



**TOWNSHIP OF WOOLWICH
ENGINEERING & PLANNING SERVICES**

REPORT: E10-2011

MEETING DATE: January 11, 2011

SUBJECT

**OFFICIAL PLAN
AMENDMENT APPLICATION:**

1/2011 (C.G. Snyder Limited and Ronon Farms Inc. (Hunder Development Ltd.)

DESCRIPTION:

Crooks Tract Broken Front Concession East of Grand River Pt Lot 4 Pt Lot 5, and Pt Lot 6

LOCATION:

128 Katherine Street South and 1081 Hunsberger Road

PROPOSED OFFICIAL PLAN CHANGES:

To amend the designation on a portion of the subject lands (proposed area to be licensed) to permit the making or establishment of a pit in an area other than those defined as Mineral Aggregate Resource Area in the Regional Official Policy Plan.

LEGAL NOTICES

DATE APPLICATION RECEIVED:

October 18, 2010

DATE APPLICATION DEEMED COMPLETE

October 18, 2010

**DATE NOTIFICATION CIRCULATED TO ALL
PROPERTY OWNERS AND TENANTS WITHIN
150 METRES OF THE SUBJECT PROPERTY:**

December 18, 2010

DATE OF NEWSPAPER NOTICE:

December 18, 2010

DATE OF WEBPAGE NOTICE:

December 17, 2010

DATE OF PUBLIC MEETING:

January 11, 2011

COMMENTS

This report is presented for information only for the purpose of the Public Meeting.

The Township has received an Official Plan Amendment application from Hunder Development Ltd. on behalf of C.G. Snyder Limited and Ronan Farms Inc. for the following properties:

- 128 Katherine Street South (C.G. Snyder) described as Crooks Tract Broken Front Concession East of Grand River Pt Lot 4 Pt Lot 5. This property comprises approximately 84.5 hectares and contains a single family dwelling and farming operation.
- 1081 Hunsberger Road (Ronan Farms) described as Crooks Tract Broken Front Concession East of Grand River Pt Lot 6. The total land holdings for this parcel is approximately 82 hectares and contains a single family dwelling and farming operation.

Both properties are designated Rural Land Use and Restricted Land Use in the Township's Official Plan.

The Township Official Plan requires that the rezoning to permit a gravel extraction operation in areas other than those identified as Mineral Aggregate Resource Area in the Regional Official Policies Plan, Map 5, shall only be considered subject to an Official Plan amendment.

In April of 2010 the applicant submitted a Zone change to permit a gravel extraction operation and in May of 2010 a public meeting was held. It was determined afterward, through a detailed review, that an Official Plan Amendment was required.

Much of the land proposed to be licensed north of Hunsberger Road is outside of the identified area while the lands on the south side of Hunsberger Road are within an identified area (as per Map 5 in the Regional Official Policies Plan).

The purpose of this application is to permit the Township to consider the making or establishment of a pit on a portion of the subject lands (being the lands north of Hunsberger Road) that is outside of the area defined as Mineral Aggregate Resource Area in the Regional Official Policy Plan. The lands subject to the Official Plan application are the lands within the proposed Zone Change application 8/2009 and licensed area.

The Zone change application proposed a licensed area that will total 88.3 hectares within which the proposed extractive area will total approximately 62.1 hectares, specifically:

- Ronan Farms lands – 55.7 hectares are proposed to be licensed of which the area to be extracted will be approximately 37.1 hectares.
- C.G. Snyder lands – 32.6 hectares are proposed to be licensed of which the area to be extracted will be approximately 25 hectares.

A number of comments have been received from the public and are attached. A recommendation report will be submitted for Council's review and consideration once all representations are known and have been considered.

LIST OF ATTACHMENTS

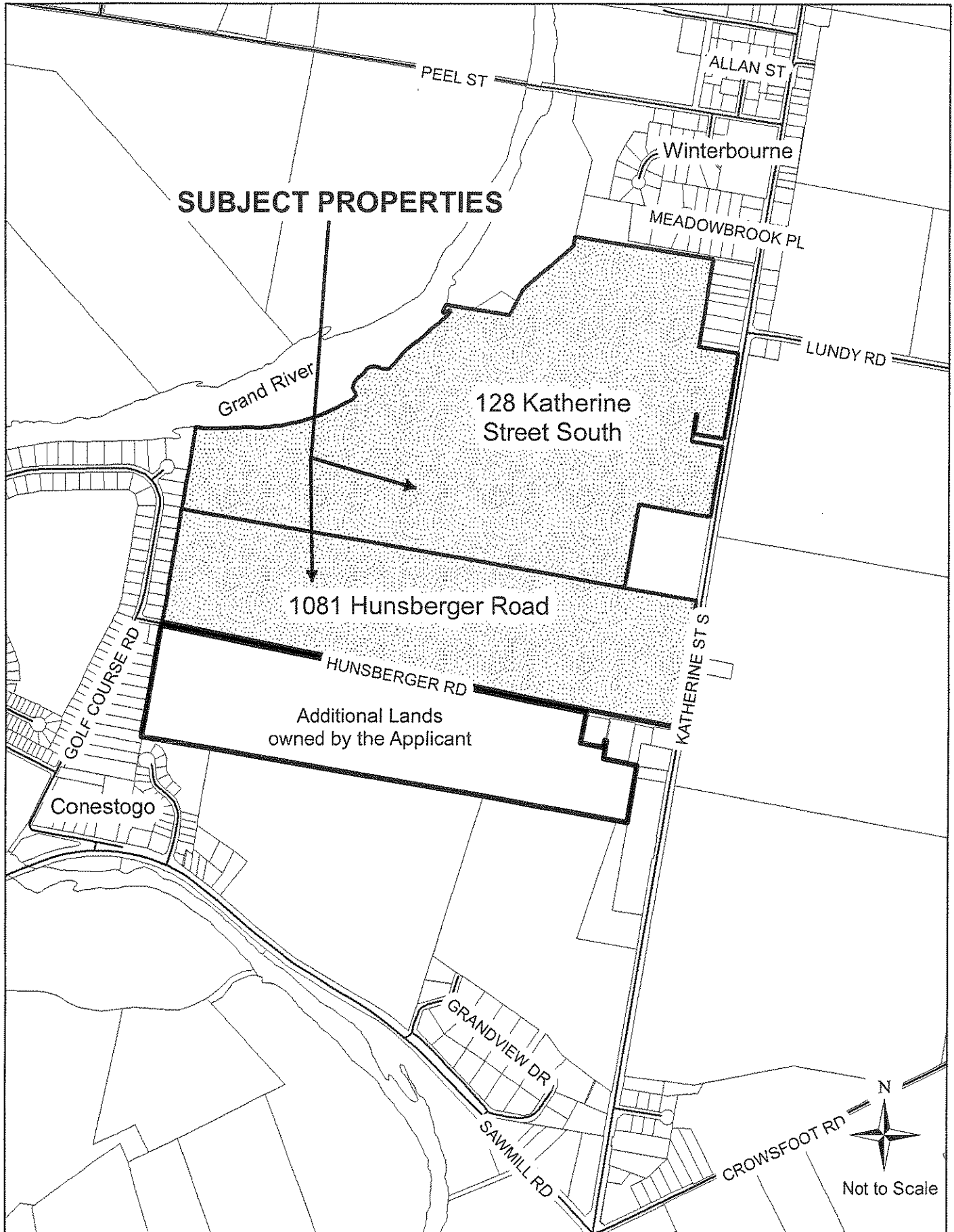
- Appendix A – Location Map
- Appendix B – Site Plan
- Appendix C – Mineral Aggregate Resource Areas
- Appendix D – Zone change notice and maps
- Appendix E – Comments received

