



September 7, 2023

Koren Lam, County Planner
County of Lanark
99 Christie Lake Road
Perth, ON
K7H 3C6

Forbes Simon, Senior Planner
Township of Lanark Highlands
75 George Street
P.O. Box 340
Lanark, ON
K0G 1K0

**RE: Application for Official Plan Amendment and Zoning By-Law Amendment
Part of Lots 22 and 23, Concession 3
Geographic Township of Darling
Township of Lanark Highlands
Applicant: Cooney Construction and Landscape Ltd.**

Cooney Construction and Landscape Ltd. has retained ZanderPlan Inc. to file applications for Amendments to the County of Lanark Sustainable Communities Official Plan (SCOP) and to the Township of Lanark Highlands Official Plan and Zoning By-law, to permit the re-establishment of an Aggregate Pit. Milestone Aggregate Consulting Services Ltd. has been retained to complete the Summary Report for the new Pit and to submit the ARA Application. The subject property is located along Highway 511 falling in Part of Lots 22 and 23, Concession 3 in the former Township of Darling.

The property subject to the Official Plan Amendments encompasses the formerly rehabilitated 'James Pit', where aggregate extraction occurred until the early 1980s. The re-establishment of an aggregate extraction operation on the subject lands is consistent with Provincial Policy as described below. While aggregate material still exists on the subject property, the previous Pit operation fell into disuse and the Aggregate License was released in the early 1990s; subsequently, the lands were placed in the 'Rural' designation in the Township of Lanark Highlands Official Plan which was adopted by the Township in 2003. Lanark County's SCOP, developed in 2012, matches the Rural designation on the subject property.

The proposed amendments to the County of Lanark Official Plan and the Township of Lanark Highlands Official Plan and Zoning By-Law will place a portion of the subject property in the appropriate designations and zoning to support an Aggregate Pit License from the Ministry of Natural Resources and Forestry. The licenced area will be placed in the Licensed Aggregate Extraction Operation (Mineral Aggregate Resource – Licensed Pit) in the Lanark County SCOP. The licenced area will be placed in the Pit designation in the Township’s Official Plan and re-zoned to Mineral Aggregate Resources Pit (MXP) zone. The lands outside the licenced area will remain in their current designations and zoning. Supporting studies have been completed to support the new Pit and an ARA application will be made to establish the new licence.

SUBJECT PROPERTY AND REGIONAL CONTEXT

The subject property comprises approximately 50.6 hectares (125 acres) in Part of Lots 22 & 23, Concession 3, in the Geographic Township of Darling and has approximately 287.7 metres of frontage along County Road 511 (see Figure 1). This road is a major artery and is viable as a transportation route for the vehicles that would enter and exit from the proposed Pit. The property contains a mixture of open fields and wooded lands, with some smaller waterbodies and wetland areas to the south and west. There is currently no built development on the subject property. The proposed licenced area will measure 23.02ha with 227.7 metres of road frontage. The remaining lands will be left with 60 metres frontage and approximately 27.6ha.

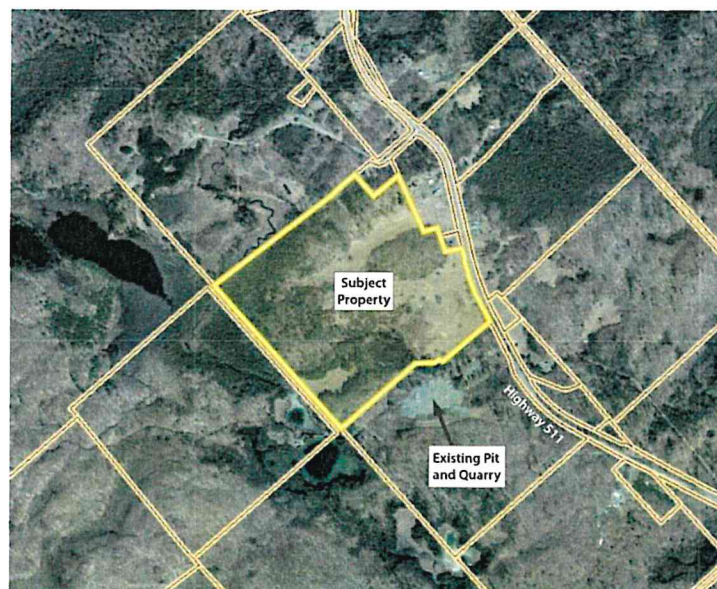


Figure 1 – Aerial Photo of the Subject Property

To the north of the area to be re-zoned and re-designated are two existing residential lots with civic addresses of 9749 and 9779 Highway 511. Additionally, a new lot fronting to Luker Road was recently severed from the property. To the northwest of the subject property is a large residential parcel recently severed into three lots located at the end of Luker Road. These lots will be buffered from the proposed Pit operation by extensive vegetation as well as a large hill, approximately fifteen metres in height. The potential for hydrogeological and other impacts on this existing sensitive land use will be considered as part of the Aggregate Pit License application to MNRF.

