

Halton Crushed Stone Limited – Proposed Erin Pit Extension Public Meeting Question & Answer

November 2016

On November 1, 2016, a public meeting was held at Centre 2000 in Erin to discuss the proposed zoning by-law and official plan amendment applications for the Halton Crushed Stone Erin Pit Extension. Members of the public were invited to provide comments to Town Council. Approximately 30 people provided comments and questions and several others have provided written comments.

This document was prepared by Halton Crushed Stone Limited (HCS) and the consulting team including MHBC Planning and WSP. Questions received at the meeting have been categorized and responses are provided to many of the questions along with further information. In addition, responses have been provided to the questions received by Town Council at the November 15, 2016 meeting (see page 10).

HCS invites you to review these responses and contact them if you have any questions or if you would like to speak with them directly. A complete response package, including any proposed revisions to the application, will be provided following additional meetings and discussions with residents, the Town and other government reviewers.

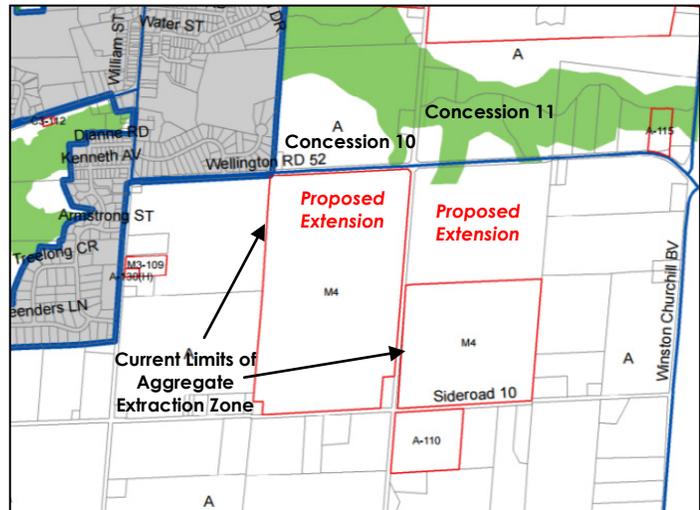
Comments received at the meeting have been grouped into the following categories:

- Land Use Compatibility (Noise, Dust, Visual and Property Value Impacts)
- Impacts on Water Table, Private Wells and West Credit River
- Rehabilitation
- Quality of Life and Tourism
- Truck Traffic
- 10th Line
- Environmental Protection Mapping
- Species at Risk Mitigation
- Aggregate Recycling
- Benefits and Jobs
- Public Notice
- Aggregate Resources Act Review

Land Use Compatibility (Noise, Dust, Visual and Property Value Impacts)

A common area of concern raised at the meeting is that the pit operations will be getting closer to the subdivision. Related concerns were expressed regarding noise, dust, visual and property value impacts due to the proximity of the subdivision.

The Concession 10 lands closest to the subdivision have been zoned for aggregate extraction since the late 1970s. The subdivision was approved in the early 1990s which presumably took into account the adjacent County road and proximity of the aggregate resources on the adjacent land. The development of the subdivision included the planting of coniferous and deciduous trees along Wellington Road 52.



The closest house within the urban area of Erin Village to the proposed pit extension is approximately 75 m (246 ft) from the proposed extraction area (9656 Wellington Road 52). The closest houses on Aspen Court and McCulloch Drive to the proposed extraction area are approximately 150 m (492 ft) and 285 m (935 ft) away, respectively.

All of the houses within the subdivision are located on the other side of Wellington Road 52 from the proposed pit extension. Wellington Road 52 is an arterial road which accommodates a significant amount of traffic including trucks.

The pit operations are being designed to minimize impacts and improve compatibility between the uses. These efforts will go beyond the setback requirements in the Town's Zoning By-law by including additional setbacks for processing areas and building additional buffers such as landscaped berms.



Looking west on Wellington Road 52 with vegetation screen on right side adjacent to subdivision (Aspen Court).

The level of mitigation will increase as the operations get closer to the subdivision. For example, there are equipment restrictions including a maximum number of loaders (2). In addition, processing is prohibited within 500 m of the subdivision to help mitigate potential noise and dust impacts. A 4 m (13 ft) landscaped berm must be built along Wellington Road 52 and the western property boundary before extraction can start in the extension in Concession 10.

