

PLANNING JUSTIFICATION REPORT and AGGREGATE RESOURCES ACT SUMMARY STATEMENT

DANCE PIT EXPANSION

PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES REGION
OF WATERLOO

PREPARED FOR:
CBM AGGREGATES
A Division of St. Marys Cement (Canada) Inc.

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APPENDICES:

- A. **Maximum Predicted Water Table Report**
Golder Associates Ltd.
- B. **Natural Environment Report**
Golder Associates Ltd.
- C. **Archaeological Assessment Stage 1 and 2**
Golder Associates Ltd.
- D. **Noise Assessment Report**
Golder Associates Ltd.
- E. **Site Plans**
Harrington McAvan Ltd.

1.0 INTRODUCTION

CBM Aggregates (CBM), a division of St. Marys Cement Inc. (Canada), is submitting an application to amend the Zoning by-law for the Township of North Dumfries, to permit the expansion of a sand and gravel pit operation (“Dance Pit Expansion”). In addition to the municipal Planning Act application, the proponent is submitting an application to the Ministry of Natural Resources and Forestry (MNRF) under the *Aggregate Resources Act* (ARA) for Class A, Category 3 (pit above the water table) Licence application.

The subject lands fall within the Planning jurisdiction of the Region of Waterloo Official Plan and the Township of North Dumfries Official Plan. This report evaluates the proposed land use within the context of both Official Plans, as well as within the context of Provincial legislation including the Planning Act, the Provincial Policy Statement (2020), and the Growth Plan for the Greater Golden Horseshoe (2019).

The Official Plan (OP) for the Region of Waterloo designates the subject property as ‘Prime Agricultural Area’ (see **Figure 4**). The subject property is also identified as “Mineral Aggregate Resource Area’ on OP Map No. 8 (see **Figure 6**). These designations are also reflected in the Official Plan for the Township of North Dumfries (see **Figure 7, Figure 8**). Mineral Aggregate extraction is a permitted use in the Prime Agricultural Area, both within and outside the Mineral Aggregate Resource Area, subject to the policies of the Plan. An Official Plan Amendment is not required.

The subject lands are currently zoned ‘Rural’ (Z1). The proposed Dance Pit Expansion will require an amendment to the Township of North Dumfries Zoning By-law 689-83, to rezone the lands from “Rural” (Z1) to Gravel Pit (Z14).

The applications for the proposed pit expansion are supported by a series of technical studies that have assessed the impact on neighbouring residents, the natural environment, the agricultural capabilities of the land, as well as the impact on roads, and municipal water supply. These technical studies conclude that, with the implementation of the recommended mitigation measures, there will be no significant adverse impacts on the neighbouring residents, or the natural environment. The Site Plans detail the manner in which operations and progressive rehabilitation will be carried out.

The following information and reports have been prepared in support of this application:

- [Maximum Predicted Water Table Report](#), Golder Associates Ltd. (Appendix A)
- [Natural Environment Report](#), Golder Associates Ltd. (Appendix B)
- [Stage 1 and 2 Archaeology Assessment](#), Golder Associated Ltd. (Appendix C)
- [Noise Impact Assessment Report](#): Golder Associates Ltd. (Appendix D)
- [Licence Pit Site Plans](#), Harrington McAvan Ltd. (Appendix E)

The operational notes on the licence site plans under the Aggregate Resources Act, incorporate conditions based on specific recommendations in the technical reports and these conditions are enforced through the Aggregate Resources Act.

1.1 Site Description and Surrounding Land Uses

The subject property is located on the south side of Cedar Creek Rd., just west of the City of Cambridge (see **Figures 1 and 2**). The westerly portion (45 ha) of the 74-ha property owned by the applicant, is currently zoned and licensed for aggregate extraction (CBM Dance Pit). The remaining 29 ha of the applicant's lands to the east are currently being actively farmed. The applicant is proposing to extend their existing aggregate operations to include the lands they own in Part Lots 14 and 15, Concession 10.

The property has direct access to a Regional Rd (Cedar Creek Rd.). There are a number of licensed gravel pits located in the areas to the west, north and south of the proposed Dance Pit Expansion. There are also a number of active farming operations in the area. There are residential uses located to the east, within the City of Cambridge limits. Anglewood Park, a municipal park operated by the City of Cambridge, is located near the southeast corner of the site.

1.2 Pre-Consultation

The applicant met with staff from the Township of North Dumfries, the Region of Waterloo, and the City of Cambridge in August 2016 to discuss the proposal. Staff provided preliminary comments and outlined the requirements for a complete application. A record of the Pre-Consultation discussions is included as **Attachment 1** to this report.

One of the questions arising from these discussions was related to the previous pit licence application (i.e., for the existing Dance Pit). There were questions about whether there were any previous agreements, or any other type of restriction, that would prevent an application for a gravel pit on the expansion lands. Specifically, there was a question about whether there was a Development Agreement associated with the original pit licence application that included any prohibitions on future easterly expansion of the Dance pit.

Based on a review of the material associated with the original licence application, including the Ontario Municipal Board Decision and Order, together with the 1993 Development Agreement, we can confirm there are no restrictions to making an application for expansion of the gravel pit on the subject lands. The Township of North Dumfries also confirmed in their correspondence on November 7, 2017 that there are no restrictions in place that would preclude an application for pit expansion.

2.0 DESCRIPTION OF THE PROPOSAL

CBM is proposing the expansion of their existing sand and gravel operation, with a proposed new licensed area of approximately 29 hectares, with extraction proposed on a portion (20.8 ha) of the subject lands. The site will operate as an expansion of the existing CBM Dance Pit. The proposed annual tonnage limit is 750,000 tonnes.

The proposed operation will allow the applicant, CBM Aggregates, to extend their supply of reserves in this area, allowing them to continue to serve their customers in the local market. The site is located with access to Cedar Creek Road and is in close proximity to Highway 401.

Rehabilitation will be undertaken progressively, with the final land use plan implemented to restore all of the extracted area to an agricultural end use. The proposed rehabilitation will be compatible with the surrounding land uses.

Careful consideration and planning has gone into the design of the operations and the rehabilitation of the Dance Pit Expansion to minimize and mitigate impacts on the surrounding environment and nearby residents.

2.1 *Aggregate Resource*

The proposed area to be licensed and zoned for aggregate extraction is situated in a glacial outwash deposit and is identified in the Aggregate Resources Inventory Paper for the Regional Municipality of Waterloo (ARIP 161), as a mineral aggregate resource of primary significance (see **Figure 3**). The area is also identified as a Mineral Aggregate Resource Area in the Official Plan for the Region (see **Figure 6**) and the Township (see **Figure 9**). This deposit has historically been a source of high-quality aggregate for this area.

There are a number of existing licensed pits extracting material from this deposit to supply local construction material needs. The existing sites are in various stages of extraction, progressive and final rehabilitation and will continue to be operated some time into the future. During this time, this area will be influenced by activities associated with aggregate extraction.

The Applicant conducted a geotechnical investigation of the site to determine the quantity and quality of the aggregate resources on the property and to estimate the elevation of the groundwater table across the site.

The geotechnical investigations determined that the site has approximately 4 million tonnes of material (Golder, 2019). Subject to fluctuations in market demand, it is expected that this application will extend the life of the pit by 6-12 years.

2.2 Operations and Phasing

The operation of the site will be phased, and the sequence of operations has been designed to allow for the progressive rehabilitation of the site as early as possible during the course of the operation.

As extraction occurs, the operational area will be stripped of topsoil and subsoil, and this material will be stored on-site within berms, or used for progressive rehabilitation. The operations plan phasing shows extraction starting in the southern portion of the site and proceeding northerly towards Cedar Creek Road. Extraction would remove approximately 10 metres of material from above the water table.

Aggregate processing activities would be carried out on the existing Dance Pit licence. There are no processing activities proposed for the extension area. In addition, the existing pit entrance would be utilized. There is no dewatering and no washing of aggregate proposed at the expansion site.

Aggregate operations will only occur during weekday daytime hours (7am to 6pm Monday to Friday) with no operations on Saturdays, Sundays or civic holidays. Fencing will be upgraded to meet the requirements of the Aggregate Resources Act along the site boundaries to prevent inadvertent access into the property.

The site plans have incorporated the technical recommendations from all the reports to mitigate any negative impacts on the adjacent land uses from the proposed pit.

2.3 Agricultural Classification

The Soil Capability for Agriculture mapping for the area, indicates that Canada Land Inventory (CLI) for the site is class 2fm. The subclass symbols indicate soil limitations which include low natural fertility, and low moisture-holding capacity. The coarse-grained soils are well drained and during hot and dry conditions, crop yields are impacted by the lack of soil moisture.

Class 1-3 soils are associated with prime agricultural lands. This is consistent with the Regional and Township Official Plan mapping which identifies this site as being within a prime agricultural area. Provincial and local planning policies allow aggregate extraction within prime agricultural areas, as an interim land use.

The rehabilitation plans for the Dance Pit Expansion are designed to ensure that agricultural uses can continue on areas of the property that are not actively being extracted and ensures that the progressive rehabilitation maximizes agricultural rehabilitation. The final rehabilitation of the pit will restore the site to the same agricultural capability that exists pre-extraction.

2.4 *Haul Route*

The access to the site is from the existing Dance Pit entrance onto Cedar Creek Road. Cedar Creek Road is a Regional Road and is currently used as a haul route for the existing aggregate operations in this area. Because the expansion will function as a continuation of the existing pit operation, with no proposed increase in maximum annual shipping volumes, there is no additional truck traffic anticipated. The operations are not expected to have an added impact to traffic flows in the immediate area.



View from entrance on to Cedar Creek Road, facing east.



View from entrance onto Cedar Creek Road, facing west.

2.5 Source Water Protection

The Site is within the Grand River Source Protection Area. The Site falls within the wellhead protection sensitivity area (WPSA) for the Middleton Street Well field. The Dance Pit Expansion is identified as partially within WPSA-5, and partly within WPSA-8. WPSA delineates medium sensitivity areas found outside of the two year, but within the ten year time of travel to a municipal drinking-water supply well and WPSA 8 delineates the area outside of the ten year time of travel to the limit of the total land area contributing water to a municipal drinking-water supply well.

