

HASTINGS COUNTY STAFF REPORT
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

Agent/Applicant: MHBC/Freymond Lumber Ltd.
Civic Address: 2287 Bay Lake Road
Legal Description/Municipality: Part of Lots 51 and 52, Concession WHR, Township of Faraday

Official Plan Designation	Rural (subject Lands)
Proposed Official Plan Designation	Extractive (Active) and Rural
Current Zoning	Rural (RU) Zone, Industrial (M) Zone and the Environmental Protection (EP) Zone
Proposed Zoning	Extractive Industrial (MX-X) Exception Zone, Rural (RU) Zone, Industrial (M) Zone and the Environmental Protection (EP) Zone

Staff Recommendations:

THAT the County Planning Directors Staff report regarding Amendment No. 18 (Freymond Quarry) to the Hastings County Official Plan and Zoning By-law Amendment to the Township of Faraday Comprehensive Zoning By-law No. 21-2012 for lands located in Part of Lots 51 and 52, Concession WHR Township of Faraday, BE RECIEVED.

Planning Review and Comments:

Purpose/Description of Application:

The County of Hastings and the Township of Faraday have received an application for a site specific Official Plan Amendment (OPA No. 18 - Freymond Quarry), for lands located in Part of Lots 51 and 52, Concession WHR, Township of Faraday, in order to facilitate the development of a Class A (Category 2) quarry. The applicant has also submitted an application for a zoning by-law amendment (ZBLA) for the same lands/purpose, with the intent that the Official Plan Amendment and Zoning By-law Amendment processes under the Planning Act will run concurrently. Additional details and review of the applications is available in the previous planning report dated September 19, 2018 (see attachment no. 1).

It was noted in the previous planning report that the County and Township's peer review of the Technical studies reports were all completed with the exception of the Acoustic Assessment Report and Blasting Impact Assessment. At the conclusion of the previous public meeting held on September 30, 2018, the Council for the Township of Faraday agreed to hold another meeting to allow for further discussion regarding the Acoustics and Blasting studies once the peer reviews were completed. Since the September 30th public meeting, the peer reviews have been completed for both of these studies and any outstanding issues have been addressed to the satisfaction of the County and Township's peer reviewers.

Conclusions & Recommendation:

All of the supporting studies have been peer reviewed by the County and Township's peer review agents and any issues and concerns have been satisfactorily addressed. However, prior to making a

decision, input received from the public meeting to be held on January 9, 2019 needs to be gathered reviewed and considered. In this regard, additional time is required to allow the applicants, County and Township Councils to consider public input prior to making any decisions on the applications.

Should you have any questions or require additional information, please contact the undersigned.

Respectfully Submitted,



Justin Harrow, MCIP, RPP
Director of Planning and Development

Attachments:

- 1) Hastings County Planning Staff Report dated September 19, 2018.



September 25th, 2018

HASTINGS COUNTY STAFF REPORT
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Staff Recommendations:

THAT the County Planning Directors Staff report regarding Amendment No. 18 (Freymond Quarry) to the Hastings County Official Plan and Zoning By-law Amendment to the Township of Faraday Comprehensive Zoning By-law No. 21-2012 for lands located in Part of Lots 51 and 52, Concession WHR Township of Faraday, BE RECIEVED.

Planning Review and Comments:

Purpose/Description of Application:

The County of Hastings and the Township of Faraday have received an application for a site specific Official Plan Amendment (OPA No. 18 - Freymond Quarry), for lands located in Part of Lots 51 and 52, Concession WHR, Township of Faraday, in order to facilitate the development of a Class A (Category 2) quarry. The applicant has also submitted an application for a zoning by-law amendment (ZBLA) for the same lands/purpose, with the intent that the Official Plan Amendment and Zoning By-law Amendment processes under the Planning Act will run concurrently.

The subject lands are approximately 128 ha (316.3 ac) in area with frontage onto Bay Lake Road and a small portion of frontage onto Highway No. 62. Approximately 33.3 ha (82.3 ac) of the subject lands are proposed to be licensed under the Aggregate Resources Act. Proposed Official Plan Amendment 18 and the zoning by-law amendment would re-designate/rezone the 33.3 ha of lands proposed to be licensed. There is a Class B sand and gravel pit on the subject lands immediately north of the proposed quarry and a lumber mill to the south east of the quarry also located on the subject lands. The remainder of the lands are generally forested (**see attachment no. 1**).

