

Township of Wellington North

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

Public Meeting

Monday, June 23, 2014 at 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

AGENDA

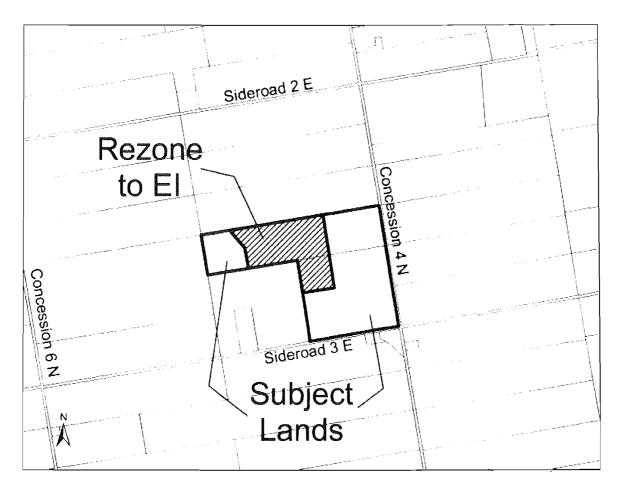
Page 1 of 3

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AGENDA ITEM	PAGE NO.
The Mayor will call the meeting to order.	
Declaration of Pecuniary Interest.	
Owners/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.	
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.	1
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.	

AGENDA ITEM	PAGE NO.
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. Application for Zoning By-law Amendment	3
3. Presentations by:	
 Linda Redmond, Senior Planner See attached comments. 	12
4. Review of Correspondence received by the Township:	
 Candace Hamm, Environmental Planning Coordinator, SVCA Further clarification is required. 	18
- Erik Downing, Environmental Planning & Regulations, SVCA - Recommends deferral.	21
 Brenda Sztucza, 7649 Sideroad 3 East Gravel pit is not a good idea. 	23
- Gerald Booi, 9592 Concession 4 North - Objection.	24
- Brett McHugh, 9391 Concession 4 North - Objection.	25
 Victoria McHugh, 9391 Concession 4 North Concerned. 	26
- Arlene Muckart, 7302 Sideroad 3 East - Concerned.	27
 Bonnie Littley, 9567 Concession 4 North Requesting notification. 	29

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Page	3	ΟI	J

	AGENDA ITEM	PAGE NO.
	 Wendy Schill, 7819 4th Line, RR 2, Wallenstein, ON Concerned. 	31
5.	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.	
6.	Mayor opens floor for any questions/comments.	
7.	Comments/questions from Council.	
8.	Adjournment.	



Alette Holsteins Ltd.

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





CONCRETE AND MASONRY GENERAL CONTRACTING

FAX: 1-519-323-4993

RECEIVED

BOX 189, MOUNT FOREST, ONTARIO NOG 2L0

MAR 2 9 2016

March 26, 2014

TWP OF WELLINGTON NORTH

Township of Wellington North 7490 Sideroad 7 West, P.O.Box 125 Kenilworth, On NOG 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 <u>bafulcher@hotmail.com</u> 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. <u>T</u>	HE AM	<u>IENDMENT</u>
1.	TYP	E OF AMENDMENT? Site Specific [\(\nu \)] Other
2.	WHA	AT IS THE PURPOSE OF AND REASONS FOR THE PROPOSED AMENDMENT(S)?
	1	REZONE PART OF LOTS 5+6, CON 5
	AR	THUR TOWNSHIP FROM AGRICULTURE TO
		EXTRACTIVE ENDUSTRIAL ZONE.
в. <u>С</u>	ENER	AL INFORMATION
3.	APPI	LICANT INFORMATION
	a.	Registered Owner's Name(s): ALETTE HOLSTEINS LTD.
		Address: R.R. #6 Mount FOREST, ON NOG 260-
		Phone: Home (5-19) 323-4096 Work (5-19) 323-7954 Fax ()
		Email:
	b.	Applicant (Agent) Name(s): Beuch A. Fuicher.
		Address: 4/1189 SoutheARE SR41 Mount FOREST NOC
		Phone: Home (578 323-2099 Work (578 321-905/ Fax ()
		Email: bafulcher a hotomail. cort.
	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
l .	WHA	T 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.)

