



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

Second Public Meeting

Monday, March 23, 2015 at 6:30 p.m.

Kenilworth Public School Gymnasium, Kenilworth

AGENDA

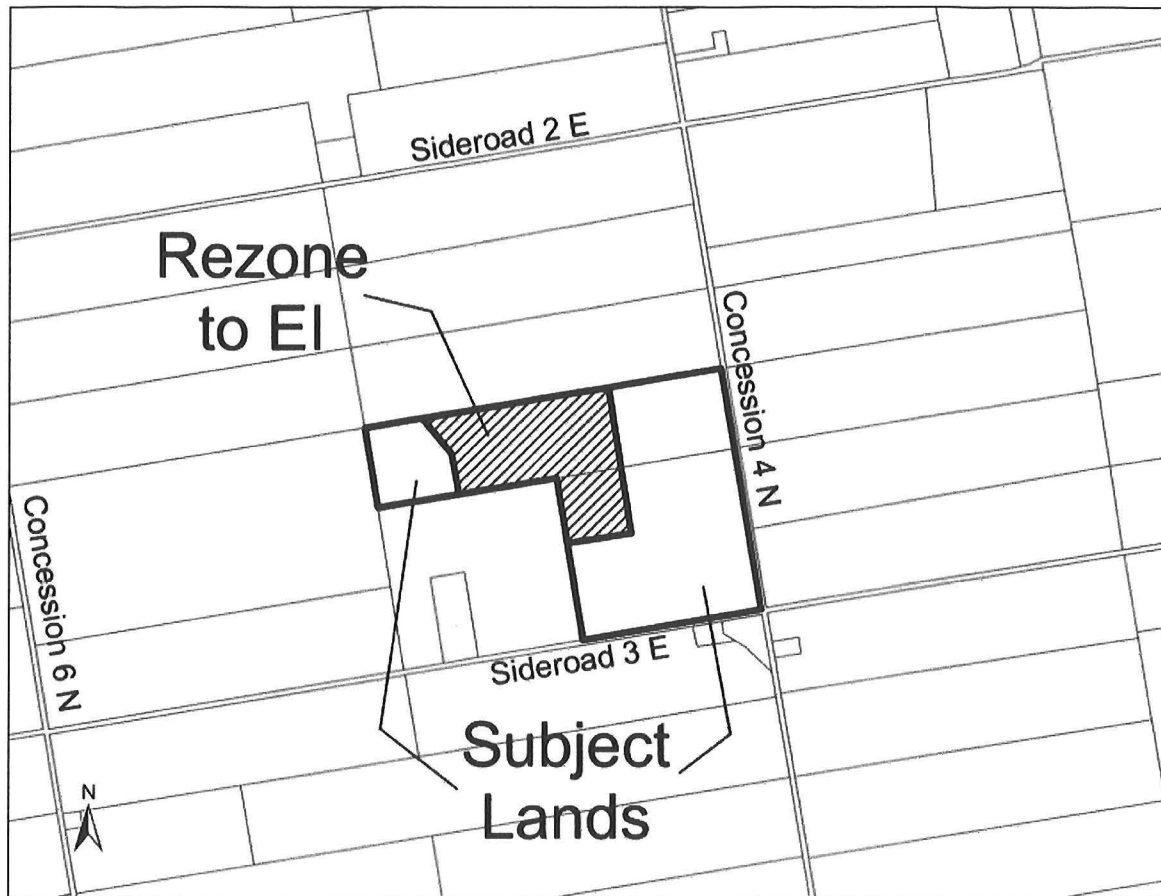
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AGENDA ITEM	PAGE NO.
<p>The Mayor will call the meeting to order.</p> <p>Declaration of Pecuniary Interest.</p> <p>Owners/Applicant: Alette Holsteins Ltd. and H. Bye Construction Ltd.</p> <p>The Purpose and Effect of the Applications The purpose is to amend Schedule A6 of the County Official Plan by adding a Mineral Aggregate Area overlay to a 24.5 hectare area of the subject lands, within an existing Prime Agricultural designation. The proposed Zoning By-law Amendment will rezone the 24.5 ha area of lands from Agricultural (A) to Extractive Industrial (EI). This will permit development of a gravel pit operation pursuant to the Aggregate Resources Act, on the subject property.</p> <p>Location of the Subject Land The amendments relate to parts of Lots 5 and 6, Concession 5 in the Township of Wellington North (former Arthur Township). This land is located in the northeast part of the Township and has a municipal address of 7572 Sideroad 3 E and 9458 Concession 4N. These properties are owned by Alette Holsteins Ltd. who has entered into an extraction agreement with H. Bye Construction Ltd.</p> <p>Power of OMB to Dismiss Appeals If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Wellington before the proposed Official Plan amendment is adopted, or Township of Wellington North before the proposed Zoning By-law amendment is passed, the person or public body is not entitled to appeal the decision of the County of Wellington or the Council of the Township of Wellington North to the Ontario Municipal Board.</p>	1A

AGENDA ITEM	PAGE NO.
<p>If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Wellington before the proposed Official Plan amendment is adopted, or Township of Wellington North before the proposed Zoning By-law amendment is passed, 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 do so.</p>	
<p>1. Notice for this second public meeting was sent to property owners within 120 m, persons who requested notice in writing and required agencies on March 9, 2015.</p>	
<p>2. Application for Zoning By-law Amendment</p>	2
<p>3. Minutes from the June 23, 2014 Public Meeting</p>	11
<p>4. Presentations by:</p> <ul style="list-style-type: none"> - Linda Redmond, Senior Planner - See attached comments. 	23
<p>5. Review of Correspondence received by the Township for the June 23, 2014 Public Meeting:</p> <ul style="list-style-type: none"> - Candace Hamm, Environmental Planning Coordinator, SVCA - Further clarification is required. - Erik Downing, Environmental Planning & Regulations, SVCA - Recommends deferral. - Brenda Sztuczka, 7649 Sideroad 3 East - Gravel pit is not a good idea. - Gerald Booi, 9592 Concession 4 North - Objection. - Brett McHugh, 9391 Concession 4 North - Objection. - Victoria McHugh, 9391 Concession 4 North - Concerned. - Bonnie Littley, 9567 Concession 4 North - Requesting notification. 	29
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AGENDA ITEM	PAGE NO.
- Wendy Schill, 7819 4 th Line, RR 2, Wallenstein, ON - Concerned.	40
- Arlene Muckart, 7302 Sideroad 3 East - Concerned.	41
- Louise Hopkins, 9471 Concession 4 North - Concerned.	43
6. Review of Correspondence received by the Township following the June 23, 2014 Public Meeting:	
- Greg and Carla Smith, 7698 Sideroad 2 East - Objection	46
- Cynthia Baltoumas, 7760 Sideroad 2 East - Concerned.	49
- Gordon Flewwelling, Wellington Federation of Agriculture - Does not support.	51
7. Review of Correspondence received by the Township for the Second Public Meeting:	
- Erik Downing, Environmental Planning & Regulations, SVCA - Requires further information.	53
- L. L. Sober, Senior Ecologist, SPL Consultants Ltd. - Natural Heritage Response	55
- Dave Marriott, District Planner, Ministry of Forestry and Natural Resources - No further concerns.	82
- Erik Downing, Environmental Planning & Regulations, SVCA - No objection.	83
- Brian Milne, H. Bye Construction Ltd. - Response to concerns raised at June 23, 2014 Public Meeting.	85
- Gerald and Joanne Booi, 9592 Concession 4 North - Objections	92

AGENDA ITEM	PAGE NO.
- Michael Givens, CAO, Township of Wellington North - Options for Councils consideration.	93
- Erik Downing, Environmental Planning & Regulations, SVCA - No objection.	96
8. The by-law will be considered at a future regular council meeting. Persons wishing notice of the passing of the By-law must submit a written request.	
9. Mayor opens floor for any questions/comments.	
10. Comments/questions from Council.	
11. Adjournment.	



Alette Holsteins Ltd.

- Parts of Lots 5 and 6, Concession 5 in the Township of Wellington North (former Arthur Township)

GRADING AND EXCAVATING
LOADING AND HAULING



CONCRETE AND MASONRY
GENERAL CONTRACTING

FAX: 1-519-323-4993

RECEIVED

BOX 189, MOUNT FOREST, ONTARIO N0G 2L0

MAR 29 2014

March 26, 2014

TWP. OF WELLINGTON NORTH

Township of Wellington North
7490 Sideroad 7 West, P.O.Box 125
Kenilworth, On N0G 2E0

Attn: Darren Jones

Please find enclosed a Zoning By-Law Amendment Application for Part of Lots 5 & 6, Concession 5, Geographic Township of Arthur, Township of Wellington North, County of Wellington. I've included 3 copies which include the required drawings, a copy of the registered deeds for the subject lands, and the complete mailing list of the neighbours. The additional materials also include three copies of each of the following:

Executive Summary,
Hydrogeological Assessment,
Ministry of Culture Stage 1 and 2 Archaeological Assessments,
Natural Environment Technical Report,
Fisheries Report, and
Site Plans.

The necessary application fee is enclosed.

An application for an OPA has also been made with the County of Wellington.

If you have any comments or questions, please advise the undersigned or Bruce Fulcher at bfulcher@hotmail.com or by cell at 519-321-9051.

Yours truly,

Randy Bye
President

Enclosures

CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Application for Zoning By-law Amendment

Application No.: _____

A. THE AMENDMENT

1. TYPE OF AMENDMENT? Site Specific Other _____

2. WHAT IS THE PURPOSE OF AND REASONS FOR THE PROPOSED AMENDMENT(S)?

TO REZONE PART OF LOTS 5 & 6, CON 5
ARTHUR TOWNSHIP FROM AGRICULTURE TO
EXTRACTIVE INDUSTRIAL ZONE.

B. GENERAL INFORMATION

3. APPLICANT INFORMATION

a. Registered Owner's Name(s): ALLETTE HOLSTEINS LTD.

Address: R.R. #6 MOUNT FOREST, ON N0C 2L0.

Phone: Home (519) 323-4096 Work (519) 323-7954 Fax () _____

Email: _____

b. Applicant (Agent) Name(s): BRUCE A. FULCHER.

Address: 411199 SONDHAGE SQ 41, MOUNT FOREST N0C 2L0

Phone: Home (519) 323-2099 Work (519) 321-9051 Fax () _____

Email: bafulcher@hotmail.com.

c. Name, Address, Phone of all persons having any mortgage charge or encumbrance on the property:

i. _____

ii. _____

iii. _____

d. Send Correspondence To? Owner Agent Other _____

e. When did the current owner acquire the subject land? 15 YEARS AGO

4. WHAT AREA DOES THE AMENDMENT COVER?

the "entire" property

a "portion" of the property

(This information should be illustrated on the required drawing under item G of this application.)

5. PROVIDE A DESCRIPTION OF THE "ENTIRE" PROPERTY:

- a. Municipal Address: 7572 SIDEROAD 3E + 9458 CONCESSION 4N
- b. Concession: 5 Lot: A Lots 5+6 Registered Plan No: _____
- c. Area: 80.9 hectares Depth: 914.4 meters Frontage (Width): 662.9 meters
 Area: 200 acres Depth: 3000 feet Frontage (Width): 2175 feet

6. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A "PORTION" OF THE PROPERTY:

- a. Area: 24.5 hectares Depth: 724 meters Frontage (Width): 470 meters
 Area: 60.5 acres Depth: 2375.3 feet Frontage (Width): 1542 feet

7. WHAT IS THE CURRENT COUNTY OF WELLINGTON OFFICIAL PLAN DESIGNATION OF THE SUBJECT PROPERTY?

PRIME AGRICULTURAL AREA.

8. LIST LAND USES THAT ARE PERMITTED BY CURRENT OFFICIAL PLAN DESIGNATION

AGRICULTURAL USES, INCLUDING AGGREGATE EXTRACTION.

9. WHAT IS THE CURRENT ZONING OF THE SUBJECT PROPERTY AND WHAT USES ARE PERMITTED?

AGRICULTURAL ZONE.

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

10. WHAT IS THE "EXISTING" USE(S) OF THE SUBJECT LAND?

AGRICULTURAL.

11. HOW LONG HAS THE "EXISTING" USE(S) CONTINUED ON THE SUBJECT LAND?

12. WHAT IS THE "PROPOSED" USE OF THE SUBJECT LAND?

AGGREGATE EXTRACTION AND AGRICULTURAL USES

13. PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS OR STRUCTURES ON THE SUBJECT LAND:

(Please use a separate page if necessary.)

	Existing	Proposed
a. Type of building(s) or structure(s)	<u>RESIDENCE</u>	<u>NONE.</u>
b. Date of construction	<u>SPRING 2013</u>	_____
c. Building height	<u>5.5 (m) 18 (ft)</u>	_____ (m) _____ (ft)
d. Number of storey's (excluding basement)	<u>1</u>	_____
e. Total floor area	<u>156.8 (sq m) 1688 (sq ft)</u>	_____ (sq m) _____ (sq ft)
f. Ground floor area	<u>156.8 (sq m) 1688 (sq ft)</u>	_____ (sq m) _____ (sq ft)
g. Distance from building to the:		
i. Front lot line	<u>18.3 (m) 60 (ft)</u>	_____ (m) _____ (ft)
ii. Side lot line	<u>259.1 (m) 850 (ft)</u>	_____ (m) _____ (ft)
iii. Side lot line	<u>385.6 (m) 1265 (ft)</u>	_____ (m) _____ (ft)
iv. Rear lot line	<u>563.9 (m) 1850 (ft)</u>	_____ (m) _____ (ft)
h. Percent lot coverage	<u>3.9 (%)</u>	_____ (%)
i. Number of parking spaces	<u>2</u>	_____
j. Number of loading spaces	<u>NA</u>	_____

D. EXISTING AND PROPOSED SERVICES

14. WHAT IS THE ACCESS TO THE SUBJECT PROPERTY?

Provincial Highway [] Continually maintained municipal road [] Right-of-way []
 County Road [] Seasonally maintained municipal road [] Water access []

15. WHAT IS THE NAME OF THE ROAD OR STREET THAT PROVIDES ACCESS TO THE SUBJECT PROPERTY?

SIDEROAD 3E AND CONCESSION 4N

16. IF ACCESS IS BY WATER ONLY, PLEASE DESCRIBE THE PARKING AND DOCKING FACILITIES USED OR TO BE USED AND THE APPROXIMATE DISTANCE OF THESE FACILITIES FROM SUBJECT LAND TO THE NEAREST PUBLIC ROAD.

(This information should be illustrated on the required drawing under item G of this application.)

N/A

17. INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL

	Municipal Sewers	Communal Sewers	Private Septic	Municipal Water	Communal Well	Private Well
a. Existing	[]	[]	[<input checked="" type="checkbox"/>]	[]	[]	[<input checked="" type="checkbox"/>]
b. Proposed <u>N/A</u>	[]	[]	[]	[]	[]	[]

18. HOW IS THE STORM DRAINAGE PROVIDED?

a. Storm Sewers [] Ditches [] Swales [] Other means (explain below) []

E. OTHER RELATED PLANNING APPLICATIONS

19. HAS THE CURRENT OWNER (OR ANY PREVIOUS OWNER) MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?

a. Official Plan Amendment	Yes	[<input checked="" type="checkbox"/>]	No	[]
b. Zoning By-law Amendment	Yes	[<input checked="" type="checkbox"/>]	No	[]
c. Minor Variance	Yes	[]	No	[]
d. Plan of Subdivision	Yes	[]	No	[]
e. Consent (Severance)	Yes	[]	No	[]
f. Site Plan Control	Yes	[]	No	[]

20. IF THE ANSWER TO QUESTION 19 IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:

	<u>ZONING</u>	<u>OPA</u>
a. File No. and Date of Application:		<u>CURRENT</u>
b. Approval Authority:	<u>WELLINGTON NORTH</u>	<u>COUNTY OF WELLINGTON</u>
c. Lands Subject to Application:	<u>PT LOT 6, CONS</u>	<u>PT LOTS 5 + 6 CON 5</u>
d. Purpose of Application:	<u>RE ZONING</u>	<u>OPA - AGGREGATE</u>
e. Status of Application:	<u>APPROVED</u>	<u>PENDING</u>
f. Effect on the Current Application for Amendment:	<u>NONE</u>	<u>LINKED</u>

F. OTHER SUPPORTING INFORMATION

21. PLEASE LIST THE TITLES OF ANY SUPPORTING DOCUMENTS:

(E.G. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report, etc.)

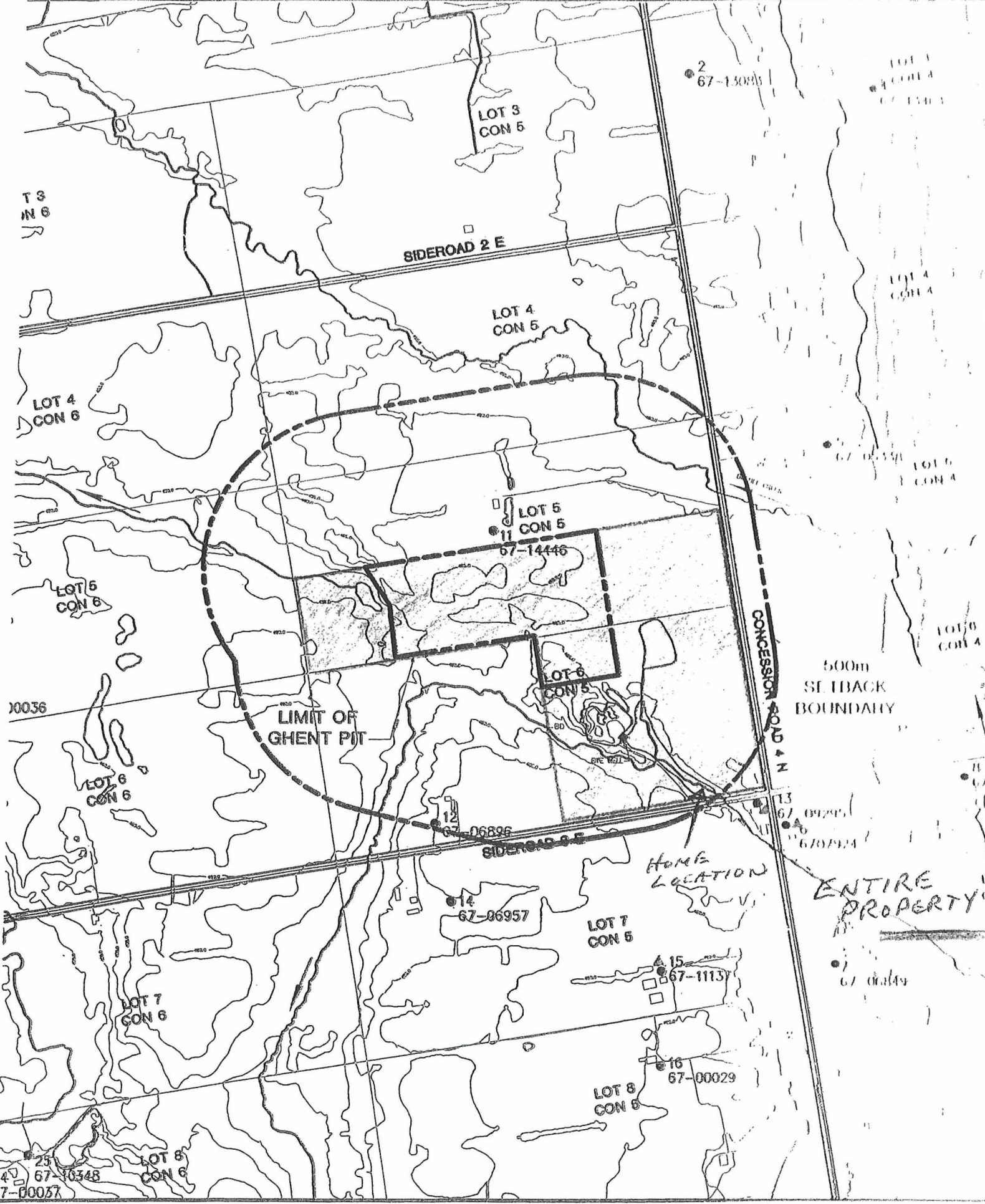
HYDROGEOLOGICAL STUDY, NATURAL ENVIRONMENTAL
LEVEE 1+2; FISHERIES REPORT, STAGE 1+2 ARCHAEOLOGICAL
ASSESSMENTS.

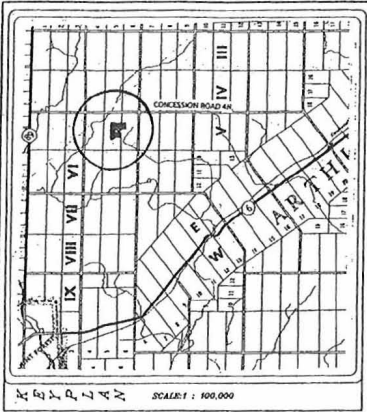
G. APPLICATION DRAWING

22. PLEASE PROVIDE AN ACCURATE DRAWING OF THE PROPOSAL, PREFERABLY PREPARED BY A QUALIFIED PROFESSIONAL. IN SOME CASES IT MAY BE MORE APPROPRIATE TO SUBMIT ADDITIONAL DRAWINGS AT VARYING SCALES TO BETTER ILLUSTRATE THE PROPOSAL. THE DRAWING MUST INCLUDE THE FOLLOWING:

- a. Owners' / applicant's name;
- b. Legal description of property;
- c. Boundaries and dimensions of the subject property and its current land use;
- d. Dimensions of area of amendment (if not, the entire property);
- e. The size and use of all abutting land;
- f. All existing and proposed parking and loading areas, driveways and lanes;
- g. The nature of any easements or restrictive covenants on the property;
- h. The location of any municipal drains or award drains;
- i. Woodlots, forested areas, ANSI's, ESA's, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc);
- j. The dimensions of all existing and proposed buildings and structures on the subject land and their distance to all lot lines;
- k. The name, location and width of each abutting public or private road, unopened road allowance or right of way;
- l. If access to the subject land is by water only, provide the location of the parking and docking facilities to be used;
- m. Other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, wells, septic systems, springs, slopes, gravel pits); and
- n. The drawing should also include the scale, north arrow and date when the drawing was prepared.