Lands to the south of the subject property are designated as Pit and Quarry in the Township of Lanark Highlands Official Plan, and are occupied by an active Pit operated by Cavanagh Construction and locally known as the Highway 511 Pit. The proposed Pit operation on the subject property would be compatible with this land use.

Lands to the east of the subject property are primarily rural in nature with some smaller residential lots fronting to Highway 511 with larger rural parcels behind. There is a dwelling and several outbuildings located at 9754 Highway 511. These residential lots fall closer to the existing Pit and Quarry south of the subject property than the lands to be re-zoned and re-designated. It will be necessary to demonstrate during the preparation of the studies and reports to support a Pit License that there will be no conflicts between these sensitive land uses and a licensed Pit operation and that appropriate separate distances can be achieved.

A portion of the subject property to the west of the area to be re-designated will remain in the current Rural designation extending to the unopened road allowance between Concession 2 and 3. Within the owner's lands and extending farther west across the unopened road allowance, the Township's planning documents identify an Area of Natural and Scientific Interest (ANSI). This natural feature has been indicated on the application sketch. Based on the results of the Environment Impact Assessment, described later in this report, the proposed License area would be 60 metres from the ANSI boundary at its closest point.

Overall, the proposed lands to be re-designated are appropriately located to respect the natural heritage features that are identified on the Township's Planning documents, and the proposed use is compatible with the existing Pit operation located in Lot 22, Concession 3, to the south. The studies and reports that are required under the *Aggregate Resources Act* will have to demonstrate that there will be no negative impacts between the proposed Pit operation and any existing, sensitive land uses, or, alternatively, appropriate setbacks will need to be implemented as part of the License approval.

PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement (PPS, 2020), issued under the authority of Section 3 of the Planning Act, provides policy direction on matters of Provincial interest related to land use planning and development and provides for appropriate development while protecting resources of provincial interest. The Provincial Policy Statement 2020 came into effect May 1, 2020 replacing the Provincial Policy Statement issued April 30, 2014.

Section 1.0 of the PPS speaks to Building Strong Healthy Communities with policies for Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns found under **Section 1.1**. Re-zoning and re-designating the lands to support a new aggregate extraction operation would promote efficient development compatible with the abutting aggregate operation that supports the well-being of the Province and municipalities over time (Sec. 1.1.1[a]) that will help meet the long term needs (Sec. 1.1.1[b]). The extraction area will be separated from the ANSI designation identified in the Township Official Plan with an Environmental Impact Assessment completed to ensure the proposed land use will not impact environmental or public health and safety (Sec. 1.1.1[c]). Development will front to and access Highway 511, an existing infrastructure corridor, optimizing available transit investment while minimizing land consumption and servicing (Sec. 1.1.1[e]). Allowing the re-designation and re-zoning will ensure sufficient land is made available for aggregate extraction to meet projected needs (Sec. 1.1.2). The re-zoning and re-designation will help sustain healthy, liveable and safe communities.

Section 1.1.4 of the PPS speaks to Rural Areas in Municipalities. Re-establishment of a Pit on the property to extract the remaining aggregate materials would leverage available rural resource assets (Sec. 1.1.4.1[a]) using available rural infrastructure in Highway 511 for access and transport of extracted materials (Sec. 1.1.4.1[e]). A new Pit operation will promote diversification of the economic base creating new employment opportunities relating to management of resources (Sec. 1.1.4.1[f]). Location of the proposed use is not suitable for Settlement Areas and will be directed to rural lands in accordance with the policies of Section 1.1.5 of the PPS.

Section 1.1.5 of the PPS speaks to Rural Lands in Municipalities permitting the management or use of resources (Sec. 1.1.5.2[a]). A new Pit on the subject property will show compatibility with the rural landscape and surrounding uses through the completion of several studies to support the ARA application (Sec. 1.1.5.4). The new use is appropriate for the current rural infrastructure without the need for unjustified or uneconomical expansions (Sec. 1.1.5.5) and

will support a diversified rural economy (Sec. 1.1.5.7). Re-zoning and re-designating the lands to support a new aggregate extraction operation would be a suitable use for the lands.

Section 1.2.6 of the PPS speaks to Land Use Compatibility between sensitive uses and major facilities. These policies pertain more to industrial type land uses. Aggregate policies are addressed later in the PPS.

Section 1.3 of the PPS speaks to Employment. The proposed use of a Pit on the property will result in the creation of new jobs relating to extraction of aggregate materials, transport, and overall operation of the Pit. Permitting the new Pit through re-zoning and re-designating the lands will add to the mix and range of employment opportunities (Sec. 1.3.1[a]) while diversifying the economic base to support a wider range of economic activities (Sec. 1.3.1[b]). Due to the recorded presence of aggregate materials which were not fully extracted under the previous licence the site represents a strategic site for investment (Sec. 1.3.1[c]). Permitting the re-zoning and re-designation of the property will help to promote economic development and competitiveness pursuant to Section 1.3 of the PPS.