PREPARED BY: Jeremy Vink



REVIEWED BY: Dan Kennaley





Appendix B

Official Plan Amendment Application 1/2011
C.G. Snyder and Ronan Farms Inc.

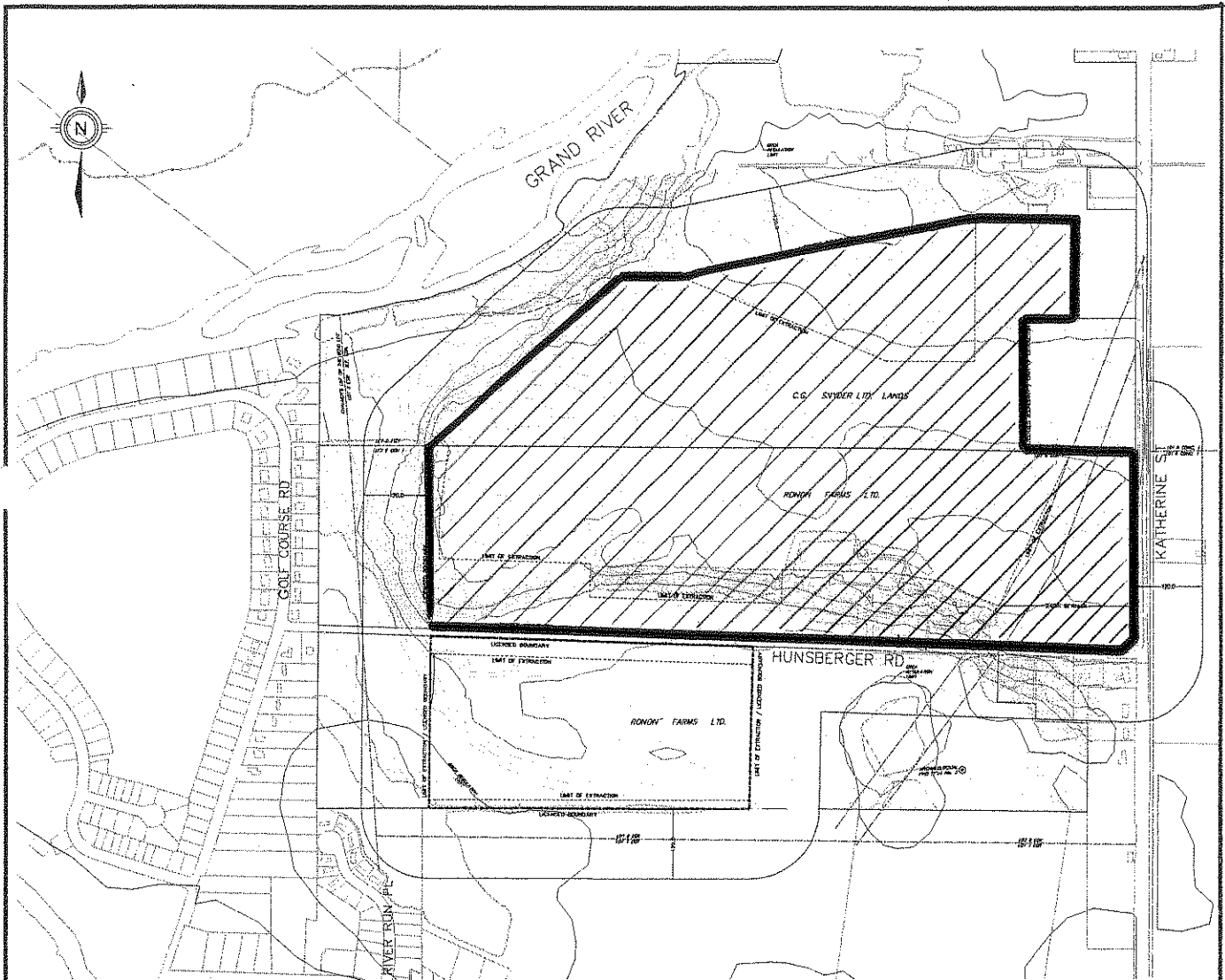
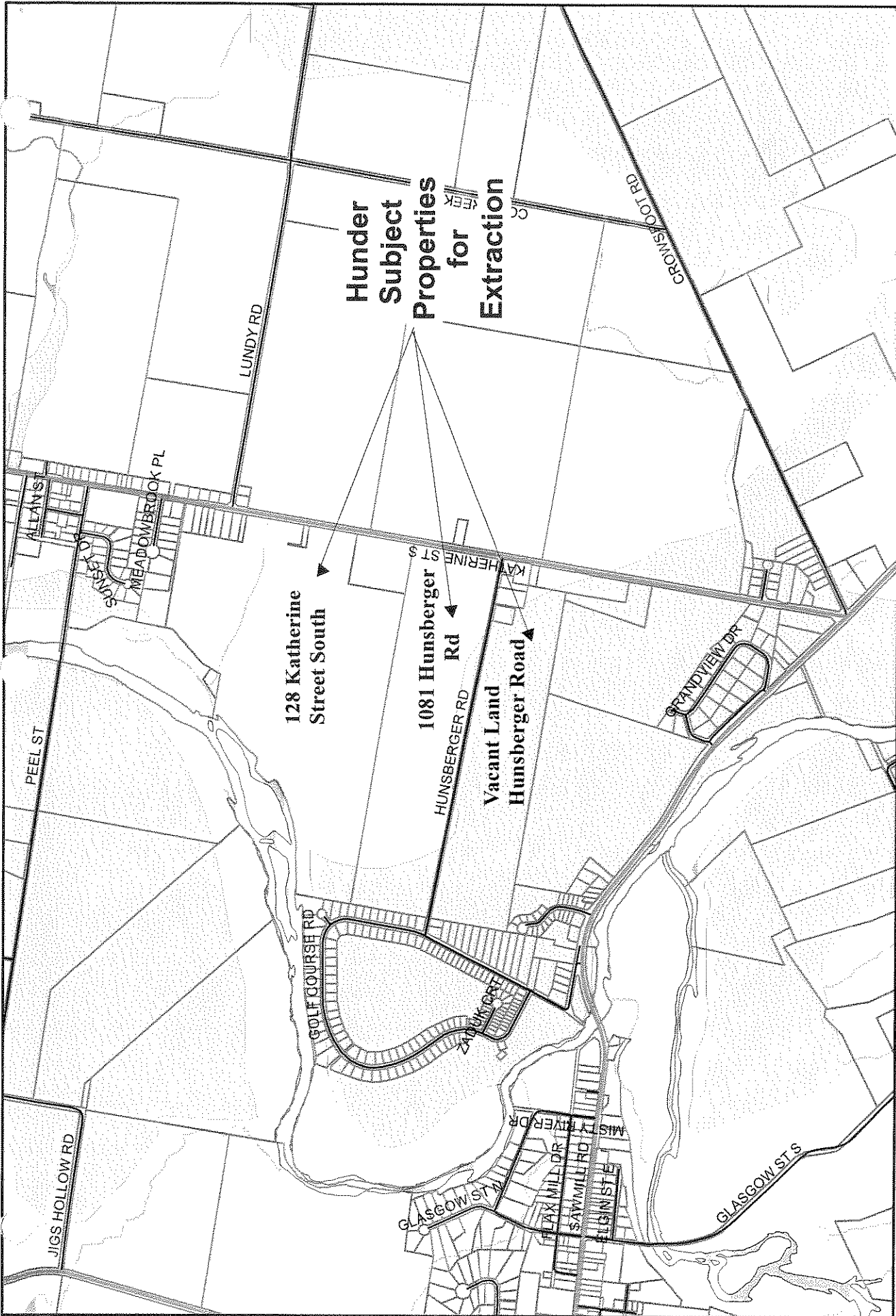


