

Date: March 7<sup>th</sup>, 2019

Report to : Planning Committee

Report from: Justin Harrow, Director of Planning and Development

Subject: Official Plan Amendment No. 18 (Freymond Quarry)

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**Recommendation:**

- 1. THAT the County Planning Staff Report regarding Amendment No. 18 (Freymond Quarry) to the Hastings County Official Plan for lands located in Part of Lots 51 and 52, Concession WHR, Township of Faraday, BE RECEIVED;**
- 2. THAT the Planning Committee recommend to County Council that Official Plan Amendment No. 18 to the County of Hastings Official Plan for lands located in Part of Lots 51 and 52, Concession WHR, Township of Faraday, BE ADOPTED in a manner consistent with Attachment no. 1 to the County Planning Staff Report dated March 7, 2019;**
- 3. THAT upon adoption, staff are authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Amendment No. 18 to the Hastings County Official Plan; and**
- 4. THAT the applicant be responsible for all fees associated with the application to the Minister of Municipal Affairs and Housing.**

**Planning Review & Comments (Without the benefit of public input)**

**Background / Purpose:**

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) (**see attachment no. 1**), 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 (**see attachment no. 2**). 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 No. 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.

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. 3**).

**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.**

#### **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. 4**). County planning staff have reviewed their analysis and generally agree with the statements and conclusions in the report. In this regard, the proposed development is consistent with the Provincial Policy Statement.

#### **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. 5**). County planning staff have reviewed their analysis and generally agree with the statements and conclusions in the report. In this regard, the proposed development conforms to the intent and policies of the County of Hasting's Official Plan (1998).

#### **Zoning By-law:**

The Township of Faraday passed by-law No. 4-2019 on February 6, 2019. **Zoning By-law Amendment No. 4-2019** rezones the 33.3 ha of land proposed to be licensed under the Aggregate Resources Act to the site specific **Extractive Industrial (MX- 1) Exception 1 Zone**. However, the by-law will not come into force and effect until such time as the Official Plan Amendment has been approved (if approved). The special exceptions zone allow for aggregate recycling in addition to the typical permitted uses and will also **prohibit the use of an Asphalt plant** on the subject lands. The amendment will also provide site specific setbacks to surrounding land uses, which include a minimum extraction setback of 30 m from roads and lands zoned residential and 15 m from all other property lines. All processing operations shall be setback 90 m from lands zoned residential. In addition, the site specific rezoning, will exempt existing lots of record from the required setbacks from a **Mineral Extraction (MX) Zone** in order to ensure that the surrounding lands will continue to develop without the need for an unnecessary rezoning application.

### **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 mitigates and/or minimizes 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 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. The applicants have also submitted additional supporting information including a built heritage checklist completed by a qualified professional. The conclusions of these findings confirmed that there are no built heritage resources or significant cultural heritage landscapes present on or adjacent to the subject lands.

With regards to impacts on surrounding uses an Acoustic Assessment Report and Blasting Impact Assessment were submitted indicating that any noise and vibration impacts will be mitigated. These studies were peer reviewed by Valcoustics Canada Ltd. on behalf of the County and Township. Subject to some additional information and clarification that was provided, Greer Galloway is satisfied with the conclusions of the reports.

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. The Town of Bancroft provided comments relating to concerns with the impact that the proposed development will have on Highway No.62 and the effect on the intersection of Mill Street and Bridge Street (**see attachment no. 7**). Highway No. 62 (Mill Street) is a major north south transportation corridor and, similarly Highway No. 28 (Bridge Street) is major east west transportation corridor in the County. Both roads accommodate significant traffic volumes daily (including heavy trucks). In this regard, additional traffic resulting from the proposed Quarry will have minimal impact on the operation of these roads.

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. 3**), which if approved would form part of the licensing approval and would ensure the requirements of the studies are implemented.

**Public Comments:**

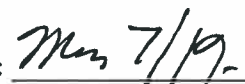
The statutory public meeting under the Planning Act was held on September 30, 2018, and was followed with another public meeting on January 9, 2019. In addition, a number of open houses were previously conducted, the applicants offered a tour of another similar quarry for residents on June 1, 2017, provided a newsletter to the surrounding community and provided all of the relevant studies and background documents on a website available to the public.

A number of comments and concerns have been received from members of the public (**see attachment no. 8**). A majority of the comments provided relate to concerns regarding water, environmental, noise and impact/enjoyment of surrounding lands. In general the comments and concerns were addressed through the supporting studies that were submitted.

**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. The applications are consistent with the Provincial Policy Statement and conform to the intent of the County of Hastings Official Plan (1998). In this regard, County Planning Staff recommended that the proposed Official Plan Amendment No. 18 **BE APPROVED**, and that County staff be authorized to make application to the Ministry of Municipal affairs and Housing for approval of OPA No. 18.

Respectfully Submitted:   
Justin Harrow  
Director of Planning & Development

Date:   
March 7<sup>th</sup>, 2019

Attachments:

- 1) Official Plan Amendment No. 18;
- 2) Site Environs and Surrounding land use map, prepared by MHBC dated December 2016;
- 3) Updated Aggregate Resources Act Site Plans, prepared by MHBC, dated September 2018;
- 4) Excerpt of Provincial Policy Statement review, prepared by MHBC Planning;
- 5) Excerpt of Hastings County Official Plan Review, prepared by MHBC Planning;
- 6) Comments from the Town of Bancroft; and
- 7) Public Comments.

**OFFICIAL PLAN AMENDMENT NO. 18**

“Rural” to “Extractive (Active)”

Freymond Lumber Ltd.

Part of Lots 51 & 52, Concession W.H.R.  
2287 Bay Lake Road  
Township of Faraday

**FOR THE  
TOWNSHIP OF FARADAY  
IN THE  
COUNTY OF HASTINGS**

**Amendment No. 18 to the Official Plan of the  
County of Hastings**

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The attached explanatory text and map identified as Schedule “A”, constituting Amendment No. 18 to the Official Plan of the County of Hastings, was prepared by the Council of the Corporation of the County of Hastings under the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

The amendment was adopted by the Council of the Corporation of the County of Hastings by By-law No. \_\_\_\_\_ in accordance with Sections 17 and 21 of the Planning Act. R. S.O. 1990, c.P.13, as amended, on the 28 day of March, 2019.

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**Jim Pine, CAO/Clerk**

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**Rick Phillips, Warden**

**The Corporation of the County of Hastings**

**BY-LAW NO. \_\_\_\_\_ - \_\_\_\_\_**

**Being a By-law to adopt an Amendment to the Official Plan of the Corporation of the County of Hastings**

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**WHEREAS** the Council of the Corporation of the County of Hastings is desirous of amending By-law No. 2000-0033, a By-law to adopt the Official Plan, for the future development of the County;

**WHEREAS AMENDMENT NO. 18** to the Official Plan of the County of Hastings has been considered and recommended for adoption by the County of Hastings Planning and Development Committee;

**AND WHEREAS** a Public Meeting regarding the proposed amendment has been held pursuant to the requirements of Section 17 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

**NOW THEREFORE** the Council of the Corporation of the County of Hastings in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby orders and enacts as follows:

1. **THAT Amendment No. 18** to the Official Plan of the County of Hastings, consisting of the attached explanatory text and Schedule "A" is hereby adopted.
2. **THAT the CAO/Clerk** is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Amendment No. 18 to the Official Plan of the Hastings County Planning Area.
3. **THAT Amendment No. 18** shall come into force and take effect in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

**THIS BY-LAW READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED IN OPEN COUNCIL THIS 28 DAY OF MARCH, 2019.**

\_\_\_\_\_  
**Jim Pine, CAO/Clerk**

\_\_\_\_\_  
**Rick Phillips, Warden**

## **Amendment No. 18 to the Official Plan of the County of Hastings**

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### **1. Title and Contents:**

The following text and map identified as Schedule “A” constitutes Amendment No. 18 to the Official Plan of the Corporation of the County of Hastings. The Official Plan of the County of Hastings was approved by the Minister of Municipal Affairs and Housing, taking effect January 12, 2002 as modified by the Ontario Municipal Board Decision No. 0189, File No. O020014.

Also attached hereto but not forming a part of the amendment are:

**Appendix “A”** - Certified Statements and Declaration that:

- a. The Notice of Public Meeting and the holding of at least one public meeting have been complied with in accordance with the Planning Act;
- b. The Notice of Adoption of Official Plan Amendment No. 18 was given in accordance with the Planning Act; and,
- c. Official Plan Amendment No.18 is consistent with the Provincial Policy Statement.

**Appendix “B”** - Copies of Notices

- d. Certified copies of the Notices of Public Meeting and Adoption; and,
- e. List of agencies and neighbouring land owners circulated and copies of written comments received.

**Appendix “C”** - Minutes of the Statutory Planning Committee Public Meeting held in regard to the Official Plan Amendment on September 30<sup>th</sup>, 2018.

**Appendix “D”** - Hastings County Planning Staff Report dated March 7<sup>th</sup>, 2019

### **2. Purpose and Effect of the Amendment:**

The purpose of Official Plan Amendment No. 18 to the Official Plan of the County of Hastings is as follows:

To re-designate 33.3 hectares of land owned by Freymond Lumber Ltd. located on Part Lots 51 & 52, Concession W.H.R. in the Township of Faraday from “Rural” to “Extractive (Active)” on Schedule “A5-1” of the County of Hastings Official Plan.



The effect of Amendment No. 18 will be to permit a quarry on the lands, including the permitted uses as listed in Section 3.8.2 of the County of Hastings Official Plan.

**3. Location of Lands Affected:**

The total land holdings owned by Freymond Lumber Ltd. are approximately 128 hectares and includes an existing gravel pit (License No. 624108) and an existing lumber mill operated by the owner. The subject lands are 33.3 hectares and represent the proposed licensed area under the Aggregates Resources Act, located on Parts 51 & 52, Concession W.H.R., Township of Faraday, County of Hastings. The property is municipally known as 2287 Bay Lake Road. The lands subject to Official Plan Amendment No. 18 are shown on Schedule "A".

**4. Basis of the Amendment:**

a) Existing Uses:

The subject lands currently contain one small sugar shack structure and are forested.

b) Proposed Uses:

The applicant proposes to designate the subject lands to "Extractive (Active)" to permit a quarry and accessory uses on the lands, as shown on Schedule "A".

c) Planning Justification Report prepared by MHBC Planning Limited:

A Planning Justification Report was prepared by MHBC Planning Limited.

d) Other Agency and Public Comments:

- \_\_\_\_\_
- \_\_\_\_\_

A Public Meeting for the proposed Official Plan Amendment (OPA No. \_\_\_\_ ) was conducted by the County Planning Committee on \_\_\_\_\_, \_\_\_\_\_. In consideration of OPA No. \_\_\_\_\_, the County of Hastings gave due regard to all agency and public comments received prior to and during the Public Meeting(s), the purpose and intent of the Official Plan and matters of Provincial interest. At its meeting of \_\_\_\_\_, \_\_\_\_\_, County Council approved a motion recommending adoption of proposed OPA No. \_\_\_\_\_.

e) Planning Staff Report:

The Planning Staff Report dated \_\_\_\_\_, \_\_\_\_\_ (see Appendix “D”) recommends the adoption of OPA No. 18 after giving due consideration to existing Official Plan policies and the recommendations of the Ministry of Natural Resources and Forestry.