Section 2 of the PPS speaks to the Wise Use and Management of Resources relating to natural heritage, water, agricultural, mineral, mineral aggregates, and cultural heritage & archaeological resources. Natural Heritage policies are located in **Section 2.1**. The site has an identified ANSI designation on the west side of the property. Natural features and areas shall be protected for the long term (Sec. 2.1.1). There will be no development or site alteration occurring within the ANSI designation (Sec. 2.1.5[e]). Adjacent lands are all of the lands within 120 metres of the ANSI. The licenced area is proposed as close as 60 metres to the ANSI boundary. As part of the re-zoning and re-designation the ecological function of the adjacent lands have been evaluated and an EIS report provided indicating no negative impacts on the natural features or on their ecological functions are anticipated from establishing the licenced boundary 60 metres from the ANSI at its closest point.

Section 2.2 of the PPS speaks to Water with the goal to protect, improve and restore water quality and quantity. While there are no significant water features identified within the lands to be re-zoned and re-designated the proposed use of a Pit can have impacts on groundwater sources. In support of the proposed amendments a Hydrogeological Report has been completed for the Pit by McIntosh Perry Consulting Engineers Ltd. The report concludes it is highly improbable there will be impacts on groundwater supplies in the area for the following reasons:

- There are only 5 wells (existing or proposed within 500 metres of the proposed extraction area
- All wells are completed in bedrock
- The pit will extract only unconsolidated material (overburden)
- The pit will not extract aggregate from below the water table.

A full summary of the Hydrogeological report will be provided later in this planning justification and a copy will be provided with the applications for Zoning and Official Plan Amendments.

Section 2.3 of the PPS speaks to Agriculture. There are no agricultural uses or areas identified on or abutting the subject property. Review of the Soil Capability for Agriculture shows there are no prime agricultural soils (Classes 1 – 3) on or abutting the property (See Figure 2). Soils in the area are a mix of Class 4 and Class 7 soils with some organic soils identified further north and west of the proposed licenced area.

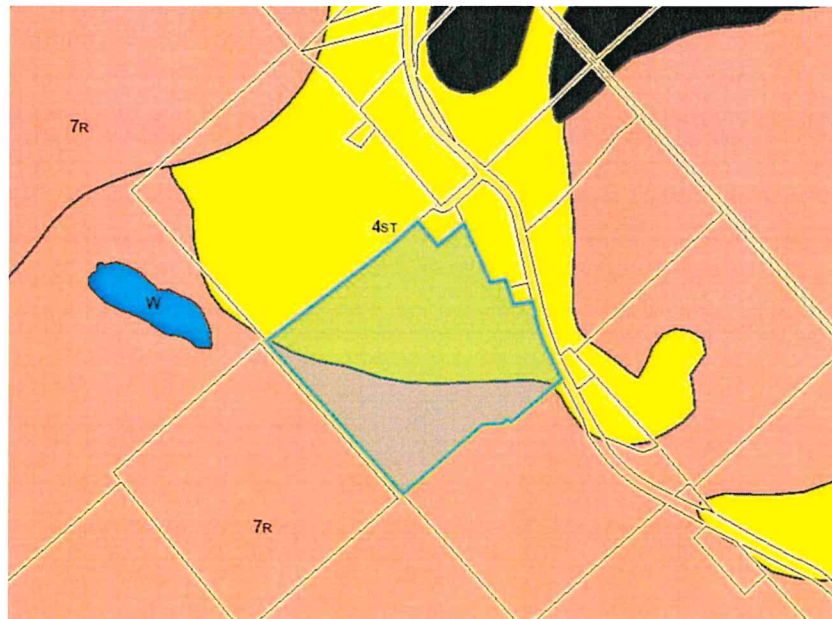


Figure 2 – CLI Soils Mapping Showing Class 4 and 7 Soils

Section 2.4 of the PPS speaks to Minerals and Petroleum, neither of which has been identified on the property.

Section 2.5 of the PPS speaks to Mineral Aggregate Resources stating they shall be protected for long-term use (Sec. 2.5.1). Existing vegetation and buffering along property lines will remain

to ensure extraction is undertaken in a manner which minimizes social impacts on surrounding properties (Sec. 2.5.2.2). The proposed re-zoning and re-designation of the land is meant to support a new extraction operation pursuant to Section 2.5.2.5. Progressive and final rehabilitation plans will be submitted with the ARA application to ensure future land uses can be accommodated once the aggregate resources are extracted (Sec. 2.5.3.1). Extraction would not occur un Prime Agricultural Areas pursuant to Section 2.5.4.

Section 3.0 of the PPS speaks to Protecting Public Health and Safety with policies for Natural Hazards found in Section 3.1 and Human-made Hazards in Section 3.2. There have been no Natural Hazards such as flooded lands, erosion hazards, or dynamic beach hazards identified on or abutting the property. Mineral aggregate operations present a ‘human-made’ hazard, and the appropriate design of these operations is very closely guided and regulated in the *Aggregate Resources Act* (ARA) so as to mitigate risk, and to ensure that responsible monitoring takes place through the operation of the License. As a result, this proposal will have to demonstrate during the Licensing process that there will be minimal environmental and social impacts, and extensive design considerations will have to be made to ensure compatibility with surrounding land uses.