FIGURE 1
OFFICIAL PLAN AMENDMENT

HUNDER DEVELOPMENTS
PART OF LOT 5 & 6, CROOKS TRACT
SCALE 1:10 000
DATE OCTOBER 2010
PROJECT No. 19672



LAND TO BE DESIGNATED MINERAL
RESOURCE AGGREGATE AREA



Legend

- Property Boundary
- Mineral Aggregate Resources Areas

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0 155 310 620 930 1,240 Meters



TOWNSHIP OF WOOLWICH

Engineering and Planning Services, Box 158, 24 Church Street West, Elmira, Ontario N3B 2Z6

Phone: 519-669-1647 or 519-664-2613 / Fax: 519-669-4669

Webpage: www.woolwich.ca

PROPOSED ZONING AMENDMENT

Why did you receive this notice?


You have received this notice because a property owner near your residence or business has asked the Township to change the zoning on a property or use of a building.

Each time someone applies to have a building or property re-zoned for a different use, the Township follows a specific public notification process. A minimum of 20 days prior to the Public Meeting, everyone within 150 metres of the property or building to be re-zoned is notified of the following:

- ◆ date, time, location of a public meeting
- ◆ deadlines for comments
- ◆ site maps
- ◆ details of the application

The rest of this flyer contains all of the details about the application and how you can give your input. If you have any questions about the information on the front or back of this notice, please contact me at 519-669-6038 or 519-664-2613 (ext. 6038), email: jvink@woolwich.ca

April 8, 2010



Jeremy Vink
Senior Planner

PS You can find out more about the Zone Change process on the back of this notice.

APPLICANT: C.G. Snyder Limited and Ronon Farms Inc. (Hunder Development Ltd.)

LOCATION: 128 Katherine Street South, 1081 Hunsberger Road and a vacant parcel on the south side of Hunsberger Road

Your Invitation To Participate in the Zone Change Process - Here is how, when & where

The Township of Woolwich has received an application to amend (change) the Comprehensive Zoning By-law of the Township of Woolwich. The details of this application are given on the back of this notice.

The **Public Meeting** to discuss this application will be held on

**Tuesday, May 4, 2010 at 7:00 p.m.
in the Council Chambers of the Township Offices,
24 Church Street West, Elmira.**

This meeting is required by the Planning Act, 1990. At this meeting, members of Township Council will listen to any comments or presentations in favour of and/or in opposition to the application.

NO DECISION WILL BE MADE AT THIS MEETING. Its purpose is only to receive comments and information from people or agencies who are interested in the Zone Change.

MORE INFORMATION: The public may view planning documents and background material relating to these applications at the Township of Woolwich, Engineering and Planning Services Department between 9:00 a.m. and 5:00 p.m., Monday through Friday, or on the Township website at www.woolwich.ca.

Questions or written submissions may be directed to:
Township of Woolwich
Jeremy Vink, Senior Planner
Engineering and Planning Services Department
Box 158
24 Church Street West
Elmira, Ontario
N3B 2Z6

Telephone: 519-669-6038 / 519-664-2613, extension 6038 or
email: jvink@woolwich.ca



Details of the Application

Zone Change Application 8/2009
C.G. Snyder Limited and Ronon Farms Inc. (Hunder Development Ltd.)

The Township has received a Zone Change application from Hunder Development Ltd. on behalf of C.G. Snyder Limited and Ronon Farms Inc. for the following properties (see Map 1):

- 128 Katherine Street South (C.G. Snyder) described as Crooks Tract Broken Front Concession East of Grand River Pt Lot 4 Pt Lot 5. This property comprises approximately 84.5 hectares and contains a single family dwelling and farming operation.
- 1081 Hunsberger Road and a vacant parcel on the south side of Hunsberger Road (Ronon Farms) described as Crooks Tract Broken Front Concession East of Grand River Pt Lot 6. The total land holdings for these parcels is approximately 82 hectares. The property at 1081 Hunsberger Road contains a single family dwelling and farming operation.

