

Planning Justification Report & Aggregate Resources Act Summary Statement

Highland Line Pit

Part of Lot 5, Concession 10 (Dalhousie)
Township of Lanark Highlands
County of Lanark

Date:

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1.0

EXECUTIVE SUMMARY

Thomas Cavanagh Construction Limited (herein referred to as 'Cavanagh') is applying for a "Class A", below water pit license under the ARA. These subject lands are legally described as Part of Lot 5, Concession 10, Geographic Township of Dalhousie, in the Township of Lanark Highlands (**Figure 1**). The proposed Highland Line Pit will extract sand and gravel resources from below the water table. The size of the licensed area is approximately 50.6 hectares (125 acres) with an extraction area of 35.1 hectares (86.7 acres).

The subject lands currently include deciduous, mixed and coniferous forest and wetland, interspersed with small patches of active agriculture. Adjacent land uses consist of residential dwellings and farmland. Other land uses nearby include aggregate extraction operations, notably the McKinnon Pit operated by Arnott Brothers Construction Ltd located directly across Highland Line. In total, four licensed operations (609261, 4257, 4267, and 4155) are located within 2 kilometres of the pit, two of which (License nos. 4257 and 609261) are located within 200 metres of the site.

The ARA site plans have been designed in a strategic way to minimize and mitigate adverse impacts to natural features and archeological resources by ensuring extraction boundaries are reasonably set. Setbacks from these resources are indicated on the site plans to ensure the proposed pit does not impede on these resources.

In accordance with ARA regulations, Cavanagh is applying for a Class 'A' Licence to operate a pit below the water table. The proposed maximum annual tonnage to be extracted is 1,000,000 tonnes. The pit is proposed to operate on a 24-hour basis with limitations on what equipment can operate between the hours of 7 pm and 7 am.

This extracted aggregate will serve the local economy by providing resources from a close-to-market area. The subject lands are mapped on ARIP as having sand and gravel resources of primary and tertiary significance.

To permit this proposal, applications are required to amend the Lanark County Sustainable Communities Official Plan (SCOP), and the Township of Lanark Highlands Official Plan and Zoning By-law. Most of the property is currently zoned 'Rural' (RU), with a portion of the property zoned as 'Mineral Aggregate Reserve' (MAR). According to mapping from the Township's Official Plan, the Zoning By-law, and ARIP, the subject lands have been identified to contain significant aggregate resources.

Aggregate material will be extracted and then primarily transported eastward via Highland Line to County Road 12. It is expected that 30 two-way truck trips will be generated during the morning and afternoon peak hours assuming maximum production e.g. worst case. Both study area intersections, County Road 12/Highland Line-McCulloch Road and Highland Line/North Pit Access, are expected to continue to operate acceptably during the peak hours of travel demand. The proposed amount of traffic generated will not exceed acceptable limits.

The site is proposed to be divided into two portions, extraction area 1 (east end), and extraction area 2 (west end). The two portions are divided by Anderson Lane, a Township road. The extraction will commence simultaneously in the north portions of each extraction area, and proceed until the southern portions of the site have been extracted. The extraction area has been divided into 2 phases as indicated on the ARA site plans by WSP Golder. Extraction will occur below the established water table which currently exists at an elevation of approximately 183m to 195mASL.

The processing of aggregate materials will occur through the use of an on-site mobile screening plant. The plant will be brought to site whenever needed and will be situated near the extraction face. Occasional crushing will occur onsite in accordance with the Site Plans. There will be visual and noise control berms located along Highland Line to reduce visual and noise impacts. The mobile screening plant and crushing will only operate from 07:00 to 19:00.

Due to extraction below the water table, the site will be rehabilitated to a pond. The land which the site is on is currently classified as Class 7 agricultural land meaning the soil is not of a high quality. Rehabilitation will occur progressively through the life of the operation.

In support of the proposed aggregate licence application, the following technical reports and plans had been prepared:

- Stage 1 through 4 Archaeological Assessments (WSP Golder);
- Traffic Impact Study (Castleglenn Consultants)
- Acoustic Assessment (Freefield Ltd.);
- Level 1 and Level 2 Water Report (WSP Golder);
- Natural Environment Level 1 and 2 Technical Report (WSP Golder);
- Planning Report and ARA Summary Statement (MHBC);
- Site Plan (WSP Golder).

Based on the natural environment fieldwork, significant natural features found on the Site include habitat of endangered species (Blanding's turtle, tri-coloured bat and black ash), unevaluated wetlands and significant wildlife habitat. Significant natural features on adjacent lands within 120 m of the Site include potential habitat for endangered and threatened species, unevaluated wetlands, fish habitat and potential significant wildlife habitat. The proposed extraction area has been delineated to avoid significant natural features. The Natural Environment Report concluded that the proposed pit will be no negative impacts to the

significant natural features and functions on the Site or in the Study Area, subject to the implementation of the recommended mitigation measures.

The Level 1 and Level 2 Water Reports conducted by WSP Golder state that given extraction will occur below the water table without dewatering, there will be no significant lowering of the groundwater table in the overburden and underlying bedrock, and thus no potential for the proposed extraction activities to cause drawdown of the groundwater table such that it interferes with local water supply wells. No adverse effects to groundwater and surface water resources are anticipated as a result of the proposed Pit.

As part of the rehabilitation plan, a permanent pond will be located within the subject lands after extraction ceases. This pond level will be approximately 186mASL.

Through the completion of a Stage 1 and 2 Archaeological Assessment, Golder Associates identified potential for archeological resources to exist on site. The Assessment identified two locations, Duncan and Turnbull, which required further evaluation in the form of a Stage 3 & 4 Archeological Assessment. The Stage 3 & 4 Assessments have been completed with appropriate acceptances obtained from the Ministry of Tourism, Culture, and Sport. Areas of the site still requiring Stage 2 assessment have been identified on the site plan and will be protected from extraction until such assessment is completed and accepted by Ministry of Tourism, Culture, and Sport.

The Aggregate Resources Act Licence application has been prepared to meet the provincial requirements specified for a Class 'A' pit. This application package also includes an in-depth analysis of the policies and information presented in Section 12 of the Aggregate Resources Act which will aid in ensuring the proposed extractive aggregate operation will prioritize the minimization of any potential adverse effects from occurring.

The Planning Act applications have been prepared in accordance with County and Township Requirements.

2.0

BACKGROUND

2.1 Description of the Subject Lands

The site is comprised of two parcels separated by Anderson Lane. The two parcels are similar in size and shape (**Figures 1 & 2**). Anderson Lane is a local township roadway which provides access to the dwelling located adjacent to the Subject Lands. Both parcels comprising the site have frontage on Highland Line. A small section in the most eastern portion of the site has an unevaluated wetland within it, however the entirety of the wetland is located outside of the limit of extraction and will not be disturbed. The site boundaries established have been decided based on a combination of the location of viable aggregate material, avoiding impacts to the surrounding natural environment, and ensuring impacts on nearby sensitive land uses are minimized.

There are no buildings or dwellings on the site. The site is currently used for agricultural purposes, and are zoned Mineral Extractive Reserve and Rural.

2.2 Adjacent and Surrounding Land Uses

The surrounding area around the proposed Highland Line Pit is primarily rural (**Figures 1 & 2**). The majority of the area is not developed, most of the land uses include rural residential, agricultural, and aggregate extraction operations. Four licensed operations (609261, 4257, 4267, and 4155) are located within 2 kilometres of the pit, two of which (License nos. 4257 and 609261) are located within 200 metres of the site. The Town of Lanark is approximately 17 km from the site. Additional surrounding uses include nearby campgrounds, lakes (including Barbers Lake located immediately southeast of the site), private dwellings, parks, and natural features.

Wheeler's Pancake House, a well-known restaurant and recreational operation, is located directly to the west of the subject lands. The Wheeler's Pancake House operation includes a number of buildings, such as the Maple Heritage Museum, the Forest & Farm Museum, the Original Sugar Shack, the Barn, and the Pump House. These structures are all located approximately 500-600 metres from the Subject Site. Wheeler's Pancake House also includes a number of recreational trails which run throughout the property. Visual and Acoustic berms will be used to mitigate potential impacts from the proposed Highland Line Pit on Wheeler's Pancake House operations.

The Natural Environment Report (NER) identified features adjacent (and within) the site. This includes Habitat of Endangered Species, the unevaluated wetland located on the east side of the site, Fish Habitat, and Significant Wildlife Habitat.

Sensitive land uses located within 120 metres of the proposal are limited. Only 1 house is located within 120 metres of the site, located along Leo Jay Lane. There are 6 houses located within 500 metres, mostly concentrated along Leo Jay Lane, but also including the residence with access via Anderson Lane. Wheelers Pancake House (described above) is located 500-600 metres away.

2.3 Mineral Aggregate Resources

According to ARIP 189, the majority of the identified sand and gravel deposits located on the Subject Lands fall under Selected Sand and Gravel Resource Area 3 in the County of Lanark (**Figure 3**). The site is located in a selected sand and gravel area which is comprised of an east-trending glaciofluvial ice-contact-esker ridge, and have a coarse-textured esker core. According to the ARIP 189 MAP 1: Sand and Gravel Resources for the County of Lanark, the site's aggregate resources are of primary and tertiary significance. The granular resources within the site have the capability to be used for concrete and asphalt sand, Granular A, Granular B, and SSM aggregate products. Most of the aggregate consists of fine to coarse sand and gravel.

A test pitting program was undertaken through the Water Report which evaluated the resources on site. Cross sections of the test pit logs indicate that the coarsest materials are primarily found in the open area in the centre/western half of the property, and finer materials found at the perimeter of the property.

2.4 Agricultural Resources and Soils

The Canada Land Inventory (CLI) soil classification for the proposed Highland Line Pit is Class 7 (**Figure 4**). As a result, the proposed Highland Line Pit is not considered to be located on Prime Agricultural Land as defined by the Province. Further, the lands are not designated as a Prime Agricultural Area in the County or Township Official Plan.

2.5 Natural Heritage Features

A Natural Environment Level 1 and 2 Technical Report (NER) had been prepared by WSP Golder to ensure that the planning policy considerations of the Province, County, Township, and ARA had been met.

The assessment involved the investigation of existing conditions on the Site and in the Study Area included a background information search and literature review to gather data about the local area and provide context for the evaluation of the natural features. Additionally, A SAR screening was completed for the Site and Study Area, focusing on the review of records and range maps pertaining to species that are designated as threatened, endangered or special concern under the ESA, and species that are protected under Schedule 1 of the SARA.

The habitats and communities on the Site were characterized through field surveys, which included:

- Three plant community surveys.
- Three rounds of anuran point-counts.
- Five rounds of VES surveys for turtles completed when air temperatures reached at least 10°C.
- Diurnal breeding bird point counts
- Three grassland bird surveys
- Three crepuscular/nocturnal breeding bird surveys
- Bat surveys.
- General wildlife surveys which included track and sign surveys, area searches, and incidental observations, concurrent with other field surveys.

The assessment classified the lands as consisting of mixed, deciduous forest, and coniferous forest, as well as unevaluated wetlands, agricultural fields, open woodland, and thicket. Much of the forests had undergone intensive selective logging in recent years.

Based on the background review and field surveys, the following significant natural heritage features were identified onsite and within the study area:

- Significant natural features confirmed on-Site: Habitat for endangered species (Blanding's turtle, tri-coloured bat and black ash); unevaluated wetlands; significant wildlife habitat (seeps).
- Significant natural features off-Site, with 120 m of the Site: Potential habitat for endangered and threatened species; unevaluated wetlands; fish habitat; potential significant wildlife habitat (various types).

Mitigation measures to ensure the protection of significant natural features include:

1. Delineating the extraction areas to avoid significant features
2. No clearing of vegetation within core breeding bird season.
3. Fence and protect area identified as maternity roost habitat for tri-coloured bat.
4. Preparation and implementation of a SAR awareness package, encounter protocol and training program.

WSP Golder concluded that there would be no negative impact to the significant natural features and functions on the Site or in the Study Area.

2.6 Water Resources

The Highland Line Pit will be applying for a Class "A" License under the Aggregate Resource Act to extract below the groundwater table. A Level 1 and 2 Water Report was completed by Golder Associates to analyze the potential impacts to groundwater quality and quantity from the proposal. In addition to this assessment, a Maximum Predicted Water Table report was completed to determine the level of the water table on site.

This assessment involved recording and monitoring water levels via test-pitting and the installation of groundwater table monitoring equipment. Through the combination of these observations WSP Golder was able to analyze and model the existing, operational, and rehabilitation conditions of the site.

