Identified by Clearview	Submitted as part of:
Formal Site Plan	Aggregate Resources Act Site Plans
Landscape Plans	Aggregate Resources Act Site Plans
Stormwater Management Study	Hydrogeological Technical Report and Aggregate Resources Act Site Plans
Grading and Drainage Plan	Hydrogeological Technical Report and Aggregate Resources Act Site Plans
Sediment and Erosion Control Plan	Hydrogeological Technical Report and Aggregate Resources Act Site Plans
Traffic Impact or Transportation Study	Traffic Impact Study
Archaeological Site Assessment	Archeological Site Assessment
Agricultural Impact Study	Agricultural Assessment Report
Agricultural Assessment Report	Agricultural Assessment Report
Planning Justification Report	Planning Justification Report
Site Plan Design Brief	Planning Justification Report

Land Use Compatibility Study	Planning Justification Report
Environmental Impact Study	Natural Environment Technical Report
Floodplain Analysis or Hazard Land Study (including information related to the Mad River floodplain as it relates to the subject site)	Hydrogeological Technical Report
Groundwater Level Assessment	Hydrogeological Technical Report
Hydrogeological Impact Study	Hydrogeological Technical Report
Stream Corridor Management Study	Natural Environment Technical Report and Hydrogeological Technical Report
Aggregate Extraction Compatibility Report	Planning Report
Visual Impact Study	Planning Report
Noise & Vibration Study	Noise Report

Other Studies/ Applications

Notwithstanding the Pre-Consultation checklist provided by the Township dated May 15, 2015 during our meeting the following was discussed:

1. Given that there is no blasting proposed, the Township confirmed that a vibration study is not required.
2. MDS is not a typical study requirement for aggregate applications. As discussed at the meeting we will confirm this with Arthur Churchyard from OMAFRA.
3. MNRF does not require an Air Quality Study as part of an Aggregate Resources Act application since they have prescribed conditions that all operations have to adhere to. These required mitigation measures will be discussed in the Planning Report and the report will address how they minimize impacts on surrounding land uses. Based on this, the Township confirmed that a Dust and Emissions Study is not required.
4. The initial checklist provided by the Township required application fees for site plan approval. During the pre-consultation meeting it was concluded that given the type of application, a site plan application will not be required since the site plans need to be submitted in accordance with MNRF requirements and MNRF is the lead authority in enforcing the site plan following approval. It was recognized that if a matter arises beyond the jurisdiction of the site plans (e.g. haul routes) that a separate development agreement may be required with the Township.
5. The Archeological Report was prepared in 2003 and the Ministry of Culture has provided clearance. As part of the application process we will seek confirmation from the Ministry of Culture that the clearance letter still applies.

Township External Review

As discussed, R.J. Burnside and Associates Limited provides engineering services to the Township and an applicant is charged for this review. We appreciate the discussion yesterday and understand that the Township will utilize the expertise of its partner agencies to review the application and will only engage R.J. Burnside on matters not being reviewed by the other agencies on behalf of the Township. Once the application is submitted Lafarge would appreciate an opportunity to discuss/ scope this review with the Township to avoid duplication.

Thank you again for organizing the meeting. If you have any questions please do not hesitate to call.

Yours truly,
MHBC Planning,

A handwritten signature in black ink, appearing to read "Brian Zeman".

Brian Zeman, BES, MCIP, RPP
President

cc. Dana Hewson, Lafarge Canada Inc.
 Mal Wensierski, Lafarge Canada Inc.
 Kim Benner, MNRF
 Chris Hibbert, NVCA
 Tiffany Thompson, County of Simcoe
 Carly Marshall, MHBC Planning

Chris McGuckin, Lafarge Canada Inc.
Gerry LeMay, Township of Clearview
Ken Mott, MRNF
David Featherstone, NVCA
Paul Murphy, County of Simcoe

From: [Rossalyn Workman](#)
To: [Carly Marshall](#)
Cc: [Mal Wensierski](#); [Dana Hewson](#); [Thompson, Tiffany](#); Paul.Murphy@simcoe.ca; c.hibberd@nvca.on.ca; dfeatherstone@nvca.on.ca; kim.benner@ontario.ca; [Gerry LeMay](mailto>Gerry LeMay); ken.mott@ontario.ca; chris.mcguckin@lafarge.com; [Brian Zeman](#)
Subject: RE: Proposed Oster Pit Pre-Consultation Follow-Up
Date: June-03-15 12:30:59 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Carly and Brian

Thanks for this summary, very helpful.

