

PLANNING JUSTIFICATION REPORT

**APPLICATIONS TO AMEND THE
COUNTY OF GREY OFFICIAL PLAN
AND THE
MUNICIPALITY OF WEST GREY
COMPREHENSIVE ZONING BY-LAW**

**PROPOSED LICENSED PIT
TEESWATER CONCRETE (2021) LTD.
“WATSON PIT”**

**PART LOT 19, CONCESSION 1
LOT 20, CONCESSION 1
PART LOT 46, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF NORMANBY
MUNICIPALITY OF WEST GREY
COUNTY OF GREY**

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TABLE OF CONTENTS

1.	BACKGROUND	1
1.1	The Proposal.....	1
1.2	Approvals Required.....	1
1.3	Purpose of this Report	2
2.	SUPPORTING BACKGROUND STUDIES AND SITE PLANS	3
2.1	Site Plans (GIE Consultants)	3
2.2	Summary Statement (GIE Consultants).....	3
2.3	Maximum Predicted Water Table and Hydrogeological Assessment Report (GIE Consultants).....	4
2.4	Natural Environment Level 1 & 2 Reports and Environmental Impact Study (Dance Environmental Inc.)	3
2.5	Noise Impact Study (Aercoustics Engineering Limited).....	5
2.6	Transportation Impact Study (Paradigm Transportation Solutions Limited)	5
2.7A	Stage 1 and 2 Archaeological Assessment (Parslow Heritage Consultancy Inc.)	6
2.7B	Stage 3 Archaeological Assessment (Parslow Heritage Consultancy Inc.).....	6
2.8	Cultural Heritage Evaluation Report (Parslow Heritage Consultancy Inc.).....	6
2.9	Air Quality Assessment (RWDI Air Inc.)	7
3.	SUBJECT LANDS AND SURROUNDING LAND USES	8
3.1	Property Location and Description.....	8
3.2	Surrounding Land Uses	8
4.	THE PROPOSED PIT.....	9
4.1	The Material.....	9
4.2	The Operation.....	9
4.3	Haulage Route.....	10
4.4	Rehabilitation	10
5.	LAND USE POLICY ANALYSIS OF THE APPLICATION	12
5.1	County of Grey Official Plan	12
5.1.1	Existing Land Use Designation	12
5.1.2	Aggregate Extraction	14
5.1.3	Natural Environment	24
5.1.3.1	Habitat for Endangered Species / Significant Wildlife Habitat	25
5.1.3.2	Provincially Significant Wetlands	27
5.1.3.3	Significant Woodlands	28

5.1.3.4	Fish Habitat	30
5.1.3.5	Other Wetlands	31
5.1.4	Summary of Official Plan Conformity	31
5.2	The Provincial Planning Statement.....	32
5.2.1	Mineral Aggregate Resources	32
5.2.2	Natural Heritage Features	34
5.2.3	Water	36
5.2.4	Archaeology.....	37
5.2.5	Summary of Provincial Planning Statement Review	38
5.3	Summary of Policy Evaluation	38
6.	MUNICIPALITY OF WEST GREY ZONING BY-LAW	39
6.1	Existing Zoning	39
6.2	Proposed Zoning	41
7.	CONCLUSIONS	42
8.	RECOMMENDATION.....	43
FIGURES	45
Figure 1:	Location of Subject Property	
Figure 2:	Aerial Photograph (2020)	
Figure 3:	Grey County Official Plan Schedule A	
Figure 4:	Grey County Official Plan Schedule B	
Figure 5:	Grey County Official Plan Appendix B	
Figure 6:	Proposed Official Plan Amendment Schedule	
Figure 7:	Municipality of West Grey Zoning By-law Schedule A	
Figure 8:	Proposed Zoning By-law Amendment Schedule	

1. BACKGROUND

1.1 The Proposal

Teeswater Concrete (2021) Inc. is seeking approval to operate a licensed aggregate pit on a property located within the Municipality of West Grey, Grey County.

This request is essentially an expansion of an existing pit located on the same property, although a separate license is being sought.

1.2 Approvals Required

In order to establish the pit, the following approvals are required:

- an amendment to the County of Grey Official Plan under The Planning Act;
- an amendment to the Municipality of West Grey Comprehensive Zoning By-law under The Planning Act; and,
- a Class 'A' license to extract aggregate material above the water table under The Aggregate Resources Act.

The amendment to the County of Grey Official Plan is required because a small portion of the licensed area is not within the 'Aggregate Resource Area' designation shown on Schedule B of the Official Plan.

The amendment to the Municipality of West Grey Zoning By-law is required to rezone the subject lands from 'C2-115' (Highway Commercial Exception) to 'M4' (Extractive Industrial).

The Class 'A' Pit License would permit extraction of aggregate material within an identified area 1.5 metres above the established water table. The maximum amount of material to be extracted annually is 750,000 tonnes. GEI Consultants has processed the license application in accordance with the regulations of the Aggregate Resources Act to the extent possible at this time. All concerns raised by the commenting agencies have been addressed to the satisfaction of those agencies. With regard to the general public, there are no outstanding objectors.

1.3 Purpose of this Report

Ron Davidson Land Use Planning Consultant Inc. has been retained by Teeswater Concrete (2021) Inc. to provide a Planning Justification Report that evaluates the proposed rezoning within the context of sound land use planning principles.

2. SUPPORTING BACKGROUND STUDIES AND SITE PLANS

A team of consultants representing various disciplines has prepared drawings and reports in support of the proposed pit. The following is a description of those documents:

2.1 Site Plans (GEI Consultants)

A series of Site Plans were prepared by GEI Consultants showing existing conditions, proposed operations, consultants' recommendations, progressive and final rehabilitation, and cross-sectional views of the site. The Site Plans form the basis of the pit license application under the Aggregate Resources Act and also form an integral part of the review process of the applications to amend the County Official Plan and the West Grey Zoning By-law. The Site Plans are labelled as follows:

- Existing Features Plan (Drawing 1);
- Operations Plan (Drawings 2A and 2B);
- Progressive Rehabilitation Plan (Drawing 3); and,
- Cross Sections (Drawings 4 and 5).

The Site Plans were prepared taking into consideration the requirements of the Aggregate Resources Act, the County of Grey Official Plan, and the Provincial Planning Statement, as well as the recommendations of the experts retained on behalf of Teeswater Concrete (2021) Ltd.

2.2 Summary Statement (GEI Consultants)

GEI Consultants also prepared a Summary Statement to provide an overview of the proposed development as required by the Aggregate Resources Act. The document includes a description of the soil type, an estimate of the amount of aggregate available for extraction, an explanation of the intended operation and rehabilitation, a summary of the recommendations of the other background studies, a statement regarding the proposed haulage route, etc.

Since the writing of the original Summary Statement, some of this information has changed, and GEI Consultants has prepared an updated version.

2.3 Maximum Predicted Water Table and Hydrogeological Assessment Report (GEI Consultants)

GEI Consultants was also retained to conduct a Hydrogeological Assessment Report that characterizes the geology, potential groundwater occurrence, and elevation of the water table within the proposed extraction area in order to support the gravel pit operation. The Report was also necessary to assess the proposed pit's potential for significant impacts to local groundwater aquifers, natural environment features, or water supply associated with the operation.

The consultant recognized that the site has a high water depth but concluded that the pit, as proposed, would not impact the local water supply wells in the area, surface water features, or associated ecological receptors.

For more detailed information regarding GIS Consultants' findings and recommendations, please read the Maximum Predicted Water Table and Hydrogeological Assessment.

2.4 Natural Environment Level 1 & 2 Reports and Environmental Impact Study (Dance Environmental Inc.)

Dance Environmental Inc. conducted the Natural Environment Level 1 & 2 Reports and Environmental Impact Study to determine whether any natural heritage features exist on or within 120 metres of the site and address the potential impact of the pit on such features.

The report determined that the following exist on the subject lands or within 120 metres:

- Habitat of Endangered or Threatened Species;
- Provincially Significant Wetlands;
- Significant Woodlands;
- Fish Habitat; and,
- Significant Wildlife Habitat.

The consultant provided a series of recommendations that would ensure no negative impacts occur on any of these features or functions. Those recommendations have been incorporated into the design of the pit operations shown on the Site Plans and have been specifically listed in Note 2 on the Operations Plan 2B.

Additional information regarding the natural heritage features found within the study area is provided later in this Planning Justification Report. For a comprehensive

description of the findings, comments, and recommendations of Dance Environmental Inc., please read the Natural Environment Levels 1 & 2 Reports and Environmental Impact Study.

2.5. Noise Impact Study (Aercoustics Engineering Limited)

Aercoustics Engineering Limited conducted a Noise Impact Study to identify the potential noise sources, predict the resulting sound levels at noise sensitive receptors due to the operation of the pit, and recommend mitigation measures to meet the Ministry of the Environment, Conservation and Parks (MECP) environmental noise guideline limits, where required.

The consultant provided a series of recommendations, including berm construction, limiting the hours of operations during the daytime, extracting in phases and in certain directions, and locating processing equipment in the pit floor. These recommendations have been incorporated into the design of the pit operations shown on the Site Plans and have been specifically listed in Note 3 on the Operations Plan 2B.

For more detailed information regarding Aercoustics Engineering Limited's findings and recommendations, please read the Noise Impact Study.

2.6 Transportation Impact Study (Paradigm Transportation Solutions Limited)

Paradigm Transportation Solutions Limited conducted a Transportation Impact Study to identify and assess the potential traffic impact resulting from the proposed pit. The scope of the Study was developed in consultation with the Ministry of Transportation (MTO).

It was determined that a new entrance along Grey Road 9 at a distance of 400 metres from the Provincial Highway 6 intersection would be acceptable, and that no improvements to the existing intersection are necessary.

For more detailed information regarding Paradigm Transportation Solutions Limited's findings and recommendations, please read the Transportation Impact Study.

2.7A Stage 1 and 2 Archaeological Assessment (Parslow Heritage Consultancy Inc.)

Parslow Heritage Consultancy Inc. conducted a Stage 1 and Stage 2 Archaeological Assessment for the subject property. The Stage 1 assessment concluded that the site has potential for the discovery of archaeological resources, and therefore a Stage 2 onsite survey was recommended and subsequently carried out. The Stage 2 assessment resulted in the identification of one pre-contact indigenous archaeological site and three 19th century historical archaeological sites.

A Stage 3 Assessment was recommended for the single indigenous site.

Two of the 19th century historical sites are outside of the proposed extracted area, and therefore further assessment is not required as long as a 20-metre protective boundary and a 50-metre construction monitoring buffer are applied. These sites and the associated buffers are identified on the Operations Plans.

The other 19th century historical site was deemed to have no cultural heritage value or interest, and therefore no further assessment was recommended.

2.7B Stage 3 Archaeological Assessment (Parslow Heritage Consultancy Inc.)

A Stage 3 Archaeological Assessment was conducted for the single pre-contact indigenous archaeological site. No artifacts were recovered from this site, and therefore no further archaeological assessment was recommended.

For more detailed information regarding this matter, please read the Stage 1 and 2 Archaeological Assessment and the Stage 3 Archaeological Assessment.

Saugeen Ojibway Nation is satisfied with the recommendations of the Assessments.