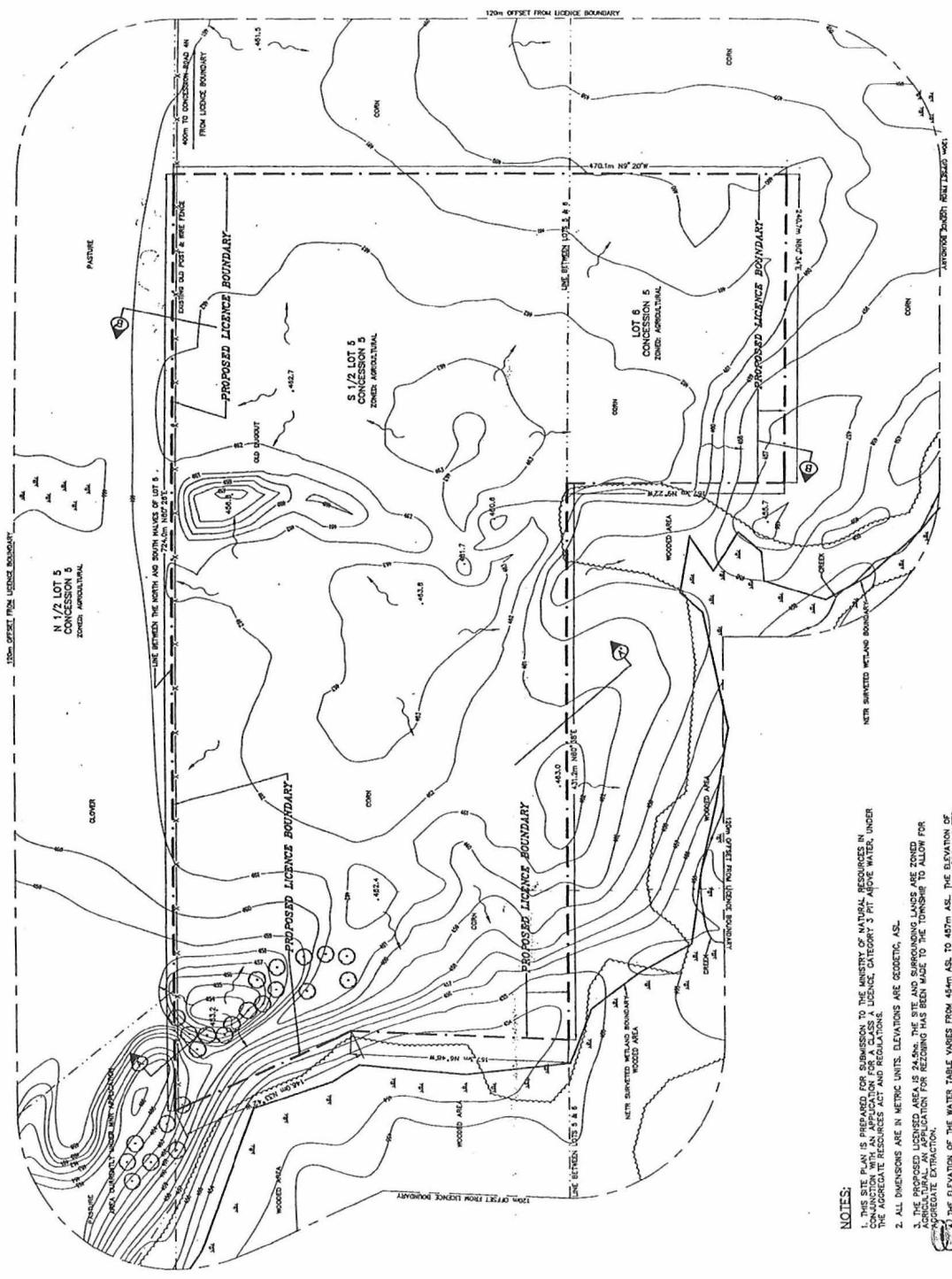
LIMIT OF GHENT PIT FOR WELL RECORDS





LEGEND:

- PROPOSED LICENCE BOUNDARY
- 120m OFFSET FROM LICENCE BOUNDARY
- 120m OFFSET FROM FIRE FENCE
- 120m OFFSET FROM WETLAND BOUNDARY
- LOT LINE
- SPOT ELEVATION
- 1m CONTOUR
- 5m CONTOUR
- DECIDUOUS TREE
- CONIFEROUS TREE
- WET AREA
- METR SANITIZED WETLAND BOUNDARY
- ENTRANCE / EXIT
- CREEK



H. BYE CONSTRUCTION LTD.
 315 Church Street North, Mount Forest, Ontario, N0G 2L0

GHEMT PIT
 Part Lots 5 & 6, Concession 5
 Township of Wellington North (Formerly Arthur Township)
 COUNTY OF WELLINGTON

EXISTING FEATURES
 DRAWING 1 of 3
 SCALE: 1:10000



- NOTES:**
1. THIS SITE PLAN IS PREPARED FOR SUBMISSION TO THE MINISTRY OF NATURAL RESOURCES IN ACCORDANCE WITH THE AGGREGATE RESOURCES ACT AND REGULATIONS. LICENSE CATEGORY 3 PIT ABOVE WATER, UNDER THE AGGREGATE RESOURCES ACT AND REGULATIONS.
 2. ALL DIMENSIONS ARE IN METRIC UNITS. ELEVATIONS ARE GEODETIC A.S.L.
 3. THE PROPOSED LICENCE BOUNDARY FOR RESIZING HAS BEEN MADE TO THE TOWNSHIP TO ALLOW FOR APPROPRIATE EXTRACTION.
 4. THE ELEVATION OF THE WATER TABLE VARIES FROM 45.0m A.S.L. TO 42.0m A.S.L. THE ELEVATION OF THE WATER TABLE WAS DETERMINED ON THE HYDROLOGICAL REPORT BY GANESY AND MANJUNATH LIMITED, 2010.
 5. REFERENCE WAS MADE TO ONTARIO BASE MAP 10 17 5250 48550 AND TO THE WELLINGTON COUNTY ONLINE INTERACTIVE MAPPING.
 6. SEE DRAWING 2 OF 3, PROGRESSIVE REDRAWING AND FINAL REDRAWING PLANS FOR CROSS-SECTION A-A AND B-B.

H. AUTHORIZATION FOR AGENTS / SOLICITOR TO ACT FOR OWNER:

(If affidavit (I) is signed by an Agent / Solicitor on Owner's behalf, the Owner's written authorization below must be completed)

I (we) ADAM CHENT of the _____ of _____,

County/Region of _____ do hereby authorize Bruce Fulcher to Act as my agent in this application.

SEE ATTACHED
Signature of Owner(s) I HAVE THE AUTHORITY TO BIND THE CORPORATION. Date _____

I. AFFIDAVIT:

(This affidavit be signed in the presence of a Commissioner)

I (we) Bruce Fulcher of the TWP of Southgate,

County/Region of GREY solemnly declare that all the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the TOWNSHIP of WELLINGTON NORTH, County/Region of WELLINGTON this 26th day of MARCH, 2014.

Bruce Fulcher
Signature of Owner or Authorized Solicitor or Authorized Agent

Mar 26 / 14
Date

Brian Douglas
Signature of Commissioner

March 26 / 2014
Date

JUSTICE OF THE PEACE
PROVINCE OF ONTARIO

APPLICATION AND FEE OF \$ _____ RECEIVED BY MUNICIPALITY

Signature of Municipal Employee

Date

LETTER OF AUTHORIZATION

Alette Holsteins Ltd. hereby authorize Bruce A Fulcher (the Agent) to act as our representative for all planning issues as they relate to Part Lots 5 & 6, Concession 5 (in the Geographic Township of Arthur) , Wellington North Township, County of Wellington..

MAR 19/14
Dated:


Alette Holsteins Ltd.

I have the authority to bind the corporation.

Adam G. Hent

Printed Name

ADAM G. HENT

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, June 23, 2014

The Public Meeting was held Monday, June 23, 2014 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to present and receive input regarding proposed amendments to the County of Wellington Official Plan and the Township of Wellington North Zoning By-law.

Present:

Mayor: Raymond Tout
Councillors: Sherry Burke
Mark Goetz
Andy Lennox
Dan Yake

Also Present:

C.A.O./Clerk: Michael Givens
Deputy Clerk: Catherine More
Executive Assistant: Cathy Conrad
Township Planner: Linda Redmond
Chief Building Official: Darren Jones
Treasurer: Paul Dowber
Director of Recreation, Parks & Facilities: Barry Lavers
Fire Chief: Dave Guilbault

Mayor Tout called the meeting to order.

Declaration of Pecuniary Interest:

None declared.

Owner/Applicant: Alette Holsteins Ltd. and H. Bye Construction Ltd.

The Purpose and Effect of the Applications

The purpose is to amend Schedule A6 of the County Official Plan by adding a Mineral Aggregate Area overlay to a 24.5 hectare area of the subject lands, within an existing Prime Agricultural designation. The proposed Zoning By-law Amendment will rezone the 24.5 ha area of lands from Agricultural (A) to Extractive Industrial (EI). This will permit development of a gravel pit operation pursuant to the Aggregate Resources Act, on the subject property.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

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Location of the Subject Land

The amendments relate to parts of Lots 5 and 6, Concession 5 in the Township of Wellington North (former Arthur Township). This land is located in the northeast part of the Township and has a municipal address of 7572 Sideroad 3 E and 9458 Concession 4 N. These properties are owned by Alette Holsteins Ltd. who has entered into an extraction agreement with H. Bye Construction Ltd.

Power of OMB to Dismiss Appeals

If a person or public body does not make oral submissions at a public meeting or make written submissions to the **County of Wellington** before the proposed **Official Plan amendment** is adopted, or **Township of Wellington North** before the proposed **Zoning By-law amendment** is passed, the person or public body is not entitled to appeal the decision of the County of Wellington or the Council of the Township of Wellington North to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the **County of Wellington** before the proposed **Official Plan amendment** is adopted, or **Township of Wellington North** before the proposed **Zoning By-law amendment** is passed, 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 do so.

1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on May 30, 2014.
2. Presentations by:

Linda Redmond, Senior Planner, presented her comments dated June 18, 2014

The purpose of this report was to provide the Township with an overview of the Official Plan application and provide the comments received to date to facilitate the public meeting. Further, this statutory public meeting provided an opportunity for the community and area residents to ask questions and seek more information from the proponent and their consultants.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

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The lands subject to the amendment are located at Part Lot 5 & 6, Concession 5 with municipal addresses of 7572 Sideroad 3 and 9458 Concession 4 N. The property is located in the northerly part of the Township approximately 6 km east of Mount Forest. These properties are owned by Alette Holsteins who have entered into an extraction agreement with H. Bye Construction Ltd.

The proposal is for a Category 3 (1.5 metres above the water table), Class "A" gravel pit. The purpose is to amend Schedule A6 of the County Official Plan by adding a Mineral Aggregate Area overlay to a 24.5 hectare area of the subject lands, within an existing Prime Agricultural designation.

The proposed Zoning By-law Amendment will rezone the 24.5 ha area of lands from Agricultural (A) to Extractive Industrial (EI). This will permit development of a gravel pit operation pursuant to the Aggregate Resources Act, on the subject property.

The site plan indicates that the area to be licensed is approximately 24.5 ha., and the area to be extracted is 21.8 ha. The proposed zoning excludes a redi-mix concrete plant, asphalt plant, aggregate transfer station or a waste recycling depot.

It is estimated that approximately 2.5 million tonnes of aggregate is present. The total annual volume being applied for in the license application to the Ministry of Natural Resources is 75,000 tonnes per year. Extraction is to stay at least 1.5 metres above the water table.

The proposed main haul route will be north on Concession 4 N to Highway 89 and west to Mount Forest. The hours of operation are proposed to be from 7am to 6pm, Monday to Friday and exclude holidays.

As part of the application, H. Bye Construction Ltd. has provided the following documents:

- Summary Statement for license application (January 2013)
- Fisheries Report (AET Consultants – December 2013)
- Hydrogeologist Study – Level 1 (Gamsby and Mannerow Engineers – November 2012)
- Natural Environment Level 1 and 2 Reports for Class A Pit License (AET Consultants – Dec. 2013)

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, June 23, 2014

Page Four

- Stage 1-2 Archeological Assessment (William R. Fitzgerald, Ph.D. - July 2013)
- Site Plans for Class A Pit License (W.L. Bradshaw P.ENG – January 2014)

The neighbouring lands consist of primarily agricultural fields/farms. There is a wetland area running through the property. There is a parochial school to the south of the property.

The area of the proposed pit is designated a mixture of Primary Agricultural and Core Greenlands in the Official Plan. The area is currently zoned Agricultural (A) and Natural Environment (NE).

Planning Considerations Include

Aggregate Resource Area Overlay Designation

In the Official Plan, the Aggregate Resource Area designation overlays other designations such as Primary Agricultural and Core Greenlands. It delineates an area of gravel resource of primary significance as well as existing gravel pit licenses. Section 2.5 of the Provincial Planning Statement as well as Section 6.6 of the County Plan protects such areas for extraction, provided that social and environmental impacts can be mitigated to acceptable levels.

The proposed site plan as submitted identifies the license boundary area as approximately 24.5 ha., and the area to be extracted is 21.8 ha. This is the document that would be approved by the Ministry of Natural Resources (MNR) along with the license.

Core Greenlands

The areas designated Core Greenlands in the Official Plan are, for the most part, to the west and south of the proposed new Aggregates Resource Area overlay.

Saugeen Valley Conservation Authority (SVCA, April 2014) has raised environmental concerns which may require some modifications to the extraction area and requires additional information.

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Neighbourhood Compatibility

The closest sensitive receptor is to the north (Ferguson farm), which is approximately 85 metres from the proposed area of extraction. Section 2.2.6 of the Aggregate Resources of Ontario: Provincial Standards states that "if extraction and / or processing facilities are within 150 metres of a sensitive receptor, a noise assessment is required to determine whether Provincial Guidelines can be satisfied."

A parochial school is located within close proximity to the proposed pit. Further analysis regarding the haul route hours and road conditions should be reviewed to ensure pedestrian safety given the foot and horse/buggy traffic to and from this use.

A number of letters have been received from surrounding land owners. The list of concerns is provided below under the public comments.

Traffic Impacts

Further information is required to determine the adequacy of the proposed haul route (Concession 4 N). A traffic impact assessment may be necessary to determine any road upgrades that may be required.

Zoning By-law Amendment

In addition to the County of Wellington Official Plan Amendment, the applicant has applied to the Township of Wellington North for a zone amendment to consider rezoning the same area from Agricultural (A) to Extractive Industrial (EI). The Extractive Industrial zoning would limit extraction to 1.5 metres above the water table.

A separate draft zoning amendment will be presented in the near future. As per the Planning Act, the Township cannot approve the associated zoning until adoption of the Official Plan Amendment by the County occurs.

Public and Agency Comments

We have received a number of letters and a petition from the surrounding neighbours. Some concerns and comments received include:

- Destruction of Agricultural land
- Site not suitable

/6

TOWNSHIP OF WELLINGTON NORTH

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Page Six

- Truck traffic will damage roads
- Safety of Mennonite community travelling in area particularly to the parochial school in the immediate area of the pit
- Decrease in property values
- Dust and noise pollution
- Impact to the natural environment and wildlife
- Effects on wells and ground water
- No benefits to neighbors
- Notification of application was inadequate

Comments were received from Saugeen Valley Conservation Authority (SVCA) requesting deferral of the Official Plan Amendment and Zoning Amendment pending further information from the applicant as outlined in correspondence dated April 18, 2014.

Draft Official Plan Amendment

The draft Official Plan amendment was attached for Council's review.

Summary

This report is for information purposes only at this point. It is not a complete list of issues and has been prepared to provide Council and the public some cursory information in order to facilitate the public meeting discussion. There are some technical matters that the applicant is required to resolve. This statutory public meeting provided an opportunity for the community and area residents to ask questions and seek more information from the proponent and their consultants.

3. Review of Correspondence received by the Township:
 - Candace Hamm, Environmental Planning Coordinator, SVCA
 - Further clarification is required.
 - Erik Downing, Environmental Planning & Regulations, SVCA
 - Recommends deferral.
 - Brenda Sztuczka, 7649 Sideroad 3 East
 - Gravel pit is not a good idea.

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- Gerald Booi, 9592 Concession 4 North
 - Objection.
 - Brett McHugh, 9391 Concession 4 North
 - Objection.
 - Victoria McHugh, 9391 Concession 4 North
 - Concerned.
 - Arlene Muckart, 7302 Sideroad 3 East
 - Concerned.
 - Bonnie Littlely, 9567 Concession 4 North
 - Requesting notification.
 - Wendy Schill, 7819 4th Line, RR 2, Wallenstein, ON
 - Concerned.
 - Wellington Federation of Agriculture
 - Does not support application
 - Petition to Deny Notice of Application of Proposed Official Plan Amendment
4. Persons wishing notice of the passing of the By-law must submit a written request.
5. Mayor opens floor for any questions/comments.

Bruce Fulcher, agent for the applicant, was present to answer any questions. A public information meeting was held on March 19 at the Mount Forest Fire Hall. Concerns were raised later regarding the haul route. This is an ongoing process with the Ministry of Natural Resources.

TOWNSHIP OF WELLINGTON NORTH

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Bill Bradshaw, engineer, has been working with Mr. Fulcher. The proposed main haul route will be north on Concession 4 N to Highway 89 and west to Mount Forest. Proposed hours of operation are 7 am to 6 pm, Monday to Friday, excluding holidays. Any Saturday operations will be preapproved and on an exception basis only. Additional natural environment work is being conducted with someone currently collecting data. The Ministry of Natural Resources and the Saugeen Valley Conservation Authority have requested more information. These issues should be able to be addressed after the field work is conducted. The closest residence is at the Ferguson farm and is approximately 183m from the boundary of the extraction area. There is a school nearby. There are other pits in the area. Regarding destruction of agricultural lands, this is a Category 3 application and the lands will be rehabilitated for agricultural use. Extraction will be 1.5 metres above the water table. Monitoring will be conducted over a year to determine the highest point of the water table. The pit will be opened in sections and returned to agricultural use as they move from section to section. The hydrogeologist report shows the water table varies across the site. Notification of meeting was given in accordance with the Act. It was posted on the property, sent to owners within 120 m, and published in the newspaper.

Louise Hopkins, lives across the road from the proposed gravel pit with her husband and two children, expressed several concerns regarding the proposed pit.

- Dust and the affect it will have on her twelve year old son who suffers from asthma.
- Safety concerns with a significant volume of trucks using the road.
- Road conditions. Frequent grading required and erosion will worsen with increased truck use. If the pit operates year round there will be issues with white out conditions in the winter.
- They will experience an increase in hydro use as they will require air conditioning if they cannot open their windows or dry their clothes on a line outside because of dust.
- Their recreation will be affected as they will not be able to walk or bike on the road because of safety issues.
- Water quality could be affected. Who will monitor that no excavation takes place below the 1.5m level above the water table, the runoff and infiltration impacts. Have the surface water management controls, operational details and development plans been submitted? How will water quality be monitored?

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- Environmental and wildlife impacts. The SVCA report outlines several concerns including the habitat for two threatened species of birds. Noise, vibration and movement at the pit will create an unsafe environment for wildlife. Will an application be made to designate part of the pit land as Provincially Significant Wetland and will SVCA recommendations be incorporated into the application?
- Who will insure that inert fill is not contaminated or substandard. This will have an impact on water and soil quality, short term and long term.
- The proposed hours of operations seem so long for their quiet neighbourhood and school. How will they know if application is made to run on Saturdays and who can they call if hours of operation are not adhered to?
- Loss of prime agricultural land. A recent Census of Agriculture shows that Ontario has lost about 128,000 acres of farmland each year over the past five years. This pit will add to the loss. The pit will be returned to agriculture but 20 years is a long time to not be in use. There has been drilling on a neighbouring property. Will the application be extended to those lands?
- Depreciation of land values. They have worked hard all of their lives with the goal of living peacefully in the country and now that peace will be gone.

Brett McHugh commented that there are other pits in the area and a Mennonite digs gravel out of his own pit. Mr. McHugh also raised concerns about environment, dust and trucks. The vibrations from operation of the pit will affect the chicken farmers. The dust will make things worse for people with asthma. The land is Class 1 agricultural land that is better suited as agricultural. He is concerned about safety for the Mennonite children that ride their bikes or walk along the road to go to school as well as the school buses that pick up and drop off other children during the operational hours of the proposed pit. The gravel road is soft and unstable as it is and they are constantly asking for dust control. This is not a case of if but when an accident will happen. Mr. McHugh also expressed concerns regarding water as this pit sits on the main aquifer for the area. Studies have shown that properties in close proximity to gravel pits decrease in value from 16 to 39%. The only benefit will be to the land owner and the pit operator. The local residents are left to pay increased infrastructure costs. Mr. McHugh stated that he is not prepared to lose part of his investment in his property.