The properties are designated Rural Land Use and Restricted Land Use in the Township's Official Plan and are zoned Agricultural (A).

The purpose of this application is to change the zoning on a portion of the subject lands from Agricultural to Extractive (see Map 2) to permit an above groundwater mineral aggregate extraction operation. The proposed licensed area will total 88.3 hectares within which the proposed extractive area will total approximately 62.1 hectares, specifically:

- Ronon Farms lands – 55.7 hectares are proposed to be licensed of which the area to be extracted will be approximately 37.1 hectares.
- C.G. Snyder lands – 32.6 hectares are proposed to be licensed of which the area to be extracted will be approximately 25 hectares.

In addition, the applicant is requesting permission to allow for the processing of material to be recycled, which will be limited to concrete and asphalt, as an accessory use within the proposed Phase 1 extraction area (located on the Ronon Farms lands north of Hunsberger Road).

Additional planning documents and background material relating to this application have been posted to the Township website at <http://www.woolwich.ca/en/newsevents/GravelPitApplications.asp>

APPEALS:

The Planning Act specifically states that the following information must be included in this notice, just as it appears in the Planning Act document itself.

Zoning Amendment

If a person or public body that files an appeal of a decision of the Council of the Township of Woolwich in respect of the proposed zoning by-laws does not make oral submissions at a public meeting or make written submissions to the Council of the Township of Woolwich before the proposed zoning by-law amendments are passed:

- a) the person or public body is not entitled to appeal the decision of the Township of Woolwich to the Ontario Municipal Board; and
- b) the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

NOTIFICATION: If you wish to be notified of additional Township public meetings or Township staff reports regarding these applications you must make a written request to Engineering and Planning Services at the Township of Woolwich at the address shown at the top of this page.

If you cannot attend the meeting, you can express your concerns/comments about the proposed change in writing to the Township of Woolwich. Any comments received on or before April 27, 2010 (Note that this date is before the public meeting) will be included in a report prepared by Engineering and Planning Services and presented at the Public Meeting. Any comments received after the Public Meeting, but prior to Council making a decision on the applications, will also be considered.

Finally, if Council approves the change, a notice will be mailed to you explaining the by-law.

The personal information accompanying your submission is being collected under the authority of the Planning Act and may form part of the public record which may be released to the public. Questions about this collection should be directed to the Records and Freedom of Information Officer at 519-669-6005 or 519-664-2613 ext. 6005.

What is a Zone Change?

Each property in the Township is designated for a certain type of land use. Industrial or residential, are examples of land use. If the property owner wants to change what the land or building is used for, they must apply to the Township to have the property re-zoned. The Township then begins the zone change process which is required by law under the Planning Act, 1990.

The process ensures that those affected by the activities on the property have the chance to express their concerns before any decisions are made. It also allows the Township to ensure all government regulations are complied with such as parking, environmental standards, traffic, and local by-laws such as noise levels.

The Planning Act lists the steps that must be taken to ensure that all issues are looked after. This notice is an example of one of the many activities that the Planning Act requires the Township to complete.

Highlights of the Zone Change Process

COMMITTEE OF THE WHOLE: After receiving and reviewing comments staff will prepare a report and recommendation for the Committee of the Whole. Committee of the Whole consists of all members of Council who sit as a Committee to hear and discuss various applications. The Committee makes a recommendation to Council which could include approving, refusing, amending or deferring the application.

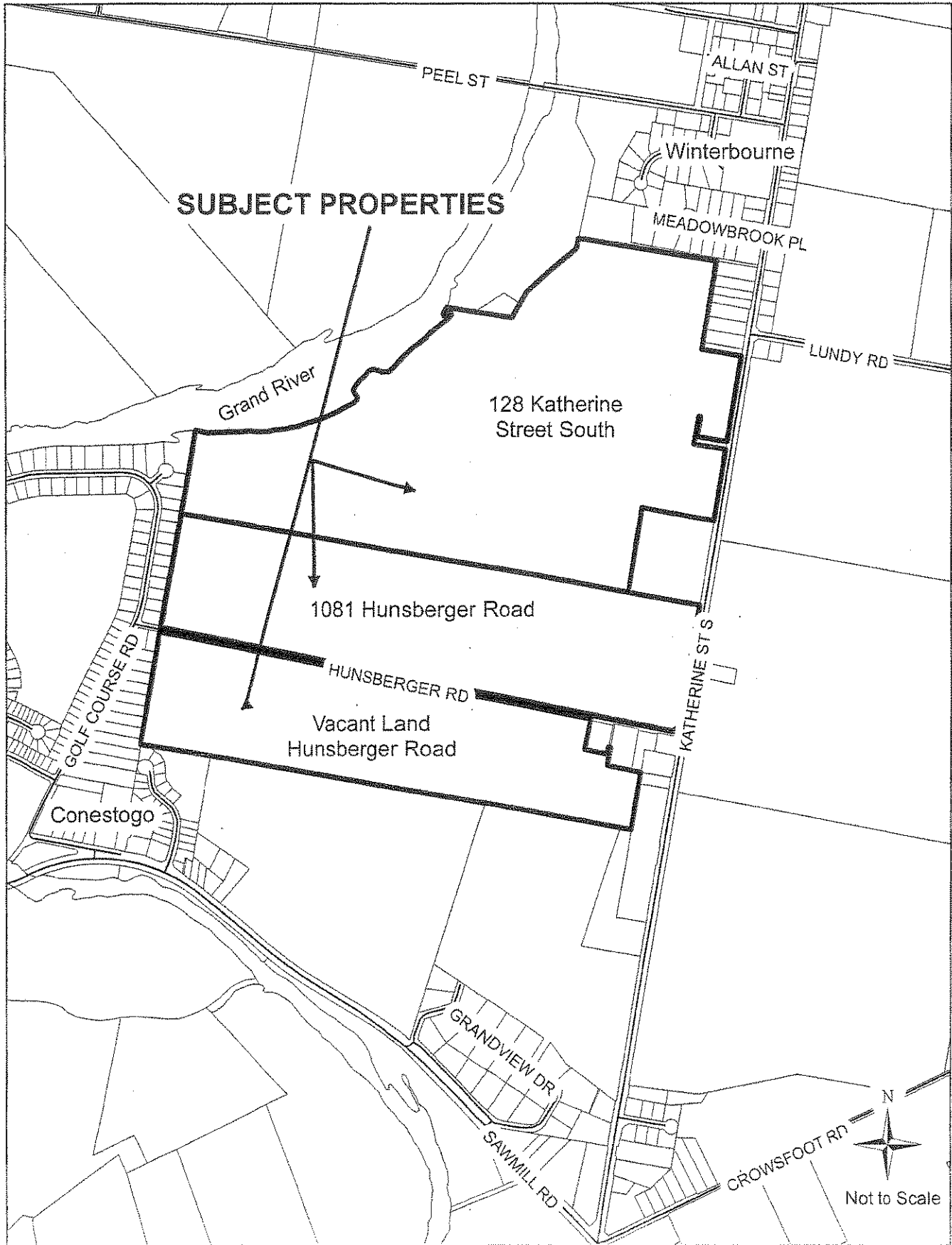
COUNCIL: Council can then approve, refuse, amend or defer the application. If the application is approved Council then passes a By-law once all conditions have been satisfied.