The Site is also mapped in an area of low intrinsic vulnerability, and due to the distance from the municipal wells, chemical, and pathogen threats are not considered significant threats at the Site.

The Golder Maximum Predicted Water Table Report includes an analysis of the potential drinking water threats that may be associated with the proposed pit operation. Golder references the specific policies of the Grand River Source Protection Plan and concludes that there are no significant drinking water threats associated with the proposed uses for the Site.

2.6 Rehabilitation

In accordance with the requirements of the Aggregate Resources Act Provincial Standards, the proposed Dance Pit Expansion will be progressively rehabilitated. The extracted lands will be rehabilitated to an agricultural use, with soil capability post extraction being as good, or better than pre-extraction. Agricultural uses will continue during the operation of the pit in the areas that are not being actively extracted.

All existing topsoil and overburden on site will be stripped and stockpiled separately in berms or stockpiles and replaced as quickly as possible in the progressive rehabilitation process. Berms and stockpiles will be constructed on the perimeter of the site to attenuate noise and provide visual screening. The material (overburden and topsoil) in the berms will be used for progressive and final rehabilitation of the site.

The proposed final rehabilitation is compatible with the surrounding lands and land use.

2.5 Background Reports and Site Plans

The Planning Act and Aggregate Resources Act applications are supported by the technical studies assessing the impact of the proposed operation on neighbouring residents, the natural environment, the agricultural capabilities of the land, impact on roads, and municipal water supply. The following technical reports have been prepared in accordance with the requirements under the Aggregate Resources Act.

The following studies were completed as part of this application:

- Stage 1 and 2 Archaeological Assessment, Golder Associates Ltd.
- Maximum Predicted Water Table Report, Golder Associates Ltd.
- Natural Environment Report, Golder Associates Ltd.
- Noise Impact Assessment, Golder Associates Ltd.

In addition, the following report was prepared as a requirement of the Planning Act application, as outlined in the preconsultation for the project:

- Air Quality Impact Assessment, Golder Associates Ltd.

The Site Plans detail the manner in which pit operations will be carried out as described by the sequence of mining and progressive rehabilitation. The Site Plans form the basis of the pit licence application under the Aggregate Resources Act and also form an integral part of the review process of the applications.

The proposed operation has been carefully designed to reflect the recommendations of the accompanying technical reports. The operational notes on the licence site plans under the ARA, have incorporated conditions to reflect specific recommendations to mitigate any negative environmental effects.

3.0 PLANNING CONSIDERATIONS

The subject lands fall within the Planning jurisdiction of the Township of North Dumfries and the Regional Municipality of Waterloo. This report evaluates the proposed land use within the context of the Official Plan, as well as within the context of Provincial legislation including the Planning Act, the Provincial Policy Statement (2020), and the Growth Plan (2019).

The protection and management of aggregate resources has been deemed to be of provincial significance and is regulated by specific legislation. In addition to the Aggregate Resources Act (ARA), the development of aggregate extraction operations must respect the provisions of the Planning Act and give appropriate consideration to the provincial and local policy framework. The proposed pit will provide additional reserves to extend the life of the Dance Pit and sustain a close to market supply of high-quality sand and gravel. The expansion area is recognized as an important mineral aggregate resource area in the regional and local official plans.

The Provincial Policy Statement (PPS), 2020 establishes a policy-led system of planning. These policies are intended to enable protection and utilization of aggregate resources, while maintaining important agricultural areas; conserving cultural and natural heritage resources; and protecting ground and surface water resources and existing settlement areas.

The following analysis provides an assessment of the Dance Pit Expansion proposal in the context of relevant Provincial and local planning policies. The evaluation is based on the findings of the technical studies forming part of the application submission, an evaluation and an analysis of the surrounding land use, and the environmental impact of the proposal. For ease of reference, this report includes tables which outline a review the proposal against the applicable current planning policies.

3.1 *Planning Act*

When carrying out its responsibilities under the Planning Act, a municipality or any other authority that affects a planning matter must have regard for the provincial interests as identified in Section 2 of the Planning Act. The provincial interests contained in Section 2 of the Planning Act are outlined in the table below. The proposal has been evaluated in the context of these prescribed provincial interests:

Provincial Interests	Dance Pit Expansion Proposal
<p><i>2(a) The protection of ecological systems, including natural areas, features and functions.</i></p>	<p>The Natural Environmental Report screening and technical evaluation prepared by Golder Associates identified the following natural areas and features within the area to be licensed or within 120 metres of the subject property:</p> <ul style="list-style-type: none"> • Provincially Significant wetland • Potential Habitat of Species at Risk (bank swallow, little brown myotis, tri-coloured bat, northern myotis, and Blanding’s turtle) <p>The proposed extraction operations have been assessed for impacts on the natural environment. The Golder report recommends measures to mitigate impacts on the natural environment. These recommendations are detailed in their report and have been incorporated into the Site Plans to protect the identified features and functions on the site and adjacent lands. The Golder report concludes that there will be no negative impacts to the significant natural features and functions on the site or adjacent lands.</p>
<p><i>2(b) The protection of the agricultural resources of the Province</i></p>	<p>The site will be progressively rehabilitated back to an agricultural use. The soil quality on the upland areas will be returned to the same capability as pre-extraction conditions during the rehabilitation activities.</p>
<p><i>2(c) The conservation and management of natural resources and the mineral resource base.</i></p>	<p>Aggregate resources are a provincial interest and should be protected from incompatible land uses and developed responsibly. The proposed pit will provide a high-quality supply of mineral aggregate material to the local and regional markets.</p>

Provincial Interests	Dance Pit Expansion Proposal
<i>2(e) The supply, efficient use and conservation of energy and water</i>	Ground and surface water features have been studied and documented in the report prepared by Golder Associates. Mitigation measures included on the Operations Plan including, groundwater level monitoring, annual water quality monitoring and management of surface activities (e.g., fuel handling) to minimize the potential for groundwater disturbance or contamination in accordance with provincial guidelines.
<i>2(k) The adequate provision of employment opportunities.</i>	The proposed aggregate extension will result in the continued availability of employment opportunities locally. These primary resource jobs present a multiplier effect that can result in the creation of additional supplemental service jobs in the Township.
<i>2(l) The protection of the financial and economic well-being of the Province and its municipalities.</i>	In addition to the employment opportunities created by the proposed operation, the Township will receive financial contributions through property tax assessment and TOARC levies as well as providing a source of aggregate to contribute to competition in the local market.
<i>2(m) The coordination of planning activities of public bodies.</i>	The interests of public bodies and agencies are considered by the circulation requirements of the Planning Act and the ARA and have been incorporated into the Site Plans.
<i>2(n) The resolution of planning conflicts involving public and private interests.</i>	The land use planning process, as well as the ARA licensing process, enables municipalities, agencies and the public to participate in the evaluation of this proposal. The appropriate agencies (i.e., MNRF, MECP, GRCA) will be included in the review of the ARA application.
<i>2(o) The protection of public health and safety.</i>	The operational plan contains mitigation measures that have been developed to minimize the social impact of the proposed pit operation. For example, measures to mitigate impacts from noise, and dust, and visual screening measures have been incorporated into the Site Plans. The requirements of the Operation Plan and site plan notes are legally binding and enforceable through the ARA.

3.2 Provincial Policy Statement (PPS) 2020

The Minister of Municipal Affairs and Housing, under Section 3 of the Planning Act, can issue policy statements that provide direction to other ministries, municipalities and agencies on matters of provincial interest as they relate to land use planning. These policy statements are developed in consultation with other ministries and are updated from time to time. The latest PPS came into effect on May 1, 2020 and any land use decision by any authority that affects a planning matter must be consistent with the PPS. The 2020 Provincial Policy Statement provides a policy-led planning approach that recognizes the complex inter-relationship among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrates and long-term approach to planning and recognizes linkages among policy areas.

The 2020 Provincial Policy Statement provides a policy-led planning approach that recognizes the complex inter-relationship among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrates and long-term approach to planning and recognizes linkages among policy areas. (Part III)

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

The Dance Pit Expansion property contains resources that are considered to be of provincial significance: a high-quality aggregate resource, and agricultural land. The operations and progressive rehabilitation plans have been designed to achieve the balance required to manage these overlapping provincial interests.

The following table provides an evaluation of the proposal in the context of the relevant policies of the PPS. The evaluation is based largely on findings of the technical studies prepared in support of the applications.