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Charles Weber, Wellington Federation of Agriculture presented comments provided by Gord Flewwelling, President. The Federation is concerned with the loss of prime farmland to non-agricultural uses and does not support this application to change the Official Plan to allow a pit on Class 1 farmland. The Federation questions the need for the aggregate that will take the land out of food production for the foreseeable future. A lack of discussion is noted about the potential impacts on local farm operations and local residents resulting from increased use of roads and daily aggregate extraction. Can evidence be provided that the applicant can deliver on commitments made in this application for progressive rehabilitation of the site back to agriculture production? The WFA does not wish to single out this application. WFA comments provided would apply to other applications as well.

Wendy Schill owns 100 acres across the road on the east side. She lives by the Conestoga Dam and noted that people there have a huge green space. Ms. Schill questioned why that does not apply here so that people can have the same green space. She had planned on putting a retirement home on her farm but will not be doing so now.

Bonnie Littlely owns and operates Tin Roof Rusted Farm & Plant Nursery and is a member of the Farmland Trust. She moved here to get away from this type of business. Her family has the same concerns as others and the Mennonites are concerned as well. In regards to policy the proposed pit should not be permitted under the Official Plan. She believes in sustainability and the need for properly balancing a healthy community's physical and mental well being. A strong decision needs to be made to protect the land for future generations. This proposal has not balanced the three pillars of sustainability. The threats cannot be mitigated and the mix is inappropriate. This will increase the stress of daily living. The Bobolink and Eastern Meadowlark are endangered species found here. Farmland, mineral and aggregates and quantity and quality of ground water should be protected for future generations. The land owner is not affected by this proposal. The Provincial Policy Statement is criticized by farming organizations. We should be looking for alternatives. Fragmenting of the land sends the wrong message of breaking up the community and is not consistent with the PPS. The proposed pit goes against the Endangered Species Act. It cannot be mitigated and must be avoided as it is too big of an impact on people.

TOWNSHIP OF WELLINGTON NORTH

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Victoria McHugh has lived in the area for thirteen years. It is a beautiful area with rich agricultural land. To bulldoze it and tear it up is a travesty. Ms. McHugh also expressed concerned with dust and pollution and asked that the impact on all their lives be considered. She stated that this is not a good decision and the only people who will benefit are Mr. Ghent and Mr. Bye.

Joanne and Gerald Booi live on the haul route and are opposed to a gravel business on a gravel road. There is a blind hill near their property. There have been accidents there because of this dangerous hill. The ditch is 12 to 13 feet deep. A school bus stopping sign was put up as a result of an accident. Mr. Booi questioned why the applicant does not have to show a need for the gravel as part of the application.

Allan Suggitt, Wellington North resident, asked if some sort of protection could be put on trucks to prevent stones being thrown and hitting windshields. He also asked if there are records of all the wells in the area and their depth. Vibration will cause fine sediment that will spread out through the aquifer and will affect wells.

Cole Littley is a student who is concerned with stones flying at him from vehicles passing while he waits for the school bus. Gravel trucks will make it worse.

Bruce Fulcher, agent for the applicants, commented that many issues have been raised. He will be working with the engineer to attempt to address the issues in an open letter to those who have raised concerns.

Randy Bye, pit owner, explained that the province provides maps showing where the aggregate is. The province already knows that there is aggregate there and shows the area as aggregate extractive on the maps. Different gravel pits have different types of gravel. His company is a local company that is community minded and approachable. They try to keep pit areas looking nice. They will have an agreement in place stating they will pay to have additional calcium put on the road. If his company stops pursuing the pit licencing application another company will quickly take it over. Most likely this will be a big company that does not care about the community. His smaller company gets painted with the same brush as the big operators. They have been in business for sixty years, which speaks to the fact that they do care about their community.

TOWNSHIP OF WELLINGTON NORTH

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6. Comments/questions from Council.

Mayor Tout thanked everyone for standing up and speaking of their concerns. This information is appreciated. It is evident that many concerns are shared, such as, the Mennonite school and safety of children, road safety, dust, truck traffic, loss of rich farmland, rehabilitation of lands back to agricultural standards and water quality. We have a long way to go and right now there are more questions than answers.

Councillor Yake commented that a number of people have raised many concerns. These concerns will have to be sorted out. Mr. Fulcher will have to sort out all of this and work to resolve the issues.

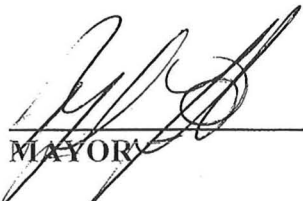
Councillor Burke thanked those that live in the area for coming out. She has some of the same concerns as the residents, such as safety and drinking water quality.

Councillor Lennox stated that he appreciated hearing the concerns. He had attended the March 9th meeting and there was little attendance. They have to work through the process and it is too early to predict any outcome.

7. Adjournment 8:16 p.m.



C.A.O./CLERK



MAYOR



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
T 519.837.2600
F 519.823.1694
1.800.663.0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

June 18, 2014

Mike Givens, C.A.O.
Township of Wellington North
7490 Sideroad 7 W
Kenilworth, ON N0G 2E0

Dear Mr. Givens:

**Re: H Bye Construction – “Ghent” Gravel Pit
Part Lot 5 & 6, Concession 5
Official Plan and Zoning By-law Amendments**

The purpose of this report is to provide the Township with an overview of the above referenced Official Plan application and provide the comments received to date to facilitate the public meeting. Further, this statutory public meeting will provide an opportunity for the community and area residents to ask questions and seek more information from the proponent and their consultants.

Location

The lands subject to the amendment are located at Part Lot 5 & 6, Concession 5 with municipal addresses of 7572 Sideroad 3 and 9458 Concession 4 N. The property is located in the northerly part of the Township approximately 6 km east of Mount Forest (see Figure 1a). These properties are owned by Alette Holsteins who have entered into an extraction agreement with H. Bye Construction Ltd.

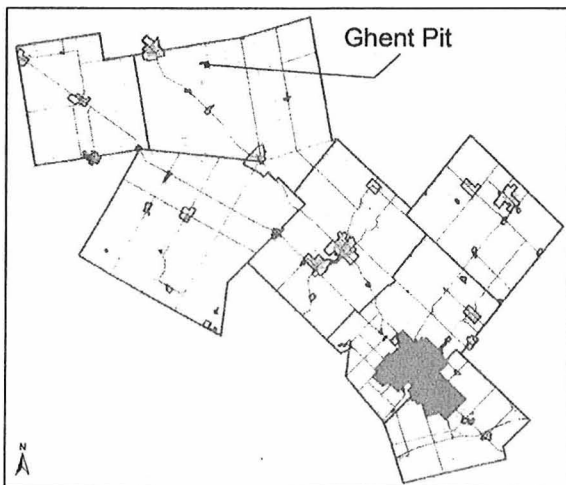


Figure 1a

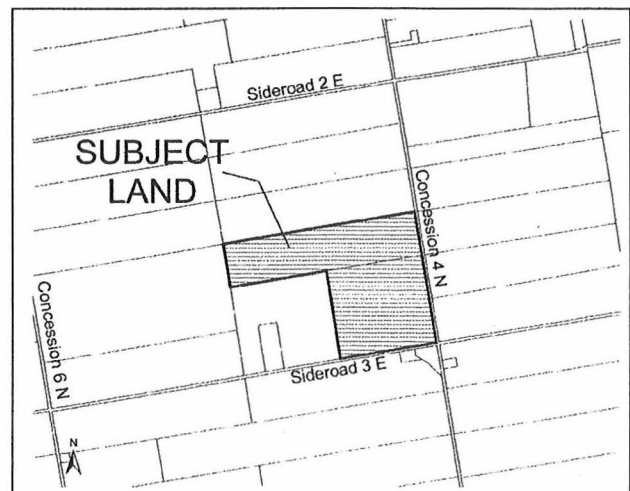


Figure 1b

Purposal

The proposal is for a Category 3 (1.5 metres above the water table), Class "A" gravel pit. The purpose is to amend Schedule A6 of the County Official Plan by adding a Mineral Aggregate Area overlay to a 24.5 hectare area of the subject lands, within an existing Prime Agricultural designation.

The proposed Zoning By-law Amendment will rezone the 24.5 ha area of lands from Agricultural (A) to Extractive Industrial (EI). This will permit development of a gravel pit operation pursuant to the Aggregate Resources Act, on the subject property.

Application and Background

The site plan indicates that the area to be licensed is approximately 24.5 ha., and the area to be extracted is 21.8 ha. The proposed zoning excludes a redi-mix concrete plant, asphalt plant, aggregate transfer station or a waste recycling depot.

It is estimated that approximately 2.5 million tonnes of aggregate is present. The total annual volume being applied for in the license application to the Ministry of Natural Resources is 75,000 tonnes per year. Extraction is to stay at least 1.5 metres above the water table.

The proposed main haul route will be north on Concession 4N to Highway 89 and west to Mount Forest (Figure 2). The hours of operation are proposed to be from 7am to 6pm, Monday to Friday and exclude holidays.

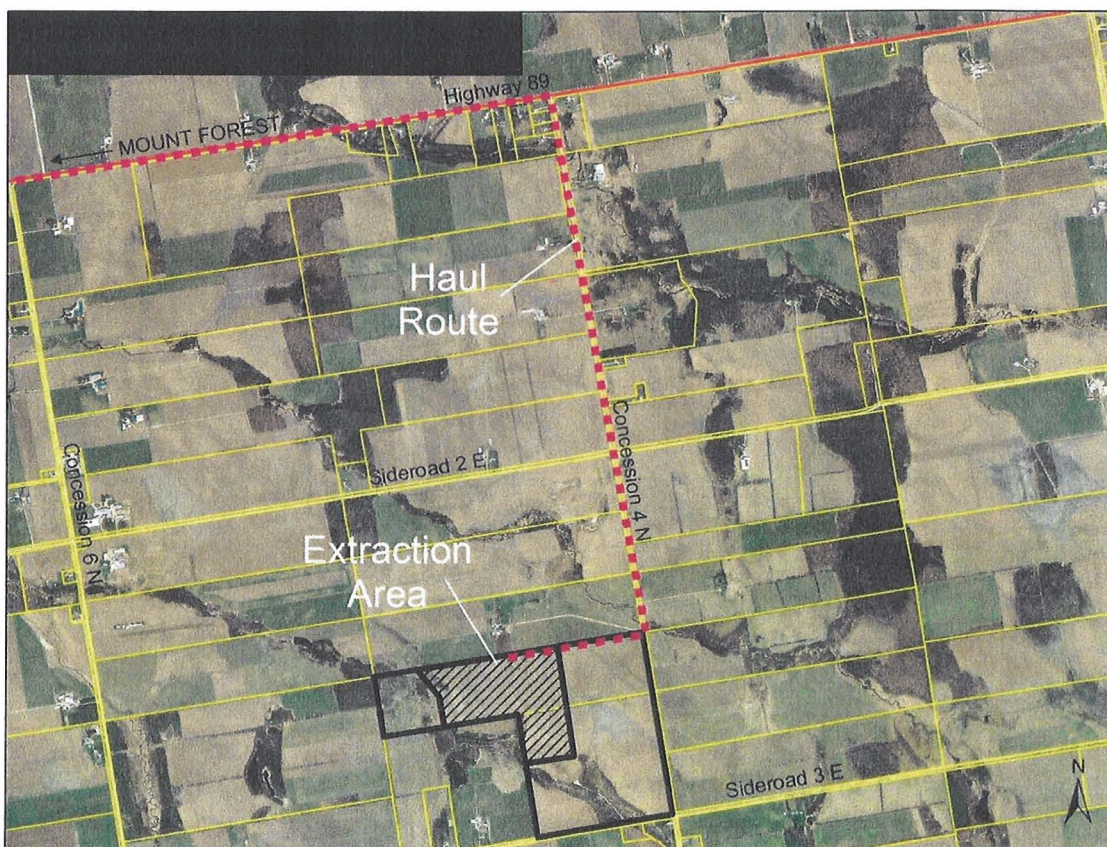


Figure 2

As part of the application, H. Bye Construction Ltd. has provided the following documents:

- Summary Statement for license application (January 2013)
- Fisheries Report (AET Consultants – December 2013)
- Hydrogeologist Study – Level 1 (Gamsby and Mannerow Engineers – November 2012)
- Natural Environment Level 1 and 2 Reports for Class A Pit License (AET Consultants – Dec. 2013)
- Stage 1-2 Archeological Assessment (William R. Fitzgerald, Ph.D. - July 2013)
- Site Plans for Class A Pit License (W.L. Bradshaw P.ENG – January 2014)

The neighbouring lands consist of primarily agricultural fields/farms. There is a wetland area running through the property. There is a parochial school to the south of the property.

Current Planning Status

The area of the proposed pit is designated a mixture of Primary Agricultural and Core Greenlands in the Official Plan. The area is currently zoned Agricultural (A) and Natural Environment (NE).

Planning Considerations

Aggregate Resource Area Overlay Designation

In the Official Plan, the Aggregate Resource Area designation overlays other designations such as Primary Agricultural and Core Greenlands. It delineates an area of gravel resource of primary significance as well as existing gravel pit licenses. Section 2.5 of the Provincial Planning Statement as well as Section 6.6 of the County Plan protects such areas for extraction, provided that social and environmental impacts can be mitigated to acceptable levels.

The proposed site plan as submitted identifies the license boundary area as approximately 24.5 ha., and the area to be extracted is 21.8 ha. This is the document that would be approved by the Ministry of Natural Resources (MNR) along with the license.

Core Greenlands

The areas designated Core Greenlands in the Official Plan are, for the most part, to the west and south of the proposed new Aggregates Resource Area overlay.

Saugeen Valley Conservation Authority (SVCA, April 2014) has raised environmental concerns which may require some modifications to the extraction area and requires additional information. The report is attached for information.

Neighbourhood Compatibility

The closest sensitive receptor is to the north (Ferguson farm), which is approximately 85 metres from the proposed area of extraction. Section 2.2.6 of the Aggregate Resources of Ontario: Provincial Standards states that "if extraction and / or processing facilities are within 150 metres of a sensitive receptor, a noise assessment is required to determine whether Provincial Guidelines can be satisfied."

A parochial school is located within close proximity to the proposed pit. Further analysis regarding the haul route hours and road conditions should be reviewed to ensure pedestrian safety given the foot and horse/buggy traffic to and from this use.

A number of letters have been received from surrounding land owners. The list of concerns is provided below under the public comments.

Traffic Impacts

Further information is required to determine the adequacy of the proposed haul route (Concession 4N). A traffic impact assessment may be necessary to determine any road upgrades that may be required.

Zoning By-law Amendment

In addition to the County of Wellington Official Plan Amendment, the applicant has applied to the Township of Wellington North for a zone amendment to consider rezoning the same area from Agricultural (A) to Extractive Industrial (EI). The Extractive Industrial zoning would limit extraction to 1.5 metres above the water table.

A separate draft zoning amendment will be presented in the near future. As per the Planning Act, the Township cannot approve the associated zoning until adoption of the Official Plan Amendment by the County occurs.

Public and Agency Comments

We have received a number of letters and petition from the surrounding neighbours. Some concerns and comments received include:

- Destruction of Agricultural land
- Site not suitable
- Truck traffic will damage roads
- Safety of Mennonite community travelling in area particularly to the parochial school in the immediate area of the pit.
- Decrease in property values
- Dust and noise pollution
- Impact to the natural environment and wildlife
- Effects on wells and ground water
- No benefits to neighbors
- Notification of application was inadequate

To date we have only received comments from Saugeen Valley Conservation Authority (SVCA) requesting deferral of the Official Plan Amendment and Zoning Amendment pending further information from the applicant as outlined in correspondence dated April 18, 2014 (attached).

Draft Official Plan Amendment

The draft Official Plan amendment is attached for Council's review. Please note that the Mineral Aggregate Area shown reflects the proposed license boundary.

Summary

This report is for information purposes only at this point. It is not a complete list of issues and has been prepared to provide Council and the public some cursory information in order to facilitate the public meeting discussion. There are some technical matters that the applicant is required to resolve. This statutory public meeting will provide an opportunity for the community and area residents to ask questions and seek more information from the proponent and their consultants.

I trust that these comments are helpful.

Sincerely,



Linda Redmond
Senior Planner

PART B – THE AMENDMENT

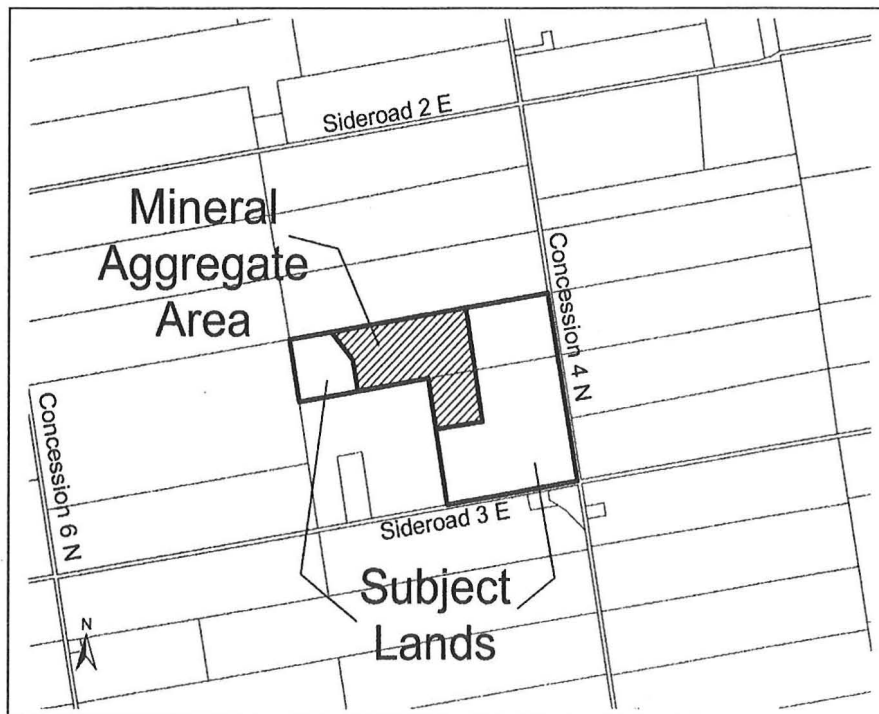
All of this part of the document entitled **Part B – The Amendment**, consisting of the following text, constitutes **Amendment No. _____** to the County of Wellington Official Plan.

DETAILS OF THE AMENDMENT

The Official Plan of the County of Wellington is hereby amended as follows:

1. THAT **SCHEDULE A6 (WELLINGTON NORTH)** is amended, as it relates to the subject land, by:
 - i) adding the *MINERAL AGGREGATE AREA* boundary to Part of Lots 5 & 6, Concession 5 as illustrated on Schedule “A” of this Amendment.

SCHEDULE “A” OF WELLINGTON COUNTY OFFICIAL PLAN AMENDMENT NO. _____





1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY (cbye@hbyeconstruction.com)
AND BY REGULAR MAIL

April 18, 2014

H. Bye Construction Limited
395 Church Street N
Box 189
Mount Forest, ON
N0G 2L0

ATTENTION: Randy Bye, President

Dear Mr. Bye,

RE: Proposed Category 3 – Class “A” Pit Above Water
Part Lots 5 & 6, Concession 5
Geographic Township of Arthur
Township of Wellington North (Ghent Pit)

The Saugeen Valley Conservation Authority (SVCA) has reviewed the above-noted pit application and the supplemental reports, including the January 6, 2013 Summary Statement, Site Plan Drawing Nos. 1 to 3 prepared by H. Bye Construction Limited dated January 29, 2014, the Ghent Pit Natural Environment Level 1 and 2 Technical Reports – Environmental Impact Assessment prepared by AET Consultants dated December 10, 2013, the Fisheries Report dated December 9, 2013, also prepared by AET Consultants, the Level 1 Hydrogeological Study prepared by Gamsby and Mannerow Limited in November 2012, and the Ministry of Tourism, Culture and Sport Stage 1 and Stage 2 Archaeological Assessments prepared by William R. Fitzgerald dated July 22, 2013. SVCA staff recently visited the subject property and undertook a reconnaissance of the site.

The SVCA is requesting the following amendments being completed and / or further clarifications being provided:

1. A 20 metre extraction setback has been shown on the Operational Plan from the wooded area in the corner of the proposed License Area where the southeast corner of Area 1, the southwest corner of Area 2 and the northwest corner of Area 3 meet. The NETR setback in the northwest corner of Area 1 follows the 457m contour line. The SVCA has concerns with the extraction setback line following the 457m contour line in this area. The SVCA is of the opinion that proposed extraction in this area appears to encroach onto lands that are currently designated Core Greenlands on Schedule A6 of the Wellington County Official Plan, and zoned Natural Environment (NE) in the Township of



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Wellington North Zoning By-Law No. 66-01. The SVCA is of the opinion that the Core Greenland designation and the NE zone for the property should remain unchanged. We recommend the extraction setback line in the northwest corner of Area 1 be revised and that an appropriate setback from the Core Greenlands in this area be established.