The assessment concluded that the groundwater throughout the site generally flows from the southwest portion to the eastern portion. The highest groundwater elevations are found in monitoring wells installed on the southern corner of the site (MW20-6) and the lower groundwater elevations are found in the monitoring wells installed along the eastern edge of the extraction area (MW20-3). Secondly, the water balance assessment determined that the change from site runoff to infiltration is expected to decrease peak flow contributed from the site and slightly increase a steadier base flow from the site.

Ultimately, the report concluded that local water supply wells will not be impacted by the proposed Highland Line Pit because they won't be lowered by a significant amount. There is no potential for the extraction of aggregate to cause significant drawdown of the groundwater table. The report concluded that based on the findings of the assessment, no adverse effects to groundwater and surface water resources and their uses are anticipated as a result of the proposed Highland Line Pit.

2.7 Archaeological Resources

Archaeological assessments are required by the planning policies of the Province, County, and Township to ensure that the proposed development conserves significant archaeological resources.

A Stage 1 and 2 Archaeological Assessment had been conducted for the proposed subject lands in (April of 2021) by Golder Associates as required under the ARA and *Planning Act* application process.

The Stage 2 Archaeological Assessment recommended further assessment of two identified sites archaeological sites; Turnbull and Duncan, which have been interpreted as 19th century farmsteads. Within these sites the archaeological assessment had found approximately 20 mid-19th century artifacts including a large amount of mid-19th century ceramic tableware.

Additionally, the archaeological assessment states that the Duncan and Turnbull sites possess Cultural Heritage Value/Interest and are subject to stage 3 and 4 archaeological assessment. The stage 3 and 4 Assessments have been completed, and the archeological resources have been conserved as confirmed by the Ministry.

Areas with remaining archaeological work have been identified on the ARA site plans. Prior to any extraction or disturbance of these areas, additional archaeological assessment will be required in addition to appropriate clearances obtained from the Ministry of Culture.

3.0

PLANNING ANALYSIS

The following is an assessment of the proposed Highland Line Pit relative to the planning policies and provisions of the following documents:

- Provincial Policy Statement, 2020;
- County of Lanark Sustainable Communities Official Plan (adopted June 27, 2012);
- Township of Lanark Highlands Official Plan (August 2016);
- Township of Lanark Highlands Zoning By-Law No. 2003-451 (November 18, 2003);
- Aggregate Resources Act Provincial Standards.

3.1 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) came into effect on May 1, 2020, and replaced the PPS, 2014. Planning decisions made on or after May 1, 2020, must be consistent with the PPS, 2020.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. (Part I, Preamble).

The PPS is 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, integrated and long-term approach to planning and recognizes linkages among policy areas. (Part III, How to Read the Provincial Policy Statement).

The PPS recognizes that the Province's natural heritage resources, water, agricultural lands, mineral aggregate resources, cultural heritage, including those of indigenous communities; 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 protect essential ecological processes and public health and safety, minimize environmental and social impacts, including those brought on by climate change, and meet its long-term economic needs. (Part IV, Vision for Ontario's Land Use Planning System).

Part V of the PPS, 2020, is made-up of the Policies, broken-down into three main Sections. Of relevance to the proposed Highland Line Pit are Section 1.0, Building Strong Healthy Communities, and Section 2.0, Wise Use and Management of Resources. (Section 3.0 provides policies on Protecting Public Health and Safety relating to natural and human-made hazards).

As part of this Planning Analysis, each specific and relevant PPS, 2020, Part V Section 1.0 and 2.0 policy provision is excerpted below in italics, and a response is provided to demonstrate how the Highland Line Pit Proposal is consistent with the PPS:

1.1.5.2 On rural lands located in municipalities, permitted uses are:

a) the management or use of resources;...

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resources-related uses and directing non-related development to areas where it will minimize constraints on other uses.

The proposed Highland Line Pit is located on rural lands. Section 1.1.5.2 of the PPS states that ‘the management or use of resources’ is permitted on rural lands in municipalities. The Highland Line Pit proposal represents the wise use and management of a non-renewable resource from a long-established and Provincially mapped aggregate supply area which is not located on prime agricultural lands. This proposal will provide close-to-market aggregate products and will support long-term economic prosperity within the Township and County.

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.

The proposed Highland Line Pit has been designed in a way which minimizes and mitigates any potential adverse effects to sensitive uses. Through the preparation of technical reports and studies, ARA site plans, and adherence to Provincial and local policies, the proposed Highland Line pit will minimize risk to public health and safety. Additionally, the site has been identified to contain significant sand and gravel resources through municipal planning documents and Provincial geological mapping.

1.6.7.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use should be made of existing and planned infrastructure...

The proposed Highland Line Pit would utilize an existing local haul route (Highland Line to County Road 12).

1.7.1 Long-term economic prosperity should be supported by:...

- c) *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;...*

The proposed Highland Line Pit ensures the long-term availability and optimization of mineral aggregate resources.

Section 2.0 of Part V of the PPS is entitled "Wise Use and Management of Resources". The introduction to this section reads:

"Ontario's long-term prosperity, environmental health, and social well-being depend on protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits."

2.1.1 Natural features and areas shall be protected for the long term.

The subject lands are predominately active agricultural land with woodlot cover. The woodlot on site is not identified as significant. The unevaluated wetland onsite is not proposed to be within the limit of extraction, and thus will not be disturbed. Natural features in the area will be protected for the long term.

2.1.5 Development and site alteration shall not be permitted in:

- a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;*
- b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;*
- c) *significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;*
- d) *significant wildlife habitat;*
- e) *significant areas of natural and scientific interest; and*
- f) *coastal wetlands in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The subject lands are located within Ecoregion 5E and are therefore not subject to the no negative impacts test for significant woodlands and significant valleylands.

The Natural Environment Report identified potential significant wildlife habitat onsite (seeps), but outside of the limit of extraction. As the habitat is located outside of the limit of extraction, the report concluded that there would be no negative impacts to its features or ecological functions. There are no other significant features identified in 2.1.5 that are located on the site.

2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

No fish habitat exists on site.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

Five endangered or threatened species and/or their defined habitat were identified on the Site and/or in the Study Area, which included barn swallow, eastern meadowlark, little brown myotis, northern myotis, and tri-coloured bat.

Foraging and Maternity Roost habitat for the bat species was found onsite. These areas have been identified on the site plan and removed from the area proposed to be extracted, and thus will not be disturbed.

Through the impact assessment, WSP Golder concluded that there would be no negative impacts to the habitats of the species identified above as a result of the proposed Pit.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

As noted, the subject lands are located within Ecoregion 5E. The definition of “natural heritage features and areas” in the PPS specifically excludes fish habitat, significant woodlands and significant valleylands in Ecoregion 5E. This means that the no negative impacts test does not apply to these features in Ecoregion 5E and this proposed application.

Regardless, the Natural Environment Report concluded that, subject to the recommendations outlined in the report, there would be no negative impacts to significant natural features or functions as a result of the proposed pit.

2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.

Barbers Lake is located adjacent to the proposed site to the east. As established in the WSP Golder Level 1 and 2 Water Report, there is no anticipation that there will be any adverse impacts on the groundwater and surface resources including Barbers Lake as a result of the operations being conducted at the Highland Line Pit.

2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.

The proposed Highland Line Pit is not located on lands classified as a 'prime agricultural area'.

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

The subject lands contain mineral aggregate resources which consist of high quality sand and gravel resources which are identified in provincial geological mapping.

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. Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

The proposed Highland Line Pit operation has been designed to ensure that social, economic and environmental impacts are minimized. The proposal will make available close to market aggregate which will serve local eastern Ontario markets.

2.5.2.3 Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

Mineral aggregate resource conservation will be undertaken by making available primary aggregate resources, which can then be blended or mixed with former aggregate products as part of the aggregate recycling process. Additionally, aggregate stockpiles may include recyclable materials and imported aggregate materials required for blending processes. Recycling of concrete and asphalt will be permitted as an accessory activity on this site. Asphalt materials will be stored at least 30 metres horizontally from any water source. Recycling activities will not preclude or hinder the progressive or final rehabilitation requirements. Once final rehabilitation has been completed, all recycling activities will cease and recyclable materials will be removed from the site.

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.

Rehabilitation of the pit will be progressive, culminating in the final rehabilitation of the site once the pit is depleted and processing operations have ceased. The final landform will be rehabilitated to a natural feature in the form of a lake, with the remaining above water table areas on site being naturalized. The proposed final land use is compatible with surrounding land use and conforms to the current land use designations in the Township and County Official Plans.

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

There are no significant built heritage resources or significant cultural heritage landscapes on the subject lands.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

Significant archaeological resources identified on the site have been conserved through the completion of Stages 1-4 Archaeological Assessments as accepted by Ministry of Culture. Remaining areas requiring assessment have been identified on the site plan and will be protected until further assessment has been completed in addition to appropriate clearances obtained from the Ministry of Culture.

In conclusion, based on the planning analysis described above, the proposed Highland Line Pit is consistent with the Provincial Policy Statement, 2020.

3.2 County of Lanark Sustainable Communities Official Plan

The County of Lanark Sustainable Communities Official Plan (SCOP) was adopted by the County on June 27, 2012.

The proposed Highland Line Pit applications are required to conform to the SCOP. Within the SCOP, the subject lands are designated Rural Area (**Figure 5**). Also of note is that the site lies outside of the following designations: Agricultural Land, Provincially Significant Wetland (PSW), Area of Natural and Scientific Interest (ANSI), and Significant Woodland and Floodplain. This site is located nearby two Licensed Aggregate Extraction Operations.

An amendment to the SCOP is required to permit any new mineral aggregate operations within the County by adding them to the Licensed Aggregate Extraction Operation Designation. The proposed SCOP Official Plan Amendment (OPA) will be to amend the current designation from 'Rural' to 'Licensed Aggregate Extraction Operation', which requires several policy provisions to be addressed. The relevant policies are excerpted below, in the order they appear in SCOP, with a response provided to each specific policy:

5.4 General Land Use Policies

5. Where the policies in this Plan provide for the undertaking of an Environmental Impact Statement (EIS), it is understood that, on the basis of consultation with the appropriate review agency, the EIS may be scoped or eliminated in those instances where the potential impact of development is reduced or non-existent.

The Natural Environment Report (NER) completed by WSP Golder for the proposal has been prepared to address the SCOP requirement of an EIS as well as the Aggregate Resources Act technical reporting standards. The report concluded that the proposed pit would have no negative impacts to the significant wildlife features and functions on the Site or in the Study Area.

6.2.2.5 Zoning and Development Control

The establishment of any new pit or quarry or the expansion to existing licensed areas shall be in accordance with the Aggregate Resources Act and will require an amendment to this plan and to the local Official Plan. Studies and site plans required under the Aggregate Resources Act shall be reviewed prior to any Official Plan Amendment or rezoning. The licensed area of pits and quarries shall be zoned for extraction and associated accessory uses in local zoning by-laws. Unlicensed areas may also be zoned for aggregate related uses, such as portable asphalt plants and concrete plants. The municipality may use zoning, holding provisions or interim control by-laws to implement any of the policies stated in this section. The Ministry of Natural Resources will provide advice to the municipality or the County with respect to any license required under the Aggregate Resources Act.

The proposed Highland Line Pit, its site plans, and the completed technical studies are in accordance with the ARA. An amendment is being submitted to the SCOP and the local Official Plan.

7.8 Noise and Vibration

Noise and vibration impacts shall be addressed for new sensitive land uses adjacent to stationary or line sources where noise and vibration may be generated. The approval authority may require the proponent to undertake noise and/or vibration studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in Ministry of Environment guidelines including Publication LU- 131, Noise Assessment Criteria in Land Use Planning. Noise and/or vibration attenuation measures will be implemented, as required, to reduce impacts to acceptable levels.

7.9 Incompatible Land Uses

Every effort shall be made to prevent or minimize future land use conflicts which can arise when incompatible land uses develop in close proximity to one another. Ministry of the Environment guidelines on Land Use Compatibility (Guidelines D-1, D-2, D-4 and D-6 and any other relevant or future MOE Guideline documents) should be considered when preparing and adopting local Official Plans and Zoning By-laws and when considering amendments to this Plan.

In order to ensure that land use conflicts are minimized, an Acoustic Assessment Report was prepared which provides recommendations that are included on the ARA site plans and will be implemented during the design and operation phases. These mitigation measures include noise barriers and berms, equipment restrictions in terms of permitted locations and hours of operation, and on-site speed limits for trucks. These measures will minimize acoustic impacts on surrounding land uses from the extractive operation. Vibration impacts are not addressed because sand and gravel pit operations do not cause any significant forms of vibration.

To provide for visual screening from Highland Line, a berm is proposed along the site frontage where site topography does not screen the site from public view.

8.2.10 Consultation with First Nations

The Algonquins of Ontario shall be consulted on any Archaeological Studies related to proposed developments where areas of Algonquin Interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified.