	A DESCRIPTIO					_	
a. Munici	pal Address:	572	DIDEROAD	3E .	+ 9458 (LONCESS	لا لا ١٦
b. Conces	sion:	I	ot: 6 4.75	5+6	Registered Plan	No:	
c. Area: _	80,9 hecta	ares I	Pepth: <u>914, 4</u>	meters	Frontage (Width): <u>662.9</u>	_ meters
Area: _	200 acres	s I	epth: <u>30 0 0</u>	feet	Frontage (Width): <u>217</u>	_feet
PROVIDE A		N OF THE	AREA TO BE	AMENDED	IF ONLY A "PO	RTION" OF	
a. Area: _	24.5 hecta	ares I	epth: <u>724</u>	meters	Frontage (Width): <u>470</u>	_ meters
Area: _	60.5 acres	s I	epth: <u>2375.</u>	3 feet	Frontage (Width): <u>1542</u>	_ feet
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HOW LONG	HE "PROPOSE	XISTING" ED" USE O	USE(S) CONT	INUED ON?	THE SUBJECT I	LAND?	re je

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

			(Please use a separate page if necessary.) Existing	Proposed	
	a.	Type of building(s) or struc	cture(s) RESIDENCE	Non	1/=
	b.	Date of construction	SPRING 2013		
	C.	Building height	515 (m) 18 (ft)	(m)	(ft)
	d.	Number of storey's (excluding basement)			
	e.	Total floor area	156.8 (sq m) 1688 (sq ft)	(sq m)	(sq ft)
	f.	Ground floor area	1568 (sq m) 1688 (sq ft)	(sq m)	(sq ft)
	g.	Distance from building to t	he:		
		i. Front lot line	(ft) <u>60</u> (ft)	(m)	(ft)
		ii. Side lot line	259,1 (m) 850 (ft)	(m)	(ft)
		iii. Side lot line	3856 (m) 1265 (ft)	(m)	(ft)
		iv. Rear lot line	563,9(m) <u>850</u> (ft)	(m)	(ft)
	h.	Percent lot coverage	3.9 (%)	(%)	
	i.	Number of parking spaces			
	j.	Number of loading spaces	_N.A		
D. <u>E</u>	XISTI	NG AND PROPOSED SEF	RVICES		
14.	WHA	AT IS THE ACCESS TO T	THE SUBJECT PROPERTY?		
			Continually maintained municipal road Seasonally maintained municipal road		ight-of-way [] Vater access []
15.		AT IS THE NAME OF TH PERTY?	E ROAD OR STREET THAT PROVIDE	ES ACCESS T	O THE SUBJECT
	- 110		7/2 AND CONCES	5.341	4 N

			equired drawi	ing under item G o	f this application	1.)
						-
INDICATE THE AP	PLICABLE W	ATER SUPPLY	AND SEWA	GE DISPOSAL		
	Municipal Sewers	Communal Sewers	Private Septic	Municipal Water	Communal Well	Privat Well
a. Existingb. Proposed NA	[]	[] []		[] []	[] []	[十 []
HOW IS THE STOR	M DRAINAG	E PROVIDED?				
a. Storm Sewers	[] Ditch	nes [] Swale	es [] Oth	ner means (explain	below) []	
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HER RELATED PLA	ANNING APPI	<u>ICATIONS</u>				
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a. Official Plan Am b. Zoning By-law A c. Minor Variance	NG, EITHER (endment amendment	Yes [Yes [Yes [Yes [Yes []	N 120 METR No [No [No [ANY
a. Official Plan Am b. Zoning By-law A c. Minor Variance d. Plan of Subdivisi	NG, EITHER (endment amendment	Yes [Yes [Yes [Yes [Yes [] Yes []	N 120 METR No [No [No [No [ANY
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F. OTHER SUPPORTING INFORMATION