NOTICE OF PASSING/APPEAL PROCESS: When a By-law has been passed by Council a Notice of Passing is mailed, within 15 days, to all property owners/tenants previously circulated and those requesting notification. Anyone not in agreement with the decision made by Council may appeal the By-law to the Ontario Municipal Board within 20 days after the notice has been mailed. If no appeal is received within the allotted time period the By-law comes into effect. If Council refuses or defers the application anyone not in agreement with the decision (including the applicant) may appeal the decision to the Ontario Municipal Board within 20 days of the notice of decision being mailed.

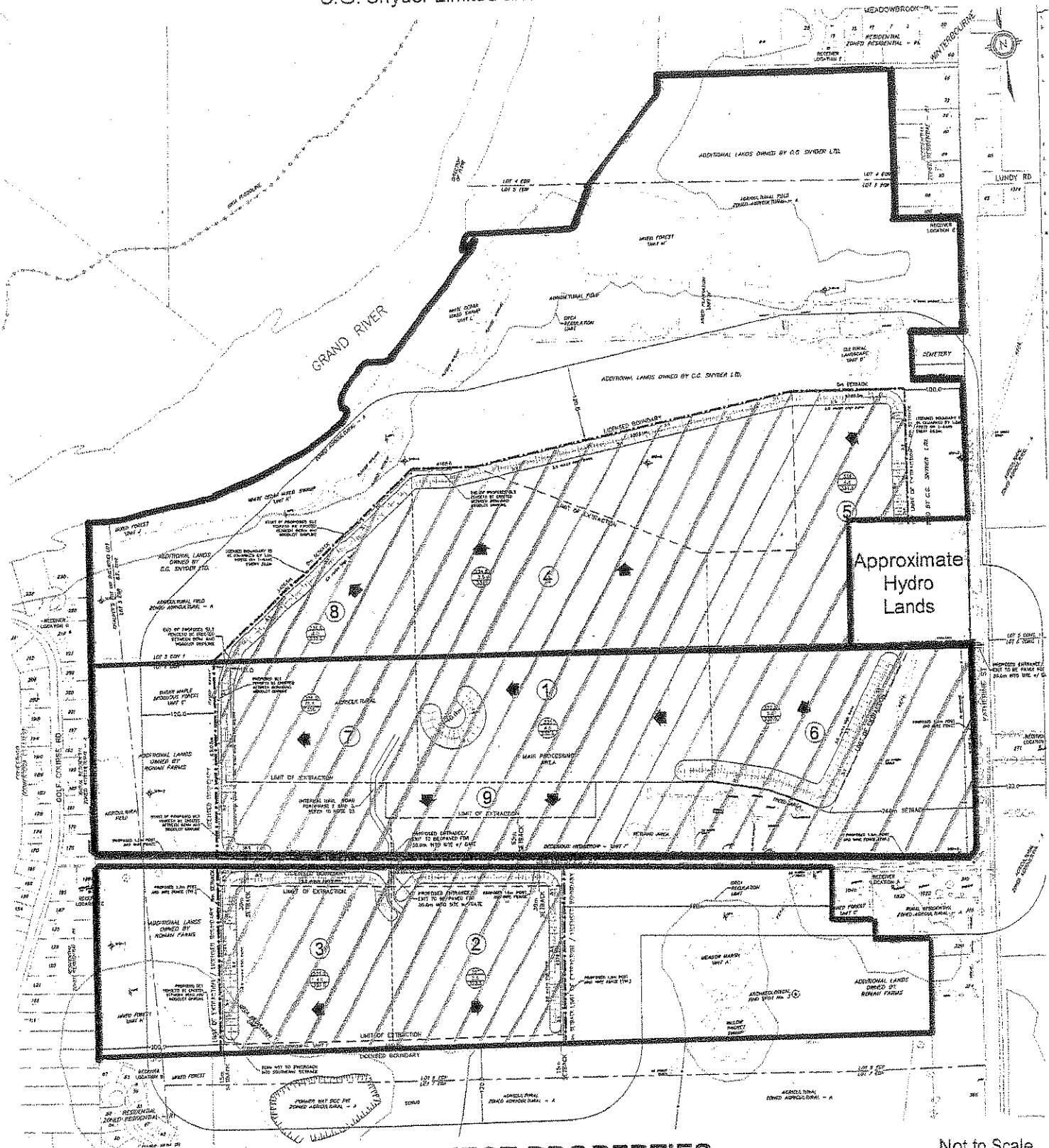
TIMING: A normal Zone Change application takes approximately three to six months to process.

For a MORE COMPLETE EXPLANATION of the re-zoning process, call us at 519-669-1647 or 519-664-2613 and ask us to mail you a copy of the easy to read brochure entitled "*A Quick and Easy Look at the Zone Change Process.*"

Map 1
Zone Change 8/2009
C.G. Snyder Limited and Ronon Farms Inc.



Map 2
 Zone Change 8/2009
 C.G. Snyder Limited and Ronon Farms Inc.



SUBJECT PROPERTIES

**PORION OF LANDS
 PROPOSED TO BE REZONED
 FROM AGRICULTURAL TO
 EXTRACTIVE**

Not to Scale

Appendix E



Township of Woolwich,

We as residents of 24 Peel St Winterbourne, Ontario would like to voice our opposition to the proposed zoning changes for 128 Katherine St South and 1081 Hunsberger Rd.