The plan is to complete extraction and finish agricultural rehabilitation in Concession 10 first with the objective being to shift all operations to Concession 11 as soon as possible. It is anticipated that this would take approximately 5 to 10 years to complete depending on extraction rates. Extraction in the northwest corner closest to the subdivision would take approximately 2 years.

Back up beepers can be annoying for people living near pit and quarry operations. These safety devices are required by law to protect workers in the pit. Alternative lights or lower noise options

are used for HCS equipment operating in the earlier hours of the day. Trucks from other companies that come to the pit also have back up alarms but traffic movements are organized in the pit to minimize the need for trucks to operate in reverse.

HCS has a Safe Work Practices / Procedures Plan in place which outlines roles and responsibilities for operations at the pit including trucking and the handling of aggregate. Trucks from other companies are required to sign this plan before they are permitted to haul aggregate from the pit.

Property value is not usually a factor directly used to judge the acceptability or appropriateness of a land use. In the current situation, a pit operation is a known and established land use immediately adjacent to the proposed extension lands and there are other pits in the general area. Further, part of the extension lands are already zoned for extraction and the entire lands are located within the County's Mineral Aggregate Resource Overlay. Property value is addressed by designing and operating the pit in accordance with current standards and by providing notice that the use may occur in this area through the Official Plan and Zoning By-law.

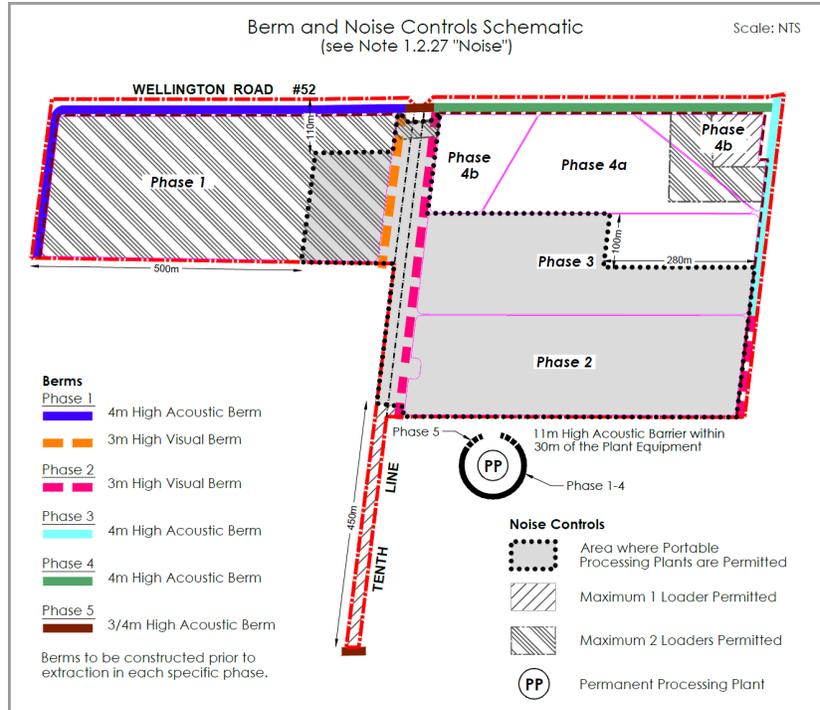
In response to the concerns that have been raised, HCS is looking at further adjustments to setback and buffering requirements to further improve compatibility between the pit and the subdivision. HCS will let you know what changes are being proposed after additional consultation and discussions with residents and the Town.

Impacts on Water Table, Private Wells and West Credit River

Water supplies are fully protected. Extraction must remain above the water table. There is no "dewatering" required to access the sand and gravel resources.

The depth of extraction is clearly marked on the site plans and must be adhered to. This is regularly checked at monitoring well locations and in active areas of the pit. The results are annually reported to Ministry of Natural Resources and Forestry who are responsible for regulating the depth of extraction.