Let me know if you have any further questions.

Thanks Rossalyn

From: Carly Marshall [mailto:cmarshall@mhbcpplan.com]

Sent: June-03-15 11:59 AM

To: Rossalyn Workman

Cc: Mal Wensierski; Dana Hewson; Thompson, Tiffany; Paul.Murphy@simcoe.ca; c.hibberd@nvca.on.ca; dfeatherstone@nvca.on.ca; kim.benner@ontario.ca; Gerry LeMay; ken.mott@ontario.ca; chris.mcguckin@lafarge.com; Brian Zeman

Subject: Proposed Oster Pit Pre-Consultation Follow-Up

Good Morning Rossalyn,

Thank you again for organizing the meeting on Monday at the Township office. Please find attached a follow-up letter outlining the discussion points of the meeting for the proposed Oster Pit.

Kind Regards,

CARLY MARSHALL, M.Pl. | Planner

MHBC Planning, Urban Design & Landscape Architecture

113 Collier Street | Barrie | ON | L4M 1H2 | T 705 728 0045 x 228 | F 705 728 2010 |
cmarshall@mhbcpplan.com | www.mhbcpplan.com



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Appendix B



CURRICULUM VITAE

Brian A. Zeman, BES, MCIP, RPP

EDUCATION

1998

Bachelor of Environmental Studies,
Honours, Urban and Regional
Planning, University of Waterloo

Brian Zeman, President of MHBC, joined MHBC as a Planner in 1998 after graduating from the University of Waterloo with a Bachelors Degree in Urban and Regional Planning.

Mr. Zeman provides planning services for all aspects of the firm's activities including residential, commercial and industrial uses while specializing in aggregate resource planning. He has experience in aggregate site planning and licensing and processes relating to aggregate applications.

Mr. Zeman is a member of the Canadian Institute of Planners and Ontario Professional Planners Institute.

PROFESSIONAL ACCREDITATIONS / ASSOCIATIONS

- Full Member, Canadian Institute of Planners
- Full Member, Ontario Professional Planners Institute
- Member, Rotary Club of Barrie
- Member, Ontario Expropriation Association
- Certified by the Province of Ontario to prepare Aggregate Resources Act Site Plans

PROFESSIONAL HISTORY

2014 - Present	President , MacNaughton Hermsen Britton Clarkson Planning Limited
2010 - 2014	Vice President and Partner , MacNaughton Hermsen Britton Clarkson Planning Limited
2005 - 2009	Partner , MacNaughton Hermsen Britton Clarkson Planning Limited
2004 - 2005	Associate , MacNaughton Hermsen Britton Clarkson Planning Limited
2001 – 2004	Senior Planner , MacNaughton Hermsen Britton Clarkson Planning Limited
1998 - 2001	Planner , MacNaughton Hermsen Britton Clarkson Planning Limited

CONTACT

113 Collier Street
Barrie, ON L4M 1H2
T 705 728 0045 Ext. 226
F 705 728 2010
bzeman@mhbcplan.com
www.mhbcplan.com



CURRICULUM VITAE

Brian A. Zeman, BES, MCIP, RPP

PUBLICATIONS

- Co Author of the "State of the Aggregate Resource in Ontario Study Paper 2 – Future Aggregate Availability & Alternatives Analysis, Prepared for the Ministry of Natural Resources dated December 2009.

SELECTED PROJECT EXPERIENCE

- Research, preparation and co-ordination of reports / applications under the Planning Act, Niagara Escarpment Planning and Development Act, Oak Ridges Moraine Conservation Act, and the Aggregate Resources Act.
- Facilitate public meeting on major development applications.
- Project management for major development applications.
- Undertake aggregate Compliance Assessment Report inspections and preparation of reports.
- Planning evaluations and analysis for mineral aggregate development and resource management.
- Conduct notification and consultation procedures under the Aggregate Resources Act.
- Aggregate Resources Act site plan amendments.
- Planning evaluations for residential developments.
- Registration and planning of residential developments.
- Planning assessment for commercial, retail, office and industrial developments.
- Restoration planning for pits and quarries and preparation of recreational afteruse plans.
- Research and preparation of reports /evidence for hearings before the Ontario Municipal Board, Environmental Review Tribunal, Joint Board.
- Provide expert planning evidence before the Ontario Municipal Board, Environmental Review Tribunal and the Joint Board.

