



THE TOWNSHIP OF

## WOOLWICH

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July 26, 2010

Ron Davidson  
Land Use Planning Consultant  
265 Beattie Street  
Owen Sound, Ontario  
N4K 6X2

Dear Mr. Davidson:

**RE: Comments to Application – Zone Change 13/2008**  
**(D & J Lockhart) Proposed Middlebrook Road Pit Expansion**

Township staff have reviewed your submission for Zone Change application for the property identified as Part Lots 72 and 73 GCT for D & J Lockhart to change the Agricultural Zoning to Extractive on a portion of the property to allow for the expansion of the gravel pit on the subject property. In this context, we require the following comments with respect to the various reports submitted in support of the application to be addressed.

#### Geological Resources

- The reports and test pit information do not provide any details on how the amount of aggregate available to be extracted was determined. Please provide details in this respect.

#### Transportation

- The existing paved entrance has substantial cracking at the edge of pavement joint with Middlebrook Road and with additional truck traffic the joint will continue to deteriorate. The joint is to be milled to remove all cracking and repaved with a minimum 40 mm of HL3 hot asphalt.
- The report identifies +/- 75 metres of haul road to be tar and chipped or paved prior to Middlebrook Road to mitigate dust issues. This needs to be identified on the plan. The existing asphalt portion of the entrance at Middlebrook is approximately 15 metre in length.
- Provide additional truck turning signs on either side of the entrance +/- 10 metres from the entrance. The signs are to be in accordance with the provincial regulations for mandatory uniform traffic control signage (M.U.T.C.)

#### Environmental

- No issues, beyond those already identified by MNR and GRCA.

#### Visual

- The Reports refer to the proposed berm, especially the berm to be constructed at the south end of the site as a noise and visual berm. Nowhere in the report or on the drawings are details provided to the exact height and how the height addresses such

issues. Provide an explanation of how the berm will address these issues along with a proposed height.

- What is the purpose of the two berms proposed to the north and east?
- At which point in the process will the berms be created?
- Reference is made to visual from Katherine Street, however, it does not speak to whether the dwellings on Katherine Street would be impacted. Please identify and address the impacts to these properties.

#### Cultural Heritage

- No comments. Township staff have not required a Cultural Heritage study and acknowledge that the proposed pit and the area do not fall within any of the proposed CHL's boundaries for the area.

#### Water Resources

- Section 11.11.9 of the Township Official Plan requires that prior to approval "b) an identification of water resources ... shall determine, based on an appropriate amount and duration of historical data, the appropriate water table and buffer for the purposes of determining the elevation of the pit floor" is required. The Township is not satisfied that the required information (amount of wells sites and duration of monitoring) has been provided and as such the Township shares the Hydrogeological concerns raised by the Region. The Township will be looking to discuss this issue with the Region and the Region's consultant to find ways to resolve this lack of data. In this context consider:
  - Monitoring pits are proposed to ensure the pit remains 1.5 metres above the existing ground water. Details around the use and operation of the monitoring pit are not provided. Should the ground water table fluctuate during the extraction process how will you ensure the 1.5 metre coverage, i.e., how will depth be adjusted, and how often will the pit be monitored? When will the monitoring pit be dug in the process? Operational Plan should include Best Management Practices and procedures for the Monitoring Pits. Logs should be maintained and copies provided to the Township as required. As a minimum the Township will require an annual report on depth of the ground water table as noted from the Monitoring Pits.
  - The report identifies that extraction will not occur below or near the water table. Information provided by ARL Groundwater Resources Ltd. estimates the elevation of the ground water table and refers to test pits dug in November 2007. Southern Ontario had experienced drought conditions from 1997 to 2007; with 2007 experiencing the most sever drought conditions. The elevation of the water table within the proposed pit will need to be reconfirmed to ensure that the proposed extraction area does not impact the water table and neighbouring wells.
  - All water table test pits are to be fenced and maintained in a secure manner until the test pit is no longer required at which time the test pit is to be filled in and restored to the finished surface grade for gravel pit. Test pit restoration information needs to be identified on the plan.
- Similar to the above, the Township has concerns in regard to the hatched area in the southwest corner of the site where no extraction is to occur until such time as the elevation of the water table is determined. Without adequate information to support the extraction of the area, zoning to allow the same is questionable. As such the Township shares the Region's comments and concerns, and the Township will also be discussing this issue further with the Region and the Region's consultant.

- Section 11.11.9 (c) of the Township Official Plan, regarding fuel storage and handling, requires addressing the impacts of fuel storage and potential contamination from the same. The Township shares the Regions concerns in respect also. Details on where and how fueling will take place are required, how to mitigate potential impacts, along with testing and best management practices must be identified.
- Test Pit Summary, uses a Test Pit elevation for pit 1 of 334.4 mASL, this appears to be an error and should read 344.5 mASL.
- Water table depth of 339 for the area of Test Pit 1 would be at the base of the test pit, however no water was encountered. Explain?
- No details on neighboring wells are provided and potential impacts thereto. An artesian well at Line 86 should also be considered.