**5. Details of the Amendment:**

Schedule “A5-1” of the Official Plan of the County of Hastings is hereby amended by designating the subject lands of 33.3 hectares as “Extractive (Active)”, constituting Part of Lots 51 & 52, Concession W.H.R., Township of Faraday, as shown on Schedule “A” attached to and forming part of this Amendment.

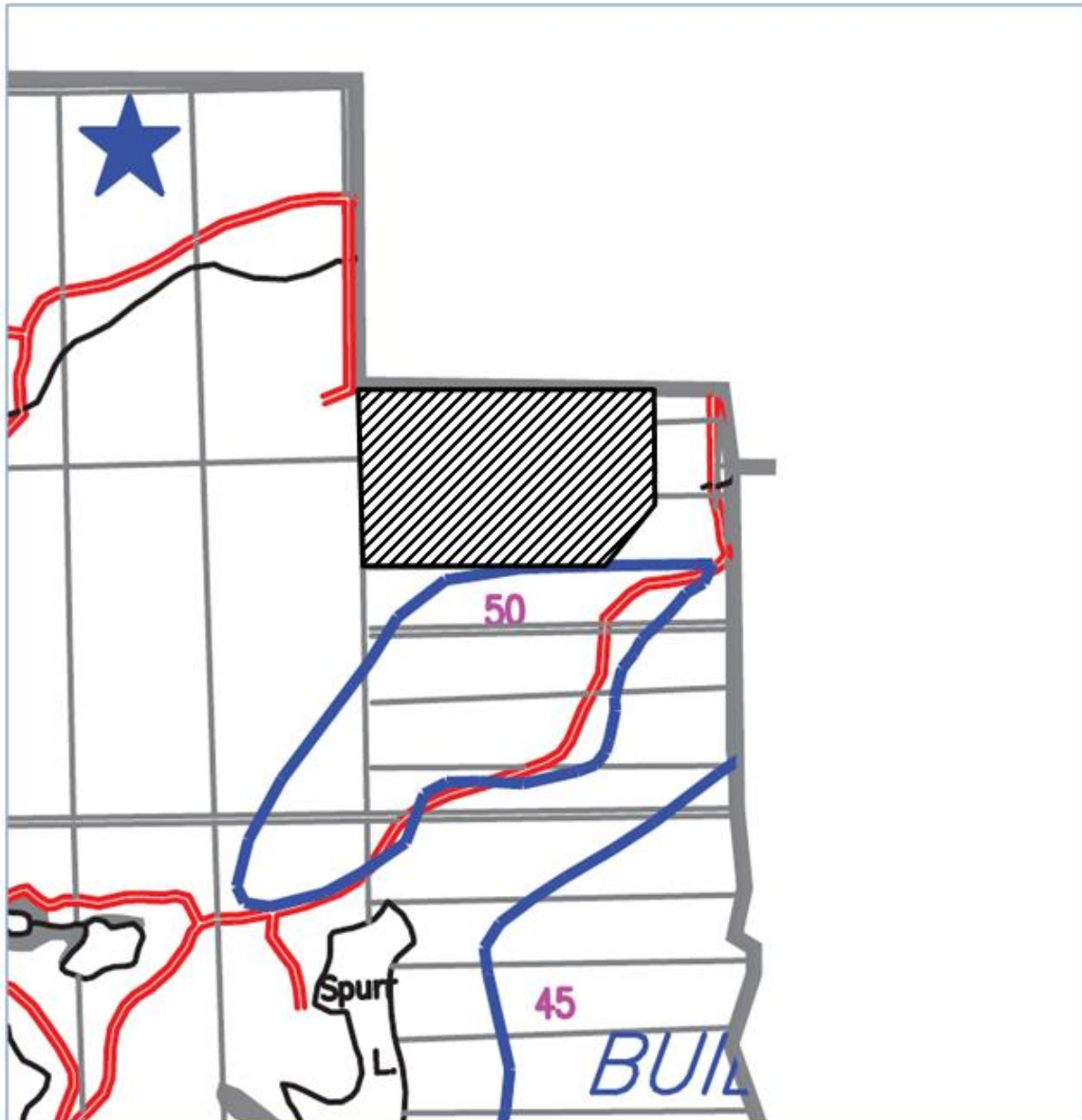
**6. Implementation & Interpretation:**


The provisions of the County Official Plan, as amended from time to time, regarding the implementation and interpretation of the Plan shall apply in regard to this amendment.

DRAFT

# SCHEDULE "A" TO BY-LAW NO. \_\_\_\_\_ (OPA NO. 18)

2287 Bay Lake Road  
Part of Lots 51 & 52, Concession W.H.R.  
Township of Faraday, County of Hastings



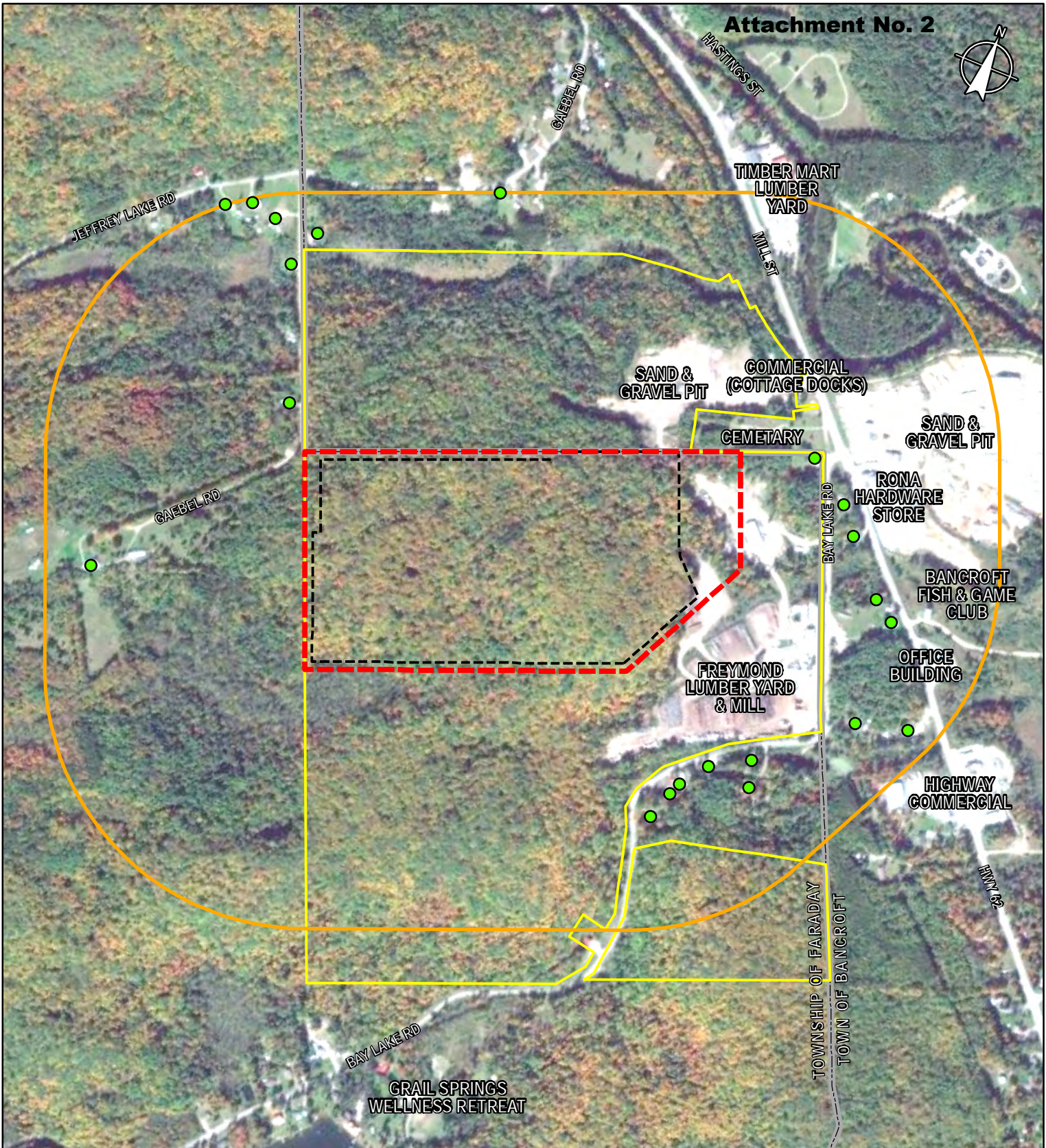
 Lands to be designated from Rural to Extractive (Active).

This is Schedule "A" to By-law \_\_\_\_\_ - \_\_\_\_\_

Passed this 28 day of March, 2019

\_\_\_\_\_  
Rick Phillips, Warden

\_\_\_\_\_  
Jim Pine, CAO/Clerk



**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
	N:\Brian\15158\Drawing\Figure\Planning Report Figures\GIS\Fig3_Site Environs_2016-12

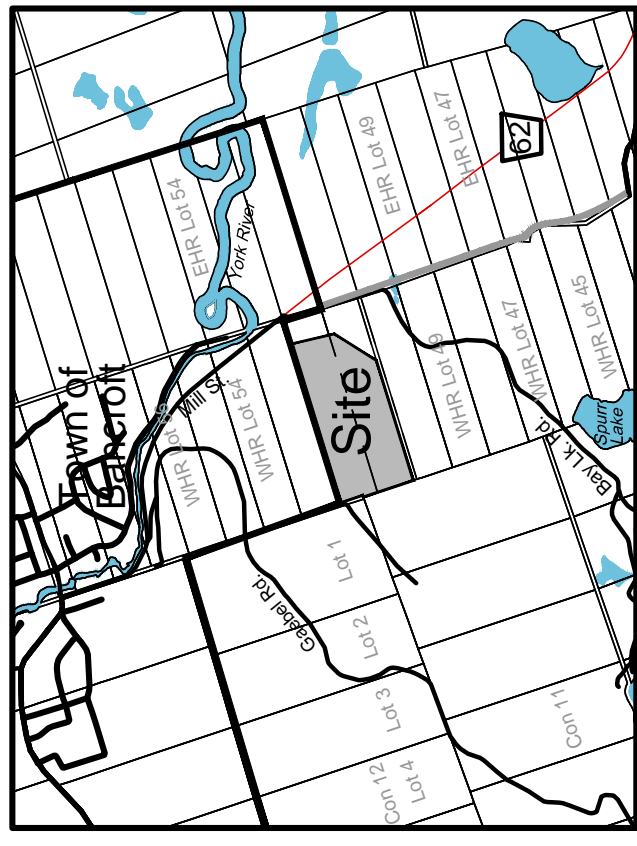
# Existing Features

## NOTES:

- THESE SITE PLANS ARE PREPARED FOR SUBMISSION TO THE MINISTRY OF NATURAL RESOURCES AND FORESTRY IN CONJUNCTION WITH AN APPLICATION FOR A CLASS 'A' LICENCE (CATEGORY 2) UNDER THE AGGREGATE RESOURCES ACT AND ITS REGULATIONS.
- TOPOGRAPHIC INFORMATION PROVIDED BY MNRF - INFORMATION LICENCED UNDER THE OPEN GOVERNMENT LICENCE - ONTARIO. CONTOUR INTERVAL IS 1.0 METRE, INTERPOLATED FROM 5 METRE CONTOURS.
- PROPERTY BOUNDARY DESCRIPTION WAS COMPILED FROM SURVEY PREPARED BY GREG BISHOP SURVEYING AND CONSULTING LTD - JANUARY 24, 2014.
- SUBJECT LANDS ARE PRESENTLY ZONED RURAL (RU) AND INDUSTRIAL (M). ZONING INFORMATION OBTAINED FROM SCHEDULE 'A' - MAP 2 OF THE TOWNSHIP OF FARADAY ZONING BY-LAW NO. 21-2012 AND THE TOWN OF BANCROFT ZONING BY-LAW NO. 27-2006 - MAP 1.
- LAND USE INFORMATION COMPILED FROM AERIAL PHOTOGRAPHY. THE EXISTING VEGETATION IS BASED ON TOPOGRAPHIC INFORMATION LICENCED UNDER THE OPEN GOVERNMENT LICENCE - ONTARIO.
- AREA TO BE LICENCED: 33.3HA (82.3AC)
- AREA TO BE EXTRACTED: 27.7 HA (68.5AC)
- ELEVATION OF ESTABLISHED GROUND WATER TABLE IS 352 TO 376 M.A.S.L., HYDROGEOLOGIC ASSESSMENT, MTE CONSULTANTS INC., DECEMBER 1, 2016.
- ALL MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES.
- REFER TO SHEET 2 OF 3 FOR OPERATIONAL PLAN, 3 OF 3 FOR FINAL PROGRESSIVE REHABILITATION AND FOR CROSS-SECTIONS.