The Algonquins of Ontario shall be consulted on any Environmental Impact Studies related to proposed developments where areas of Algonquin interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified.

The Algonquins of Ontario will be consulted on the Natural Environment Report and Archeological Assessment as part of the ARA application process.

8.3.1 Amendments to the Sustainable Communities Official Plan

Amendments to this Plan shall be considered in accordance with related policies elsewhere in this Plan. In general, amendments will only be considered when they are justified and when the required supportive information is provided as stated in the policy sector proposed for revision. Proposed amendments to this Plan shall be accompanied by sufficient information to allow Council to fully understand and consider the following:

- 1. the impact of the proposed change on the achievement of the stated goals, objectives and policies expressed in this Plan;*
- 2. the need for the proposed change;*
- 3. the effect of the proposed change on the need for public services and facilities;*
- 4. the physical suitability of the land for the proposed use.*

Accordingly applications to amend this Plan will not be considered complete until the information and materials required under the Planning Act and Regulation 543/06 have been provided.

The proposed Highland Line Pit requires an amendment to Schedule A of the SCOP from Rural to Licensed Aggregate Extraction Operation. There is no policy section which is being proposed to be amended. This Planning Justification & Aggregate Resources Act Summary Statement Report supplies the necessary and relevant information which is required by SCOP, and is consistent with the PPS, in support of the Highland Line Pit SCOP OPA.

8.3.4 Local Official Plans and Official Plan Amendments

Lanark County is the approval authority for local Official Plans and Official plan Amendments. In addition to any requirements of the Local Official Plans, the complete application requirements which are listed in section 8.3.1 shall also apply to the review of local Official Plans and Official plan Amendments by the County.

See section 3.3 of this Report which addresses the local, i.e. Township, OPA process.

In summary, the proposed Highland Line Pit conforms to the County of Lanark Sustainable Communities Official Plan.

See **Appendix A** for a copy of the draft County of Lanark Sustainable Communities Official Plan Amendment and Schedule.

3.3 Township of Lanark Highlands Official Plan

The Township of Lanark Highlands Official Plan was approved by the Ministry of Municipal Affairs and Housing on December 17, 2012, and the Ontario Municipal Board on August 4, 2016.

The proposed Highland Line Pit is subject to the policies stated within the Township Official Plan. The Township Official Plan designates the subject lands as Rural Communities (**Figure 6**).

Additionally, the site is not within any Provincially Significant Wetland land use designation, Area of Natural & Scientific Interest, Deer Yard, nor Flood Plain which is consistent with the County SCOP and can be seen in the mapped areas on SCOP Schedule B, Development Constraints.

Portions of the site are designated as Mineral Aggregate Reserve on Schedule B (**Figure 7**). This map is being updated through the current review of the Township Official Plan (OPA 8) to be consistent with ARIP 189 which identifies the site within a Selected Sand and Gravel Resource Area.

Given the designation of the site as Rural Communities, an amendment to the Township Official Plan is required to permit the proposed Highland Line Pit. The Township Official Plan Amendment (OPA) will be to amend the designation from Rural Communities to Mineral Aggregate Resource Policy Area – Pit, which requires several policy provisions to be addressed. The relevant policies are excerpted below, in the order they appear in the OP, with a response provided to each specific policy to demonstrate how the Proposal conforms to the Township's OP:

4.0 Our Resource Lands:

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.

The proposed Highland Line Pit will allow for the utilization of sand and gravel resources, and will contribute to the local economic base by providing continuing employment, purchases and provision of services, and providing high quality construction materials within the Township. The ARA site plan for the proposed pit has been designed based on input from technical studies to meet the requirements of the Aggregate Resources Act. The site plan will become legally binding on the licensee at the time a license is issued by MNR, and will provide for the wise use of this non-renewable and economically crucial natural resource.

4.1.3.2 Where an Official Plan amendment is proposed which could result in the redesignation of lands to Mineral Aggregate Resource Policy Area in order to facilitate the establishment or addition of previously unlicensed area to a licensed extraction operation and where the limits of the extraction operation could ultimately be located within 300 metres (984 feet) of a residential, institutional or commercial use on another lot for a licensed pit and 500 meters (1640 feet) for a licensed quarry, such proposed amendment shall be supported by the following:

1. Hydrogeological investigations, in accordance with the Aggregate Resources Act, conducted by a qualified professional, which demonstrate conclusively that the extraction operation will not result in negative impacts on the existing non-extraction development's water and sewer services;

2. Any other investigation as required by the approval authority such as traffic studies, noise studies, vibration studies, slope stability studies etc. are carried out and demonstrate conclusively that the

proposed extraction operation can proceed without negative impacts on the existing non-extraction development. Such studies are to be carried out by qualified professionals.

WSP Golder had conducted a Maximum Predicted Water Table Report as well as a Level 1 and Level 2 Water Report which adhere to the requirements for a Provincial Standards' licence application for a Class 'A' pit licence as well as Official Plan requirements. Golder concludes that no negative impacts are anticipated on the groundwater and surface water resources will occur as a result of the extractive operations.

The extraction of aggregate materials will result in a pit base elevation of 176m asl. The Water Report states that the extraction of aggregate materials will not require dewatering which will result in no significant lowering of the groundwater table. As a result, there will not be a possibility of the groundwater table to drawdown, ultimately meaning no interference with local water supply wells should occur. Additionally, due to the primary water supply deriving from bedrock there is a considerable reduction in the potential for the local groundwater to experience impacts from the proposed aggregate extraction.

4.1.4.1:

"The establishment of a mineral aggregate operation within the lands identified as Mineral Aggregate Reserve shall require an amendment to the Official Plan."

The subject lands are located on lands that contain Mineral Aggregate Reserve (**Figure 7**). Additionally, the ARIP mapping of the Subject Lands identifies the site within a Selected Sand and Gravel Resource Area of primary significance and resources of tertiary significance. An amendment to the Official Plan is being submitted to permit the proposed pit.

Given the Mineral Aggregate Reserve mapping of part of the site, there had been prior consideration given to the OP to utilize the subject site to establish a new extractive operation. Although the OP's planning policy provisions serve as a means to identify and protect the subject sand and gravel resource from incompatible development that may preclude or hinder a future aggregate use, the most secure method by which to ensure the availability of the resource is to obtain its licensing under the ARA. For the proposed Highland Line Pit, an application to amend the Township OP is also being submitted.

4.1.6.1:

Progressive rehabilitation of extraction sites to accommodate subsequent land uses is a requirement of this plan. Where extraction is ongoing, rehabilitation is to be carried out on a progressive basis and shall be in accordance with the approved rehabilitation plan submitted to the Ministry of Natural Resources as part of the site plan for licensing purposes.

Rehabilitation will be carried out on a progressive basis and will be in accordance with the Rehabilitation Plan included with the ARA Site Plans.

6.7.2.1 Noise and vibration impacts shall be addressed for new sensitive land uses adjacent to existing railway lines, highways, sewage treatment facilities, waste management sites, industries, or aggregate extraction operations, or other stationary or line sources where noise and vibration may be generated. Council may require the proponent to undertake noise and/or vibration studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in

Ministry of Environment guidelines including Publication LU – 131, Noise Assessment Criteria in Land Use Planning. Noise and/or vibration attenuation measures will be implemented, as required, to reduce impacts to acceptable levels.

An Acoustic Assessment has addressed the requirements set out by the ARA and the Township OP. Final recommendations as to how the proposed Highland Line Pit should conduct its operation to ensure noise impacts on the area and surrounding environment are minimized are included on the Operations Plan of the ARA site Plans. Vibration is not an impact that occurs at sand and gravel operations.

The Acoustic Assessment concludes that by implementing their recommended mitigation techniques outlined in the report, all noise impacts which are a result of the proposed Highland Line Pit will adhere to the MECP Environmental Noise Guidelines. Mitigation measures include noise barriers and berms, and restrictions on operating equipment and trucking.

8.4.6.1 Potential negative impacts will be examined through a process of Environmental Impact Statement, carried out on a case by case basis, prior to development approval.

8.4.6.2 The preparation of an Environmental Impact Statement (EIS) study may be required for submission prior to the approval authority making a formal decision on a planning application (e.g. Official Plan amendment, zoning amendment, site plan control, subdivision, consent, etc.) to assess the negative impacts on the natural features and the ecological functions of the area in question. The EIS shall be completed by a qualified individual or company and shall fulfill each of the following steps...

The Natural Environment Report (NER) completed by WSP Golder for the proposal has been prepared to address the Township requirement of an EIS as well as the Aggregate Resources Act technical reporting standards. The report concluded that the proposed pit would have no negative impacts to the significant wildlife features and functions on the Site or in the Study Area.

To conclude, the proposed Highland Line Pit conforms to the Township of Lanark Highlands Official Plan.

See **Appendix B** for a copy of the draft Township of Lanark Highlands Official Plan Amendment and Schedule.

3.4 Township of Lanark Highlands Zoning By-Law No. 2003-451

The site falls under two zoning categories in the Township of Lanark Highlands Zoning By-Law (ZBL) No. 2003-451: Mineral Aggregate Reserve (MAR-h) and Rural (RU) (**Figure 8**).

The h-suffix attached to the MAR Zone identifies it as a 'holding' zone. Section 5.5 of the ZBL states the intent of a 'holding' symbol is to signify Council's approval in principle to future development of the land for the purposes indicated by the zone preceding the symbol, which in the subject case is MAR or Mineral Aggregate Reserve.

Neither the RU nor MAR zone categories permit the operation of a pit use. Accordingly, a Zoning By-law Amendment (ZBA) is being submitted, concurrent with the County and Township OPA applications, to amend the zoning from RU/MAR-h to Mineral Aggregate Resources Pit (MXP), in which zone a pit is a permitted use.

Section 4.28: Pits and Quarries

"The making or establishment of pits and quarries within the Municipality is prohibited unless within a Mineral Aggregate Resource MXP or MXQ Zone or is a wayside pit or a wayside quarry as approved by the public body having jurisdiction."

A zoning by-law amendment to an MXP Zone is being submitted to permit the proposed pit.

Section 4.32.3: Special Setbacks, Minimum Distance Separation and Influence Areas

"the minimum setback distances for pits and quarries from property lines shall be as set out in the Aggregate Resources Act".

This provision recognizes that extraction setbacks are outlined on the site plan approved under the Aggregate Resources Act and that the site plan prevails to the extent of any conflicts with a municipal by-law.

See **Appendix C** for a copy of the draft Township of Lanark Highlands Zoning By-law Amendment.

4.0

AGGREGATE RESOURCES ACT SUMMARY STATEMENT

Thomas Cavanagh Construction Limited (“Cavanagh”) has submitted an application for a Class ‘A’ Licence under the Aggregate Resources Act (ARA) to be operated below the water table (“proposed Highland Line Pit”). The area to be licensed under the ARA is 50.6 hectares (125 acres) and the proposed extraction area is 35.1 hectares (86.7 acres).

The proposed maximum annual tonnage for the pit will be 1,000,000 tonnes.

4.1 Agricultural Classification of the Proposed Site – Standard 1.1

According to the Canada Land Inventory (CLI) soil capability mapping, the proposed Highland Line Pit is mapped as Class 7 soil with nearby land being Class 5 and Organic (**Figure 4**). The subject lands are therefore not considered prime agricultural land nor are they designated prime agricultural area in the County and Township Official Plans.

4.2 Applicable Planning and Land Use Considerations – Standard 1.2

The proposed Highland Line Pit is designated Rural Area within the Lanark County Sustainable Communities Official Plan (**Figure 5**), as Rural Communities in the Township of Lanark Highlands Official Plan (**Figure 6**), and zoned Rural (RU) and Mineral Aggregate Reserve Hold (MAR-h) in the Township of Lanark Highlands Zoning By-law 2004-451 (**Figure 8**). In order to permit the proposed Highland Line Pit, amendments are required to the County and Township Official Plans, and the Zoning By-law.

The lands which surround the subject lands have varying zones including Rural (RU), Limited Services Rural (LSR), Mineral Aggregate Resources Pit (MXP), and Mineral Aggregate Resources Reserve (MAR).

There are no specific provincial or Crown land plans/policies that apply to the subject lands.

The approval of the proposed Highland Line Pit represents good planning and is consistent with the Provincial Policy Statement, 2020, and conforms to the County of Lanark Sustainable Communities Official Plan (SCOP) and to the Township of Lanark Highlands Official Plan. See Sections 2.0 and 3.0 of this Report for a detailed assessment of planning and land use considerations.

4.3 Source Protection Area Considerations – Standard 1.3

The proposed pit falls outside the mapped Wellhead Protection Areas within the Mississippi-Rideau Source Protection Plan. As confirmed in the Water Report, impacts to groundwater quality or quantity at the water supply wells, where Wellhead Protection Areas have been established, as a result of the proposed pit are not predicted.

