

Stovel and Associates Inc.
Planners, Agrolgists and Environmental Consultants

July 31, 2012

Township of Southgate
Hopeville Administration Office
185667 Grey Road 9
RR 1 Dundalk ON
N0C 1B0

Attention: Denise Whaley, Township Planner

**RE: Official Plan and Zoning By-law Amendment Application
Proposed Flanagan Pit
The Murray Group Limited (Southgate)**

Stovel and Associates Inc. has been requested by The Murray Group Limited (TMGL) to prepare a Planning Report, in support of their Proposed Flanagan Pit application. This Planning Report provides a summary of the following:

- Site Plans and other documentation required under the Aggregate Resources Act;
- Hydrogeological Study;
- Traffic considerations;
- Noise and Dust considerations;
- Planning Justification outlining how the proposal has regard to the Provincial Policy Statement and conforms to the development criteria of the County of Grey Official Plan and Township of Southgate Official Plan.

These matters are addressed in the following paragraphs.

Site Plans (Aggregate Resources Act)

TMGL proposes to establish a mineral aggregate operation on part of lots 3 and 4, Concessions 15 and 16, in the Township of Southgate (Egremont), County of Grey (Map 1). The proposed pit, referred to as the Flanagan Pit, will be for above water extraction (1.5 m above the water table), referred to as a Category 3 pit licence.

The processing at the proposed pit will involve the use of a portable crusher, approximately 2-3 times per year subject to demand for product. The duration of crushing is anticipated to extend from 3-6 weeks, on each occasion. The crusher will operate on the pit floor, below the existing elevation of the adjacent farm fields. Agricultural activities will continue on lands not being used as part of the pit.

As the aggregate extraction operation is an interim land use, the rehabilitation plan for the proposed pit involves the progressive rehabilitation back to a similar agricultural capability. Once stripped soil is no longer required to construct perimeter berms, progressive rehabilitation can begin at the subject pit.

The Ministry of Natural Resources requires the following information in support of a Category 3 pit licence:

- Summary Statement
- Site Plans
- Letter of Opinion from a Professional Geoscientist (Water Table)

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- Natural Environment (Level 1 or 2) Study
- Noise Impact study if a receptor is within 150 m of the area proposed to be extracted
- Cultural Heritage Study.

This information was submitted to the Township of Southgate in support of the application. A Noise Impact study was not required as there are no receptors within 150 m of the proposed extraction area.

Hydrogeological Study

A report was completed by A. R. Lotimer, P. Geo., in accordance with the requirements of the Aggregate Resources (ARA). This report provides an expert opinion on the established groundwater table. As per the requirements of the ARA, a Category 3 licence requires that extraction not go deeper than 1.5 m above the established water table. Mr. Lotimer indicates that the water table is established at the approximate elevation of 418-425 mASL in the northern portion of the pit and 425-427 mASL in the southern portion of the pit.

Transportation Considerations

TMGL has selected accesses onto Grey Road 9 based on the input of their Traffic Consultant, Cole Engineering. These accesses provide clear site lines.

The Flanagan Pit will be able to provide year-round access to markets to the east and west, via access onto Grey Road 9.

Noise and Dust Considerations

There are several important considerations related to the potential for affecting the current noise environment associated with the local area. These considerations relate to the following:

- there are relatively few residential receptors in the immediate area. The closest residential receptor not owned by the Flanagan's, is located approximately 200 m west of the extraction area for the proposed pit;
- onsite mitigation measures, such as perimeter berming and setbacks, will be employed at the proposed pit to ensure that noise levels do not exceed regulated limits;
- portable processing is to be completed on an interim basis. The portable processing plant will operate approximately 2-3 times per year, for approximately 4-8 weeks per time; and
- a phased approach to extraction will be used. This phased approach will make use of the deep working pit face as a shield between the processing area and the closest receptors.

In terms of operating hours, TMGL will use the following:

- Extraction and processing operations will occur between the hours of 7 am and 7 pm, Monday to Friday and 7 am and 6 pm on Saturdays; and
- Loading and hauling operations shall occur between the hours of 6 am and 7 pm, Mondays to Friday, and 6 am and 6 pm on Saturdays.

These operational protocols are set out on the Site Plans. The reader is directed to review the Site Plans to obtain more details on mitigation measures related to noise.

Dust will be controlled through the regular application of water, on an as needed basis.