There has been extensive monitoring of the water table at this site for a couple of decades. The results demonstrate that extraction at the pit and operation of a wash plant are not negatively



Berm and Noise Controls from Proposed Site Plan - Refer to Phase 1

NOTE: the permanent processing plant will remain in the existing pit and would be located over 1 km from the subdivision when it moves to Concession 11.

affecting the quantity or quality of local water supplies. Ongoing monitoring of the water table and adjacent wells will continue to ensure there are no impacts to groundwater users.

By law, HCS is required to respond to and inspect well interference complaints from the public. If it is determined that their pit operations have negatively affected water quality or quantity, HCS is required to remedy the situation and provide a suitable solution.

The studies completed in support of the applications found that the proposed pit extension will not affect the water quality or quantity of the West Credit River. The River is located approximately 220 m (722 ft) north of the extension lands at its closest point. Hydrogeologists and biologists assessed the potential impacts of the extension on the River and its ecological functions (including associated springs and wetlands). These studies are being reviewed by government review agencies including Credit Valley Conservation.

There are no watercourses present on the extension lands and no impacts to any local watercourses are anticipated from pit development. As the ground surface is lowered, some precipitation, which falls on the extension lands and runs off into roadside ditches, will instead infiltrate the pit floor to recharge groundwater. This local shallow groundwater will continue to contribute to streamflow in the West Credit River.

Rehabilitation

The existing pit and extension lands are located within a prime agricultural area. The Provincial Policy Statement (PPS), Greenbelt Plan and the County and Town Official Plans permit aggregate extraction within prime agricultural areas as an interim use provided the site can be rehabilitated back to an agricultural condition.

As of the end of 2015, approximately 30 ha (74 ac) of the existing pit were rehabilitated (Concession 10), 30 ha were disturbed (the area that is stripped or being extracted) and 23 ha (57 ac) were undisturbed (the area to be extracted in Concession 11). The approval that is being requested would require that no more than 50% of the total combined extraction area be disturbed at one time. This would be enforced on the aggregate site plans.



Progressive rehabilitation is continuing this fall at the south end of Concession 10. HCS is working towards relocation of the processing plant and stockpile areas from Concession 10 over to Concession 11. This transition takes a few years because enough room is needed on the pit floor to accommodate the plant, processing ponds and stockpile areas. There are also permits to be obtained from the Ministry of Environment.

Similar to the existing pit, the extension lands will be progressively rehabilitated back to an agricultural condition in which substantially the same area and average soil capability will be restored. This is a requirement which HCS must adhere to based on provincial policy and law.

Topsoil and subsoil are important resources for agricultural use. These soils will be retained on site and will be directly applied to the pit floor in previously extracted areas or temporarily stored in berms for later use in rehabilitation. The movement, handling and storage of these soils will be carefully managed to help retain soil quality and capability for agriculture.



Rehabilitated area of existing pit being prepared for crops in Spring 2016 (Concession 10).

The methods for successfully rehabilitating extracted land back to agriculture are well known and proven effective. These methods are incorporated on the site plans as operating requirements and include soil preparation, soil conditioning and final implementation phases such as:

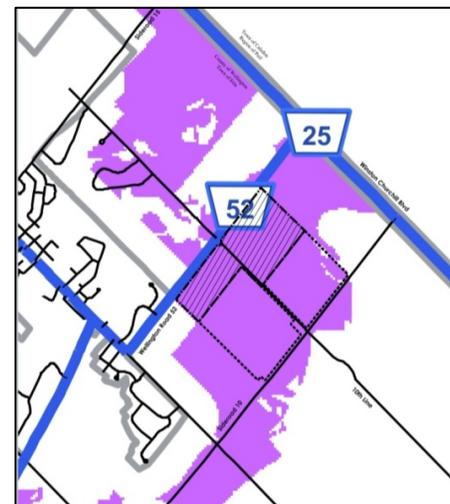
- Final grading to provide appropriate contour relief, and water drainage;
- Deep ripping to alleviate compaction in pit floor;
- Replace topsoil and subsoil;
- Deep tillage and stone picking;
- Plant cover crops;
- Grass and legume cropping, and potential soil amendments; and
- Establish desired agricultural crops.

Progressive rehabilitation is enforceable under the Aggregate Resources Act. In the unlikely event of a default (such as bankruptcy and license revocation), the Ministry of Natural Resources and Forestry has the authority to complete the required rehabilitation and the necessary financial security is in place (i.e. The Ontario Aggregate Resources Corporation Rehabilitation Fund).