Overall, the proposal to re-designate and re-zone a portion of the subject property to permit a Licensed Pit operation is consistent with the policies in the 2020 Provincial Policy Statement.

LANARK COUNTY SUSTAINABLE COMMUNITIES OFFICIAL PLAN (2012)

The County of Lanark released its Sustainable Community Official Plan (SCOP) in 2012, which combined an Official Plan with an Integrated Community Sustainable Plan to provide for the implementation of land use policies within the County. The subject property is currently designated Rural Area in the Lanark County Sustainable Communities Official Plan Schedule A – Land Use Designations and as seen on the County’s Online Community Map (See Figure 3). Schedule A does identify the ANSI designation at the southwest end of the lot and identifies the Licenced Aggregate Extraction Operation abutting to the southeast. There are no Source Water Protection Areas identified on Official Plan Schedule B – Source Water Protection.

The proposed Amendment to the County Official Plan will seek to re-designate a portion of the subject property from Rural Area to Licenced Aggregate Extraction Operation to support the re-establishment of a Pit. The lands to be re-designated are shown in Figure 3.

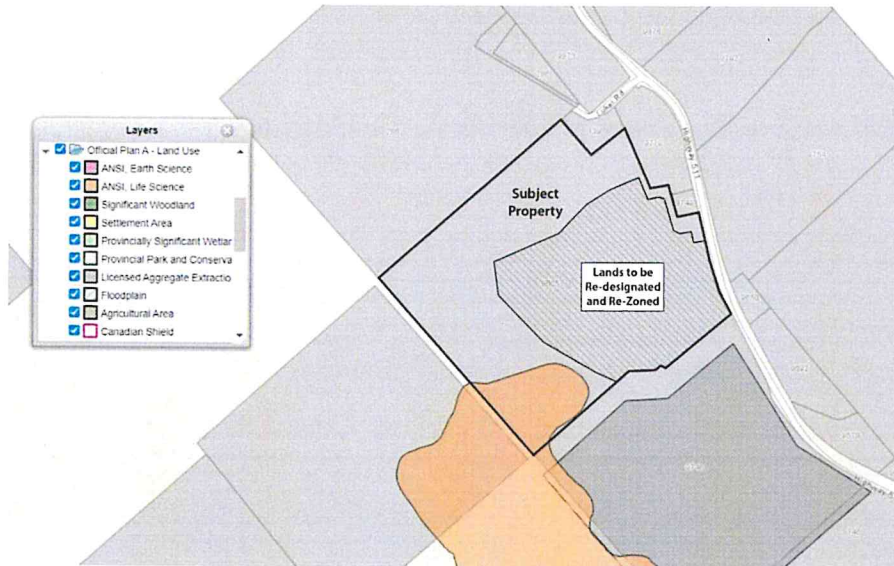


Figure 3 – County of Lanark Official Plan Schedule A – Land Use

Section 3.0 of the County of Lanark SCOP speaks to Rural Area Policies. While a re-designation of the lands is proposed as seen in Figure 3 some of the property will remain in the Rural Area designation. Maintaining part of the site in the Rural Area, including the portion of the lot with the ANSI, will ensure future extraction is compatible with natural heritage features and natural resource uses (Sec. 3.3.1.3) and will maintain a buffer between abutting rural properties and the proposed extraction area (Sec. 3.3.2.3). No new lot creation of the Rural Area designated lands is proposed (Sec. 3.3.3). By maintaining a buffer between extraction and surrounding uses incompatibility between land uses will be minimized and environmental impacts mitigated (Sec. 3.3.4.1). No development is proposed within the Rural Area designation on the property. Lot frontage, depth and area of the lands remaining Rural Area will comply with local the Township’s Zoning By-Law (Sec. 3.3.4.6). Maintaining a portion of the property in the Rural Area designation would be appropriate and consistent with the policies of the SCOP.

Section 5.0 of the Lanark County SCOP speaks to Natural Heritage which include ANSI designations similar to that found on part of the property. This is a mapped ANSI meaning its significance has already been determined (Sec. 5.2). Extraction is proposed on adjacent lands (within 120m) of the ANSI. A reduced setback of 60 metres at its closest point has been proposed and supported by an EIS to ensure the natural heritage features are protected from negative impacts of extraction (Sec. 5.3.1). Pursuant to Section 5.5.3.2 “Development may be permitted in significant areas of natural and scientific interest (ANSIs), or on adjacent lands within 120 metres, only if it has been demonstrated through an Environmental Impact Statement (EIS) that there will be no negative impacts on the natural features or on the

ecological functions for which the area is identified.” Re-designating some of the adjacent lands to the ANSI for mineral extraction would be supported by the Plan given an EIS has been completed for the development.

Section 6.0 of the Lanark County SCOP speaks to Resources with policies for Mineral Resources found under **Section 6.2**. Section 6.2.2 states:

“Mineral and aggregate resources are important to all facets of development in the County as these materials are used in the construction of roads, water and sewer infrastructures, homes, schools and commercial buildings and landscaping projects. As such the identification and long term protection of aggregate resources is important to the County’s well-being.”

