



CORPORATE SERVICES DEPARTMENT
CLERK'S DIVISION

50 Dickson Street
P.O. Box 669
Cambridge, Ontario
N1R 5W8

Telephone : 519.740.4680, Ext. 4585
Fax Number : 519.740.3011
E-Mail Address: mitchella@cambridge.ca
TTY : 519.623.6691

April 20, 2010
File: A01/FC

Mr. Ken Zimmerman
Cambridge Aggregates Inc.
P.O. Box 1030
Cambridge, Ontario
N1R 5Y2

Dear Mr. Zimmerman:


Re: Cambridge Aggregates, Proposed Gravel Pit, Alps Road Township of North Dumfries

Please be advised that Cambridge City Council at its meeting held on April 19, 2010 approved the following:

THAT Cambridge Council advise the Township of North Dumfries, and Cambridge Aggregates (the applicant) that Cambridge Council does not support the request for the rezoning of the lands from a Rural Zone (Z.1) to a Gravel Pit Zone (Z.14) to permit a Gravel Pit, on a 53.5 hectare (132 ac.) site located on the northwest side of Spragues Road immediately west of the Cambridge/North Dumfries municipal boundary;

AND THAT Planning Report P/10-33 be forwarded to the Ministry of Natural Resources, the Township of North Dumfries and Cambridge Aggregates Inc. as the comments of the City of Cambridge on any future application by Cambridge Aggregates Inc. under the Aggregate Resource Act for a Pit License and the pending application for a Zoning By-law Amendment.

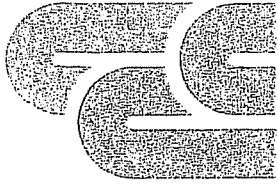
Yours truly



Alex Mitchell
City Clerk

AM:sw

cc: Rodger Mordue, Township of North Dumfries
Ministry of Natural Resources, Guelph District



The Corporation
of the City
of Cambridge

RECEIVED
APR 08 2010

Planning Services Department

50 Dickson Street, P.O. Box 669

Cambridge ON N1R 5W8

Tel: 519-740-4650 ext 4576 Fax: 519-740-9545

TTY: 519-623-6691

www.cambridge.ca

babcockj@cambridge.ca

March 31, 2010

Dear Sir/Madam:

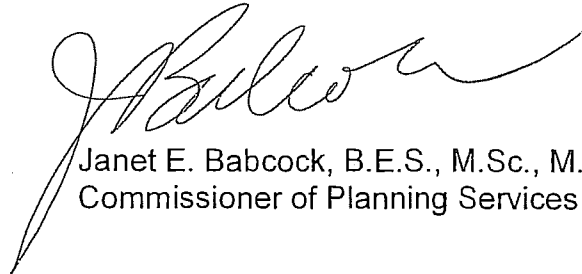
**Re: P/10-33, Cambridge Aggregates Proposed Gravel Pit, Alps Road,
Township of North Dumfries (West of Ward 5)**

The above noted proposal is scheduled before General Committee on **April 12, 2010** in the **Council Chambers, 3rd floor, Historic City Hall, 46 Dickson Street, Cambridge**. The meeting is scheduled to begin at 7:00 p.m.

If you wish to address Council as a delegation on this item, you may call the City Clerk's Office at 519.740.4680, Ext. 4233, on the Friday before or the same day of the meeting to request delegate status.

A copy of the report has been enclosed for your information. If you have any questions in respect of this item, please do not hesitate to contact Trevor McWilliams, Senior Planner, at 519.740.4650, ext. 4213, or e-mail at mcwilliamst@cambridge.ca from 8:30 a.m. to 4:30 p.m., Monday to Friday. Thank you.

Yours truly,



Janet E. Babcock, B.E.S., M.Sc., M.C.I.P.
Commissioner of Planning Services

JEB/jb

Attach.