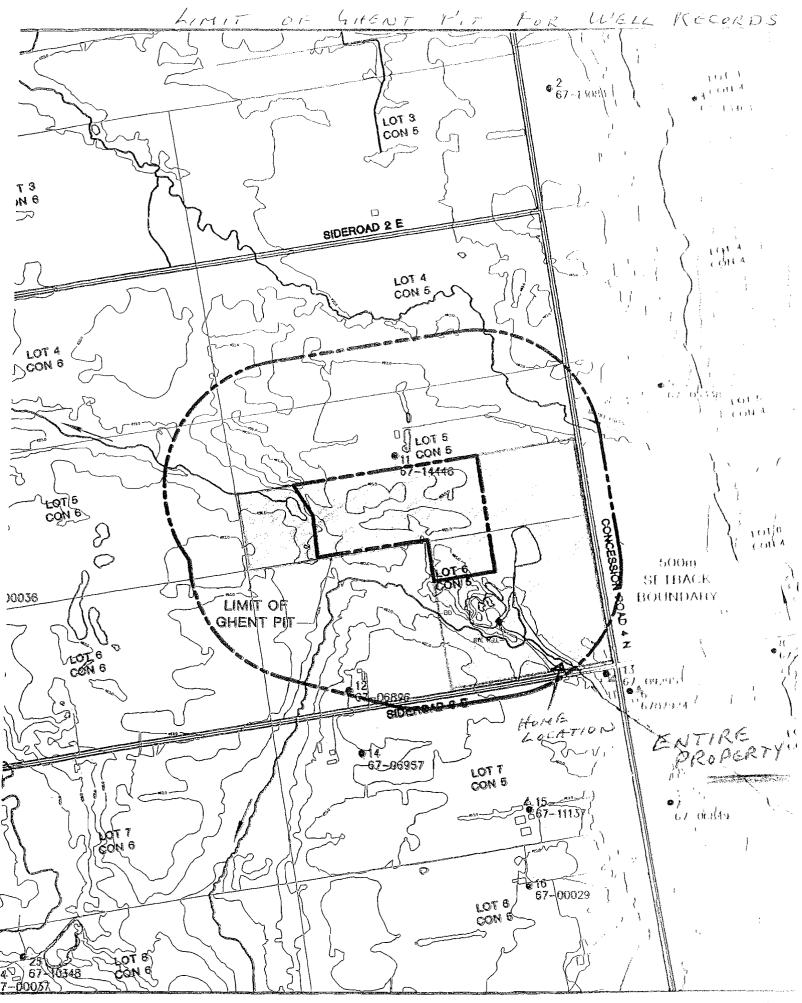
21. PLEASE LIST THE TITLES OF ANY SUPPORITING DOCUMENTS:

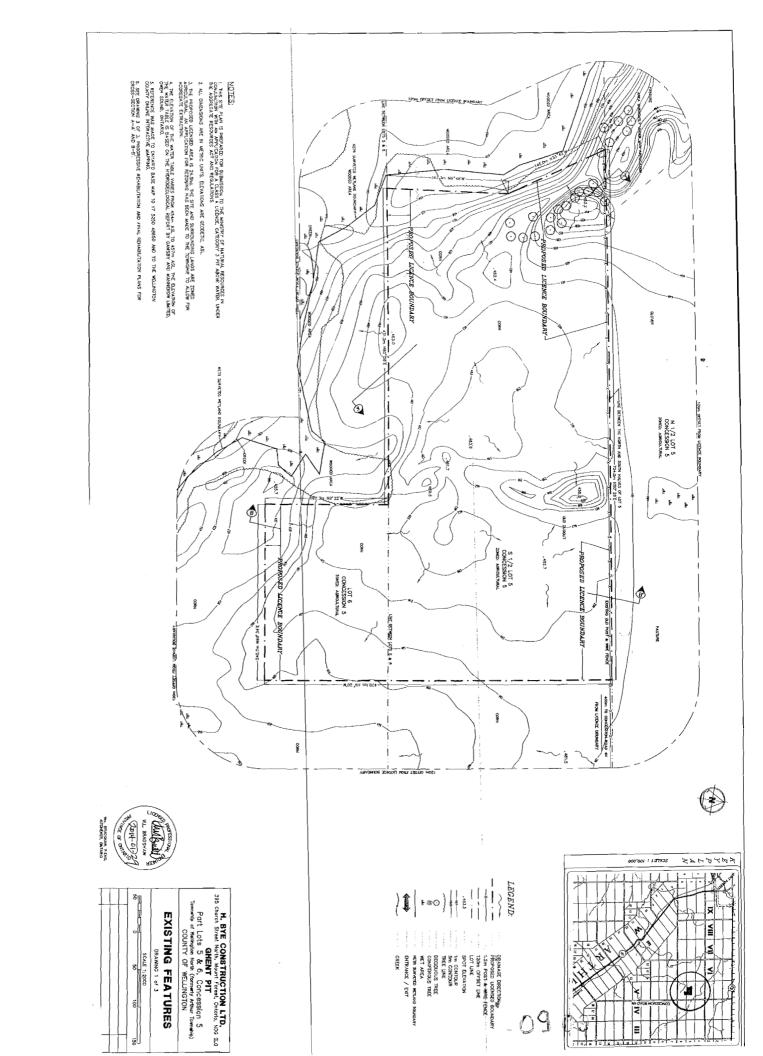
(E.G. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report, etc.)