CONTACT

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F 705 728 2010
bzeman@mhbcplan.com
www.mhbcplan.com



CURRICULUM VITAE

Brian A. Zeman, BES, MCIP, RPP

SAMPLE PROJECT LIST

- Activa Group - Laurentian Subdivision, Kitchener
- Adventure Farm – Kirkwall Subdivision, Hamilton
- Aecon - Oliver Pit - Site Plan Amendment/Compliance Assessment Report
- Aggregate Producers Association of Ontario - Caledon Official Plan
- Aggregate Producers Association of Ontario - PPS Review
- Aggregate Producers Association of Ontario - Region of Halton Official Plan
- Blue Mountain Aggregates-Pit Deepening and Expansion
- Brampton Brick - Cheltenham Quarry Site Plan Amendment
- Brampton Brick - Niagara Escarpment Development Permit
- Cayuga Material & Construction - Property Investigation
- Cliff's Natural Resources – Chromite Aggregate Project
- Crisdawn Construction Inc. – Barrie Annexation Lands
- Dufferin Aggregates - Acton Quarry Afteruse Plan
- Dufferin Aggregates - Acton Quarry Expansion
- Dufferin Aggregates – City of Hamilton Official Plan
- Dufferin Aggregates - Milton Comprehensive Zoning By-law
- Dufferin Aggregates - Milton Quarry Afteruse Plan
- Dufferin Aggregates - Milton Quarry Extension
- Dufferin Aggregates - Property Investigations
- Dufferin Aggregates - Region of Halton Official Plan
- Dufferin Aggregates - Town of Halton Hills Official Plan
- Dufferin Aggregates – Town of Halton Hills Zoning By-law
- E.C. King Contracting - Sydenham Quarry Expansion Erie Sand & Gravel - Pelee Quarries
- Gies Construction - Old Chicopee Drive, Waterloo
- Hazad Construction - Conestoga Golf Course Subdivision Hallman Construction Limited - Consent for Church Site
- Home Depot - Barrie, Kitchener, Markham, Mississauga, Richmond Hill and Whitby
- J.C. Duff - Property Investigations
- Kulmatycky Rezoning/Plan of Subdivision/Area Study - Town of Paris
- Lafarge Canada – Brechin Quarry Site Plan Amendment
- Lafarge Canada – City of Hamilton Official Plan
- Lafarge Canada - Dundas Quarry Expansion
- Lafarge Canada - Lawford Pit
- Lafarge Canada – Limbeer Pit
- Lafarge Canada – Mosport Pit Site Plan Amendments
- Lafarge Canada - Oster Pit

CONTACT

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bzeman@mhbcplan.com
www.mhbcplan.com



CURRICULUM VITAE

Brian A. Zeman, BES, MCIP, RPP

- Lafarge Canada - Property Investigations
- Lafarge Canada - Warren Merger Due Diligence
- Lafarge Canada-Wawa Site Plans
- Lincoln Village Subdivision - Phase 2 and 3, Waterloo
- Livingston Excavating - Simcoe Pit
- Nelson Aggregates Co., Burlington Quarry Extension
- Ontario Stone, Sand & Gravel Association – Region of Halton Aggregate Strategy
- Ontario Stone, Sand & Gravel Association - Region of Halton Official Plan
- Paris Land Development Limited - Subdivision
- Pitway Holdings - Brillinger Pit
- Pitway Holdings - Naylor/Forman Pit
- Pine Valley Homes - Ainsley Estates, Town of Wasaga Beach
- Pioneer Construction-Aggregate Resources Act Licensing-Thunder Bay
- Region of Durham - Homefounders Subdivision Riverbank Estates Inc. - Subdivision, Kitchener
- St. Marys Cement – Alternative Fuels
- St. Marys Cement - Bowmanville Quarry Deepening
- St. Marys Cement - Bowmanville Quarry Site Plan Amendment
- St. Marys Cement - Clarington Comprehensive Zoning By-law
- St. Marys Cement – Westside Marsh Project
- Steed & Evans - Contractor's Yard/Site Plan Amendment
- Tanem Developments - Bridge Street Subdivision University of Guelph - Canadian Tire
- University of Guelph - Commercial Centre University of Guelph - Office/Research Park
- YMCA – Redevelopment of Site, Barrie
- Zavarella Construction Ltd. - Consent/Rezoning/Plan of Subdivision/Area Study, Town of Paris

CONTACT

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bzeman@mhbcplan.com
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CURRICULUM VITAE

Carly Marshall, B.A(Hons.), M.PI

EDUCATION

2013

Master of Urban and Regional Planning
Queen's University

2010

Bachelor of Arts (Honours),
Political Science
Minor in Public Law
Brock University

Carly Marshall, B.A (Hons.), M.PI, Planner joined MHBC in 2014. Ms. Marshall completed her graduate work in transportation policy, focusing on parking policy reform in suburban cities.