Quality of Life and Tourism

Several concerns were expressed regarding impacts on quality of life and the Town of Erin's scenery and charm.

The County's Official Plan recognizes existing pit operations as well as providing for future access to aggregate resources within this area (see adjoining figure). Lands within this overlay are considered to have high potential for aggregate extraction and are protected for that purpose.



Schedule C, Mineral Aggregate Resource Areas (County Official Plan)

The existing pit has been in operation since the 1990s. The licensed capacity and haul route will not change as a result of the extension. The maximum annual tonnage will remain the same.

The proposed pit extension has been designed to meet current environmental standards at nearby residential uses. Landscaped berms will surround the site so that the operations are screened from public view. Noise and dust must be mitigated at the site. With these controls in place it is difficult to see how the operations might deter tourists from driving to the Village of Erin, enjoying surrounding trails and frequenting shops and cafes on Main Street.

HCS is currently discussing improving and enhancing screening (e.g. berms, trees, etc.) along Wellington Road 52 to further minimize visual impacts. Details of these proposed improvements will be provided following further consultation and discussions with residents and the Town.

Truck Traffic

The licensed capacity of the site will not change as a result of this extension as the current tonnage limit of 725,600 tonnes will remain the same. The existing haul route would be maintained (10th Line north to Wellington Road 52 with majority of trucks heading east to Winston Churchill Boulevard and then north to Charleston Sideroad).

It should be noted that the intersections of Wellington Road 52 and 10th Line as well as Wellington Road 52 and 9th Line were both improved by the former pit owner to meet Township and County requirements. Left-hand turn lanes were added to Wellington Road 52 at 10th Line and intersection improvements were undertaken to Wellington Road 52 and 9th Line.

Heavy trucks are not permitted to use 10th Line beyond Wellington Road 52 or the pit entrance except for local, neighbourhood deliveries. As the majority of the shipments head towards Caledon and west GTA, the most efficient and optimal route is to use County and Regional roads to access Charleston Sideroad and then Highway 10.

HCS instructs haulers to use the existing haul route and requires that they sign a Safe Work Practices / Procedures Plan before they are permitted to haul aggregate from the site. If you see aggregate trucks or any other similar trucks using 10th Line north or south of the pit, please contact HCS or the Town.

In response to concerns about truck traffic, HCS is in the process of developing a new trucking policy which would apply to all trucks hauling aggregate from the Erin Pit. This new policy will be shared when it is available.

10th Line

The proposed application area includes the 10th Line road allowance in the licensed area from Wellington Road 52 to approximately 180 m north of 10th Sideroad. There are no other landowners with frontage on this portion of 10th Line.

Including the road allowance in this licence application gives the Town and HCS the option of accessing the aggregate in the road and adjoining setback areas. There is no agreement in place at this time and a decision on the road is not being made as part of these zoning or official plan applications.

Before the road could be closed or extracted, further public discussion and consultation would be undertaken. A by-law and agreement with the Town would also be required.

10th Line is included in the licence application so that the option can be considered in the future if the extension is approved.

If the Town decides to allow some extraction in the road allowance this would be accommodated within the operating plan and there would be no increase in extraction rates or annual tonnage limits.

Environmental Protection Mapping

A small portion (less than 2% of the extension area) in Concession 11 lands is designated Core Greenlands in the Town and County Official Plans and zoned Rural Environmental Protection (EP2) in the Town Zoning By-law.

Through on-site fieldwork and ground-truthing undertaken by qualified biologists, it was determined that this area does not contain any natural features warranting environmental protection designation. This is being reviewed by Credit Valley Conservation.



Species at Risk Mitigation

HCS is required to complete extensive on-site fieldwork before the applications are submitted. The consultants determined that the extension lands contain species at risk habitat for several birds.

Barn swallows were identified near the house and barn in Concession 11. Bobolink and eastern meadowlark were identified using the grasslands adjacent to the active pit. These birds are not uncommon in this type of agricultural landscape and are found throughout southern Ontario.

HCS has constructed kiosks within the rehabilitated portion of the existing pit as compensation habitat for barn swallow. Grassland habitat will be created and managed within the rehabilitated portion of the existing pit for bobolink and eastern meadowlark.