PPS (2020) Policies	Dance Pit Expansion Proposal
<p><i>1.1.4. Rural Areas in Municipalities</i></p> <p><i>Healthy, integrated and viable rural areas should be supported by:</i></p> <p><i>f) promoting the diversification of the economic base and employment opportunities through goods and services, including value- added products and the sustainable management or use of resources.</i></p>	<p>The proposed Dance Pit Expansion is located in a rural area. The sustainable management or use of mineral aggregate resources, contributes to the local economic base. The proposed pit provides access to a provincially significant resource and the rehabilitation to agriculture is consistent with provincial policy.</p> <p>The use of existing transportation infrastructure also promotes efficient development.</p>
<p><i>1.1.5 Rural Lands in Municipalities:</i></p> <p><i>permitted uses are:</i></p> <p><i>a) to the management or use of resources.</i></p>	<p>The proposal represents to the use of a provincially significant natural resource (mineral aggregate) and is an appropriate rural land use. The lands are designated Rural/Prime Agricultural and are also identified as the Mineral Resource Area. The Official Plan recognizes sand and gravel extraction as a permitted use in the rural area.</p>
<p><i>1.2.6 Land Use Compatibility</i></p> <p><i>1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.</i></p>	<p>The site plans for the proposed Dance Pit Expansion have been designed to ensure that appropriate mitigation measures are in place to minimize the effects of noise and dust from the operation. The recommendations of the Noise Assessment Report and the Air Quality Assessment Report prepared by Golder Associates have been incorporated into the design of the pit.</p> <p>The Site Plans include recommended buffers and/or setbacks from nearby sensitive lands uses to prevent and mitigate adverse effects from dust and noise on the surrounding land uses.</p>
<p><i>1.6.7.2 Efficient use shall be made of existing and planned infrastructure.</i></p>	<p>Truck traffic from the proposed Dance Pit Expansion will utilize the existing haul route (Cedar Creek Road). This route is currently used by several other gravel pits in the area.</p>

PPS (2020) Policies	Dance Pit Expansion Proposal
<p><i>1.7.1 Long-term economic prosperity should be supported by:</i></p> <p><i>c) optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities;</i></p>	<p>The proposed Dance Pit Expansion provides a close-to-market supply of high-quality aggregate resource. The progressive rehabilitation plan ensures that the subject lands will be returned to a use that is compatible with the surrounding landscape. In addition to employment, the pit will provide a source of revenue from TOARC levies and property taxes over the life of the operation.</p>
<p><i>2.1.1 Natural features and areas shall be protected for the long term.</i></p>	<p>The Natural Heritage Report has evaluated the impacts of the proposal on significant wetlands, woodlands, fish habitat, and habitat of endangered species and threatened species. Based on the field work and site assessment, a provincially significant wetland and potential habitat for Species at Risk were identified on site or on the adjacent lands. The recommended mitigation measures are incorporated to ensure no negative impacts on these natural features or their functions.</p>
<p><i>2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:</i></p> <p><i>b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;</i></p> <p><i>f) implementing necessary restrictions on development and site alteration to:</i></p> <ol style="list-style-type: none"> <i>1. protect all municipal drinking water supplies and designated vulnerable areas; and</i> <i>2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;</i> 	<p>No surface water features, hydrologic features or municipal drinking water sources are located on or within 120 metres of the Dance Pit Expansion property. The proposal will ensure the preservation of existing groundwater quality and quantity by retaining a buffer between the pit floor and the established high-water table.</p> <p>Several operational conditions and best practices have been included on the Operations Plan in order to minimize any potential for surface activities to impact groundwater quality. These include groundwater level monitoring and restriction of surface activities in accordance with provincial guidelines. Further, contingency measures have been implemented on the site plans in order to provide for appropriate corrective actions should groundwater be encountered during extraction.</p>

PPS (2020) Policies	Dance Pit Expansion Proposal
<p><i>2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:</i></p> <p><i>b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;</i></p> <p><i>f) implementing necessary restrictions on development and site alteration to:</i></p> <ol style="list-style-type: none"> <i>1. protect all municipal drinking water supplies and designated vulnerable areas; and</i> <i>2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;</i> 	<p>No surface water features, hydrologic features or municipal drinking water sources are located on or within 120 metres of the Dance Pit Expansion property. The proposal will ensure the preservation of existing groundwater quality and quantity by retaining a buffer between the pit floor and the established high-water table.</p> <p>Several operational conditions and best practices have been included on the Operations Plan in order to minimize any potential for surface activities to impact groundwater quality.</p> <p>These include groundwater level monitoring and restriction of surface activities in accordance with provincial guidelines. Further, contingency measures have been implemented on the site plans in order to provide for appropriate corrective actions should groundwater be encountered during extraction.</p>
<p><i>2.3 Agriculture</i></p> <p><i>2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.</i></p> <p><i>2.3.6 Non-Agricultural Uses in Prime Agricultural Area</i></p> <p><i>2.3.6.1 Planning authorities may only permit non-agricultural uses in prime agricultural areas for:</i></p> <ol style="list-style-type: none"> <i>a) extraction of minerals, petroleum resources and mineral aggregate resources;</i> <i>or</i> <i>b) limited non-residential uses</i> 	<p>The Dance Pit Expansion property is identified in the Canada Land Inventory Agricultural Capabilities Mapping as class 2 agricultural land. Extraction of minerals is a permitted use according to PPS policy 2.3.6.1 (a). The proposal ensures that rehabilitation will be undertaken progressively to generally restore the extracted area to an agricultural after-use. The site will be protected for the cultivation of field crops over the long term.</p> <p>The proposed extraction of sand and gravel, and progressive rehabilitation is in-keeping with the PPS section 2.3.6.</p>

PPS (2020) Policies	Dance Pit Expansion Proposal
<p><i>2.5 Mineral Aggregate</i></p> <p><i>2.5.2.1 As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.</i></p> <p><i>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.</i></p>	<p>The proposed pit will provide a supply of commercially viable aggregate material for the local and regional market. The proposed pit will increase access to close-to-market supply of aggregates in local construction markets.</p> <p>This site is identified in the Regional and Township Official Plan as an important area of Mineral Aggregate Resources.</p>
<p><i>2.5.2.3 Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, where feasible.</i></p>	<p>The proposed pit expansion does not propose recycling of construction materials for re-use as part of the expanded pit operations.</p>
<p><i>2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic, and environmental impacts.</i></p>	<p>The technical studies prepared in support of the proposed pit demonstrate that no natural or cultural heritage features will be impacted by the development. The hydrogeological study has confirmed groundwater elevations and a series of operational practices designed to restrict activities which could present threats to groundwater have been included on the operations plan. Adherence to the applicable provincial standards for noise and dust will minimize any potential social impacts and nuisances. The TOARC contributions will provide a sustained fund to the Township for road maintenance along the proposed haul route and ensure safe vehicular access to and from the site is provided over the long-term with minimal disruption to existing traffic flows.</p>

PPS (2020) Policies	Dance Pit Expansion Proposal
<p><i>2.5.3 Rehabilitation</i></p> <p><i>2.5.3.1 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.</i></p>	<p>As described previously in this report, the site will be progressively rehabilitated to an agricultural use that is compatible with the rural nature of the surrounding area and reflects the requirements of the PPS.</p>
<p><i>2.5.4 Extraction in Prime Agricultural Areas</i></p> <p><i>2.5.4.1 In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition.</i></p>	<p>The area will be returned to an agricultural condition, with a soil capability that is equivalent to the pre-extraction conditions. Through the life of the operation, agricultural uses will continue on the site in areas that are not being extracted.</p>
<p><i>2.6 Cultural Heritage and Archaeology</i></p> <p><i>2.6.2 Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.</i></p>	<p>A Stage I and II Archeological Assessment was completed by Golder Associates. No further work has been recommended and the reports have been submitted to the Ministry of Tourism, Culture and Sport (MTCS) for review and acceptance. The proposal meets the PPS requirements.</p>

3.3 Growth Plan for the Greater Golden Horseshoe (2017, as amended 2019)

This Plan was issued under the authority of section 7 of the Places to Grow Act, 2005. It was approved through an Order in Council under that Act to come into effect on May 16, 2019. The Plan replaces the Growth Plan for the Greater Golden Horseshoe, 2017 that took effect on July 1, 2017. Like other provincial plans, this Plan builds upon the policy foundation provided by the PPS and provides additional and more specific land use planning policies to address issues facing specific geographic areas in Ontario. This Plan is intended to be read in conjunction with the PPS.

The Growth Plan recognizes the management or use of resources as a permitted use in rural areas (Sec 2.2.9.3a). The Plan provides for the identification and protection of a Natural Heritage System (Sec 4.1). The Dance Pit Expansion property is not within the Growth Plan Natural Heritage System.

The Plan also provides for identification and protection of an Agricultural System. The Dance Pit Expansion property is located within the Growth Plan Agricultural System and is identified as prime agricultural area. The Growth Plan requires an Agricultural Impact Assessment (AIA) for a new aggregate operation. There is no policy requirement to complete an AIA for an expansion to an existing pit operation. However, as described in this report, the proposed Dance Pit Expansion has considered the PPS requirements related to extraction and rehabilitation in prime agricultural areas.

The Growth Plan outlines the following policy for aggregate resources:

“Building compact communities and the infrastructure needed to support growth requires significant mineral aggregate resources. The Aggregate Resources Act establishes the overall process for the management of mineral aggregate operations, and this Plan works within this framework to provide guidance on where and how aggregate resource extraction can occur, while balancing other planning priorities. The GGH contains significant deposits of mineral aggregate resources, which require long-term management, including aggregate reuse and recycling. Ensuring mineral aggregate resources are available in proximity to demand can support the timely provision of infrastructure and reduce transportation-related greenhouse gas emissions.”

Section 4.2.8 contains the policies for Mineral Aggregate Resources in the Growth Plan Area.

The policies allow for expansion of an existing mineral aggregate operation in the Natural Heritage System, provided that the proposal is consistent with the PPS and satisfies the rehabilitation requirements in the Growth Plan (Section 4.2.8.2 c).

3.4 *Official Plan Policies: Region of Waterloo*

The Regional Municipality of Waterloo Official Plan (ROP) was approved under Section 17 of the Planning Act and came into force on June 18, 2015. The policies and land use schedules contained in the ROP establish locational and development review requirements for various land uses (residential, commercial, industrial, institutional, parks, etc.), set out how agricultural land and other natural features and cultural heritage resources are to be protected and provide direction on how environmental constraints are to be addressed.

The Dance Pit Expansion property is currently designated as “*Protected Countryside*” and “*Prime Agricultural Area*” in the Regional Official Plan (see **Figure 4**). The property is also identified as a “*Mineral Aggregate Resource Area*” on Map 8 of the County Official Plan. There are no Regional Greenland features identified. A portion of the property is identified as a Source Water Protection Area.

The Regional Plan recognizes the importance of mineral aggregate resources and provides for resource extraction within the Countryside designation. Within the Agricultural Reserve designation, sand and gravel extraction and ancillary uses are permitted without an amendment to the OP, provided that the proposal complies with the policies related to resource extraction (OP Section 9).

The Dance Pit is within an area of agricultural and mineral extractive land uses. There are a number of existing licensed sand and gravel pits in the area. The proposed pit expansion has been designed to minimize the impact to the community located to the east of the site. The phasing of extraction and progressive rehabilitation of the site, together with location of acoustic berms and visual screens around the perimeter of the site, are informed by the technical reports and are designed to minimize impacts of the proposed pit operations.

