

**K. J. Beamish Construction Co. Limited
Aggregate Pit License Application
Class A – Category 3
Above The Water Table
North ½ of Lot 80, Concession 1 W.P.R. &
Part of The Road Allowance Between
Lots 80 & 81 W.P.R.
Township Of Tiny, County of Simcoe**

PLANNING REPORT

Prepared by:

**Les C. Selby
Consulting Services
41 Victoria Avenue North
Lindsay, Ontario. K9V 4E8
(705) 878-4267
les.selby3@gmail.com**

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Table of Contents

<u>Section</u>	<u>Page</u>
1.0 <u>INTRODUCTION</u>	1
1.1 Site Location	2
1.2 Site Description	2
1.3 Proposed Licensed Pit Area	6
2.0 <u>PROPOSED PIT LICENCE</u>	11
2.1 Aggregate Resource Overview	11
2.2 Extraction Operation Details	11
2.3 Township OP Land Use Considerations	12
(a) Natural Environment	12
(b) Nearby Communities	14
(c) Agricultural Resources	14
(d) Character of the Area	14
(e) Ground Water and Nearby Wells	15
(f) Surface Water	15
(g) Archaeological/ Heritage Assessment	16
(h) Haul Route /Traffic Information	16
(i) Acoustic Assessment	16
(j) Progressive & Final Rehabilitation	17
(k) Surrounding Property Owners	17
3.0 <u>PLANNING CONSIDERATIONS</u>	18
3.1 The County of Simcoe Official Plan	18
3.2 Provincial Policy Statement	20
3.3 The Growth Plan	21
3.4 Township of Tiny Official Plan	22
3.5 Township of Tiny Zoning By-law 06-001	22
4.0 <u>PLANNING CONCLUSIONS</u>	23
<u>FIGURES</u>	<u>Page</u>
Figure 1 - Site Location	4
Figure 2 - Air Photo View – Subject Site	5
<u>PHOTOGRAPHS</u>	7-10

1.0 INTRODUCTION

1.0 INTRODUCTION

K. J. Beamish Construction Co. Limited is submitting an application (Sibthorpe Pit) for a zoning by-law amendment to the Township of Tiny, Zoning By-law 06-001, from Rural (RU) Zone to Mineral Aggregate (MAR) Zone to permit the establishment of a Class A pit license, (maximum of 600,000 tonnes of aggregate to be removed from the license property in any calendar year), Category 3, above the water table, to be operated in the Geographic Township of Tiny, County of Simcoe.

Cedarhurst Quarries & Crushing Limited, a Division of K.J. Beamish Construction Co. Limited, currently operates the existing licensed property (Teedon Pit) , aggregate license # 3670 immediately to the south. This application is for a proposed expansion of the existing licensed pit. An application for a pit license under the Aggregate Resources Act has been initiated by Cedarhurst Quarries and Crushing Limited.

In addition, an application to amend the Official Plan (OP) of the Township of Tiny is required to designate the property from Rural and Mineral Resources Two and Environmental Protection Two overlap (Township of Tiny- Schedule A-Land Use) to Mineral Aggregate Resources One designation to permit an extractive operation (gravel pit) on the subject lands.

The Planning staff of Simcoe County have advised that no official plan (OP) amendment is required to the County of Simcoe Official Plan, consolidated August 2007, with this proposed pit licence. The OP designates the subject land on Schedule 5.2.1 as High Potential Aggregate Resources- Sand & Gravel and on Schedule 5.1 as Greenland & Rural/ Agriculture.

The Planning Report is accompanied by a number of technical reports to meet the requirements of the Aggregate Resources Act & the Township of Tiny & the County of Simcoe planning process. The following technical reports and license site plans are submitted to compliment the application process:

Environmental Impact Statement and Natural Environment Level 1 and 2 Technical Report, The Lindsay Environmental Services Group, September, 2011.

Silvicultural Prescription and Tree Planting Prescription -Peter Hynard, Registered Professional Forester (RPF) , May, 2011 (EIS Report, Appendix 11 &12, Pages 114-120)

Hydrogeological Assessment- Location of Watertable : Alpha Environmental Services Inc., Aurora, Ontario. Mr. Ross Campbell, Licensed Professional Engineer, Hydrogeologist, April 12, 2011.

Stage I & II Archaeological Assessment- The Central Archaeology Group Inc.,
L⁠Amable, Ontario. June 24, 2011.