The site is located within a Significant Groundwater Recharge Area. According to the Level 1 & 2 Water Report completed by WSP Golder, groundwater recharge will still occur as the proposed pit will not be dewatered, and infiltration will occur through the overburden or through the bottom and sides of the pit lake.

4.4 Quality and Quantity of Aggregate On-site – Standard 1.4

Provincial Aggregate Resources Inventory Paper (ARIP) mapping and the Township of Lanark Highlands Official Plan identifies the location of the proposed Arnott Pit as being a known deposit of sand and gravel resources. A large portion of the site is mapped by the ARIP as Selected Sand and Gravel Resource Area #3 ('Primary Significance'). This has been verified by site specific subsurface investigation carried out by Cavanagh and Golder. Material in this deposit is capable of producing Granular A, Granular B and SSM products, and contains relatively good stone quality.

The subject lands are estimated to contain at least two million tonnes of high quality sand and gravel resources. These resources will be used for concrete and asphalt sand, Granular A, Granular B, and SSM aggregate product.

4.5 Main Haulage Routes – Standard 1.5

Trucks will primarily travel east on Highland Line which is an existing haul route for other nearby aggregate operations. Limited trucks may travel west on Highland Line but only for local deliveries. From Highland Line, trucks will then primarily travel east on County Road 12.

Based on the Traffic Impact Study, it is estimated that under worst case conditions 30 trucks will leave the site on an hourly basis. This is an absolute worst-case maximum traffic scenario which is permitted by the noise study. It is more likely that the traffic generated from this pit will be significantly lower.

Four entrances are proposed onto Highland Line. The Traffic Impact Study assessed the location of the proposed entrances and provided recommendations on turning movements and restrictions. Access permits will be obtained from the Township as the applicable road authority.

4.6 Progressive and Final Rehabilitation – Standard 1.6

Rehabilitation of the site will be progressive, and the site will be rehabilitated to natural features in the form of a lake with shallow littoral zones located in areas having shallower slopes, as proposed in the Rehabilitation Plan of the site plan. Currently, the site is in an agricultural condition and contains wooded areas. The surrounding land uses are utilized for extractive, natural heritage, agricultural, and rural residential uses. The proposed rehabilitation plan is suitable and compatible with adjacent current and anticipated future land uses.

During progressive and final rehabilitation, above water slopes will be seeded with a mix of bunch and spreading grasses and forbs consisting of non-invasive species to prevent erosion. Final rehabilitation will also include the creation of shallow littoral zones at select locations to create more diverse aquatic habitat. Shallow emergent marsh vegetation will be planted in water +/- 0.15 metres deep and extend +/-5 metres from the shore and will be interspersed with cover structures (e.g., boulders and root wads). In addition, basking logs, woody debris and nesting platforms will be installed for wildlife habitat, such as turtles, waterfowl and fish. The final details of the rehabilitation planting program will be established in consultation with MNRF prior to final rehabilitation to ensure that the plan is appropriate for conditions at that time.

5.0

CONCLUSIONS

The proposed Highland Line Pit contains at least 2 million tonnes of high quality sand and gravel resources suitable for use in road based granular construction materials as well as aggregate used for the manufacture of asphalt and concrete. The aggregate resources extracted from the site will be utilized to supply material for Cavanagh's nearby construction projects.

The Highland Line Pit operation has been designed in a manner which minimizes social, economic and environmental impacts. The proposed pit will provide for a continued supply of quality aggregate material from a known and provincially and locally identified aggregate resource.

Further, the proposed pit has been designed to ensure no negative impacts on surrounding natural heritage features.


The proposed Highland Line Pit represents the wise use and management of significant aggregate resources and is in the public interest in consideration of the economic, social and environmental factors that apply to this application, and:

- Is consistent with the Provincial Policy Statement;
- Conforms to the Lanark County Sustainable Communities Official Plan;
- Conforms to the Township of Lanark Highlands Official Plan; and
- Includes information required by the Aggregate Resources Act.

Submitted by:



Neal DeRuyter, BES, MCIP, RPP



Dawson McKenzie, MSc.

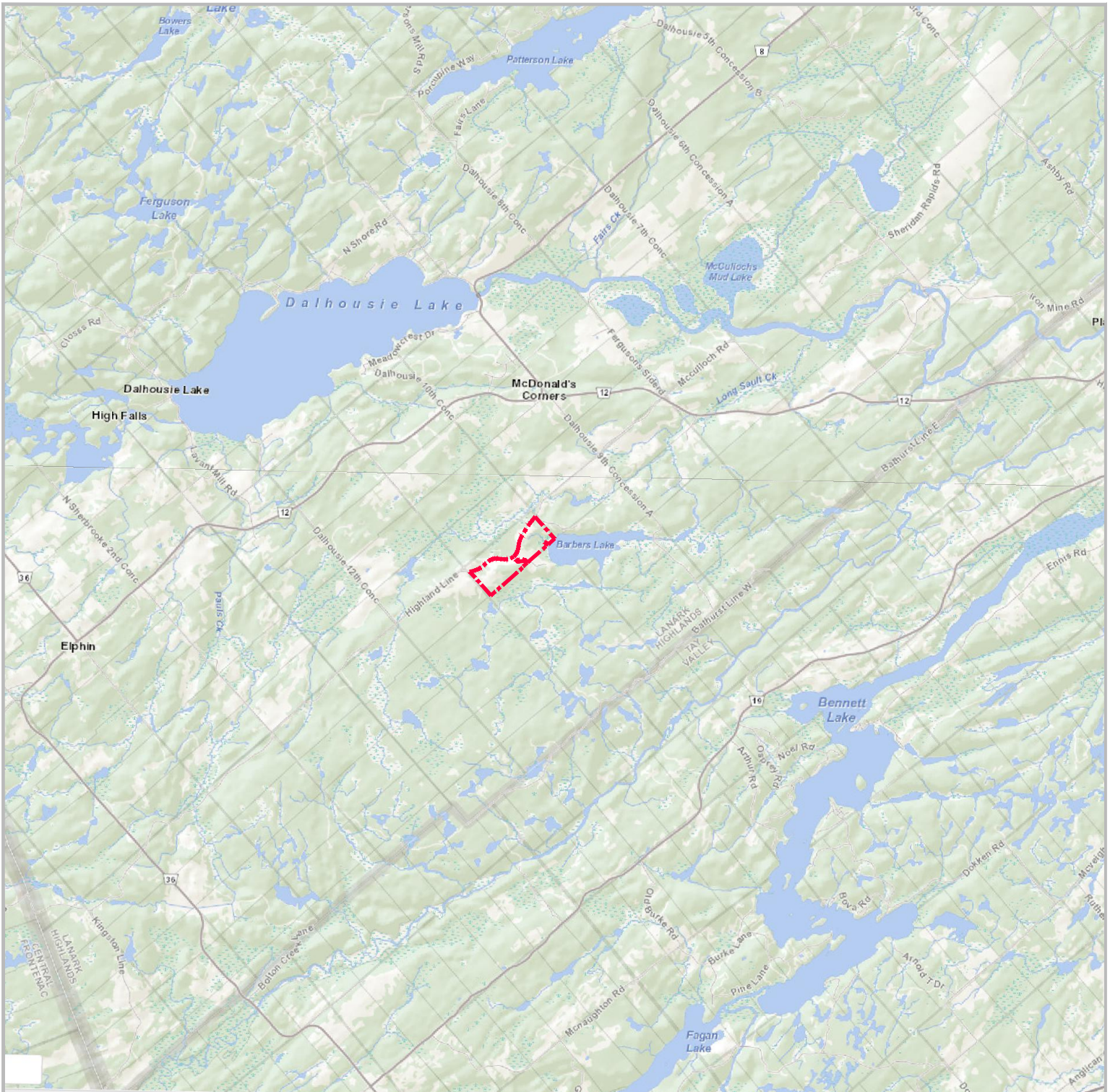


Figure 1
Location Map

LEGEND



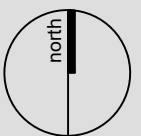
Subject Lands

DATE: November 2022

SCALE: NTS

FILE: 0851E

DRAWN: DGS



K:0851E-THOMAS CAVANAUGH CONSTRUCTION-HIGHLAND LINE/PT/LOCATION MAP.DWG

**Thomas Cavanagh
Construction Limited**
Part of Lot 5, Concession 10
(Geographic Township of Dalhousie)
Township of Lanark Highlands
County of Lanark

Base Map Source:
agMaps online mapping service ©Queen's Printer for Ontario 2022

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& LANDSCAPE
ARCHITECTURE
200-540 BINGEMANS CENTRE DR, KITCHENER, ON, N2B 3X9
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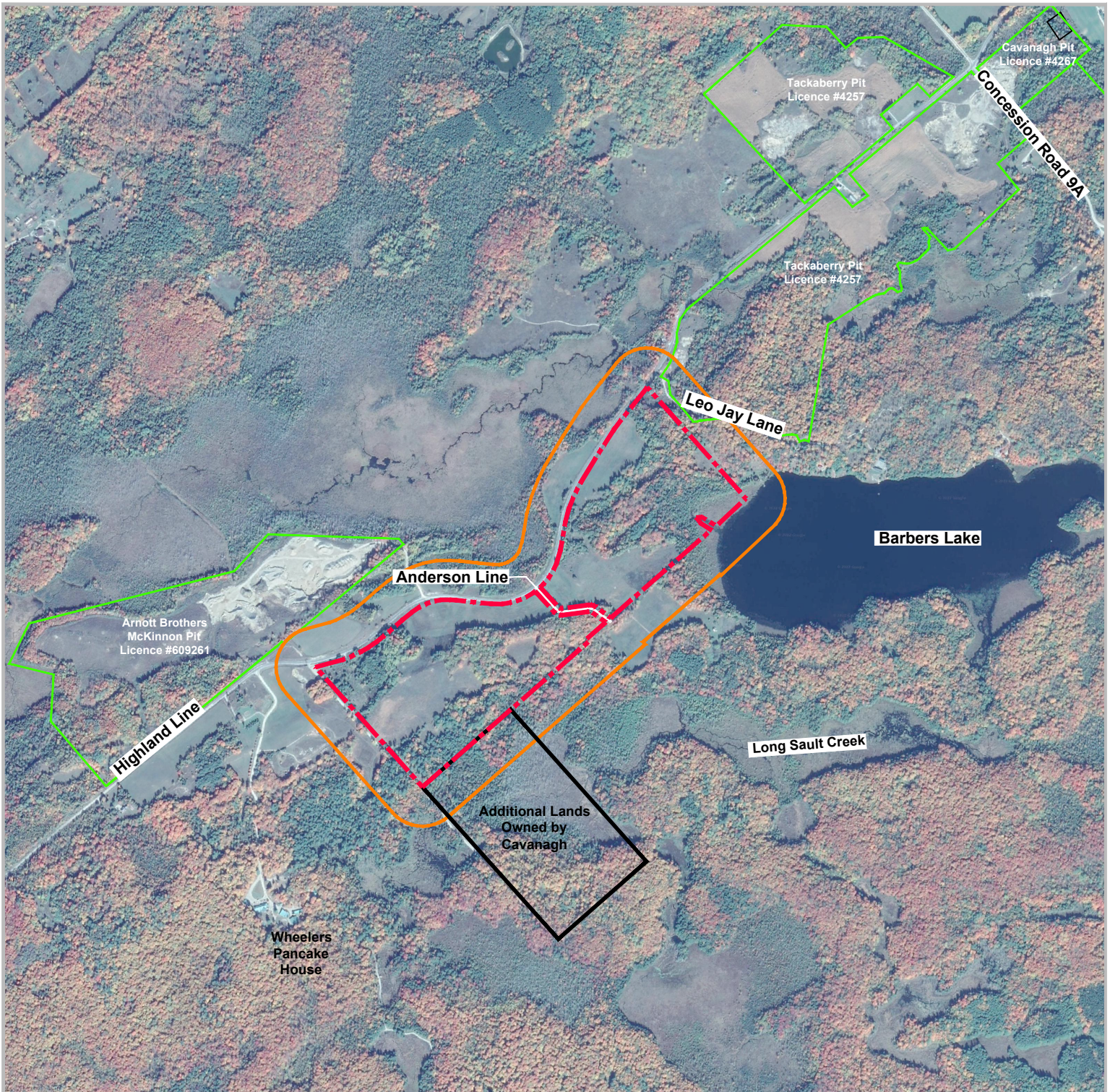