Chapter 6 of the ROP (Supporting the Countryside) sets out the following:

Overall Goal – Protect the rural character of the countryside while supporting the development of strong and prosperous rural communities.

Section 6.A.7 states “*Mineral aggregate operations may be permitted as an interim use in the Prime Agricultural Area and Rural Area designations in accordance with the policies in Chapter 9.*”

Chapter 9 (Managing Aggregate Resources) sets out the detailed policies and approval requirements for new aggregate operations. The overall goal is to “*Plan for the availability of mineral aggregate resources to support the region’s economic and growth needs, while preventing or minimizing any potential impacts of mineral aggregate operations on surface water and groundwater resources, surrounding communities, cultural heritage resources, environmental features and ecological functions, and agricultural resources and operations*”.

The technical reports required to support an application for a mineral aggregate operation are outlined in Section 9.C and include an impact assessment of the proposal as it relates to the following issues: noise, dust, hydrogeology (ground and surface water), transportation, environmental features and functions, and archaeology. The required technical studies for the expansion of an existing mineral aggregate operation, as outline in Section 9.C.3, have been submitted in support of the applications.

The Region also requires the applicant to provide information on the estimated lifespan of the mineral aggregate operation, and to demonstrate how the final rehabilitation plan is consistent with the policies of the Official Plans (Section 9.C.3. (f)).

An assessment of the cumulative impact that may result from the proposed operation is also to be addressed as part of the required technical review (Section 9.C.3. (g)).

The pit operation and rehabilitation has been designed to ensure a logical sequence of extraction and progressive rehabilitation (Section 9.3). The Site Plan conditions include the recommended technical measures to prevent or minimize potential impacts (Section 9.4). The proposed pit expansion meets the ROP objective to “ensure the availability of mineral aggregate resources occurs as close to markets as possible” (Section 9.5).

An Air Quality Assessment and a Noise Impact Study were completed by Golder Associates. These studies looked at potential impacts of the operation, in accordance with provincial guidelines. The assessment included 20 locations around the property, with the closest sensitive locations located in the residential subdivision located to the east of the site. The Noise report recommends a number of noise control measures designed to ensure compliance with MECP noise guidelines. These include restrictions related to type and location of equipment, and installation of berms around the perimeter of the site. All of the recommendations are reflected on the Site Plans.

A Maximum Predicted Water Table Report was competed to document surface and groundwater characteristics and assess impacts of the proposed pit expansion. The report includes consideration of the Grand River Source Water Protection Plan. There are no permanent surface water features on the site and no water taking is proposed on the expansion lands. The report recommends a private well survey to establish baseline conditions as well as a groundwater monitoring program as an operating condition.

The proposed pit will utilize the entrance within the existing Dance Pit, and no increase in truck traffic is anticipated. No new operational impacts to the transportation network are expected.

There are no core environmental features within the proposed extraction area. There is a provincially significant wetland offsite, within the adjacent land area to the northeast (Gilholm-Salisbury PSW). The wetland is recognized in the local Official Plan as an “Environmental Constraint Area” and a Core Environmental feature. Based on the analysis and conclusions of the Natural Environment Report the proposed pit operation will have no negative impact on significant natural heritage features and functions on the site or on the adjacent land area.

The final rehabilitation of the site will be to agriculture, with the same soil capability as pre-extraction. Extraction and rehabilitation will occur progressively in phases to ensure that as much of the site as possible remains in agricultural production.

The proposed CBM Dance Pit Expansion would permit the development of an expansion to an existing sand and gravel pit operation. An Amendment to the Regional Official Plan is not required.

3.5 Official Plan Policies: Township of North Dumfries

The Township of North Dumfries updated their Official Plan policies in December 2013, through a comprehensive plan amendment (OPA 26). The amendment brought the plan into conformity with the Regional Plan (subject to ongoing appeals and deferrals), and the 2014 PPS. The Township plan closely mirrors the policies in the Regional Official Plan.

The CBM Dance Pit Expansion property is designated as 'Agricultural Area' on the Official Plan's Land Use Map (see **Figure 7**). It is also identified as "Prime Agricultural Area" on OP Map No. 7 (See **Figure 8**) and "Mineral Aggregate Resource Area" on OP Map No. 8 (see **Figure 9**). There are no Environmental Features identified on the subject property according to the Official Plan mapping.

The goals of the plan include the following related to mineral aggregates:

To provide for the management of natural resources within the township in a manner that minimizes undesirable short- and long-term impacts on the natural environment, the quality and quantity of ground and surface water, and the quality of life for existing and future residents. (Section 1.5.5)

Chapter 5 of the OP outlines the Township's policies for Natural Resource Management, including mineral aggregate resources. According to OP Section 5.1.1.1 "The primary activities in this designation will be farming, mineral aggregate extraction, and forestry". The proposed rehabilitation plan is coordinated with the rehabilitation of the adjacent pit licence to the west, operated by CBM.

Section 5.2 of the Official Plan set out the Township's policies for Mineral Aggregate Resource Areas. Mineral Aggregate extraction is a permitted use both within and outside the Mineral Aggregate Resource Area, subject to the policies of the Plan (Sec. 5.2.1.1).

Official Plan Section 5.2.1.3 provides that aggregate extraction will be regulated as follows:

To permit accessory uses associated with aggregate operations and processing activities such as crushing, screening, washing, stockpiling, blending with recycled asphalt or concrete materials, storage, weigh scales, parking and office facilities; and

Provide site specific zoning in the event that ancillary land uses such as asphalt and concrete plants and aggregate transfer stations are proposed.

As part of the coordination of the applications under the Planning Act and the Aggregate Resources Act, the applicant participated in a pre-submission consultation meeting with provincial and municipal staff. A record of Pre-Consultation is found in Attachment 1.

An amendment to the Township Official Plan is not required for the proposed development.

3.6 *Summary of Planning Analysis*

The planning analysis contained in this report demonstrate that the proposal is consistent with the principles, strategic initiatives, objectives and policies of the Regional Official Plan and is consistent with the Provincial Policy Statement (PPS 2014) and the Growth Plan, 2019.

Impacts, and cumulative impacts that have been addressed in the technical reports prepared for this application and recommendations incorporated into the Site plans, and are summarized below:

Natural Heritage Features

The Natural Environment report and the Maximum Predicted Water Table Report prepared by Golder have examined, in detail, the potential for negative effects on natural features and functions within and beyond the Dance Pit Expansion property. These reports have demonstrated that, with the mitigation measures, there will be no negative impacts to the natural heritage features or ecological functions identified both on and off site. These mitigation measures have been incorporated into the Site Plans.

No cumulative negative impacts on the natural environment are anticipated in association with the proposed pit.

Water Resources

The property is located within the Grand River watershed, with a small pond and tributary (Devil's Creek) of the Grand River located approximately 80 metres northeast of the site. There is also a tributary of Cedar Creek located approximately 880 metres west of the site. There are no proposed water diversion or storage areas being proposed, nor any proposed construction of drainage facilities and no dewatering proposed on the site.

As outlined in the Golder report, the MECP water well database identifies 41 well records within 1 kilometre of the site. The majority of these wells are test wells, monitoring wells or observations wells (26) located in surrounding aggregate operations or within the City of Cambridge. The remaining wells include domestic supply wells (9), livestock water supply (2) and abandoned wells (4). The residential areas located to the east, within the City of Cambridge limits, are supplied by municipal water from various production wells.

The Maximum Predicted Water Table Report assessed potential adverse impacts to groundwater and surface water resources in association with the proposed pit extension. The Golder report concluded that, based on the setting and proposed extraction plan, no neighbouring groundwater users will be affected by the extraction of aggregate resources on the subject lands. In addition, there are no adverse effects on surface water resources expected.

Agricultural Impact Assessment

The Soil Capability for Agriculture mapping for the area, indicates that Canada Land Inventory (CLI) for the site is 2fm. The subclass symbol s indicates soil limitations which include low natural fertility, and low moisture-holding capacity. The coarse-grained soils are well drained and during hot and dry conditions, crop yields are impacted by the lack of soil moisture. Class 1-3 soils are suitable for annual cultivation and all or many common field crops can be grown.

The rehabilitation plans are designed to ensure that agricultural uses can continue on areas of the property that are not actively being extracted and ensures that the progressive rehabilitation maximizes agricultural rehabilitation.

The proposed progressive rehabilitation of the excavated area will require the reapplication of the soil profile and the use of a prescribed planting program, plowing and ripping, to ameliorate the soil structure and organic matter content. It is suggested that a sequence of green plow down crops be followed by 3 to 4 years of legume or legume/grass cropping, prior to re-establishing the site to its full agricultural potential.

Noise

Golder reviewed the operational plan and proposed phasing for the proposed Dance Pit Expansion and conducted an analysis of the noise impacts based on a worst-case scenario. The Golder report concluded that the sound emissions from the pit operations on the expansion lands, with the recommended noise controls in place, are expected to meet MECP sounds levels and operate in compliance with provincial limits. The noise mitigation measures include perimeter berms and noise barriers around equipment and are detailed in the Golder Report. These recommendations are reflected on the Site Plans submitted with the application.

Air Quality

As a mandatory condition of ARA Site Plans, and in accordance with MECP guidelines, pit operators are required to manage dust from their operations and implement appropriate dust control measures. Best management practises for dust control in pits commonly include watering interior haul roads and stockpiles, ensuring berms are vegetated, ongoing progressive rehabilitation to minimize disturbed areas, as well as mechanical controls on processing equipment such as spray bars for watering.

The Site Plans for the proposed Dance Pit Expansion have been designed to minimize the open areas which are potential dust sources. In addition, the Operations Plan requires that vegetation be installed on all berms to reduce dust on site. The haul roads within the pit are treated with dust suppressants when required. Only MECP approved dust suppressants are used, the most common of which is water.

The proposed extension will not increase the processing capacity of the existing pit operations, and no new equipment will be added as a result of the pit expansion.