2. The Natural Environment Level 1 and 2 Technical Reports – Environmental Impact Assessment (NETR) and the Fisheries Report both indicate that there is an Element Occurrence for Scarlet Beebalm on or near the property, but that no other Species at Risk were found within the proposed License Area. Based on information available from the Natural Heritage Information Centre (NHIC), current as of November 2013, there are Element Occurrences for Eastern Meadowlark and Bobolink on and/or near the subject property. Eastern Meadowlark and Bobolink are threatened and receive species protection under Ontario's *Endangered Species Act*. The NETR states that Eastern Meadowlark and Bobolink were sighted on the north property boundary fence, but that they are associated with the neighbouring lands and were not found within the area of the proposed license. Please confirm with the Ministry of Natural Resources (MNR) Species at Risk Biologist that concerns regarding Eastern Meadowlark and Bobolink have been satisfactorily addressed through the recommendations of the NETR and that potential habitat will not be negatively impacted by the proposed pit.
3. There is no mention of the Clare Creek Complex in the NETR or the Fisheries Report. The Clare Creek Complex is a Provincially Significant Wetland (PSW) located east of Concession 4 North roadway in the vicinity of the subject property. Section 4.2.2 of the NETR indicates that there are no PSW's in the region that are close enough to allow for conferring a PSW designation for the wetlands on the subject property that have not been evaluated by the MNR. If evaluations of the wetlands on the property were undertaken, is it possible that they would be included as part of the Clare Creek Complex?
4. The Ecological Land Classification (ELC) polygons for the subject property and adjacent lands are shown on Figure 5 of the NETR, and Section 6.1 lists the polygons that will be directly affected, which polygons will be partially removed, and the polygons that will be removed entirely. Polygon 11 (CUM 1 – Mineral Cultural Ecosite) is listed as being both partially and fully removed. However, it would appear that the majority of polygon 11 is outside of the proposed License Area boundary. Please clarify.

Additionally, please explain in greater detail how polygon 6 (SWD 6-2 – Silver Maple Organic Deciduous Swamp Type), which is located entirely outside of the proposed License Area boundary, will be affected.

5. Section 6.0 of the NETR indicates that there is potential for sediment to be transported to the lowland meadows and wetlands from surface run off during and following the initial stripping of overburden. The Mitigation Measures of the NETR and the Hydrogeological Study recommend that

surface water management controls to provide water quality and quantity protection be implemented. As per Operational Note 23.2 on the Operational Plan, berms are proposed at lower site elevations. Please show the location of these berms on the Operational Plan.

6. Operational Note 9 on the Operational Plan states that processing equipment shall not be parked, stored or installed within 30 metres of the License Area boundary. In some areas, the extraction setback line is more than 30 metres from the License Area boundary. We recommend Note 9 be revised to ensure all processing equipment is outside of the extraction setback line.
7. Operational Note 23.1 and 23.8 on the Operational Plan indicate that stockpiling of material and equipment storage shall/will be contained within the licensed pit area. Will material stockpiling and equipment storage be occurring beyond the extraction setback line?

Once the SVCA has been provided with responses to the above noted comments we will continue with our review of the license application. In accordance with the SVCA's 2014 Fee Schedule, please find enclosed an invoice (mailed copy only) for the SVCA's review of this proposal.

Should questions arise, please do not hesitate to contact this office.

Sincerely,

Candace Hamm

Candace Hamm
Environmental Planning Coordinator
Saugeen Conservation

CH/

cc: Sarah DeBortoli, Aggregates Technical Specialist, MNR, Guelph District (via e-mail)
Mark Van Patter, Manager of Planning and Environment, County of Wellington (via e-mail)
Cathy Moore, Deputy Clerk, Township of Wellington North (via e-mail)
Terry Fisk, Director, SVCA (via e-mail)



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

June 18, 2014

County of Wellington Planning Department
Wellington County Administration Centre
74 Woolwich Street
Guelph, ON
N1H 3T9

Cathy More
Deputy Clerk
Township of Wellington North
7490 Sideroad 7, W
Kenilworth, ON
N0G 2E0

ATTENTION: Linda Redmond, Cathy Moore

Dear Mrs. Redmond Mrs. More:

RE: Proposed Official Plan Amendment and Zoning By-law Amendment
Part of Lots 5 and 6, Concession 5
Geographic Township of Arthur
Township of Wellington North (Ghent Pit – H. Bye Construction)

The Saugeen Valley Conservation Authority (SVCA) has reviewed the proposed Official Plan amendment and Zoning By-law amendment in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to Plan Review. A site inspection was conducted by Authority staff. We offer the following comments.

While the majority of the property proposed to be rezoned and redesignated is agricultural, there is a portion of the proposed area that is within the Natural Environment zone and/or Core Greenlands area. The SVCA recommends that the proposed Official Plan amendment and Zoning By-law amendment be deferred at this time, pending the receipt of further information from the proponent and additional SVCA review.

Please refer to SVCA comment of April 18, 2014 for more details on outstanding SVCA Natural Heritage and Natural Hazard interests with the proposal. Core Greenlands are proposed to be infringed upon associated with the current proposal the SVCA understands. Also, habitat of endangered and threatened species may be located on the subject lands and the SVCA is waiting for clarification on those potential impacts. The Clare Creek Provincially Significant Wetland is located within 120 metres of the subject property and this proposal has not yet addressed this feature.



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Wellington County and Township of Wellington North
Ghent Pit – H. Bye Construction
June 18, 2014
Page 2 of 2

The resolution of SVCA comments may impact the proposed Designation boundary and Zoning Amendment Boundary and therefore the Official Plan amendment and Zoning By-law amendment may be altered by the resolution of SVCA comments and is recommended to be deferred until outstanding matters are resolved.

Conclusion

The SVCA has reviewed the information provided to the SVCA relating to the proposed amendments based on our policies and mandate. The SVCA recommends that the proposed Official Plan amendment and Zoning By-law amendment be deferred at this time, pending the receipt of further information from the proponent and additional SVCA review.

The SVCA's letter of April 18, 2014 details the outstanding matters described above and outlines other outstanding SVCA issues with the proposed extraction operation.

Should you have any questions, please do not hesitate to contact this office.

Yours Sincerely,



Erik Downing
Manager, Environmental Planning & Regulations
Saugeen Conservation

ED/

cc: Terry Fisk, SVCA Director, via email
H. Bye Construction Limited, 395 Church Street N, Box 189, Mount Forest, ON N0G 2L0
Sarah DeBortoli, Aggregates Technical Specialist, MNR, Guelph District, via email
Will Bradshaw, Agent, via email (wbradsh1661@rogers.com)

RECEIVED

MAY 20 2014

TWP. OF WELLINGTON NORTH

File Number OP-2014-02
Director of Planning and Development
Gary Cousins

Notice of Application for the Randy Bye Ghent Gravel Pit

I do not think this is a good area to have a gravel pit. This is a good farming area. There is a school house which is on the 3rd side road opposite the proposed gravel pit. Most of the children attending ride bicycles to school which makes more big trucks on the road dangerous. Farmers with tractors are often on these road. Also Mennonites buggy's are on these roads. There are no soft shoulders and big trucks could be dangerous, everyone has a well which is another worry as some are not very deep There can be a lot of dust and noise which is not good for children at the school or the environment.

Yours Sincerely



Brenda Sztuczka

Objection to Notice of Application

RECEIVED

MAY 20 2014

File NO OP-2014-02

TWP. OF WELLINGTON NORTH

To Mr. Gary Cousins,

I am writing this letter to express my objection to the above Notice of application.

The concerns I have are about the destruction of perfect Class 1 Agriculture land for Class 3 industrial gravel pit, that will see this farm land destroyed, and made useless for decades to come. The safety concerns of the increased truck traffic, the economic impact of property devaluation, increased cost to the tax payers for infrastructure maintenance, the elevated noise and dust pollution from both the pit itself, and the truck traffic.

Sincerely,



Gerald Booie
9592 Arthur Con. 4N.

RECEIVED

MAY 20 2014

TWP. OF WELLINGTON NORTH

Objection to Notice of Application

FILE No OP-2014-02

To Mr. Gary Cousins,

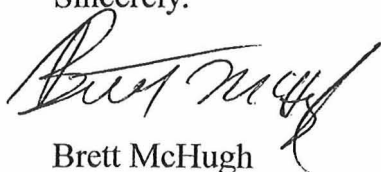
My name is Brett McHugh, and I would like to object to the above Notice of Application. I have grave concerns with regard to this Application as to the destruction of Class I Agriculture that will be lost for a generation at least! The potential for Ground water contamination that directly effects every resident in this area. There is an elevated safety concern as my young children ride bikes on the country roads, that are now proposed to become a truck highway. There is also a Mennonite school located across the road from the proposed sight, and the safety of the school children is a very real concern.

As a property owner, and tax payer in Wellington County I have very real concerns in regard to the total cost of this proposal. The increased truck traffic will reek havoc on the country road we live on. Who is going to pay for the increased maintenance on this road? Me, the tax payer I am sure of that! I have studies in 3 different regions of Ontario in regards to Property devaluation in close proximity to gravel pits, and I have no desire to lose up 30% of my property value, to line the pockets of a "for profit" corporation! The only people who could possibly benefit from the application being approved is the land owner, and the pit operator! The local resident's would be left to pay the increased infrastructure cost, as well as devaluation property assessments! There is plenty of aggregate that could be found that is not on Class 1 Agriculture land.

There is also the concern of airborne dust from both the pit and, the increased truck traffic on the road. As I live on the south east side of the proposed site, I am down wind from it. That means all the dust will be blowing directly at my residence. I don't think I should have to close my windows and, lock myself in my house during the summer months to accommodate this new gravel pit. Myself, I have environmental allergies, and these will be severely aggravated by this dust.

I feel there is no need for this pit to be placed at this proposed site. Within the country block we live in, there is already 2 large gravel pits, and a 3rd smaller municipal pit that is being proposed. These pits have an already negative effect on the traffic in our local area. This proposed pit would dwarf these other pits in size. Am I to believe the farming community I live in is to become a giant gravel pit? The last time I checked I cant eat gravel!

Sincerely,



Brett McHugh

Mr. Gary Cousins MCIP RPP

Wellington County

Director of Planning and Development

RECEIVED

MAY 20 2014

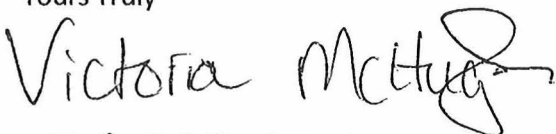
TWP. OF WELLINGTON NORTH

File OP-2014-02

Notice of Application regarding **Randy Bye and Ghent Gravel Pit**

I wish to express deep concern of the above said amendment due to numerous factors affecting the local area. First concern is the Agriculture land that is being demolished and destroyed due to this unnecessary pit there are numerous pits within this area and within the wellington district. This site is not a suitable site for a gravel pit, the truck traffic that will be accumulated over the years will be extensive road restructure and resurface will be ongoing. The danger to Mennonite buggy's traveling on the main road of the gravel pit will be at serious risk for accidents not to mention the school that is located on the opposite side of the road which caters to young children with bicycles and horses. The crops and farmland around the area will be severely affected over years and years to come. The natural environment of wildlife with and around the area will be impacted for generations to come. The dust that will accumulate over time will have health effects of people within the area. Property values since this application has started have already declined by 30% and will consider to decline over long periods of time by as much as 50% percent this may not mean that much to the average person but it affects property values all over the wellington area. The noise pollution that will incur ^{over} time will be hugely impacted not only for people within the area but also wildlife will suffer dramatic effects for generations to come. The pit itself may be exhausted at any time and the use of other proceeds can take effect whenever possible concrete and other sources can and could be a future factor crushing gravel which implicated with the dust that sprays for miles and miles have proven to have cancer causing carcinogens these are proven facts that I have full documentation on. This is not an area for a large size gravel pit there is also a creek that is adjacent to the pit area and the ground water that could be affected to could have numerous effects on wells for years to come. Now I am under the understanding that they will be not ' going below ground water, unfortunately they do not have the expertise or knowhow of where that exactly lies as within us it was only 12ft before we hit water so I am not convinced that ground water will or could be not affected. The pit itself if ever needs to be filled in and restructured later in the future would have probably large amount of fill brought in to cover the area, now where this fill comes from well is only someone's guess it any parts of the fill are contaminated for any reason then it can easily seep into the ground over time and have huge effects on nature, wells and the environment ! The question pertains to the general public, what is the benefit for us to have this pit and how many pits do we need. I have a very hard time understanding what possible advantage due we as the surrounding citizens of this area and beyond will gain in the long term from this pit. This is beautiful farm land that is prime agriculture land that will never ever be able to be farmed again. We were told that It would be very difficult for us to get a lot off, because of the agriculture effects and that we were not using the land, and now after 12 year of living in peace and quiet I have been told that I will have to live beside a construction zone for the rest of the years of my life while my property value goes down each year. Please explain to me what possible gain the residents of this area and myself get from this, because for the life of me I don't understand the benefits that will come to my children and grandchildren for years to come! Are clearly not visible to me, or the residents in this area, and beyond.

Yours Truly



519-323-1518

037

Darren Jones

From: Mike Givens
Sent: Friday, May 23, 2014 2:52 PM
To: Darren Jones; Cathy More
Subject: FW: OP-2014-02

Importance: High

FYI.

More to add to the notification list.

From: Gary Cousins [<mailto:garyc@wellington.ca>]

Sent: Friday, May 23, 2014 2:16 PM

To: Deborah Turchet; Linda Redmond

Cc: Mike Givens

Subject: FW: OP-2014-02

Importance: High

For information but Linda could you check on who got notice.

Gary

From: Bonnie [<mailto:tinroofrustedfarm@gmail.com>]

Sent: Friday, May 23, 2014 10:15 AM

To: Gary Cousins; victoria.mchugh@hotmail.com

Cc: sburke@wellington-north.ca; mgoetz@wellington-north.ca; dyake@wellington-north.ca; rtout@wellington-north.ca; alennox@wellington-north.ca

Subject: OP-2014-02

Importance: High

Mr. Cousins and Council members,

Please consider this email my request to be notified of any information, meetings and reports regarding this application for the proposed official plan amendment OP-2014-02 on our road Concession 4 N, Mount Forest. I also would like to know why only 2 people were notified on our road in writing of this proposal and I had to find out from a neighbour. I am new to the area and where I come from the standard notification area was a 1 km radius. What is the standard at Wellington County and Wellington North?

I understand that the PPS allows for such aggregate operations, but in this very active, prime agricultural area I do not feel this operation is appropriate. Additionally, there is a large population of Mennonite neighbours which travel our road and I'd be concerned for their safety. Our property shares a vast PSW, and contains many rare species of plants and animals. This proposal would be considerably disruptive to the balance of the ecosystem, migration patterns etc., along with the disruption of the farming community that reside here with continual noise, dust, pollution and large equipment traffic.

I would also like information about getting on delegation lists for any upcoming meetings, and looking forward to hearing from my local Council representative with all information regarding this proposal so we may notify the rest of the community appropriately.

Thank you

Bonnie Littley

Tin Roof Rusted Farm & Plant Nursery

9567 4th Conc N

RR1

Mount Forest, ON

N0G2L0

519 261 0330

www.tinroofrustedfarm.com

<https://www.facebook.com/TinRoofRustedFarmPlantNursery?ref=hl>

"Look deep into nature, and then you will understand everything better."

— *Albert Einstein*

JUN - 4 2014

CWP. OF WELLINGTON NORTH

File NO-OP - 2014 02

My Concerns

Wendy Schill

- A FARMS and Homes nearby.
Why Should We Suck it up.
There's nothing for US.
But Noise, Dust, Property devaluation
Tar & Cement Recycling
- B I own 100 ACRES right across
the road on the east side.
The wells are shallow in the area.
Some are only 12 FT Deep with
hard water in them.
- C It looks like on the map township
sent us, Site NO-OP 2014-02. The
neighbours are going to bare the
bront of the trucks! Compared to the
owners of the gravel pit.
- D If the pit was going in by the
Conservation park. I wonder how
close you could be to the Cottages.
Barns can be a lot closer to another
neighbour. But the distance to the
Cottages is way greater it looks like
4 to 5 times greater.

May 20, 2014

County of Wellington,
Planning & Development Dept.,
Administration Centre,
74 Woolwich St.,
Guelph, ON
N1H 6H9

Attention: Mr. Gary Cousins, MCIP, RPP

Dear Mr. Cousins:

This letter is with regard to FILE NUMBER OP-2014-02. I wish to express concern regarding this proposed gravel pit.

I live on Sideroad 3 E, below (Arthur) Concession 6 N . This proposed gravel pit is not going to be very far from our home. I already have 6 gravel pits in and around my location. I do not want another one. For the past few years, every summer, I have the gravel trucks travelling our road, starting early in the morning and finishing in the late afternoon. Approximately every 8 minutes a truck passes the house. I have put up with the dust and the noise for the past few years. It depends on which way the wind is blowing to hang up clothes on the clothes line. I never open the windows and I'm cleaning those same windows and sweeping the dust constantly all summer. Everytime they grade the road, I know that the trucks will start running. The calcium that they put on the roads does control the dust, but it doesn't help the 2 sets of rims that I have put on my vehicle, to my expense, or does it help what it does to the undercarriage of my vehicle. We have many small Minnonite children living on this road, the trucks do not adhere to them, they still travel way beyond the speed limit.

The home owners where this proposed site is planned – Lots 5 & 6 – will have to contend with the same thing that I am going through. It is such a waste for the Agricultural land that is being destroyed due to I think an unnecessary gravel pit. Our property value goes down because of this and other pits, but our taxes still go up. My road is higher than my laneway because of the on going grading that goes on to accommodate the use of the gravel trucks that use our road. I would also like to note that the Notice of Application was received by only a handful of residents in the proposed area. I thought residents in a few mile radius would obtain one so one would know about it. I know I didn't receive one. If any notices regarding this proposed pit was published in the paper , sorry I missed it. I don't always read the paper and like I said a gravel pit is a big thing and notices should have been distributed. When I did find out about this pit, I got on line and looked up any Public Meetings that were held. August 13, 2012 at the Council Chambers in Kenilworth, it stated in the minutes that Mr. Davidson indicates this proposed pit will generate about 1.6 trucks per hour, on a 30 week per year operating basis. (my note: 1.6 trucks per hr/3 trucks for every 2 hrs/approx.. 12 trucks a day. Hardly seems worth opening a pit) The owner anticipates that half of the trucks will go north, and half south, on Concession Road 4N. **I KNOW**, that on our road, there are **MORE** than 1.6 trucks per hour and they run continuously all day, every day. I think that sometimes these trucks do not need to travel our road, but it could be the shortest route for them to get to their location, plus what about the independent drivers that get paid by the load? They're going to run to the fullest.

I am concerned about the creek that is adjacent to the pit area and the ground water that could be affected. And what do they do with the prime agricultural land when the pit is exhausted. They also said in the minutes of Aug. 13th/12 that the pit is to be rehabilitated back to agriculture. What can you grow on a used up gravel pit! I have spoken to residents in the proposed area and none of them are for this pit.

I have lived in the area for 12 years. I moved to the country for the peace and quiet . I now have to contend with the noise and the dust of my well travelled road by the gravel trucks. The location of this proposed pit.....will affect residents in my area, as well as the residents in that area. It affects everyone.

Yours truly,

Arlene Muckart

Cc: Dale Clark, Township of Wellington North
7490 Sideroad 7 West,
Kenilworth, ON N0G 2E0
township@wellington-north.com

Cc: Mayor Tout
rtout@wellington-north.ca

My name is Louise Hopkins; I live with my husband and two children across the road from this proposed gravel pit. I have lived here for almost 20 years.

I didn't realize until recently how big this proposed pit is, and I also didn't realize it is still in the application process. When I first learned about the proposed pit, I was led to believe it was a "done deal". It has been hard to understand the notices we received and it has been hard to get information. Since it is not a "done deal", I'd like to voice my concerns.

1. Dust: my 12-year-old son has asthma and a significant dust allergy. My primary concern is for his health. I worry that we will have to increase his medication and I worry that he will not be able to work and play outside because of the dust from the pit which will be operating daily.
2. 10-20 years of trucks driving up and down my gravel road, in front of our property:
 - a. Safety is a huge concern: My daughter is learning how to drive; she will now have a significant volume of trucks to navigate around. Safety is challenging now on our sideroads with tractors and horse and buggies to watch for. The times I have had my car's windshield cracked have always been as a result of gravel hitting it from trucks on our gravel road.
 - b. Road Conditions: Our gravel road requires frequent grading due to traffic now. Recently we've noticed significant erosion of the sides of our road, especially between where the pit is proposed and highway 89. The road conditions will only worsen with the proposed volume of trucks for this large pit. Does the pit run year round? If the pit runs year-round, the stretch of our road that the trucks will use is generally one long white-out in the winter; I worry about meeting the pit trucks in these white outs.
 - c. Increase in our hydro use: Our home has no air conditioning; it is effectively cooled throughout the spring, summer and fall by southwesterly winds. Our hydro bills will rise significantly if we cannot open our west windows to cool our home. We also save hydro by drying clothes outside; this won't be possible if there is dust in the air from this large pit.
 - d. Recreation: We walk and bike on our road; it won't be safe to do that with the volume of trucks that will be on the road.
3. Our water quality: Who will monitor that no excavation takes place below 1.5 metres above the water table, as is stated in the reports? The hydrogeological study assumes "industry standards for development and operational practices to control surface water

runoff and infiltration will be utilized to protect from potential impacts”—who will monitor this? In this report, another assumption “recommends provision of surface water management controls to provide water quality and quantity protection to the low lying wet vegetated areas which have not been proposed for development....it is (the study’s) understanding that such operational details will be provided as part of the development plans, submitted under separate cover.” Have these been submitted? How will this essential issue be monitored?

