

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

NOTICE OF DECISION

On Application for Consent Subsection 53(17) of the *Planning Act*

On March 22, 2022 the Minister of Municipal Affairs and Housing gave a provisional consent to Application No. 54-C-216626 in respect of land in Lebel unincorporated township, District of Timiskaming. A copy of the decision is attached.

When and How to File a Notice of Appeal

Notice to appeal the decision to the Ontario Land Tribunal must be filed with the Minister of Municipal affairs and Housing on or before the last date of appeal as noted above.

The notice of appeal should be sent to the attention of Michelle Lawrence, Assistant Planner, at the address shown below and it must,

- 1) set out the reasons for the appeal, and
- 2) be accompanied by the fee prescribed under the *Ontario Land Tribunal Act* in the amount of \$400.00, payable to the Minister of Finance.

Who Can File a Notice of Appeal

Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

How to Receive Notice of Changed Conditions

The conditions of a provisional consent may be changed at any time before the consent is given. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you make a written request to be notified of changes to the conditions of approval of the provisional consent.

Effect of Written and Oral Submissions

Written submissions from the public and Local Roads Boards in addition to comments provided by partner ministries contributed to conditions applied to this decision. MMAH is required to make decisions on consent applications that are consistent with the Provincial Policy Statement (2020), have regard for matters of provincial interest (*Planning Act* section 2), and that have regard for other matters under the *Planning Act* (subsection

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

51(24)). Comments received that relate to PPS policies and matters of provincial interest include:

- The potential for noise and dust issues (land use compatibility concerns) to be created by the proposed aggregate operation; conditions 6 and 7 are intended to address these concerns.
- Concerns about impacts to and safety of local roads if they were used for access to the aggregate operation; condition 8 addresses safe and suitable access to the retained parcel.
- The potential for houses in King Kirkland that are serviced by on-site well and septic and are built on an esker, being negatively impacted by a proposed aggregate operation. MECP advised that if the aggregate operation requires water takings that are anticipated to have high potential of causing unacceptable interference with local water levels, then a hydrogeological study will be required (as part of a process separate from this consent approval) which will assess impacts to neighbouring wells and water bodies. Additional information about this is available in note 9.

Some comments were received which did not appear to relate to the PPS or provincial interests, or were resolved through review of the application, and so conditions were not imposed with respect to these comments. These comments relate to:

- A treed buffer being left on the retained parcel between the proposed aggregate operation and homes in King Kirkland. MMAH was not advised of this proposal by the applicant and does not have effective tools to ensure that a treed buffer would be left in place (with or without the proposed consent). While a treed buffer could not be guaranteed, conditions 6 and 7, as well as any subsequent approval requirements from the Ministry of the Environment, Conservation and Parks (MECP)(see notes 9 and 10 for more information) are intended to ensure that potential negative impacts of the proposed aggregate operation on nearby sensitive land uses are identified and minimized via mitigation, if needed.
- Concerns about potential impacts to wildlife habitat stemming from future tree removal. Review of this application identified no concerns that would warrant a condition with respect to significant wildlife habitat, fish habitat, habitat of threatened or endangered species, or other natural heritage resources identified in section 2.1 of the PPS. When site alteration occurs, permits or approvals may be required with respect to species at risk - note 11 contains additional information.
- Potential for impacts to property values. The preservation of individual property values is not a consideration in the PPS or the *Planning Act* for consent decisions. MMAH does consider matters such as the protection of public health and safety, land use compatibility, etc. Conditions are being imposed to address these issues.

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus
Date of Decision: March 22, 2022
File Number: 54-C-216626
Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District
Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.

- A desire for walking trails and the ski-doo trail on the subject property to remain in place. Continuation of any existing agreements the property owner has for the ski-doo trails and the recreational use of the private property for walking trails would be at the discretion of the property owner and was not considered in the review of this application.
- Whether this would set a precedent for other severances to be permitted in the area. MMAH makes decisions on each consent application based on its own merits. Decisions are made based on current provincial policies and legislation, as outlined at the top of this section.