The proposed Official Plan Amendment will seek to place part of the property in the Licenced Aggregate Extraction Operation designation encompassing the previous Pit area where known sources of aggregate material exist (Sec. 6.2.2.1). Licenced Pits and Quarries are permitted uses in areas of mineral aggregate resources (Sec. 6.2.2.1). No prohibited uses are proposed within the lands to be re-designated (Sec. 6.2.2.3) and no prohibitive uses are proposed on the adjacent lands remaining in the Rural Area designation (Sec. 6.2.2.4).

Section 6.2.2.5 addresses Zoning and Development Control of Mineral Aggregates. All new or expanding extraction operations require an Amendment to the County Official Plan and to the local Official Plan of the Township and zoned for extraction. Concurrent Township Official Plan and Zoning Amendments will be submitted to ensure the licenced area is recognized in local planning documents. All studies and reports required in accordance with the Aggregate Resources Act will be provided to the Ministry for review in support of the re-designation to Licenced Aggregate Extraction Operation.

Overall, only a portion of the property will undergo a re-designation under the County and Township Official Plans and re-zoning under the Township Zoning By-law. The proposed extraction operation is consistent with the policies and objectives as found in the County of Lanark Sustainable Communities Official Plan (2012).

LANARK HIGHLANDS OFFICIAL PLAN

The Lanark Highlands Official Plan, as approved by the Ministry of Municipal Affairs and Housing in 2012 and the Ontario Municipal Board in 2016, provides policy direction for the

various land use designations identified within the Plan. The subject property is designated Rural Communities on the Township's Official Plan Schedule A – Land Use and Transportation (See Figure 4). Official Plan Schedule B – Development Constraints identifies the ANSI on the southwest portion of the property and is within 1000 metres of an Abandoned Mine Hazard Site falling on the Cavanagh Pit property directly south of the subject lands (See Figure 5).



Figure 4: Lanark Highlands Official Plan Schedule A – Land Use & Transportation

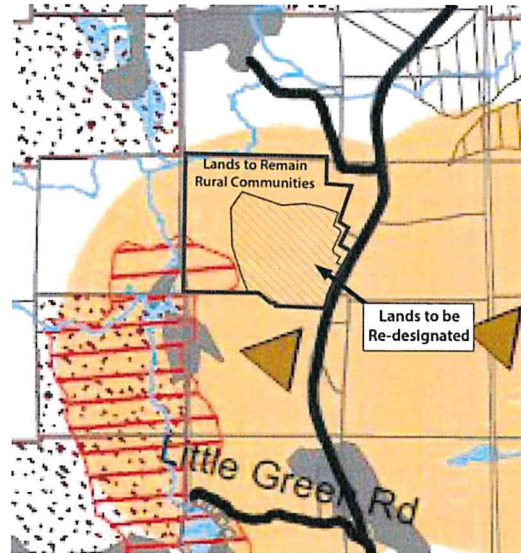


Figure 5: Lanark Highlands Official Plan Schedule B – Development Constraints

The subject property originally housed the James Pit where extraction occurred up to the early 1980's. Upon the release of the Aggregate License in the early 1990s the lands were re-designated to Rural in the previous Official Plan (2003) and are now designated Rural Communities in the Official Plan (2010) Schedule A – Land Use & Transportation. The Official Plan Amendment would re-designate a portion of the subject property, including the previous James Pit extraction area, from Rural Communities to Mineral Aggregate Resource Policy Area (Pit) to permit an extraction operation. The lands to be re-designated will measure 23.02ha with 227.7 metres of frontage on Highway 511.

Section 3.0 of the Official Plan speaks to Planning Sustainable Communities with Rural Communities policies located in **Section 3.3**. Part of the lands will remain in the Rural Communities designation as part of the Official Plan Amendment. Maintaining part of the property in the Rural Communities designation will help minimize impacts on abutting uses and mitigate impacts on natural heritage features by keeping them out of the licenced area to be re-designated (Sec. 3.3.1.3). More than 0.8ha of land will remain in the Rural Communities

designation to ensure it complies with minimum lot size (Sec. 3.3.6.1) and a minimum of 60 metres of frontage will remain with the portion designated Rural Communities to meet the minimum frontage required (Sec. 3.3.6.2). Leaving greater than 0.8ha of land and 60 metres frontage will ensure once the licenced area is re-zoned under a concurrent Zoning By-Law Amendment the portion remaining in the Rural zone will meet minimum zone standards.

Section 4.0 of the Official Plan speaks to Our Resource Lands stating *“resource lands make up a significant component of land uses in Lanark Highlands. Mineral Resources and forestry are important to the overall economic base of the Township. Aggregate resources such as sand, gravel and limestone have been evaluated and appropriate land use policies have been developed to ensure the wise use and conservation of these resources for future generations.”*

Section 4.1 provides Mineral Aggregates policies pertaining to the lands proposed for re-designation to support a new Pit. Both Pits and Quarries are permitted uses within the Mineral Aggregate Resource Policy Area (Sec. 4.1.1). The re-designation will ensure the new Pit is established within the proper designation (Sec. 4.1.3.1). The proponent of the Pit has completed several supporting studies including a Hydrogeology Report to ensure the new Pit area is compatible with surrounding development (Sec. 4.1.3.2). A application under the Aggregate Resources Act will be submitted.