Acoustic Assessment Report ó F.H. Theakston Environmental Control Inc., Fergus, Ontario.
July, 2011.

Summary Statement Report- Prepared by Dennis C. Simmons, Development and Land
Management Consulting Services, February, 2010.

License Pit Site Plans, by C.T. Strongman Surveying Ltd., Ontario Land Surveyors, Orillia,
Ontario.

4 site plan sheets: 1. Existing Features Plan
2. Operational Plan
3. Rehabilitation Plan
4. Cross Section Plan

1.1 Site Location

The subject property for the proposed pit license operation is located in part of North ½ of Lot 80, Concession 1, W.P.R. and part of the original road allowance between lots 80 & 81 W.P.R., Geographic Township of Tiny, County of Simcoe.

The site is adjacent to provincial Highway 93 on the east side and to the north of County Road # 27. The property is located to the north of Hillsdale, Waverley and to the north east of Elmvale.

Figure 1 illustrates the location of the subject property for a proposed Class A pit license.

Figure 2 shows an air photo view of the proposed licensed area.

1.2 Site Description

The proposed licensed area is approximately 80 meters to the west of Darby Road (township road) and approximately 100 -120 meters to the west Provincial Highway 93.

The proposed pit access is to utilize the pit entrance of the existing licensed site, Teedon pit, immediately abutting the property to the south.

The site is currently vacant land with a central open area, with remnants of older scotch pine plantations, mixed woods and areas of hardwoods predominately in the western portion of the property. The property drops off from a ridge unto flatter terrain to the west with continued tree growth in this flatter area towards Marshall Road.

The property was generally used for pasturing and some field crops in the past and for fuel wood cutting and logging of timber. There are no buildings on the site.

The site lends itself to aggregate extraction due to the existing aggregate pit license immediately abutting the property to the south. This site demonstrates high potential aggregate resource deposits as found within the adjacent licensed pit property.