Carly received her Honours Master of Urban and Regional Planning from Queen's University in 2013. Carly presented her research on affordable housing at the 2013 OPPI Conference and was also a recipient of the Canadian Urban Transit Association Scholarship in 2013. Carly brings international planning experience to the firm as she led a policy team on a public spaces project in Pondicherry, India. Ms. Marshall is a candidate member of the Ontario Professional Planners Institute.

Drawing on experience in the fields of public law, transportation, and community engagement Carly is able to take a multi-disciplinary approach to her work. Prior to joining MHBC Carly has had experience working in the public sector at both the provincial and municipal level.

PROFESSIONAL ASSOCIATIONS / ACCREDITATIONS

- Candidate Member, Canadian Institute of Planners (CIP) and Ontario Professional Planners Institute (OPPI)

PROFESSIONAL HISTORY

2014 – Present **Planner**, MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC), Barrie

2012 **Planner Intern**, KFL&A Public Health Department, Kingston

CONTACT

113 Collier Street
Barrie, ON L4M 1H2
T 705 728 0045 Ext. 228
F 705 728 2010
cmarshall@mhbcplan.com
www.mhbcplan.com



CURRICULUM VITAE

Carly Marshall, B.A(Hons.), M.PI

SELECTED PROJECT EXPERIENCE

- 2014 – MTO GTA West Transportation Corridor Study
- 2014 – Callander Development Charges Study
- 2014 – Mulmur Development Charges Study
- 2014 – Lafarge Limebeer Pit Application
- 2014 – Lafarge South Quarry Extension Application
- 2014 – Kulmatycky Rezoning/ Plan of Subdivision/ Area Study- Town of Paris
- 2015– Lafarge Oster Pit Application
- 2015 – Town of The Blue Mountains Strategic Plan
- 2015 – Town of Gravenhurst Strategic Plan
- 2015 – Township of Tiny Strategic Plan

Other project experience includes:

- Undertaking the planning evaluation and analysis of residential and institutional developments, to ensure consistency with Provincial policy, Official Plan conformity, and Zoning By-law compliance.
- Provide municipal clients with advice on land use planning issues such as Consent applications, Official Plan and Zoning By-law Amendments, and Minor Variances.
- Coordinate and prepare applications on behalf of private sector clients for Official Plan and Zoning By-law Amendments, Site Plan Control, Plan of Subdivision, Consent and Minor Variances.
- Preparation of applications for Niagara Escarpment Commission (NEC) Development Permits for private sector clients with lands located within the Niagara Escarpment Plan Area.

CONTACT

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cmarshall@mhbcplan.com

Appendix C

AMENDMENT NO. xx

TO THE

OFFICIAL PLAN OF THE TOWNSHIP OF CLEARVIEW

The attached text and Schedule "A" constituting Amendment No. **XX** to the Official Plan of the Township of Clearview, was adopted by the Council of the Corporation of the Township of Clearview by By-law No. 16-**XX** in accordance with the provisions of Section 21 of the Planning Act, on ____ day of ____ 2016.

**Christopher Vanderkruys,
Mayor**

CORPORATE SEAL OF MUNICIPALITY

**Pamela Fettes
Clerk**

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW
BY-LAW 16- XX

Being a by-law to adopt amendment Number XX to the Official Plan of the Township of Clearview.

1. The attached text and schedule "A", which constitutes Amendment No. **XX** to the Official Plan of the Township of Clearview, is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the County of Simcoe for approval of Amendment No. **XX** to the Official Plan of the Township of Clearview.
3. This By-law shall come into force and take effect on the day of final passing thereof.