Note:

Please contact our office at **519.740.4650, Ext. 4648** if you no longer wish to remain on the mailing list for the above noted application(s). We would also appreciate notification of any change of address or incorrect information as it pertains to you (incorrect spelling, duplication, etc.). Thank you.



REPORT

To: **GENERAL COMMITTEE**
Date of Meeting: April 12, 2010
Prepared By: Trevor McWilliams, Senior Planner
Department: Planning Services
Date to Management Committee: March 31, 2010
Report No.: P/10-33
File No.:
Ward No.: West of Ward 5

**CAMBRIDGE
AGGREGATES,
PROPOSED GRAVEL
PIT, ALPS ROAD,
TOWNSHIP OF
NORTH DUMFRIES**

Recommendations:

THAT Cambridge Council advise the Township of North Dumfries, and Cambridge Aggregates (the applicant) that Cambridge Council does not support the request for the rezoning of the lands from a Rural Zone (Z.1) to a Gravel Pit Zone (Z.14) to permit a Gravel Pit, on a 53.5 hectare (132 ac.) site located on the northwest side of Spragues Road immediately west of the Cambridge/North Dumfries municipal boundary;

AND THAT Planning Report P/10-33 be forwarded to the Ministry of Natural Resources, the Township of North Dumfries and Cambridge Aggregates Inc. as the comments of the City of Cambridge on any future application by Cambridge Aggregates Inc. under the Aggregate Resource Act for a Pit License and the pending application for a Zoning By-law Amendment.

LOCATION

The subject site is comprised of two parcels of land, one north of Alps Road (39.7 ha) and one south of Alps Road (13.8 ha) for a total area to be licensed of 53.5 hectares (132 ac.). Both sites are located within the Township of North Dumfries in close proximity to the municipal boundary with the City of Cambridge (Appendix 'A'). Council will note that a municipal boundary adjustment was finalized in 2009 adding a portion of Township lands to the City of Cambridge. The lands which front onto Fraserwood Court are highlighted in yellow and detailed on Appendix 'B'.

PROPOSAL

Cambridge Aggregates Inc. is proposing a future application to the Ministry of Natural Resources under the Aggregate Resource Act for a Category 3, Class A Gravel Pit (Extraction Above Water Table) License (Appendix 'B') and has a pending application to the Township of North Dumfries for a Zoning By-law Amendment under the Planning Act for rezoning of the lands from a Rural Zone (Z.1) to a Gravel Pit zone (Z.14) to permit a Gravel Pit.

For Council's information, the supporting reports identify the total aggregate reserve is approximately 7 million tonnes with an annual extraction rate of 500,000 tonnes per year. Therefore, the approximate life of the proposed pit is 14 years.

BACKGROUND

On December 31, 2009, Cambridge Aggregates Inc. made an application to the Township of North Dumfries for a Zoning By-law Amendment under the Planning Act for rezoning of the lands from a Rural Zone (Z.1) to a Gravel Pit zone (Z.14) to permit a Gravel Pit. Cambridge Planning Staff provided correspondence to the Township to preserve Council's ability to comment on the zoning amendment application (Appendix 'C'). Said application has been deemed complete as of January 11, 2010 by the Township.

To date, the proponent has not made an application for a Pit License to the Ministry of Natural Resources (MNR). Such an application and approval thereof will be required prior to pit operations commencing pursuant to the Aggregate Resources Act.

PUBLIC MEETING

The statutory Public Meeting pursuant to the Planning Act has not yet been scheduled by the Township pending agencies comments. However, an informal public open house was held by the proponent's consultant at Grand Valley Golf Club (in the Township) on January 7, 2010 at which 18 residents from both the Township and the City of Cambridge attended (Appendix 'D'). The public noted opposition and concerns to the proposed gravel pit. These concerns included:

- Noise, both from the haul trucks and from the extraction operation.
- Hours of Operation.
- Dust and Stone residue.
- Impact on property values
- Effect on water table
- Proximity to City of Cambridge residential properties.
- Increase in Traffic.

Planning Staff note that a majority of the residents in attendance resided in Cambridge.