Getting Additional Information

Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time. Please reach out to Michelle Lawrence, Assistant Planner at michelle.lawrence@ontario.ca or 705-561-9362 for additional information or to see if alternate arrangements can be made.

Mail Address for Notice of Appeal

Ministry of Municipal Affairs and Housing
Municipal Services Office North (Sudbury),
401-159 Cedar Street
Sudbury, ON P3E 6A5

Attention: Michelle Lawrence, Assistant Planner
Telephone: (705) 561-9362 or 1-800-461-1193 extension 46855
Fax: (705) 564-6863



Megan Grant
Team Lead - Planning
Community Planning and Development
Municipal Services Office North (Sudbury)

Owner/Agent: Garry Angus and Sharon Berube /
Garry Angus

Date of Decision: March 22, 2022

File Number: 54-C-216626

Date of Notice: March 22, 2022

**Municipality /
Township:** Lebel unincorporated township,
Timiskaming District

Last Date of Appeal: April 11, 2022

Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township,
Timiskaming District.

Attachments:

- Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes
- Client's Guide to Preliminary Screening for Species at Risk

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

The Minister's conditions to the granting of consent for this transaction, **which must be fulfilled within two years from the date of the Notice of Decision**, are set out below. These conditions must be fulfilled prior to the granting of consent.

No. Conditions

1. That this approval applies to the creation of one new parcel, approximately 2.03 hectares in size, for continued residential use. A 25.7 hectare parcel would be retained for a new aggregate use.
2. That the following documents be provided for the transaction described in Condition 1:
 - a. A copy of the application to transfer documents;
 - b. A schedule to application to transfer on which is set out the entire legal description of the parcel(s) in question. This schedule must also contain the names of the parties indicated on application to transfer; and
 - c. A reference plan of survey illustrating the parcel(s) to which the consent approval relates, or legal description thereof which is acceptable to the land registrar, which bears the Land Registry Office registration number and a signature as evidence of its deposit therein.
3. That prior to final approval, and pursuant to subsections 53(12) and 51(25) and 51(26) or (27) of the *Planning Act*, the applicant shall enter into a Consent Agreement with the Ministry of Municipal Affairs and Housing, to its satisfaction, addressing the use and potential development of the retained lot, including:
 - a. the retained lot can only be used for uses that are related to the sustainable management or use of resources (including aggregates, other applicable approvals must be in place) and is not to be used for residential uses;
 - b. provisions to obtain undertakings from the applicant and/or the applicant's lawyer to implement conditions and requirements, including that the Consent Agreement be registered on title in priority to other documents; and,
 - c. provisions relating to the enforcement of the Consent Agreement.

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

4. That prior to final approval an archaeological assessment of the entire subject property shall be undertaken by an archaeologist licensed under the *Ontario Heritage Act*, who will submit the report directly to the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for review as per the terms and conditions of their license. The proponent shall undertake to complete any recommendations of the assessment, including but not limited to, any further study required. Prior to final approval, MMAH must be advised in writing by MHSTCI that the assessment was accepted and that MHSTCI is satisfied no further assessment is required. See Note #5 for more information.
5. That prior to final approval the Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes checklist shall be completed for the subject property and submitted to MHSTCI for review. The checklist must be accompanied by photos of existing buildings and structures. The proponent shall undertake to complete any recommendations of the checklist and any further studies indicated, to the satisfaction of MHSTCI's Heritage Planning Unit (do not complete any studies before MHSTCI reviews the checklist and photos). Prior to final approval, MMAH must be advised in writing by MHSTCI that there are no further concerns regarding built heritage resources or cultural heritage landscapes.
6. That prior to final approval a noise study is completed by a qualified individual, preferably a Professional Engineer with experience in environmental noise assessments. The study must assess, through modelling, the potential noise impacts to any sensitive receptors within 1km of the proposed aggregate operation. The noise study shall follow the requirements of MECP's "Environmental Noise Guideline: Stationary and Transportation Sources Approval and Planning. Publication NPC – 300". If the study identifies adverse impacts to nearby receptors, the study shall identify suitable mitigation measures to minimize noise impacts to nearby sensitive development. Prior to final approval, MMAH must be advised in writing by an appropriate MECP staff member that the study and proposed mitigation is satisfactory. If applicable, MMAH must receive an undertaking, to its satisfaction, indicating that before the aggregate operation operates, that mitigation measures identified in the study will be in place.
7. That prior to final approval an air quality study is completed by a qualified individual, preferably a Professional Engineer with experience in environmental air assessments. The air quality study must assess potential air quality impacts including cumulative impacts (predicted concentrations plus background concentrations) from the proposed aggregate operation. All significant emissions sources including fugitive particulate emissions from on-site roads and stockpiles