Figure 2
Imagery Map

LEGEND



Subject Lands



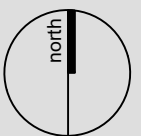
120m from Subject Lands

DATE: November 2022

SCALE: NTS

FILE: 0851E

DRAWN: DGS



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**Thomas Cavanagh
Construction Limited**
Part of Lot 5, Concession 10
(Geographic Township of Dalhousie)
Township of Lanark Highlands
County of Lanark

Base Map Source:
Google Imagery 2019

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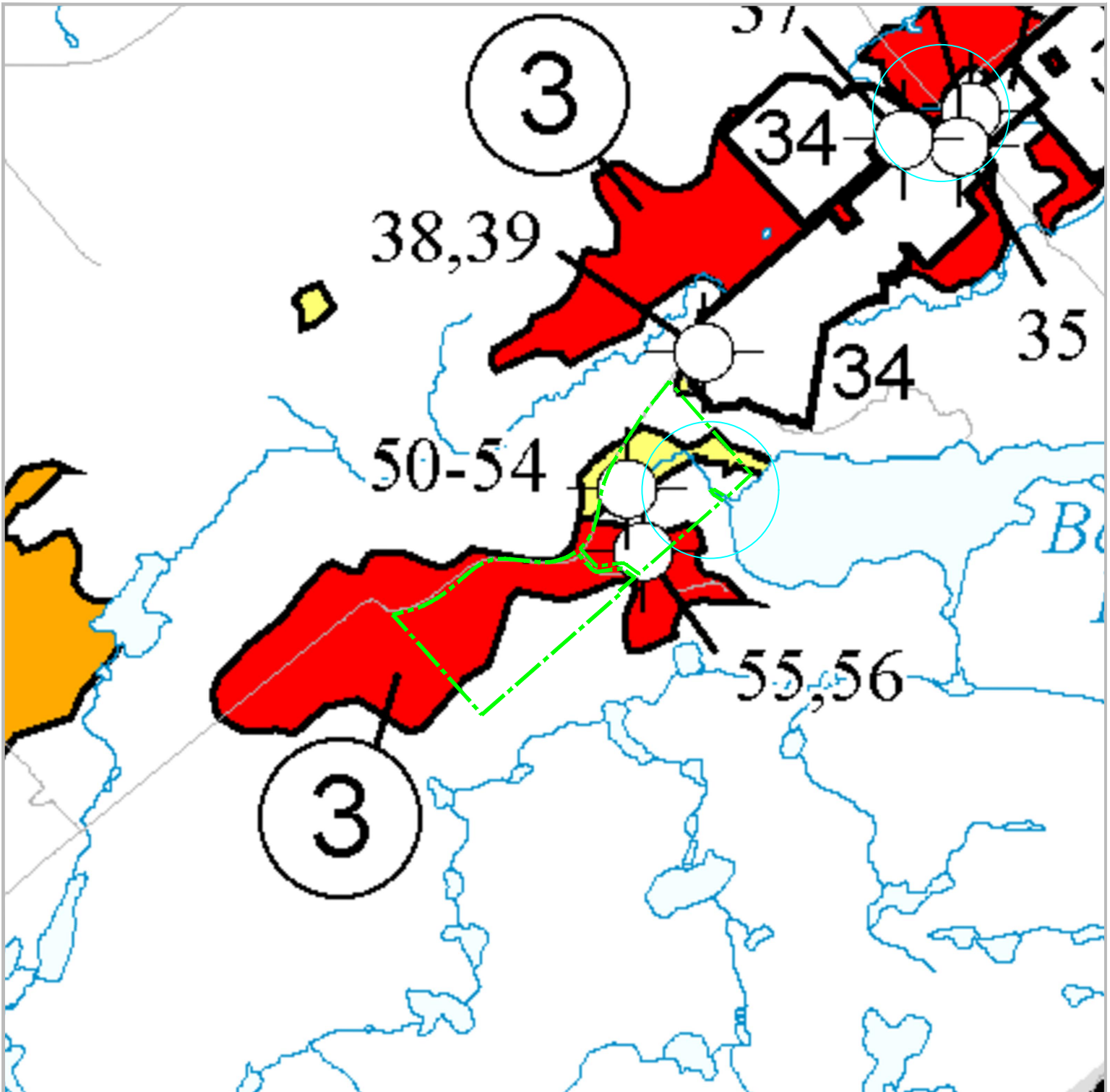










Figure 3
**County of Lanark
 Aggregate Resources
 Inventory Paper 189
 Sand and Gravel
 Resources**

**Thomas Cavanagh
 Construction Limited**
 Part of Lot 5, Concession 10
 (Geographic Township of Dalhousie)
 Township of Lanark Highlands
 County of Lanark

LEGEND

-  Subject Lands
-  Selected Sand and Gravel Resource Area, primary significance; deposit number (see Table 3)
-  Selected sand and gravel resource area, secondary significance
-  Sand and gravel deposit, tertiary significance
-  Other surficial deposits or exposed bedrock
-  Licenced property boundary; property number (see Table 2)
-  Unlicensed sand or gravel pit (i.e., abandoned pit or wayside pit operating on demand under authority of a permit); property number (see Table 2)
-  Borehole location; identification number (see Table 7)

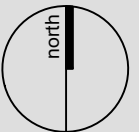
Base Map Source:
 Ontario Geological Survey, Aggregate Resource Inventory Paper 189,
 Map 1 Sand and Gravel Resources for the County of Lanark

DATE: November 2022

SCALE: 1:20,000

FILE: 0851E

DRAWN: DGS



K:\0851E-THOMAS CAVANAUGH CONSTRUCTION-HIGHLAND LINE\PT\ARIP MAP.DWG

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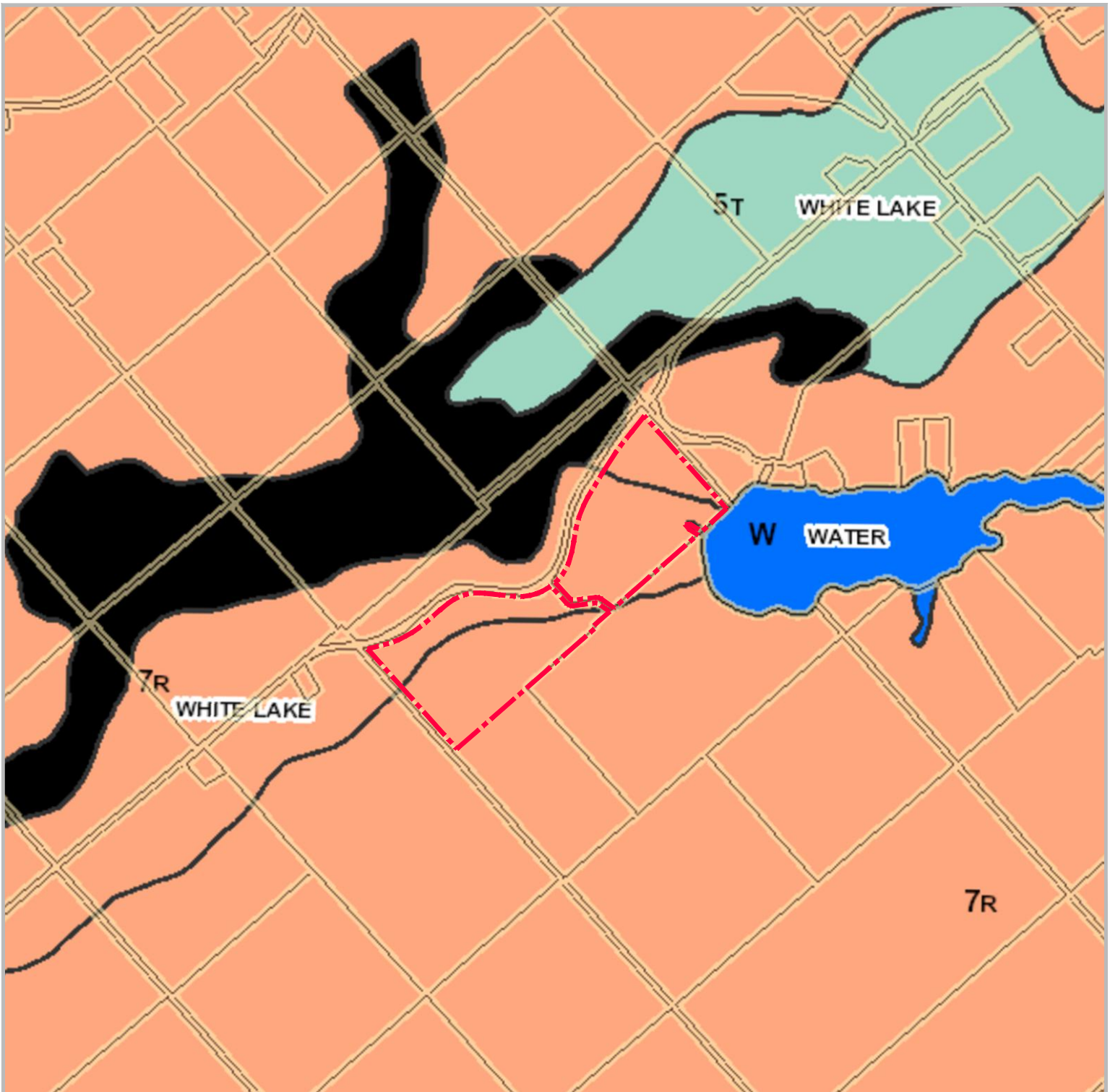



Figure 4
**Soil Capability for
 Agriculture**

**Thomas Cavanagh
 Construction Limited**
 Part of Lot 5, Concession 10
 (Geographic Township of Dalhousie)
 Township of Lanark Highlands
 County of Lanark


LEGEND

 Subject Lands

Soil Capability for Agriculture

 Class 5

 Class 7

 Organic Soil

White Lake Soil Name Label

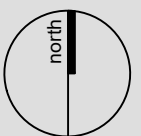
Base Map Source:
 Ontario Ministry of Agriculture, Food and Rural Affairs AgMaps Interactive mapping
 © Queen's Printer for Ontario 2022

DATE: November 2022

SCALE: 1:20,000

FILE: 0851E

DRAWN: DGS



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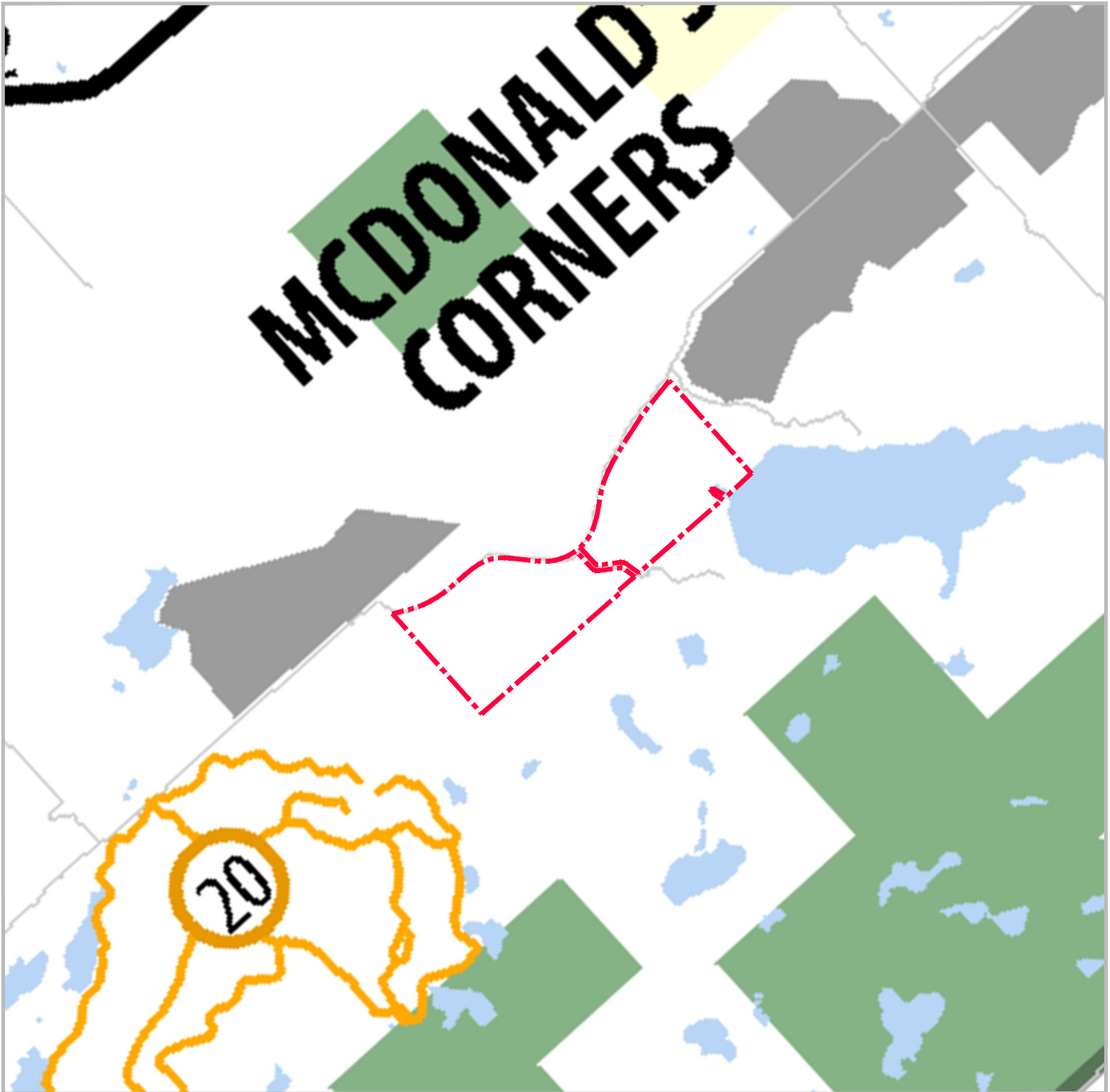