PLANNING ANALYSIS

In Ontario, gravel pits and quarries are regulated by the Ministry of Natural Resources (MNR), under the authority of the Aggregate Resources Act (ARA). MNR issues site specific approvals to operators through licenses. A key part of the process is the site plan which is drafted by the operator of the gravel pit. In approving the site plan, MNR sets out conditions on how operations at the gravel pit site are to be carried out, such as allowable depths, allowable hours of operation, constraints on noise, visual screens, and environmental protection. In addition, the Provincial Policy Statement 2005 (PPS) requires municipalities to provide access to aggregate resources. However, the PPS also notes that "*Extraction shall be undertaken in a manner which minimizes social and environmental impacts.*" While Staff recognize the importance of aggregate resources to the Provincial and local economy, the applicant's extraction proposal represents a major change in land use with the potential to create land use conflicts and environmental impacts. The Regional Municipality of Waterloo is the approval authority for the Environmental Impact Assessment (EIS) that has been submitted by the applicant. Regional comments are attached to this report (Appendix 'E').

Land Use Compatibility

The current zoning of the property is Agricultural under the Township By-law and does not permit an extraction operation. An application has been made to the Township of North Dumfries to change the zoning classification to permit extraction. The zoning amendment is being applied for in advance of the required Pit License from the MNR.

The proposed use of the subject site as a gravel pit conforms to the policies in the Township's Official Plan. The subject site falls within the Aggregate Resource Area in the Township of North Dumfries Official Plan. A large portion of the Township of North Dumfries is designated as Aggregate Resource including many areas that abut the municipal boundary between the City and the Township.

In comparison, the City of Cambridge Official Plan designates the area in closest proximity directly to the east of the site as Urban Residential. Existing residential dwellings on Fraserwood Crescent are located within 200 metres of the proposed Phase 2 extraction area and a proposed plan of subdivision on Fraserwood Crescent will be located within 100 metres of the proposed gravel pit. Planning Staff has concerns regarding the proximity of the Pit to existing and proposed residential properties.

Setback from Municipal Boundary

In 1993, the property known as the Dance property, was the subject of a zoning by-law amendment and aggregate license application to allow a gravel pit. Extensive consultation took place between the applicant and the City of Cambridge as well as Cambridge residents located east of the site.

In order to address the concerns of the residents, the rezoning by-law maintained the agricultural zoning on the easterly 366m (1,200 ft) and only rezoned the westerly 45 ha (111 acre) of the total 74 ha (183 acre) site. In addition, the by-law also required berming and screening. The setback from this property is approximately 290 metres (950 ft). (See Appendix 'A' for various pit locations)

In April 2005, Tullis Estates Limited made an application for a Gravel Pit Licence where a portion abutted the Cambridge municipal boundary. At that time, Cambridge Council requested that similar limitations be placed upon the Tullis Estates Pit as were placed on the existing Dance Pit located directly to the south. Specifically, approval agencies were requested to implement the same setback of the existing Dance Pit to the municipal boundary. In the Tullis application, the abutting neighbour (Freure Homes) purchased a portion of the subject lands to ensure that there was an adequate buffer between the proposed Tullis Pit and the proposed new subdivisions. GSP Group, the planning consultant for Freure Homes, noted the following:

This application is a resolution of the opposition by Grand Ridge Estates Limited with regard to the Butler Gravel Pit expansion whereby an agreement has been reached between Tullis and Grand Ridge Estates to allow the acquisition of the open space lands (Provincially Significant Wetland and Environmentally Sensitive Policy Area associated with Barrie's Lake and Gilholm Marsh) and the Phase One extraction area to be converted to "conservation lands". It is understood that these lands will not become urban and Grand Ridge Estates will not pursue an urban boundary adjustment to pursue subdivision development for residential purposes. Rather, the purpose is to ensure that an adequate buffer is maintained between the gravel pit operations and the future residential subdivision being developed in the City of Cambridge on the Grand Ridge Estates lands.