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

should be included in the modelling since fugitive dust emissions from haul roads and stockpiles are major sources of particulate matter emission. If the study identifies adverse impacts to nearby receptors, the study shall identify suitable mitigation measures to minimize impacts to nearby sensitive development. Prior to final approval, MMAH must be advised in writing by an appropriate MECP staff member that the study and proposed mitigation is satisfactory. If applicable, MMAH must receive an undertaking, to its satisfaction, indicating that before the aggregate operation operates, that mitigation measures identified in the study will be in place.

8. That prior to final approval, suitable road access to the retained parcel for use by the proposed aggregate operation must be demonstrated to MMAH's satisfaction, through written confirmation from the Ministry of Transportation (MTO) addressing the following:
 - a. that necessary supporting studies or information (e.g., traffic impact brief, illumination plan, etc.) have been provided to MTO's satisfaction;
 - b. that any recommendations from the above have been completed to MTO's satisfaction or that MTO has received satisfactory confirmation that the recommendations will be completed to their satisfaction;
 - c. that MTO would grant a highway access permit for the retained parcel for the proposed aggregate use.
9. That prior to final approval, a Stormwater Management Brief must be provided to MTO for review and MMAH must be advised in writing that MTO is satisfied there will be no negative impacts to Highway 66. Alternatively, MMAH must be advised in writing by an appropriate MTO staff member that a Stormwater Management Brief is not necessary because they are satisfied that there is no longer a plan to allow surface flow to go to the ditch along Highway 66.
10. That prior to final approval, MMAH receives written confirmation to its satisfaction that the owner of any easements on the subject land (Ontario Hydro Right-of-Way or any others) indicating that they have no concerns with respect to the proposed severance or that any concerns have been addressed.

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

The following notes are for your information:

No. Notes

1. The required Transfer/Deed of Land form and Schedule page shall contain a complete and accurate legal description. The Minister's certificate of consent will be affixed to the completed Schedule page. For this reason, the names of the parties also must be set out on the Schedule page, so that the consent may be properly related to the intended conveyance.

If the applicant(s), in making the application for consent,

- a) requested that the certificate be given;
- b) provided a registrable legal description of the retained land; and
- c) provided a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the *Planning Act*.

then the Minister will give the applicant a certificate for the retained land.

Inaccuracies or omissions with regard to the legal description in the Transfer/Deed of Land form, the Schedule page or the survey plan will result in the documents being returned without consent.

2. It is the applicant's and/or agent's responsibility to fulfill the conditions of consent approval within **two years of the date** of this letter pursuant to Section 53 of the *Planning Act*. **We will issue no further notice or warning of the expiration of the two-year period.**

If the conditions to consent approval are not fulfilled within two years of the date of this letter and the applicant is still interested in pursuing the proposal, a new application will be required. All documentation required for final approval should be provided to the Ministry of Municipal Affairs and Housing **a minimum of one month prior to the lapsing date.**

3. All Buildings, including those in unorganized territories, have been required to comply with the Ontario Building Code since December 31, 1975. At this time in unorganized territory, building permits and the payment of permit fees are not required. Inquiries about the Building Code should be made to:

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

Buildings and Development Branch
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay St.
Toronto, ON M5G 2E5
Telephone: (416) 585-7041
codeinfo@ontario.ca

4. Small private sewage disposal facilities which have a daily sewage flow of 10,000 litres or less per day must be certified by the Timiskaming Health Unit. The Timiskaming Health Unit should be contacted for information on the proper installation and operation of Class IV septic systems. Large private sewage disposal facilities which have a daily sewage flow of >10,000 litres, or communal systems, must be approved by the Ministry of the Environment, Conservation and Parks.