Location Map

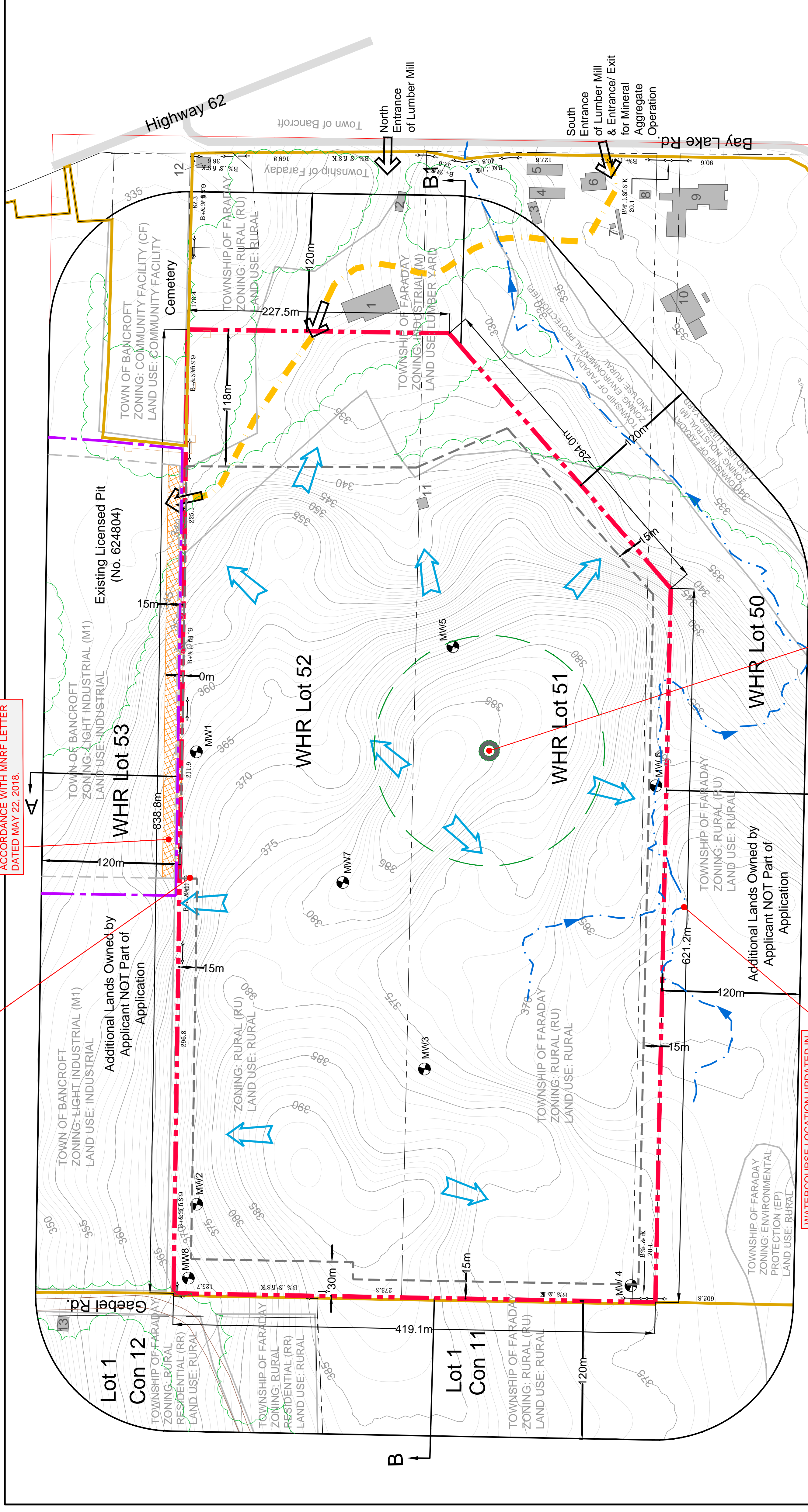
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BUILDING LIST	
BUILDING #	USE
1-10	Freymond Lumber Operation
11	Sugar Shack (to be removed)
12	Residence (Owned by Applicant)
13	Residence

UPDATED LICENCE B PIT BOUNDARY IN ACCORDANCE WITH MHBC EMAIL TO MNRF DATED JUNE 25, 2018.

SETBACK TO BE REDUCED TO 0m IN ADJACENT LICENCE B PIT IN ACCORDANCE WITH MNRF LETTER DATED MAY 22, 2018.



WATERCOURSE LOCATION UPDATED IN ACCORDANCE WITH MTE RESPONSE TO GREER GALLOWAY CONSULTING ENGINEERS DATED MAY 1, 2018.

LOCATION OF PALE-BELLIED FROST LICHEN ADDED IN ACCORDANCE WITH RIVERSTONE REPORT DATED JULY, 2017 AND MNRF LETTER DATED MAY 22, 2018. ALSO ADDED TO LEGEND.

## Legal Description

PART OF LOTS 51 & 52,  
CONCESSION W.H.R.  
TOWNSHIP OF FARADAY  
COUNTY OF HASTINGS

- ### Legend
- Proposed Licensed Boundary
  - Proposed Limit of Extraction
  - Existing Licence Boundary
  - Existing Limit of Extraction
  - Boundary of Lands Owned by Applicant
  - Municipal Zoning Boundary
  - 120m from Licence Boundary
  - Cross-Section
  - Lot Line
  - Contour Line
  - Monitoring Well
  - Existing Tree Cover
  - Existing Entrance/Exit
  - Surface Drainage Direction
  - Existing Water Course
  - Existing Haul Route for Licence #624804
  - Existing Building
  - Paved Road
  - Area Subject to Separate ARA Site Plan Amendment to Reduce Setback from 15m to 0m
  - Pale-Bellied Frost Lichen Regulated Habitat under the Endangered Species Act

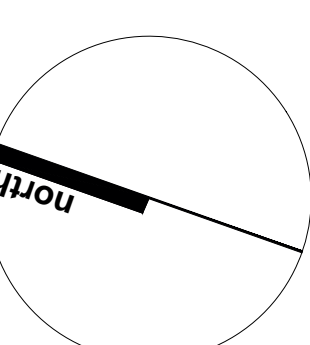
## Site Plan Amendments

No.	Date	Description	By

**PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE**  
**MHBC ARCHITECTURE**

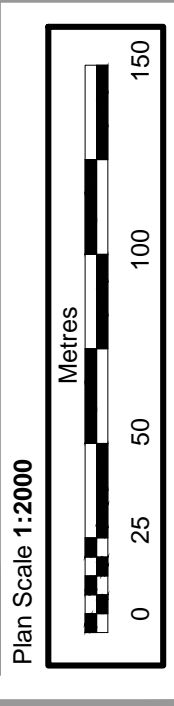
113 COLLIER STREET BARRIE, ON, L4M 1H2 | P: 705.728.0045 F: 705.728.2010 | WWW.MHBCPLAN.COM

MNRF Approval Stamp



**FREYMOND AGGREGATES**  
FREYMOND LUMBER LTD.  
RR#1, 2287 Bay Lake Road  
Bancroft, Ontario K0L 1C0

MNRF Licence Reference No.  
Pre-approval review:  
First Submission to MNRF, December 19, 2016  
Second Submission to MNRF, September 7, 2018



File Name

Drawn By: L.H.  
Checked By: B.Z.  
File No: 1515B  
Date: SEPTEMBER 2018

## EXISTING FEATURES

Drawing No.

1 OF 3



# Rehabilitation Plan

Legal Description  
 PART OF LOTS 51 & 52,  
 CONCESSION W.H.R.,  
 TOWNSHIP OF FARADAY  
 COUNTY OF HASTINGS

## Legend

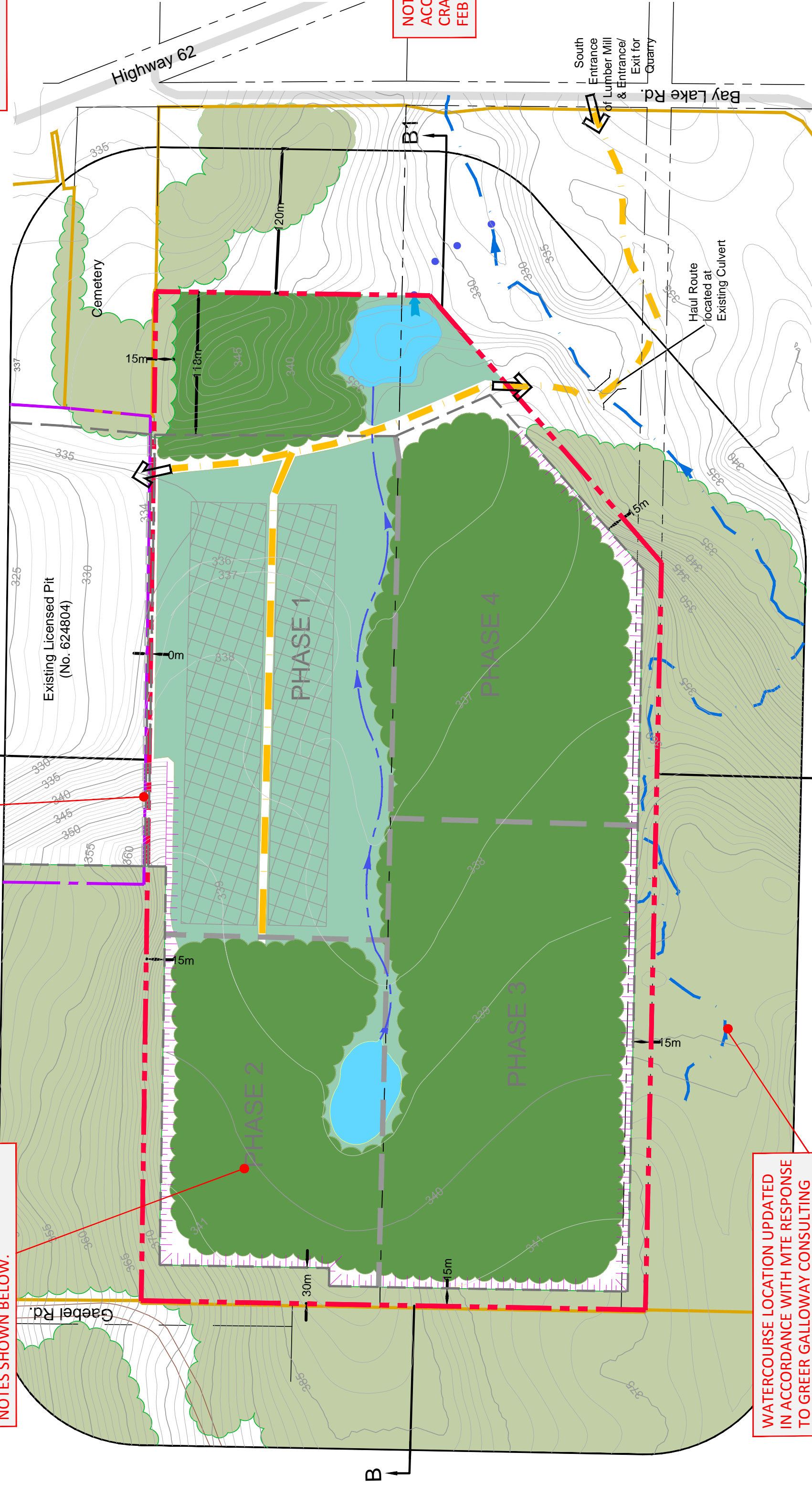
- Proposed Licensed Boundary
- Proposed Limit of Extraction
- Existing Licence Boundary
- Existing Limit of Extraction
- Boundary of Lands Owned by Applicant
- 120m from Licensed Boundary
- Cross-Section
- Contour Line
- Entrance/Exit
- Existing Water Course
- Proposed Watercourse
- Connection to Existing Watercourse (Water Feature or Pipe)
- Surface Water Discharge Point
- Approximate Location of Internal Haul Route
- Paved Road
- Pond (Approximate Location/Size)
- Quarry Face
- Existing Forested Area
- Proposed Forested Area (Red Pine)
- Grass/Legume Area
- Freymond Lumber - Storage Area for Logs