4. Environment/Wildlife: The Saugeen Valley Conservation Authority report outlines several environmental and wildlife concerns, including the fact that the habitat for two threatened species of birds that live on our land must be protected in the pit zone: how will this be done? There will be an indirect impact on wildlife just from the noise, vibration and movement at the pit alone—it will no longer be a safe environment for them. We will gladly welcome any wildlife onto our property. Will there be an application to designate part of the pit land as Provincially Significant Wetland, as suggested by the SVCA? Will all SVCA recommendations be incorporated into the application?
5. Who will ensure that the inert fill that will be trucked in, is not contaminated or substandard in any way? This will have an impact on water and soil quality, short term and long term.
6. Hours of operation: 7 a.m. to 6 p.m.: why so long for our quiet neighbourhood, with a school across the road to the south? How will we know if application will be made to run on Saturdays too? Who do we call if and when these hours are not adhered to?
7. Prime agricultural land loss: This month’s Farmer’s Forum newspaper quotes a recent Census of Agriculture, stating that Ontario has lost about 128,000 acres of farmland each year over the past five years. This pit will add to this loss. Even though it will be returned to agricultural use, 20 years is a long time to not be in use. Is there an application to extend west in to the Martin’s land? This is not clear. If yes, will all procedures be followed for this extension? Is there a plan to have another application submitted for a pit on the northeast corner of this same concession, at the southwest corner of Con 4N and Sideroad 2? Drilling has been going on there, as recently as Friday. I would like to know if another pit application is in the works there.
8. Depreciation of our land value: We plan to pass our land on to our children and they intend to live here long after we are gone. We passionately love our land. We have worked hard all of our lives with the goal of living peacefully in the country. That peace will be gone now. 20 years is a long time; my husband and I will be in our 70s when this pit operation has run its course. It is heartbreaking to think of how my life and that of my husband and children is now going to change.

Who do we call when safety concerns arise? When hours of operation are not followed? When dust control and water issues arise? When road conditions deteriorate? Who is accountable?

This is simply NOT the neighbourhood for an industry this size.



Louise Hopkins BA, BSC DT(C), DT Reg (Cont)

June 23/14

RR2

Kemilworth, ON N0R2E0

Darren Jones

From: Mike Givens
Sent: Thursday, July 10, 2014 9:27 AM
To: Darren Jones; Cathy More; Linda Redmond
Subject: FW: Proposed Gravel Pit Objection

From: Carla Smith [mailto:carladziobsmith@hotmail.com]
Sent: July 8, 2014 14:20
To: Michelle Stone
Subject: RE: Proposed Gravel Pit Objection

Goof afternoon Michelle:

Thank you for informing us about the issues with the attachment.
Below is the information contained in the letter. Can you please share the information below with:

Michael Givens
Ray Tout
Linda Redmond
Sherry Burke
Dan Yake
Andy Lennox

With thanks,
Greg and Carla Smith

Dear Township of Wellington-North:

Having just become aware of the proposed gravel pit in the northwest part of the township, we would like to share our strong objections to this proposal.

As residents of 7698 Sideroad 2 East, we concur with our neighbours that such a project would have a significant, negative impact on all of our lives for the numerous reasons cited at the public meeting on June 23.

We moved to Wellington North eleven years ago from Halton Hills in order to enjoy a quieter lifestyle and all that the area has to offer. There is no doubt that approval of this proposal will change the dynamics of this part of the township.

"High, happy and healthy" will no longer be the motto for the residents in this area should permission be granted for this project.

Please do not hesitate to contact us at 519 323-3962 if necessary to discuss this further.

Respectfully submitted,

Greg and Carla Smith

From: mstone@wellington-north.com
To: carladziobsmith@hotmail.com
Subject: RE: Proposed Gravel Pit Objection
Date: Mon, 7 Jul 2014 12:55:45 +0000

Good Morning,

Thank you for your email, however, we are unable to open the attachment. Could you please resend in another format or drop a hard copy off at the office. I also left a message this morning regarding this with Greg Smith.

Also, for your information the CAO / Clerk for the Township is Michael Givens.

Thank you,

Michelle Stone
Township of Wellington North
519-848-3620 ext 24
mstone@wellington-north.com

Wellington North - Simply Explore
Proud Part of Wellington County, "Canada's Safest Community"

--Forwarded Message Attachment--
From: carladziobsmith@hotmail.com
To: township@wellington-north.com
Subject: Proposed Gravel Pit Objection
Date: Sat, 5 Jul 2014 16:53:11 +0000

Good afternoon Lori:

It would be appreciated if the attached letter could be distributed to the following individuals:

Lori Heinbuch
Ray Tout
Sherry Burke
Andy Lennox
Dan Yake

With thanks,
Greg and Carla Smith
7698 Sideroad 2 East

RR 2 Kenilworth, Ontario

519 323-3962

To: Wellington North Council
Mayor Ray Tout
Councillor Dan Yake
Councillor Sherry Burke
Councillor Mark Goetz
Councillor Andy Lennox

RECEIVED

JUL 10 2014

TWP. OF WELLINGTON NORTH

Subject: Ghent Pit Proposal

Mr. Mayor and Councillors,

Randy Bye's application for a gravel pit on Ghent land on Concession 4 and Sideroad 3, Arthur is very alarming given the fact that there is another pit adjacent to it on Concession 4.

The Ghent Pit proposal estimates that 2.5 million tonnes of aggregate is present and the haulage rate is 75,000 tonnes annually. Haul route is north on Concession 4 to Hwy. 89 west to Mount Forest.

The adjacent Ferguson Pit proposal has really been largely below the radar screen but in many respects it is because it is a family owned municipal pit that will remove road gravel as required for the benefit of the local taxpayers therefore, it has proceeded unopposed.

The Ferguson Pit proposal estimates that 1 million tonnes of aggregate is present and the haulage rate is 75,000 tonnes annually. Haul route is 50% north and 50% south on Concession 4. The combined Ferguson and Ghent Pit's haulage rate is estimated to be 150,000 tonnes annually! Past farms and homes on the *unpaved* portion of Concession 4, not to mention the empty trucks returning to the pit. Probably the intention is that the empty trucks will also be restricted to Concession 4 but I will be surprised if they do.

I don't believe Concession 4 nor the bridge has been engineered to handle the size and weight of the trucks as well as the constant pounding that will ensue.

The road must be upgraded and paved but why should taxpayers cover the cost when it has not been done on our behalf up to now?

Even though Mr. Bye has promised a few cents per load for dust control the maintenance required will still fall to the taxpayers who are the most adversely affected by these pits.

I am also concerned about the safety of the pedestrians who walk on the rural roads and the young people who ride their bikes, particularly the Mennonite children who attend the parochial school on Sideroad 3 at Concession 4 opposite the pit.

While the Mennonite families are more than capable of expressing their own concerns, I, for one do not want to be in the position of ever having to offer condolences in the case of an accident with a horse and buggy or a child on a bike.

Other parents have already written letters and also stated their concerns at the June public meeting.

The other concerns are many, and not to be taken lightly:

- Disruption of ground water causing contamination of well water even though the Ghent Pit is not to go below the water table
- dust, partly due to the unpaved road, that exacerbates allergies
- noise, especially on the unpaved section of the road.
- loss of Class 1 agriculture land
- destruction of natural habitat for two bird species
- environmental

and I'm sure the list could go on.

The gravel on the Ghent land will still be there after the Ferguson Pit is exhausted. That is not the place, nor is it the time to open another pit on Concession 4.

Respectfully submitted,

Cynthia Baltoumas

7760 Sideroad 2 E.,
Wellington North,
NOG 2E0
519-323-3273

Cc: Gary Williamson, Wellington County Councillor, Ward 3
Randy Pettapiece, MPP, Perth-Wellington



WELLINGTON FEDERATION OF AGRICULTURE

Gord Flewwelling
President
RR 3 Arthur ON
N0G 1A0
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Lisa Hern
Secretary-Treasurer
RR 2 Kenilworth ON
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519-848-3774
jplh1@xplornet.ca

RECEIVED

JUN 27 2014

TWP. OF WELLINGTON NORTH

Monday, June 23, 2014.

Gary Cousins
Director of Planning and Development
County of Wellington
Administration Centre
74 Woolwich St
Guelph ON N1H 3T9

Re: Ghent Pit-H. Bye Construction, Application for Official Plan Amendment, OP-2014-02

The Wellington Federation of Agriculture (WFA) is the largest farm organization in the County of Wellington and works in concert with the Ontario Federation of Agriculture (OFA). Both federations work to develop consensus in a diverse agriculture industry and lobby for policies that create a sustainable and profitable environment for farming in Ontario.

Prime agricultural land is the foundation of a secure food supply. Ontario has the greatest area of the best farmland in Canada. However, even with attempts to strengthen protections for prime farmland the loss of farmland seems unstoppable as noted by OFA:

“Every day, prime agricultural land is lost to non-agricultural uses like housing and commercial developments and aggregate extraction. Statistics Canada reports illustrate this very clearly. In the five-year period between 2006 and 2011, nearly 260,000 hectares of farmland was lost. Whatever the reason, Ontario cannot sustain this level of land loss and continue producing enough food, fiber and fuel.”

260,000 hectares or 642,000 acres lost in just the last 5 years! This translates to about 350 acres every day - an unsustainable attrition happening across the province! A direct result of an accumulation of too many “minor” changes to official plans for “just” 60 acres here and there. This application for the Ghent Pit is typical of the processes that lead to the overall depletion of farmland in this province.

The Wellington Federation of Agriculture does not support this application to change the Official Plan to allow a pit on Class 1 farmland.

Specifically:

- There seems to be little discussion in the application about the need for the aggregate that will take this property out of food production for the foreseeable future. Currently there would appear to be 38 licensed sites covering nearly 1,600 acres with over 5.6 million tonnes set as the annual maximum tonnage that could be drawn from pits surrounding Mount Forest. (Source: MNR website listing of licenses for geographic townships of Arthur, Egremont, and Minto.)
- A similar lack of discussion is noted about the potential impacts on local farm operations and local residents resulting from increased use of roads and daily aggregate extraction. For example, the Mount Forest area has been home to Old Order Mennonite congregations since the 1960's. Horse and buggies, bicycles and pedestrians of all ages are commonly found travelling the narrow gravel roads. What is the

track record of the operator of this proposed pit in terms of minimizing adverse impacts? What steps will be taken to insure public safety along the haul route?

- Much is riding on the applicant's commitment to progressive rehabilitation of the site back to agriculture production. Can evidence be provided that the applicant can deliver on commitments made in this application? The applicant holds other licenses in the area. Can the applicant provide proof that rehabilitation is proceeding in a timely fashion on these sites? Have there been site plan amendments to these pits or changes to the conditions of the existing permits?
- The WFA expects that rehabilitation will meet the standard set by the recently updated Provincial Policy Statement (2014) to return the land to an agricultural condition, "...a condition in which substantially the same areas and same average soil capability for agriculture are restored." As an example if this property can produce a yield of 140 bushels of corn per acre currently, will it be returned to a state where that yield can be anticipated using the same agronomic practices after extraction of aggregate? The WFA sees this as a reasonable expectation of a successful rehabilitation back to agriculture. Anything short of this expectation means that food production capacity is lost for future generations.
- 60 acres will be lost to food production for a generation or more if this pit proceeds. Proof that the aggregate industry, locally, is demonstrating "due diligence" is more than reasonable given past history of the aggregate industry at the provincial level. Is the local industry living up to its commitments to put farmland back into viable food production?

It is not the wish of WFA to single out only this particular application. Most of WFA's comments would be applicable to other applications, as well. The WFA's cautions reflect not just those expressed in the farm community. Much criticism has been directed at the oversight and enforcement level of the aggregate industry. Local decisions makers are tasked more than ever to provide cautious oversight and due diligence in approving the extraction of our aggregate resources ...

"The [Ontario] government is sending a strong message that the public should lower its expectations about what MNR [Ministry of Natural Resources] will do to sustainably manage the province's natural resources," says the Environmental Commissioner. "Cuts to MNR's core laws and regulations, cuts to staff, and cuts to programs will indeed transform the ministry. These short-sighted changes to MNR will potentially have disastrous results for our province's natural heritage."

(Source: Gutting MNR: Lowered Standards, Dangerous Risks, Gord Miller, Environmental Commissioner of Ontario, October 10, 2013)

Extra due diligence is required for all those in the position of approving this request.

The Wellington Federation of Agriculture, in the interest of preserving Class 1 farmland, does not recommend changes to the Official Plan to allow for the Ghent Pit application.

Respectfully,



Gordon Flewwelling
President

cc:
Township of Wellington North,
Bruce Fulcher,



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY (cbye@hbyeconstruction.com and Kristy.Sutherland@ontario.ca)
AND BY REGULAR MAIL

December 5, 2014

Ministry of Natural Resources and Forestry
1 Stone Road West
Guelph, ON
N1G 4Y2

H. Bye Construction Limited
395 Church Street N
Box 189
Mount Forest, ON
N0G 2L0

ATTENTION: Randy Bye and Kristy Sutherland

Dear Mr. Bye and Mrs. Sutherland,

RE: Proposed Category 3 – Class “A” Pit Above Water
Part Lots 5 & 6, Concession 5
Geographic Township of Arthur
Township of Wellington North (Ghent Pit)

The Saugeen Valley Conservation Authority (SVCA) has reviewed the above-noted pit application and the supplemental reports, including the January 6, 2013 Summary Statement, Site Plan Drawing Nos. 1 to 4 prepared by H. Bye Construction Limited dated November 12, 2014, the Ghent Pit Natural Environment Level 1 and 2 Technical Reports – Environmental Impact Assessment prepared by AET Consultants dated December 10, 2013, SPL Consultants Limited – Response to Saugeen Valley Conservation Authority, received November 18, 2014, the Fisheries Report dated December 9, 2013, also prepared by AET Consultants, the Level 1 Hydrogeological Study prepared by Gamsby and Mannerow Limited in November 2012, and the Ministry of Tourism, Culture and Sport Stage 1 and Stage 2 Archaeological Assessments prepared by William R. Fitzgerald dated July 22, 2013 and the November 12, 2014 response to SVCA April 18, 2014 comment from Wm. L. Bradshaw. We offer the following comments.

Item # 5 of previous SVCA comment recognized that *“Section 6.0 of the NETR indicates that there is potential for sediment to be transported to the lowland meadows and wetlands from surface run off during and following the initial stripping of overburden. The Mitigation Measures of the NETR and the Hydrogeological Study recommend that surface water management controls to provide water quality and quantity protection be implemented. As per Operational Note 23.2 on the Operational Plan, berms are proposed at lower site*



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

H. Bye Construction Limited
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elevations. Please show the location of these berms on the Operational Plan." SVCA comment of April 18, 2014, #5 has been responded to that silt fence will be utilized to restrict surface flows and potential sediment from moving to an inappropriate area during initial stripping. While sediment fencing may be a component of sediment control measures, silt fence is not an adequate management technique for water quality and quantity controls. Plans and reports will need to investigate and manage the proposed flows, as the NETR requires.

Once the SVCA has been provided with response to the above noted comment we will continue with our review of the licence application.

Should questions arise, please do not hesitate to contact this office.

Yours Sincerely,



Erik Downing
Manager, Environmental Planning and Regulations
Saugeen Conservation

ED/

cc: Mark Van Patter, Manager of Planning and Environment, County of Wellington (via e-mail)
Wm. Bradshaw P.Eng, via email
Cathy Moore, Deputy Clerk, Township of Wellington North, via e-mail
Terry Fisk, SVCA Director, via e-mail
Bruce Fulcher, Agent, Via email
Linda Sober, SPL Consultants, via email

Report Title **Natural Heritage Response
April 17, 2014 MNR Comments
Ghent Class 'A' Category 3 Aggregate License**

Location **Concession V East, Part Lot 6, Concession V
South, Part Lot 5. Township of Wellington North
(Former Township of Arthur) County of Wellington**

Prepared For:

**H. Bye Construction Ltd
Mount Forest, ON**

FINAL

**SPL Project No.: 10000498
Report Date: December 5, 2014 Agency Response**

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NETR ADDENDA AGENCY COMMENT RESPONSE

H. Bye Construction retained Linda Sober of SAAR (now SPL) in April to provide a current 2014 field response to MNR review comments on natural heritage for the proposed Ghent Pit.

Our 2014 field update adds to the original NETR conducted by AEG (2011-2013) and provides comments for consideration on the proposed pit mitigation, operation and progressive rehabilitation.

We have responded in the order the comments were written, providing the comment in italics followed by our response. Please feel free to contact us with any questions or discussion points.

Natural Environment

Snapping turtles

1. Section 4.2.9.2. of the NE Report indicates that Snapping Turtle was found to be associated with the marsh and swamp ELC communities, adjacent to the western and southern boundaries of the license. Snapping Turtle is listed as special concern under Ontario Regulation 230/08. The report also concludes that these wetlands represent significant wildlife habitat of the species. It is recommended that the report provide further discussion on whether mitigation measures should be included on the Site Plans, to ensure the species does not enter the site during the operation of the license. MNR staff notes that Snapping Turtles may attempt to take advantage of exposed aggregate material for nesting if the site is accessible. The Site Plan Overrides (Standard 5.1) on the Operation Plan indicate that fencing is currently not proposed along the western and southern boundaries of Area 1.

Agreed.

Note that further to ecological investigations, the setback from above noted swamp and marsh was expanded. Further, the proponent agreed to reflect this in a revised extraction limit to provide more area for wildlife including the turtle and functions also in particular for grassland birds in their conservation zone.

The Operation Plan note now includes the snapping turtle mitigation.

The barrier will be a silt fence properly backfilled and checked in the spring prior to pit operation start up and every two weeks when turtles are travelling to/from nest sites (May 15-July 15).

Specifications for fencing were obtained from MNR as 10-20 cm recommended depth of buried fence and 60 cm height (MNR Species at Risk Branch, 2013).

2. Based on the site investigations (e.g. ELC surveys) and a review of the County's Official Plan, MNR staff understands that a significant woodland was identified in the study area. This is referenced in Sections 1 and 4.2.3 of the NE Report. To support the discussion in the NE Report for the feature, MNR staff recommends that a map showing the boundaries of the significant woodland be provided for review.

Agreed.

Map 4: Significant Woodlands is provided in the NETR 2014 Addenda response below.



Map 1: Significant Woodland

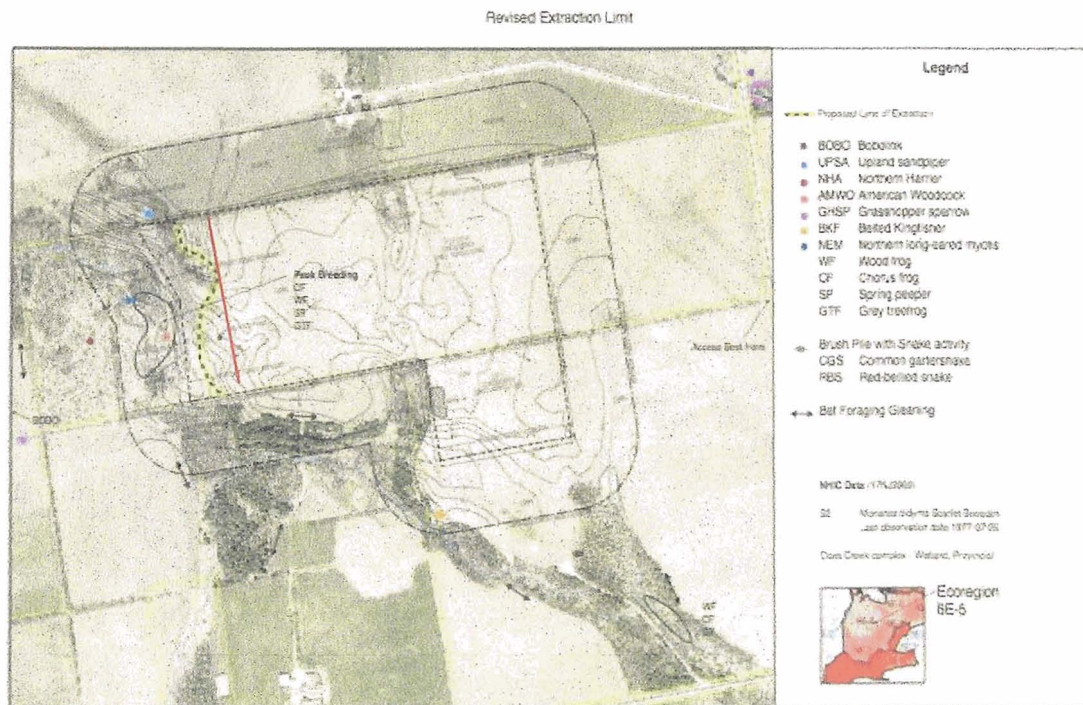
The limits are based on size and content of woodland relative to the low forest cover in the municipality and portion of North Wellington agrarian landscape.

We capture some openings, in particular by the Silver Maple treed swamp noted above with the red star, in the woodland designation due to observed contiguous use of the riparian, swamp and forested areas by wildlife (i.e. bats, turtle, grassland fringe nesting birds).

WOODLANDS

3. Section 9.9.1 states that setbacks will be shown on the Site Plans. On the Operational Plan a minimum 30 meter setback from the surveyed wetland is proposed along the western boundary (Area 1), and a variable setback between approximately 10-20 meters is proposed along the wooded areas (Area 1,2, and 3). The Ministry notes that the report does not appear to offer any detailed discussion on the above noted setbacks. Further rationale is required in the NE Report to support the proposed setbacks from the features identified on the Site Plans.

Agreed. SPL 2014 fieldwork resulted in increased setback from Silver Maple swamp and marsh



The proponent then agreed to revise the extraction limits further as noted in red above.