5. No assessment has been undertaken for groundwater quality or quantity. Groundwater supplies may not be adequate to support the use of individual private wells.

Should wells be considered as drinking water sources, they must be constructed in accordance with Regulation 903 – Wells, under the *Ontario Water Resources Act*.

6. For further information on archaeological assessments, including a list of licensed archaeologists in Ontario, please visit MHSTCI's website:

- http://www.mtc.gov.on.ca/en/archaeology/licensed_archaeologists.shtml
- http://www.mtc.gov.on.ca/en/archaeology/archaeology_assessments.shtml

7. Please notify the Ministry of Heritage, Sport, Tourism, and Culture (MHSTCI) (at archaeology@ontario.ca or 416-314-7620) if archaeological resources are impacted by any ground disturbing work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

8. For more information on noise studies supporting land use development applications, one should refer to Part C of Publication NPC-300 (<https://www.ontario.ca/page/environmental-noise-guideline-stationary-and-transportation-sources-approval-and-planning>).

9. Section 2.2 of the PPS addresses the protection, improvement, and restoration of water quality and quantity, and speaks to the use of mitigative measures and/or alternative development approaches to protect, improve or restore sensitive surface water features and their hydrologic functions

It is unclear if the proposed aggregate operation will extend below the established water table based upon the information provided. If the proposed aggregate activity will, on any day, require operational de-watering at a rate exceeding 50,000 Litres per day using any method, then the operator must apply for a Permit to take water (PTTW) under the *Ontario Water Resources Act* (OWRA). The discharge of pit water to the natural environment in excess of 10,000 litres per day may also be regulated by an OWRA section 53 environmental compliance approval (ECA).

The Technical guidance document for hydrogeological studies in support of category 3 PTTW applications can be found at the following link:

[Technical guidance document for hydrogeological studies in support of category 3 applications | ontario.ca](#)

Such a study is not required to support this land severance application. However, MECP recommends that the applicant reviews the PTTW and Section 53 ECA requirements when assessing the design and feasibility of the proposed project.

For more information about these requirements, which are not a condition of consent, please contact MECP. The initial point of contact (note that you may be redirected) would be Katy Potter, Supervisor in the Project Review Unit, at katy.potter@ontario.ca.

10. An aggregate operation has the potential to create air emissions including fugitive dust from various activities. In accordance with Section 9 of the *Environmental Protection Act* (EPA), an Air & Noise Environmental Compliance Approval (ECA) is required for the quarry operation. An air quality assessment, in the form of an Emission Summary and Dispersion Modelling (ESDM) report, is required to support an ECA application, and the best management practices (BMP) plan for fugitive dust is typically included as a condition of the facility's ECA. Information regarding the application process and technical requirements for ECA's can be found in these documents:

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

<https://www.ontario.ca/document/guide-applying-environmental-compliance-approval-0>
<https://www.ontario.ca/page/checklist-technical-requirements-complete-environmental-compliance-approval-submission>

It should be noted that the assessment developed for an ECA application considers only those emission sources that must be included as part of the application of approval under Section 9 of the EPA. Also, fugitive dust emissions from onsite roadways and stockpiles, etc. do not have to be included in the dispersion modelling assessment of compliance with ministry point of impingement (POI) limits when a facility implements the best management practices plan for fugitive dust.

The studies noted above are different from those required as a condition of consent. For more information about the above-noted ECA requirements, please contact MECP. The initial point of contact (note that you may be redirected) would be Katy Potter, Supervisor in the Project Review Unit, at katy.potter@ontario.ca.

11. Future development such as the proposed aggregate pit on the subject lands may impact endangered species and their habitat. MECP recommends that the attached *Client's Guide to Preliminary Screening for Species at Risk* be utilised to determine potential for conflicts with species subject to the *Endangered Species Act* (ESA). Should the results of the screening identify species at risk on the property that may be impacted by the development of the aggregate pit, the results of this screening, along with a completed check-list should be provided to SAR Ontario Branch (SAROntario@ontario.ca) prior to any development.