In support of the application the applicant has submitted a number of studies and reports including:

- Planning Justification Report & Aggregate Resources Act Summary Statement, prepared by MHBC, dated December 2016;
- Visual Impact Analysis prepared by MHBC, dated December 2016;

- Proposed Freymond Quarry, Level 1 and 2 Hydrogeological Investigation Report, prepared by MTE Consultants Inc., dated December 1, 2016;
- Freymond Lumber Ltd. Quarry, Natural Environment Levels 1 and 2 Technical Report, prepared by Robin E. Craig, prepared November 2016;
- Stage 1 and 2 Archaeological Assessment, Part of Lots 51 and 52 Concession West of Hastings Road, Faraday Township, Ontario, prepared by Golder Associates Ltd., dated November 8, 2016;
- Freymond Aggregated Quarry, Traffic Impact Study, prepared by Tranplan Associates, dated November 2016;
- Blast Impact Analysis, Freymond Quarry, prepared by Explotech Engineering Ltd., dated December 13, 2016;
- Acoustic Assessment Report, Freymond Quarry, prepared by High Williamson Associates Inc., dated December 15, 2016;
- Aggregate Resources Act Site Plans, prepared by MHBC, dated December 2016.
- Updated Aggregate Resources Act Site Plans, prepared by MHBC, dated September 2018 (see attachment no. 2).

Provincial Policy Statement, 2014 (PPS) Consistency:

The “Planning Justification Report & Aggregate Resources Act Summary Statement” provided by the applicant provides a detailed review of the policies in the Provincial Policy Statement and how they relate to the proposed quarry (see attachment no. 3). County planning staff have reviewed their analysis and generally agree with the statements and conclusions in the report, subject to the County and Township’s peer reviewers being satisfied with the supporting studies/reports.

Official Plan Conformity:

The subject lands are designated **Rural** and located immediately north of an area designated as **Extractive (Reserve)**. In order to allow for the quarry use on the subject lands the applicant requires an Official Plan Amendment. The application for Official Plan Amendment is requesting to re-designate the portion of the owners lands proposed to be licensed under the Aggregate Resources Act from the **Rural** designation to the **Extractive (Active)** designation. The “Planning Justification Report & Aggregate Resources Act Summary Statement” provided by the applicant provides a detailed review of the policies of the County of Hastings Official Plan and how they relate to the proposed quarry (see attachment no. 4). County planning staff have reviewed their analysis and generally agree with the statements and conclusions in the report, subject to the County and Township’s peer reviewers being satisfied with the supporting studies/reports.

Zoning By-law:

The subject lands are currently zoned the **Rural (RU) Zone** and **Industrial (M) Zone**. The proposed zoning by-law amendment would rezone the 33.3 ha of lands proposed to be licensed to a site specific **Extractive Industrial (MX- *) Exception Zone**. The special exception zone would allow for aggregate recycling in addition to the typical permitted uses in the **Mineral Extraction (MX) Zone**. The amendment will also provide site specific setback to surrounding land uses, which include a minimum extraction setback of 30 m from a road and lands zoned residential and 15 m from all other property lines. All processing operations shall be setback 90 m from lands zoned residential. The site specific setbacks are based on the conclusions and findings of the supporting studies.

Supporting Studies and Peer Review:

Generally, the Official Plan seeks to allow for the extraction of primary resources (such as aggregate) while ensuring that any new extractive operation mitigate and/or minimize impacts on:

- 1) the natural environment;
- 2) water resources;
- 3) cultural and heritage resources; and
- 4) surrounding land uses (including noise and vibration, traffic and visual impacts).

As noted above a number of studies have been submitted in support of the application which address the above issues. The Level 1 and 2 Hydrogeological Investigation Report and Natural Environment Levels 1 and 2 Technical Report that were submitted demonstrate adverse impacts relating to the natural environment and water resources will be minimized. These studies have been peer reviewed on behalf of the County and the Township by Greer Galloway. Subject to some additional information and clarification that was provided, Greer Galloway is satisfied with the conclusions of the reports.