2.8 Cultural Heritage Evaluation Report (Parslow Heritage Consultancy Inc.)

The Cultural Heritage Evaluation Report was also prepared by Parslow Heritage Consultancy Inc. to review relevant historical documents and evaluate the potential cultural heritage value or interest of the two detached dwellings existing on the property that are slated for removal. A third dwelling is located in the southeast corner of the site, outside of the proposed licensed area, and will be converted to an office for the aggregate operation.

Both houses meet the conditions under the Ontario Heritage Act for “Listing” but do not meet the criteria for consideration for “Designation”. The conditions range from poor to fair and are representative of a housing style that is in abundance in West Grey. The Report recommended that no further assessment be undertaken.

For more detailed information regarding this matter, please read the Cultural Heritage Evaluation Report.

2.9 Air Quality Assessment (RWDI Air Inc.)

RWDI Air Inc. conducted an Air Quality Assessment to quantify and evaluate air quality impacts from the various air emission sources associated with the pit. Based on the conservation modelling results, the Assessment predicts that impacts associated with the pit will meet air quality standards at all receptors. As a result, the pit is not expected to pose a risk of adverse impacts with appropriate dust mitigation measures in place.

For more detailed information regarding the findings and recommendations of RWDI Air Inc., please read the Air Quality Assessment.

3 SUBJECT LANDS AND SURROUNDING LAND USES

3.1 Property Location and Description

The subject property is located at the southwest corner of the Provincial Highway 6 / Grey Road 9 intersection, approximately 7.5 kilometres north of Mount Forest, as illustrated on Figure 1 of this Planning Justification Report.

This irregular-shaped property comprises 133.3 hectares of land.

Several buildings exist on the property including three detached dwellings and four accessory buildings.

Approximately 83 hectares of the 133.3-hectare holding are cash-cropped.

The southwest corner of the site is occupied by a licensed pit covering about 18.21 hectares of land. Whereas the pit has been licensed for many years, extraction only began once Teeswater Concrete (2021) Inc. took possession recently. The 2020 aerial photograph available on the County GIS website still shows the lands being farmed.

Located along the south boundary of the property is the Letterbreen Bog Provincially Significant Wetland, which is mostly forested and contains two ponds.

A small, treed area exists near the site's northeast corner.

A natural gas pipeline traverses the west side of the site.

These described features are illustrated on the aerial photograph provided on Figure 2 of this Planning Justification Report and are also shown on the Existing Features Plan.

3.2 Surrounding Land Uses

The surrounding land uses are represented by a mix of agriculture, forested lands, wetlands, and residential lots.

4. THE PROPOSED PIT

4.1 The Material

According to the Summary Statement prepared by GEI Consultants, there are approximately 8 million to 11.5 million tonnes of sand and gravel available for extraction.

4.2 The Operation

Of the 133.3-hectares of land belonging to the subject property, 93.3 hectares will be licensed and 77.45 hectares will be extracted.

The area to be licensed is almost exclusively cash-cropped at the present time. The trees in a small area near the northwest corner will be removed.

The removal of aggregate will occur in multiple phases, in the manner illustrated on the Operations Plans 2A and 2B.

Extraction will not occur in the area of the natural gas pipeline, thus creating a hill effect between the extraction areas on either side of this easement.

No extraction will occur within at least 30 metres of the road allowances along the easterly and northerly limits of the property.

Extensive berming will be constructed along the road allowances in order to provide visual and noise screening of the pit operations. A berm will also be established in the southwest corner. The details regarding berms, including height and timing of their construction, are provided on the Operations Plans.

Extraction will occur no deeper than 1.5 metres above the established water table.

A maximum of 750,000 tonnes of material will be trucked from the site each year.

Extraction of aggregate is proposed to take place year-round but will occur primarily from April to November.

Equipment to be used within the pit will include excavators, loaders, skid-steers, dozers, and trucks, as well as processing equipment such as graders, crushers, screeners, generators, washers / classifying equipment, air compressors, sorting equipment, and conveyor belts.

The recycling of concrete and asphalt products will occur on the site.

The proposed hours for loading and shipping are Monday to Friday, 6:00 a.m. to 7:00 p.m., and Saturdays, 7:00 a.m. to 3:00 p.m. Other operations will be limited to Monday to Friday from 7:00 a.m. to 7:00 p.m.

This licensed operation will be referred to as the "Watson Pit".

Additional information regarding the operation of the proposed pit is provided on the Operations Plans and the Cross Sections drawing.

4.3 Haulage Route

All vehicles entering/exiting the new pit will utilize the new entrance proposed along Grey Road 9.

Teeswater Concrete (2021) Inc. estimates that approximately 10% of the trucks leaving the pit will travel west along Grey Road 9 and 90% will head east toward Provincial Highway 6. Upon reaching the highway, about 70% of the trucks will likely travel south and 30% will head north.

4.4 Rehabilitation

Progressive rehabilitation will occur as the material within each phase is depleted. It is the intent of the operator to substantially rehabilitate one phase before moving onto the next, with the exception of internal haul roads and the Phase 1A, 1B, and 1C areas which will be used for processing, equipment storage, and wash plant areas throughout onsite operations.

Excess and/or unsuitable overburden may be used to complete site restoration. If imported fill is required for the rehabilitation of the site, excess soil may be imported for rehabilitation/grading purposes as long as it meets the soil quality standards outlined on the Rehabilitation Plan (Drawing 3). Following extraction, the final grade of the side slopes are to be no steeper than 3:1 (horizontal to vertical).

Existing topsoil will be stripped, maintained in stockpiles on site with vegetative cover or used for the construction of berms, and then replaced. Replaced topsoil will be vegetated with grasses or agricultural crops such as wheat, beans, corn, or native grass mix. Additional seeding will occur on a regular basis until sufficient vegetative cover is achieved. Upon restoration and returned to use as agricultural lands, the soil quality and drainage is expected to be similar to existing conditions. After restoration, and

where harvest is not planned for the next season, the field will be seeded with standard cover crop to promote soil fertility.

Additional information regarding the rehabilitation of the site is provided in the Summary Statement and on the Progressive Rehabilitation Plan.

5. LAND USE POLICY ANALYSIS OF THE APPLICATION

The subject lands fall within the planning jurisdiction of the County of Grey Official Plan.

This Planning Justification Report provides an evaluation of the proposed extraction operation within the context of the County Official Plan and the Provincial Planning Statement.

5.1 County of Grey Official Plan

The Grey County Official Plan includes mapping (i.e., schedules and appendices) and policies that are relevant to the proposed aggregate operation on the subject property, as explained below.

5.1.1 Existing Land Use Designation

The portion of the subject property to be licensed is designated 'Space Extensive Industrial & Commercial' on Schedule A to the County of Grey Official Plan, as shown on Figure 3 of this Planning Justification Report. This land use designation was applied to the site approximately 30 years ago when a business park was proposed for these lands. Such development never occurred.

The balance of the subject property, which is not proposed to be licensed, is designated 'Space Extensive Industrial & Commercial', 'Rural', 'Provincially Significant Wetlands', and 'Hazard Lands'. These land use designations will remain in effect.

The following policies from Section 5.7 *Space Extensive Industrial and Commercial* apply:

5.7.1 Background

The Space Extensive Industrial and Commercial land use type, as shown on Schedule A of this Plan, applies to those areas previously designated and approved for such development. Future expansion of this land use type will require an Official Plan amendment, and shall satisfy the criteria of this Plan.

5.7.2 Permitted Uses

- 1) Permitted uses include the following, in addition to uses that would generally satisfy the criteria established in 5.7.2(2):*

- a) Fuel distribution
- b) Agricultural bulk sales establishment
- c) Warehousing
- d) Transport terminal
- e) Dry manufacturing plant, including assembly, repair and storage
- f) Equipment sales and rental
- g) Farm machinery sales and service
- h) Agricultural produce or livestock terminal
- i) Feed mill or grain elevator
- j) Sawmill
- k) Horticultural nurseries
- l) Automobile sales and services
- m) Recreational vehicle sales and services

- 2) In addition to the uses permitted in 5.7.2(1), new uses would be permitted subject to satisfying all of the following criteria:
- a) The use requires accessible sites to serve their market area;
 - b) The use serves demands from highway traffic;
 - c) The use requires a large parking or outdoor storage area or require a large volume single purpose building;
 - d) The location of the proposed use in a general industrial block or general retail block in an urban centre is not feasible due to its storage area or building volume requirements;
 - e) New fuel distribution uses will not be permitted in areas where soil or topographic conditions make the environment particularly sensitive to fuel spills such as shallow overburden, karst, groundwater recharge and wellhead protection areas.

5.7.3 Development Criteria

The development of lands for Space Extensive Industrial and Commercial uses shall satisfy the following:

The development criteria listed in Section 3.9.4 applies, as well as the following:

- 1) The creation of a new or expanded space extensive land use type is not permitted in the Special Agricultural land use type. In addition, the creation of new or expanded uses in the prime agricultural areas must meet the criteria outlined in Section 5.2, including compliance with Provincial Minimum distance separation formulae, and the completion of an Agricultural Impact Assessment.
- 2) New space extensive land use type will not be permitted in locations that may interfere with the potential future expansion of the settlement areas.

Comment: The permitted uses within this designation are not exclusive to those listed in Section 5.7.2 1) above. A licensed pit, for example, also maintains the intent and purpose of the ‘Space Extensive Industrial & Commercial’ designation as it requires a vast area of land, cannot possibly be located within an urban area, and is best suited in close proximity to a highway for logistical reasons. This interpretation was accepted by the Grey County Planning Department during the pre-consultation discussions.

5.1.2 Aggregate Resource Extraction

Section 5.6 *Aggregate Resources Area and Mineral Resource Extraction Land Use Types* states the following (edited for relevancy):

5.6.1 Background

Grey County contains substantial quantities of high quality, provincially significant mineral aggregates, including bedrock-derived crushed stone and naturally occurring sand and gravel. Bedrock is extracted (removed) in quarries, while sand and gravel are extracted in pits. Both pits and quarries require licenses from the Ministry of Natural Resources and Forestry (MNR), and may require local development applications including official plan and zoning amendments.

In 2004, the County completed an Aggregate Resources Inventory Master Plan (ARIMP) to identify the location of high quality areas of sand and gravel deposits that have limited constraints on them. These sand and gravel deposits are to be protected from incompatible land uses, such that they may be available for extraction. The Aggregate Resource Areas shown on Schedule B to this Plan reflect the recommended protected area identified in the ARIMP.

The Province also released mapping in 2009, the Aggregate Resources Inventory Paper which maps sand, gravel, and bedrock resources. Bedrock resources from this mapping are shown on Appendix E to this Plan. Shale Resources mapping is also available in a Provincial dataset from 2012, and this mapping is shown on Appendix E to this Plan.

The County recognizes that mineral resources are a fixed location, non-renewable resource found throughout Grey, and that their effective management is essential. A balance is needed between the competing priorities for the protection of the mineral resource and the need to address the other goals of the Official Plan including agricultural resources, the natural environment, and encouraging growth.

Comment: This policy speaks to the recognized importance of aggregate resources in Grey County.

Of the 93.3 hectares to be licensed, approximately 87.8 hectares are shown on Schedule B as 'Aggregate Resource Area', as illustrated on Figure 4 of this Planning Justification Report.