HYDROGEOLOGICAL STELDY, NATURAL ENVIRONMENTAL LEVE 1+2; FISHERIES REPORT, STAGE 1+2 ARCHARDLOGICAL ASSESSMENTS.

G. APPLICATION DRAWING

- 22. PLEASE PROVIDE AN ACCURATE DRAWING OF THE PROPOSAL, PREFERABLY PREPARED BY A QUALIFIED PROFESSIONAL. IN SOME CASES IT MAY MOORE APPROPRIATE TO SUBMIT ADDITONAL 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;
 - 1. 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.





H. <u>AUTHORIZATION FOR AGENTS / SOLICITOR TO ACT FOR OWNER:</u>

If affidavit (I) is signed by an Agent / Solicitor on Owner'. completed)	's behalf, the Owner's written authorization below <u>must</u> be
I (we) ADAM CHENT of the	of
County/Region ofAct as my agent in this application.	do hereby authorize
SEE A	THEITED
Signature of Owner(s) I HAVE THE TO BIND THE CORPORATI	AUTHORITY Date
AFFIDAVIT:	
This affidavit be signed in the presence of a Commissione	er)
I (we) BRuch FurcHER of the	TWP of Souther Atte
application are true, and I, (we), make this solem knowing that it is of the same force and effect EVIDENCE ACT.	solemnly declare that all the statements contained in this an declaration conscientiously believing it to be true, and as if made under oath and by virtue of the CANADA
WELLINGTON this 26+L day	of MARCH 2014.
Signature of Owner or Authorized Solicitor or Aut.	thorized Agent Date
Signature of Commissioner SUSTICE OF T PROVINCE OF	HE PEACE Date Do.
APPLICATION AND FEE OF \$	_ RECEIVED BY MUNICIPALITY
Signature of Municipal Employee	Date

p/forms/guide&applicationforzoningamendment13

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 18/14 Dated:

Alette Holsteins Ltd.

I have the authority to bind the

corporation.

Printed Name

ADAM GHENT



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 NOG 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.

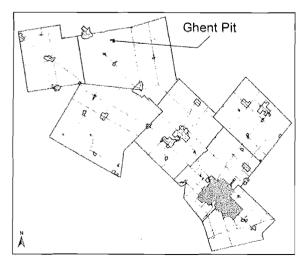


Figure 1a

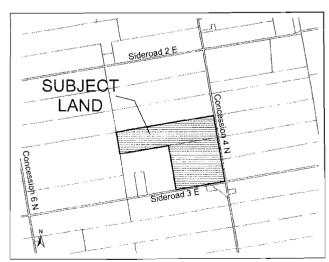


Figure 1b

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.