Section 4.1.7 of the Official Plan speaks to Abandoned Mine Hazard Sites. Two such sites are located within one kilometre of subject property. The Ministry of Northern Development and Mines was consulted in February 2013 to provide an opinion on the two abandoned mines for the two previous severance applications from the property. It was determined that the abandoned mines were far enough from the severances and considered of no concern. Given an existing extraction operation is located in the abutting property to the south, in the same location as one of the abandoned mines, it could be concluded that the abandoned mine would not affect the proposed extraction operation to any measurable degree.

Section 5.0 of the Official Plan speaks to Our Environment – Planning for Ecosystem Balance providing policies for Areas of Natural and Scientific Interest (ANSIs) in Section 5.3.3. ANSIs are defined as *“areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.”* An ANSI is identified on Schedule B to the Official Plan but will fall on the lands remaining in the Rural Communities designation. Pursuant to Section 5.3.3.1 *“development may be permitted in accordance with the underlying land use designation in significant areas of natural and scientific interest (ANSIs), or on adjacent lands within 120 metres (396 feet), only if*

it has been demonstrated through an Environmental Impact Statement, in accordance with Section 8.4.5 that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified." An Environmental Impact Statement has been prepared in support of the Official Plan Amendment supporting the re-establishment of a Pit on the property within 120 metres of the ANSI boundary. At its closest point the ANSI falls 60 metres from the lands to be re-designated. This reduced setback is supported by the EIS.

The proposed Official Plan Amendment to re-designate a portion of the subject property, including the previous James Pit extraction area, from Rural Communities to Mineral Aggregate Resource Policy Area (Pit) to permit an extraction operation would be consistent with the policies of the Township of Lanark Highlands Official Plan.

LANARK HIGHLANDS ZONING BY-LAW (2003-451)

The subject property is currently zoned Rural on the Township's Zoning By-law Schedule A3 Darling (See Figure 6). The property was placed into the Rural Zone upon the former James Pit having its Aggregate License released in 2000. The proposed Zoning By-law Amendment would seek to re-zone a portion of the property from Rural (RU) to Mineral Aggregate Resources Pit-Exception (MXP-X) to permit an extraction operation. The lands to be re-zoned will measure 23.02ha with 227.7m of frontage on Highway 511.

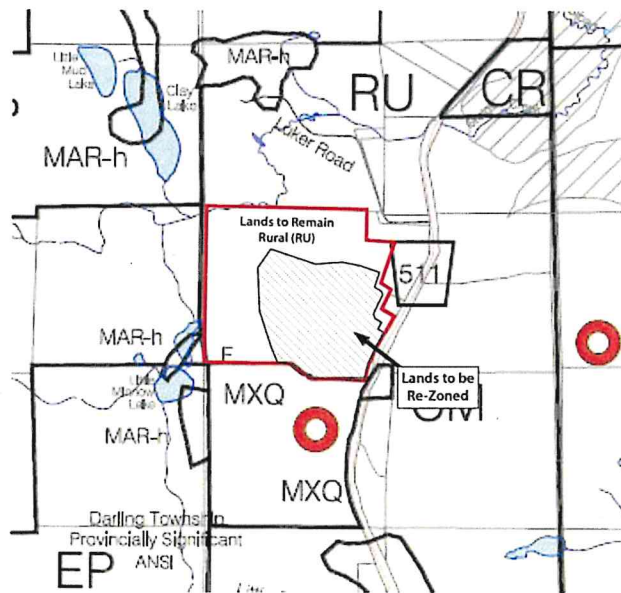


Figure 6 – Lanark Highlands Zoning By-Law Schedule A3 Darling

The abutting property to the south is zoned Mineral Aggregate Resources Quarry (MXQ), and therefore the proposed use would be fully compatible with the abutting extraction operation. The zoning Schedules also show a high concentration of Mineral Aggregate Reserve (MAR) zones in the surrounding area.

Section 4 of the Townships Zoning By-law outlines the general provisions for development. Specifically, **Section 4.32.3** deals with the Influence Areas surrounding Pits and Quarries stating:

- a) *The minimum setback distances for pits and quarries from property lines shall be as set out in the Aggregate Resources Act.*
- b) *Within an influence area of 150 m (492.1 ft.) of a pit excavated above the water table or aggregate reserve, or 300 m (984 ft.) of a pit excavated below the water table, measured from the zone boundary of a Mineral Aggregate (MXP or MAR) Zone, or 500 m (1,640 ft.) from the zone boundary for a quarry (MXQ Zone), or 750 m (2,460 ft.) from the zone boundary of the Tatlock Quarry respectively, the proponent of any sensitive land use shall be required to demonstrate that there will be no adverse or potential impacts (i.e. visual impacts, noise, dust, traffic or ground water quality or quantity) created on the sensitive land use, or impacts that cannot otherwise be appropriately mitigated by the proponent from an existing or proposed aggregate operation. Adverse impacts may be addressed by means of a phasing plan, rehabilitation plan, landscaping berming, specified truck routes or other measures acceptable to Council.*
- c) *A pit or quarry or wayside pit or wayside quarry shall be set back a minimum of 30 m (98.4 ft.) from the high water mark of a water body or a distance prescribed or required by regulation or condition(s) of the license under the Aggregate Resources Act.*

Two dwellings, located at #9749 and #9754 would fall within 150m of the proposed Pit operation. Several supporting studies including an EIS, preliminary Hydrogeology Report and a Noise Letter have been prepared and will be detailed later in this report.

