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June 2, 2010

K. Smart Associates Limited Job No. 09-579

PR-08/10 PROPOSED CAMBRIDGE AGGREGATES PIT 2: ZC-01/10
REPORT FOR PUBLIC MEETING
THE CORPORATION OF THE
TOWNSHIP OF NORTH DUMFRIES

Meeting Date: June 7, 2010

Complete &
Received Date: January 11, 2010

Property Owner: Tim & Laurie Edworthy and J & D Seeds Inc.

Applicant/Agent: Cambridge Aggregates Inc.

Property Description: Lot 15 and Part Lot 15, Concessions IX and X
Township of North Dumfries
Regional Municipality of Waterloo
Municipal Addresses: 1004 Spragues Road and 1366 Alps Road

Type: Zoning By-law Amendment Application No.: ZC-01/10

Purpose of Application: To change the zoning from Zone 1 – Z.1 (Rural) to Zone 14 – Z.14 (Gravel Pit) to enable gravel pit licensing and development.

Effect of Application: To allow for the licensing of 53.5 hectares (132 acres) under the Aggregate Resources Act and the establishment of an operation for the extraction of aggregate resources on the subject property (total land area of Subject Property is 68.3 hectares/ 168.7 acres).

RECOMMENDATION:

That Council for the Township of North Dumfries (the “Township”) receive the information provided herein and at the public meeting on June 7, 2010 regarding Township Application ZC-01/10 (the “Application”) submitted on behalf of Cambridge Aggregates Inc.; and,

That following the public meeting, the Township prepare comments regarding the proposed Site Plan drawings (under the Aggregate Resources Act) for consideration by the proponent prior to submission to the Ministry of Natural Resources.

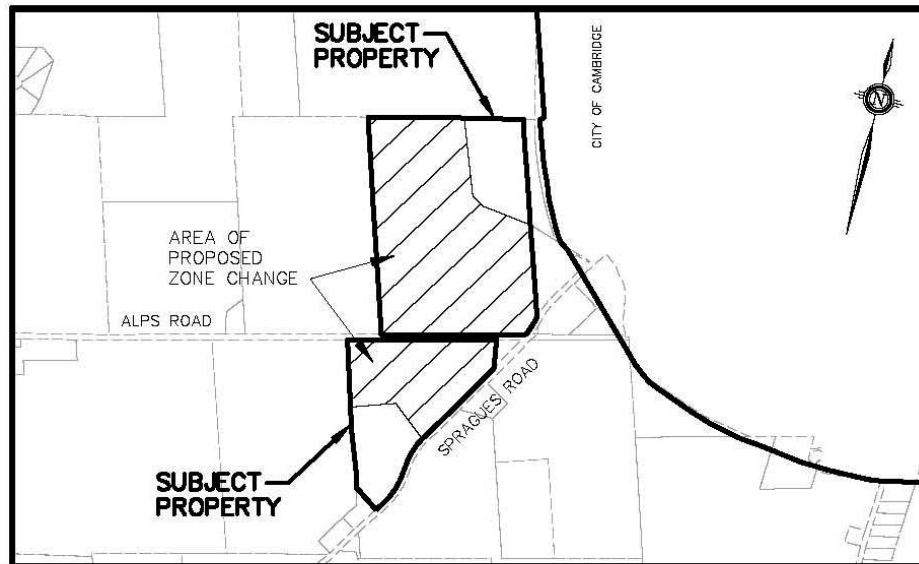
INTRODUCTION:

Township Council is holding the public meeting to hear comments from the public about the Application. The proposal is to rezone a portion of the subject lands from Zone 1 (Rural) to Zone 14 (Gravel Pit) that would allow the establishment of a gravel pit (Category 2 – Class A Pit Above Water). The location of the subject lands are illustrated on the key plan (below).

The report provides Township Council with background information to the Application, summaries of written comments received thus far from commenting agencies and the public, and an overview of issues.

Notice of the public meeting was placed in the May 12, 2010 edition of the Ayr News and the May 13, 2010 edition of the Cambridge Times. The mail notice to area land owners and review agencies was sent from the Township office on May 7, 2010.

KEY PLAN:



Scale: N.T.S.

CURRENT PLANNING STATUS:

Regional Official Policies Plan (Region of Waterloo):

- Prime Agricultural Area (Map 3)
- Wellhead Protection Sensitivity Area 1 to 4 (Map 4)
- Mineral Aggregate Resource Area

Township Official Plan:

- Rural Area / Agricultural (Map 2A)
- Alps Road is designated as Primary Township Road (Map 3)

Prime Agricultural Area (Map 4)
Mineral Aggregate Resource Area (Map 5)

Township Zoning By-law 689-83:

Zone 1 – Z.1 (Rural)

Provincial Policy Statement:

Applicable policies include Policy 1.1.4.1 (a) and (e); Policy 1.7.1. (e); Policy 2.5.1; Policy 2.5.4.1.