## NOTES

1. AREA TO BE REHABILITATED 27.7HA (68.5AC).
2. REHABILITATION WILL BE PROGRESSIVE GENERALLY IN ACCORDANCE WITH THE PHASING SCHEMATIC ON PAGE 2 OF 3.
3. AS SOON AS FEASIBLE DEPLETED AREAS SHALL BE RESTORED TO MAXIMIZE REHABILITATED AREAS AND MINIMIZE DISTURBED AREAS USING ON-SITE SOILS. NO IMPORTATION OF FILL IS PERMITTED.
4. AREAS REQUIRED FOR PROCESSING AND INTERNAL HAUL ROUTES WILL BE THE FINAL AREAS TO BE REHABILITATED.
5. THE QUARRY FLOOR WILL BE GRADED USING ON-SITE SOIL AND DESIGNED WITH A WATERCOURSE TO CONVEY WATER TO APOUVUIT WATER MANAGEMENT POND LOCATED ALONG THE EASTERN BOUNDARY OF THE SITE. WATER FROM THE SITE WILL BE PASSIVELY DISCHARGED.
6. ON THE QUARRY FLOOR A SHALLOW / AMPHIBIAN POND WILL BE DEVELOPED ADJACENT TO THE PROPOSED WATERCOURSE. SEE REHABILITATION SCHEMATIC.
7. THE QUARRY FLOOR IN PHASE 1 WILL BE VEGETATED WITH A GRASS / FORB MIXTURE IN ACCORDANCE WITH THE PLANTING PLAN NOTES BELOW AND WILL BE USED TO STORE LOGS FROM THE FREYMOND LUMBER BUSINESS.
8. THE QUARRY FLOOR IN PHASES 2, 3 AND 4 WILL BE PLANTED IN ACCORDANCE WITH THE PLANTING PLAN NOTES BELOW TO CREATE A FORESTED CONDITION.
9. ADJACENT TO THE AMPHIBIAN POND ON THE REHABILITATED QUARRY FLOOR AND ADJACENT TO THE STORM WATER MANAGEMENT POND SEVERAL BARN SWALLOW NESTING STRUCTURES AND BAT BOXES WILL BE INSTALLED.
10. EXCAVATION WILL OCCUR IN 1 TO 2 BENCHES AND WILL VARY IN HEIGHT. WHERE A SECOND BENCH IS REQUIRED APPROXIMATELY A 5 M LEDGE WILL REMAIN. THE MAJORITY OF THE BOTTOM OF EACH BENCH WILL BE BACKFILLED AT 2:1 SLOPES WITH ON-SITE SOILS AND PLANTED WITH RED PINE AND SHRUBS. ON THE BACKFILLED AREAS LOGS, STUMPS AND ROCKS WILL ALSO BE PLACED TO INCREASE HABITAT DIVERSITY. THE REMAINDER OF THE QUARRY FACE WILL REMAIN A VERTICAL FACE. SEE QUARRY FACE DETAIL THIS PAGE.
11. ALL INTERNAL HAUL ROUTES WILL BE RESTORED EXCEPT FOR THE INTERNAL HAUL ROUTE TO ACCESS THE LICENSED PROPERTY (LICENSE NO. 624804) TO THE NORTH AND THE INTERNAL ROAD TO ACCESS THE LOG STORAGE AREA IN PHASE 1.

SETBACK TO BE REDUCED TO 0m IN ADJACENT LICENCE B PIT IN ACCORDANCE WITH MNRF LETTER DATED MAY 22, 2018.

ADDED PHASE BOUNDARIES TO ASSIST WITH IMPLEMENTATION OF PHASING NOTES SHOWN BELOW.



WATERCOURSE LOCATION UPDATED IN ACCORDANCE WITH MTE RESPONSE TO GREER GALLOWAY CONSULTING ENGINEERS DATED MAY 1, 2018.

NOTES UPDATED IN ACCORDANCE WITH ROBIN CRAIG LETTER DATED FEBRUARY 27, 2018.

UPDATED LICENCE B PIT BOUNDARY IN ACCORDANCE WITH MHBC EMAIL TO MNRF DATED JUNE 25, 2018.

### PHASE 1 PLANTING PLAN

- A. THE QUARRY FLOOR OF PHASE 1 WILL BE VEGETATED WITH A GRASS/FORB MIXTURE WHICH WILL INCLUDE THE FOLLOWING NATIVE AND NON-INVASIVE, NON-NATIVE SPECIES, SUBJECT TO AVAILABILITY. SUBSTITUTIONS MAY BE REQUIRED:
  - i) OAT (AVEENA FATUA) FOR A COVER CROP
  - ii) PERENNIAL RYE (LOLIUM PERENNE)
  - iii) CANADA WILD RYE (ELYMUS CANADENSIS)
  - iv) WHITE CLOVER (TRIFOLIUM REPENS)
  - v) COMMON MILKWEED (ASCLEPIAS SYRIACA)
  - vi) NEW ENGLAND ASTER (SYMPHOTRICHUM NOVAE-ANGLIAE)
  - vii) GOLDENROD (SOLIDAGO SP)
- B. THE PLANTING OF PHASE 1 LANDS WILL BE IMPLEMENTED BY AN EXPERIENCED PROFESSIONAL AFTER DETERMINING THE SITE CONDITIONS AND THE APPROPRIATE SEEDING RATES.

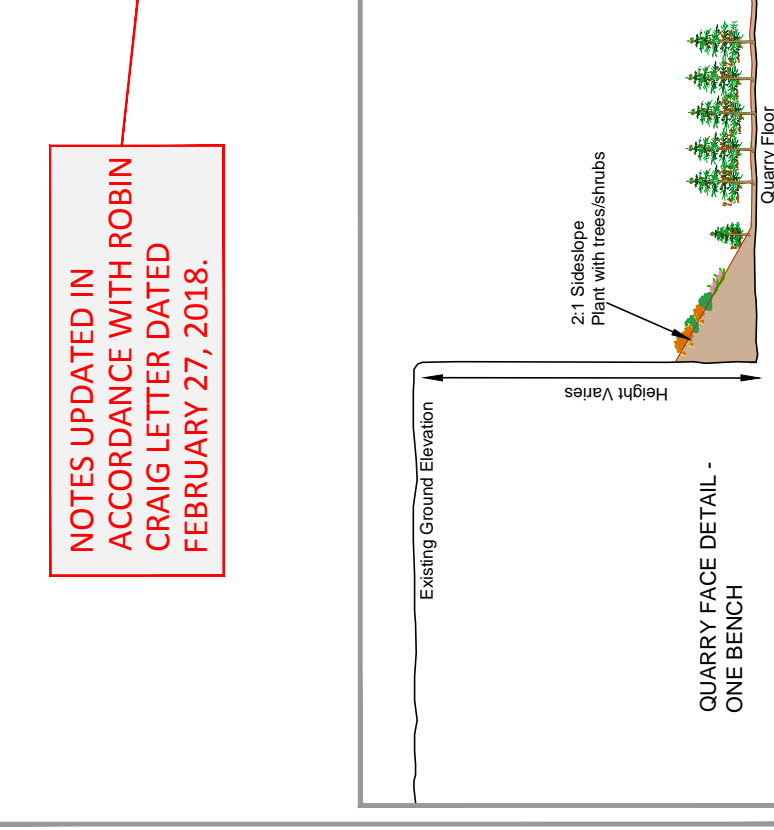
### PHASE 2, 3 & 4 PLANTING PLAN

- A. THE QUARRY FLOOR IN PHASES 2, 3 AND 4 WILL BE PLANTED WITH A COVER CROP OF OATS. THIS WILL BE FOLLOWED BY PLANTING TREE SEEDLINGS INCLUDING RED PINE, EASTERN WHITE PINE, RED OAK AND SUGAR MAPLE. WHITE SPRUCE SEEDLINGS WILL BE CONSIDERED FOR MOIST SOIL AREAS. ALL THESE SPECIES ARE CURRENTLY FOUND ON THE SITE.
- B. ALL TREE PLANTING WILL BE IMPLEMENTED BY AN EXPERIENCED PROFESSIONAL WHO WILL, AFTER ASSESSING THE SITE CONDITIONS AND DETERMINING APPROPRIATE SPECIES, DEVELOP PLANTING PLANS.
- C. PLANTINGS WILL BE IN NODES OF ABOUT 900 SQ M AND EACH WILL INCLUDE THE FOUR ABOVE MENTIONED TREE SPECIES. THE NODES WILL BE PLACED IN A LINEAR CROSSING PATTERN TO PROVIDE FORESTED CONNECTIVITY TO ADJACENT LANDS. SPACES BETWEEN THE NODES WILL ALLOW FOR RAINFALL PERIODS.
- D. TALUS SLOPES WILL BE CREATED AT THE BASE OF QUARRY FACES BY BACKFILLING 2:1 SIDE SLOPES WITH ON SITE MATERIALS. THESE SLOPES WILL BE PLANTED IN NODES WITH TREE SEEDLINGS OF THE ABOVE DESCRIBED SPECIES AND NATIVE SHRUBS SUCH AS RED ELDERBERRY (SAMBUCUS RACEMOSA).
- E. ALL TREE AND SHRUB PLANTINGS WILL RECEIVE REGULAR TENDING DURING THE FIRST GROWING SEASON AFTER PLANTING.
- F. TENDING WILL CONSIST OF THE INSTALLATION AROUND DECIDUOUS TREE SEEDLINGS TO PROTECT THE SEEDLINGS FROM RODENTS. TREES AND SHRUB SEEDLINGS WILL BE WATERED DURING DROUGHT OR LOW RAINFALL PERIODS.