Figure 5
County of Lanark Sustainable Communities Official Plan Schedule A

Thomas Cavanagh Construction Limited
 Part of Lot 5, Concession 10
 (Geographic Township of Dalhousie)
 Township of Lanark Highlands
 County of Lanark

LEGEND

-  Subject Lands
-  SETTLEMENT AREAS
-  LICENSED AGGREGATE EXTRACTION OPERATION
-  WATER BODIES & COURSES
-  SIGNIFICANT WOODLANDS
-  PUBLIC ACCESS TRAIL ON PRIVATE PROPERTY
 WHEELER'S SUGAR CAMP TRAILS

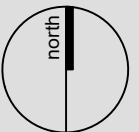
Base Map Source:
 County of Lanark Sustainable Communities Official Plan,
 Schedule A Land Use Designations (April 16, 2013)

DATE: November 2022

SCALE: 1:20,000

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



Base Map Source:
Township of Lanark Highlands Official Plan,
Schedule A - Land Use & Transportation (2010)

Figure 6
Township of Lanark Highlands Official Plan
Schedule A
Land Use and Transportation

Thomas Cavanagh Construction Limited
Part of Lot 5, Concession 10
(Geographic Township of Dalhousie)
Township of Lanark Highlands
County of Lanark

LEGEND

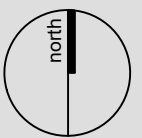
-  Subject Lands
-  Village Communities
-  Rural Communities
-  Pit
-  County Road (ROW 26 metres)
-  Municipal Road (ROW 20 metres)

DATE: November 2022

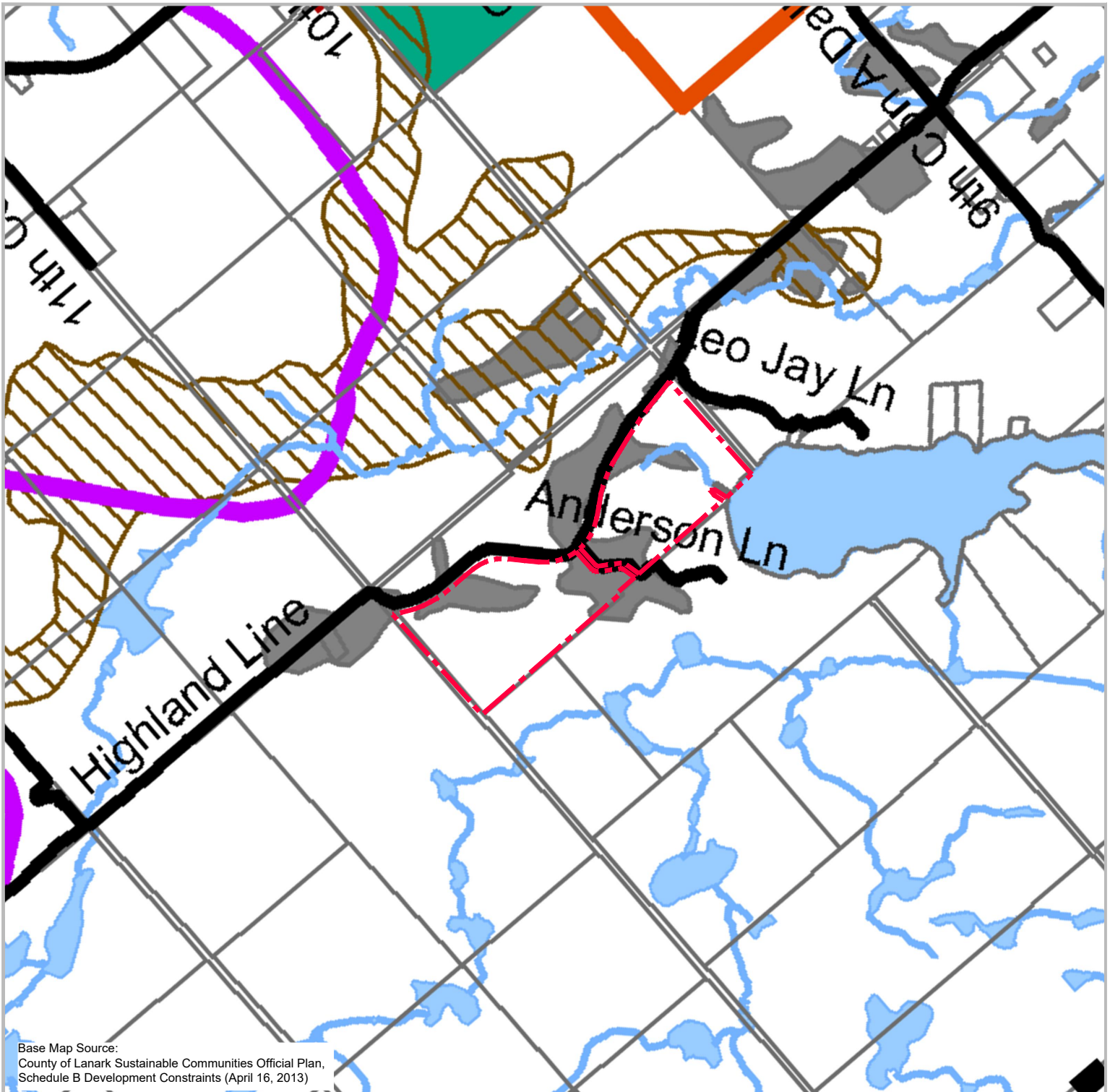
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Base Map Source:
 County of Lanark Sustainable Communities Official Plan,
 Schedule B Development Constraints (April 16, 2013)

Figure 7
Township of Lanark Highlands Official Plan
 Schedule B
 Development Constraints

Thomas Cavanagh Construction Limited
 Part of Lot 5, Concession 10
 (Geographic Township of Dalhousie)
 Township of Lanark Highlands
 County of Lanark

LEGEND

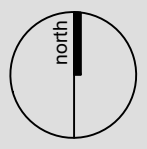
-  Subject Lands
-  Mineral Aggregate Reserve
-  Waste Disposal Site
-  Organic Soil
-  Deer Yard
-  Water Courses
-  Hamlets and Villages

DATE: November 2022

SCALE: 1:20,000

FILE: 0851E

DRAWN: DGS



K:\0851E-THOMAS CAVANAUGH CONSTRUCTION-HIGHLAND LINE\RP\TOWNSHIP OF DEVELOPMENT CONSTRAINTS.DWG

MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE

200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3X9
 P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

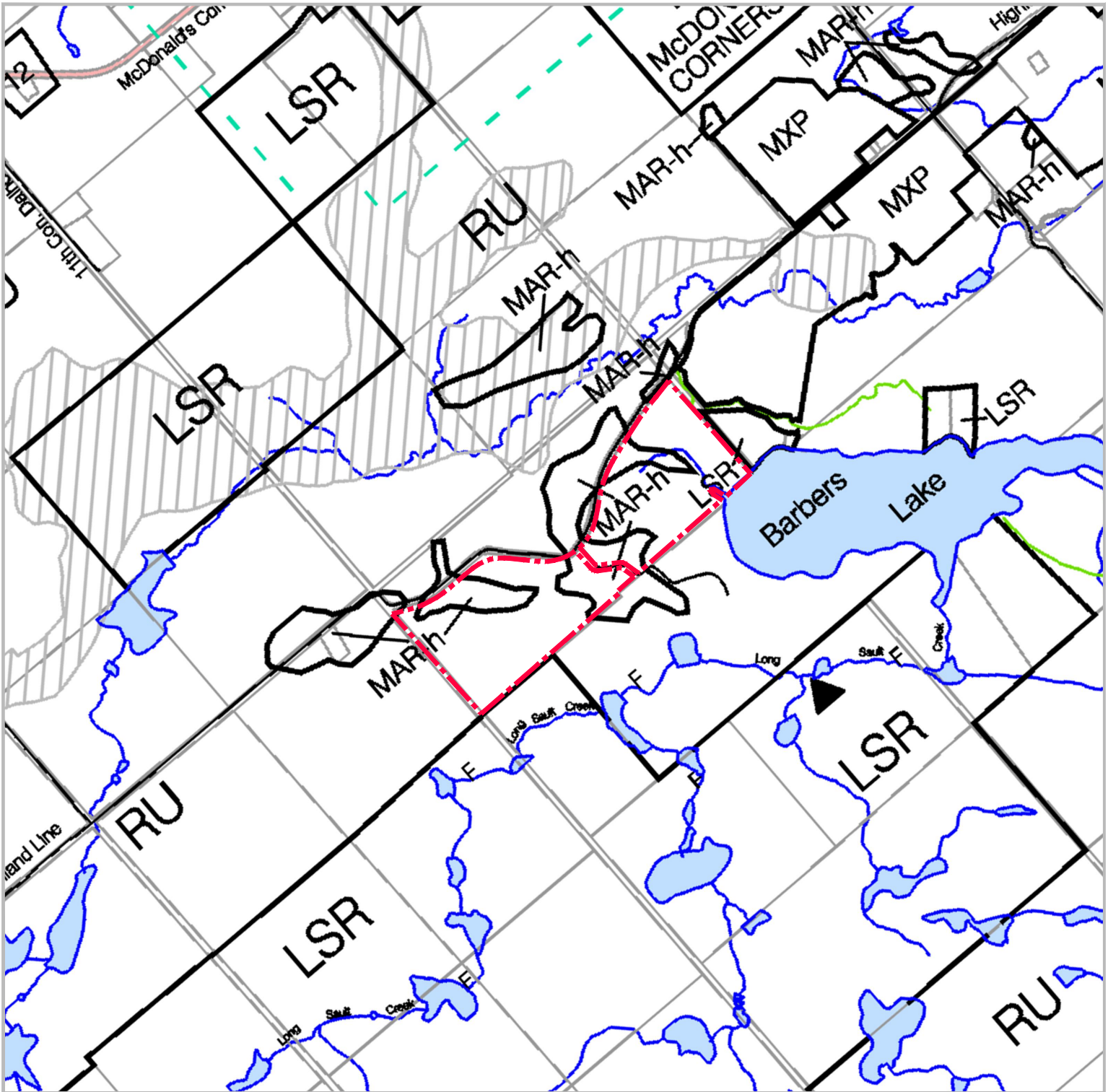



Figure 8
Township of Lanark Highlands Zoning By-law 2003-451 Schedule 'A2'

Thomas Cavanagh Construction Limited
 Part of Lot 5, Concession 10
 (Geographic Township of Dalhousie)
 Township of Lanark Highlands
 County of Lanark

LEGEND

 Subject Lands

- Rural Limited Services Rural
- Mineral Aggregate Resources Pit
- Mineral Aggregate Resources Reserve
- Organic Soils
- Bird Nesting Sites

-  RU
-  LSR
-  MXP
-  MAR

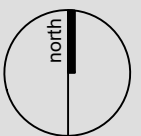
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DATE: November 2022

SCALE: 1:20,000

FILE: 0851E

DRAWN: DGS



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Base Map Source:
 Township of Lanark Highlands Zoning By-law 2003-451,
 Schedule 'A2' (Oct.28, 2003)

APPENDIX A: Curriculum Vitae



CURRICULUM VITAE

Neal DeRuyter, BES, MCIP, RPP

EDUCATION

2008
Bachelor of Environmental Studies
Honours Planning (Co-op)
University of Waterloo

Neal DeRuyter, a Partner with MHBC, joined the firm in 2009 after graduating from the University of Waterloo in the Honours Planning Co-op program. Mr. DeRuyter has worked as a Planner in the private and public sectors with experience in aggregate resource, development and municipal planning.