In both the Dance Pit and the Tullis Pit applications, a minimum setback of approximately 290 metres from the municipal boundary has been maintained. Only a small portion of the Tullis Pit is located closer, as detailed in Appendix 'A'.

Proposed Limit to Extraction Zone

Given the high potential for land use conflicts and ongoing public concern, Planning Staff believe there should be a limit placed on the extraction zone under the zoning by-law amendment being considered by the Township that is similar to the abutting northerly pit. Figure 1 (below) shows the impact of removing a portion of the extraction zone thereby increasing the setback of the pit itself from the municipal boundary, similar to the applications to the north.

Noise and Dust Impacts

The most common generators of noise and dust are the actual gravel extraction and sorting process as well as the haul trucks transporting the gravel. The applicant has noted that noise and dust will be controlled through various methods, including:

- Locating gravel stockpiles on the pit floor.
- Excavations being completed in 1 or 2 lifts.
- Utilizing conveyors and the existing paved entrance/exit onto Cedar Creek Road (Regional Road 97) for haul trucks.
- Processing material on lowest pit floor elevation.
- Planting/Rehabilitation of vegetation.
- Use of a MOE regulated dust suppressant on internal haul roads.
- Berm construction.

The proposed pit is in close proximity to existing built (200 metres approx) and planned (100 metres approx.) residential developments within the City of Cambridge. The area of Fraserwood Court falls within closest proximity to the proposal and a proposed residential plan of subdivision (Appendix 'B') are approximately within 100 metres of the proposal. The actual properties themselves abut at one point. Given this close proximity, noise and dust are a concern to existing residents and for proposed residential developments. The Cambridge properties are located down wind from the proposed pit adding to the impact by noise and dust. This is compounded by other pits in the area (see Appendix 'A') and a pit life of 14 years for the proposed pit.

No Extraction Below Water Table

The new Regional Official Plan (ROP) states that "Waterloo Region is unique in Ontario in that it is the largest urban municipality to rely almost exclusively on groundwater supplies for its drinking water." The subject application is located within Water Resource Protection Areas (WRPA's) 2 and 4, and Wellhead Protection Sensitivity Areas (WPSA's) 5 and 8, according to the Regional Official Plan. Given these designations and the proposed use of a Gravel Pit, Policy 8.A.4 of the Regional Official Plan pertains to this application and states:

8.A.4 Where the policies in this Chapter require one or more studies to be submitted in support of a development application, such studies will be completed in accordance with the Regional Implementation Guideline for Source Water Protection Studies to the satisfaction of the Region. The studies requested will vary based on the location of the development application relative to the sensitivity of the Source Water Protection Area and its proximity to a municipal drinking-water supply well or surface water intake. Studies submitted by the owner/applicant will demonstrate that the proposed use will not negatively impact the quantity and/or quality of drinking-water resources in Source Water Protection Areas for the development application to receive approval.

The applicant has noted that there will be no extraction below the water table.

Pit Rehabilitation

One of the main sources of concern to the public and Planning Staff is the rehabilitation of existing gravel pits once the supply of gravel has been exhausted. There have been concerns raised that gravel pits are not being rehabilitated in a timely fashion and operators are allowed to continue to extract small amounts of material on an annual basis in order to keep the gravel pit license active and postpone rehabilitation.

CONCLUSION

Planning Staff notes that the geologic conditions within Waterloo Region provide a large abundance of high quality aggregate resources in close proximity to a diverse and vibrant economy that generates the demand for aggregate extraction. Staff also recognizes the importance of that resource to the local and Provincial economies and that gravel pits are not an 'end use' of land but temporary in nature.