**BY-LAW NO. 16-XX READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ____ DAY OF ____,
2016.**

**Christopher Vanderkruys,
Mayor**

**Pamela Fettes
Clerk**

"CERTIFICATION"

I, Pamela Fettes, Clerk of the Township of Clearview, do hereby certify under my hand and the Corporation Seal that the foregoing is a true copy of By-law Number 15-60 of the Township, which was duly passed in open Council on _____, 2016.

Pamela Fettes, Clerk

THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan of the Township of Clearview consists of three parts.

PART A- THE PREAMBLE, consisting of the title, purpose, location and basis for the amendment, does not constitute part of this amendment.

PART B- THE AMENDMENT, consisting of the actual text, constitutes Amendment No. **XX** to the Official Plan of the Township of Clearview.

AMENDMENT NO. xx

TO THE

OFFICIAL PLAN OF THE TOWNSHIP OF CLEARVIEW

PART A- THE PREAMBLE

1. Title

The title of this amendment is “Amendment No. XX to the Official Plan of the Township of Clearview”; hereinafter referred to as “Amendment No. XX”

2. Purpose

The purpose of this Amendment to the Official Plan of the Township of Clearview is as follows:

- (a) To re-designate lands from “Agricultural” to the “Extractive Industrial” designation in Part Lot 3, Concessions 1 and 2, in the former Township of Nottawasaga, now Township of Clearview. The effect of the amendment is to permit a below water gravel pit.

3. Location

The lands affected by this amendment are located in Part Lot 3, Concessions 1 and 2, Former Township of Nottawasaga, now Township of Clearview. The site is located to the north of the existing Avening Pit. The extent of the amendment is shown on Schedule “A” attached hereto.

4. Basis of Amendment

This amendment is being considered as a result of an application for a Class A, Category 1- Class ‘A’ (Pit Operation Below Water). The proposed pit is an extension of the existing Avening Pit to the south that is designated “Extractive Industrial” in the Township of Clearview Official Plan.

PART B- THE AMENDMENT

All of this part of the document, entitled "Part B-The Amendment", consisting of the attached text and map schedule, constitutes Amendment No. **XX** to the Official Plan of the Township of Clearview.