A requirement to mitigate dust-related impacts is set out in the Prescribed Conditions under the ARA. Prescribed Conditions are appended to the licence. The Prescribed Conditions that relate to the control of dust are as follows:

3.1 Dust will be mitigated on site.

- 3.2 *Water or another provincially approved dust suppressant will be applied to internal haul roads and processing areas as often as required to mitigate dust.*
- 3.3 *Processing equipment will be equipped with dust suppressing or collection devices, where the equipment create dust and is being operated within 300 m of a sensitive receptor.*

Planning Justification

Table 1 summarizes the relative conformity of the proposed pit with planning policies contained in the Provincial Policy Statement. It is my opinion that the proposed application satisfies the policies and planning principles set out in the Provincial Policy Statement.

The County of Grey Official Plan was recently amended as part of the 5-year review. As part of the amendment, a policy was implemented that permits the establishment of mineral aggregate operations within primary deposits (as set out in Schedule B of the Official Plan) without the need for an amendment of the County of Grey Official Plan. The subject lands have been mapped as part of this recognized mineral aggregate deposit, and therefore, an amendment of the County of Grey Official Plan is not required.

With respect to the development procedures of the County of Grey Official Plan, I offer the following evaluation:

Policy 2.7.3 (1) Development Agreement with the Local Municipality

It is important to recognize that this proposed pit will utilize Grey Road 9 as their haul route. TMGL feels that a Development Agreement with the local municipality should not be necessary. TMGL is prepared, however, to discuss this with the Township of Southgate.

Policy 2.7.3 (2) Compliance with Aggregate Resources Act (ARA) and Regulations

TMGL understands the need for compliance with the ARA and regulations.

Policy 2.7.3 (3) Satisfy requirements of Ministry of the Environment (MOE)

TMGL is prepared to satisfy all requirements of the MOE. Since the proposed pit does not involve water supply or liquid waste matters, we feel that there will be no conflict with this policy.

Policy 2.7.3 (4) Satisfy requirements of MOE - Air Management Branch

TMGL is prepared to satisfy all requirements of the MOE.

Policy 2.7.3 (5) Depletion of Extraction Area

The proposed development will not result in a conflict with this policy.

Policy 2.7.4 (2) Official Plan Amendment Procedures and Information

- a) A licence application with the Ministry of Natural Resources has not been submitted yet. All documentation that would normally be submitted to the MNR has been submitted in support of this planning application.
- b) A hydrogeological report has been prepared by a Professional Geoscientist. It is important to note that this proposed pit application is restricted to above water operations only.
- c) The proposed pit will be serviced by an improved access onto Grey Road 9, as per the requirements of the County of Grey.
- d) There are no additional environmental studies required to support this proposed pit. The proposed pit will be restricted to a depth of 1.5 m above the water table. There is no washing or wet processing as part of this application. There will be no de-watering at the site. Therefore, there will be no impact on water tables or surface water features. Further, the site is well separated from any receptors, i.e. in excess of 350 m to the closest neighbour. All processing

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equipment will be well screened by existing topography and perimeter berms to ensure that MOE guidelines are respected.

2.7.4 (3) Extraction on Agricultural or Specialty Crop Lands

The proposed pit will be rehabilitated to ensure that substantially the same area and same average soil quality for agriculture are restored.

6.3 Official Plan Review and Amendment

- (a) **Need** - as set out in the Provincial Policy Statement, "*As much of the mineral aggregate resource as is realistically possible will be made available to supply mineral resource needs, as close to markets as possible.*" The approval of this proposed pit would satisfy this policy and would allow TMGL to supply high quality aggregate to their clients. The County of Grey is a long-term client of TMGL. In addition, this pit will help to secure employment for several members of the pit staff.
- (b) **Effect of the proposed change on the demand for services and facilities** - It is my opinion that the proposed amendment to permit this pit would not impact on the demand for services or facilities.
- (c) **Implications of the amendment on other policies of the Plan** - The proposed pit expansion will not impact on any other policies of the Plan. Natural Environment features will not be affected by the proposed development and there will be no impact on the County Road system, given that entrance improvements will be completed in accordance with County requirements.
- (d) **County's ability to achieve planning policies and principles** - The proposed pit application will not impact negatively on the County's policies or principles.
- (e) **Local municipality's principles and policies** - the proposed pit application will not negatively impact on the Municipality's policies or principles.
- (f) **Monitoring** - there will be no impact on monitoring studies.