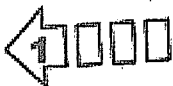
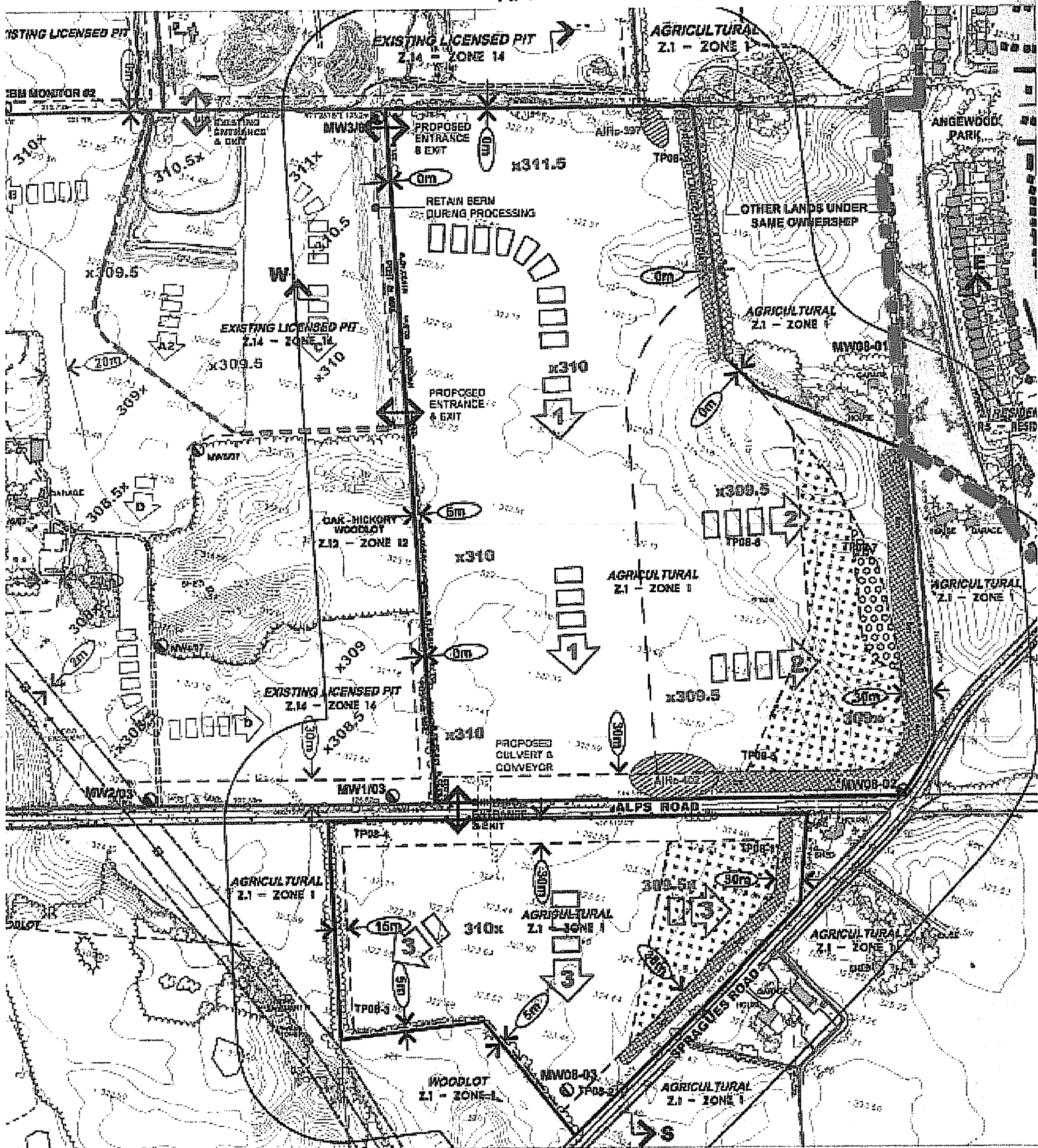
However, based on the very nature of the operation and life expectancy of the aggregate operation, there is an inherent potential for land use conflicts when extraction is proposed in close proximity to existing and planned residential developments. The analysis of the application by Cambridge Aggregates highlights the need to strike a balance between Provincial interest in aggregate and the reasonable protection of existing and future residents from excessive impacts.