Cultural Heritage Resources

The Archaeology Assessment Report prepared by Golder Associates (September 2017) identified some isolated pre-contact indigenous find spots on the subject lands. The Golder report indicates that the cultural heritage value of the Site is considered to be sufficiently documented and no further archaeological assessment is recommended. The report has been provided to the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for review.

3.7 Township of North Dumfries Zoning By-law

The Township implements its Official Plan policies and regulates land uses through its Zoning By-Law. Zoning By-law 689-83, as Amended, was consolidated in July 2012.

The current zoning of the property is Z1 (Rural) with a special exception (Sec 20.1.76) that allows for rental of campers, tents and camping equipment (see **Figure 10**). The proposed application is to change the zoning, for the proposed pit, to Gravel Pit Zone 14 (Z.14). This latter zone provides for the following permitted uses:

- the making, establishment or operations of a pit or quarry;
- buildings or structures which are incidental to and directly related to the extraction operation and which are shown on the site plan forming part of the license approval; and
- nothing in the foregoing shall be deemed to permit any manufacturing, commercial or processing operation except for the screening, washing, crushing and storage of material mined on the site.

An amendment to the North Dumfries Zoning By-law is required for the proposed pit expansion.

An application for a zoning by-law amendment is being submitted to the Township of North Dumfries Zoning By-law 689-83, to rezone the lands from “Rural” (Z1) to Gravel Pit (Z14) to permit the establishment of a Class A pit license, Category 3, above the water table.

4.0 PLANNING CONCLUSION

The zoning by-law amendment and ARA license applications are supported by the foregoing land use planning analysis, the Summary Statement, the ARA site plans and related requirements, and the associated technical reports referenced in this document.

Based on these submissions it is concluded that:

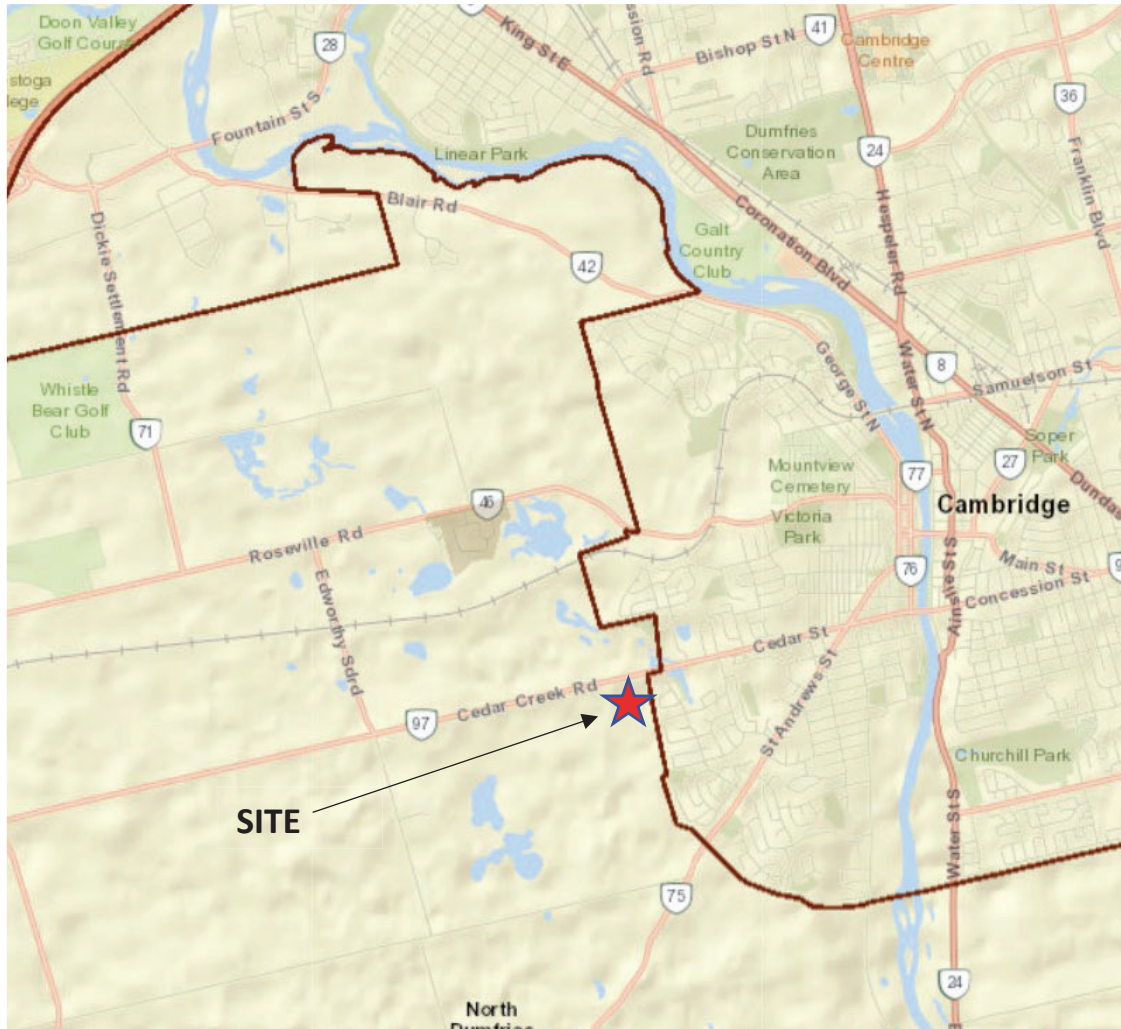
- 1) The proposed pit expansion is located in a provincially, regionally and locally recognized aggregate resource area.
- 2) The deposit can be extracted in such a manner that potential environmental and social impacts are minimized.
- 3) The matters of provincial interest as identified in Section 2 of the Planning Act have been properly assessed and the proposal has appropriate regard to these provincial interests.
- 4) The proposed pit expansion, through its Operations Plan, Rehabilitation Plan and the recommendations of the supporting technical reports, is consistent with provincial policy as set out in the 2020 Provincial Policy Statement.
- 5) The Provincial Policy Statement 2020, contains policy requiring mineral aggregate resources to be protected and that as much of the resource as possible be made available as close to market as is possible. The proposal is consistent with this provincial objective as well as provincial policy related to the protection of natural heritage, water and cultural resources and the protection of public health and safety.
- 6) The proposal conforms with the relevant policies of the Growth Plan for the Greater Golden Horseshoe, 2019
- 7) The proposal is consistent with the relevant policies of the Region of Waterloo Official Plan and the Township of North Dumfries Official Plan.
- 8) The ARA site plans, prepared by taking into consideration the technical studies, surrounding land uses and legislative requirements, will minimize any environmental and social impacts in accordance with the Provincial Standards established under the ARA.

The proposed pit operation has been carefully designed and reflects recommendations of the accompanying technical reports. The operational notes on the licence site plans under the Aggregate Resources Act, have incorporated conditions to reflect specific recommendations and measure to mitigate any negative environmental effects.

The applicant respectfully seeks approval of the Township of North Dumfries zoning by-law amendment to permit the proposed Dance Pit Expansion.

FIGURES

**FIGURE 1
LOCATION**



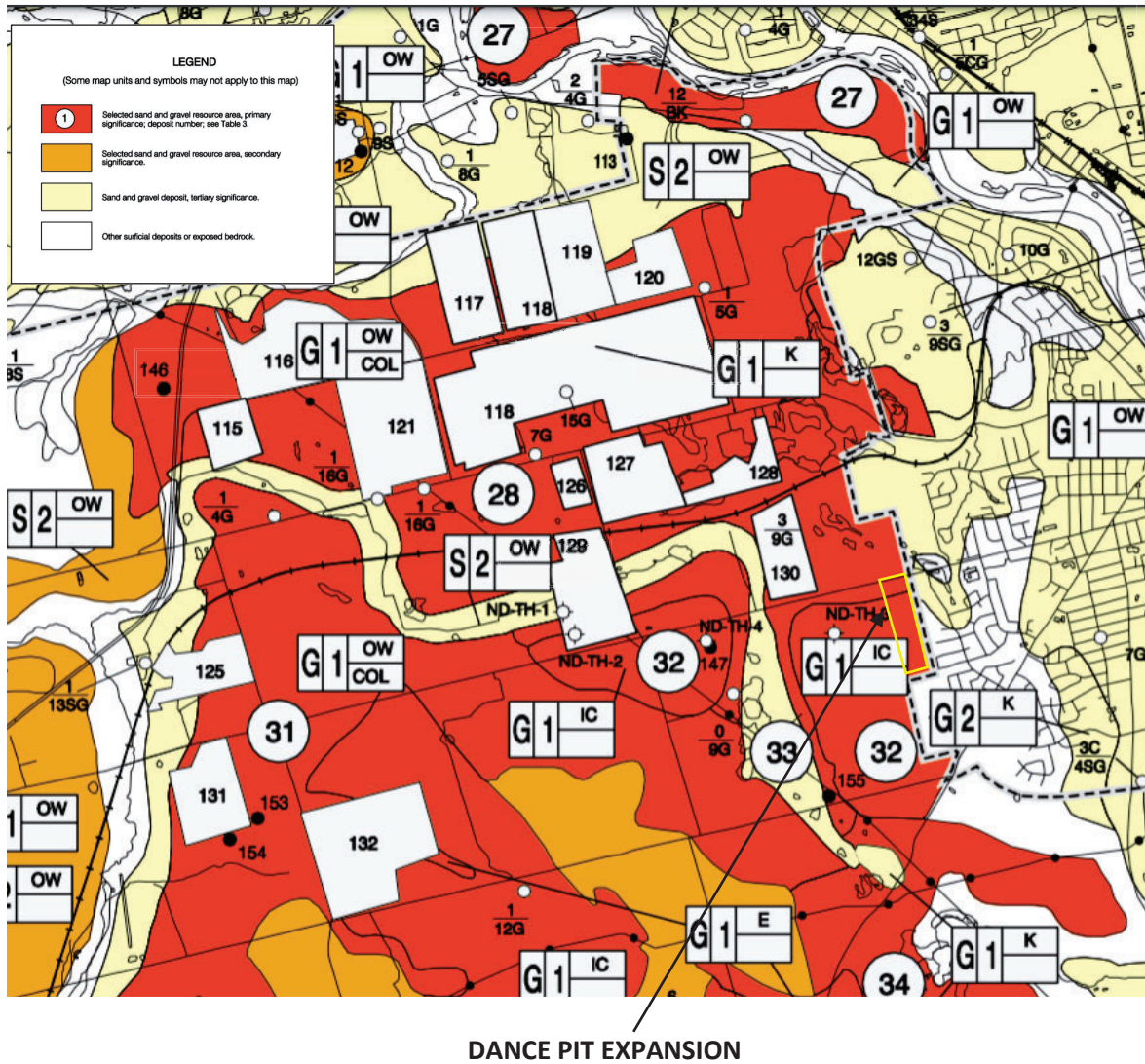
CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