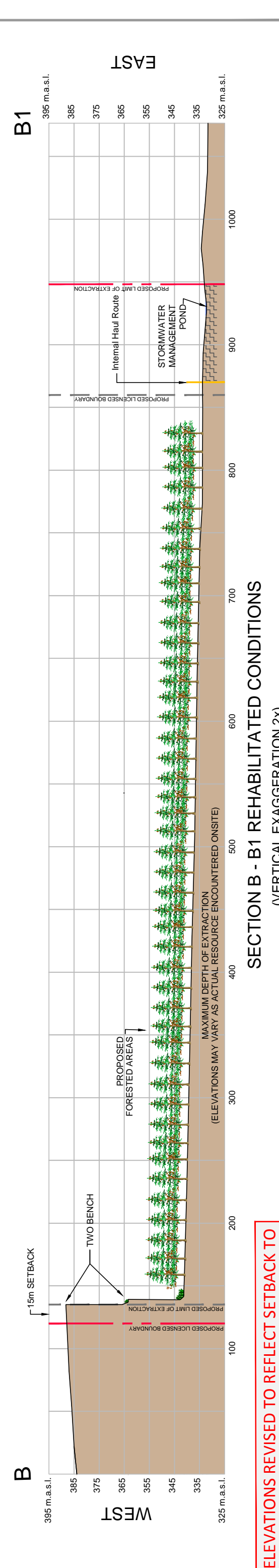
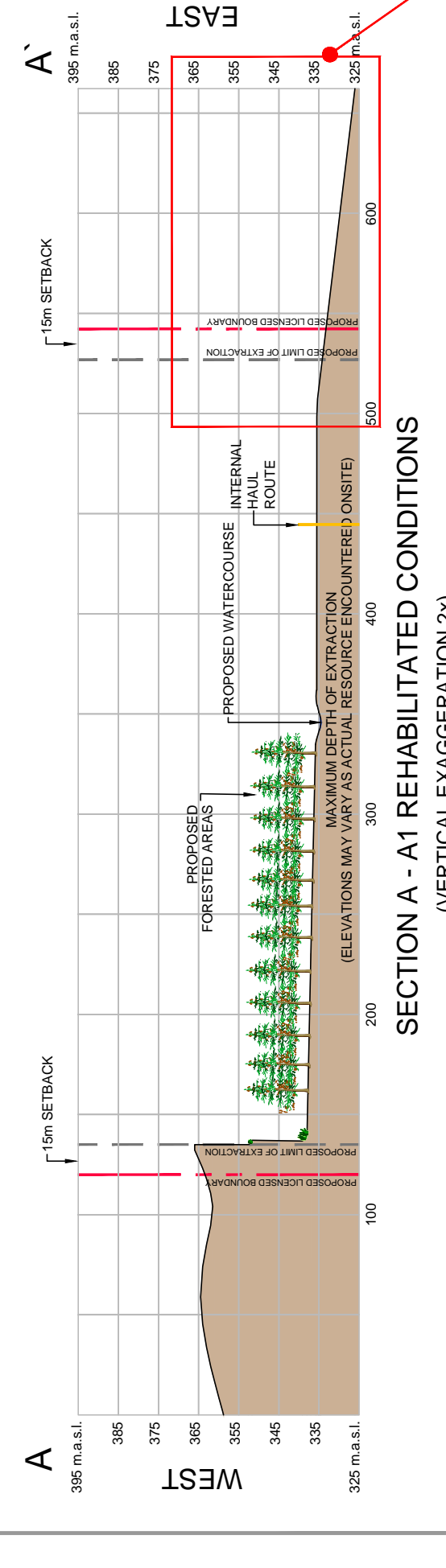
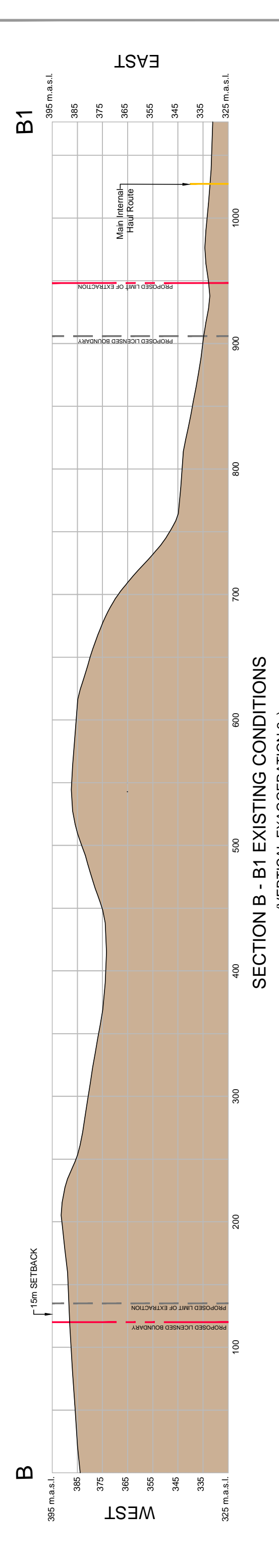
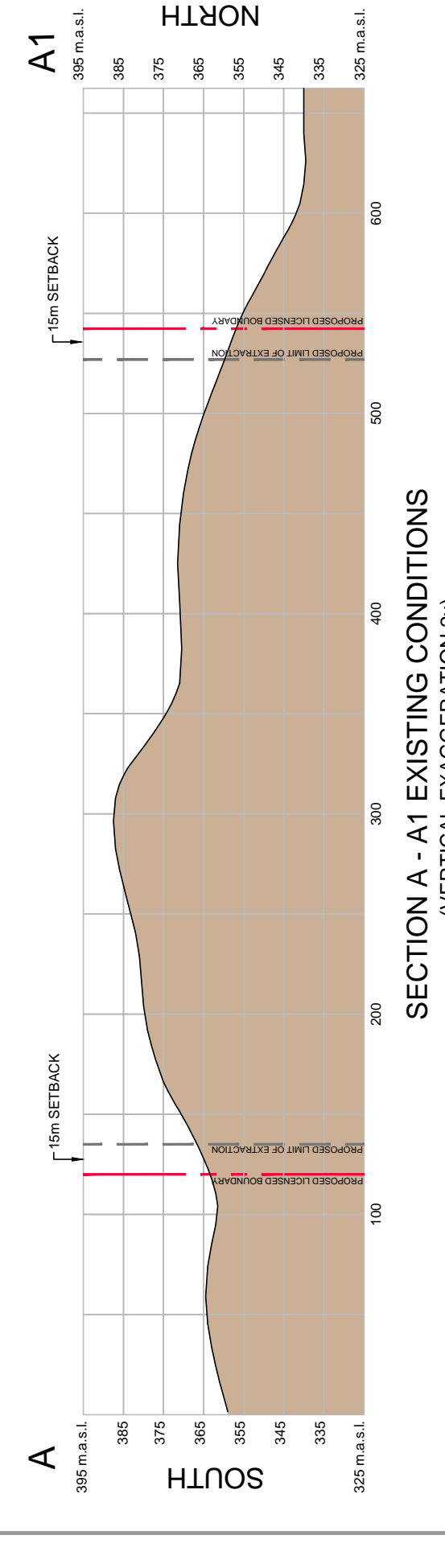
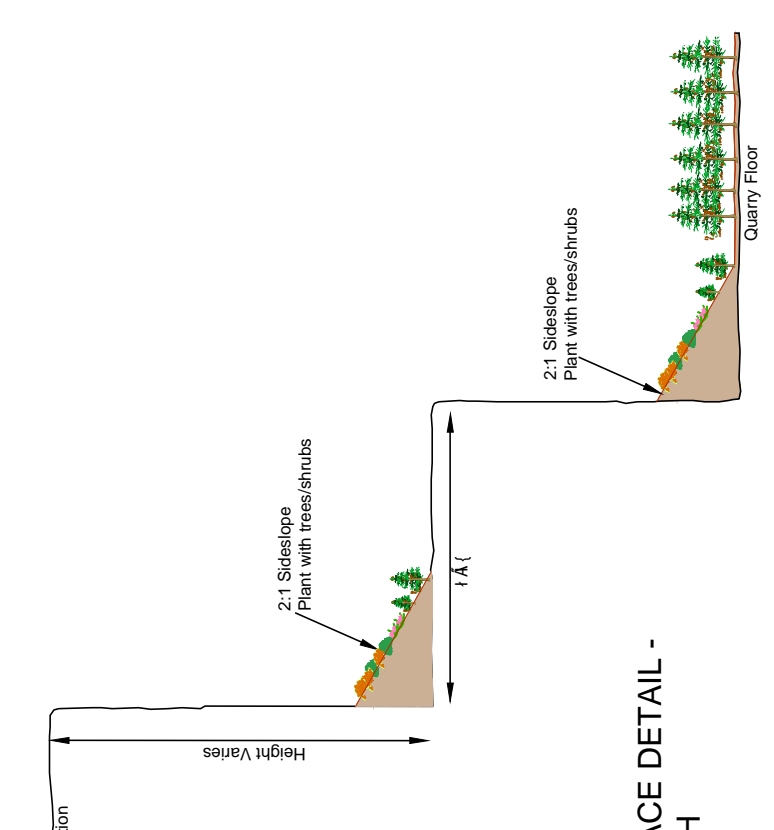
### PHASE 3 PLANTING PLAN

- G. ALL TREE AND SHRUB PLANTINGS WILL BE MONITORED EACH YEAR FOR FIVE YEARS AFTER PLANTING TO ASSESS SURVIVAL. A STOCKING RATE OF 60% AFTER FIVE YEARS WILL BE CONSIDERED SUCCESSFUL.
- H. DEAD TREES AND SHRUBS WILL BE REPLACED AS REQUIRED TO ENSURE THE AREA SUCCEEDS TO A FOREST COMMUNITY.
- I. LOGS, STUMPS AND ROCKS WILL BE PLACED AMONG THE NODES TO INCREASE HABITAT DIVERSITY AND ENCOURAGE WILDLIFE TO DISTRIBUTE PLANT REPRODUCTIVE MATERIAL FROM NEARBY AREAS.

### QUARRY FACE DETAIL - TWO BENCH



### QUARRY FACE DETAIL - ONE BENCH



ELEVATIONS REVISED TO REFLECT SETBACK TO BE REDUCED TO 0m ADJACENT TO LICENCE B PIT IN ACCORDANCE WITH MNRF LETTER DATED MAY 22, 2018.

Stamp  
 MNRF Approval Stamp

PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE  
**MHBC**

113 COLLIES STEE BARRE ON L4M 1H2 | P: 705.728.0045 F: 705.728.2010 | WWW.MHBCPLAN.COM

No.	Date	Description	By

Stamp  
 MNRFP Approval Stamp

PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE  
**MHBC**

113 COLLIES STEE BARRE ON L4M 1H2 | P: 705.728.0045 F: 705.728.2010 | WWW.MHBCPLAN.COM

Project  
**FREYMOND AGGREGATES**  
 FREYMOND LUMBER LTD.  
 RRF#1, 2287 Bay Lake Road  
 Bancroft, Ontario K0L 1C0

MNRF Licence Reference No.  
 Pre-approval review:  
 First Submission to MNRF, December 19, 2016  
 Second Submission to MNRF, September 7, 2018

Plan Scale 1:3000  
 Metres  
 0 25 50 100 150

File Name  
**REHABILITATION PLAN**

File No. **1515B**  
 Date **SEPTEMBER 2018**

Drawing No. **3 OF 3**

## Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on April 30, 2014.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. (Part 1, Preamble).