Attach.

APPENDIX A



APPENDIX B



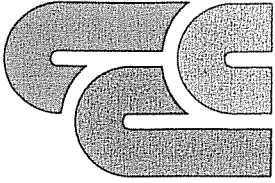
SEQUENCE OF EXCAVATION

x310

MAXIMUM EXCAVATION DEPTH

OPERATIONAL PLAN





The Corporation
of the City
of Cambridge

APPENDIX C

Planning Services Department

50 Dickson Street, P.O. Box 669

Cambridge ON N1R 5W8

Tel: 519-740-4650 ext 4213 Fax: 519-622.6184

TTY: 519-623-6691

www.cambridge.ca

January 8, 2010

Attention: Ms. Joan Nahls
Township of North Dumfries
1171 Greenfield Road, RR#4
Cambridge ON N1R 5S5

Ministry of Natural Resources, Guelph District
1 Stone Road West
Guelph ON N1G 4Y2

Attention: Ken Zimmerman
Cambridge Aggregates Inc.
P.O. Box 1030
Cambridge ON N1R 5Y2

Dear Ms. Nahls,

RE: CAMBRIDGE AGGREGATES, 1182 ALPS 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 December 31, 2009 pertaining to the Zoning Amendment by the above-noted applicant, the City of Cambridge has the following concerns regarding the proposal by Cambridge Aggregates Limited:

- The current zoning does not permit an aggregate operation;
- The City of Cambridge has not received any background information regarding Traffic, Noise, Rehabilitation, Land Use Compatibility, etc.;
- The proposed pit is in close proximity to existing and planned residential developments within the City of Cambridge;
- The City of Cambridge has not received notice of an application from the Ministry of Natural Resources for a Pit License under the Aggregate Resource Act; and
- Noise (both from extraction and traffic), dust impact, height and location of berms, as well as hours of operation, are a concern for this area of residential properties.

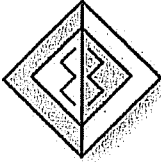
Planning Staff will be reporting to Cambridge Council as soon as possible to formulate the City's official position on this matter. A copy of the report and Council's decision will be forwarded to you as soon as possible.

Respectfully,

Trevor McWilliams
Senior Planner

cc Janet Babcock, Commissioner of Planning Services

APPENDIX D



LONG ENVIRONMENTAL CONSULTANTS INC.
ENVIRONMENTAL ENGINEERS & PLANNERS
43 Forest Park Road, Orangeville, Ontario L9W 1A1
Tel: (519) 941-3540 Fax: (519) 941-8575

December 9, 2009

XPresspost

Mr. Rodger Mordue, CAO
Township of North Dumfries
1171 Greenfield Road R. R. #4
Cambridge, Ontario N1R 5S5

DEC 14 2009

RE: CAMBRIDGE AGGREGATES - NORTH DUMFRIES PIT EXPANSION

Dear Rodger:

As we discussed recently, our Client is preparing an application to amend Zoning By-Law 689-83, to expand the existing pit to the east and south. Prior to filing, however, we plan to hold an open house for the neighbours and agencies.

We have prepared a brief brochure to serve as an invitation to our Client's proposed open house, to be held:

Thursday, January 7th
4:00 to 8:00 PM
Grand Valley Golf Course
1910 Roseville Road

This invitation has been mailed to non-resident landowners in the area and copies are being delivered to neighbours in the Township and the City, generally within about 240 m of the site. Ten copies are enclosed for Township officials. Copies have also been sent to City Planner Jim Kirchin and Councillor Ted Fairless. Ted attended our last open house in April 2006.

Yours very truly,

LONG ENVIRONMENTAL CONSULTANTS INC.

R. J. Long, P. Eng., RPP

RJL.al
encls.

ec: Mr. Ken Zimmerman
cc: Mr. Steve Jefferson
Councillor Ted Fairless
Mr. Jim Kirchin

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