Based on the provisions of the Endangered Species Act, activities to remove and replace species at risk habitat have been registered and confirmed with the Ministry of Natural Resources and Forestry who have reviewed the proposed mitigation and confirmed the requirements of the legislation have been met.

The concept of creating species at risk habitat specifically for these three bird species is well understood and the provisions to do so are outlined under the regulations of the Endangered Species Act. HCS is legally required to maintain and manage the habitat in accordance with the registrations made under the Endangered Species Act.

A net gain of ecological health will be provided through the creation of species at risk habitat within the rehabilitated of the existing pit greater in area than currently exists. The created habitat will also provide significant wildlife habitat for monarch butterflies and milksnake.

Aggregate Recycling

Through this application, HCS has requested permission to recycle some asphalt, concrete and other aggregate products. Recycling is a responsible approach to conserving resources and a gravel pit is a good place to recycle because the equipment and materials that are blended with recycled aggregate are already there. This is an important component of HCS' business and allows them to reuse materials that may otherwise be wasted.

Recycled materials must be removed on an ongoing basis. HCS cannot accumulate big piles on the site. The location of where these materials can be stockpiled is controlled by the site plans.

Once the aggregate on site has been depleted, continued importing of recyclable materials will not be permitted. Recycling operations must cease when final rehabilitation is undertaken.

Recycled materials do not pose any significant environmental risks and are encouraged to occur in pits and quarries. Recycled materials do not contain toxic materials or generate harmful leachate.

Benefits and Jobs

There is a well-established public interest in having aggregate products available from close to market locations. Aggregates are an essential resource and required to build and maintain necessary infrastructure such as roads, sewers and water supply for Wellington County and surrounding regions.

In addition to Federal, Provincial and municipal taxes, HCS pays licence fees set by the Province that are distributed to municipalities in accordance with Aggregate Resources Act regulations.

There are five full time and two seasonal jobs at the pit. Additionally, the pit provides work for truckers and material for construction projects. HCS uses local goods and services. HCS participates in a variety of local events and organizations such as the Erin Fall Fair and Hillsburgh Erin and District Soccer and would like to continue to be involved in the community.

Public Notice

There are two separate application processes currently underway which require public notice and consultation. HCS is responsible for consultation for the licence application under the Aggregate Resources Act while the Town and County are responsible for the zoning by-law and official plan amendment applications.

There are prescribed standards for consultation under both the Aggregate Resources Act and Planning Act for which HCS and the Town and County must comply with.

By attending and signing in at the public meeting or by providing written or oral comments throughout the process, you will be provided notice of future meetings. HCS has also received your comments and are working towards responding and trying to address them.

Aggregate Resources Act Review

The Province recently introduced Bill 39 for consultation which proposes to amend the Aggregate Resources Act. It was asked whether this Bill would affect the application and if there was any benefit to HCS to proceed with the application before it comes into effect.

It is not known yet the potential impacts of the Bill. All the relevant details that could affect application processes have not been released at this stage of the process. The Bill is currently in second reading at the Ontario Legislature and it is not known at this time when it may be approved or what changes may be made or when it would come into effect.

QUESTIONS FROM TOWN COUNCIL

On November 15, 2016, Councillor Duncan asked several questions about the application which were provided to HCS. Each of the questions is followed by responses.

1. *How is it the lands west of the 10th Line are Zoned but require County of Wellington and Town Official Plan Amendments? Usually Zoning has to "conform" to Official Plan designations/policies and is not in place unless the appropriate OP designation is approved. This OP application on this part of the lands is backwards from the normal situation of either the OP is in place or the planning application is to approve both the OP and the Zoning at the same time.*

The circumstance is somewhat unusual because of last minute changes to County OPA 81 that introduced an Official Plan Amendment requirement for all applications without recognizing that some unlicensed lands already have extraction zoning in place.

In this case, an Official Plan Amendment is probably not required to permit the use because the zoning is in place. However, the Concession 10 lands should be designated for extraction in the Official Plan for consistency and notice. This is why HCS applied for the Official Plan Amendment on the entire extension lands even though the zoning is in place on Concession 10. This ensures the Town and the County have the necessary applications and jurisdiction over the treatment of these lands in the County and Town Official Plans.