The PPS is a policy-led planning approach that recognizes the complex inter-relationship among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning and recognizes linkages among policy areas (Part III, How to Read the Provincial Policy Statement).

The PPS recognizes that the Province's natural heritage resources, water, agricultural lands, mineral aggregate resources, cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The province must ensure that its resources are managed in a sustainable way to protect essential ecological processes and public health and safety, minimize environmental and social impacts, and meet its long-term economic needs (Part IV, Vision for Ontario's Land Use Planning System).

The following are some of the policies from the PPS that are relevant to the proposed quarry application. A response follows each policy to demonstrate how the proposal is consistent with the PPS:

*On rural lands located in municipalities, permitted uses are:*

- a) the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings);*
- c) limited residential development;(1.1.5.2)*

*Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.(1.1.5.5)*

The management or use of mineral aggregate resources is a permitted use in the rural area. The proposed quarry represents the wise management of a non-renewable resource. Additionally, the proposed quarry would use existing infrastructure.

*Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.(1.6.7.1)*

*Efficient use shall be made of existing and planned infrastructure...(1.6.7.2)*

The proposed quarry represents an efficient use of existing infrastructure by utilizing the existing south entrance/exit of the Freymond lumber yard to access Bay Lake Road and utilize an existing truck route.

*Long-term economic prosperity should be supported by:*



- a) *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*  
(1.7.1a)

*Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.*(1.2.6.1)

The proposed quarry optimizes the long term availability of mineral aggregate resources, utilizes existing infrastructure and has been appropriately designed, buffered and/or separated to prevent or mitigate adverse effects.

Section 2 of the PPS is titled "Wise Use and Management of Resources". The introduction to this section reads:

*Ontario's long-term prosperity, environmental health, and social well-being depend on protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.*(2.0)

Making this site available for aggregate extraction represents the wise use and management of resources, providing economic benefits, while minimizing potential impacts.

*Natural features and areas shall be protected for the long term.*(2.1.1)

Natural features and areas will be protected for the long term.

*The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*(2.1.2)

Extraction on site will be phased and the long term biodiversity of the site will be improved.

*Development and site alteration shall not be permitted in:*

- a) *significant wetlands in Ecoregions 5E, 6E and 7E1; and*  
b) *significant coastal wetlands.*(2.1.4)

There are no significant wetlands or significant coastal wetlands on or adjacent to the subject site.

*Development and site alteration shall not be permitted in:*

- a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;*  
d) *significant wildlife habitat;*  
e) *significant areas of natural and scientific interest; and*  
f) *coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)*

*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.(2.1.5)*

Development and site alteration is proposed within significant wildlife habitat, and it has been demonstrated there will be no negative impact to these features or their ecological function.

*Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.(2.18)*

Adjacent lands include fish habitat, and it has been demonstrated there will be no negative impact to these features or their ecological function.

*Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. (2.1.6)*

There is no development or site alteration proposed within fish habitat.

*Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.(2.1.7)*

No development or site alteration is proposed within habitat of endangered and threatened species.

*(2.2.1) Planning authorities shall protect, improve or restore the quality and quantity of water by:*

- a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;*
- b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;*
- c) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;*
- d) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;*

The proposed quarry will protect the quality and quantity of water.

*e) implementing necessary restrictions on development and site alteration to:*

- 1. protect all municipal drinking water supplies and designated vulnerable areas; and*

There are no municipal drinking water supplies or designated vulnerable areas in vicinity of the proposed quarry.

- 2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;*

There are no sensitive surface water or sensitive ground water features on site. Adjacent features will be protected.

- f) *planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;*

The application includes a proposed stormwater management pond to efficiently manage on-site water resources.

*Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.*

*Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.(2.2.2)*

Sensitive surface and groundwater features will be protected and monitored.

*Mineral aggregate resources shall be protected for long-term use.(2.5.1)*

The subject site is designated as Rural in the County of Hastings Official Plan and is located directly north of an area identified as an Extractive Reserve area on Schedule A5-1. This general area is protected for future extraction.

*As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.*

*Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere. (2.5.2.1)*

The proposal makes available a mineral aggregate resource that is located close to the Town of Bancroft and surrounding market areas.

*Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts. (2.5.2.2)*

The operation has been designed in a manner which minimizes social, economic and environmental impacts.

*Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.(2.5.3.1)*

Rehabilitation of the site will be progressive, and the site will predominately be returned to a forested condition consistent with the adjacent lands. Part of the phase 1 area will be restored as a grass/legume area and used to store lumber from the adjacent Freymond lumber yard.

*In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition.(2.5.4.1)*

The proposed quarry is not within a prime agricultural area and rehabilitation back to agriculture is not required.

*Significant built heritage resources and significant cultural heritage landscapes shall be conserved. (2.6.1)*

There are no significant built heritage or significant cultural heritage landscapes identified on-site.

*Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”(2.6.2)*

A stage 1-2 archaeological assessment was completed and no significant archaeological resources were encountered on the site.

*Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.(2.6.3)*

There are no protected heritage properties on adjacent lands. The adjacent cemetery has been considered and will be protected.

*3.1.1 Development shall generally be directed to areas outside of:*

- a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*
- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
- c) hazardous sites.*

There are no hazard lands on or adjacent to the site.

*3.1.2 Development and site alteration shall not be permitted within:*

- a) the dynamic beach hazard;*
- b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);*
- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and*
- d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.*

The subject site is not within an area subject to flooding hazards.

*Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.(3.2.1)*

The proposed quarry represents the wise use and management of an aggregate resource in an area directly adjacent to an existing sand and gravel pit, and is located directly north of an area identified for future extraction in the County of Hastings Official Plan.

In summary, the proposed Freymond Quarry is consistent with the policies set forth in the Provincial Policy Statement, 2014.

# County of Hastings Official Plan

The application for the proposed quarry is required to conform to the County of Hastings Official Plan.

As required by the County of Hastings Official Plan an Official Plan Amendment is needed to designate the site from "Rural" to "Extractive (Active)". Attached as **Appendix 2** is a copy the proposed County of Hastings Official Plan Amendment.

The application to amend the Official Plan was originally submitted to the County by Freymond Lumber Ltd. in 2013. Since that time, all of the technical reports have been updated based on a revised operational and rehabilitation plan and resubmitted to the County.

The following are the land use designations that currently apply to the proposed quarry based on Schedule A5-1 of the County of Hastings Official Plan. In summary, the proposed quarry site:

- Is designated as "Rural";
- Is located directly north of an area identified as an "Extractive Reserve" and this area is protected for future extraction;
- Is not located within an "Environmental Protection", "Environmentally Sensitive", "Significant Wetlands" or "Cold Water Fisheries" designation;
- Is not located within a "Floodline" designation;
- Is not located within the "Agricultural" designation and not considered a Prime Agricultural Area; and,
- Is located on a Municipal Road that is used as an existing truck route.

See **Figure 7**.

The following are some of the sections of the County of Official Plan that are relevant to the proposed quarry application. A response follows each section to demonstrate how the proposal conforms to the County of Hastings Official Plan:

## "1.0 INTRODUCTION

*The County of Hastings comprises both rural and urban municipalities that function cooperatively in advancing a common planning program. The County, as a unit, represents the "upper tier" level of planning responsibility and the local municipalities form the "lower tier". All municipalities in the County are governed by the policies of this Official Plan.*

*Development within each of the municipalities must conform to the policies of the Plan. However, conditions may change and uses of land not currently contemplated in the Plan may be proposed. In such cases, County Council shall consider an amendment to the Official Plan.*

*Zoning by-laws that implement the policies of the Official Plan are passed by the lower tier municipal Councils. The zoning by-laws include specific classes of land use, which conform to the designations of land in the Official Plan. They also provide development standards to ensure that new construction or changes to existing land uses are undertaken with regard for safety, privacy and the peaceful enjoyment of neighbouring land uses and the protection of ratepayers from undue expenses related to development."*

The subject site is located within the lower-tier municipality of the Township of Faraday. The proposed quarry requires an amendment to the County of Hastings Official Plan and an amendment to the Township of Faraday Zoning By-law.

Attached as **Appendix 2** is a copy the proposed County of Hastings Official Plan Amendment and **Appendix 3** includes a copy of the proposed Municipality of Faraday Zoning By-law Amendment.

#### *"1.1 Purpose of the Official Plan*

*The purpose of this Official Plan is to provide goals, objectives and policies to guide the physical development of Hastings County while having regard for relevant social, economic and environmental matters."*

The proposed quarry has been designed in a manner which minimizes social, economic and environmental impacts in conformity with the County of Hastings Official Plan.

#### *"2.0 GOALS AND OBJECTIVES*

##### *2.3 Economic Goals & Objectives*

###### *2.3.1 Goal*

*To maximize the economic and employment potential of the County by:*

- a) Developing policies that enhance the primary resource capabilities of the County,*
- d) Promoting sustainable development and resource use."*

Making this site available for aggregate extraction represents the wise use and management of resources, providing economic benefits within the County.

###### *"2.3.2 Objectives*

*To ensure that the economic utilization of the natural resources by primary industry is achieved in a manner which preserves and rehabilitates the natural environment,*

- a) To ensure that the economic utilization of the natural resources by primary industry is achieved in a manner which preserves and rehabilitates the natural environment,*
- b) To safeguard resource reserves and existing resource-based industries by minimizing land use conflicts,"*

The quarry has been designed in a manner which preserves and rehabilitates the natural environment and minimize impacts on surrounding land uses.

#### *"2.4 Environmental Protection*

##### *2.4.1 Goals*

- a) To protect and preserve the County's natural heritage features, areas and related ecological functions, permitting only compatible uses that will not adversely affect them,"*

The proposed quarry will not result in a negative impact to natural heritage features, areas and related

ecological functions. In the long term the rehabilitation plan will promote biodiversity and restore ecological conditions.

#### *"2.4.2 Objectives*

- a) To ensure that, when necessary, environmental impact statements are prepared before the development of land adjacent to or within identified natural heritage features and areas."*

An environmental impact statement was completed.

#### *"2.5 Agricultural*

##### *2.5.1 Goal*

*To preserve "Agricultural" land and to promote the agricultural industry,"*

#### *"2.5.2 Objectives*

- a) To protect arable, productive agricultural land from urban encroachment. This shall be done by restricting, wherever possible, non-agricultural uses from locating on "Agricultural" land and encouraging the location of such uses in designated hamlets or urban centres or on non-productive lands.*
- b) To maintain land designated for agricultural purposes in economically viable units by preventing the fragmentation of such land,"*

The site is mapped as Class 6 and 7 agricultural land and is designated Rural in the County of Hastings Official Plan. The site and surrounding area has not been identified as a prime agricultural area and land uses in the area do not include agricultural operations.