A Stage 1 and 2 Archaeological Assessment has been completed, which indicates that “no items of cultural heritage value or interest were recovered” and further that the study area be considered free from further archaeological concern. The Ministry of Tourism and Culture has reviewed the report and confirms the study has met the provincial standards and guidelines and has been added to the Ontario Public Register of Archaeological Reports.

With regards to impacts on surrounding uses an Acoustic Assessment Report and Blasting Impact Assessment were submitted indicating that any noise and vibrations impacts will be mitigated. These studies were peer reviewed by Valcoustics Canada Ltd. on behalf of the County and Township. While no major concerns have been identified, there are still some outstanding concerns relating to the Acoustical Assessment and Blasting Impact Analysis which planning staff understand are currently being addressed by the applicants and the County and Townships peer reviewers. The County and the Township will need to be satisfied that any concerns relating to Acoustical Assessment and Blasting have been adequately addressed.

A Traffic Impact Study has been submitted which indicates that “with improvements to the present southbound right turn taper at the Highway 62/Bay Lake Road intersection, adjacent roads and intersections will accommodate future site traffic from the new quarry”. The Traffic Impact Study has been peer reviewed on behalf of the County and the Township by Greer Galloway. Subject to some additional information and clarification that was provided, Greer Galloway is satisfied with the conclusions of the report.

With regards to potential visual impacts, the applicants have submitted a Visual Impact Assessment. The analysis indicated that while some of the observer locations will be able to see small areas of the proposed quarry, only when site preparation (e.g. construction equipment) and drilling operations occur at grade within a defined area, generally the surrounding areas will not be able to see the extraction, processing, stockpiling and shipping of aggregate on-site or the final rehabilitated site due to the topography in the area, existing tree cover and the elevations of the proposed quarry floor. In the location where portions of the quarry may be seen, views will be for a limited area, for a limited duration and will be located some distance from the subject site. The ability to view construction equipment for this limited area, for a limited duration from a distant view is typical of views that may exist in a rural area and overall the quarry will not result in any unacceptable visual impacts on the surrounding community.

The recommendations and conclusions of these studies have been incorporated into the most recent proposed Aggregate Resource Act site plan (**see attachment no. 2**), which if approved would form part of the licensing approval and would ensure the requirements of the studies are implemented.

Public Comments:

A number of comments and concerns have been received from members of the public. Attached are the comments that we have received to date (**see attachment no. 5**). A majority of the comments provided relate to concerns regarding water, environmental, noise and impact/enjoyment of surrounding lands. While many of the comments and concerns **may** be addressed by the supporting studies that have been submitted, the public meeting being held on September 30, 2018 will provide an opportunity for the applicants to present their application to Council and the public and an opportunity to address concerns. The public meeting further provides an opportunity for further public input/suggestions that could be valuable in improving upon the proposed quarry application.

Conclusions & Recommendation:

While a number of the supporting studies have been peer reviewed by the County and Township's peer review agents and any issues and concerns have been satisfactorily addressed, the Acoustical Assessment and Blasting Impact Assessment are still being reviewed. The County and Township peer reviewer must be satisfied that any concerns relating to blasting have been addressed prior to making any decisions on the applications. In addition, while a number of comments have been received to date, input and consideration of comments from the public meeting have not yet been received which is essential in consideration of the applications. In this regard, additional time is required to allow the applicants and County and Township Councils to consider public input prior to make any decisions on the applications.

Should you have any questions or require additional information, please contact the undersigned.