2. *Would the proponent (HCSL) be willing to as part of the site plan conditions to be a part of the Cornerstone Standards Council in that their aggregate product would be subject to the Certification Standards of the Council? They are similar to the Forestry Council, Fair Trade and Marine Stewardship Council. The Town's Environmental and Sustainability Committee has had a presentation from them and would ask Council if they would be interested in a brief delegation from them at a future date?*

HCS has decided not to seek certification through the Cornerstone Standards Council for the Erin Pit or the proposed extension. Cornerstone Standards Council is not a requirement for the licensing of pits and quarries and has not been endorsed by the Province.

The Cornerstone Standards Council is a voluntary certification system for aggregate extraction in Ontario. The standards for certification were released as part of a two-year pilot phase which to our understanding have not been finalized. There has been little uptake or action with respect to the certification system as only one site in Ontario has been certified (CRH Acton Quarry). It remains to be determined if there are any real environmental or community benefits of Cornerstone certification.

3. *Would the proponent be interested in proposing a non-standard large buffer zone area for the lands west of the 10th Line? Could they provide some examples of a larger setback adjacent to a residential area that is currently in place to review?*

In response to the concerns that have been raised, HCS is looking at further adjustments to setback and buffering requirements to further improve compatibility between the pit and the subdivision. A complete response package with proposed adjustments will be provided following additional meetings and discussions with residents, the Town and other government reviewers.

4. *Should any discussions on the 10th Line road allowance area also include one half of the typical buffer area that would be required to a public roadway in addition to just the roadway lands? (NOTE: Councillor Brennan asked a similar question about the tonnage within the setbacks).*

This would be determined through a specific agreement between the Town and HCS which would include the amount of aggregate available to each party and address details such as the closure, extraction and rehabilitation of the 10th Line road allowance similar to the agreement the Town entered into with Dufferin Aggregates in 2008.

At this point, the only decision that has been made with respect to the road allowance is that it can be included in the aggregate licence application. The proposed site plans state that the road allowance can only be extracted if an agreement is reached with the Town.

If the extension was approved and licensed, HCS would undertake a detailed evaluation of the resources available in the 10th Line road allowance and adjoining setbacks. This evaluation would be provided to the Town.

5. *What would be a reasonable height restriction on any stockpiled material?*

Aggregate materials would be stockpiled adjacent to the portable screen/crusher or at the relocated wash plant in the existing pit in Concession 11. The maximum height proposed is 20 m. Stockpiling can only occur on the pit floor. Stockpiling would not occur within 500 m of the subdivision.

6. *Would the proponent remove any "recycling or crushing of materials from the site plan for the lands west of the 10th Line?*

Processing of aggregate or recyclable materials including crushing is prohibited within 500 m of the subdivision to help mitigate potential noise and dust impacts. HCS is looking at further adjustments to setback and buffering requirements to further improve compatibility between the pit and the subdivision.

7. *Was Council informed of the appeal date ahead of time from the Ministry of Natural Resources that lapsed this last summer?*

The Town was notified of the licence application and the final date for objections under the Aggregate Resources Act. On June 16, 2016, the Town filed an objection to the Aggregate Resources Act application on the basis that the municipal planning process has not concluded and that the required approvals are not in place. The County filed a similar objection.

8. *Does the proponent belong to the overall aggregate industry group that is seeing the erosion of the County and Town tax base to a tune of approximately 6 million dollars County wide in tax write-offs? I will be supplying correspondence from the County Treasure Ken DeHart for our next agenda that the County has approved for public release. He is also doing a full report to County Council this winter on the matter.*

HCS understands that MPAC reached an agreement with the aggregate industry association (OSSGA) to resolve all legacy appeals and that this information was provided to the affected municipalities. MPAC also reached an independent agreement with HCS regarding its appeal of property tax valuation based on a disagreement with the land values for the Erin Pit.

NEXT STEPS

HCS is still talking to residents and will continue to meet with interested residents to discuss their concerns. As previously noted, HCS is considering adjustments to the application based on the feedback received so far. A complete response package with proposed adjustments will be provided following additional meetings and discussions with residents, the Town and other government reviewers.

HCS looks forward to continuing dialogue with the community on this important matter.

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