5.6.2 Aggregate Resources Area Policies

- 1) *The Aggregate Resource Area land use type on Schedule B act as overlays on top of other land use types shown on Schedule A to the Plan. Where the Aggregate Resource Area overlaps an Agricultural, Special Agricultural, Rural, or Hazard Lands land use type, the policies and permitted use of the underlying land use types shall apply until such time as the site is licensed for sand, gravel, or bedrock extraction.*
- 2) *Once an extraction operation in the Aggregate Resources Area is licensed by the Ministry of Natural Resources and Forestry, the conditions and permitted uses on the Ministry's license will apply.*
- 3) *Sand and/or gravel operations are permitted within the Aggregate Resource Areas and within Mineral Resource Extraction land use types identified on Schedule B without a change to this Plan. A municipal official plan amendment will not be required for all new or expanding sand and/or gravel operations within areas identified as Aggregate Resource Areas on Schedule B. A zoning by-law change will be required for all new or expanding mineral aggregate operations that are not currently licensed.*
- 4) *An official plan amendment is required for all proposed quarry operations and quarry expansions as well as sand and/or gravel operations proposed outside of the areas identified as Aggregate Resource Areas or Mineral Resource Extraction on Schedule B.*

Comment: The license requested of the Ministry of Natural Resources and Forestry will be attached to the approved Site Plans. All operations and rehabilitation shall occur in accordance with those drawings.

Because some of the licensed lands (approximately 5.5 hectares) are not within the 'Aggregate Resources Area' on Schedule B, an Official Plan Amendment is required. A good quantity of aggregate is available within these 5.5 hectares of land, and therefore it is worthwhile for Teeswater Concrete (2021) Inc. to include these lands within the extraction area and apply for an Official Plan Amendment.

5.6.4 *Policies for the Establishment of New Mineral Resource Extraction Land Use Types*

- 1) *The following proposed mineral aggregate extraction operations will require an amendment to the County Official Plan except for those proposed within the Niagara Escarpment Plan Area as shown on Schedule A-Maps 1, 2 and 3:*
 - a) *All new or expanding quarry operations proposed within the County of Grey;*
 - b) *All new sand and/or gravel operations proposed outside of the areas identified as an Aggregate Resource Area shown on Schedule B, or within Core Areas shown on Schedule C; and,*
 - c) *All proposed expansions beyond the areas identified as an Aggregate Resource Area on Schedule B*

For new or expanding sand and/or gravel operations proposed within the Aggregate Resource Area identified on Schedule B, a County Official Plan Amendment and a local municipal official plan amendment will not be required. Should the proposed operation receive a license under the Aggregate Resources Act, the Mineral Resource Extraction area will be identified on Scheduled B at the time of the next update to this Plan. A zoning by-law amendment will be required.

- 2) *Where a new or expanded pit operation is proposed partially within an Aggregate Resource Area and partially outside of an Aggregate Resource Area, an amendment to this Plan is required for those areas outside of the Aggregate Resource Area. If the proposed extraction area is within the Aggregate Resource Area, an amendment to this Plan is not required.*
- 3) *Where pit or quarry operations are being proposed in close proximity to one another, in a similar timeframe, cumulative impacts need to be addressed. Background and technical reports will be reviewed simultaneously and a joint third party peer reviewer may be requested to review the studies. If a pit or quarry operation is being proposed in an area where there are already existing pit and quarry operations within close proximity, cumulative impacts such as traffic and noise may be considered in the technical reports. These requirements will be outlined further at the time of pre-submission consultation.*
- 4) *The following studies/reports, prepared by qualified individuals, shall be provided to support applications for new or expanded pits or quarries. These studies/reports shall meet the requirements of the Planning Act, Provincial Policy Statement, Niagara Escarpment Plan (if within the Niagara Escarpment Plan area), County Official Plan, and municipal Official Plans (where applicable):*

- a) *Submission of copies of all documentation provided to the Ministry of Natural Resources and Forestry as required for licensing, pursuant to the Aggregate Resources Act;*
- b) *A planning report prepared by a Registered Professional Planner, addressing the requirements of the Planning Act, Provincial Policy Statement, Niagara Escarpment Plan (if within the Niagara Escarpment Plan area), County Official Plan, and municipal Official Plans (where applicable);*
- c) *A noise impact study in accordance with the Aggregate Resources of Ontario: Provincial Standards;*
- d) *A Traffic Impact Study and/or road assessment, unless otherwise waived at the discretion of municipal, County, or Provincial road authorities, based on the amount of traffic involved, or the existing construction of the haul route roads;*
- e) *For mineral aggregate operations proposing to remain above the established water table level as identified in the Aggregate Resources of Ontario: Provincial Standards, a letter of opinion shall be provided by a qualified individual estimating the current water table level, determining whether the proposed operation will have any impacts to the quality or quantity of the surface or groundwater resources, as well as how any impacts relate to natural areas, features and systems;*
- f) *A hydrogeological study for proposed aggregate operations looking to proceed below the established water table level identified in the Aggregate Resources of Ontario: Provincial Standards;*
- g) *An environmental impact study, however a Level 2 – Natural Environment Report required under the Aggregate Resources Act can act as a substitute for an environmental impact study. Where there are discrepancies between the terms of reference for a Natural Environment Report or an environmental impact study, as defined by this Plan, the more protective study requirements shall be considered applicable;*
- h) *An archaeological assessment prepared by a qualified individual;*
- i) *An Agricultural Impact Assessment, if the proposed new or expanding extraction operation is within the Agricultural or Special Agricultural land use types, that evaluates the potential impacts on agriculture, including agricultural operations, agricultural uses, and prime agricultural areas and recommends ways to avoid or, if avoidance is not possible, minimize and*

mitigate adverse impacts, as well as inform future rehabilitation of a proposed mineral aggregate operation;

- j) A progressive rehabilitation plan, including the use of maximum disturbed area provisions where feasible.*

The requirements of this section do not prejudice a municipality from asking for additional studies/reports in support of a pit or quarry application, where official plan policies require such studies/reports. Where there is a discrepancy between a defined study/report in this Plan, the Planning Act, or the Provincial Policy Statement, and the Aggregate Resources of Ontario: Provincial Standards under the Aggregate Resources Act (or any successor thereto), the more protective standard shall be applied, unless deemed by the Ministry of Natural Resources and Forestry to be in conflict with Provincial legislation or regulation. The County requires that the proponent consult with the County and the local municipality prior to submitting any pit or quarry application to determine the scope of the studies that are required.

- 5) Lands may not be excluded from the Agricultural or Special Agricultural land use types for the creation of a new extraction operation. Where an extraction operation is proposed in the Agricultural or Special Agricultural land use types, the lands will remain Agricultural or Special Agricultural but may also allow for extraction if the required aggregate license and applications are approved.*
- 6) In Karst areas identified on Appendix A, an environmental or hydrogeological study will be required. This study should make recommendations on mitigation measures and any precautionary measures to be included in the licensed operational plan to ensure that any chemical or gas spills from equipment are prevented. Should a spill occur, clean-up procedures shall be identified within the licensed operational plan.*
- 7) New pits or quarries are not permitted within Core Areas on Schedule C to this Plan, except via amendment to this Plan. New pits or quarries may be permitted within Linkages identified on Schedule C, provided the rehabilitation plan restores the Linkage. Expansions to existing pits or quarries can be considered in Core Areas or Linkages, subject to meeting all applicable policies of this Plan.*
- 8) Within areas identified as Significant Woodlands as shown on Appendix B, cutting of the woodland to facilitate a pit or quarry operation may be permitted where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. If this can be demonstrated, cutting of the woodland should be minimized and the woodland area cleared for extraction shall be progressively rehabilitated back to a woodland use. Permitted pit or quarry operations shall be carried out in a manner that is environmentally sensitive to the*

remaining portions of the Significant Woodland in-line with the recommendations from the environmental impact study as required by this Plan.

9) *Independent peer reviews, at the expense of the proponent, of these technical studies/reports may be required at the discretion of County and/or municipal staff; where staff or agency technical review is insufficient to determine the adequacy of the conclusions of these reports/studies. Where simultaneous County and municipal applications are being processed, individual County/municipal peer reviews will be discouraged, in favour of a joint peer review serving both parties.*

10) *Notwithstanding the provisions of section 5.6.4 to the Plan, for those lands described as Part Lot 36, Concession 2, Township of Georgian Bluffs (geographic Township of Sarawak), and indicated on Schedule 'B' to this Plan, the following shall apply:*

The extraction of aggregate, and all other permitted uses listed in Section 5.6.3 shall be permitted, subject to a license from the Ministry of Natural Resources and the appropriate zoning from the Township of Georgian Bluffs. (OPA # 2 Recolour Grey)

Comment: With regard to the above, please consider the following:

- Almost the entire area to be licensed falls within the 'Aggregate Resource Area' on Schedule B; however, approximately 5.5 hectares are not located in this constraint area, and therefore an amendment to the Grey County Official Plan is required;
- A license pit already exists on the property owned by Teeswater Concrete (2021) Inc. This operation is confined to a relatively small area of the site and is limited to an annual extraction of 90,000 tonnes of material. Most of the mitigation measures required for the new pit should further assist in offsetting any possible negative impact of the existing operation on abutting properties;
- A series of reports and drawings have been prepared by a team of experts. The concerns of all agencies participating in the Aggregate Resources Act application have been addressed;
- The subject lands are not designated 'Agricultural' on Schedule A of the Grey County Official Plan, and therefore an Agricultural Impact Assessment has not been prepared;
- The subject lands are not identified as having karstic features on Appendix A of the Official Plan;

- The subject lands are not located within a 'Natural Heritage System: Core' on Schedule C;
- The 'Significant Woodland' constraint has been applied to the forested lands located at the south end of the property, but outside of the proposed extraction area. This natural heritage feature was addressed in the Natural Environment Technical Report by recommending a 30-metre setback. This is reflected on the Operations Plan. The lands to the north of the site, along the opposite side of Grey Road 9, are also shown on Appendix B as 'Significant Woodland'. Given the considerable separation distance between the edge of that woodland and the proposed licensed area, and the fact that the road separates these two features, no impact on the woodland will occur; and,
- The Natural Heritage Level 1 & 2 Reports / Environmental Impact Study has been peer reviewed by the Ministry of Natural Resources and Forestry and the County Ecologist.

5.6.5 Mineral Resource Extraction Development Criteria Policies

- 1) *Where an applicant wishes to undertake a sand and/or gravel or quarry operation other than a wayside pit and quarry, the local municipality or the County of Grey, may require the applicant to enter into a development agreement with the municipality or the County. The agreement shall be entered into prior to local Council's enactment of the implementing zoning by-law amendment, or as a condition of a holding 'h' symbol in the by-law.*

Such an agreement may include:

- a) *Capital arrangements regarding improvements beyond the boundary of the applicant's land, as they may be required by reason of the operation of that extractive industry, e.g. widening and improving roads; and*
- b) *Routes to be used by trucks carrying aggregate.*

Information should be provided by the applicant identifying the proposed haul route, estimating the average number of trucks per day, the potential impacts to traffic and road conditions on the proposed haul route, as well as a cost estimate for any necessary upgrades required to the proposed haul route. Where the haul route has existing deficiencies and has existing traffic, cost-sharing will be considered between the applicant and the road authority. Costs to upgrade the haul road that are directly attributable to the proposed extractive operation, (for example, but not limited to, turning lanes into or out of the extractive operation, or

climbing lanes on steep hills) shall be the responsibility of the applicant and will be based on use of the haul route.