The area west of the red line will also function as the grassland bird conservation zone

Rationale for the increased setback from the creek and Silver Maple swamp is discussed below.

Riparian Avifauna

The westerly creek feature required greater setback to accommodate for spring and fall migrants observed at the fringes; these included the fascinating Common Snipe winnowing during spring dusk and moonlit evenings during Whip-poor-will surveys (no Whip-poor-will). Peenting American Woodcock also made at least one migratory stop (6) with no later nest evidence.

Late August yielded a young female Northern Harrier flying from the westerly adjacent lands, into the creek borders, and easterly over and across the site. The Harrier was not evident in spring or summer and may be an early migrant or dispersal from adjacent lands.

Riparian Herptiles

Spring field inspections note early amphibians calling during dusk and late evening surveys; the Wood frog and later Spring Peeper and Chorus frogs. They were heard in the creek margins and we measured some of the recommended distances from breeding habitat, used terrain features including slope and aspect, to finalize our recommended setback as drawn (Map 2).

Exerpts of their life cycle are reproduced below to illustrate the degree they informed our mitigation and also pit rehabilitation plan notes.

Wood Frog, *Rana sylvatica*

Duck like quacking is heard in the shrub swamp in late March into mid April. This frog is the most widely distributed frog, across all provinces and our only frog found north of the Arctic Circle – yet it is often overlooked .

Habitat structure they require includes emergent wetland vegetation, ranging from cattails through shrub or sedge layers to attach their eggs. 500-800 Eggs are within a large jelly package attached to submergent plants. The dark egg mass needs exposure to sunlight and oxygen for the 1-2 week hatching timeline, and subsequent tadpole transformation into adults (44-85 days, average 60 days).

The Wood frog is also within the wet borders of the Silver Maple swamp at the northwest corner of the parcel as vernal pools are found within the tree cover allowing for spring snow melt and rains to hold in the hollow depressions long enough for tadpole emergence.

The frogs travel between the forest and wetland and their path is secured by separation from extraction.

A 40 metre setback was measured for this linkage function from the wood frog breeding site incorporated into the overall proposed and revised limit of extraction (Map 2). Since frogs move radially at times as well, it is understood and acknowledged that there will be pioneer ventures away from their breeding habitat; this of course is how they became so prolific over such a large range of land in North America.

What currently occurs when amphibians venture upland and overland is desiccation; they dry up if the distances are devoid of moist canopy cover. Future rehabilitated agrarian landscapes will offer a chance at dispersal, however I suggest that the prime breeding habitat (significant portions of critical habitat) and linkage to winter hibernation areas has been well provided for in the current plan.

The Silver Maple forest patch should be conserved to maintain the winter hibernaculae; deadfallen logs and good leaf litter layers for burrowing into mud. The frogs sustain freezing because of anti-freeze like chemicals in their blood stream but their winter forest habitat requires maintenance for this continued function.

Spring Peeper, *Pseudacris crucifer*

This is one of three treefrogs on site, all in April yet only the Spring Peeper was breeding. The other Grey hyaline tree frog, now named Grey Tree frog, keeps the others company calling but breeds later in May-June.

I find the peeper less habitat specific than the Wood frog, but still requiring the same combination of pond or creek edge vegetation and forest; when we have sufficient ponded depressions within the forest as on the Ghent site, the frog has all of its life cycle needs in one area and this can prompt less travel. Metamorphosis takes two months and like the other early breeding Wood frog, the Spring peeper can freeze.

Species: Western (striped) chorus frog, *Pseudacris triseriata*

This tree frog was recorded in the April chorus at treed swamp edges and in the southern cart trail shrub swamp we drove in off of Sideroad 5 to access the site (Map 1).

It is very plastic in its habitat needs, accepting many different habitats including the municipal drain. The Silver Maple swamp on and off the subject property provides multiple small breeding pools for the Chorus frog. Eggs have greatest chances of survival in these off creek habitats with no fish to eat the eggs. The mosquito crop in the treed swamp provides abundant food for the Chorus frog diet.

Many of the ponded depressions were deep enough (> 10 cm water) but roughly 35% of the depressions in the treed swamp didn't hold snow melt and spring rains long enough to hatch the eggs (6-18 days) or especially swim and transform from tadpole to a terrestrial frog able to travel (approximately 60 days, pers. observ.). We did not observe travel across the uplands.

Leopard and Green frogs were also recorded however not in > 10 individuals, unlike the breeding chorus of Wood, Spring peeper and Chorus frog.

Adequate setback is achieved from the observed breeding activity with revised extraction limits.

Turtles

Earlier submissions also report on Snapping turtles. SPL noted two (2) lumbering along creekbanks and swimming during evening frog chorus work in May. No movement to adjacent uplands was observed although they move more at night and can be undercensused.

RIPARIAN MITIGATION

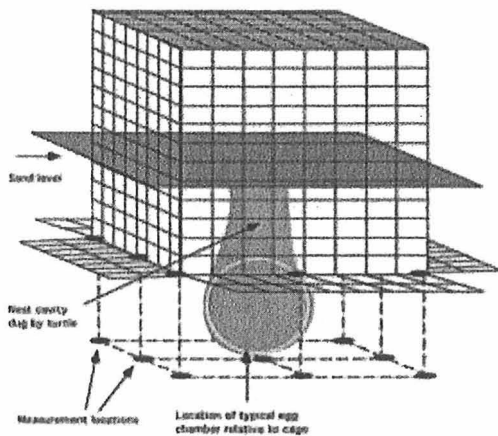
Critical Breeding Habitat

Special care in the form of creating and enhancing the available nest habitat (it's not that great) for the turtles is recommended.

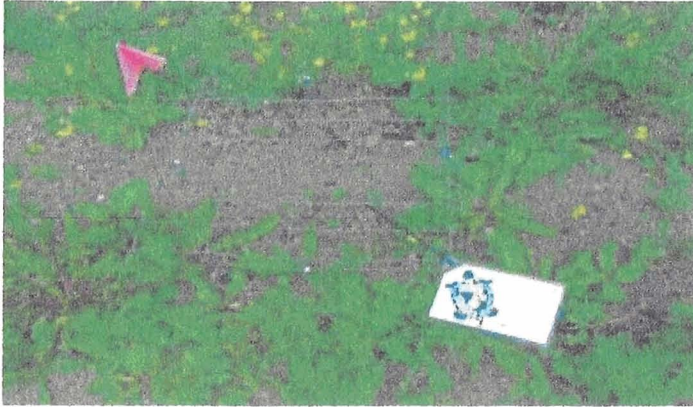
We recommend creating two sandy deposits along the creek with wheelbarrow loads loads (front-end loaders too unwieldy, damaging to organic substrate). The intent is that by creating optimal habitat for breeding, turtles will not travel far to locate habitat.

Install egg protection covers **IF** annual field check indicates nesting from re-excavated material.

This type of structure and effort are recommended because although one can observe Snapping turtle at this location, successful recruitment is less evident with all the potential predators present, including fox, skunk, dog, cat, raccoon, crow, garter snakes.



Use #12 gauge wire with grid size of 2" X 2" square cells, at least 4" high.



Kids for Turtles Program and Lakehead University

We agree with Anne Marie (MNR) that turtles will nest in aggregates where accessible; all the road ROW pit run gravel nests in Ontario validate that concern. Therefore, habitat creation can work to address the turtle requirements.

Movement Habitats

Some of the herptiles (frogs, snakes, turtles, lizard) will move linearly and use somewhat of a corridor, some not, hence our summary of movement habitats. After the large event of many concentrated bodies during breeding events, the adjacent uplands can be as important during the terrestrial phase of animal life cycles. Thus we tried to survey, by straight line transects of the habitats, the dispersal distance and direction of herptiles moving into their summer habitats from the wetlands. Some of this dispersal from the shrub swamp looked like the scatter plot it is, with the juvenile Wood frogs for example, striking out in almost all compass point directions, while other riparian wildlife like the Meadow Jumping Mouse appeared to travel in a NE-SW orientation trail laid down by a larger fur bearer from the shrub swamp and creek edges.

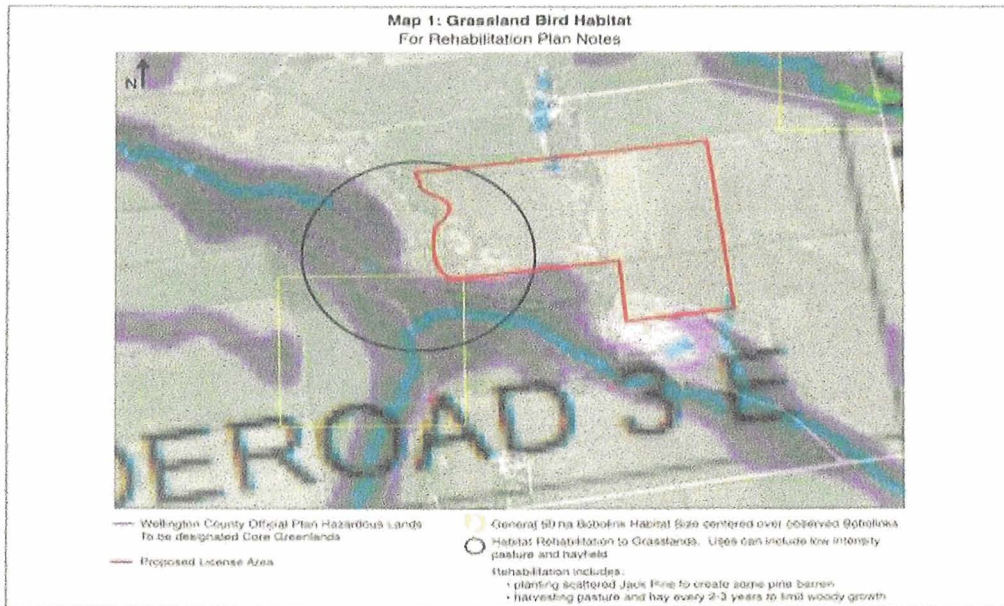
4. It is understood that both Bobolink and Eastern Meadowlark were observed on the adjacent lands to the north of the license area (Section 4.2.9.2). Both species are listed as threatened under Ontario Regulation 230/08, and receive individual and general habitat protection under the Endangered Species Act. Habitat descriptions of the adjacent lands are provided in the report for Bobolink and Eastern Meadowlark. The Ministry notes however that the report does not appear to offer any details on the habitat potential for the species on the site (e.g. agricultural characteristics, cultural meadows). It is recommended that further discussion be provided on the habitat potential for Bobolink and Eastern Meadowlark on the site, using the general habitat descriptions for the species. The general habitat descriptions for Bobolink and Eastern Meadowlark are available on the MNR website.

Agreed.

Bobolink, Eastern Meadowlark, Grasshopper Sparrow and Upland Sandpiper grassland birds of decline are present on the periphery (western unfarmed portions) of the site, and all adjacent lands to the north, south, east and west (2014 SPL surveys and BBA confirmation).

Habitat potential is currently low because the parcel is farmed intensively for corn and soybean.

Habitat potential will increase as guided by our recommendations for grassland habitat creation and pasture lands in the revised progressive rehabilitation plan attached for consideration.



Map 3: Yellow square indicates optimal size of Bobolink habitat, while the circle indicates a mosaic of useful habitat, portions of which comprise the grassland bird conservation zone

The creek feature is used by the Bobolink; it was nesting in the southwest off site field of winter wheat in 2014, and would likely return to use the water feature in combination with the lands west of the proposed westerly extraction limit if seeded with the desirable native grasses.

Ecology detail on the grassland birds shaped our recommendations for the progressive rehabilitation plan regarding what the birds use, when they use it and how to best provide habitat.

GRASSLAND BIRDS

Grassland birds are in a measured sharp decline, thus Draft Recovery Strategies have been authored by Bird Studies Canada as required by the Endangered Species Act (2007).

Bobolink

Egg Dates 19 May to 16 July (n= 102 nests, Peck and James)

Site Character

Bobolink are present on and near the Ghent site. We conducted specific breeding surveys for Bobolink on site and beyond the minimum 120m of the A.R.A. policy due to conservation status.

The current site does not offer viable habitat given high intensive agricultural crops.

However, the western limit by virtue perhaps of the topography and associated wetland does offer moist to dry gradient grassland. The shrub swamp edges provide very tall grass, taller than the field literature documents, however we observed Bobolink southwest of the swamp in a winter wheat field (off site) and this suggests that given an opportunity through rehabilitation and habitat creation within the immediate 1 km block, it is reasonable to suggest the grassland birds would consider the habitat for breeding.

We have taken a landscape view to habitat creation and enhancement to shape the new Rehabilitation Plan because the latest science indicates grassland birds require at least 4ha (10 acres) of grassland.

I have based my conservation area for the birds on:

1. The area I observed them nest
2. Proximity to other hayfields or fallow field
3. Least likelihood of future fragmentation by roads and land uses

We provide a review on the grassland bird requirements on the following pages so reviewers can track our rationale for recommended pit mitigation and progressive rehabilitation.

Mitigation Framework

These federal and provincial recommendations need to be discussed in an open forum between the property owner and farmer (the same here) and the research team submitting the final plan to ensure the best fit for all moving forward.

What kind of grass?

Native Switchgrass and Big Bluestem are recommended vs. fescues and alfalfa, tall enough to hide the birds.

When to cut?

Later than traditional first cut in June, which results in nest mortality. First cut is delayed into July to allow nestlings to fledge and get out of the way of the thrasher and harvester.

How to keep it grassland?

Brush hog every 2-3 years after bird season in fall (September-October).

Leaving the westerly portion of lands from the revised extraction limit to the creek, and maintaining the grassland cover, provides reasonable assurance of use; uncut hayfields of Ontario and Quebec have a nest success rate of 43% (Frei, 2009).

Habitat studies

Field research on this bird shows they have used hayfield 8+ years old that is cut annually, and in lesser order of preference, lightly grazed pasture, fallow field, old field and young hayfield (Bollinger and Gavin, 1992; Bollinger, 1995), commonly nesting in old abandoned field (cultural meadow) with less use of grain fields (Martin 1971, Bollinger et al. 1990, Van Damme 1999, Dechant et al. 2001, Norment et al. 2010).

Bobolinks don't appear to select row crops such as corn and soybean (Sample 1989, Jobin et al. 1996) but have in southwestern Ontario (Norfolk, Chatham-Kent, Essex, Durham) nested in fields larger than 50 hectares with winter wheat and rye (D. Martin and J. Holdsworth, pers. comms. 2011, J. McCracken, pers. obs. 2012, Sober, pers. Obs. 2014 adjacent lands wheat field to Ghent Pit, North Wellington County). Other field researchers in the draft recovery strategy provincial document suggest the bird may nest in the wheat when the grain is underplanted with clover, alfalfa or supports a wet grassy section (J. McCracken, pers. obs. 2012). The wheat south of Ghent did not have a bisecting wet grassy swale but it falls within 120 metres of the drainage feature.

Average territory size ranges from 0.4ha - 2ha (Wiens 1969, Martin 1971, Wittenberger 1978, Bollinger and Gavin 1992, Lavallée 1998). Nests are built on the ground usually at the base of tall forbs (Martin and Gavin 1995). In the uncut hayfields of Ontario and Quebec nest success rates are 43% (Frei 2009).

During the breeding season, adults feed on 57% insects and 43% seeds (Martin and Gavin 1995). Bobolinks now nest primarily in hayfields and pastures (Bollinger and Gavin 1992, Bollinger 1995, Martin and Gavin 1995, Jobin et al. 1996, Cadman et al. 2007).

These habitats are typically dominated by *Phleum pratense*, *Poa pratensis*, and *Trifolium* spp (Dale et al. 1997, VanDamme 1999, Frei 2009). Microhabitat preferences best matched in regularly maintained hayfields that are not cut early in the season and grasslands (McCracken et al. 2013).

Other grassland birds breeding in and near the study site:

Upland Sandpiper

Egg Dates 12 May to 9 July (n = 38 nests, Peck & James)

These regional birds adapt to traditional agrarian uses such as hay and pasture, but are impacted by intensive farming such as corn and soybean crop.

The pit Rehabilitation Plan however needs to reflect these recent concerns in grassland bird decline, and the goal of our updated assessment of potential pit impact on the Upland Sandpiper is to

- a) **Establish adequate setback distances from breeding and**
- b) **Inform the enhanced rehabilitation plan for this bird**

The Upland sandpiper (*Bartramia longicauda*) migrates, and is an area-sensitive shorebird requiring large pasture, prairie, hayfield, savannah and Jack Pine (*Pinus banksiana*) barrens (Korte, 2013).

They are confirmed breeders in many of the Breeding Bird Atlas squares and a coordinated multi-aggregate operator approach across the landscape wherever possible is a practical approach to achieving the large size of conservation lands.

Rehabilitation Plan Detail

1. Plant clusters of Jack Pine as barren

2. Monitor on a five year rotation to confirm return of grassland birds in decline.

Nidology in Ontario includes 44 nests in hayfield, unused pasture, hawthorn meadow and occasionally as well on airport grassland. Grasses were at least 6-10" tall and nests were scraped into the ground, lined sparsely with grass and sometimes with feather, close to others (30-200' for two observed nests, Peck and James, 1983).

MITIGATION

- Since this bird breeds successfully on glacial outwash sand and gravel (Korte, 2013) that is representative and present on this site (Ontario Geological Survey notes with thanks to MNR), we recommended leaving a portion of the outwash grassland as mapped.
- The area is selected with a mosaic of the preferred habitats Korte's solid thesis work pointed to; the birds nested long term when habitat consisted of a mix of deciduous forest (27%), coniferous (16%), crop (11%) and herbaceous open land (Korte, 2013).
- **The grassland requires harvest every 3-5 years to keep successional woody growth from taking over.** Typical nesting grassland habitat was made up of 39% grass, 19% woody plants, 16% bare ground, 11% moss and lichen, 5% woody debris, and 6% forbs (Korte 2013).
- **Restrict timber operations within the Silver Maple swamp and riparian wetlands** to ensure maximum conservation of the deadstanding trees, fence posts and stub trees as the existing structures provide the preferred density of average 25 perches per hectare (Korte, 2013)

Grassland Birds in Decline Observed Within 10 Kilometers

Eastern Meadowlark

Egg Dates: 2 May to 3 August (n=322 nests, Peck & James, 1987)

Field Surveys

We observed female Meadowlark on hay bales northeast at Sideroad 4N. We did not observe Meadowlark on site, however the site is farmed in corn and soybean, and the bird has traditionally been recorded in many of the Breeding Bird Atlas squares.

Therefore we agree with OMNR that a discussion of habitat requirements is prudent. It shaped our Rehabilitation Plan notes.

Habitat Requirements

Territory sizes average 0.4ha - 2ha (Wiens 1969, Martin 1971, Wittenberger 1978, Bollinger and Gavin 1992, Lavallée 1998) with smaller nesting areas within that. Nests are built on the ground usually at the base of tall forbs (Martin and Gavin 1995).

The Meadowlark nests in hayfields, grasslands and savannahs (Roseberry and Klimstra 1970, Lanyon 1995) and also in weedy meadows, orchards, golf courses, restored grassland of surface mines, grassy roadsides, young oak plantations, grain fields, herbaceous fencerows, and grassy airfields (Peck and James 1987, Bryan and Best 1991, Warner 1992, Lanyon 1995, Kershner and Bollinger 1996, DeVault et al. 2002, Hull 2003, Galligan et al. 2006).

Like the Bobolink, it rarely nests in row crops such as corn and soybean (Cadman et al. 2007), except perhaps when grassed waterways are present (Bryan and Best 1991). Hull (2003) found grasses in the grasslands were generally 25-50cm with abundant litter cover and 80% or more grass cover. When grass cover dipped below 20% it was found to have less use. Forbs and woody growth by definition of grasslands were scarce, at 5%, with areas greater than 35% being too dense. An interesting variable was the amount of bare ground (Wiens 1969, Roseberry and Klimstra 1970, Rotenberry and Wiens 1980, Schroeder and Sousa 1982, Askins 1993, Vickery et al. 1994, Granfors et al. 1996, Kershner et al. 2004a, Warren and Anderson 2005, Coppedge et al. 2008) so shielding from predators appears paramount for nest habitat selection.

Perches continue to be important for grassland birds including the Eastern Meadowlark, with use of scattered trees, shrubs, telephone poles, and fence posts for elevated song perches (Wiens 1969, Sample 1989, Hull 2003 *in* Draft Recovery Strategy).

Site Conditions

Although the Ghent site is in crop, the westerly limits support suitable habitat and include the discussed mosaics of wetlands, grassland on a knoll and surrounding fields in various stages of crop rotation including winter wheat off site on adjacent lands (southwest of parcel).

We recommended capture of the westerly lands as illustrated in our mapping.

As with Bobolink, Meadowlark also prefer older hayfield. The challenge is to keep succession at bay when woody growth, weed, legume and plant heights increase (*en sensu*, Zimmerman, 1992:Bollinger, 1995). Grass dominated fields were preferred over Alfalfa, as Meadowlark use grass as nest material (Roseberry and Klimstra, 1970). Therefore native grass is recommended in the planting plans for rehabilitation.

Grassland Mowing

None of the grassland birds can tolerate repeated hay cutting during May-July breeding.

Infrequent mowing at 3-5 year intervals keeps grassland from woody shrub changes and elicits positive response (Hays and Farmer 1990, Granfors et al. 1996, Jones and Vickery 1997). We have observed nest success on other sites that are grazed by cattle but low intensity with less than 50 head of cattle (Sober, pers. Observ.), grazing that maintains grass at 10-30 cm (Risser et al. 1981, Jones and Vickery 1997).