If activities that could impact species at risk or their habitat are planned, then the person undertaking those activities would need to determine if an ESA authorization is required before the activities are undertaken. Please visit "How to avoid authorization" and "Permit types" (<https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization>) for more information. A person carrying out an activity may also wish to consult the Act and seek legal advice to understand their legal obligations.

Please note that specific details are required for MECP's Species at Risk Branch to review whether an activity could impact species at risk (e.g., the species, their habitat, the proposed activity, where the activity is happening, when it is happening, how much area will be developed, etc.). Any review of potential development for ESA compliance should be done shortly before the time of development. Such an assessment may not

Owner/Agent: Garry Angus and Sharon Berube / Garry Angus	Date of Decision: March 22, 2022
File Number: 54-C-216626	Date of Notice: March 22, 2022
Municipality / Township: Lebel unincorporated township, Timiskaming District	Last Date of Appeal: April 11, 2022
Location: PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.	

be relevant 5, 10, 20 years after it is completed as species may move to other areas, their protection status may change, or new species may be found on the property.

Should any development occur on the subject lands then a species at risk impact assessment may be required to avoid any contravention to sections 9 or 10 of the ESA.

12. All domestic waste must be disposed of at an MECP approved waste disposal site.

13. The Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR) advised of the following general information and best practices with respect to the proposed aggregate operation:

- a. Ensure that all roads within the pit or quarry are properly graded and maintained.
- b. Install proper signage and gates at all entrances and exits to restrict unauthorized/public access.
- c. Inspect the site after severe weather to ensure no flooding or washout has occurred.
- d. Maintain proper slope faces and ensure that vegetation is cleared to appropriate depth above the aggregate face.
- e. Given the proximity to residential properties dust control is advised using water or calcium on a regular basis, use of curtains, tarps, or water sprays, enclosing conveyors or installing skirts is also advisable.
- f. Noise maybe an issue and there should be consideration for nearby residents and operations should be within normal business hours.
- g. Blasting activities must follow the *Canadian Explosives Act* and should be advertised and performed during reasonable hours.

14. PPS policy 2.5.3.3 indicates that in parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands. NDMNR staff provided the following regarding rehabilitation standards for your information:

“The primary objective in rehabilitating land is found in the legal definition – to restore to its former use or condition. There is considerable diversity in the factors or conditions affecting rehabilitation requirements for pits and quarries throughout the Province. Because of this diversity, the Provincial standards impose minimum standards which can be applied to most pits and quarries that are permitted and licenced:

- removal of topsoil from the site shall not occur;

Owner/Agent:	Garry Angus and Sharon Berube / Garry Angus	Date of Decision:	March 22, 2022
File Number:	54-C-216626	Date of Notice:	March 22, 2022
Municipality / Township:	Lebel unincorporated township, Timiskaming District	Last Date of Appeal:	April 11, 2022
Location:	PIN 61227-0057 and PIN 61227-0125; King Kirkland; Lebel unincorporated township, Timiskaming District.		

- all topsoil or overburden stripped in the operation of the site is used in the rehabilitation of the site;
- adequate vegetation is established and maintained to control erosion of any topsoil or overburden replaced on the site for rehabilitation purposes;
- when the site is finally rehabilitated, all excavation faces:
 - of any pit has a slope that is at least three (3) horizontal metres for every vertical metre;
 - of any quarry has a slope that is at least two (2) horizontal metres for every vertical metre;
- no aggregate or overburden, except material in a berm, may be moved from the excavation setback area;
- rehabilitation of the site shall ensure that:
 - adequate drainage and vegetation of the site is provided;
 - and, any compaction of the site is alleviated”

15. The initial point of contact at MTO with respect to conditions 8 and 9 is Olivia Matthews, MTO Corridor Management Planner in Northeast Region at Olivia.Matthews@ontario.ca. Should this contact be unavailable, please contact MMAH staff to be redirected.