- 2) *Access to pit or quarry operations shall be from a public road that is of a construction and standard to service the traffic associated with the use. Haul routes should be identified to minimize the impact of truck traffic on residential uses and avoid existing settlement areas where practically feasible.*

The County recognizes that Provincial Highways and County Roads shall constitute the majority of the haul routes with Grey County. There are instances where haul routes will be required to pass through settlement areas, based on the need to use Provincial Highways and County Roads. The above policy shall not be interpreted so as to prohibit haul routes through settlement areas using Provincial Highways and County Roads.

- 3) *All pit and quarry operations shall comply with the Aggregate Resources Act and its most current regulations.*
- 4) *All pit and quarry operations shall satisfy the legal requirements of the Ministry of the Environment, Conservation and Parks or the authority having jurisdiction over water supply, disposal of liquid wastes, and the control of air pollution.*
- 5) *When a pit or quarry operation has been depleted and is rehabilitated in-line with the licence, a zoning by-law amendment will be required for any use not permitted in Section 5.6.2 and 5.6.3. Upon the surrender of the licence, and the passing of a zoning by-law amendment, the policies of the applicable land use type for the subject property identified on Schedule A apply. Any rezoning will trigger the requirement to meet Provincial MDS formulae. The lands identified as Mineral Resource Extraction on Schedule B are then removed at the time of the next review of the County Official Plan.*
- 6) *Measures to conserve and recycle mineral aggregate resources are encouraged including the utilization or extraction of on-site mineral aggregate resources prior to development. Where environmental and locational site conditions are feasible, such as being located on suitable roads, extractive operations are encouraged to include aggregate recycling facilities where the public, businesses, and/or municipal waste collection systems may deposit aggregates, stone, porcelain, asphalt, concrete, and similar substances for processing for reuse as aggregates.*
- 7) *Asphalt plants and concrete batching plants may be permitted in the Mineral Resource Extraction land use type as accessory use to a licensed extractive operation subject to the following items being addressed through the Aggregate Resources Act site plan amendment process:*

It is a non-permanent use and will cease to operate once the aggregate material has been completely removed or the operator stops removing material from the site on a regular basis;

- a) If required, a Traffic Impact Study is provided to the satisfaction of the County and the local municipality;*
- b) The applicant shall demonstrate that the proposed location is appropriate and that impacts to the social, cultural heritage, and natural environment can be minimized; and*
- c) Noise, odour, and dust studies are provided which satisfy the Ministry of the Environment, Conservation and Parks (MECP)'s standards.*

- 8) Outside of settlement area land use types an official plan amendment will be required for asphalt plants and concrete batching plants proposing to locate outside of the Mineral Resource Extraction areas identified on Schedule B or aggregate licensed operations approved under the Aggregate Resources Act.*

Within settlement area land use types, the municipal official plan and/or zoning by-law shall determine the permissions for asphalt plants and concrete batching plants.

- 9) The County requires the progressive rehabilitation of pit or quarry operations back to agricultural uses. Maximum Disturbed Area provisions should be included on the license, where feasible, to ensure progressive rehabilitation. Progressive and final rehabilitation is required to:*

- a) Accommodate subsequent land uses;*
- b) To promote land use compatibility; and*
- c) To recognize the interim nature of extraction, in accordance with the rehabilitation plans as part of the license.*

Progressive rehabilitation is required where feasible. Final rehabilitation shall take surrounding land uses and approved land use types into consideration.

- 10) Comprehensive rehabilitation is required between neighbouring pit or quarry operations where feasible.*

- 11) Extraction of mineral aggregate resources may be permitted as an interim use in the Agricultural and Special Agricultural land use types as identified on Schedule A of this Plan, so long as rehabilitation of the site is back to an agricultural condition.*

Complete rehabilitation to an agricultural condition will not be required if the following occurs:

- a) *Outside of the Special Agricultural land use type, a substantial quantity of the aggregate is below the water table warranting extraction or the extraction is at a depth which would make restoration of pre-extraction agricultural capability unfeasible;*
 - b) *Within the Special Agricultural land use type, there is a substantial quantity of high quality mineral aggregate resources below the water table warranting extraction, and the depth of planned extraction makes the restoration of pre-extraction agricultural capability unfeasible;*
 - c) *In the Agricultural and Special Agricultural land use types other alternatives have been considered and found unsuitable by the applicant. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 lands, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3 lands; and*
 - d) *Agricultural rehabilitation in remaining areas will be maximized.*
- 12) *Where it is not feasible to return the lands to agriculture, priority should be given to assessing the feasibility of rehabilitation to a use that provides social and environmental benefits, and that is compatible with surrounding land use types. The use should result in environmental improvement or net environmental gain. Features such as woodlands, wetlands, fish and wildlife habitat areas, integrated water systems, or passive recreational opportunities may be appropriate.*
 - 13) *In the case of adjacent pit or quarry operations owned by different property owners, the County will, wherever practical, encourage the removal of all economically viable material between the pits or quarries. This may include eliminating the property line setbacks between the operations. Such operations are encouraged to utilize continuous and harmonious rehabilitation.*
 - 14) *Where pit or quarry operations are separated by a County or municipal road, the feasibility of allowing the producers to temporarily re-route and then replace the road at a lower elevation will be considered to enable operators to remove viable material between the operations. An agreement will be needed to address timing, re-construction, and compensation for the materials under the road.*
 - 15) *Existing licensed mineral aggregate extraction operations are permitted and shall*

be recognized in local zoning by-laws. Licensed mineral aggregate extraction operations are identified on Schedule B of this Plan as Mineral Resource Extraction.

Comment: With regard to the above, please consider the following:

- Teeswater Concrete (2021) Inc. will be paying all costs associated with the construction of the new entrance along County Road 9. An agreement with the County is not likely necessary;
- The Site Plans have been prepared in accordance with the provincial standards for aggregate operations and will form part of the license;
- Following the depletion of the aggregate and the final rehabilitation of the site, the license will be surrendered, at which time the owner will apply to change the zoning to the appropriate category;
- The recycling of concrete and asphalt materials will occur within the licensed area. Details pertaining to this accessory component of the operation are listed in Note 28 of Operations Plan 2A; and,
- Progressive rehabilitation will occur as the pit moves from phase to phase, as explained on the Progressive Rehabilitation Plan. The site will return to an agricultural use.

5.1.3 Natural Environment

Section 7 *Natural Grey* of the Grey County Official contains policies for various aspect of the natural environment. This Planning Justification Report will focus on those features that have been recognized by the Ecologist in the Natural Environment Level 1 & 2 Reports / Environmental Impact Study, which are:

- Habitat of Endangered or Threatened Species;
- Provincially Significant Wetlands;
- Significant Woodlands;
- Fish Habitat;
- Significant Wildlife Habitat; and,
- Other Wetlands.

The consultant provided a series of recommendations that would ensure no negative impacts occur on any of these features or functions. Those recommendations have been incorporated into the design of the pit operations

shown on the Site Plans and have been specifically listed in Note 2 on the Operations Plan 2B.

In this regard, the following policies are relevant:

5.1.3.1 Habitat for Endangered Species / Significant Wildlife Habitat

7.10 Other Natural Features

The policies in this Section address specific significant natural areas within the County for which mapping is generally not available or is incomplete at present, including Habitat of Threatened and Endangered Species, and Significant Wildlife Habitat.

- 1) *Development and site alteration is not permitted within, Significant Wildlife Habitat (including Deer Wintering Yards), and their adjacent lands, unless it has been demonstrated through an acceptable environmental impact study, completed in accordance with Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.*
- 2) *No development or site alteration will be permitted within the Habitat of Threatened / Endangered Species adjacent lands except in accordance with provincial and federal requirements. No development or site alteration will be permitted within the adjacent lands to these areas unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the natural features or their ecological functions. The adjacent lands are defined in Section 9.18 of this Plan and through provincial and federal requirements.*
- 3) *When the more detailed identification of areas of threatened and endangered species, and significant wildlife habitat has been completed by the County or appropriate authority, they will be recognized by amendment to this Plan.*

Comment: The Ecologist determined that the study area contained the following Significant Wildlife Habitat:

- Turtle Wintering Areas; and,
- Turtle Nesting Areas.

The study area was also found to be habitat for four Special Concern and Rare Wildlife Species:

- Barn Swallow;
- Common Snapping Turtle;

- Eastern Wood-Pewee; and,
- Monarch.

The Turtle Wintering Area is located within the Provincially Significant Wetland. With no impact occurring on the water quantity and quality, this habitat should not be affected.

The Turtle Nesting Area is situated within one of the ponds along the northern boundary of the wetland. The 30-metre undisturbed setback from the Provincially Significant Wetland boundary will protect nesting habitat from disturbance. The installation of site fencing and the monitoring of the turtle nests is required, as stated on Note 2 subsections h and o of the Operations Plan 2B.

Barn Swallow nests were suspected in two buildings located off-site, along the east side of Provincial Highway 6, and will not be affected by the pit operations. Barn Swallow nests were also suspected in one of the barns that is to be removed from the extraction area. The removal of this structure will cause the loss of nest sites and roosting, feeding, resting, and rearing of young. It is recommended, subject to the review of Ministry of Environment, Conservation and Parks, that a suitably sized Barn Swallow nest structure be erected in the southeastern corner of the licensed area, adjacent to the turtle nesting and overwintering area, and Eastern Meadowlark habitat, as stated in Note 2 subsection k of the Operations Plan 2B.

The habitat for the Common Snapping Turtle is the Turtle Wintering Areas, Turtle Nesting Areas, and the movement corridors between the Provincially Significant Wetland and one of the ponds, all located outside of the licensed area. These areas are protected from extraction by the undisturbed setbacks, and therefore there will be no negative impacts on the Common Snapping Turtle habitat. In fact, due to the management of trees and shrubs in the nesting areas to ensure shade-free habitat in the long term, there will be positive impacts resulting from the proposed undertaking.

An Eastern Wood-Pewee was heard inside the forested area located on the property to the west. No trees will be removed from this woodland and a 15-metre wide ungraded setback between the property boundary and extraction area will be allowed to naturalize, so the area of the woodland polygon will increase. Routine dust control will prevent impacts on woodland vegetation. Silt fencing will prevent soil from washing into the setback and existing woodland. Given that the Eastern Wood-Pewee

nests inside the woodland and a new additional setback will be established, negative impacts on this species are not expected.

Monarch habitat and observations of adults are concentrated in two locations within the study area. The first site is northwest of the subject lands. The 15-metre extraction area setback will ensure that this off-site milkweed population will not be disturbed. Routine dust control will ensure that the milkweeds in this area are not impacted. The second major milkweed patch is located in the area adjacent to one of the ponds to the south of the licensed area. This area is protected by setbacks from the edges of the Provincially Significant Wetland, turtle nesting area, and Eastern Meadowlark habitat. Silt fencing, dust control, and the management of some areas to maintain sunny turtle nesting habitat will all ensure long-term protection of the milkweed populations and nectar-producing plants, which are necessary elements of Monarch habitat. The proposed undertaking will not create any negative impacts on Monarch habitat or populations.

5.1.3.2 Provincially Significant Wetlands

7.3.1 Provincially Significant Wetlands and Significant Coastal Wetlands

The identification and delineation of Provincially Significant Wetlands and Significant Coastal Wetlands is the responsibility of the Province. These features may be more accurately shown on mapping available from the Province.