Section 6.0 of the Zoning By-Law speaks to the Rural (RU) zone which will be left on a portion of the property. No development or site alteration is proposed within the rurally zoned lands. Complying lot area and frontage will be provided pursuant to Section 6.2.1.

Section 18.0 of the Zoning By-Law speaks to Mineral Aggregate Resource Zones. Permitted uses pursuant to Section 18.1 include extractive operations including pits where licensed under the Aggregate Resources Act. Zone requirements pursuant to Section 18.2 are minimal but include a 15 metre setback for all yards from the property line. The site plan for the proposed Pit shows

the Licenced boundary at a zero metre setback from the front and south side lot lines. The proposed extraction area is setback from the front more than 15 metres but is shown at zero metres from the south side lot line as well. A reduction of the buffer distance will be requested through the ARA application. The Zoning By-Law Amendment will need to include an exception to Section 18.2 to reduce the minimum yard requirements on the south side from 15 metres to zero (0) metres. This exception is appropriate as the abutting use to the south is an extraction operation which could continue to operate if the exception is granted.

Given these factors, re-zoning a portion of the property from Rural (RU) to Mineral Aggregate Resources Pit (MXP) would be consistent with the policies of the Township's Zoning By-law concerning Mineral Aggregate Resources but would require an exception to Section 18.2 to reduce the required yard on the south side from 15 metres to zero metres.

SUPPORTING STUDIES: MINERAL AGGREGATE TESTING

Cooney Construction contacted Houle Chevrier Engineering to undertake some testing of the aggregate materials on the subject property, which is described in the attached Technical Memorandum (2013). Using six samples provided by the property owner, Houle Chevrier staff undertook grain size distribution testing. Three of the six samples taken at the site met the OPSS Granular B Type 1 grain size distribution requirements as well as the OPSS Select Subgrade Material grain size distribution requirements. The other three samples taken from the site did not meet these standards outright; however, Houle Chevrier notes that "screening and washing could be considered for these samples to meet the requirements of OPSS Granular B Type 1, Winter Sand, Mortar Sand and OBC Filter Media." Overall, the owner is satisfied that there is sufficient aggregate on the site to warrant the license application for an aggregate pit.

SUPPORTING STUDIES: NATURAL ENVIRONMENT IMPACT ASSESSMENT

A Level 1 Natural Environment Impact Assessment was completed for the property by Pinegrove Biotechnical in February, 2013 to assess potential impacts on natural heritage from the proposed extraction operation. The ANSI designation to the southwest of the proposed extraction area, which is a cold-water recharge source for the fish habitat, houses a sensitive Brook Trout stream. Further analysis of the site was conducted in 2020, and the author noted that there is an existing farm road running parallel to the ANSI and watercourse on the subject to property; this farm road is located approximately 50 - 70 metres from the ANSI boundary in

various locations. The author concluded that “extension of the westerly boundary [of the license area] to include the old farm road is not expected to harmfully impact Natural Heritage functions, and is therefore recommended.” The proposed area to be re-designated and re-zoned has therefore been located at a distance ranging between 50 – 70 metres from the ANSI designation.

SUPPORTING STUDIES: HYDROGEOLOGY STUDY

A Hydrogeological Study was undertaken by McIntosh Perry Consulting Engineers (February 2014). The hydrogeological testing indicates the property would be suitable for a licensed Pit operation with respect to ground and surface water impacts. The overburden on the site consists of sand and gravel and some cobbles, material suited to construction and concrete production.

The testing involved subsurface testing including excavation of test pits. Water features, groundwater conditions, and well records for surrounding properties were examined. It was concluded the site would be suitable for a Category 3, Class A pit. Rehabilitation of the property should include grading and revegetation. The report concludes it is highly improbable there will be impacts on groundwater supplies in the area for the following reasons:

- There are only 5 wells (existing or proposed within 500 metres of the proposed extraction area
- All wells are completed in bedrock
- The pit will extract only unconsolidated material (overburden)
- The pit will not extract aggregate from below the water table.

SUPPORTING STUDIES: NOISE IMPACT OPINION

Hugh Williamson Associates Inc. was retained to provide a noise impact opinion (June 2015). Operations for the proposed pit would include extraction, screening, crushing and shipping of the aggregate material, but would not encompass any blasting of material as seen with Quarry operations. Equipment would include loaders, a screening plant, a crushing plant and shipping trucks. The consultant is of the opinion if a detailed noise assessment is conducted, a noise mitigation plan could be devised which meets the requirements set out in the current MOECC Noise Guideline NPC-300.