The proposed aggregate removal pit raises issues with negative environmental impact, increased large vehicle traffic, air pollution (ie. dust, smog), noise pollution (ie. large machinery) and water pollution (ie. run off, potential chemical spills). All of which we strongly feel will negatively impact the quality of life in our rural village.

***If the zoning change were to take place it is paramount that the water table be monitored closely in order to preserve our water quality and well levels. If the ground water were to become compromised by contamination or by loss of access to our wells, Hunder Development Ltd. and any affiliates must be held liable and accountable for compensation and access to potable water for any and all residents affected in the village of Winterbourne Ont or elsewhere.

Sincerely,

Kevin Dosman and Sandra Klein

Two handwritten signatures in black ink. The signature on the left is for Kevin Dosman, and the signature on the right is for Sandra Klein. Both signatures are cursive and stylized.

Rick and Della Strooboscher
230 Golf Course Rd.
Conestogo ON N0B 1N0



December 27, 2010

RE: Proposed Official Plan Amendment, C.G. Snyder Limited and Ronan Farms Inc.
(Hunder Development Ltd.)

To the Council of Woolwich Township,

Please accept this letter as our objection to the proposed amendment on the following grounds:

1. Given that the Township of Woolwich recently approved the Kuntz Pit Application, no study has been done to evaluate the cumulative impact of two gravel pits on the neighbouring area. It is imperative that noise, dust, traffic and water studies be re-done to evaluate these new levels.
2. The ARA section 12(1) states, "In considering whether a licence should be issued or refused, the Minister or the Board, as the case may be, shall have regard to,
(a) the effect of the operation of the pit or quarry on the environment;
(b) the effect of the operation of the pit or quarry on nearby communities;"

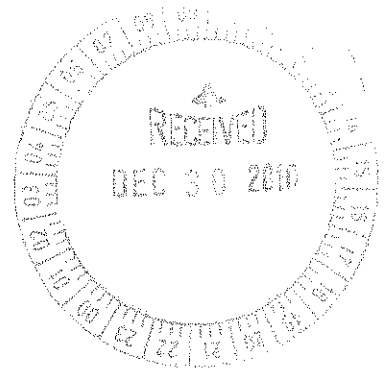
The site in question borders on residential communities in Conestogo and Winterbourne. Extensive hours of operation, digging, crushing, truck engines and traffic (to name just a few) all contribute to negative social impacts on a community. Dust, the pit's proximity to a valuable water source, a fueling station, and asphalt and concrete recycling all pose risks to the environment.

3. The Township's Aggregate Resources Policy section 11.1.f.ii states that the township must consider "the impacts of the proposed pit or quarry on adjacent land uses and has concluded that the need for the use of the specific site for sand and gravel extraction outweighs the impacts associated with it..." The applicant has not demonstrated a need for aggregate and has thus not provided a study to prove that the need outweighs the negative impacts associated with it. We object to this application's further consideration.
4. This is a rural residential community. Things such as aggregate sites simply do not keep in character with this community. While it is not incumbent upon objectors to provide alternatives, certainly there are other sites "close to market" (where the need has been demonstrated) that do not border on residential areas. One needs not drive far to discover the potential. By granting this proposed amendment, the Township (in particular the communities of Conestogo and Winterbourne) stands to lose much; too few people stand to gain anything.

Respectfully,


Della and Rick Strooboscher

Jeremy Vink
Senior Planner, Engineering & Planning Services
Township of Woolwich
P.O. Box 158
24 Church Street West
Elmira, ON N3B 2Z6



Wendell Prime
126 Grandview Drive
Conestogo, ON N0B 1N0
2010 12 22

Dear Mr. Vink,

REF: Proposed Official Plan Amendment – 128 Katherine Street South and 1081 Hunsberger Road

I have concerns with possible noise and traffic problems that may arise with the proposed development that I expressed in a letter to Diane Schwier, Ministry of Natural Resources dated 2009 05 12 with a copy to Hunder Development. My concerns were reiterated in a letter to David Sisco, IBI Group dated 2010 04 09 with copies to Hunder Development, the Office of the Mayor, Woolwich Township and Diane Schwier. However as noted in these letters I do not object to the development of gravel pits in our township.

Rather than objecting to and delaying gravel pit development I think that we should move forward quickly. The longer that development is delayed the greater the population within Woolwich will be and the potential for more objections is increased. Aggregates are required commodities that could bring needed tax revenue. This industry can be operated cleanly with no long term pollution. There will be some noise and traffic concerns which should be dealt with openly and with as much meaningful control as the province will allow.

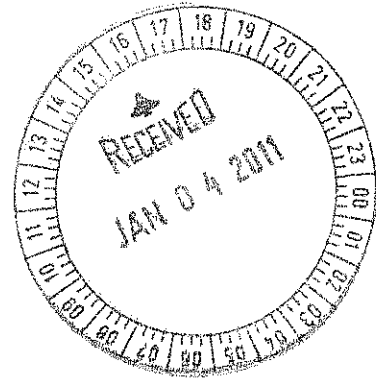
Once the township has enforceable controls in place I would encourage our administration to actively promote the early development of as many sites as reasonable. The development license should provide for rapid extraction with a subsequent expeditious reclamation of the site. The site then should be furthered developed as appropriate.

Sincerely,

A handwritten signature in cursive script that reads "Wendell Prime".

Wendell Prime

Marion Burtenshaw
237 Golf Course Road
Conestogo, ON N0B 1N0



January 1, 2011

Mr. Jeremy Vink, Senior Planner,
Engineering and Planning Services Department,
Box 158, 24 Church Street West,
Elmira, ON N3B 2Z6

Dear Mr. Vink:

C. G. SNYDER LIMITED AND RONAN FARMS INC.
128 Katherine Street South and 1081 Hunsberger Road

I am writing to you regarding the proposed *Hunsberger Gravel Pit* in Woolwich Township.

In my original response to the above zone change development, I pointed out that this proposed gravel pit was located between two residential *rural* communities, both of which have elementary schools, and was, therefore, for this reason alone, incompatible with the existing land use. This argument still stands; a development of this nature in this location is inconceivable from a planning point of view. The noise, dust, traffic and safety impact to the communities of Winterbourne and Conestogo would be devastating.

The question of traffic impact on our communities remains a significant problem. Both the village of Conestogo and Winterbourne have elementary schools and 50 kmh restrictions. Also, the Crowsfoot Corner is a particularly dangerous intersection which will only become more hazardous with the addition of gravel trucks entering and exiting from Katherine Street. Have the foresight to prevent more serious accidents in this intersection and say no to this development!