- 1) No development or site alteration is permitted within the Provincially Significant Wetlands and Significant Coastal Wetlands land use type (shown on Schedule A), except where such activity is associated with forestry and uses connected with the conservation of water, soil, wildlife, and other natural resources but does not include buildings and will not negatively impact the integrity of the Wetland.*
- 2) No development or site alteration may occur within the adjacent lands of the Provincially Significant Wetlands and Significant Coastal Wetlands land use type unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.*

Development or site alteration within the adjacent lands of the Provincially Significant Wetlands and Significant Coastal Wetlands land use type will require a permit from the appropriate conservation authority.

- 3) *Changes to the Provincially Significant Wetlands and Significant Coastal Wetlands land use type or the adjacent lands requires the approval of the Ministry of Natural Resources and Forestry or its delegated authority.*

Comment: Located along the southern boundary of the property, but outside of the proposed extraction area, is the Letterbreen Bog Provincially Significant Wetland. This feature is mostly forested and contains two ponds.

Based on the proposed extraction setback, depth, and operations, the pit should not impact the local water supply wells in the area, surface water features, or associated ecological receptors, including the Provincially Significant Wetland.

5.1.3.3 Significant Woodlands

7.4 Significant Woodlands

Significant Woodlands mapping as shown on Appendix B was developed by the County of Grey with assistance from the Ministry of Natural Resources and Forestry (MNR). The identification was primarily a desktop based Geographic Information Systems (GIS) exercise and the County acknowledges that inaccuracies or omissions in the mapping may be present. As a result, site visits by qualified individuals may be required at the application stage to scope any potential studies.

The Significant Woodlands layer was refined in 2017 by using data collected as part of the Natural Heritage Systems Study – Green in Grey, data from the MNR and through airphoto analysis. Once the refinement occurred, it was then assessed through the original criteria used when creating the original woodlands layer and adjusted accordingly. This has improved the accuracy of the data; however errors and omissions could still exist.

In order to be considered significant, a woodland shall be either greater than or equal to forty (40) hectares in size outside of settlement areas, or greater than or equal to four (4) hectares in size within settlement area boundaries. If a woodland fails to meet the size criteria outside a settlement area, a woodland can also be significant if it meets any two of the following three criteria:

- Proximity to other woodlands i.e. if a woodland was within 30 metres of another significant woodland, or*
- Overlap with the boundaries of a Provincially Significant Wetland and Significant Coastal Wetlands, Core Area, Significant Valleylands, or a Significant Areas of Natural and Scientific Interest , or*

- *Interior habitat of greater than or equal to eight (8) hectares, with a 100 metre interior buffer on all sides.*
- 1) *No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Adjacent lands are defined in Section 7 and 9.18 of this Plan. Projects undertaken by a municipality or conservation authority may be exempt from the environmental impact study requirements, provided said project is a public work or conservation project.*
- 2) *Where it can be proven that a woodland identified as significant has ceased to exist, or ceased to exhibit characteristics of significance, an environmental impact study may not be required. Site photographs or a site visit by a qualified individual may be necessary to determine that a woodland no longer exists.*
- 3) *Tree cutting and forestry will be permitted in accordance with the County Forest Management By-law (or successor thereto), and guided by the policies of Section 5.5 of this Plan.*
- 4) *Fragmentation of significant woodlands is generally discouraged.*
- 5) *Significant Woodlands are not meant to include orchards, nurseries, or holiday tree plantations. Where it can be demonstrated that the mapping inadvertently mapped an orchard, nursery, or holiday tree plantation, an EIS will not be required for new development or site alteration.*
- 6) *Not all mapped Significant Woodlands are naturally occurring. In some cases, plantations have begun to transform into more naturalized woodlots, or fallow fields have over-grown to include early woodland features. Where these circumstances have occurred, an EIS may not be required for new development or site alteration, subject to the advice of a qualified professional, MNRF, conservation authority staff, or municipal/County staff. Where a significant amount of time has passed, and such plantation woodlands may now hold further natural value, an EIS may still be required.*

Comment: The forest lands at the south end of the property and outside of the licensed area are shown as 'Significant Woodland' on Schedule B of the County Official Plan. Most of the wooded area lies within the Provincially Significant Wetland. Since no negative impacts on surface or groundwater quantity and quality should occur, there are not expected to be any hydrological impacts to this woodland feature.

The forested area located on the property to the north, along the opposite

side of Grey Road 9, is also identified as 'Significant Woodland'. Given the large separation between the extraction boundary and this treed area, and the fact that Grey Road 9 has been constructed within this setback, no impacts are expected on this woodland feature.

5.1.3.4 Fish Habitat

7.9 Fish Habitat

Fish Habitat as defined in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. Healthy aquatic communities are generally a good indicator of environmental health.

The harmful alteration, disruption, or destruction of Fish Habitat is generally prohibited under the Fisheries Act. It is the County's intention to encourage improvement of productive capacity of this habitat. The extent and significance of Fish Habitat shall be determined in consultation with the Ministry of Natural Resources and Forestry, the conservation authority having jurisdiction over the area, and Fisheries and Oceans Canada.

- 1) Development and site alteration are not permitted in Fish Habitat except in accordance with relevant provincial and federal requirements.*
- 2) No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with Section 7.11 of this Plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced. Landowners are encouraged to forest the areas within 30 metres of any stream to maintain and improve fish habitat, ecological function of the stream, and to increase natural connections.*

Comment: There are no streams or permanent ponds within the area proposed for extraction. The pond areas within the 'Provincially Significant Wetland', which are outside of the proposed licensed area, are expected to provide habitat for warmwater fish. A Central Mudminnow was encountered in one such pond in 2023. The proposed undisturbed setback and the silt fence to be installed prior to topsoil removal will protect any fish habitat located in the wetland from disturbance and sedimentation.

5.1.3.5 Other Wetlands

7.3.2 Other Wetlands

- 1) *No development or site alterations are permitted within Other Wetlands or their adjacent lands, shown on Appendix B, or as identified by conservation authorities, unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

Comment: Several small areas of 'Other Wetlands' are identified on Appendix B of the Grey County Official Plan, as shown on Figure 5 of this Planning Justification Report. These areas are located on the fringe of the Provincially Significant Wetland and fall within the 'Hazard Lands' designation shown on Schedule A of the Official Plan, as per Figure 3 of this Planning Justification Report. The 'Other Wetlands' in this area are situated outside of the proposed licensed area and will be protected by the other setbacks required to protect the wetland and other features.

A very small 'Other Wetland' polygon is also shown on Appendix B within the extraction area, near the north end of the property. The Ecologist advises that this is a mapping error, as these lands are cash-cropped and exhibit no sign of serving any ecological function beyond grossing crops.

5.1.4 Summary of Official Plan Conformity

Based on the foregoing, it is evident that the proposal conforms with all relevant policies of the County of Grey Official Plan.

As noted in this section, however, an amendment to the Official Plan is still required because a portion of the licensed area – albeit a relatively small portion – is located beyond the boundaries of the 'Aggregate Resource Area' designation shown on Schedule B.

The suggested wording for the Official Plan Amendment is as follows:

Notwithstanding the 'Aggregate Resource Area' mapping provided on Schedule B to the Official Plan, a licensed pit shall be permitted on those lands identified on Schedule A of this Official Plan Amendment.

The Schedule A noted above is provided on Figure 6 of this Planning Justification Report.

5.2 The Provincial Planning Statement

The Provincial Planning Statement (PPS) provides policies that are designed to protect planning matters of interest to the Ontario Government. Provided below is an evaluation of the proposed development within the context of the PPS policies that are relevant to a pit or quarry operation:

5.2.1 Mineral Aggregate Resources

Section 4.5 *Mineral Aggregate Resources* states:

4.5.1 *General Policies for Mineral Aggregate Resources*

1. *Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.*

Comment: This policy is implemented through the Grey County Official Plan, which identifies 94.1% of the licensed area on Schedule B as having a primary source of aggregate and promotes the extraction of the aggregate. The small portion of the proposed licensed area that falls outside of the 'Aggregate Resource Area', comprising approximately 5.5 hectares of land, also has a good quantity and quality of material as evidenced by the test-pitting conducted by Teeswater Concrete (2021) Inc.

4.5.2 *Protection of Long-Term Resource Supply*

1. *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. *Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.*
3. *Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.*

4. *Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.*
5. *In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:*
 - a) *resource use would not be feasible; or*
 - b) *the proposed land use or development serves a greater long-term public interest; and*
 - c) *issues of public health, public safety and environmental impact are addressed.*

Comment: The extraction of aggregate material will occur in accordance with the Site Plans. These drawings take into account the recommendations of the Natural Environment Level 1 & 2 Reports / Environmental Impact Study, Maximum Predicted Water Table and Hydrogeological Assessment Report, Noise Impact Study, Air Quality Study, and the Traffic Impact Study, as well as the various policies of the County Official Plan that are intended to minimize the social and environmental impacts of a pit.

These policies recognize the importance of aggregate resources in Ontario and strive to ensure that other developments do not occur on or near potential aggregate sites before the deposit is removed from the ground.

4.5.3 Rehabilitation

1. *Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.*
2. *Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.*

3. *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.*

Comment: Progressive rehabilitation will occur as extraction moves across the site. The lands will be reverted to an agricultural use, which will complement the adjacent land uses.

4.5.4 Extraction in Prime Agricultural Areas

1. *In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that:*
 - a) *impacts to the prime agricultural areas are addressed, in accordance with policy 4.3.5.2; and,*
 - b) *the site will be rehabilitated back to an agricultural condition.*
2. *Despite policy 4.5.4.1.b), complete rehabilitation to an agricultural condition is not required if:*
 - a) *the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and*
 - b) *agricultural rehabilitation in remaining areas is maximized.*

Comment: The subject property is not considered to be prime agricultural land.
No impact on adjacent agricultural activities is expected.

5.2.2 Natural Heritage Features

Section 4.1 *Natural Heritage* states:

1. *Natural features and areas shall be protected for the long term.*
2. *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.*

3. *Natural heritage systems shall be identified in Ecoregions 6E & 7E¹, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.*
4. *Development and site alteration shall not be permitted in:*
 - a) *significant wetlands in Ecoregions 5E, 6E and 7E¹; and*
 - b) *significant coastal wetlands.*
5. *Development and site alteration shall not be permitted in:*
 - a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;*
 - b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;*
 - c) *significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;*
 - d) *significant wildlife habitat;*
 - e) *significant areas of natural and scientific interest; and*
 - f) *coastal wetlands in Ecoregions 5E, 6E and 7E that are not subject to policy 4.1.4.b),*

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
6. *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*
7. *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*
8. *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 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.*
9. *Nothing in policy 4.1 is intended to limit the ability of agricultural uses to continue.*

Comment: The Natural Environment Level 1 & 2 Reports / Environmental Impact Study determined that some natural heritage features exist on the subject property and adjacent lands, as explained in detail earlier in this Planning Justification Report. The Ecologist provided a series of recommendations that would ensure that no negative impacts occur on any of these features or functions. Those recommendations have been incorporated into the design of the pit operations shown on the Site Plans and have been specifically listed in the notes on the Operations Plans.