Eastern Meadowlarks also respond positively to periodic, prescribed burning conducted at intervals of two to four years (Skinner 1975 in Lanyon 1995, Jones and Vickery 1997, Walk and Warner 2000, Hull 2003, Powell 2008, Coppedge et al. 2008). Response to fire varies, however, depending on soil type, climate, grassland type (native vs non-native), fire frequency, and time elapsed between burns (Zimmerman 1992, Hull 2003).

The suitability of grassland habitat for Eastern Meadowlark involves a combination of landscape and patch characteristics (Herkert 1991, Vickery et al. 1994, Renfrew and Ribic 2008). Studies conducted in Missouri and New York suggest that the Eastern Meadowlark is not especially area-sensitive; breeding density was not influenced by patch size and the species was not found to be affected by edge density, distance to another patch of grassland or forest, or by cover, patch size or core area of grassland (Bollinger 1995, Winter 1998, Horn et al. 2000). Nevertheless, large tracts of grasslands are generally preferred over smaller ones (Herkert 1991, 1994, Vickery et al. 1994, O'Leary and Nyberg 2000). The minimum size required is about five hectares (Herkert 1994).

There appear to be regional differences in the degree of sensitivity of Eastern Meadowlarks to habitat fragmentation. For example, in Illinois, the species was considered moderately sensitive to grassland habitat fragmentation attributes (O'Leary and Nyberg 2000, Hull 2003). In Wisconsin, relative abundance was greatest in pastures with more grassland core area (i.e., area of grassland occurring >25 m from the edge of a patch) and in landscapes having greater amounts of grassland cover (Renfrew and Ribic 2008).

Breeding Microhabitat Needs

Bobolinks and Eastern Meadowlarks share similar broad habitat requirements, have similar distributional patterns of regional abundance, and frequently occur within the same fields (McCracken et al. 2012). However, there are some within-field differences that can be important considerations for habitat conservation and management efforts:

Bobolinks appear to prefer larger fields than Eastern Meadowlarks.

Bobolinks tolerate and may even prefer wetter portions of fields, and are most apt to select nesting sites that are closer to field centres. Eastern Meadowlarks prefer to nest in drier sites, and will frequently nest around field margins.

Bobolinks are more closely associated with hayfields than Eastern Meadowlarks, and less closely associated with pasture (e.g., Ribic et al. 2009).

Forb composition in grass-dominated fields occupied by Eastern Meadowlarks tends to be slightly lower (e.g., 11-15% forb cover; Kershner et al. 2004a, 11.1%; Jensen 1999) than for Bobolinks (e.g., 22.6%; Winter et al. 2004).

Bobolinks tend to nest in patches of denser and taller herbaceous vegetation (Martin 1971, Schneider 1998) than Eastern Meadowlarks (Sample 1989, McCoy 1996).

Eastern Meadowlarks have a higher tolerance to shrub encroachment (e.g., up to 35% shrub cover; Schroeder and Sousa 1982) than Bobolinks (less than 25% shrub cover; Bollinger 1988, Bollinger and Gavin 1992).

Bobolinks have a lower tolerance to the presence of patches of bare ground (e.g., 0.3%; Schneider 1998, Winter et al. 2004, Warren and Anderson 2005) than Eastern Meadowlarks (e.g., 8.5%; Jensen 1999, 0.5-3%; Kershner et al. 2004a).

For Bobolinks, microhabitat preferences are best matched in regularly maintained hayfields and grasslands. If not maintained, Bobolinks may decline significantly due to accumulation of litter and shrub encroachment (Johnson 1997). The species responds positively to properly-timed mowing and burning, with abundance peaking one to three years after disturbance (Bollinger and Gavin 1992, Johnson 1997, Madden et al. 1999).

Eastern Meadowlark densities are higher in heterogeneous vegetation habitat than homogenous (Risser et al. 1981, Schroeder and Sousa 1982). These preferences are best matched with periodically mowed and burned grasslands (3-5 years; Hays and Farmer 1990, King and Savidge 1995), lightly to moderately grazed pastures (Skinner et al. 1984), and idle grasslands.

5. The ELC Polygon Map (Figure 5) indicates that several trees associated with the FOD5-4 communities (Dry-Fresh Sugar Maple-Ironwood Deciduous Forest Type) will be removed in the license area. In January 2013, both Little Brown Myotis and Northern Myotis were listed as endangered under Ontario Regulation 230/08. Both bat species received individual and general habitat protection under the Endangered Species Act at the time of listing. It is recommended that habitat assessments be completed for any deciduous forest community (ELC code FOD) with trees that may be impacted by the license, to determine if potential roosting habitat for Little Brown Myotis or Northern Myotis is present. If potential roosting habitat is present, it is additionally recommended that targeted surveys be completed for the species to determine presence or absence. MNR Guelph District can provide the recommended survey protocols for Little Brown Myotis and Northern Myotis to the project team on request.

Agreed.

Habitat surveys were conducted, thanks to Guelph MNR for *Myotis* survey protocols.

Dusk and pre dawn observations included Northern Long-eared Bats (Northern Myotis). Both are listed species, with more Little Myotis on site and at least one Northern - although challenging to discern between the tragus of the Northern and the Little Myotis.

Myotis were observed in the Silver Maple swamp where the greatest number of snag, dead standing and cavity trees occurred per square hectare. Setback from the treed swamp was increased for a final revised extraction limit (attached mapping). Note that the setback and newly established west extractive limits also delineate the limit of grassland conservation zone.

Bat Survey

We conducted bat surveys at dusk, before midnight and pre-dawn using night binoculars, confirming bats perching, gleaning moths and beetles from leaves and aerial foraging of mosquitoes in flight. During surveys conducted at the appropriate time to document bat flight, especially maternal roosting, we located only one Northern Myotis under Silver Maple bark (see fieldmap). Predominant species were the Little and Big Brown Bat (*Myotis* species) although suitable habitat for the Northern Myotis is also offered regionally in North Wellington in Silver Maple groves both on and off this site. Although Bells Creek does offer suitable open edge habitat and plentiful insects, we observed Big Brown Bat within 5m.

Also, spring maternity colonies of either species were not present during our sampling period; bats congregate during this more social time and tens of the bats in flight would have been noted at the key deciduous forest edges being targeted for study adjacent to proposed extraction (east of Bells Creek).

Both species will use buildings, the Northern less so. The Northern *Myotis* also appears to have more complex behavior in its constant relocation of night roosts, its range at 40 kHz overlapping with the other *Myotis* pulses (Ontario Mammal Atlas, 1996) and the tragus ear detail being quite small to discern with night vision binoculars when bats are in flight. The potential threat to Northern *Myotis* of interrupted hibernation stresses the bat leaving it open to fungal pathogens such as White Nose disease (*Geomyces destructans*).

Hibernaculae are not at risk here since a) pit activity does not continue during hibernation and b) nor is there optimal hibernaculae such as mine shafts or caves. This bat and others can at times also select a building but no structures require demolition or encroachment.

Mitigation on a conservative measure for this site includes retaining the suitable Silver Maples, excluding them from any potential extraction. Timber operations could potentially impact bat species.

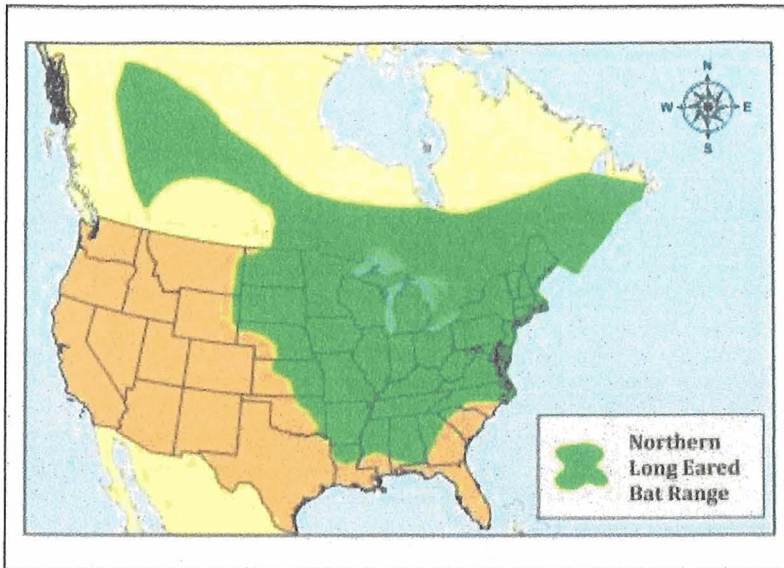
Protect tall snag and cavity trees especially from June-August when pups are developing.

Other tree roosters are potential and the increased setback is precautionary to conserve successful function of gleaning and hawking by the bats along the forest edge. It also follows that the setback established here serves to function grassland birds and is their conservation zone as well.

Tree roosters appear most vulnerable to habitat loss and aerial impediments such as wind farms we have studied fatalities summarized by recording above. Tremendous energy reserves are required to migrate long distances and these bats eat 40-50% of their body weight each day. One bat in particular, the Northern long-eared bat, is at risk due to a hard hitting fungal pathogen known as White-nose Syndrome (WNS). The bats slow reproductive rate gives them low recovery rates.

The range of Northern *Myotis* is depicted below. It migrates to winter hibernacula and uses summer habitat here from May through August. I have surveyed bat potential wintering habitats for species associated with wind farm review, and hibernaculae can be distant: summer roost to winter hibernaculae have been recorded at 56 km (35 mi) and 89 km (55 mi, Nagorsen and Brigham, 1993) and could range from 8-270 km (5-168 miles, Griffin, 1945).

Maintaining the sun cracked Silver Maple specimens that provide internal large yet hidden tree cavities on site in the Silver Maple swamp is important. The broader setback also provides greater distance to facilitate foraging, although realistically the bats use all tree perimeter areas.



Impact of Aggregate Activity

I observed bats gleaning insects from tree leaves and foraging along the open forest edge. In particular, feeding occurred at April and May peak mosquito times in and outside the Silver Maple swamp. This is in keeping with our earlier observations at wind farms where foraging appeared more often along long corridors like hydro-electric corridors and narrow hedgerow edges where moths, mosquitoes and other insects could be foraged with open access.

Our prior experience with bats indicates that large structures, such as wind turbines, can and do effect bat survival; I hypothesized that this is due to the turbine monopole being akin to a large roost tree from a flying bats perspective, eliciting sign stimuli responses from the bat to investigate a potentially tall roost tree. I find no such tall tree like structures being proposed or required for extraction activities; no tall stationary machinery to be erected on site adjacent to the Silver Maple forest patch and no impediments to bat movement for gleaning and hawking insects during night forays.

Thus we find no immediate threats from this land use that would result in a direct loss of bat habitat or secondary loss of bat species over time through degradation of habitat such as the impact of noise, dust or human presence during aggregate extraction.

BAT MITIGATION

1. Retain and setback the Silver Maple treed swamp to maintain the May-August use of habitat by long distance bats. Note the setback also captures function for grassland birds
2. Reflect setbacks on the Operation and Rehabilitation Plans and link high value potential roost habitat of Silver Maple swamp – this supported the greatest number of potential roost trees further to the bat survey
3. Remove Burdock (*Arctium minus*) when preparing the site as seedheads trap the bats

MNR Protocols

I applied the MNR bat protocol (Bat and Bat Habitat Surveys of Treed Habitats, MNR) received from Guelph. This provides a good measure of habitat for potential bat roosting. I measured the extent of snags, stub and cavity trees greater than or equal to 25cm dbh when ground truthing 12.6m fixed radius plots. I note that recent field studies document use of smaller trees (stem 3" and greater, FWS, 2014) perhaps due to solitary use and no need for a larger tree cavity. Although a binocular identification of the tragus, I noted one Northern Myotis by tragus shape amongst tree bark approximately 10m above ground on a Black Cherry, the identification challenging for the inner ear characteristic at dusk. I agree with FWS (2013) when they are in tight crevices or cracks they are easily overlooked.

Although any ecologist can reasonably overlook single bats, a maternal roost of 20+ with a number of airborne bats would likely be observed during target evening and pre dawn surveys. Direct counts are realistic for these species because night binoculars lend themselves to clear visual confirmation rather than mist net mortalities and ineffective bat detectors which here cannot discern in the MHz ranges between these bats. It is quite correct that the inner identifier, the tragus and its shape, are difficult to discern, and the bat is hard to examine in hand since it is most often high up in the tallest trees. However the habitats of the two *Myotis* differ and assist in this manner.

During carcass counts for wind energy projects we found it difficult to discern exact arrival and departure dates for long and short distance migrants. Caves and tunnels would be sought out in different wintering grounds but the timeline to compare with proposed aggregate activities is difficult to pinpoint.

Also, relative to their size, bats have respectively low reproduction rates from an r and k selection perspective, with small litters of just one 'pup', rendering them vulnerable to the current pathogen causing White-nose Syndrome. Predators are also present on and near the site including Raccoon, Garter Snake, feral or domestic cats, owls and hawks.

Perhaps the greatest threat to bat populations is direct loss, degradation and/or fragmentation of foraging grounds. Since the bats pick insects directly from tree canopy (gleaning) moths, Coleoptera beetles and flies, as well as during aerial maneuvers along the outer edge of long linear forests (e.g. hydro electric corridor openings in forests) conserving forest edges is warranted.

Although bats appear to have evolved in association with trees, and use them to this day, many like the Little Brown Bat and Big Brown Bat (now known as Little Brown Myotis) evolved in modern association with human made structures including barns, sheds and homes.

M. septentrionalis selects large roost trees with respective large diameters, decay and ready use the bark (Sedgeley and O'Donnell, 1999b) such as those present in the Silver Maple swamp.

Signs of other primary cavity users such as the Pileated Woodpecker are good indicators that secondary cavity users (in addition to bats) will have options of cavities rather than only broken tops of stub trees which are open to the weather.

Factors around roost trees

Canopy cover ranged in studies from 56% (timone et al., 2010) to 66% (Perry and Thill, 2007) and greater than 75% in New Hampshire (Sasse and Pekins, 1996). Long-eared bat colony sizes in studies have been small, using 3 – 16 roost trees for example (Johnson et al, 2012).

Information on individuals:

- Menzel et al. (2002) tracked 7 NLEB to 12 roosts in WV.
- Foster and Kurta (1999) tracked 11 NLEB to 32 roosts over two years. Mean number of different trees used by each bat was 3.6 (range 2-7).
- Over two years, Johnson et al. (2009) tracked 3 and 33 NLEB to 8 and 65 roost trees, respectively.
- Jackson (2004) tracked 30 NLEB to 259 roosts in AR over two years. Mean number of different roosts used by each bat was 8.6 (range 2-11).

These field results indicate that we have a small number of bats with abundant available roost material in the area designated for conservation.



Bat location

NORTHERN LONG-EARED BAT MITIGATION

Since the Northern long-eared in particular is considered sensitive throughout most of Canada and in Ontario, specific mitigation is provided for this bat which can assist other bats as well.

1. Retain and setback the Silver Maple treed swamp albeit with low evidence (1 bat under bark) of the Northern Myotis and ample Little and Big Brown Bat on and near the site
2. Ensure setback captures sufficient foraging habitat based upon current science and observed use on site, agreed with by the proponent
3. Restrict tree cut in the Silver Maple swamp so potential roosts remain

Site fidelity is low, so general habitat conservation to provide for a variety of roost locations is appropriate; the Northern Myotis will switch its often solitary day roost every two days in the summer (Foster & Kurta, 1999). Further, fecund females have been known to roost apart from non-reproductive females suggesting conserving a variety of habitats with roost trees is prudent. Recent Canadian studies of the Northern long-eared bat in Nova Scotia refine this data, with eastern field sampling showing that yes females switch roosts almost daily, but will reuse >50% of the trees when gestating and lactating (Patriquin, 2008). Patriquin found that females lived in a network of interconnected subgroups, moving between multiple roosts. Given movement between roosts the females re-used some trees during summer, and year to year. *M. septentrionalis* studies in the United States note this movement between roosts to be in the order of 400m (See Table 1.4 from summary literature).

This informs our conservation management prescription in that we identified the habitats with highest roost value trees, and assessed what is required for a continued healthy aerial corridor linkage between them. Although the observed Myotis are not high in number here, other vulnerable wildlife will also fall under the umbrella of this strategy to conserve a wide variety of trees to select from, including the older growth potential roosts that were selected in Patriquin field surveys.

North American field literature reports on a variety of home range sizes; from 1.5 miles away from suitable roost trees (Owens et al, 2003) to average distances of foraging to roosting being 602 metres (1975 ft) in New Hampshire (Sasse and Pekins, 1996). FWS Guidance Technical Documents note 2.5 miles from roosts (FWS, 2011), and an interesting study by Jackson (2004) tracked 30 NLEB to 259 roosts, providing a statistically healthy sample size for more meaningful data, and reported maximum distances traveled within summer home ranges at 1.7 miles.

Site Observations

Bats didn't traverse the open Ghent fields and rather they characteristically take the edges, or ecotones, of habitat that the insects also travel along, hunting the forest edges.

Taking all this into consideration the proposed open farmland does not represent a significant negative impact to bats on and near the parcel.

Associated risks that come along with aggregate activity such as airborne dust, were then evaluated by our team for potential effect on bats and other wildlife on the subject property.

MITIGATION

Dust can be suppressed with water application using a water truck if/as required

Crusher timing and location at the pit should ensure it is not adjacent to the forest

6. It is recommended that the NE Report provide further comment on whether avoiding key timing windows for migratory birds should be implemented on the Site Plans, regarding any tree clearing that may be required within the limit of extraction.

Agreed.

The Operation Plan note now includes the MBCA note regarding timing, notwithstanding that with our increased and revised setback from the Silver Maple swamp on westerly boundaries there will be no tree cut. This note is precautionary and prudent to take in possibility of other tree removal during extractive phases such as single specimen trees along outer hedgerows.

"Tree clearing should not occur within April 1-August 1. IF clearing is required it must be accompanied by a biologist to confirm no destruction of bird nest, egg or young consistent with the Migratory Bird Convention Act.

7. It is understood that Wild Senna was identified in ELC Polygon 16 (Fresh-Moist Poplar Deciduous Forest Type). Wild Senna has a provincial ranking of S1. The Ministry notes that this is the first occurrence of Wild Senna in Wellington County, and staff would appreciate if additional detail could be provided on the identification of the species (e.g. voucher).

Agreed.

We conducted straight line survey transects on two separate occasions in and near Polygon 16 with no specimen plants.

MITIGATION SUMMARY FOR QUARRY OPERATION AND REHABILITATION PLANS

1. Snapping Turtle Habitat

- a) Erect a barrier for turtles as drawn. Specifications to be consistent with MNR Species at Risk Branch examples of silt fence; 10-20cm backfilled and 60cm height if filter cloth.
- b) Create two sandy nest habitats along creek with wheelbarrow loads. Install egg protection cover IF annual field check indicates nesting

2. Grassland Bird Conservation Zone (West Limit) Consistent with O. Reg. 242/08

- a) Seed the conservation zone with native Switchgrass, Big Bluestem and Tufted Hairgrass in a 10 kg mix with sawdust, broadcast by hand from bucket or similarly effective technique.
- b) Brush hog grass every 3 years to limit woody growth, after July 31 to ensure birds fledge.
- c) Underplant the existing tree cover on knoll with Jack Pine stems (3-4) preferred by Upland Sandpiper, followed up by 5 year monitoring to determine if this is useful based on bird returns

The grassland bird conservation zone does NOT restrict agriculture in prime land; balancing the PPS here allows for modified farming uses in a small zone of higher topographic relief (difficult and not cultivated for crop now). Uses can include pasturing and harvesting hay AFTER July 31.

3. Bat Habitat

- a) Reflect setback from Silver Maple treed swamp to conserve high value potential roosts
- b) Remove Burdock (*Arctium minus*) during extraction as bats can entangle in seedheads
- c) Restrict any forestry in the Silver Maple swamp to retain high potential roost trees
- d) Use water truck where/if required to suppress dust adjacent to the treed swamp
- e) Setback crusher 50m from treed swamp to mitigate for noise

4. Migratory Bird Convention Act

"Tree clearing should not occur within April 1-August 1. IF clearing is required it must be accompanied by a biologist to confirm no destruction of bird nest, egg or young consistent with the Migratory Bird Convention Act. Notwithstanding that the expanded setback avoids tree clearing in or near the Silver Maple Treed Swamp; this is precautionary for single tree removal such as along hedgerows.

Please direct any questions or comments to the undersigned.

Jinda-Jiisa Sober

**L.L. Sober, H.B.Sc.
Senior Ecologist
SPL Consultants Limited
Main: 705 445 0064
Mobile: 519 378 5311**

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Ministry of Natural
Resources and Forestry

Ministère des Richesses
naturelles et des Forêts



Guelph District
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Telephone: (519) 826-4955
Facsimile: (519) 826-4929

January 7, 2015

H. Bye Construction Limited
c/o Mr. William Bradshaw
236 Pinedale Drive
Kitchener, ON
N2E 1K3

Re: Ghent Pit, H. Bye Construction Ltd. - Application for a Category 3, Class A Licence under the Aggregate Resource Act, Part Lots 5 & 6, Concession 5, Township of Wellington North, Wellington County – MNRF Comments

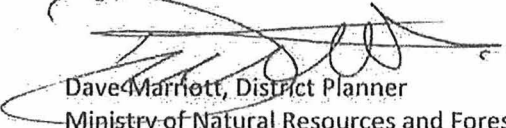
Mr. Bradshaw,

The Ministry of Natural Resources and Forestry (MNRF) Guelph District Office is in receipt of the revised Site Plans, for the proposed Ghent Pit - Category 3, Class A license application under the *Aggregate Resources Act* (ARA). The revisions to the Operational Plan and the Recommendations Plan are dated December 29, 2014. MNRF staff appreciates the opportunity to review the revised Site Plans, and can offer the following comments for consideration.