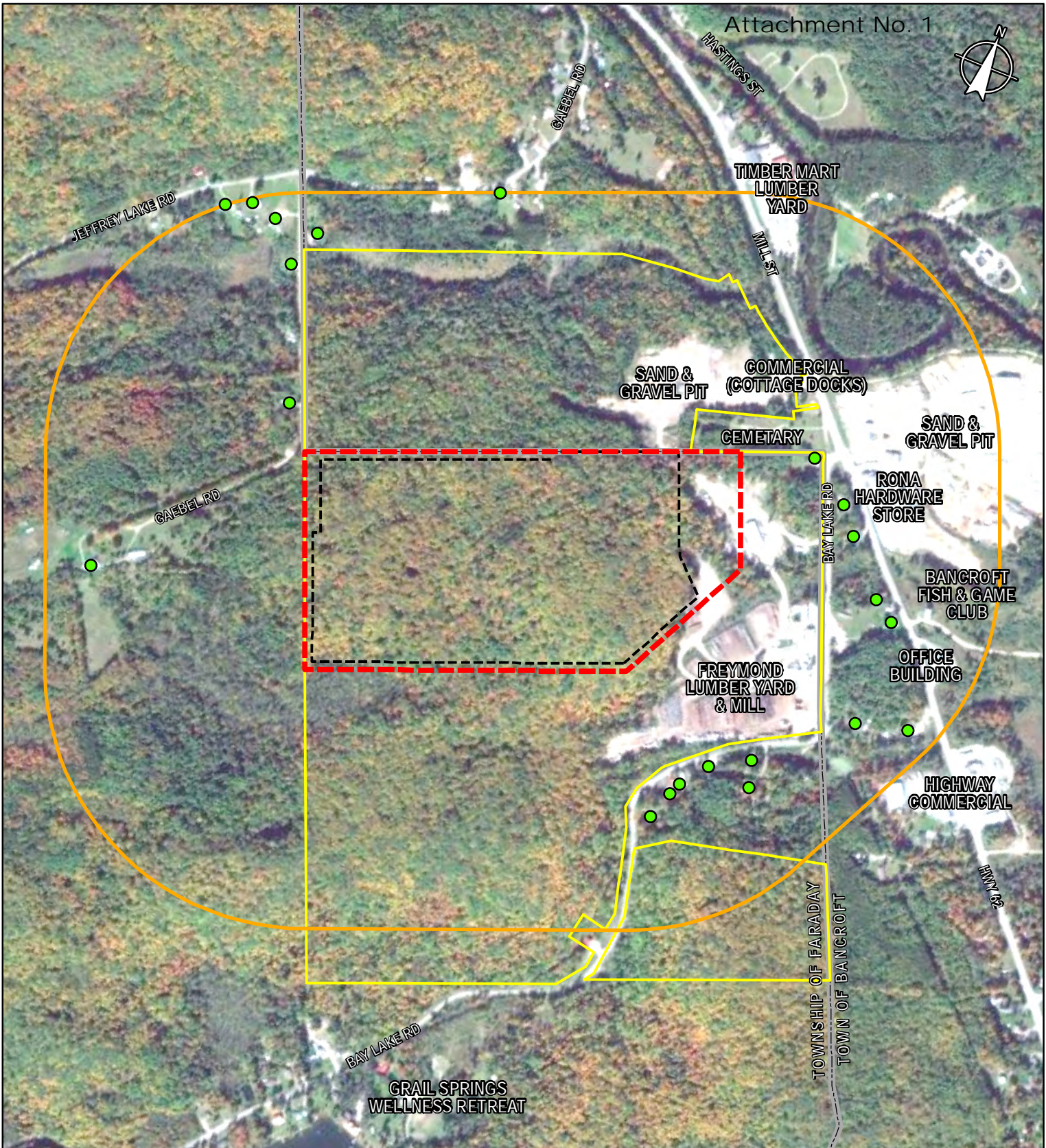
Respectfully Submitted,

Justin Harrow

Justin Harrow, MCIP, RPP
Director of Planning and Development

Attachments:

- 1) Site Environs and Surrounding land use map, prepared by MHBC dated December 2016;
- 2) Updated Aggregate Resources Act Site Plans, prepared by MHBC, dated September 2018;
- 3) Excerpt of Provincial Policy Statement review, prepared by MHBC Planning;
- 4) Excerpt of Hastings County Official Plan Review, prepared by MHBC Planning; and
- 5) Public comments received to date.



**FIGURE 3
SITE ENVIRONS &
SURROUNDING
LAND USES**

Freymond Quarry
RR#1, 2287 Bay Lake Road
Township of Faraday
County of Hastings

LEGEND

- Residential Buildings
- Proposed Licensed Boundary
- Proposed Extraction Limit
- 500m Boundary from License Area
- Additional Lands Owned by Applicant

DATE	December, 2016
SOURCES	Contains information licensed under the Open Government Licence - Ontario
	<p>0 60 120 180 240 300 Metres</p>
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