5.2.3 Water

Section 4.2 *Water* states:

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;*
 - d) *maintaining linkages and functions of water resource systems;*
 - e) *implementing necessary restrictions on development and site alteration to:*
 1. *protect all municipal drinking water supplies and designated vulnerable areas; and*
 2. *protect, improve or restore vulnerable surface and ground water, and their hydrologic functions;*
 - f) *planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and*
 - g) *ensuring consideration of environmental lake capacity, where applicable.*

2. *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, which may require mitigative measures and/or alternative development approaches.*
3. *Municipalities are encouraged to undertake, and large and fast-growing municipalities shall undertake watershed planning to inform planning for sewage and water services and stormwater management, including low impact development, and the protection, improvement or restoration of the quality and quantity of water.*
4. *Despite policy 4.2.3, where planning is conducted by an upper-tier municipality that includes one or more lower-tier large and fast-growing municipalities, the upper-tier municipality shall undertake watershed planning in partnership with lower-tier municipalities, including lower-tier large and fast-growing municipalities.*
5. *All municipalities undertaking watershed planning are encouraged to collaborate with applicable conservation authorities.*

Comment: The Maximum Predicted Water Table and Hydrogeological Assessment Report concluded that the proposed pit operations should have no impact on surface water or ground water features in the vicinity of the subject lands, including the Provincially Significant Wetland located to the south of the proposed licensed area.

5.2.4 Archaeology

Section 4.6 *Cultural Heritage and Archaeology* states:

1. *Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.*
2. *Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.*
3. *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.*
4. *Planning authorities are encouraged to develop and implement:*

- a) *archaeological management plans for conserving archaeological resources; and*
 - b) *proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.*
5. *Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.*

Comment: The Stage 2 component of the Archaeological Assessment resulted in the identification of four archaeological sites on the subject property.

Two of the sites are located outside of the proposed extraction limits, and therefore further assessment is not required as long as a 20-metre protective boundary and 50-metre construction monitoring buffer are applied. These sites and the associated buffers are identified on the Operations Plans.

A third site was deemed to have no cultural heritage value or interest, and therefore no further assessment was recommended.

A Stage 3 Assessment was conducted for the fourth site, and no artifacts were recovered. Therefore, no further archaeological assessment was recommended.

Saugeen Ojibway Nation is satisfied with the conclusions of the Archaeological Assessment.

5.2.5 Summary of Provincial Planning Statement Review

Based on the foregoing, the proposed pit is consistent with the Provincial Planning Statement.

5.3 Summary of Policy Evaluation

The proposed gravel extraction operation conforms to the various policies of the County Official Plan and is consistent with the Provincial Planning Statement.

6. Municipality of West Grey Zoning By-law

6.1 Existing Zoning

The lands proposed to be licensed under the Aggregate Resources Act are currently zoned 'C2-115' (Highway Commercial Exception) according to the Municipality of West Grey Zoning By-law, as shown on Figure 7 of this Planning Justification Report. This site-specific zone is intended to implement the 'Space Extensive Industrial & Commercial' designation that applies to these lands in the Grey County Official Plan. The 'C2-115' zone provisions are as follows:

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-115 may be permitted a permitted use in accordance with the following:

"Space Extensive Commercial and Space Extensive Industrial"

Uses shall mean the use of lands, buildings, or structures for commercial or industrial purposes where the said uses must display the following characteristics:

1. *The uses serve demands from highway traffic.*
2. *The uses require a large parking or outdoor storage area or require a large volume single-purpose building.*
3. *The location of the proposed use in a general retail block in an urban centre is not feasible due to its storage area or building volume requirements.*
4. *The use must be "dry" in nature, not requiring a piped water and municipal sewage system to accommodate it.*

For the purposes of this By-law, Space Extensive Commercial and Industrial uses shall be restricted to the following:

- a. *Automotive Service Station*
- b. *Farm Machinery Sales and Service Outlet*
- c. *Building Supply Outlet*
- d. *Horticultural Nursery*
- e. *Outdoor Recreational Equipment Sales and Service Outlet*
- f. *Fuel Distributor*
- g. *Warehouse*
- h. *Truck Depot*
- i. *Dry Manufacturing Plant*

- j. *Uses, buildings or structures including business offices and/or retail stores accessory to any permitted uses*

Regulations for Permitted Uses:

<i>Minimum Lot Area</i>	<i>.8 hectares</i>
<i>Minimum Lot Frontage</i>	<i>60 metres</i>
<i>Minimum Front Yard</i>	<i>15 metres</i>
<i>Minimum Rear Yard</i>	<i>18 metres</i>
<i>Minimum Side Yard</i>	<i>10 metres</i>
<i>Maximum Building Height</i>	<i>15 metres</i>
<i>Maximum Lot Coverage</i>	<i>30 %</i>

Parking Regulations:

- i. *One (1) parking space for each thirty (30) sq metres of gross floor area shall be provided.*
- ii. *A parking space shall have a minimum length of 6 metres and a minimum width of 2.75 metres measured at right angles to the length.*
- iii. *The location of the required parking spaces shall be in the side or rear yard only.*
- iv. *The area provided for parking shall be clearly marked and shall be provided and maintained with a stable surface that is treated to prevent the raising of dust or loose particles and with provisions for drainage facilities.*

Loading Space Regulations

1. *For every 1,858 sq metres or fraction thereof of gross floor area, one(1) space 9 metres long, 3.5 metres wide and having a vertical clearance of at least 4.5 metres shall be provided for the receiving, shipping, loading, or unloading of goods, wares, merchandise, raw materials, or finished products.*
2. *Access to the said loading and unloading shall be by means of a driveway of at least 6 metres in width contained within the lot on which the spaces are located and leading to a street.*
3. *The driveways, and loading and unloading spaces shall be provided and maintained with a stable surface which is treated to prevent the raising of dust or loose particles.*
4. *Loading and unloading spaces required shall be located in the side or rear yard unless the setback from the street line is a minimum distance of 25 metres.*

The balance of the property, which is not part of the proposed aggregate operation, is zoned ‘C2-115’ (Highway Commercial Exception), ‘NE’ (Natural Environment), ‘NE2’ (Natural Environment 2), and ‘M4’ (Extractive Industrial).

6.2 Proposed Zoning

The proposed amendment to the Zoning By-law will rezone the proposed licensed area to ‘M4’ (Extractive Industrial). The ‘M4’ zone permits licensed pit and quarry operations.

The existing ‘C2-115’, ‘NE’, ‘NE2’, and ‘M4’ zones that apply to the lands outside of the licensed area will remain. An additional special provision is being requested for the ‘C2-115’ zoned lands to allow for *“the existing house to be used as an office for the aggregate operation located on the subject property as long as the pit license is in effect.”*

A map showing the proposed zoning is provided on Figure 8.

7. CONCLUSIONS

Teeswater Concrete (2021) Inc. has retained the services of several experts to properly plan a new aggregate extraction operation. The team, which includes experts in the fields of aggregate extraction, ecology, hydrogeology, noise, traffic, air quality, and archaeology, studied the subject lands and surrounding area and collectively designed a gravel pit proposal that would:

- be as compatible with the adjacent properties as possible;
- have no noticeable impact on the natural environment;
- have a minimal impact on the social environment of the area;
- maintain the intent and purpose of the County of Grey Official Plan; and,
- be consistent with the Provincial Planning Statement.

Based on the foregoing, it is evident that this proposed extraction operation, as presented on the series of site plans, will represent appropriate land use planning.

8. RECOMMENDATION

This Planning Report has provided a thorough evaluation of the proposed gravel pit development. In view of the conclusions provided in Section 7, it is my professional opinion that approval should be given to the requested amendments to the Grey County Official Plan and Municipality of West Grey Comprehensive Zoning By-law.

Respectfully submitted,



Ron Davidson, BES, MCIP, RPP

Acknowledgements:

GIE Consultants

Dance Environmental Inc.

Aercoustics Engineering Limited

Paradigm Transportation Solutions Limited

Parslow Heritage Consultancy Inc.

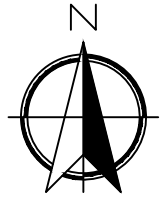
RWDI Air Inc.

FIGURES

- Figure 1: Location of Subject Property
- Figure 2: Aerial Photograph (2020)
- Figure 3: Grey County Official Plan Schedule A
- Figure 4: Grey County Official Plan Schedule B
- Figure 5: Grey County Official Plan Appendix B
- Figure 6: Proposed Official Plan Amendment Schedule
- Figure 7: Municipality of West Grey Zoning By-law Schedule A
- Figure 8: Proposed Zoning By-law Amendment Schedule

Figure 1: Location of Subject Property




 Subject Property

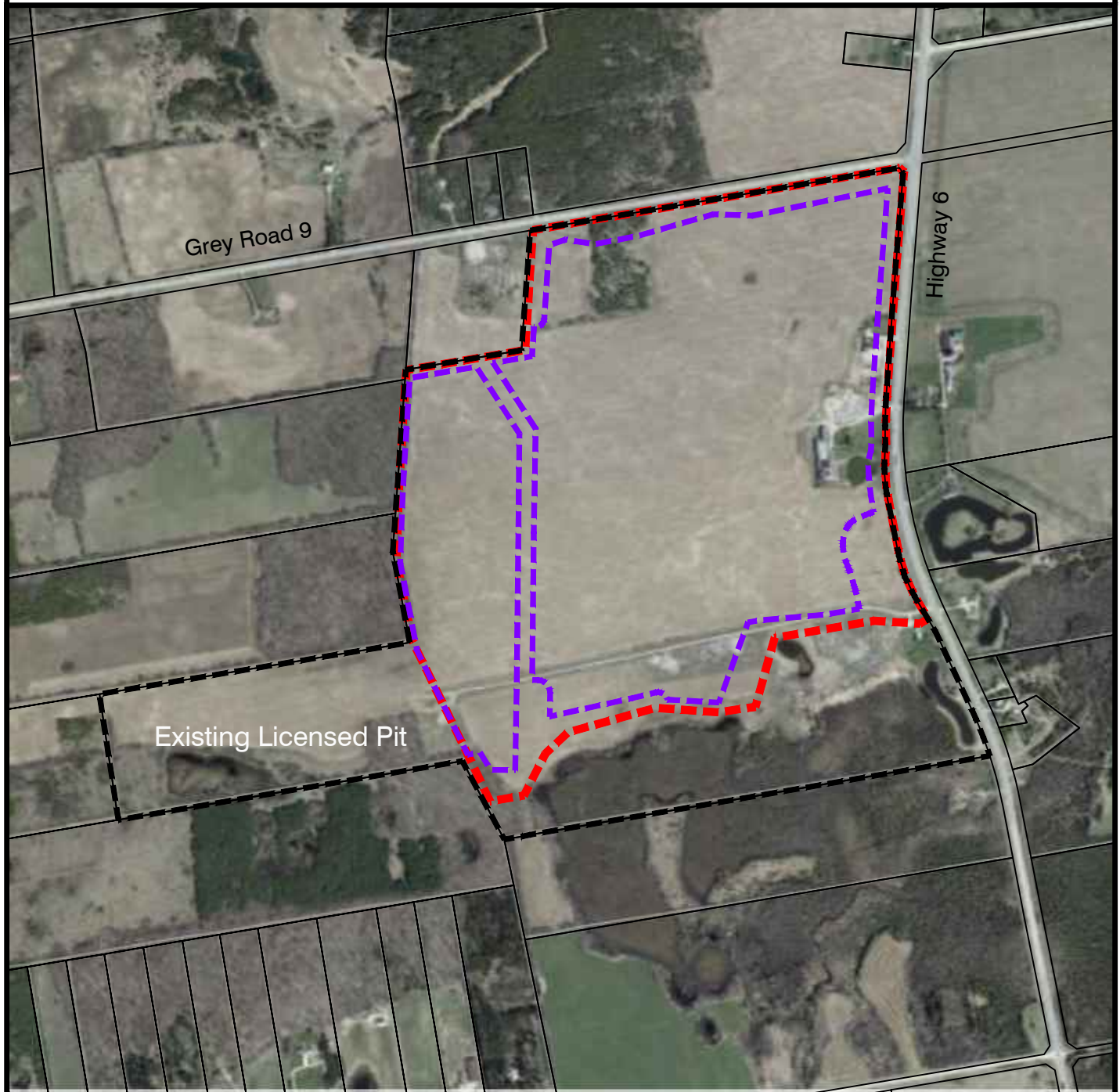
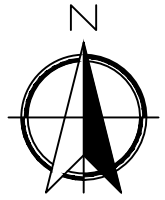


Proposed Licensed Pit
"Watson Pit"
Teeswater Concrete (2021) Ltd.