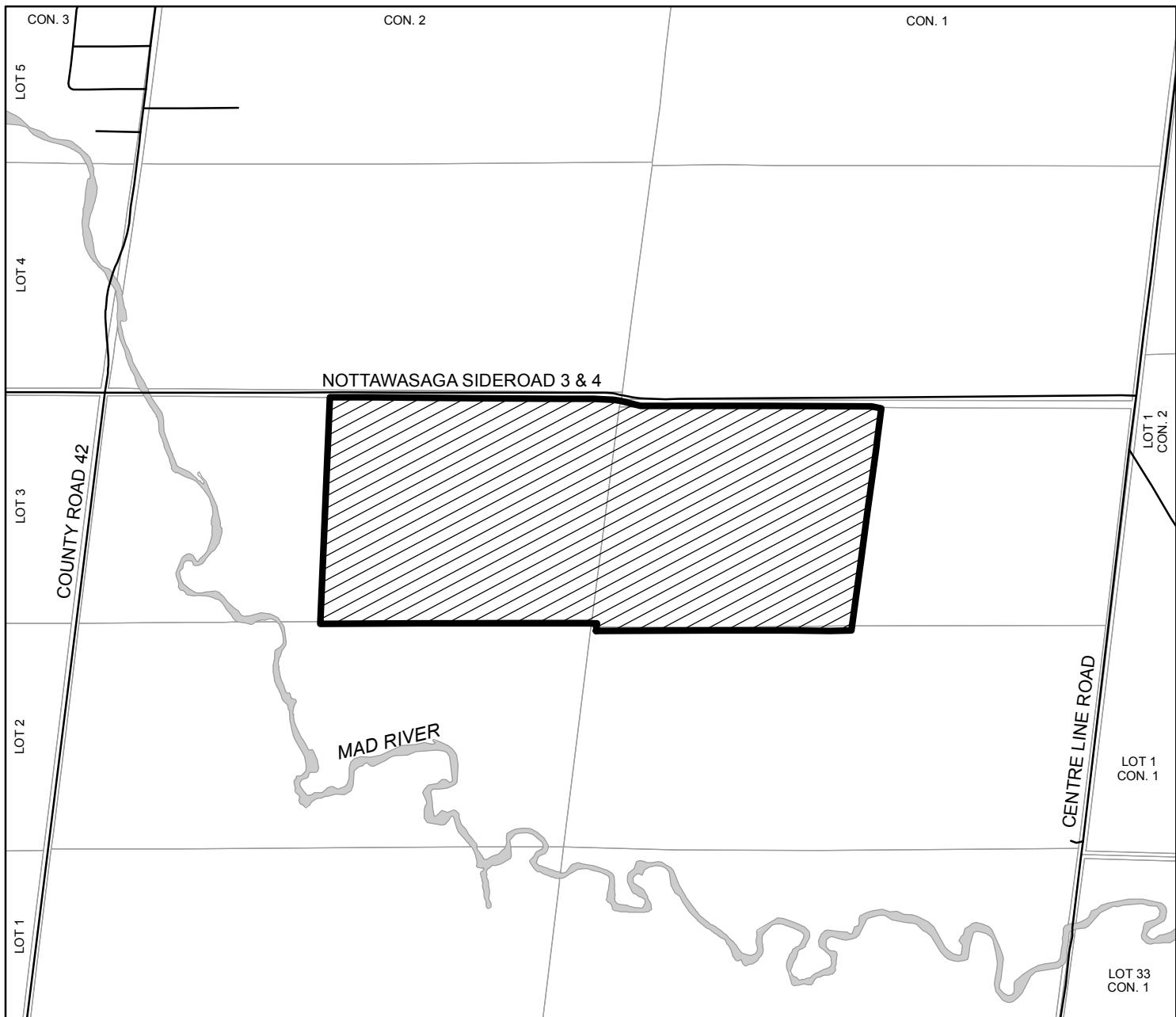
Details of the Amendment

Item 1 - Schedule "A-5 South Central" Land Use and Transportation Plan of the Township of Clearview Official Plan is hereby amended as shown on Schedule "A" to this amendment.

Item 2 - The lands identified on Schedule "A-5-South Central" of the Township of Clearview Official Plan and shown on Schedule "A" attached hereto are hereby re designated from the "Agriculture" designation to the "Extractive Industrial" designation.

Schedule 'A' To Official Plan Amendment

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe



 Lands to be redesignated to
Extractive Industrial

Appendix D

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW

ZONING BY-LAW NO. 16-XX

Being a by-law to regulate the use of land and the character, location and use of buildings and structures on lands municipally known as 3778 Centre Line Road and legally described as Concession 1 , Part of Lots 1, 2, and 3, and Concession 2, Part of Lot 2, formerly in the Township of Nottawasaga, now in the Township of Clearview.

WHEREAS By-law 10-93 is the comprehensive Zoning By-law for the Township of Nottawasaga;

WHEREAS the Council of the Corporation of the Township of Clearview, of which the former Township of Nottawasaga is part by virtue of the County of Simcoe Act, wishes to amend By-law 10-93, as amended, and

WHEREAS authority is granted under Section 34 of the Planning Act to enact this By-law;

AND WHEREAS the amendment is in conformity with the Township of Clearview Official Plan; and

NOW THEREFORE the Council of the Corporation of the Township of Clearview, enacts as follows:

1. That Section 4.16.1 Extractive Industrial Exemption to By-law 10-93 be amended by revising the existing exception (M3-E1) as follows:

Additional Provisions:

- Notwithstanding the yard requirements for aggregate extraction and processing activities the yard requirement shall be 0 metres adjacent to lands zoned Extractive Industrial.
2. That all other provisions of By-law 10-93, as amended, which are not inconsistent with the provisions of this By-law, shall continue to apply when the By-law comes into effect.
 3. This By-law shall come into force on the day of passage by Council subject to the provisions of the Planning Act.

BY-LAW 16-XX READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS THE XX DAY OF XX, 2016.

Christopher Vanderkruys, Mayor

Pamela Fettes, Clerk

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW

ZONING BY-LAW NO. 16-XX

Being a by-law to regulate the use of land and the character, location and use of buildings and structures on lands municipally known as 6797 3/4 Nottawasaga Side Road and legally described as Concession 1 and 2, Part Lot 3, formerly in the Township of Nottawasaga, now in the Township of Clearview.