**FIGURE 2
SITE AND SURROUNDING LANDS**



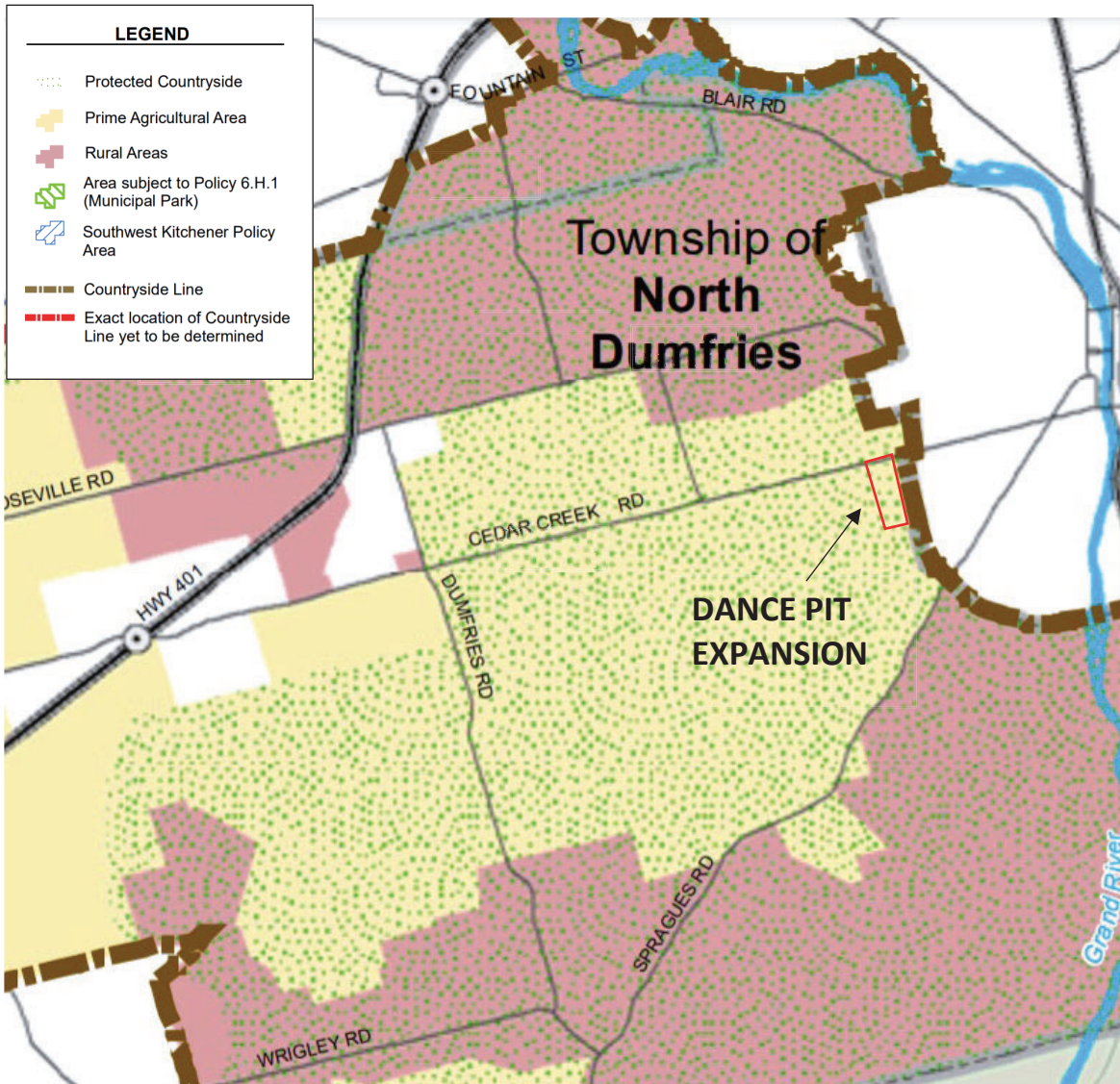
CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

**FIGURE 3
AGGREGATE RESOURCE INVENTORY MAPPING (ARIP 161, 1998)**



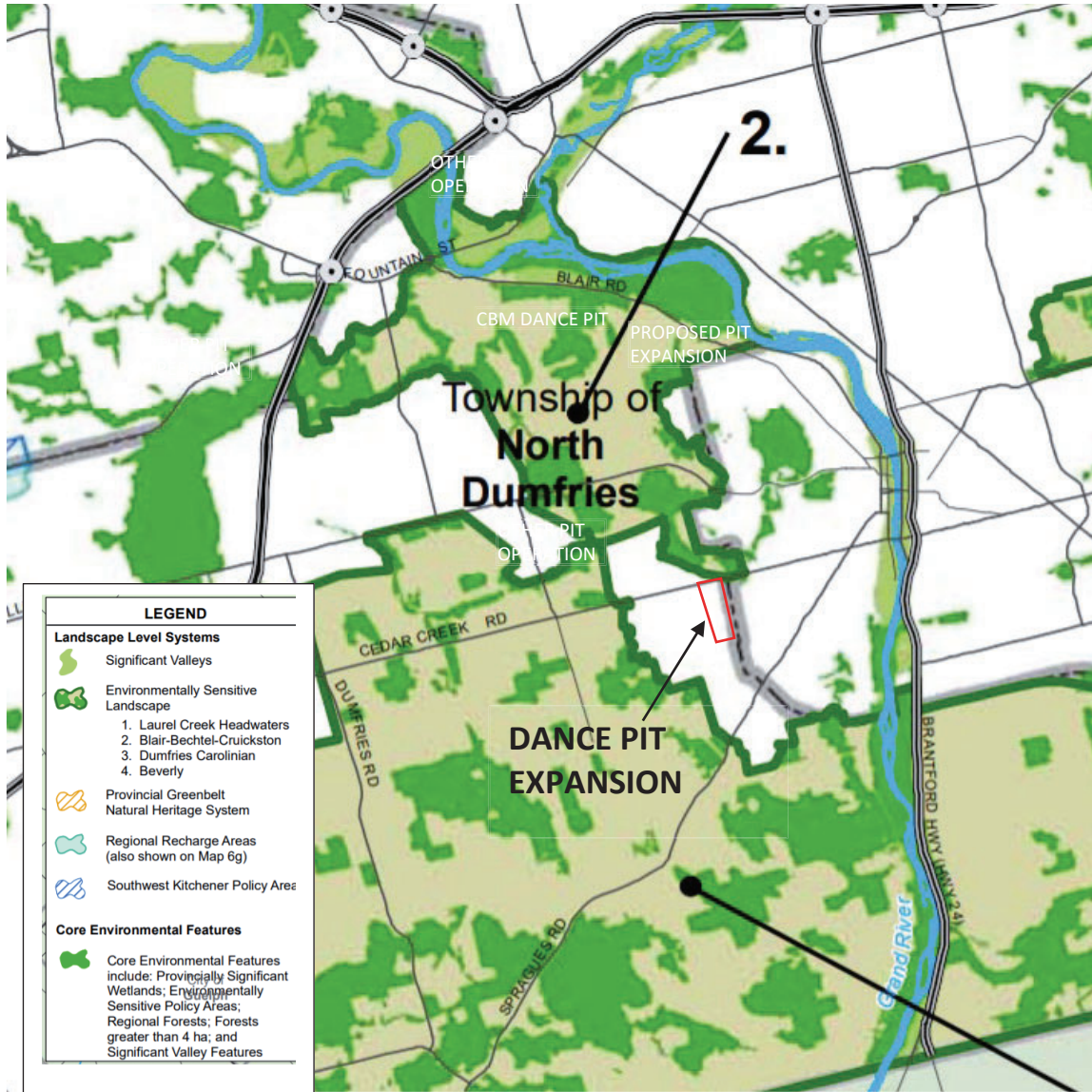
CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