RD **RON DAVIDSON**
LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO
SCALE 1:120 000

Figure 2: Aerial Photograph (2020)

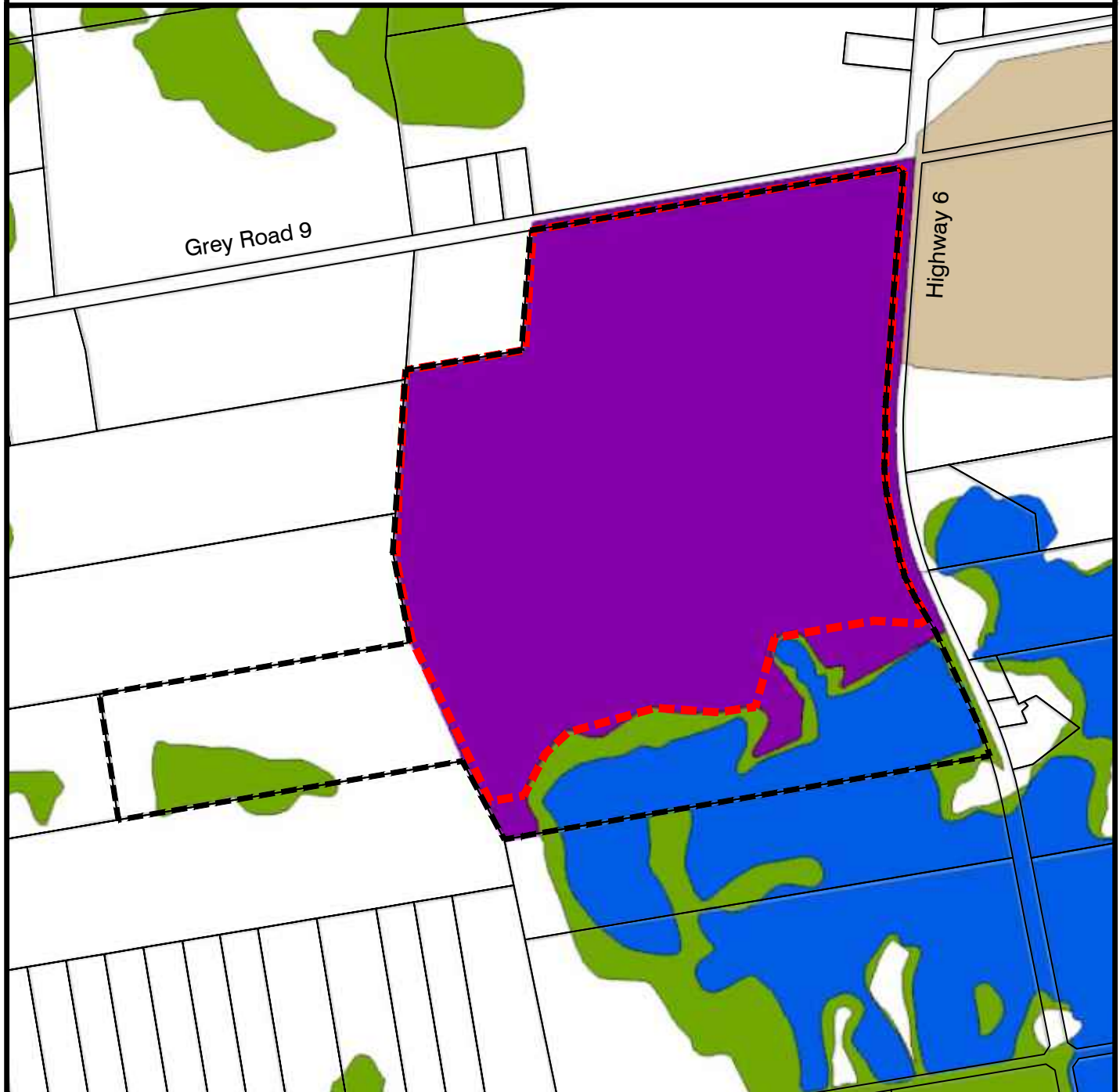
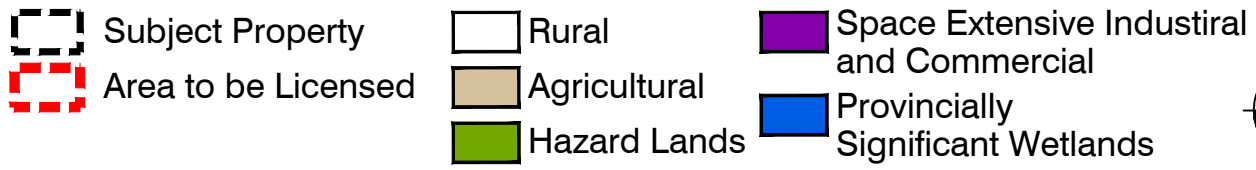
-  Subject Property
-  Area to be Licensed
-  Area to be Extracted



Proposed Licensed Pit
"Watson Pit"
Teeswater Concrete (2021) Ltd.

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Figure 3: Grey County Official Plan Schedule A





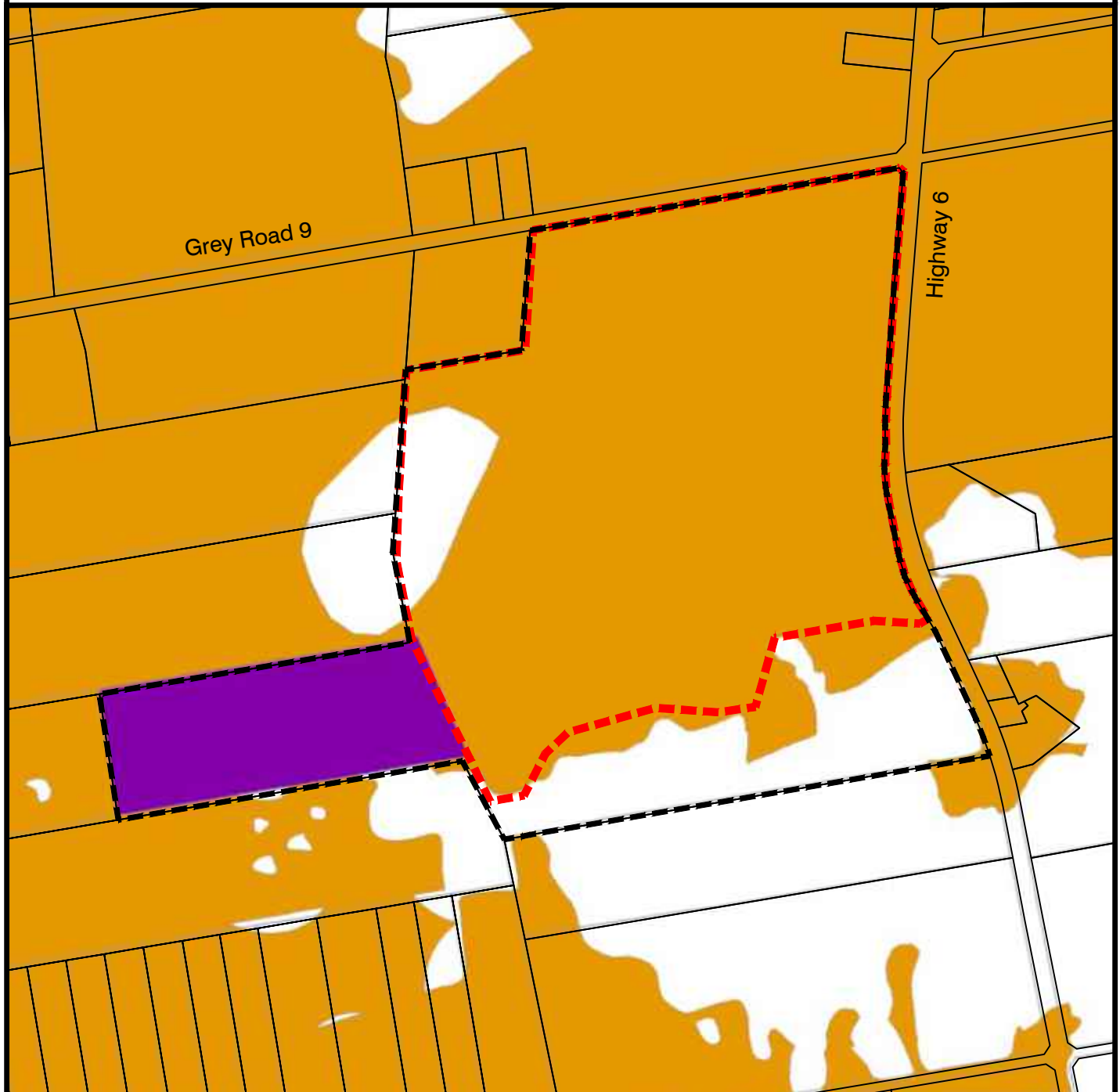
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Figure 4: Grey County Official Plan Schedule B