Growth Plan For the Greater Golden Horseshoe, 2006 (“Growth Plan”):

The site is located within the Growth Plan, and the application was accepted following June 16, 2006 therefore the Growth Plan policies will apply.

BACKGROUND:

A formal presubmission meeting with Township and agency representatives was held on December 16, 2009. The Application to Amend a Zoning By-law was submitted to the Township on December 31, 2009. The application included a Planning Report (December 2009, Long Environmental Consultants Inc.) which was bound with copies of the related background studies and Draft Site Plan Drawings (under the Aggregate Resources Act).

The Township Consulting Chief Planner reviewed the application package, and a Notice of Complete Application was issued on behalf of the Township on January 11, 2010. Copies of the application package (with background studies and Plans) were made available to the public at the Township office and online in digital form through a municipal website link. Original and complete documents (also available to the public) should be referred to in conjunction with this report.

The intent of the zone change is to establish a new area of gravel extraction and is referenced as the Cambridge Aggregates Pit 2 (Category 2 – Class A Pit Above Water). The subject lands include two properties north and south of Alps Road, just west of Spragues Road. The total land area of the two parcels is 68.3 hectares (168.7 acres). It is proposed that a total of 53.5 hectares (132 acres) be licensed, including 39.7 hectares north of Alps Road and 13.8 hectares south of Alps Road. The property is situated within a major aggregate deposit within a rural area of the Township of North Dumfries.

The proposed area for extraction (Pit 2) is to operate as an extension of the Cambridge Aggregates Pit 1 located to the west. The existing Cambridge Aggregates Pit 1 has been in operation for approximately 2 years. Processing of materials from the subject area is to be conducted within the Cambridge Aggregates Pit 1. The initial pit opening phase will be by rubber tired loader and trucks, if necessary. A conveyor belt system will be installed to transfer mined materials to Pit 1. The proponent has requested that the conveyor system be

extended to the final phase by a conveyor tunnel under Alps Road. A tunnel would eliminate the need for crossings of Alps Road by gravel trucks.

The proposed gravel pit will utilize other existing infrastructure, including a haul route from Pit 1 to the north through the existing CBM pit with access to and from Cedar Creek Road. The applicant advises that there will be an increase in truck volumes as the production is to be licensed for an additional 500,000 tonnes per year a result of this application. AECOM completed a Traffic Impact Study (2009). Upon review of the study, the Region has concluded that the existing eastbound right turn lane and westbound slip-by lane is adequate for increased site traffic (refer to App. G5).

It has been estimated that the potentially available resource on the site is 7 million tonnes of aggregate material. The quality of material on site is considered to be comparable to the sand and stone being extracted on the existing Pit 1.

The proposed Operational Plan is illustrated in Appendix A, and includes the proposed area to be licensed, the proposed limits of extraction, berms, road crossing and the operational plan concept. Appendix A is an excerpt from the Environmental Impact Assessment Report (Goodban Ecological Consulting Inc., Dec. 2009) and is based on Page 2 of 3 – Operational Plan (Long Environmental Consultants Inc.).

Operational Concept details are illustrated in Appendix B (Long Environmental Consultants Inc.).

Extraction is proposed progressively from north to south. No processing will occur on the subject lands, as the existing equipment in Pit 1 will be used for processing. The lands south of Alps Road would be the final phase of extraction. As currently proposed, landscaped berms will be constructed along the eastern and south-eastern limits of the licensed areas. Modifications to the berm design / location have occurred to accommodate the required road widening and daylighting triangle (refer to App. 5G).

A Noise Control Study was completed by Aercoustics Engineering Limited (July 2009) and recommendations include areas where only certain types of loaders are permitted. The restricted areas are shown on Appendix C – Noise Control Recommendations (Aercoustics Engineering Limited, 2009). The Region generally concurs with the conclusions and recommendations, but identified questions with three items including the identification of the Edworthy residence as a sensitive receptor, confirmation of details with respect to residential designated lands on the west side of Fraserwood Court, and confirmation of details with respect to the construction timing of the perimeter berm sections. Prior to final approval, the consultant must submit the required affidavit to the Region. The Noise Control Study is presently being reviewed by the Township Engineering Consultant (MTE Consultants Inc.).