Since I have been a resident of this community, I have seen the traffic increase significantly in the village, especially during the morning and evening rush hours. This increase in traffic necessitated the installation of traffic lights at the corner of Sawmill Road and Northfield Road (previously a flashing light was installed). It appears that traffic from Guelph to the North End of Waterloo and St. Jacobs crosses the Grand River at Conestogo Bridge. This increases the flow during peak hours and would be greatly exacerbated by the addition of 18 trucks per hour (one every 3.3 minutes) using these roads. There are already numerous gravel trucks using this route from the Heidelberg Pit. As you are aware, the impact of another potential pit on Jigs Hollow road would only double the amount of trucks and further add to this chaotic scenerario.

The Township of Woolwich has allowed and indeed encouraged a great deal of new residential development in and around these two small communities and we appreciate their foresight in recognizing these communities as desirable "bedroom" communities to Kitchener/Waterloo. We also appreciate the relationship we have with the existing Mennonite communities in our areas.

Woolwich Township is a unique and picturesque part of our Province which needs to be protected and nurtured; not damaged and denigrated just so that the greed of a few individuals is achieved only by the suffering of many.

I therefore wish to be deemed an objector under the Aggregate Resource Act and request the Township to do the same..

Sincerely,

Marion Burtenshaw
c.c. Keri Vrabanac, CWRA

Alan Burtenshaw
237 Golf Course Road
Conestogo, ON N0B 1N0

January 1, 2011

Mr. Jeremy Vink, Senior Planner,
Engineering and Planning Services Department
Box 158
24 Church Street West,
Elmira, ON N3B 2Z6

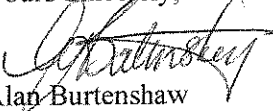
Dear Mr. Vink:

C. G. SNYDER LIMITED AND RONAN FARMS INC.
128 Katherine Street South and 1081 Hunsberger Road, Township of Woolwich

Please accept this letter of objection to the proposed pit at the above noted address in the Township of Woolwich. I object to this application for the following reasons:

1. The application for a gravel pit in this location is inconceivable. It is surrounded on three sides by residential communities, by three elementary schools, connecting roads through three villages, and a regional road which is already the preferred route from existing gravel pits outside of Hawksville.
2. The impact of this proposal being imposed on Township residents who have come to live in this area because of its quiet rural charm is devastating. Not only is this development not in keeping with the Townships original intent to develop rural communities in a safe and picturesque environment, it is a threat to the health and safety of the residents.
3. As a resident of this community I am earnestly requesting the Township of Woolwich to disallow this application. These properties should remain rural in keeping with the surrounding areas. We all rely on community or individual wells in these surrounding communities, a gravel pit so close to these areas could have a devastating effect on the quality and quantity of this valuable resource.
4. Before you make a decision which you will regret for the next 20 or more years, please consider the following: (a) the health of our residents, b) the safety of our children, c) the impact to our roads, to our communities and to our local Mennonite way of life, and d) the beauty of this unique rural area of Woolwich Township. For all of these reasons and many more too numerous to mention, I ask you to deny this application.

Yours Sincerely,


Alan Burtenshaw

c.c. CWRA, attn: Keri Vrbanac

January 1, 2011

Mr. Jeremy Vink
Senior Planner
Township of Woolwich
BOX 158, 24 Church St. West
Elmira, ON, N3B 2Z6

SENT VIA EMAIL: jvink@woolwich.ca

RE: Proposed Official Plan Amendment by Hunder Developments

Dear Mr. Vink:

We are writing to comment on the above proposal and to voice our strongest opposition to this totally inadequate and inappropriate proposal. As a way of background and to give perspective, we live on Hunsberger Road and will be surrounded by the subject proposal and will be directly facing the extraction area.

Before getting into the details of our opposition, I thought it would be helpful to review some of the basic principles that this application must be considered in light of, namely the Townships Official Plan (OP). As you well know, the Township's OP is to "guide the future growth and development" in the Township. In addition, the OP contains the essential values, goals and vision of the Township regarding development in the Township. Indeed the OP points out that "Interpretations of the policies in this Plan are the responsibility of Township Council." In short, the OP must be followed when considering any potential zone change and the council is responsible for ensuring this is followed.

With regards to the values and goals of the Township, the Township has a responsibility to: “the residents of the agricultural lands and to the protection and preservation of these lands for food production; “.

The proposed application will take 90 hectares of prime agricultural land in the Township out of production for an indefinite period of time. While it is proposed to rehabilitate this land for agricultural use post extraction, we can find no examples in the province in which a former aggregate extraction area has returned to a production level equivalent to that prior to the extraction. This is in direct contravention of the OP in which policies are put into place “to protect and preserve the Rural Land Use area and severely restricts the use of these areas for any purpose other than for the production of food.”.

In addition, the OP states one of its key goals is “To preserve, protect and encourage the continued use of agricultural areas for agricultural purposes.” (Ch. 4) This proposal will do exactly the opposite. Also, in the OP chapter on economic policy it states: “The Township establishes throughout the Plan and particularly under Rural Land Use, firm policies for the protection and preservation of lands designated Rural Land Use for food production and that any other uses of these lands will be severely restricted.” Going ahead with this proposal will be in contravention of this section of the OP as well.

As a last point regarding agricultural production, even the OP chapter on aggregate (11) states that: aggregate extraction “...shall only be considered in accordance with the foregoing and after Council is satisfied:

- i. that there are no viable alternative sites where the required resource can be obtained in areas not considered to be Prime Agricultural Areas;
- ii. that Council has considered the impacts of the proposed pit or quarry on adjacent land uses and has concluded that the need for the use of the specific site for sand and gravel extraction outweighs the impacts associated with it,

including its impact on the continued operation of adjacent lands for food production;”

The proposed aggregate extraction area is situated on two farms which straddle Hunsberger Road, with most of this area north of Hunsberger Road. The OP states that aggregate extraction will only be considered in areas identified as: “Mineral Aggregate Resource Areas as illustrated on Map Number 5 of the Regional Official Policies Plan”. However, very little of the proposed extraction areas are identified in this map as Mineral Aggregate Resource Areas and none of the areas north of Hunsberger Road are.