-  Subject Property
-  Area to be Licensed



-  Mineral Resource Extraction Area
-  Aggregate Resource Area

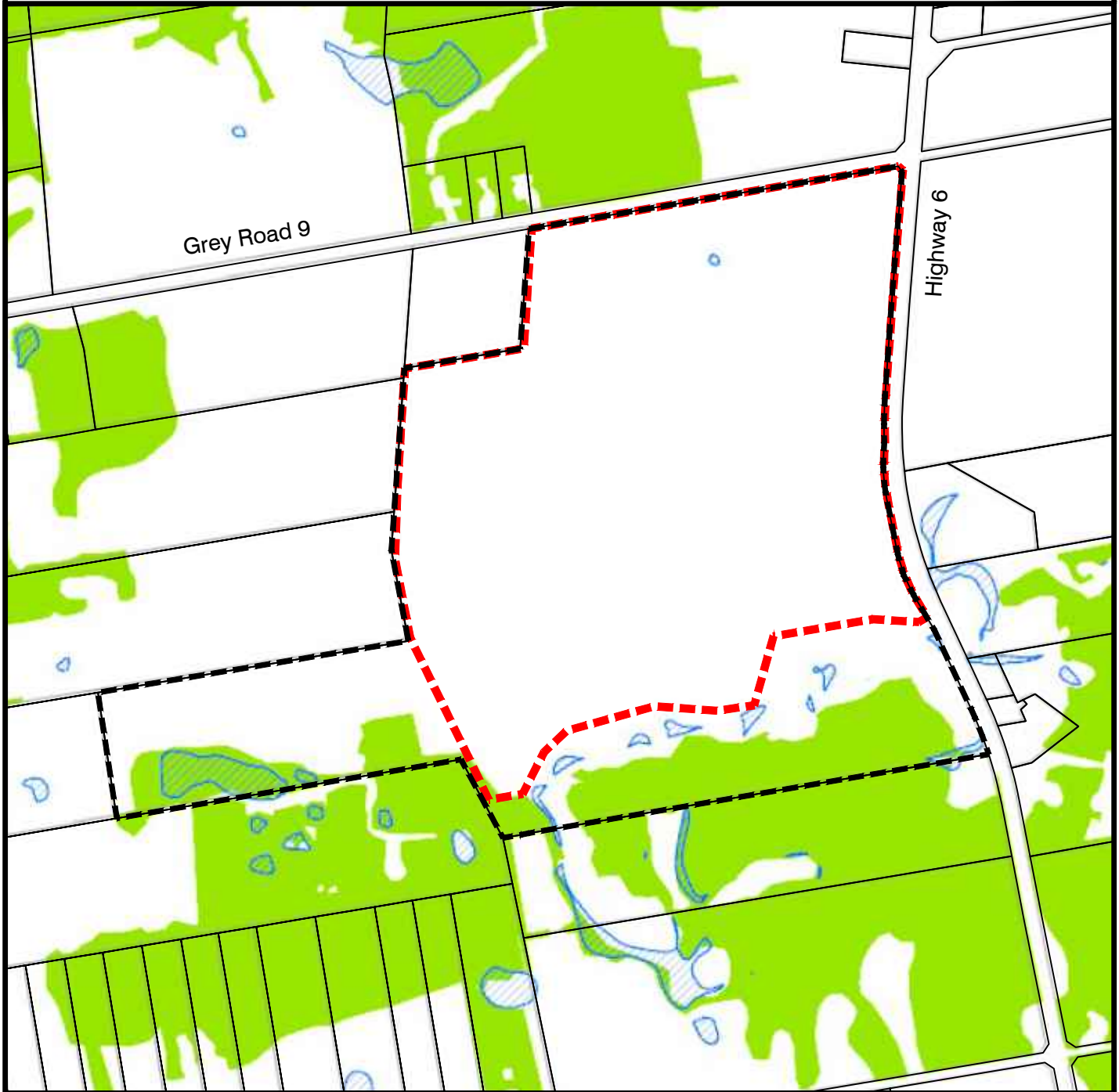


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Figure 5: Grey County Official Plan Appendix B






-  Subject Property
-  Area to be Licensed
-  Other Wetlands
-  Significant Woodlands

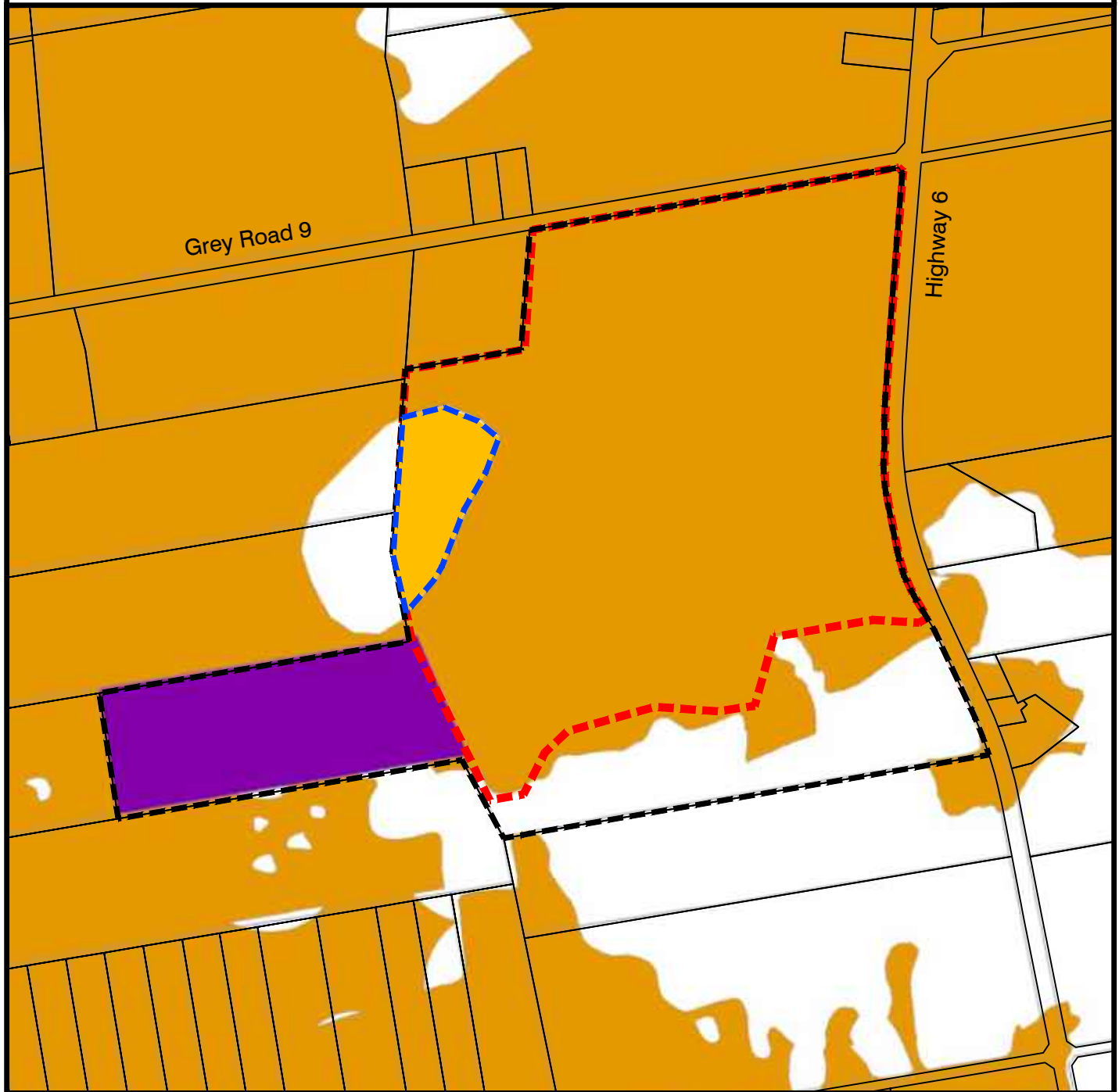
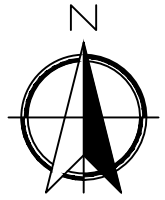


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Figure 6: Proposed Official Plan Amendment Schedule

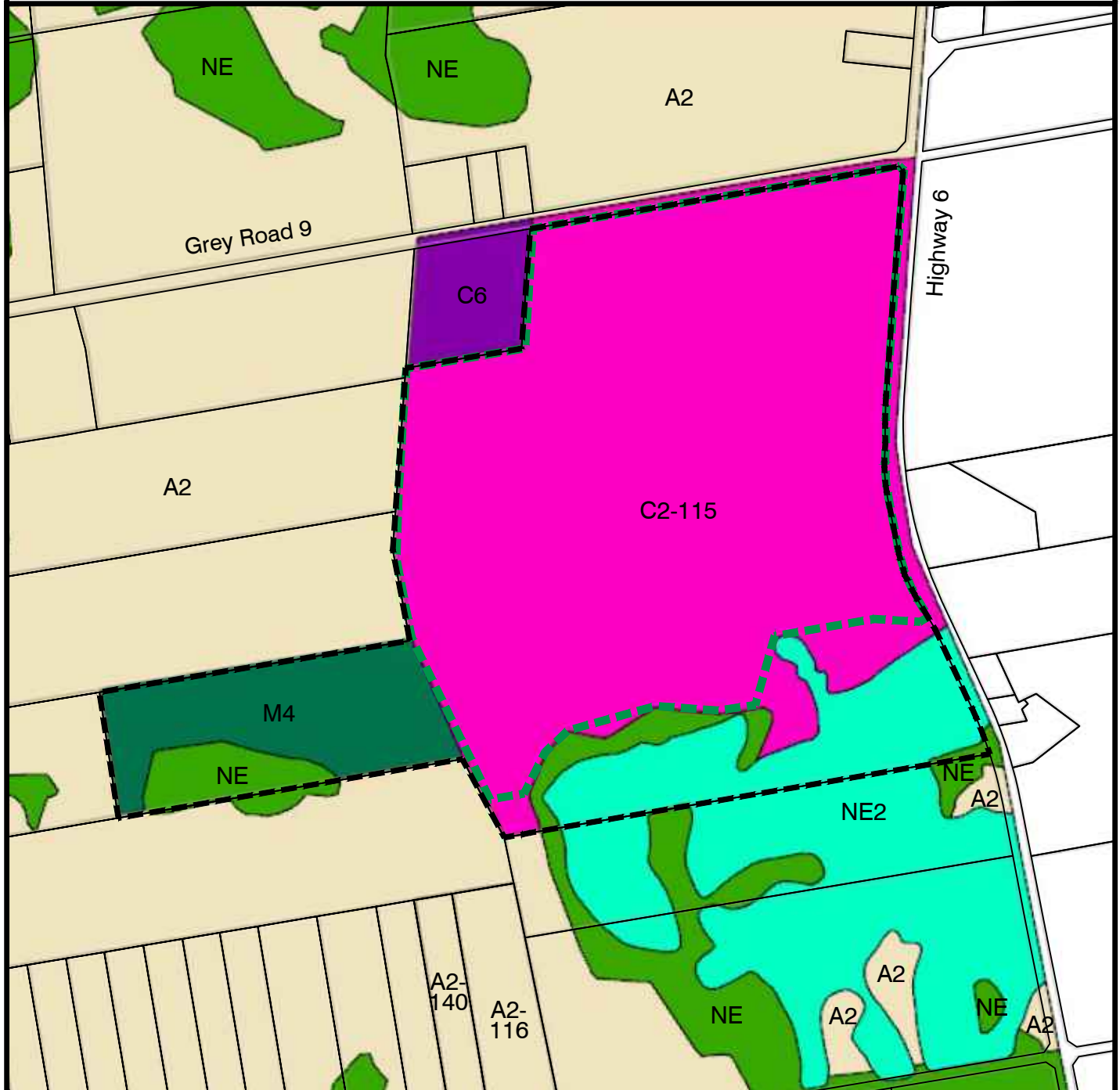
-  Subject Property
-  Area to be Licensed
-  Lands Subject to Official Plan Amendment
-  Mineral Resource Extraction Area
-  Aggregate Resource Area



Proposed Licensed Pit
"Watson Pit"
Teeswater Concrete (2021) Ltd.

Figure 7: Municipality of West Grey Zoning By-law Schedule A



-  Subject Property
-  Area to be Licensed



Proposed Licensed Pit
"Watson Pit"
Teeswater Concrete (2021) Ltd.

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Figure 8: Proposed Zoning By-law Schedule A

-  Subject Property
-  Area to be Licensed



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