Figure 1 – Site Location

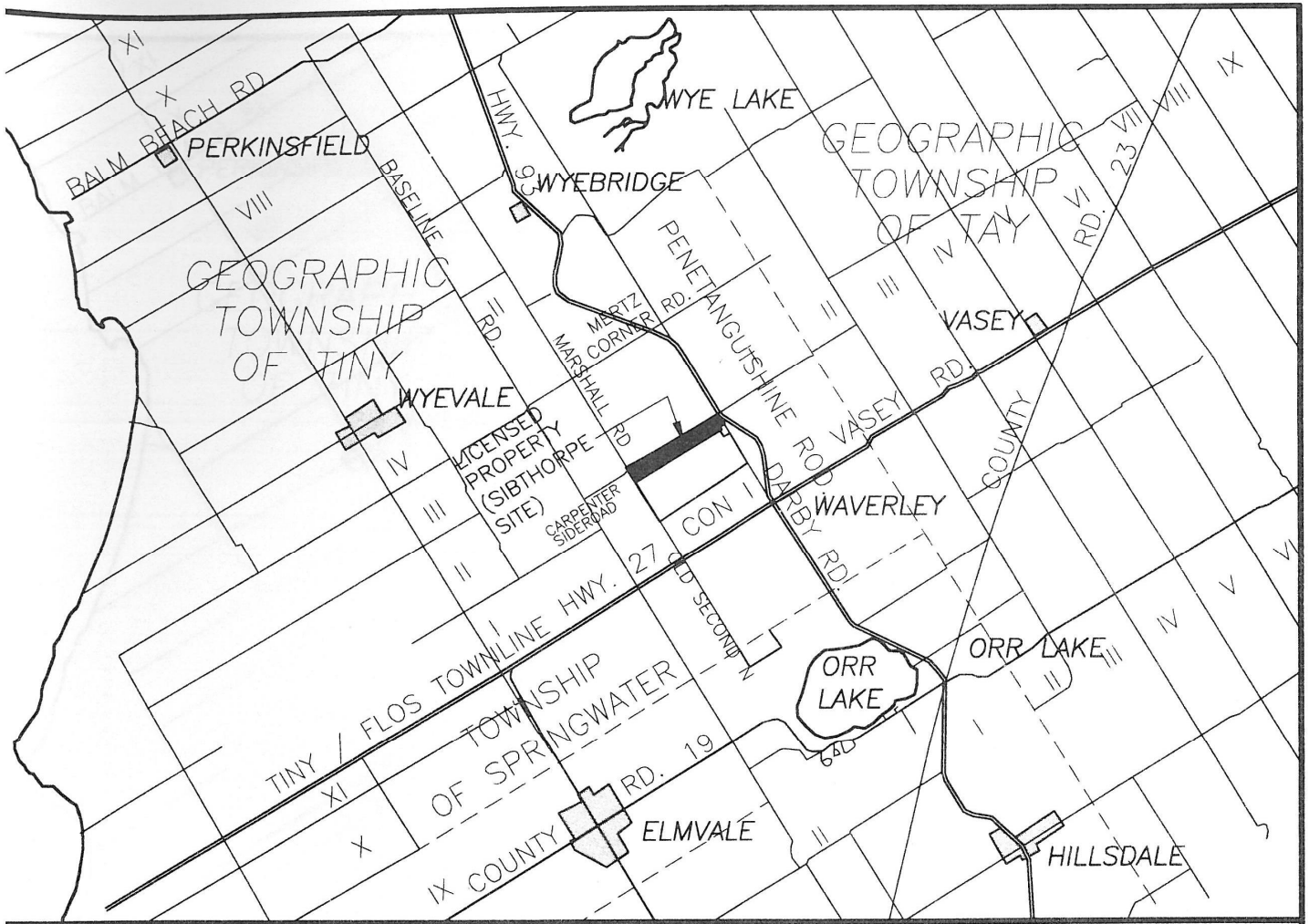
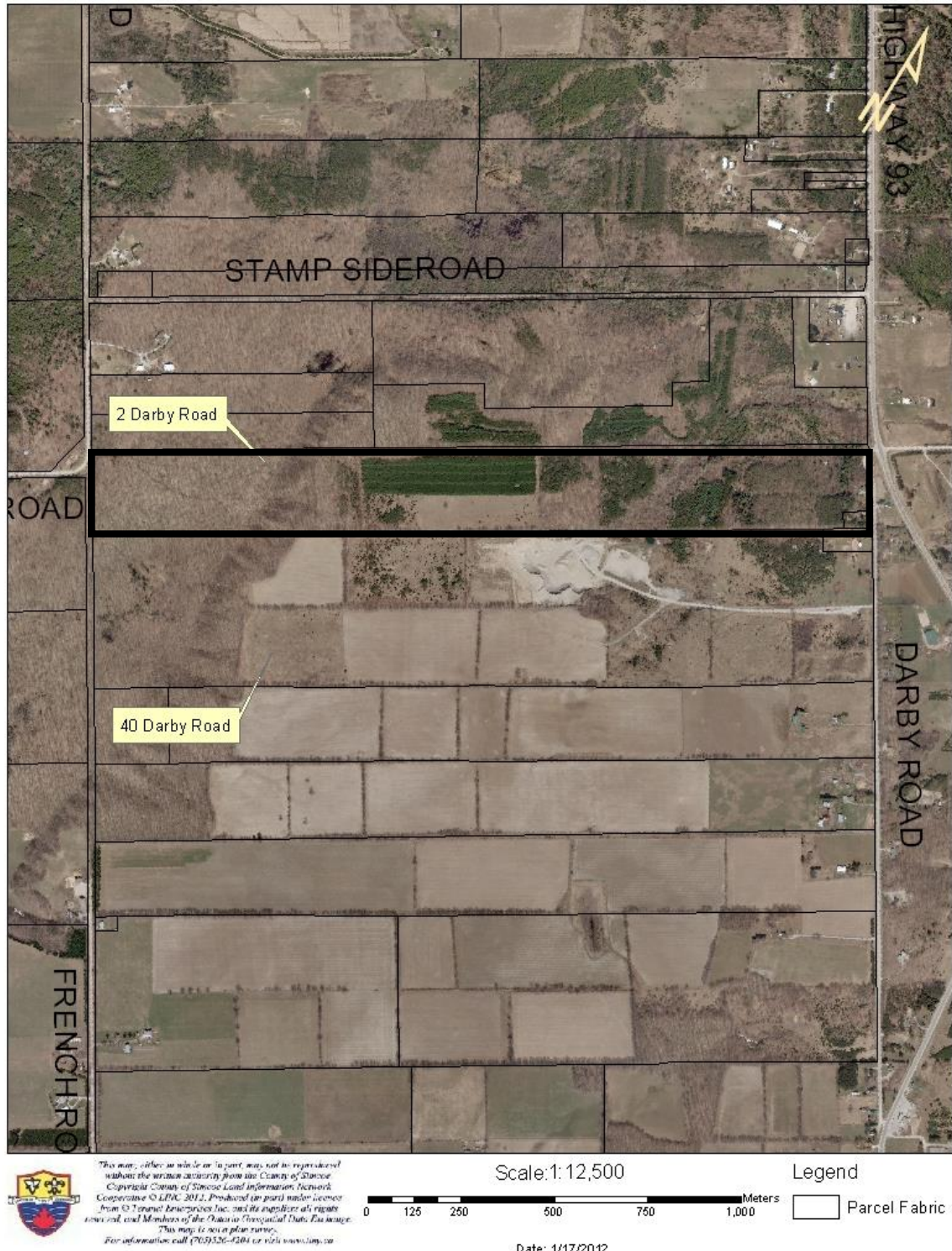