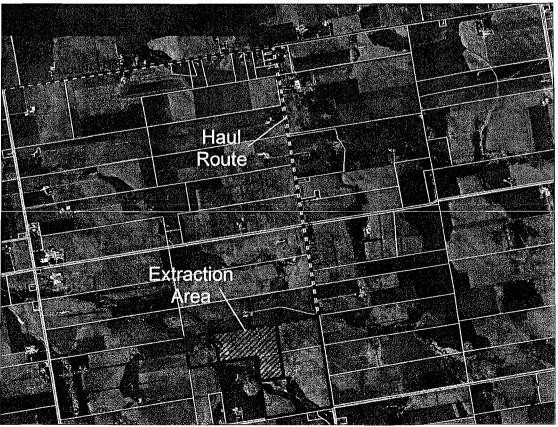


Figure 2

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

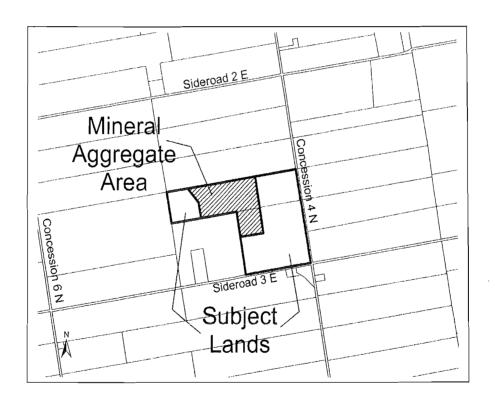
All of this part of the document entitled **Part B – The Amendment**, consisting of the following text, constitutes **Amendment No.** _____ to the County of Wellington Official Plan.

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 NOG 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 NOG 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



H. Bye Construction Limited Ghent Pit April 18, 2014 Page **2** of **3**

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

H. Bye Construction Limited Ghent Pit April 18, 2014 Page **3** of **3**

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 NOG 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
NOG 2E0

ATTENTION: Linda Redmond, Cathy Moore

Dear Mrs. Redmond Mrs. More:

Proposed Official Plan Amendment and Zoning By-law Amendment

Part of Lots 5 and 6, Concession 5 Geographic Township of Arthur

<u>Township of Wellington North</u> (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.



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 Bylaw 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 NOG 2L0 Sarah DeBortoli, Aggregates Technical Specialist, MNR, Guelph District, via email Will Bradshaw, Agent, via email (wbradsh1661@rogers.com)

RECEIVED MAY 2 0 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

Brenda Sztuczko

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! 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.

Allow

Gerald Booi

9592 Arthur Con.4N.

24

RECEIVED

Objection to Notice of Application

MAY 20 2014

FILE No OP-2014-02

TWP. OF WELLINGTON NORTH

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

FICTIVED

MAY 2 0 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 are 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 estime 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 1 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

Victoria McHya

. .

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 <u>FILE NUMBER OP-2014-02</u>. 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 NOG 2E0
township@wellington-north.com

Cc: Mayor Tout rtout@wellington-north.ca

Darren Jones

From:

Mike Givens

Sent: To: Friday, May 23, 2014 2:52 PM Darren Jones: Cathy More

Subject:

FW: OP-2014-02

Importance:

Hiah

FYI.

More to add to the notification list.

From: Gary Cousins [mailto:qaryc@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

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Mount Forest, ON
NOG2L0
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

File NO-OP - 2014 02 INP. OF WELLINGTON NORTH

My Concerns Wendy Schill

B

D

FARIII's and Homes nearby.
Why Should We Suck it up.
There's nothing for US.
But Noise, Dust, Property devaluation
Tary Cement Recycleing

I own 100 ACRES right, across road on the east side. are shallow in the area. The wells Some are only 12 FT Deep with hard water in them,

It looks like on the map township sent us, Sile NO-OP 2014-02. The neighbours are going to bare the bront of the trucks. Compored to the owners of the gravel pit.

If the pit was going in by the Conservation park. I wonder how close you could be to the Cottages: Barrs ean be a lot Closer to another neighour. But the distance to the Cottages is way greater it looks like 4 to 5 times greater.