Your rural land planning experts

SUPPORTING STUDIES: STAGE 1 & 2 ARCHAEOLOGICAL ASSESSMENTS

A Stage 1 & 2 Archaeological Assessment was completed in December of 2021 by Past Recovery Archaeological Services Inc. to support the re-zoning and re-designation for the new quarry. The Stage 1 investigation evaluated the archaeological potential of the study area including searches for any significant known or potential archaeological resources. The assessment resulted in the identification of areas of archaeological potential. The Stage 2 assessment was to determine whether or not the property contained archaeological resources requiring further assessment. The Stage 2 property survey was completed October 28th, 2021, by means of a shovel test pit survey conducted at five metre intervals wherever possible. No archaeological resources were discovered.

The report concluded as the Stage 2 property survey did not result in the identification of any archaeological resources requiring further assessment or mitigation of impacts, no further archaeological assessment is required. If any additional areas are to be impacted beyond the study limits further archaeological assessment may be required. The Algonquins of Ontario requested an additional recommendation. Since the potential exists to miss important information in archaeological surveys, if any artifacts of Indigenous interest or human remains are encountered during the development of the subject property the Algonquins of Ontario should be consulted.

SUPPORTING STUDIES: TRAFFIC LETTER

A Traffic Letter was prepared by McIntosh Perry in July of 2023 to assess for any traffic related impacts for the new extraction operation. The proposed Quarry is anticipated to generate 12 total trips during the peak hour. The report states *"due to the low volume of vehicles on Highway 511 and the low generated site traffic it can be assessed that the proposed quarry will have little to no traffic impacts on the existing road network."* The report also assessed the need for a left turn lane for trucks turning into the operation. Based on anticipated traffic volumes it is not recommended that left turn or right turn lanes be required to service the operation.

Sightlines were reviewed to determine if impacts relating to trucks accessing or egressing the site were expected. There is approximately 517 m of clear sightlines to the north to the and approximately 322 m of clear sightline to the south. Based on the field and desktop review MP deemed the sightlines are sufficient to allow for both a right and left turn maneuver from the site access and into the sight access.

SUMMARY

The Provincial Policy Statement, the Lanark County Sustainable Communities Official Plan and the Township of Lanark Highlands Official Plan & Zoning By-law encourage the availability of aggregate material and recognize its importance to the local economy. The subject property is located on a major transportation route, abuts an active Pit/Quarry operation, and contains the remnants of a previously active Pit operation which has not been fully rehabilitated. Material testing on site has demonstrated that there is productive aggregate material on the site which is accessible, and there is a market demand for this material. Various studies and reports have been completed in support of the ARA Application and the amendments to the County and Township Official Plans and Zoning By-law.

The Official Plan Amendment would re-designate a portion of the subject property, including the previous James Pit extraction area, from Rural Communities to Mineral Aggregate Resource Policy Area (Pit) to permit an extraction operation. The proposed Zoning By-law Amendment would seek to re-zone a portion of the property from Rural (RU) to Mineral Aggregate Resources Pit - Exception (MXP-X) to permit an extraction operation. The exception to Section 18.2 is required to reduce the minimum yard requirements on the south side from 15 metres to zero (0) metres. The lands to be re-designated and re-zoned will measure 23.02ha with 227.7m of frontage on Highway 511.

Should you have further questions or require additional information in support of the proposed amendments please do not hesitate to contact the undersigned.

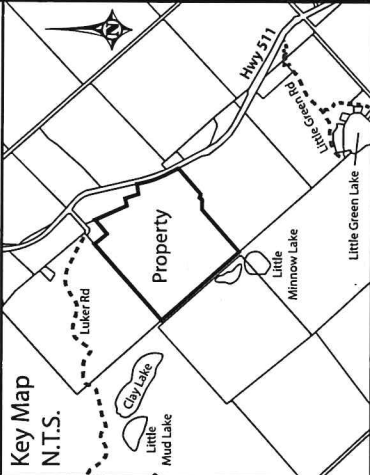
Sincerely,



Tracy Zander, M.Pl, MCIP, RPP

Cooney Official Plan Amendment Sketch

Part Lots 22 and 23, Concession 3
Geographic Township of Darling
Township of Lanark Highlands
COUNTY OF LANARK



Legend

- Lands to be Re-Designated
- Wetlands
- Waterbodies
- Pit & Quarry
- Treed Areas
- Mineral Aggregate Reserve
- Previous Extraction Area
- ANSI
- Stream

Notes:
1. Boundary and dimensions of the subject property are approximate based in part of Plan Z7R-10397 completed for the two severances identified as #9749 and #9779 on the sketch.
2. Location of all natural features including treed areas waterbodies, watercourses, spot elevations and existing roads derived from information provided by Base Mapping Company Ltd.
3. Location of the existing Pit derived from the Township's Official Plan Schedule A. Location of the ANSI and Mineral Aggregate Reserve areas derived from the Township's Official Plan Schedule B.

Version Date: September 8, 2023

File No. 12-062 Drawn By: CC

ZONDERPLAN
Your rural land planning experts
40 Sunset Boulevard, Perth, ON K7H 2Y4 613-264-9600