Figure 2- Air Photo View – Subject Site



Photographs were taken April, 2010

Photograph # 1- Looking east up the ridge, west end of the property-significant woodlands

Photograph # 2- Looking east in the hard wood area ó west end of the property

Photograph # 3- Evidence of active forest management, western site location, significant woodlands

Photograph # 4- Looking west, central open area of the property

Photograph # 5 -Pine plantation in central east of the property

Figure 3 shows the existing site conditions from the license site plans

1.3 Proposed Licensed Pit Area

The application is for a Class 8 aggregate pit license above the water table, Category 8, a maximum of 600,000 tonnes of aggregate allowed to be removed from the licensed property in any calendar year.

The applicant seeks to license 42.6 hectares of land with a proposed area of 39.0 hectares to be extracted.

There are no buildings within the proposed licensed area. No watercourses or provincially significant wetlands will be intercepted by the proposed pit operation.

Additional existing site features can be reviewed on the license site plans, Sheet 1, Existing Features Plan.

Depth of extraction will vary from approximately 10 meters to 41.2 meters in depth across the property and will remain at least 1.5 meters above the water table. The proposed area to be licensed is 92 % forested property and 8% open field area (not currently being farmed). Final extraction and rehabilitation will create approximately 15.3 hectares of land that may be used as productive cropland (36% of the licensed property). This proposed cropland area would be linked with cropland located directly to the south on the existing licensed area.

Photograph # 1- Looking east up the ridge, west end of the property-significant woodlands



Hardwoods in the west end of the property, designated as significant woodlands in the Township & County Official Plans. The old shoreline ridge is in the background. The deciduous tree species are dominated by hard maple. The trees in this photograph are uneven aged from young trees to mature hardwoods.

Photograph # 2- Looking east in the hard wood area ó west end of the property



Hardwood tree species in the west end of the property. Various age tree species with some areas of open sapling growth where previous selective logging has taken place. The western end of the property below the ridge formation is relatively flat, west to Marshal Road.

Photograph #3- Evidence of active forest management, western significant woodlands



Selective hardwood logging is evident in the western portion of the subject property. This area is designated as significant woodlands in the local planning documents. The registered professional forester deemed this area to be logged approximately 3 and 8 years ago.

Photograph #4- Looking west, central open area of the property. Shows secondary succession field growth and evergreen growth.



Photograph #5 ó Pine plantation in central east of the property. Stand deterioration is noticed.



2.0 PROPOSED PIT LICENCE

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2.1 Aggregate Resource Overview

The aggregate deposit proposed for extraction is located within both a lacustrine plain area and an ice-contact stratified drift deposit. Generally the deposit consists of interbedded fine to coarse gravel, medium to coarse sand and thin clay layers. There are areas of both crushable and pit-run aggregate. Sand control will be necessary for the production of Granular A material.

It is estimated that there is approximately 10 million tonnes of aggregate located on the proposed area of extraction. Time line for complete extraction (based on an average annual tonnage of 100,000 tonnes and projected sales / demand) is estimated at 90 to 100 years.

2.2 Extraction Operation Details

Extraction of aggregate will be undertaken to final pit floor elevations ranging from 237.5 m.a.s.l. at the west end of the property, to 255 m.a.s.l. at the central part of the property and to 253.7 m.a.s.l. at the east end of the property. Depth of extraction will range from approximately 12 meters at the west end of the property, to approximately 41.2 meters at the central part of the property and to approximately 25 meters at the east end of the property. Proposed final pit floor elevations may not be reached at all locations on the property, depending on the location of marketable aggregate.