Mr. DeRuyter has processed and managed several development applications including zoning by-law amendments, official plan amendments, and licence and site plan applications under the Aggregate Resources Act. He is certified by the Ministry of Natural Resources & Forestry to prepare site plans under the Aggregate Resources Act. He is a Registered Professional Planner and is a member of the Canadian Institute of Planners. He has provided expert evidence before the Ontario Municipal Board and Local Planning Appeal Tribunal.

He has participated and authored several research studies and articles related to aggregate resource management. Mr. DeRuyter has presented on several occasions for various events at the School of Planning at the University of Waterloo. Mr. DeRuyter is a member of the Pragma Council at the University of Waterloo.

PROFESSIONAL HISTORY

2017- Present	Partner MacNaughton Hermsen Britton Clarkson Planning Limited
2013- 2017	Associate, MacNaughton Hermsen Britton Clarkson Planning Limited
2009- 2013	Planner, MacNaughton Hermsen Britton Clarkson Planning Limited

PROFESSIONAL ASSOCIATIONS

Full Member, Ontario Professional Planners Institute
Full Member, Canadian Institute of Planners

CONTACT

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F 519 576 0121
nderuyter@mhbcplan.com
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CURRICULUM **VITAE**

Neal DeRuyter, BES, MCIP, RPP

PROFESSIONAL SERVICE

2014-Present Member, University of Waterloo PRAGMA Council

2012-Present Member, Ontario Expropriation Association

2015-Present Member, Eastern Ontario Committee, Ontario Stone, Sand & Gravel Association

PUBLICATIONS

- 'Future Aggregate Availability and Alternatives Analysis, State of the Aggregate Resource in Ontario Study, 2009' (MNR)
- 'The Future of Ontario's Close to Market Aggregate Supply: The 2015 Provincial Plan Review' (OSSGA, 2015)
- Agricultural Impact Assessment and Rehabilitation Plan Guidelines for Aggregate Extraction, 2016 (OMAFRA)

SELECTED PROJECT EXPERIENCE

- Research, preparation and coordination of reports / applications under the Planning Act, Niagara Escarpment Planning and Development Act and Aggregate Resources Act.
- Project management services for development applications.
- Conduct notification and consultation processes under the Aggregate Resources Act.
- Due diligence and property overview reports for prospective aggregate sites.
- Aggregate Resources Act site plan amendments.
- Planning assessment for commercial, residential, agricultural and industrial developments.

CONTACT

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CURRICULUM VITAE

Neal DeRuyter, BES, MCIP, RPP

- Planning assessment for proposed urban use requests in Niagara Escarpment Plan through 2015-2017 Review.
- Research and preparation of reports / evidence for hearings before the Ontario Municipal Board / Local Planning Appeal Tribunal.
- Planning research and assessment for expropriation matters on behalf of public and private sector clients.

SELECTED PROJECT EXAMPLES

- AAROC Aggregates Bardoel Pit, Township of Southwest Oxford
- Badger Daylighting Pits, Township of Puslinch and City of Ottawa
- Bell Sand Farms Grose Pit Extension, Perth County
- Brock University, Niagara Escarpment Plan Lands, City of St. Catharines
- CBM Ayr Pit Site Plan Amendment, Township of North Dumfries
- CBM Bromberg Pit, Township of North Dumfries
- CBM Dorchester Pit, Municipality of Thames Centre
- CBM Eramosa Pit Extension, Township of Centre Wellington
- CBM Lake Pit, Township of Puslinch
- CBM Lanci Pit Expansion, Township of Puslinch
- Caledon Sand & Gravel Site Plan and Licence Amendments, Town of Caledon
- Capital Paving Shantz Station Pit, Township of Woolwich
- City of Kingston, Barriefield Affordable Housing Feasibility Study
- Gallo Contracting Industrial Use, Township of Puslinch
- Graham Brothers Caledon Pit Site Plan Amendment and NEP Amendment, Town of Caledon
- Halton Crushed Stone Erin Pit Extension, Town of Erin
- James Dick Construction Ltd. Adjala Pit Extension, Township of Adjala-Tosorontio
- James Dick Construction Ltd. Erin Pit Extension, Town of Caledon
- James Dick Construction Ltd. Gamebridge Quarry Site Plan Amendment, Township of Ramara
- James Dick Construction Ltd. Reid Road Quarry, Town of Milton
- Kaneff Properties, Royal Niagara Golf Club, City of St. Catharines
- Kieswetter Excavating Heidelberg Pit Site Plan Amendment, Township of Wilmot

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 F 519 576 0121
 nderuyter@mhbcplan.com
 www.mhbcplan.com

CURRICULUM VITAE

Neal DeRuyter, BES, MCIP, RPP

- KPM Brantford Plant Expansion, Brant County
- Lillycrop Highway 6 Expropriation, Township of Puslinch
- Limehouse Clay Products Ltd. Site Plan Amendment, Town of Halton Hills
- Ministry of Transportation, Highway 410 Expropriation, Town of Caledon
- Ontario Stone, Sand & Gravel Association, Municipal Official Plan Reviews in Ontario
- Ontario Trap Rock Quarry, Town of Bruce Mines
- Queenston Quarry Reclamation Company Redevelopment, Town of Niagara-on-the-Lake
- Ramada Beacon Hotel, Town of Lincoln
- R.W. Tomlinson Ltd. Brechin Quarry, City of Kawartha Lakes
- R.W. Tomlinson Ltd. Brickyards Quarry, City of Ottawa
- R.W. Tomlinson Ltd. Moodie Quarry Expansion, City of Ottawa
- R.W. Tomlinson Ltd. Moore Quarry, City of Ottawa
- R.W. Tomlinson Ltd. Napanee Asphalt Plant, Town of Greater Napanee
- R.W. Tomlinson Ltd. Reids Mills Pit, City of Ottawa
- R.W. Tomlinson Ltd. Rideau 1 Quarry Extension, City of Ottawa
- R.W. Tomlinson Ltd. Stittsville Quarry, City of Ottawa
- R.W. Tomlinson Ltd. Storyland Pit, Renfrew County
- R.W. Tomlinson Ltd. Ready-Mix Site Plan Approval, City of Ottawa
- Thomas Cavanagh Construction Almonte Quarry Extension, City of Ottawa
- Thomas Cavanagh Construction Arnott Pit, Lanark County
- Thomas Cavanagh Construction Highland Line Pit, Lanark County
- Township of Guelph-Eramosa, Review of Tri-City Spencer Pit
- Township of West Lincoln, Preliminary Bedrock Resource Assessment in Smithville
- Walker Aggregates Inc. Amherstburg Quarry and McGregor Quarry, Town of Amherstburg

PRESENTATIONS

- “Planning as a Profession” – Faculty of Environment Open House at the University of Waterloo, March 2013
- “Rehabilitation of Licensed Pits and Quarries” – Canadian Association of Certified Planning Technicians Professional Development Conference, October 21, 2011
- Professional Practice, Public and Private Administration (PLAN 403), University of Waterloo, January 2010

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CURRICULUM **VITAE**

Neal DeRuyter, BES, MCIP, RPP

ARTICLES

- "Planning for a sustainable community" – Avenues Magazine (Ontario Stone, Sand & Gravel Association), Volume 1, Issue 2, 2011
- "The closer the better" – Avenues Magazine (Ontario Stone, Sand & Gravel Association), Volume 2, Issue 2, 2012
- "Diminishing supply" - Avenues Magazine (Ontario Stone, Sand & Gravel Association), Volume 3, Issue 1, 2013
- "Shipping aggregate from further afield" – Avenues Magazine (Ontario Stone, Sand & Gravel Association), Volume 3, Issue 2, 2013
- "The feasibility of alternative transportation options" – Avenues Magazine (Ontario Stone, Sand & Gravel Association), Volume 4, Issue 1, 2014
- "Keeping residents safe and dry" – Avenues Magazine (Ontario Stone, Sand & Gravel Association), Volume 4, Issue 2, 2014

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nderuyter@mhbcplan.com
www.mhbcplan.com



EDUCATION

2015 - 2019
Bachelor of Arts, Honours
Princeton University

2020 - Present
Masters of Science (Planning)
University of Guelph

CURRICULUMVITAE

Dawson McKenzie, BA, MSc (Candidate)

Dawson McKenzie joined MHBC as a Planner in 2021. Prior to joining MHBC, Mr. McKenzie worked as a researcher at the University of Guelph and as a Research Associate in the private sector. Mr. McKenzie provides a range of planning services to municipal and private sector clients including land use planning advice, policy review, preparation of planning justification reports, as well as obtaining development approvals for a range of development applications

PROFESSIONAL ASSOCIATIONS

Student Member, Canadian Institute of Planners (CIP)
Student Member, Ontario Professional Planners Institute (OPPI)

PROFESSIONAL HISTORY

- 2021 - Present Planner,
MacNaughton Hermsen Britton Clarkson Planning Limited
- 2020 - 2021 Research Assistant,
University of Guelph
- 2019 - 2021 Research Associate,
Wilton Consulting Group

CONTACT

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employee@mhcplan.com
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APPENDIX B: Draft County of Lanark Sustainable Communities Official Plan Amendment

Official Plan Amendment No. ____

To the Lanark County Sustainable Communities Official Plan

PART A – PREAMBLE

PURPOSE AND EFFECT OF THE OFFICIAL PLAN AMENDMENT

The purpose of Official Plan Amendment No. ____ is to remove the “Rural” designation and replace it with a “Licensed Aggregate Extraction Operation” designation on Schedule “A” to the Lanark County Sustainable Communities Official Plan (SCOP) for land located at Part of Lot 5, Concession 10, Geographic Township of Dalhousie, now in the Township of Lanark Highlands. The land subject to this Amendment comprises approximately 50.6 hectares

The location of the land subject to this Amendment is shown on Schedule “A” to Official Plan Amendment ____.

The effect of Official Plan Amendment ____ is to allow Thomas Cavanagh Construction Limited to operate a pit extracting sand and gravel resources below the water table (known as the Highland Line Pit).

BASIS OF THE AMENDMENT

The lands subject to the proposed Amendment contain at least 2 million tonnes of high quality sand and gravel resources. These aggregate resources have been identified in both provincial geological mapping (Aggregate Resources Inventory Paper 189) as well as municipal planning documents where they are protected from incompatible development and land uses.

The Amendment would allow for the wise use of aggregate resources in the area, and has been carefully designed to minimize social, economic, and environmental impacts. The proposed pit would utilize existing haul routes (Highland Line towards County Road 12) currently used by other aggregate licenses in the area.

Technical studies have been prepared in support of the proposed pit including a Planning Justification Report and Aggregate Resources Act Summary Statement, Water Report, Maximum Predicted Water Table Report, Natural Environment Report, Noise Impact Assessment, Transportation Impact Assessment, Archaeological Assessment and Aggregate Resources Act Site Plan. The studies have demonstrated that the proposed pit can be operated in a manner in which potential impacts are minimized on surrounding land uses as well as natural features.

The following applications have also been submitted concurrently with this proposed Amendment:

1. Township of Lanark Highlands Official Plan Amendment to add the “Mineral Aggregate Resource Policy Area – Pit” designation.
2. Township of Lanark Highlands Zoning By-law Amendment to rezone the lands to “Mineral Aggregate Resources Pit (MXP)”.
3. Class A Licence under the Aggregate Resources Act (administered by the Ministry of Natural Resources and Forestry).