Surrounding the proposed gravel pit are three well established settlement areas: Conestogo, Winterbourne and Crowsfoot Corner. Most of these have seen additional residences approved in the past several decades, presumably with compatibility with surrounding land uses in mind. This proposal will have a significant impact on these entirely residential areas with increased levels of dangerous truck traffic, noise and dust. A gravel pit this close to residential communities is quite simply inconsistent with proper planning. Indeed the OP states that: with regard to aggregate extraction that they: “... shall only be considered in accordance with the foregoing and after Council is satisfied:

- i. that there are no viable alternative sites where the required resource can be obtained in areas not considered to be Prime Agricultural Areas;
- ii. that Council has considered the impacts of the proposed pit or quarry on adjacent land uses and has concluded that the need for the use of the specific site for sand and gravel extraction outweighs the impacts associated with it, including its impact on the continued operation of adjacent lands for food production;”

Nowhere in the application does the proponent consider alternative sites nor do they consider the need outweighs the impacts on the adjacent land uses, i.e. the three residential communities surrounding the proposed aggregate extraction.

We will leave it to others to address the specifics regarding concerns about noise and dust but suffice to say we have concerns regarding these issues.

As a family relying like many on private wells we are concerned about the inadequacy of the hydrogeological work done in support of this proposal. We have read the responses from the proponent's consultants, however these seem to consist only of promises to dialog with the peer reviewer and the Township and do not provide substantial responses to earlier concerns. Nor can we cannot find the promised follow up report on the Township's website – if this exists could you please forward this to us.

We repeat here our earlier concerns regarding the hydrogeologic work.

Hydrogeologic Study

1. It would appear that the elevation of the existing water table is based on a few (5) wells that have been in for a number of years and only two readings (to August 2008) from the set of wells installed most recently. Since this is an above the water table application, more work needs to be done to accurately determine the maximum elevation of the water table and base this on not just a few readings taken in the summer. The report also indicates that the water table fluctuations are not extreme (3 m) but there are substantial variations at many of these wells according to their data with recorded variations of up to 2.3 m – this suggests more data and analysis is required to determine the elevation of the maximum water table over the site so that the minimum elevation of the pit bottom can be established for an above the water table application.
2. The groundwater modeling contained in the memo of the Hydrogeological study needs clarification and more work to make the results usable. For example, it uses a highly sophisticated model (Modflow-Surfact) but does little to demonstrate it can actually replicate existing conditions. Neither model calibration nor verification seems to have been completed and until this is done

the results must be considered unreliable. Using an expensive model with poor input data and no calibration can only lead to results that are of limited or questionable value. The report needs to demonstrate that, for example, that the model results in the February 3, 2009 memo match the conditions measured in the field at the existing wells. If the model cannot be demonstrated to be able to reproduce the existing conditions, its ability to predict what is going to happen under the proposed development is nil. Other items in the model that need to be addressed before the results can be reliably used include:

- a. What is the precipitation data being used? Is it average over a long period of time? Data for one particular year? The report is unclear and this may change the results and conclusions.
 - b. Is evaporation and evapo-transpiration included in the analysis? This is important as it may represent up to 50% of the precipitation that potentially reaches groundwater. The consultants should know that the model has the capability to carry out this analysis. How will this change when the area moves from primarily agriculture to being devoid of any vegetation? The report is silent on this important issue as well.
 - c. The head boundary conditions on the east side of the site are vague – details are required to assess their adequacy. The head boundary conditions on the river side are specified as being 1.0 m above the river bottom. Was this measured? (Clearly they have not been in this part of the river since it is rarely this deep.) How much will this affect the results once the correct values are used?
 - d. How close to the actual measured water levels and variations in the wells does the model reproduce? If the model can reproduce water levels close to those measured in the wells, the model may have some reliability, if it cannot do this, the results cannot be relied upon.
3. There are over 50 private wells in the area close to the proposed pit and these are not given nearly enough consideration given their critical importance to those relying on them for their water. The report suggests that since the work will all be

above the water table, and since the limited modeling work suggests little change to the water table, that the wells are going to be unaffected. What they fail to acknowledge is that the proposed pit is likely above the areas that contribute water to many of these wells and that the removal of up to 10 m of soil is removing one of the important protections for these wells. This issue of where these wells get their water needs to be more thoroughly addressed.

4. The report recommends monitoring 5 of the private wells for water quality. Given the large number of these wells, and the limited information collected so far, this should be expanded to monitoring every well within 100 m of the license boundary to provide adequate protection to these well owners. In addition, with the proposal including the provision for the storage of recycled road material on site, these private wells need to be monitored before the application proceeds not just for simple water quality parameters but also all those types of contaminants that might come from petroleum based wastes such as might be found in this recycled materials.
5. The proposed pit will be over part of the protection zone for the nearby Regional well and the approach to the protection of this well is unacceptable. As noted in the report by the proponent the pit area will be on top of a Sensitivity 2 WPA for this well, this is the second highest sensitivity level the report seems to suggest that by not changing the water table in this area that this is sufficient evidence to say the well is protected. What they do not seem to understand or want to acknowledge is that they are removing the overburden which is protecting this well. This well head protection area is intended to be managed to protect the well and removing the overburden does exactly the opposite. Also, in this area the haul road from extraction zones 2 and 3 will run right over the well head protection area. This adds further risks to the well as not only is the protective overburden removed, the potential for spills is increased.

Finally, we find it hard to believe the comments regarding traffic. In particular, safety concerns at the Crowsfoot Corner will only be exasperated by the additional dozens of additional trucks per day at this dangerous intersection. We would suggest that the

consultant, instead of staying in their office and using clearly inappropriate traffic models for this highly unique intersection to report their assessment, that they simply drive through the intersection at the peak rush hour and school bus times of the day and year to calculate adding fully loaded gravel trucks to this traffic. We have no doubt they would change their opinion on the adequacy of this intersection.

To summarize, we are strongly opposed to this proposal in its present form. This opposition is based on its clear deviation of the goals, vision and values clearly articulated in the Township's Official plan. Values which we share and invested in when moving to this area. The loss of prime agricultural land, inappropriate location in the middle of three well established settlement areas and the lack of justification all go against the stated goals in the OP. Finally, while considerable work has been done on the part of the proponent to demonstrate the minimal impacts of the gravel pit, at the very least the hydrogeological and traffic studies do little to give us assurances that the impacts of the proposed gravel pit would be anything other than major impacts on our community. We strongly encourage you to turn down this proposal.

Yours truly,

A handwritten signature in black ink, appearing to read "Doug and Cathy Joy". The signature is fluid and cursive, with a large initial "D" and "C".

Doug and Cathy Joy
1030 Hunsberger Road