WHEREAS By-law 06-54 is the comprehensive Zoning By-law for the Township of Clearview;

WHEREAS the Council of the Corporation of the Township of Clearview, of which the former Township of Nottawasaga is part by virtue of the County of Simcoe Act, wishes to amend By-law 06-54, as amended, and

WHEREAS authority is granted under Section 34 of the Planning Act to enact this By-law;

AND WHEREAS the amendment is in conformity with the Township of Clearview Official Plan; and

NOW THEREFORE the Council of the Corporation of the Township of Clearview, enacts as follows:

1. That Schedule "A2" to By-law 06-54 is hereby amended by changing the zoning on lands located at Concession 1 and 2, Part Lot 3, formerly in the Township of Nottawasaga, from 'Agricultural (AG)' Zone to 'Extractive Industrial Two (EX2)' Zone.
2. That a new Section 3.45 Extractive Industrial – Below the Water Table (EX 2) to By-law 06-54 be added by including the following:

3.45 EXTRACTION INDUSTRIAL – BELOW THE WATER TABLE (EX 2)

3.45.1 PERMITTED USES

- Produce farm or livestock farm;
- Extraction of aggregate below the water table;
- Portable processing and associated equipment but not including asphalt or concrete plants;
- Temporary stockpiles of aggregate extracted on the premises; or,
- Temporary stockpiles of topsoil from the extracted site.

3.45.2 ZONE PROVISIONS

- Minimum Lot Area: No Minimum
- Minimum Lot Frontage: No Minimum
- Minimum Front Yard: 15 m
- Minimum Rear Yard: 0 m
- Minimum Interior Side Yard: 15 m
- Minimum Exterior Side Yard: 15 m
- Extraction of Aggregate is permitted below the water table.
- Yard requirements shall apply to all aggregate extraction and processing activities.

- Notwithstanding the yard requirements for aggregate extraction and processing activities the yard requirement shall be 0 metres adjacent to lands zoned Extractive Industrial.
 - No buildings or structures are permitted other than extraction equipment and portable processing equipment utilized in on-site operations. No on-site operations servicing or refueling of portable extraction or processing equipment is permitted in the area zoned for extraction uses. Such uses may occur only in the area zoned as the processing area.
 - All extraction and portable processing areas shall be screened and buffered from visibility from public roads and residential, commercial, recreational and institutional uses.
 - No fuel storage is permitted.
 - In addition, the applicant will be required to undertake a water monitoring program to the satisfaction of the Township of Clearview and the Nottawasaga Valley Conservation Authority.
3. That all other provisions of By-law 06-54, as amended, which are not inconsistent with the provisions of this By-law, shall continue to apply when the By-law comes into effect.
 4. This By-law shall come into force on the day of passage by Council subject to the provisions of the Planning Act.
 5. That Schedule "1" forms part of this By-law.