FIGURE 4
REGION OF WATERLOO, REGIONAL OFFICIAL PLAN
MAP 7: THE COUNTRYSIDE



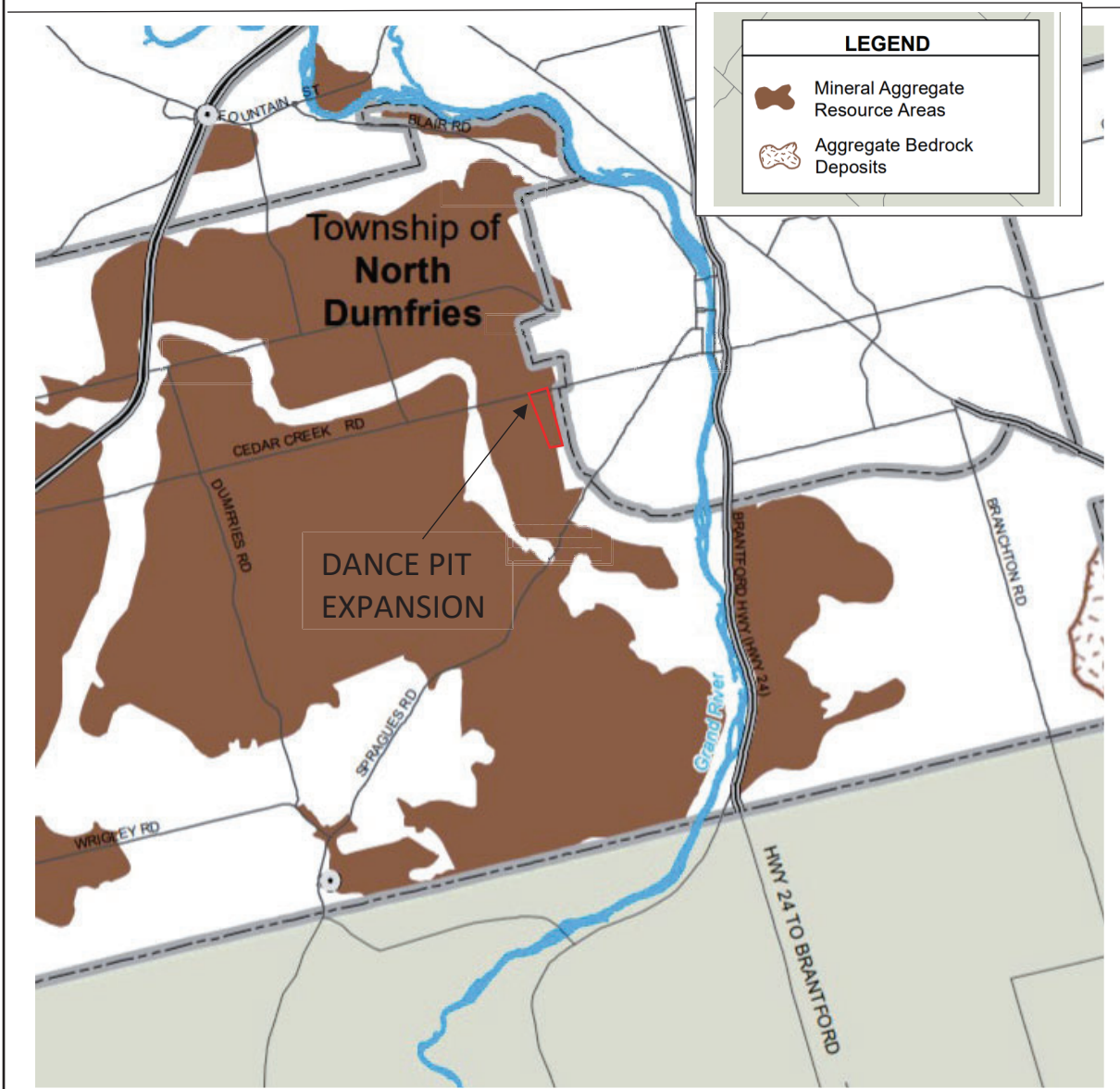
CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

**FIGURE 5
REGION OF WATERLOO, REGIONAL OFFICIAL PLAN
MAP 4: GREENLANDS NETWORK**



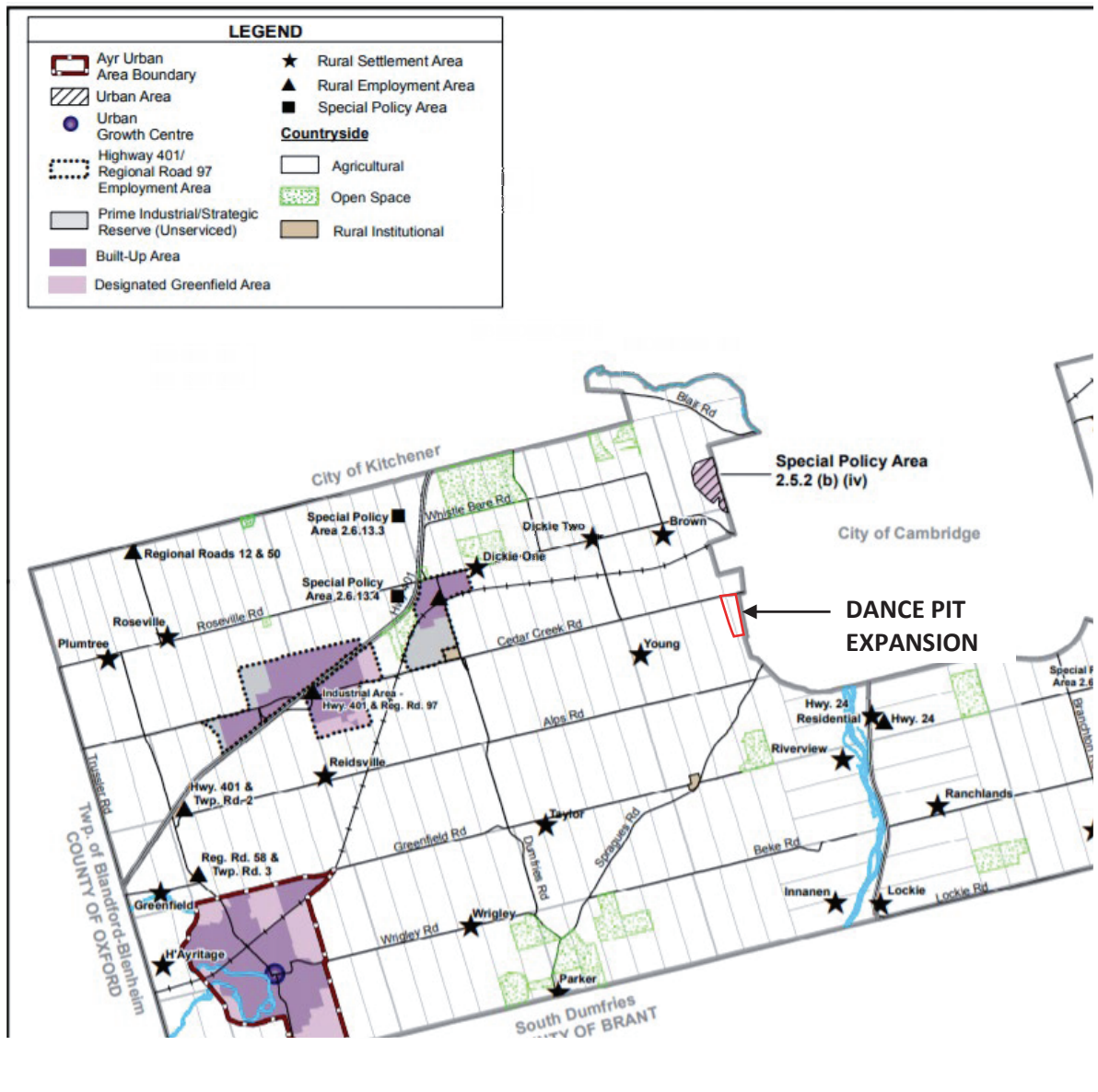
CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

FIGURE 6
REGION OF WATERLOO, REGIONAL OFFICIAL PLAN
MAP 8: MINERAL AGGREGATE RESOURCE AREAS AND AGGREGATE
BEDROCK DEPOSITS







CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

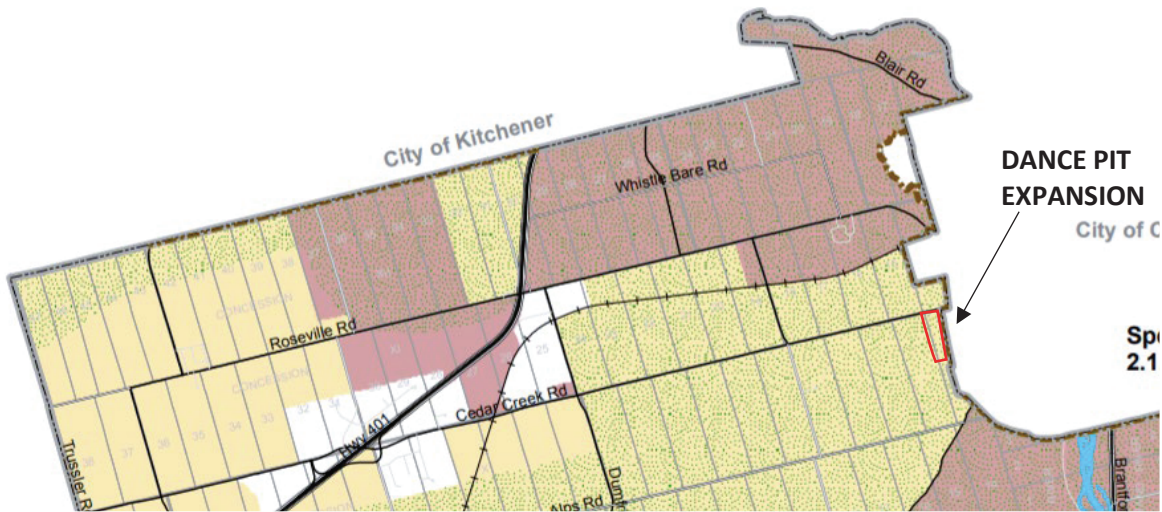
FIGURE 7
TOWNSHIP OF NORTH DUMFRIES
OFFICIAL PLAN MAP 2: PLANNED TOWNSHIP STRUCTURE