The revisions to the Site Plans have addressed the MNRF comments noted in our December 23, 2014 objection letter. The Ministry has no further concerns and withdraws its objection to the Ghent Pit license application.

Please contact the undersigned if further comment or clarification is required.

Regards,



Dave Marriott, District Planner
Ministry of Natural Resources and Forestry, Guelph District
1 Stone Road West
Guelph, ON, N1G 4Y2
Phone: (519) 826-4926

cc: Kristy Sutherland, MNRF
Ian Thornton, MNRF



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY (cbye@hbyeconstruction.com and Kristy.Sutherland@ontario.ca)
AND BY REGULAR MAIL

January 21, 2015

Ministry of Natural Resources and Forestry
1 Stone Road West
Guelph, ON
N1G 4Y2

H. Bye Construction Limited
395 Church Street N
Box 189
Mount Forest, ON
N0G 2L0

ATTENTION: Randy Bye and Kristy Sutherland

Dear Mr. Bye and Mrs. Sutherland,

RE: Proposed Category 3 – Class “A” Pit Above Water
Part Lots 5 & 6, Concession 5
Geographic Township of Arthur
Township of Wellington North (Ghent Pit)

The Saugeen Valley Conservation Authority (SVCA) has reviewed the above-noted pit application and the supplemental reports, including the January 6, 2013 Summary Statement, Site Plan Drawing Nos. 1 to 4 prepared by H. Bye Construction Limited dated November 12, 2014, the Ghent Pit Natural Environment Level 1 and 2 Technical Reports – Environmental Impact Assessment prepared by AET Consultants dated December 10, 2013, SPL Consultants Limited – Response to Saugeen Valley Conservation Authority, received November 18, 2014, the Fisheries Report dated December 9, 2013, also prepared by AET Consultants, the Level 1 Hydrogeological Study prepared by Gamsby and Mannerow Limited in November 2012, and the Ministry of Tourism, Culture and Sport Stage 1 and Stage 2 Archaeological Assessments prepared by William R. Fitzgerald dated July 22, 2013, the November 12, 2014 response to SVCA April 18, 2014 comment from Wm. L. Bradshaw, and the December 13, 2014 response to SVCA comment of December 5, 2014 from Mr. Wm. L. Bradshaw. We offer the following comments.

SVCA comments have been appropriately addressed by the associated plans. The SVCA has no objection to the proposed Application for Category 3 Pit Licence.

Should questions arise, please do not hesitate to contact this office.



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

H. Bye Construction Limited
Ghent Pit
January 21, 2015
Page 2 of 2

Yours Sincerely,



Erik Downing
Manager, Environmental Planning & Regulations
Saugeen Conservation

ED/

cc: Mark Van Patter, Manager of Planning and Environment, County of Wellington, via e-mail
Wm. Bradshaw P.Eng, via email
Cathy More, Deputy Clerk, Township of Wellington North, via e-mail
Steve McCabe, SVCA Director, via e-mail
Bruce Fulcher, Agent, via email
Linda Sober, SPL Consultants, via email

GRADING AND EXCAVATING
LOADING AND HAULING



CONCRETE AND MASONRY
GENERAL CONTRACTING

FAX: 1-519-323-4993

BOX 189, MOUNT FOREST, ONTARIO N0G 2L0

January 26, 2015

RECEIVED

County of Wellington
Planning & Development
74 Woolwich St.
Guelph, On N1H 3T9

JAN 27 2015

TWP. OF WELLINGTON NORTH

Attn: Ms. Linda Redmond, Senior Planner

RE: Application for a Pit License, Part Lots 5 & 6, Con 5, Arthur Township

This letter is in response to the Public Meeting held on June 23, 2014 at the Wellington North Township Office in Kenilworth.

Decreased property values.

It has been the H. Bye's experience that once the pit is operational and the neighbours observe how well the facility is maintained and operated, it will be obvious that there should be no concern regarding property values. In addition the aggregate use and designation is not permanent. The progressive rehabilitation and final rehabilitation of this site shall be to agricultural uses.

The rezoning and eventual licensing of this site prevents the sterilization of primary aggregate resources and complies fully with the Provincial Policy Statement (PPS), including section 2.5.1 which stipulates "Mineral aggregate resources shall be protected for long-term use." Aggregate deposits such as the one underlying the subject lands are to be protected and utilized.

Section 2.5.2 of the Provincial Policy Statement states: "As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible."

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The subject site is located near Highway 89, heading east and west, which provides access to readily available markets in the area.

Given all of the above, the Ontario Municipal Board has ruled against or refused to consider the property value issue in applications of this nature.

1. Health concerns.

The Ministry of Natural Resources worked in conjunction with other provincial ministries when developing the provincial standards for pits and quarries. The Aggregate Resources Act and the provincial standards are clear that dust is to be mitigated on site by water or by another Ministry of the Environment (MOE) approved dust suppressants. The site plan notes identify this requirement. The MOE has air quality standards which must be adhered to by aggregate operators. Following a previous public meeting, the Ministry of the Environment was contacted in this regard. The staff at the Ministry indicated that impacts of dust off-site are more aesthetic than health related. When the pit is operating, should a concern be relayed to the MOE, it is the responsibility of this Ministry to attend on-site and investigate the concern. H. Bye Construction will take all necessary steps to ensure that dust is mitigated on site through the use of water and/or an approved dust suppressant.

2. Environmental concerns.

In the Natural Environment Technical Report: Level II authored by AET Consultants state that potential negative impacts have been mitigated through setback measures and operational constraints. The report further states this report has demonstrated that with the proper mitigated measures in place, no measurable negative impacts or cumulative negative impacts should occur to the natural heritage features.

GRADING AND EXCAVATING
LOADING AND HAULING



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Natural Environment concerns were also raised by the MNR and the SVCA. An additional study was completed and is enclosed. Sign-off letters from the MNR and the SVCA regarding all issues, including the natural environment, are attached.

3. Road Safety

The entrance to this proposed gravel pit is 150 metres south of the Ferguson pit on Concession 4N. The location conforms to the site-line requirements of the Township, and in our opinion, is in a good location from a safety standpoint. The Township roads are engineered to account for annual traffic increases. The company has an excellent safety record and operates on school bus routes daily. H. Bye drivers are licensed professionals.

It should be noted that the Township has contracted with the Ferguson pit to operate it on their behalf. Their proposed haul route has a greater percentage of traffic headed south to Sideroad 2E and west past the Mennonite school. On the other hand, all of the Ghent pit traffic is proposed to travel north on Concession 4N. If the Township feels it is necessary, they could always consider reducing the speed limit and/or placing warning lights in the vicinity of the school zone in order to reduce the speed limit during school hours. H. Bye would be supportive of any safety proposals the Township wishes to bring forward.

4. Groundwater

A spills contingency plan has already been implemented on the Operational Plan.

The pit operation will be a minimum of 1.5 metres above the water table at all times. The Hydrogeological Study completed for this application states that "*it is reasonable to expect that the proposed aggregate extraction would not impact the water supply resources in the area.*" The company does not intend to take water from this site for use as dust suppressant.

GRADING AND EXCAVATING
LOADING AND HAULING



CONCRETE AND MASONRY
GENERAL CONTRACTING

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BOX 189, MOUNT FOREST, ONTARIO N0G 2L0

5. Noise

For Class 'A' licence applications, where extraction and/or processing facilities are located within 150 metres (pit) / 500 metres (quarry) of a sensitive receptor, a noise assessment report must be prepared. The closest receptor at this site is over 200 metres from the extraction area. Other residences are much further. Proposed berming along the west boundary of the pit will serve to reduce the noise emanating from the pit, even though the berms are not required.

6. Destruction of Agricultural lands

The loss of productive agricultural land for a temporary period will be limited due to the progressive rehabilitation which will take place. Furthermore, the Provincial Policy Statement, the County Official Plan and the Township Official Plan recognize the need for aggregates and are accommodative to aggregate operations. The area south of this proposed pit was once an active pit and since has been rehabilitated back to productive agricultural land.

Additional Issues Raised by Letters and/or Delegations at the Public Meeting

a) Brenda Sztucka

The safety issue has been addressed above, but for the sake of clarity it should be noted that the extraction area is well away from the Mennonite school and that the haul route does not travel past the school. In addition, school does not run for the summer months when pit activity would be the greatest.

b) Gerald and Joanne Booi

The safety issues have been addressed. The site lines from this pit entrance meet all safety standards as there is good visibility in both directions. In regard to the gravel justification, it was stated that no two gravel pits are the same and that there will be a

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need for this gravel. Typically, the market for gravel for use by the construction industry, the municipalities and the farming community, dictate the need.

Mr. Booi stated that he thought there would be a gravel truck coming and going every 6 minutes. Given H. Bye's past experience in other pits, it is estimated that if there is a steady demand for this material, there may be a truck 12 – 15 times per day for about 6 months of the year. In reality there will be days when there are 10 to 15 trucks per day and there will be days when there will be no trucks. For the other six months truck traffic will be sporadic at best.

c) Ivan Suckett and Cole Littley

It would seem that the flying stone chips mentioned must be from existing traffic on the road and are not unique to truck traffic. As stated above, H. Bye truck drivers are professional and are cognizant of such issues.

d) Brett and Victoria McHugh

The issues of dust, safety and property values have been addressed above.

It was indicated that numerous residents were not aware of the public meeting held on March 19, 2014. As per the A.R.A. procedures, a sign was posted on the property within the time frame as required under the Aggregate Resources Act. The property owners within 120 meters were notified personally and a notice was placed in the Confederate on March 5, 2014. In addition, the agencies, including the Township and the County were given copies of the plans and reports along with the public meeting notice in advance of the proceeding.

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e) Louise Hopkins

See the comments above for the Booi's.

This pit has monitoring wells in order to track any changes in the water table, and they are monitored by a professional.

Note 21 on the Operational Plan clearly outlines the MNRF guidelines regarding when inert fill may be brought into a site and the rigorous testing procedures that must take place prior to importation.

In regard to complaints, the contact should be H. Bye Construction, the Township and the MNRF office in Guelph.

e) Bonnie Littley

The MNRF and the SVCA have signed off on this application with respect to Natural Environment issues.

g) Wellington Federation of Agriculture

As noted above and as the Federation is well aware, with regards to Category 3 Class A licences which are proposed to be rehabilitated back to agricultural use, the Provincial Policy Statement (PPS) 2014 places the temporary aggregate use ahead of the agricultural use which is only temporarily lost. To reiterate, Section 2.5.1 states that

“mineral aggregate resources shall be protected for long term use,” and Section 2.5.2.1 states *“as much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.”*

Part of this property was previously licensed, mined and returned to productive agricultural uses. This proves that the loss of prime agricultural land is only temporary until rehabilitation is completed.

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The issue of safety was discussed above.

Summary

We trust that we have sufficiently addressed all of the concerns raised.

Attached are sign-off letters from the Ministry of Natural Resources and the Saugeen Valley Conservation Authority and a copy of the latest site plans that have been revised based on agency comments.

We look forward to seeing your positive recommendation to Council to approve this application.

Thank you for your hard work and time on this project.

Yours truly,

A handwritten signature in black ink, appearing to read 'Brian Milne', is written over a horizontal line.

Brian Milne
H. Bye Construction

cc: Township of Wellington North
Wm. Bradshaw, P.Eng.

To: Township of Wellington North

March 12, 2015

Our objections to the re-zoning application of 60 acres of Prime Agricultural Farmland (located on the NW corner of Side Road 3E and Concession 4N) to an Extractive Industrial gravel pit, include the following:

- in 1994, this township issued a map outlining areas suited for development within the township. This map was received by each ratepayer along with their property tax bill. The area encompassing the intersection of Side Road 3E and Concession 4N, was outlined as a cluster development zone. Within this area, a new Mennonite school has been constructed, two new residential homes have been built, and the original Clare school house has been repurposed as a permanent residence.
- north along the proposed haul route of Concession 4N, this township approved the severance of farmland to create and develop an additional six new residential acreages. This adds up to a total of nine new taxpayers, who have constructed or purchased their homes in good faith.
- the proposed haul route north is a gravel road which breaks up every spring, requires grading to keep down washboards, potholes, and ruts; and requires calcium to keep down excessive dust. There is also a hill on the route, which has been the site of several accidents, including a head on collision between a tractor trailer feed truck and a passenger vehicle. Also an accident in which a passenger vehicle heading north, crested the hill and veered into the west ditch, narrowly missing a hydro pole, in order to stop for a school bus picking up children.
- as well as a bus route, with children waiting at the roadside to be picked up or dropped off, this gravel road is used by children on bicycles, or with horse and buggy, who attend the Mennonite school located directly adjacent to the proposed site of the gravel pit.
- a busy gravel truck route should never be allowed on a gravel roadway. Heavy truck tires are well known for throwing gravel, breaking down a gravel base, creating dust and noise, and compromising the safety of others using the roadway.
- Class 1 soil: as previously noted and outlined by a representative from the Ontario Federation of Agriculture, it is not in the best interest of the future of agricultural land in this province, if a farmer can rezone Class 1 farmland into a gravel pit. Most farmland is lost to "minor" zoning changes, to existing parcels of land, resulting in permanent loss of agricultural soil. Thousands of acres are lost each year in Ontario. The demand for agricultural land has escalated the value of prime agricultural land in this township to \$10,000 per acre. This proposed 60 acre parcel of Class 1 soil, currently zoned as Prime Agricultural, should not become another statistic of lost farmland. There are other locations within this province (in closer truck travel proximity to Ontario's major construction and development areas) that are not located on prime agricultural land, nor alongside residential and school buildings, that are better suited to the industrial extraction of gravel.

Sincerely,

Gerald Booi & Joanne Booi

Gerald and Joanne Booi

MAR 12 2015

TWP. OF WELLINGTON NORTH



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

**TO: MAYOR AND MEMBERS OF COUNCIL
MEETING OF MARCH 23, 2015**

**FROM: MICHAEL GIVENS
CAO**

SUBJECT: CAO 2015-07 GHENT PIT APPLICATION

RECOMMENDATION

THAT the Council of the Corporation of the Township of Wellington North receive for information report CAO 2015-07 Ghent Pit Application.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

- January 7, 2015 Correspondence from Ministry of Natural Resources and Forestry to the applicant-“no further concerns and withdraws its objections...” (copy attached)
- January 21, 2015 Correspondence from Saugeen Valley Conservation Authority to the applicant- “no objection to the proposed Application for Category 3 Pit Licence.” (copy attached)
- January 26, 2015 Correspondence from the Applicant addresses the issues raised at the June 23, 2014 Public Meeting (copy attached)
- March 12, 2015 Correspondence from Gerald and Joanne Booi (copy attached)

BACKGROUND

On June 23rd, 2014 the Township hosted a public meeting under the Planning Act to receive public input regarding a proposed amendments to the County of Wellington Official Plan and the Township Zoning By-law related to a proposed gravel pit located on Parts of Lots 5 and 6 Concession 5.

The process for approval of a licence for a gravel pit is multi-tiered and in this case involves the Township, County of Wellington, Saugeen Valley Conservation Authority and the Ministry of Natural Resources and Forestry.

The Ministry of Natural Resources and Forestry (MNR):

- oversees the rules governing aggregate management
- **issues licences**, permits and changes to existing approvals
- inspects aggregate operations and responds to complaints
- **enforces compliance**
- ensures rehabilitation is carried out on sites

In order for the MNR to consider a gravel pit licence application, the applicant must provide confirmation that the pit is in compliance with the prevailing Zoning By-law and thus the Official Plan.

At the public meeting neighbours, residents, the Wellington Federation of Agriculture raised numerous concerns regarding the application. At that time Council of the Township requested that the applicant make efforts to deal with the concerns that were raised prior to commenting on their support or lack of support for the application. Township Council is tasked with the responsibility to recommend to County that they approve, modify or deny the Official Plan Amendment (OPA) but County officials makes the final decision on the OPA.

On January 21, 2015 the applicant submitted a letter to the County, in which they believe they have addressed all the concerns that were raised at the public meeting. The intent of the second public meeting is to allow this Council to receive the information about steps taken by the applicant and then to offer comments about the Official Plan Amendment.

The Township will need to deal with the required Zoning Amendment but only after the Official Plan Amendment has been dealt with by the County. There will be no requirement for a subsequent public meeting. The Township is the approval authority for zoning amendments.

Council has options at this time-

1. Pass a resolution that states that the Council of the Township of Wellington North does not support the OPA application and requests that the County deny the application. The resolution should indicate why Council does not support the application.
2. Pass a resolution of support for the OPA application. Obviously passing a supporting resolution would infer that Council also supports the Zoning by-law amendment.
3. Defer the matter and request further information from the applicant or provide direction to staff (Township and the County Planner) on what additional information is required in order for Council to make a recommendation on the OPA and subsequent Zoning By-law Amendment.
4. Pass a resolution of support conditional on the Township and the applicant entering into an agreement covering aspects of the development that are of concern to the Township. Items that could potentially be covered in the agreement include-road development, road maintenance, dust suppressant, signage requirements, berming, tree planting. Any agreement should include review of the Township solicitor.

FINANCIAL IMPLICATIONS

The Aggregate Resource Act states that “every licensee shall pay an annual fee of ...”

- Class A licence, 11.5 cents per tonne

Here is the breakdown expressed in monetary terms:

1. \$0.06 per tonne to the lower tier municipalities
2. \$0.015 per tonne to the upper-tier municipalities
3. \$0.035 per tonne to the Crown
4. \$0.005 per tonne to the Abandoned Pits and Quarries Rehabilitation Fund

In the applicants licence application indications were that 75,000 tonnes per year were to be extracted resulting in an annual fee to the Township of \$4500.00.

Per the application total extraction may be up to a total of 2,500,000 tonnes (\$150,000 in total fees to the Township, assuming fees remain the same).

Gravel pits are assessed as Industrial for tax purposes. Total taxes collected in 2014 range from \$376.00 to \$8,435.53 for the exiting gravel pits in the Township.

2014 Industrial tax rate = 0.04458528

Township Roads Department staff have indicated that Concession 4N is in good shape. There are two bridge structures (No. 1 and 7) that will accommodate the majority of the traffic from the proposed pit. Increased use of the road and the bridges will impact future maintenance costs.

PREPARED BY:

RECOMMENDED BY:

Michael Givens

Michael Givens

**MICHAEL GIVENS
CAO**

**MICHAEL GIVENS
CHIEF ADMINISTRATIVE OFFICER**



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

Sent via email only

March 18, 2015

Darren Jones, CBO
Township of Wellington North
7490 Sideroad 7, W
Kenilworth, ON
N0G 2E0

ATTENTION: Darren Jones, CBO

Dear Mr. Jones:

RE: Proposed Wellington North Zoning By-law Amendment and Wellington County Official Plan Amendment
Part of Lots 5 and 6, Concession 5
Geographic Township of Arthur
Township of Wellington North (Ghent Pit – H. Bye Construction)

The Saugeen Valley Conservation Authority (SVCA) has reviewed the proposed Zoning By-law amendment and Official Plan amendment in accordance with the SVCA's mandate and policies and the Memorandum of Agreement between the Authority and the County of Wellington with respect to Plan Review. A site inspection was conducted by Authority staff. The Saugeen Valley Conservation Authority (SVCA) has reviewed the above-noted pit application and the supplemental reports, including the January 6, 2013 Summary Statement, Site Plan Drawing Nos. 1 to 4 prepared by H. Bye Construction Limited dated November 12, 2014, the Ghent Pit Natural Environment Level 1 and 2 Technical Reports – Environmental Impact Assessment prepared by AET Consultants dated December 10, 2013, SPL Consultants Limited – Response to Saugeen Valley Conservation Authority, received November 18, 2014, the Fisheries Report dated December 9, 2013, also prepared by AET Consultants, the Level 1 Hydrogeological Study prepared by Gamsby and Mannerow Limited in November 2012, and the Ministry of Tourism, Culture and Sport Stage 1 and Stage 2 Archaeological Assessments prepared by William R. Fitzgerald dated July 22, 2013, the November 12, 2014 response to SVCA April 18, 2014 comment from Wm. L. Bradshaw, and the December 13, 2014 response to SVCA comment of December 5, 2014 from Mr. Wm. L. Bradshaw. We offer the following comments.

No Natural Hazard policies are impacted by this proposal and natural heritage features have been appropriately addressed by the related reports and plans the SVCA recommends. Should the proposed plans or reports be modified the SVCA would need to review those reports to confirm revised proposal is acceptable.

Conclusion

The SVCA has reviewed the information provided to the SVCA relating to the proposed amendments based on our policies and mandate. The proposed Zoning By-law amendment and Official Plan amendment are acceptable to the SVCA.



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Wellington County and Township of Wellington North
Ghent Pit – H. Bye Construction
March 18, 2015
Page 2 of 2

Should you have any questions, please do not hesitate to contact this office.

Yours Sincerely,



Erik Downing
Manager, Environmental Planning & Regulations
Saugeen Conservation

ED/

cc: Steve McCabe, SVCA Director, via email
H. Bye Construction Limited, via email
Sarah DeBortoli, Aggregates Technical Specialist, MNR, Guelph District, via email
Will Bradshaw, Agent, via email (wbradsh1661@rogers.com)
Mark Van Patter, Planner, Wellington County, via email
Karen Wallace, Clerk, Wellington North, via email