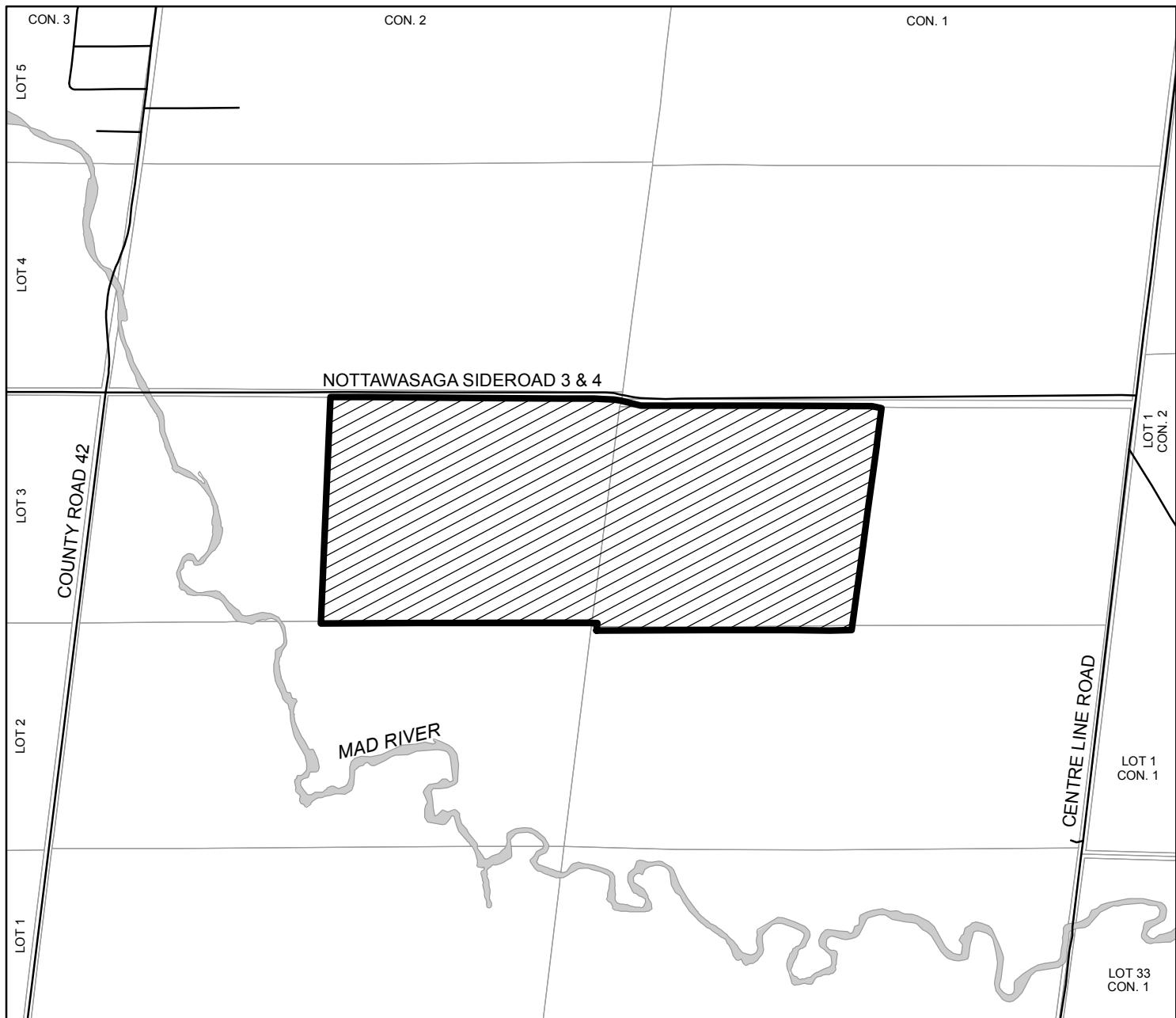
BY-LAW 16-XX READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS THE XX DAY OF XX, 2016.

Christopher Vanderkruys, Mayor

Pamela Fettes, Clerk

Schedule '1' To Zoning By-law Amendment

Part of Lot 3, Concessions I & II
Township of Clearview
County of Simcoe



 Lands to be rezoned to
Extraction Industrial Two (EX2)

Appendix E

Ministry of Culture**Ministère des Affaires civiques,
de la Culture et des Loisirs**400 University Ave, 4th Fl.

Toronto, ON M7A 2R9

Heritage Operations Unit

Tel: (416) 314-7147 Fax: (416) 314-7175

Email: winston.wong@mocor.gov.on.ca

400 Ave. University, 4. étage

Toronto, ON M7A 2R9

**Ontario**

April 7, 2004

**Attn: Lafarge Canada Inc.
7880 Keele Street
3rd Floor
Concord, Ontario
L4K 4G7**

Dear Sir/Madamme:

**Re: Stage 1-2 Archaeological Assessment of the Proposed Lafarge Pit
Part Lot 3, Concession 1 & 2 – Township of Clearview - Simcoe County
Ministry Technical Review & Approval PTF\License: 2002-017-007
MCL File: 43AG033**

This is to advise that we have reviewed the Stage 1-2 archaeological resource impact assessment report by York North Archaeological Assessments Inc. under license 2002-017 regarding the proposed Lafarge Pit located in Part Lot 3, Concession 1 & 2, Township of Clearview- Simcoe County.

The archaeological assessment generally meets the requirements under the *Ministry Archaeological Assessment Technical Guidelines* and complies with the archaeological licensing provisions under the Ontario Heritage Act. As there were no significant archaeological resources or remains identified within the surveyed areas specified in the report, no further archaeological assessment work is required at this time. The subject proposed pit area is therefore cleared of any archaeological heritage resource concerns and aggregate extraction activities may be permitted on the subject property.

In the event of unexpected discoveries of deeply buried archaeological remains, foundations , unmarked cemeteries, or other cultural heritage features at any time, further survey and monitoring by a licensed archaeologist may be required. Staff of the Ministry of Culture shall be contacted if this occurs.

Yours truly,

A handwritten signature in black ink, appearing to read "Winston Wong".

Winston Wong MCF
Heritage Resource Planner

cc: York North Archaeological Services,
MCL Licensing Administrator