#### Noise

- Upon the excavation becoming fully operational (the timing of which must be agreed upon) the operator will complete monitoring/testing that will serve to confirm predicted noise levels and report back to both the MNR and the Township with the results along with any further required mitigation measures.
- If a change in the operation occurs, such as the addition or relocation of a portable crushing plant, that may affect the noise environment, the operator will be required to provide the noise environment, the operator will be required to provide monitoring / testing and report back in a timely fashion to both the MNR and the Township with the results along with any required mitigation measures.
- In the event that a complaint regarding noise is received to the MNR and/or the Township, we require that the operator complete monitoring/testing and report back to both the MNR and Township with the results along with any required mitigation measures in a timely fashion.

#### Dust/ Air Quality

- For control of Dust and Air Quality provide a Best Management Plan to identify sources and controls for dust and air quality concerns and make reference to the Best Management Plan in the ARA site plans.
- Confirm if a Certificate of Approval is required for any operations on site (i.e., crushing etc). If one is required the applicant is required to apply and receive the necessary certificates prior to operation. Copies of the same should be provided to the Township. Provide a reference on the ARA plans to this effect as necessary.
- The Operational Plan must be amended to include the recommendations in the report Dust/Air Quality Report. To ensure the regulations are complied with a daily log should be maintained.
- Revise the Operational Plan to reflect that the processing equipment must be equipped with dust suppressing or collection devices.
- The Operational Plan does not reflect the recommendation in the dust study about periodic sweeping / flushing of Middlebrook Road.
- Truck traffic in the Dust study (page 4) should be "approximately 4 trucks" not "2 to 4".
- Though the MOE is not directly involved in land use planning, MOE has realized that many environmental issues can result due to incompatible land uses. The MOE has developed a series of guidelines to be used when a change in land use is proposed. Specifically, the MOE has developed guidelines to minimize or prevent adverse effects through the use of buffer zones. The guidelines and procedures focus on the use of separation distances from the proposed facility to the sensitive land uses. It is the

proponent's responsibility to determine the zone of influence for the facility. Specifically, Procedure D-1-1 requires the proponent to evaluate the severity of the impacts both before and after mitigation. In the absence of site-specific studies (D-6), the MOE recommends that pits and quarries be treated as a Class III industrial facility and that the potential influence area and minimum separation distances for such a facility be used in land use planning. Class III facilities are defined as facilities having a high probability of fugitive emissions. For Class III facilities, the MOE has identified the potential influence area, wherein adverse effects may occur, to be 1000 m. Even with mitigation, the MOE suggests a minimum separation distance of 300 m. It is important to note, that in this guideline, the MOE recommends that these distances be measured from property line to property line, not from specific source to residential building. This is not specifically and directly addressed in the report recommendations, however, indirectly the reports address these concerns and no issues are anticipated.

- Copies of all logs should be made available when required by the Township, and a summary report provided to the Township once a year noting any complaints, etc. A note in the site plans must be provided to this effect.

#### Land Use

- The plans notes that topsoil may be brought in and resold. This information is not noted anywhere in the any of the reports or applications, nor does it explain the operations proposed and the area required. Please remove references in this respect.
- Address how and when the Extractive Zoning will be removed from the existing pit and the proposed pit.

#### Site Plans

- The hours of operation must be revised to reflect the hours permitted in the Township's noise by-law. This is an issue we are continuing to review where we may consider more limited hours of operation.
- Revisions to the hours of operation should be reflected in any corresponding and associated calculations.
- "Operations" need to be defined on the site plan as including all activities including berm construction and the stripping of topsoil.
- Show the proposed haul road on the site plans.
- Height of stock piles shall is not to exceed the height of the berms. Add a note to the Operational Plan in this regard.
- Comments specific to Operational Plan (Sheet 2 of 3)
  - Note 10 to identify that all topsoil piles are to be vegetated. Temporary topsoil piles are to have silt fencing around the base.
  - Note 12 identifies a "minimum 2:1" slope for topsoil and overburden stockpiles and the note should be "maximum 2:1".
  - The plan does not illustrate how existing drainage patterns from lands located to the west will be maintained through or around the proposed pit expansion.
  - Note 14 should be revised to reflect that topsoil must be same depth or greater than it was prior to excavation, sufficient for farming operations and not just to support a grass legume mixture.

General Comments

- Noise and dust/air quality rely on the residence on the property being occupied by the property owner and license owner. The plans must make a note to this effect and the dwelling shall not be rented to another party for the duration of the extraction license.
- Detailed yearly reports should be provided to the Township on all functions of the pit and its operations.
- Although no additional fencing is propose, fencing is required along the lot line abutting the trail (former rail line) location to restrict unauthorized access.

The Township understands the applicant also operates another operation on Line 86 in the vicinity of the subject site, which is nearly depleted. Please provide details on this operation and its timing for rehabilitation. Also, provide assurances that this other site will not operate as a base of operation for the subject application.

It is also noted that although technical issues may be addressed to the extent possible that the Township staff will need to determine, whether and under what conditions (including cumulative impacts), we can recommend the application to Council.

If you have any questions or comments please feel free to send those in writing to the undersigned.

Yours truly,



Jeremy Vink MCIP RPP  
Senior Planner

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