#### *"2.6 Water*

##### *2.6.1 Goals*

- a) To ensure that surface and groundwater quality and quantity are protected, conserved and managed in a sustainable fashion,*
- b) To eliminate or minimize negative land use impacts on water recharge and discharge areas, ground water aquifers, producing wells, stream base flow and drainage patterns."*

#### *"2.6.2 Objectives*

- b) To discourage development which would impair surface or subsurface water quality and quantity,*
- d) To work co-operatively with federal and provincial ministries and local agencies to promote water quality and quantity protection."*

A water resources assessment was completed. The proposed quarry is not anticipated to have any adverse effects to groundwater/surface water resources and a monitoring program will be implemented to verify this. Annual reports will also be submitted to the Ministry of Environment and Climate Change and Ministry of Natural Resources and Forestry.



## *"2.7 Historical Preservation*

### *2.7.1 Goal*

*To conserve and protect archaeological resources, cultural heritage features and significant historical elements of the County's built environment."*

### *"2.7.2 Objectives*

- a) To encourage the preservation of archaeological resources and historic sites,*
- e) To assess the need for the preparation of an adequate heritage and archaeological impact assessment when development proposals affect significant cultural heritage resources or areas having archaeological potential,"*

There are no significant built heritage resources, cultural heritage landscapes or areas of archaeological potential on-site.

## *"2.8 Transportation*

### *2.8.1 Goal*

*To provide a transportation network that optimizes the movement of people and goods throughout the County."*

### *"2.8.2 Objectives*

- b) Through good management, ensure that the long term capacity of arterial roads can accommodate the higher speeds and volumes that are necessary to provide convenient access to industry and tourism throughout parts of the County,"*

A traffic impact study was prepared by Tranplan Associates and concluded that with improvements to the present southbound right turn taper at the Highway 62/Bay Lake Road intersection, the existing road network has sufficient capacity to accommodate both the roadway growth and traffic generated from the proposed quarry.

## *"2.10 Extractive (Aggregate and Minerals)*

### *2.10.1 Goal*

*To protect significant aggregate and mineral resources to ensure their future economic development."*

### *"2.10.2 Objectives*

- a) To designate significant resource areas for aggregate and mineral production.*
- b) To protect significant aggregate and mineral resource areas by restricting incompatible development or uses on or adjacent to designated areas.*
- c) To provide policies to achieve the proper management of aggregate areas.*
- d) To ensure that the aggregate areas shall be rehabilitated by the operator to facilitate sequential use."*

Schedule A5-1 of the County of Hastings Official Plan identifies an Extractive (Reserve) area directly south of the site. Site specific investigations confirm the presence of a significant resource area on-site.

Making this site available for aggregate extraction represents the wise use and management of resources, providing economic benefits, while minimizing social and environmental impacts.

### *"3.0 LAND USE POLICIES*

#### *3.2 Environmental Protection*

*The "Environmental Protection" designation comprises lands that play an important role in the preservation of the County's wetland natural heritage systems. This designation also includes natural hazard lands that may pose a threat to life and property because of inherent physiographic characteristics such as floodplains, erosion hazards, poor drainage, organic soil, steep slopes or other similar physical limitations. Those areas designated "Environmental Protection" and identified with the symbol 'W' on the Land Use Schedules delineate provincially significant wetlands in accordance with the Provincial Policy Statement.*

*The "Environmental Protection" designation also includes an overlay that identifies natural heritage areas and systems that should be protected and preserved in the long term. Such lands are described as "Environmentally Sensitive" and include lands identified to have significant biological, geological, zoological or other unique natural features such as wildlife habitat, areas of natural and scientific interest, habitat of threatened or endangered species, woodlands and valley lands. Development of these lands shall be in accordance with the underlying land use designation while having regard to the Environmentally Sensitive policies of this Plan."*

Schedule A5-1 of the County of Hastings Official Plan does not identify any portion of the site to be Environmental Protection, Environmentally Sensitive, Cold Water Fisheries or Significant Wetlands.

#### *"3.2.13 Endangered/Threatened Species*

*The County shall require protection of all Endangered and Threatened Species habitat through local zoning by-laws. In the consideration of development and/or site alteration applications, the County shall require municipalities to consult with the Ministry of Natural Resources to ensure that the significant portions of the habitat are protected, review available information on Endangered/Threatened Species location that is available from the Ministry of Natural Resources and do so in a confidential manner so as not to disclose the location information related to the species, accept updates of this information as it becomes available, and require the submission of an EIS prior to any consideration of the application."*

An environmental impact study has been completed and the site does not contain any endangered or threatened species habitat.

### *"3.3 Rural*

#### *3.3.1 General*

- a) The policy of this Official Plan is to protect important natural resources wherever possible. Although many areas are separately designated as "Environmental Protection", other sensitive features are located in the "Rural" designation and have not yet been studied intensively. Council shall consider undertaking works programs to update relevant information in a timely fashion and incorporate relevant information collected by other public bodies.*

- b) *Limited development for uses described in Section 3.3.2 is permitted in the "Rural" designation. Applications for approval of these uses should be located in areas that do not create any adverse social, financial, environmental or public safety impacts.*
- c) *The "Rural" designation applies to most of the County and permits a range of uses. While it is not intended that sub-categories in the "Rural" designation be identified on the Land Use Schedules, particular areas of concern shall be described in the text and specific policies listed covering the future uses of land for those purposes.*

The proposed quarry is designated "Rural" in the County of Hastings Official Plan. As required by the County of Hastings Official Plan an Official Plan Amendment is needed to designate the site from "Rural" to "Extractive (Active)".

Attached as **Appendix 2** is a copy the proposed County of Hastings Official Plan Amendment.

### *"3.8 Extractive*

#### *3.8.1 General*

*For the purposes of this Plan, a distinction in policy is not made between operations established under the Mining Act or Aggregate Resources Act. The policy applies to the associated extraction uses and activities.*

*Lands designated "Extractive" include licensed or permitted mines, pits and quarries that involve the extraction of either minerals or aggregates. A quarry, pit or mine shall be defined in accordance with the Mining Act or Aggregate Resources Act, as may apply.*

*Lawfully existing mineral or aggregate operations shall be permitted to continue without the need for an Official Plan amendment, rezoning or development permits under the Planning Act, in accordance with Section 34 (9) of the Planning Act.*

*Areas of the County with a high mineral or aggregate potential are identified as "Extractive (Reserve)". within the "Rural" designation on the individual Land Use Schedules. These mineral and aggregate resources are to be protected for future extraction by discouraging the location of any land use on or adjacent to the areas, which would significantly preclude or hinder future extraction. Extraction operations will be permitted by amendment to the Plan.*

The application is to permit a quarry under the Aggregate Resources Act.

Schedule A5-1 of the County of Hastings Official Plan identifies an Extractive (Reserve) area directly south of the site. Site specific investigations confirm the presence of a significant resource area on-site.

As required by the County of Hastings Official Plan an Official Plan Amendment is needed to designate the site from "Rural" to "Extractive (Active)". Attached as **Appendix 2** is a copy of the proposed County of Hastings Official Plan Amendment.

*Extraction activities should not be established in areas where an adverse impact on adjacent uses is expected."*

The County of Hastings Official Plan identifies the potential area of influence for a quarry as 500 m from the proposed extraction operation. Technical studies have been completed related to water wells, noise, air, visual and traffic and the quarry has been designed to prevent adverse impact on adjacent uses.

### *"3.8.2 Permitted Uses*

- a) The uses permitted within the "Extractive" designation shall include pits and quarries, wayside pits and quarries, mines, portable asphalt plants, concrete batching plants, washing plants, agricultural uses excluding any accessory building or structure, forestry uses excluding any accessory building or structure, conservation and natural resource management uses excluding any accessory building or structure, value-added operations to mineral and aggregate resources, including but not limited to drying, colouring, cutting, and bagging and uses accessory to an aggregate extraction operation, such as crushing and screening operations and aggregate storage areas.*

The application includes the request to permit a quarry including a processing plant (crushing and screening operation), value-added operations to mineral aggregate resources (aggregate recycling) and forestry uses (log storage area within a portion of phase 1 once rehabilitated) which conform to the permitted uses of the Extractive designation.

- b) Incompatible uses on lands surrounding and within "Extractive" areas shall be discouraged through careful review of amendments to the Official Plan and zoning by-laws, applications for consent and plans of subdivision and other development proposals, in consultation with the Ministry of Natural Resources, the Ministry of Northern Development and Mines, the Ministry of the Environment and the County peer review agent, as may be required.*

The lands immediately to the south of the subject site are designated "Extractive (Reserve)" and the proposed quarry is not an incompatible land use.

- c) The concept of a potential "influence area" surrounding "Extractive" and "Extractive (Reserve)" areas (300 metres for a pit and 500 metres for a quarry) shall be used in order to protect affected land uses from proposed extraction activities and to protect existing extraction uses from encroachment by incompatible uses. In areas of "Extractive (Reserve)", development that would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:*

- (i) resource use would not be feasible, or*
- (ii) the proposed land use or development serves a greater long term public interest and*
- (iii) issues of land use compatibility, public health, public safety and environmental impact are addressed.*

*The protection of lands designated "Extractive" and lands identified as "Extractive (Reserve)" from conflicting uses, shall be undertaken through the inclusion of appropriate separation distances in the implementing zoning by-laws.*

The application is not for a use that would preclude or hinder access to the "Extractive (Reserve)" area designation located directly to the south of the subject site.

- d) The rehabilitation of extraction sites to a condition compatible with the adjacent land uses shall be required, preferably by progressive means. In "Agricultural" areas, on prime agricultural land, extraction of mineral aggregate is permitted as an interim use provided that rehabilitation of the site shall be carried out, restoring substantially the same areas and same average soil quality for agriculture.*

*On these prime agricultural lands, complete agricultural rehabilitation is not required if:*

- (i) a substantial quantity of minerals or aggregates exists below the water table warranting extraction, or
- (ii) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible, and
- (iii) other alternatives have been considered by the applicant and found unsuitable, and
- (iv) agricultural rehabilitation in remaining areas is maximized."

The site is not within a prime agricultural area and does not include prime agricultural land.  
"3.8.3 Amendments to the Official Plan

An amendment to this Plan, and an amendment to the implementing zoning bylaw shall be required for a new or expanded extraction (mineral or aggregate) operation in accordance with the following policies:

a) *Area, Location and Potential*

*Areas identified as "Extractive" or as "Extractive (Reserve)" on the Land Use Schedules of this Plan shall be used as a guide in determining the location of new mines, pits or quarries. The proponent shall furnish County Council with an estimate of the quantity and value of material available.*

Schedule A5-1 of the County of Hastings Official Plan identifies an Extractive (Reserve) area designated directly south of the site. The Extractive (Reserve) area designation protects this area from incompatible land uses that would preclude or hinder future aggregate extraction.

The subject site is located directly to the north of the Extractive (Reserve) area designation and on-site testing confirms the presence of a known deposit of mineral aggregate resources. In total, the proposed extraction contains approximately 15 million tonnes of a high quality aggregate that is suitable for most road building and construction projects.

b) *Excavation Boundaries*

*No mine, pit or quarry may be excavated in such a way that its face is at a point less than the minimum distance permitted in the implementing zoning by-law from the limit of any road or other property boundary.*

Freymond Lumber Ltd. owns approximately 128 ha of land, of which only 33.3 ha is proposed to be licensed under the Aggregate Resources Act or designated/zoned to permit the quarry. Of the 33.3 ha site only 27.5 ha is proposed for extraction. Overall the subject site is well separated from adjacent roads, other property boundaries and surrounding land uses.