PART B – THE AMENDMENT

The Introductory Statement

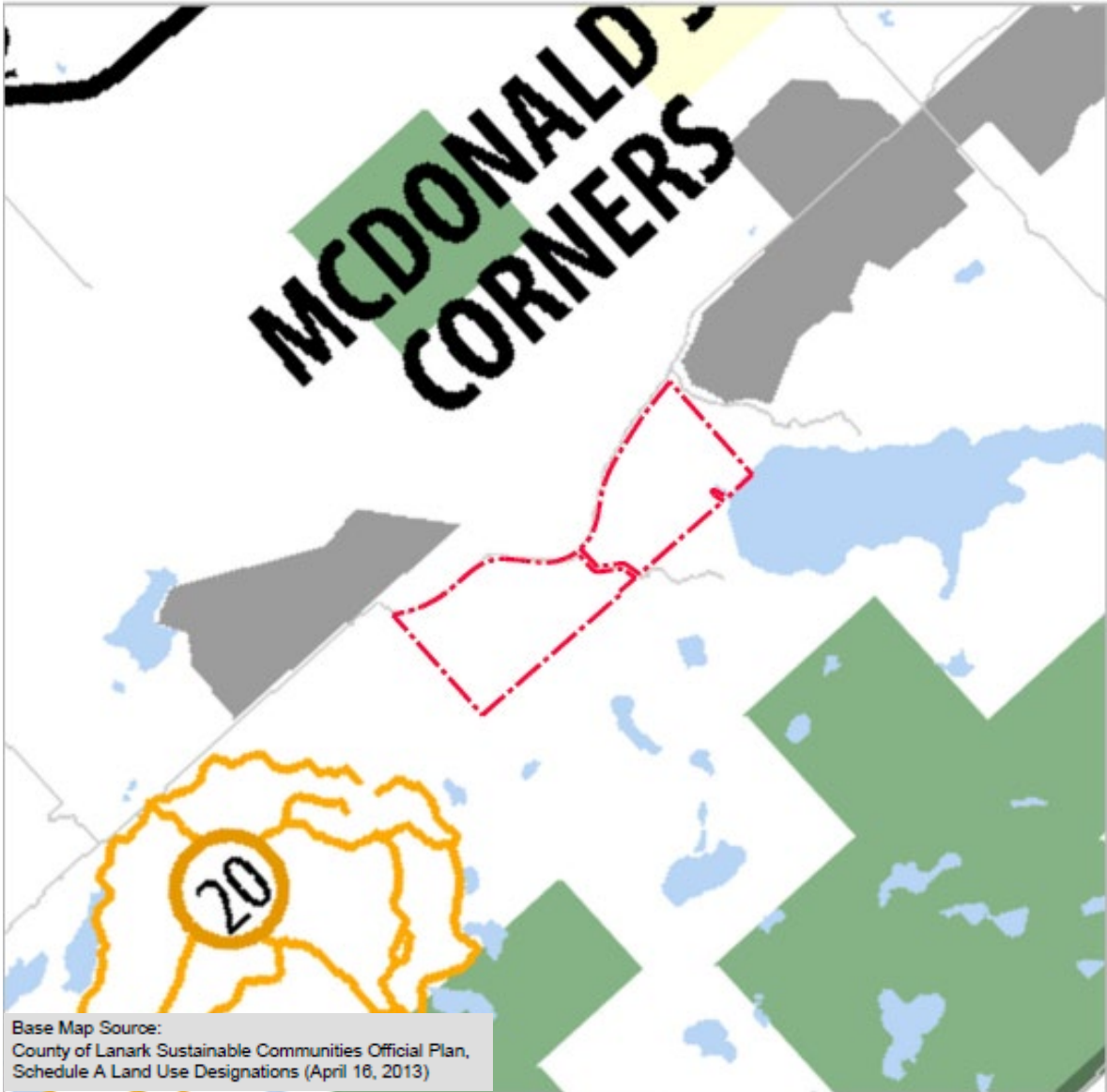
All of this part of the document entitled Part B – The Amendment constitutes Amendment No. _____ to the Lanark County Sustainable Communities Official Plan.

Details of the Amendment

The Lanark County Sustainable Communities Official Plan is hereby amended by amending Schedule “A” to the Official Plan by changing the designation of land described as Part of Lot 5, Concession 10, Geographic Township of Dalhousie, now in the Township of Lanark Highlands as shown on Schedule “A” to this Amendment from “Rural” to “Licensed Aggregate Extraction Operation”.

SCHEDULE "A"

Part of Lot 5, Concession 10, Geographic Township of Dalhousie, now in the Township of Lanark Highlands



Lands to be re-designated from "Rural" to "Licensed Aggregate Extraction Operation"

APPENDIX C: Draft Township of Lanark Official Plan Amendment

Official Plan Amendment No. ____

To the Lanark Highlands Official Plan

PART A – PREAMBLE

PURPOSE AND EFFECT OF THE OFFICIAL PLAN AMENDMENT

The purpose of Official Plan Amendment No. ____ is to remove the “Rural Communities” designation and replace it with a “Mineral Aggregate Resource Policy Area - Pit” designation on Schedule “A” to the Lanark Highlands Official Plan for land located at Part of Lot 5, Concession 10, Geographic Township of Dalhousie, now in the Township of Lanark Highlands. The land subject to this Amendment comprises approximately 50.6 hectares.

The location of the land subject to this Amendment is shown on Schedule “A” to Official Plan Amendment ____.

The effect of Official Plan Amendment ____ is to allow Thomas Cavanagh Construction Limited to operate a pit extracting sand and gravel resources below the water table (known as the Highland Line Pit).

BASIS OF THE AMENDMENT

The lands subject to the proposed Amendment contain at least 2 million tonnes of high quality sand and gravel resources. These aggregate resources have been identified in both provincial geological mapping (Aggregate Resources Inventory Paper 189) as well as municipal planning documents where they are protected from incompatible development and land uses.

The Amendment would allow for the wise use of aggregate resources in the area, and has been carefully designed to minimize social, economic, and environmental impacts. The proposed pit would utilize existing haul routes (Highland Line towards County Road 12) currently used by other aggregate licenses in the area.

Technical studies have been prepared in support of the proposed pit including a Planning Justification Report and Aggregate Resources Act Summary Statement, Water Report, Maximum Predicted Water Table Report, Natural Environment Report, Noise Impact Assessment, Transportation Impact Assessment, Archaeological Assessment and Aggregate Resources Act Site Plan. The studies have demonstrated that the proposed pit can be operated in a manner in which potential impacts are minimized on surrounding land uses as well as natural features.

The following applications have also been submitted concurrently with this proposed Amendment:

1. Lanark County Sustainable Communities Official Plan Amendment to add the “Licensed Aggregate Extraction Operation” designation.
2. Township of Lanark Highlands Zoning By-law Amendment to rezone the lands to “Mineral Aggregate Resources Pit (MXP)”.
3. Class A Licence under the Aggregate Resources Act (administered by the Ministry of Natural Resources and Forestry).

PART B – THE AMENDMENT

The Introductory Statement

All of this part of the document entitled Part B – The Amendment constitutes Amendment No. _____ to the Lanark Highlands Official Plan.

Details of the Amendment

The Lanark Highlands Official Plan is hereby amended by amending Schedule “A” to the Official Plan by changing the designation of land described as Part of Lot 5, Concession 10, Geographic Township of Dalhousie, now in the Township of Lanark Highlands as shown on Schedule “A” to this Amendment from “Rural Communities” to “Mineral Aggregate Resource Policy Area - Pit”.

LANARK HIGHLANDS OFFICIAL PLAN AMENDMENT NO. _____

SCHEDULE "A"

Part of Lot 5, Concession 10, Geographic Township of Dalhousie, now in the Township of Lanark Highlands



Lands to be re-designated from "Rural Communities" to "Mineral Aggregate Resource Policy Area - Pit"

APPENDIX D: Draft Town of Lanark Zoning By-Law Amendment

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

**BY-LAW NO. _____ - _____
A BY-LAW TO AMEND ZONING BY-LAW NO. 2003-451
(Highland Line Pit – File #ZA-__-__)**

WHEREAS, the Planning Act, R.S.O. 1990, Chapter P. 13 Section 34 as amended, provides that the Councils of local municipalities may enact by-laws regulating the use of land and the erection, location and use of buildings and structures within the municipality;

AND WHEREAS, By-law No. 2003-451 regulates the use of land and the erection, location and use of buildings and structures within the Township of Lanark Highlands;

AND WHEREAS, the Council of the Corporation of the Township of Lanark Highlands deems it advisable to amend By-law No. 2003-451 as hereinafter set out;

AND WHEREAS, this By-law implements the policies and intentions of the Official Plan for the Township of Lanark Highlands;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. GENERAL REGULATIONS

1.1 THAT By-Law No. 2003-451, as amended, is hereby further amended by amending the zoning on the lands legally described as Pt. Lot 5, Concession 10, former Township of Dalhousie, now in the Township of Lanark Highlands, from Mineral Aggregate Resources Reserve – Hold “MAR-h” and Rural “RU” to Mineral Aggregate Resources Pit - _____ “MXP-__” in accordance with Schedule “A” attached hereto and forming part of this By-law.

1.2 AND THAT all applicable standards of By-law No. 2003-451 and the MXP zone shall apply to the subject property except as amended below:

1.2.1 Minimum Yard Requirements
Front Yard: 0 m

1.3 AND FURTHER THAT this By-law shall come into force and effect with the passing thereof, in accordance with the Planning Act, R.S.O. 1990.

2. EFFECTIVE DATE

ENACTED AND PASSED this ____ day of _____.

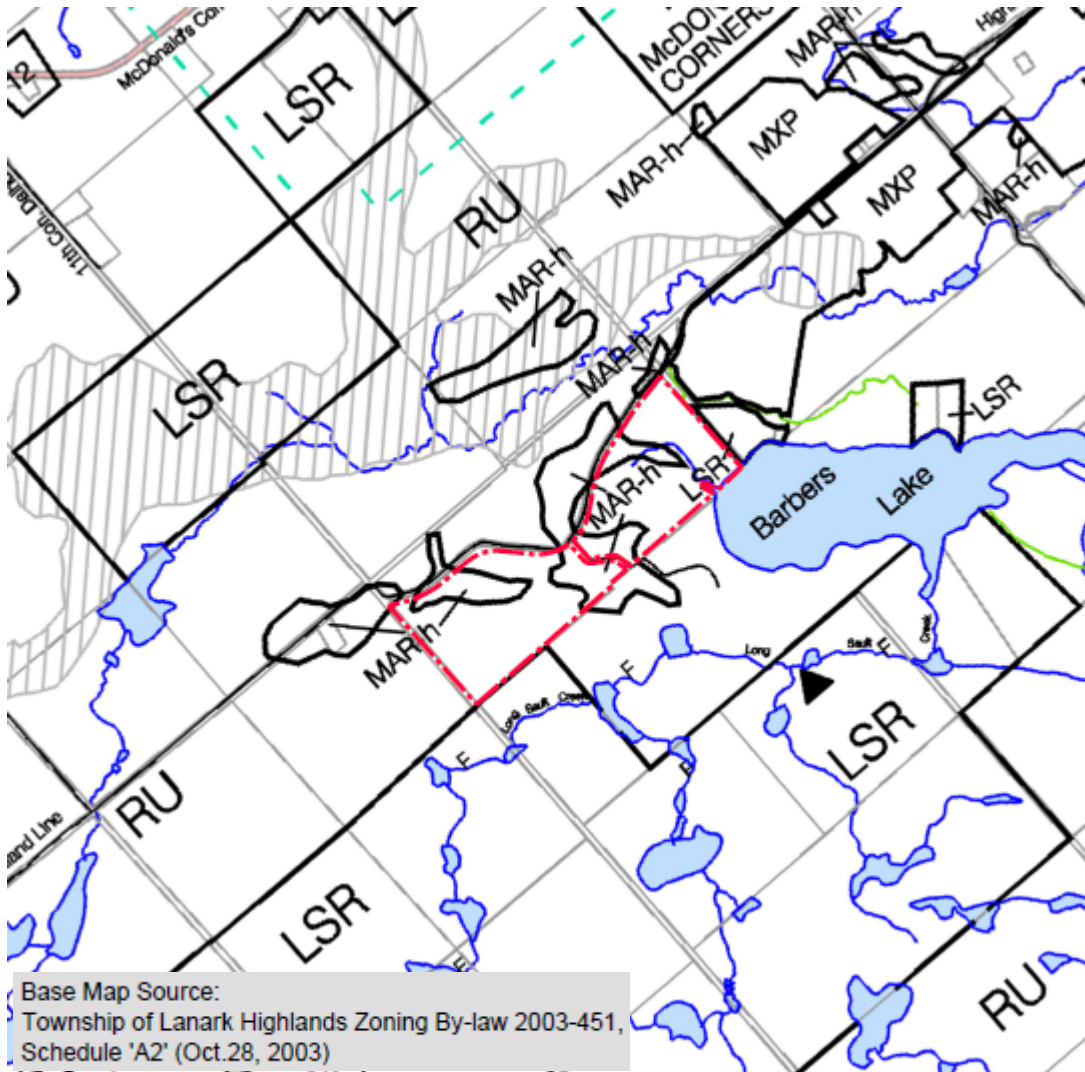
Peter McLaren, Reeve

**Amanda Noel,
Planning Administrator, Deputy Clerk**

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. ____ - ____**

SCHEDULE "A"

Pt. Lot 5, Concession 10
Former Township of Dalhousie now in
the Township of Lanark Highlands



Base Map Source:
Township of Lanark Highlands Zoning By-law 2003-451,
Schedule 'A2' (Oct.28, 2003)



Lands to be re-zoned from Mineral Aggregate Resources Reserve – Hold
“MAR-h” and Rural “RU” to Mineral Aggregate Resources Pit - ____ “MXP-”

To By-law No. ____ - ____
Geographic Township of Lanark
Township of Lanark Highlands

Area affected by this By-law
Mineral Aggregate Resources Reserve –
Hold and Rural to Mineral Aggregate
Resources Pit - ____

This is Schedule “A” to By-law ____ - ____ passed this ____ day of ____.

Reeve

Deputy Clerk