The Preliminary Water Resource Assessment Report (Golder Associates Limited) was submitted by the proponent and reviewed in detail by the Region of Waterloo and GRCA. In response to agency comments, changes will be made and the Final Report will be issued. The changes to be made are listed in a letter from Cambridge Aggregates to the Region of Waterloo, dated May 26, 2010 (refer to App. G5).

Rehabilitation of the extension lands will involve progressive reversion back to agricultural uses plus the planting of a woodland extension and buffer area (oak savannah woodland) along slopes in proximity to existing wooded areas. This will result in an increase of woodland areas by approximately 5.4 hectares (13.3 acres). The details of the rehabilitation plan are shown on Appendix D (Goodban Ecological Consulting Inc., Dec. 2009) and is based on Page 3 of 3 – Progressive and Final Rehabilitation Plan (Long Environmental Consultants Inc.). Revisions to the rehabilitation plan in response to agency comments are detailed in Appendix G5.

A Cultural Heritage Resource Report was completed by Archaeological Services Inc. in support of the zone change application. Stage 1 and 2 work was completed and a report was prepared for the Ministry of Culture. Two locations on the site were identified as potentially representing a significant archaeological resource. These are identified as ovals with cross hatching within Appendix B. The Stage 3 / 4 site investigation has been scheduled for the Spring of 2010 for further investigation and analysis.

Extracts from the Planning Report (Long Environmental Consultants Inc., December 2009) are provided as Appendix E, which include the Executive Summary and overview of the proposed pit and the supporting documents. The additional background studies appended to the Long Planning Report include:

1. DBH Soils: Surficial Soil Study, December 2009
2. Golder Associates: Preliminary Water Resource Assessment, December 2009
3. Goodban Ecological Consulting Inc.: Draft Natural Heritage Report, December 2009
4. Archaeological Services Inc.: Cultural Heritage Study, November 2009
5. Aecom Canada LTD.: Traffic Impact Study, October 2009
6. Aercoustics Engineering Limited: Preliminary Noise Control Study, July 2009

Draft versions of the required Site Plan, Operational Plan and Progressive and Final Rehabilitation Plan have been submitted with the application. The proponent has not made a formal application to the Ministry of Natural Resources under the Aggregate Resources Act at this time, but has indicated that the final plans will be prepared and submitted following the public meeting when resident and agency / municipal comments can be taken into consideration.

An open house for area residents was held on January 7, 2010 at the Grand Valley Golf Course to provide background information and to receive public comments. The open house was organized and run by the proponent. A copy of the Open House invitation is provided as Appendix F. Seventeen people signed the guestbook, and three comment sheets were completed.

GOVERNMENT / AGENCY / PUBLIC CORRESPONDENCE:

Energy +: No objection, the proponent would be responsible for all costs if the electrical services are to be relocated or increased (January 6, 2010 – App. G1).

Waterloo Region District School Board: No concern or objection (January 6, 2010 – App. G2).

Waterloo Catholic District School Board: No concern or objection (January 5, 2010 – App. G3).

Grand River Conservation Authority: The GRCA has no objection to the amendment following review of the application package (January 18, 2010 – App. G4).

Region of Waterloo: The initial letter from the Region was issued on March 18, 2010 (App. G5). Additional correspondence between the proponent and the Region occurred and is included as part of Appendix G5. In summary, the Region had no objection to the proposed zone change subject to a number of details. Prior to rezoning, clearance for the archaeological study must be obtained. A groundwater vulnerability assessment is to be completed (see May 26, 2010 letter from Cambridge Aggregates). Also, amendments to the Noise Control Study are to be completed.

Also, the Region provided comments with respect to the license and site plans to be approved by the Ministry of Natural Resources. The Region requested that four matters be addressed, including:

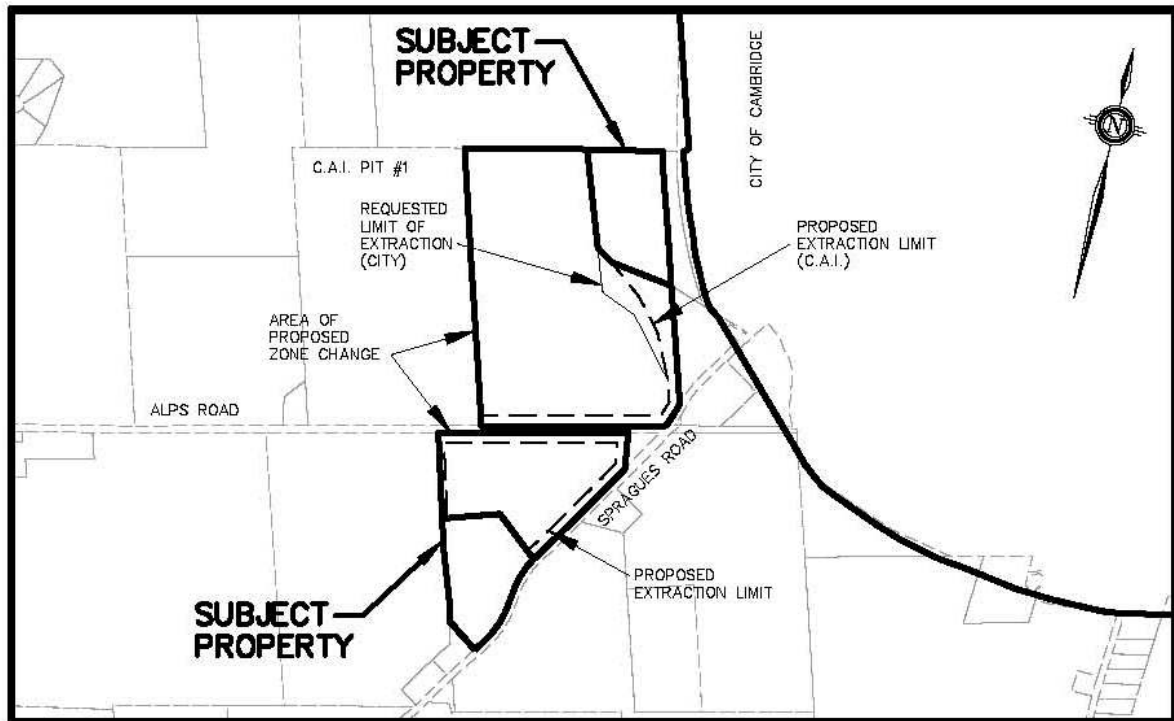
- Dedication of a 17 foot road widening,
- Dedication of a 50 foot daylight triangle,
- Include details for managing soils during stripping and rehabilitation, and
- Listing of appropriate species to be planted in the woodland buffers.

These Regional issues are addressed in the subsequent correspondence between the proponent and the Region (included within Appendix G5).

City of Cambridge: As an adjacent municipality within one kilometre of the subject property, Cambridge staff were invited to the presubmission meeting and public open house, and have remained active through the Planning Act process. A staff report was prepared and considered by City of Cambridge Council on April 19, 2010. A copy of the City resolution and staff report are included as Appendix G6. The resolution stated that the Cambridge Council does not support the request for rezoning, and that the report be forwarded to the Ministry of Natural Resources. The report includes a discussion on land use compatibility, setbacks from the boundary, the proposed limit to the extraction zone, noise and dust impacts, extraction below the water table and rehabilitation.

A figure is included in the City report which illustrates a request to revise the limit of extraction in the north-easterly corner. The purpose would be to act as a buffer between the pit and the existing and proposed residential development within the City. K. Smart staff prepared the following Sketch Plan which shows the proposed limit of extraction as illustrated on the proponent's submission and the revised limit as requested by the City.

SKETCH PLAN:



Scale: N.T.S.

The proponent has received a copy of the City resolution and staff report and is considering the range of comments and the request with respect to the limits of extraction.

PUBLIC COMMENTS:

One phone call has been received from the general public as of the date of this report. The caller had general questions about the number of pits in the Township and whether groundwater issues were a part of the application process.

One written submission from the public has been received by the Township as of the date of this report completion. The letter was sent by Mr. W. Heathe of 245 Johanna Drive, Cambridge and received by the Township on May 31, 2010 (Appendix H). Mr. Heathe is opposed to the request for rezoning, and the reasons include property values, truck / traffic impacts, and impacts from aggregate materials leaking onto area roads.

DRAFT ZONE CHANGE DOCUMENT:

A copy of the Draft amending by-law is included as Appendix I. The text and schedules attached to the by-law are based on the request made in the zone change application. If any changes are made to the Draft by-law, copies will be circulated to interested parties in advance of future staff reports.

Submitted by:

Steven Jefferson, MCIP, RPP
Consulting Township Chief Planner
K. SMART ASSOCIATES LIMITED

Attachments:	Appendix A:	Proposed Operational Plan
	Appendix B:	Operational Concept details
	Appendix C:	Noise Control Recommendations
	Appendix D:	Rehabilitation Plan Details
	Appendix E:	Extracts from the Planning Report (Long, Dec/09)
	Appendix F:	Open House invitation (Jan. 17. 2010)
	Appendix G:	Agency Comments / Correspondence
	Appendix H:	Public Submission (W. Heathe)
	Appendix I:	Draft Zoning By-law Amendment