The application does include portions of the proposed quarry that do not maintain the minimum distance for interior side yard, rear yard and residential, commercial, community facility or industrial use as outlined in Section 4.13.2.2 of the Township of Faraday Zoning By-law No. 21-2012.

However, as noted in Section 3.8.7 of the Official Plan the zoning by-law for an aggregate operation shall establish a setback from incompatible uses as may be determined by the technical impact assessments or licensing under the Aggregate Resources Act. The setback provisions included in Section 4.13.2.2 may be modified based site-specific studies and the provision of the Aggregate Resources Act.

As part of the application, the proposed excavation setbacks have been established based on site specific studies to determine compatibility with adjacent lands uses and the setbacks included in the application are consistent the setbacks required under the Aggregate Resources Act.

*c) Impact Assessments*

*Councils shall have regard for the potential adverse impacts of the proposal to on-site and off-site conditions including adjacent uses, structures, facilities or the natural environment. To determine conformity with this policy, Councils shall require the assessment of the following:*

- i) noise, dust, vibration, air or water discharges, bright light, erosion, sedimentation, and*
- ii) potential for interference with wildlife, vegetation, hydrogeology, surface drainage, roads, and aesthetic appearance.*

The applicant has completed the studies requested by the County of Hastings and these studies have confirmed the application will not have adverse impact on surrounding land uses.

*d) Cultural and Heritage Resources*

*Before beginning extraction works, an assessment of cultural and heritage resources of any lands affected by the operation shall be completed, as may be required, in accordance with Provincial Cultural and Heritage Resources guidelines.*

Cultural and heritage resources have been studied and there are no significant cultural heritage resources located on site.

*e) Site Development Plan and Agreement An application to operate a mine, pit or quarry shall be accompanied by a Site Development Plan that shall include the following information:*

*(i) Physical Features*

*A sketch map illustrating the shape, topography, contours, dimensions, area, location of the property to be developed and the extent of adjacent property intended for future extractive operations.*

See **Figure 2** and Aggregate Resources Act site plans.

*(ii) Existing Land Use*

*A sketch map indicating the existing use of all land and the location and use of all buildings and structures lying within a minimum of 300 metres of the boundary of a property on which a pit is proposed (or 500 metres, in the case of a proposed quarry).*

The Aggregate Resources Act site plan identifies the location and use of all building and structures within 120 m of the proposed quarry as required by the Aggregate Resources Act. See **Figure 2**. For the location other land uses and buildings within 500 m of the proposed quarry see **Figure 3**.

*(iii) Characteristics of Operation*

*A description of the location, height, dimension and use of all buildings or structures existing or proposed to be erected on the property as well as existing and anticipated final grades of excavation and cross-sections shown by contours, where necessary, excavation setbacks, stockpiles, drainage provisions and proposed entrances, exits and trucking routes to and from the operation.*

See Section 2.1 for a description of the proposed quarry and the Aggregate Resources Act site plans for the requested information.

*(iv) Hydrogeological Assessment*

*A hydrogeological assessment prepared by a qualified professional indicating any impacts on groundwater and its availability, in support of cold water fish habitat. Cold water streams require sources of groundwater and pits should not interfere with the quantity and quality of groundwater that reaches these streams. Where extraction is not proposed within 2 metres of the established groundwater table, the application must be accompanied with information respecting the elevation of the existing water table.*

A hydrogeological assessment has been completed and submitted as part of the application.

*(v) Environmental Impact Study*

*An Environmental Impact Study shall be conducted to identify and mitigate any adverse impacts on any natural heritage features or areas that may be influenced by on site activities. An assessment of cultural resources of any lands affected by the operation shall be completed.*

An environmental impact study has been completed and submitted as part of the application.

*(vi) Restoration and Future Use*

*A description of the proposed rehabilitation of the property upon the termination of operations including leveling, grading and replacing of topsoil and the intended future use of the land shall be included.*

Rehabilitation of the site will be progressive and as soon as possible depleted areas shall be restored to maximize rehabilitated areas and minimize disturbed areas. The rehabilitation plan has been designed to include:

- The quarry floor will be contoured using on-site soils and designed with a watercourse to convey water to the proposed stormwater management pond located along the eastern boundary of the site;
- The quarry floor in phase 1 will be vegetated with a grass/legume mixture and will be used to store logs from the Freymond Lumber business;
- The quarry floor in phases 2, 3 and 4 will be planted with Red Pine to create a forested condition;
- A shallow amphibian pond/wetland will be developed adjacent to the proposed watercourse on the quarry floor in phase 2;
- A minor portion of the quarry face will be backfilled at 2:1 sideslopes with on-site material to create talus slopes. These slopes will be planted with Red Pine and native shrubs. Logs, stumps and rocks will be placed among the plantings to increase habitat diversity; and

- Adjacent to the proposed amphibian pond/wetland on the quarry floor in Phase 2 and adjacent to the storm water management pond along the eastern boundary of the site several Barn Swallow nesting structures and bat boxes will be installed.

The rehabilitation plan developed for the site will ensure that a variety of habitats will occur, thus increasing biodiversity of the site. The plan will also ensure that ecological functions of the site will be restored in the long term.

*(vii) Development Agreement*

*An agreement shall be entered into between the extractor and the local municipal Council to address matters contained in this Plan, including scale and timing of the operation. In addition, this agreement may provide for the requirements of the Ministry of the Environment, the Ministry of Northern Development and Mines and the Ministry of Natural Resources, as may apply, including provision for groundwater monitoring, blasting, noise and dust control, vegetative buffers and/or berms to mitigate off-site influences and minimum separation between conflicting land uses. An agreement shall be entered into before the rezoning of the land to ensure that provision is made for site rehabilitation and to address the impact assessments noted above and as follows:*

- *Rehabilitation*

*The rehabilitation of worked-out areas to an approved after use, preferably by progressive means, shall be guaranteed.*

- *Screening*

*Adequate screening by vegetation and/or earth berms and the protection of the public by the erection of adequate signs and fences shall be required. Such screening shall be an effective visual barrier between the proposed pit or quarry and any adjacent land use areas. Until such screening has been provided, no excavation other than for earth berm construction shall be permitted.*

- *Water, Wastes and Emissions*

*All pit and quarry operations shall satisfy the Ministry of the Environment or the County peer review agent, as the case may be, concerning pumping and dewatering, water supply, waste water, solid and liquid waste disposal and all emissions to the atmosphere including dust, noise and vibration.*

- *Municipal Road Maintenance*

*Provisions shall be made for the adequate protection and continued maintenance of "haul route" roads to ensure that they are maintained to an acceptable municipal standard at all times. A traffic impact assessment may be required by the local Council in consultation with the County peer review agent.*

- *Extraction below Roads*

*If a proposal to extract includes deposits located below a road or road allowance or other municipal land, the proponent shall provide an estimate of the quantity and value of the material and shall enter into an agreement to compensate the local municipality."*



The applicant is prepared to enter into an agreement with the Municipality, however it is important to note that the Aggregate Resources Act site plan and license govern the details of the operation and rehabilitation plan. The Ministry of Natural Resources and Forestry is the agency responsible to administer and enforce the requirements of the Aggregate Resources Act.

Section 66 (1) of the Aggregate Resources Act states *"This Act, the regulations and the provisions of licenses and site plans apply despite any municipal by-law, official plan or development agreement and, to the extent that a municipal by-law, official plan or development agreement deals with the same subject-matter as this act, the regulations or the provisions of a licence or site plan, the by-law, official plan or development agreement is inoperative."*

As a result, the development agreement should only address items that are not covered by the Aggregate Resources Act site plans, such as the road improvements at the intersection of Hwy 62 and Bay Lake Road. Freymond Lumber Ltd, is prepared to have further discussions with the Township and the Ministry of Natural Resources to confirm that other operational and rehabilitation requirements included on the Aggregate Resources Act site plan must be adhered to and are legally enforceable.

#### *"3.8.6 Extractive (Reserve)*

*Areas identified on Land Use Schedules of this Official Plan as "Extractive (Reserve)" are lands that have a high potential for future extraction. These lands shall be protected for future use by preventing the location of any land use on or adjacent to these areas that would significantly preclude or hinder future extraction. County, local Councils and the Land Division Committee should be satisfied that any rezoning, subdivision or land severance does not preclude future development of "Extractive (Reserve)" areas for future extraction purposes."*

Schedule A5-1 of the County of Hastings Official Plan identifies an Extractive (Reserve) area designated directly south of the site. The Extractive (Reserve) area designation protects this area from incompatible land uses that would preclude or hinder future aggregate extraction.

The subject site is located directly to the north of the Extractive (Reserve) area designation and on-site testing confirms the presence of a known deposit of mineral aggregate resources. In total, the proposed extraction contains approximately 15 million tonnes of a high quality aggregate that is suitable for most road building and construction projects.

#### *"3.8.7 Zoning*

*Lands designated "Extractive (Active)" or as "Extractive (Reserve)" shall be placed in separate classifications in the implementing zoning by-laws. The zoning by-law shall establish a setback for incompatible uses as may be determined by the technical impact assessments or licensing.*

*In the absence of site-specific assessment of impacts, a general buffer between incompatible uses and any adjacent mine, pit or quarry and related processing uses shall be established in the local zoning by laws. An appropriate "influence area" shall also be established relating to "Extractive" and "Extractive (Reserve)" areas as identified by this Plan."*

Site specific studies were completed and the proposed zoning by-law amendment includes the setbacks from adjacent land uses as established by the technical reports and the requirements of the Aggregate Resources Act.



*"A Place For All Seasons"*

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January 17, 2019

Justin Harrow, Director of Planning and Development  
County of Hastings  
235 Pinnacle Street, P.O. Bag 4000  
Belleville, ON, K8N 3A9

and

Dawn Switzer, Clerk-Treasurer and Tax Collector  
Township of Faraday  
29860 Highway 28 South  
Bancroft, ON, K0L 1C0

**Re: Traffic Impact Study for the proposed Freymond Aggregates Quarry to be located at 2287 Bay Lake Road in the Township of Faraday, County of Hastings**

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Dear Mr. Harrow and Ms. Switzer,

The Town of Bancroft is in receipt of the Traffic Impact Study (TIS) as prepared by Tranplan Associates for the proposed aggregate quarry at 2287 Bay Lake Road.

Council is concerned about the impact that heavy truck traffic will have on the structural integrity of the existing road infrastructure which may result in financial implications for the Town of Bancroft. Council has also expressed concern regarding how the future truck traffic, generated by the proposed quarry, may affect the level of service at the "T" intersection of Mill St and Bridge St.

From the data provided in the TIS it has been difficult to determine the total number of new trips generated by the proposed quarry which in turn makes it difficult to assess potential impacts.

The Council of the Town of Bancroft respectfully requests that the concerns expressed in this letter be taken into consideration when considering the applications to amend to the County of Hastings Official Plan and the Township of Faraday's Comprehensive Zoning By-Law, respectively, to permit the proposed quarry. The Town of Bancroft also requests to be notified of the decision of the proposed Official Plan Amendment and Zoning By-Law Amendment.

Should you have any questions with respect to this matter, please feel free to contact me either by phone at (613) 332-3331 ext. 206 or by email at lsauter@bancroft.ca.

Sincerely,

Lianne Sauter, Acting Clerk/Economic Development Coordinator  
LS/rt