CBM DANCE PIT EXPANSION
 PART LOTS 14 & 15, CONCESSION 10
 TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

FIGURE 8
TOWNSHIP OF NORTH DUMFRIES
OFFICIAL PLAN MAP 8: MINERAL AGGREGATE RESOURCE AREAS

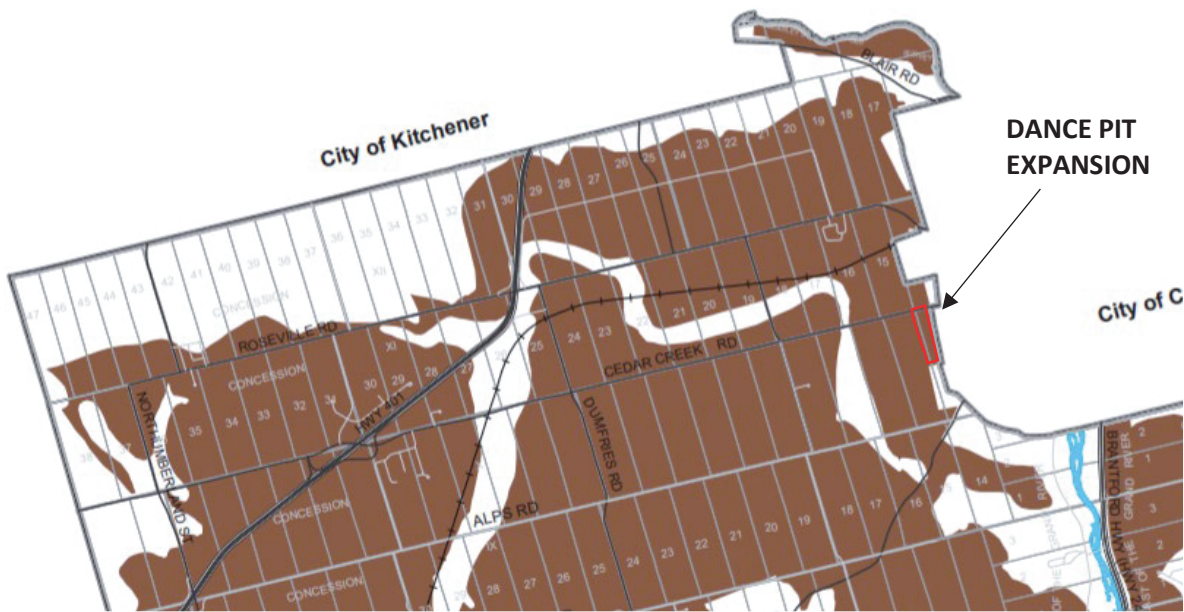
LEGEND	
	Protected Countryside
	Prime Agricultural Area
	Rural Areas
	Countryside Line



CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

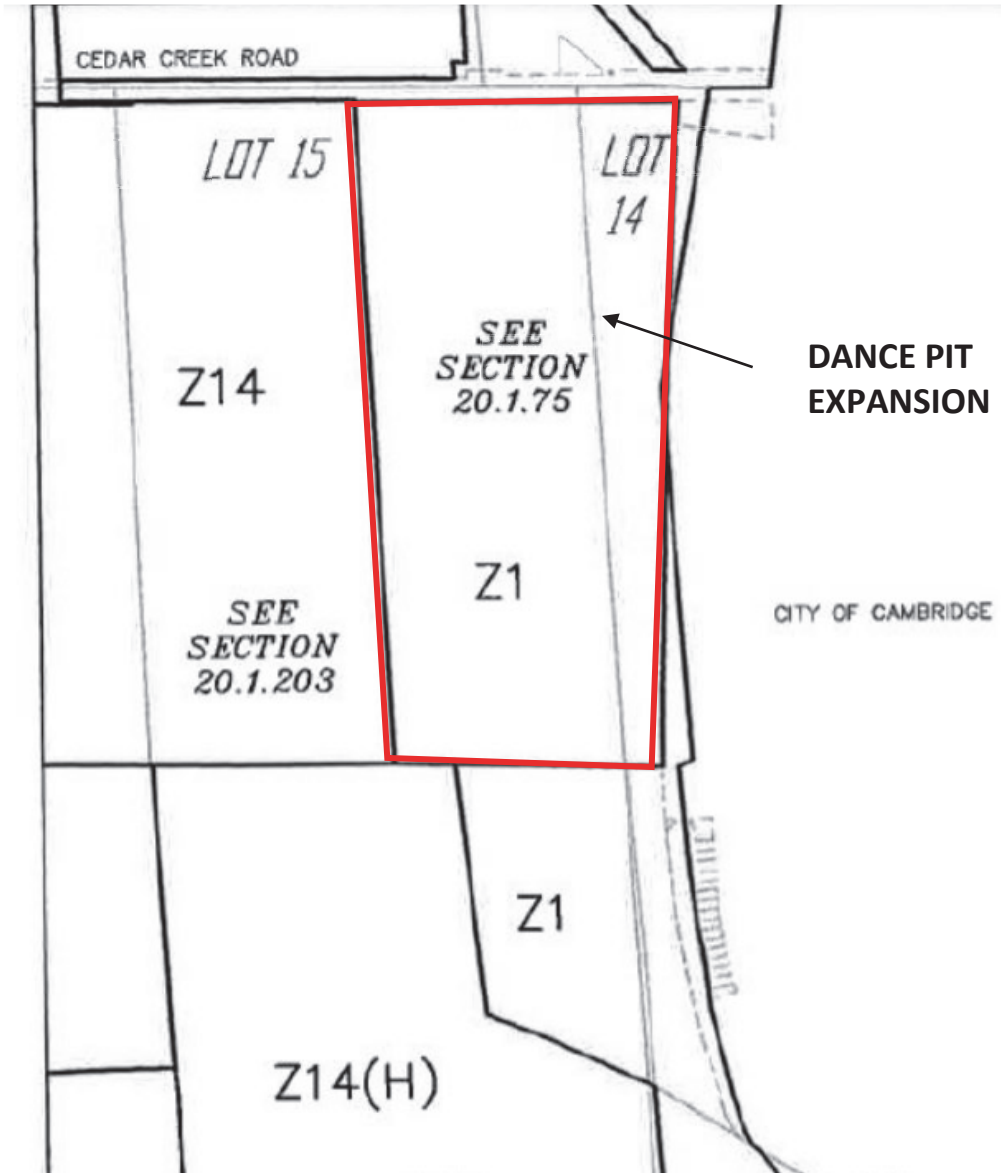
FIGURE 9
TOWNSHIP OF NORTH DUMFRIES
OFFICIAL PLAN MAP 8: MINERAL AGGREGATE RESOURCE AREAS

LEGEND	
	Mineral Aggregate Resource Areas
	Aggregate Bedrock Deposits



CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

FIGURE 10
TOWNSHIP OF NORTH DUMFRIES
ZONING BY-LAW 689-83, PART 63, SCHEDULE 'B'



CBM DANCE PIT EXPANSION
PART LOTS 14 & 15, CONCESSION 10
TOWNSHIP OF NORTH DUMFRIES, REGION OF WATERLOO

ATTACHMENT 1

RECORD OF PRECONSULTATION



January 12, 2017

Andrew McNeely, CAO
The Corporation of the Township of North Dumfries
2958 Greenfield Road
Ayr, Ontario
NOB 1E0

Dear Mr. McNeely

Re: Dance Pit – Pre-Consultation

On August 16th we met at your office for our pre-consultation meeting on CBM's proposed Dance Pit application. At that meeting you indicated that you would be preparing minutes and that you might be providing additional details on what is requested on some items like our communication strategy.

It is my understanding that the technical studies that we are preparing are sufficient for a complete application. These are Noise, Dust, Natural Environment, Hydrogeology, Archaeology, Aboriginal Engagement and a Planning Justification Report. We are not preparing a traffic study as all aggregate will be processed and shipped from the existing Cedar Creek License with no proposed increase in overall tonnage. We will be preparing an application to OMNR for a license under the ARA that will include site plans and a summary report which will also support the zone change application.

We would appreciate your written confirmation that the required pre-consultation meeting was held, that the studies we propose meet your requirements, the names of those attending the meeting and any further details which you suggest. Most of our studies are nearing completion so we request a timely response in case further work is required.

Sincerely,

HARRINGTON MCAVAN LTD.

A handwritten signature in black ink, appearing to read 'Glenn D. Harrington', is written over the printed name and title.

GLENN D. HARRINGTON, OALA, FCSLA
President

GDH/sh

cc. David Hanratty, CBM
Steve May, CBM
Heather Melcher, Golder Associates



Development and Infrastructure

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TTY: (519) 623-6691
www.cambridge.ca
PadgettK@Cambridge.ca

August 17, 2016

Attention: Andrew McNeely
Township of North Dumfries
2958 Greenfield Road
P.O. Box 1060
Ayr, ON N0B 1E0

Dear Mr. McNeely,

Re: St. Mary's Cement Inc., 1107 Cedar Creek Road, Township of North Dumfries

On behalf of the City of Cambridge and in accordance with the letter received from the Township of North Dumfries dated July 25, 2016 pertaining to the pre-submission consultation for a Zoning By-law Amendment by the above-noted applicant, the City of Cambridge has the following comments regarding the proposal by St. Mary's Cement Inc.:

1. An established residential neighbourhood within the City of Cambridge and a City-owned park abut the subject lands. Due to the proximity of the residential neighbourhood and Angewood Park, the City has concerns about potential adverse impacts associated with the operation of a gravel pit. The City requests a noise and vibration study (both from extraction operations and truck traffic), dust control measures and pit rehabilitation plan be submitted as part of a complete application.
2. In addition to the established residential neighbourhood directly east of the subject lands, the City is also concerned about potential adverse impacts related to view and noise to residents of Fraserwood Court directly to the south of the subject lands.
3. If a berm is proposed as a mitigation measure, provide cross-sections of the berm in relation to the adjacent residences and park. Also include the extraction site with the location of associated machinery.

4. A Locally Significant Natural Area (LSNA) (MNR Wooded Area) is located adjacent to the subject lands and is locally known as Angewood Park (between Wedgewood Drive and Angela Crescent). Policy 3.A.4.3 in the Cambridge Official Plan (2012) states, "Development and site alteration will avoid LSNAs where feasible. Development or site alteration proposed within or contiguous to a LSNA will require an Environmental Impact Statement. The determination of boundaries and buffers will be done through this study and it must show to the satisfaction of the City that the ecological function of the LSNA will be maintained, enhanced or where feasible, restored." Input will be required from the City's Senior Planner - Environment for the Terms of Reference for a scoped EIS for this site.
5. Provide trucking route details and hours of operation.
6. The 120 metre landowner notification boundary should be extended to include all residences to the west of Grand Ridge Drive.
7. The City requests the applicant hold a Public Information Centre to provide residents in the adjacent neighbourhood with information on the application and to receive comments.
8. In addition to the requested studies, the City requests to be circulated on all studies prepared as part of the pit application.

Yours truly,



Kathy Padgett
Senior Planner - Environment