The Township of Southgate Official Plan establishes similar policies for the creation of new Mineral Aggregate Extraction designations. Section 5.6.3 of the Official Plan requires the following:

1. *An amendment to the Township of Southgate Official Plan is required.*
 - i. *Copies of all documentation provided to the MNR for the purpose of licensing much be provided.*
 - ii. *A hydrogeological studies that demonstrates that the washing and screening operations or other operations onsite will not have an adverse impact on the areas surface flow, groundwater and area wells.*
 - iii. *A traffic study demonstrating that no adverse traffic impacts will result from the aggregate carrying vehicles during the operation of the pit.*
 - iv. *An environmental engineering study demonstrating the effects on the surround area in terms of air quality through dust and particulate emissions and the potential for noise and vibration levels and quality and quantity of surface water and ground water resources.*
 - v. *The Site Rehabilitation Plan.*

The remaining portions of 5.6.3.2 do not apply to this proposal.

In terms of conformity, the subject proposal conforms to these provisions, with the exception of iv) above, an environmental engineering study has not been completed since sensitive receptors are greater than 150 m from the proposed extraction area.

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Any Other Material or Documentation

We have not prepared any additional material or supporting documentation. We feel that we are ready for a Public Meeting to discuss any potential concerns with neighbours. In the past, TMGL has enjoyed a good relationship with most of their neighbours and I am sure that they would want to discuss any of their concerns as soon as possible.

In summary, the proposed Flanagan Pit will not negatively impact any of the following: natural environment features, water resources, road systems or neighbouring properties. As evidenced through the completion of this Planning Justification report, the proposed pit satisfies the planning policies contemplated in the Provincial Policy Statement and the Official Plan. We look forward to working with the Township of Southgate on this application.

I trust that you will find this report to be of satisfactory detail. Should you have any questions or concerns, please do not hesitate to contact me.

Yours truly,



Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P.Ag.

Cc The Murray Group Limited

Table 1: Summary of Conformity with Provincial Policies

Policy No.	Description	Conformity	Reference	Comments
2.5.2.1	as much of the aggregate as is realistically possible will be made available to supply mineral resource needs, as close to markets as possible	Yes		Approval of this application fulfils this planning policy.
2.5.3.1	progressive and final rehabilitation to accommodate subsequent land uses, to promote land use compatibility and to recognize the interim nature of extraction will be required	Yes	Site Plans (Page 3)	Site to be rehabilitated progressively to an agricultural end use. Adjacent land uses are agricultural and the proposed rehabilitation program will result in an end use that is compatible with adjacent land uses.
2.5.4.1	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 so that substantially the same areas and same average soil quality for agriculture are restored	Yes	Site Plans (Page 3)	Site to be rehabilitated progressively to an agricultural end use and will restore substantially the same area and quality of soil.
2.1.3 a)	no development in significant habitat of endangered and threatened species	Yes	Environmental Study	No significant portions of habitat of endangered and threatened species onsite.
2.1.3 b)	no development in significant wetlands	Yes	Environmental Study	No significant wetlands onsite.
2.1.4	No development and site alteration in significant valleylands or significant wildlife habitat or significant areas of natural and scientific interest.	Yes	Environmental Study	No significant valleylands or significant wildlife habitat or areas of natural and scientific interest located onsite or within 120 m of the site.
	No development or site alteration in significant woodlands or significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.	Yes	Environmental Study	No negative impacts on significant woodlands as a reforestation program will provide no net loss of forest.
2.1.5	no development and site alteration in fish habitat except in accordance with provincial and federal requirements	Yes	Environmental Study	No fish habitat onsite.
2.1.6	Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in 2.1.3, 2.1.4 and 2.1.5 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 function	Yes	Environmental Study	Environmental Study prepared to demonstrate no negative impacts on significant habitat for threatened or endangered species, significant wildlife habitat, fish habitat and significant woodlands located on adjacent lands.

2.2	quality and quantity of ground water and surface water to be maintained	Yes	Mandatory Licence Conditions	No significant impact anticipated since: <ul style="list-style-type: none"> · extraction to remain above the water table · groundwater will not be affected · de-watering of pit not proposed · no discharge of water offsite · Spill Contingency Plan
2.6.1	significant built heritage and heritage landscapes to be conserved	Yes		Site does not contain significant built heritage or heritage landscapes.
2.5.2	significant archaeological resources to be conserved	Yes	Cultural Heritage study	No significant archaeological resources identified on site.