Should the water table vary upwards, no extraction will occur within 1.5 meters of the water table. As identified in the operational site plan notes, test holes will be dug to probe for the water table on each lift.

Extraction will take place in 4 phases. Phases 1, 2 and 4 may be operated concurrently and Phases 2 and 3 may be operated on concurrently.

No more than 40% of the licensed property (17.0 hectares) will be disturbed at any given time. Extraction will be initiated in the central portion of the Phase 1 area and proceed westward through the Phase 2 area and into the Phase 3 area with progressive rehabilitation being undertaken (see details on Operational Plan ó Sheet 2 of 4). Prior to extraction taking place in the Phase 4 area, 20 hectares of land will have been rehabilitated. Upon complete extraction of the Phase 4 area the total disturbed area on the licensed property will be completely rehabilitated within 2 years thereafter.

Final pit faces will be sloped at 3:1 or greater (graded, topsoil applied and seeded with herbaceous vegetation). All slopes will be planted with trees as identified in the Tree Planting Prescription prepared by Peter Hynard (Registered Professional Forester). The final pit floor in the Phase 3 area will be graded, topsoil applied, seeded with herbaceous vegetation and planted with trees as identified in the Tree Planting Prescription noted above. The final pit floor in Phases 1, 2 and 4 will be graded, topsoil applied and seeded with a grass seed conducive to farming (cropland). Operational details are found within the site plans prepared by C.T. Strongman Surveying Ltd., Ontario Land Surveyors, specifically on the Operational Plan, sheet 2 of 4. The specific detailed progressive rehabilitation notes are found on the Rehabilitation Plan sheet 3 of 4.

The applicant seeks to license 42.6 hectares of land with a proposed area of 39.0 hectares to be extracted.

Final extraction and rehabilitation will create approximately 15.3 hectares of land that may be used as productive cropland (36% of the licensed property). This proposed cropland area would be linked with cropland located directly to the south.

The aggregate license application is for a Class "A" pit license with a maximum of 600,000 tonnes of aggregate allowed to be removed from the licensed property in any given calendar year.

A summary of other pit operation details are found within the Summary Statement Report prepared by Dennis C. Simmons.

2.3 Township OP Land Use Considerations -B14 Mineral Resources Two

B14.4.1 of the Development Policies in the OP states that all new pit expansions requires an amendment to the OP and the rezoning shall be supported by an Environmental Impact Study (EIS) considering the effect on the following matters:

(a) Natural Environment

An Environmental Impact Statement and Natural Environment Level 1 and 2 Technical Report was completed for the property proposed to be licensed for pit excavation. The report was conducted by The Lindsay Environmental Services Group dated September 30, 2011.

The report provides Natural Heritage information as required under the Provincial Standards (Aggregate Resources Act) and also includes an Environmental Impact Statement required by the County of Simcoe Official Plan for a development proposal in Greenland unit TTP4 and the Township of Tiny Official Plan for development in the Environmental Protection II area.

No Areas of Natural and Significant Interest (ANSI's), Provincially Significant Wetlands, Fish Habitat or Significant Valley Lands were found in the study area which includes the proposed licensed area & within 120 meters of the site.

A small butternut tree (endangered species) was found on the applicant's property well to the east of the proposed licensed property. The subject tree will not be impacted by the proposed pit development.

Fish habitat does not exist on the property, which includes cold water habitat, warm water habitat and fish spawning.

No deer concentrations or waterfowl concentrations could be found on site.
No natural heritage system linkage values will be impacted by the proposal.

Significant woodlands (Greenland unit TTP4 and Environmental Protection II) are located on the west end of the property to be licensed (Phase 3). This woodland area is proposed to be managed in accordance with a Silvicultural Prescription (prepared by Peter Hynard, Registered Professional Forester) until removed for extraction of aggregate. The Silvicultural Prescription is included in the Environmental Impact Statement and Natural Environment Level 1 and 2 Technical Report prepared by The Lindsay Environmental Services Group, dated September 30, 2011. Rehabilitation of the site will be progressive with topsoil applied, seeding undertaken and trees planted as directed in a Tree Planting Prescription.

Significant woodlots in this section of Simcoe County are defined as being greater than 40 ha and / or containing trees greater than 100 years old. The only forest, on the proposed licensed property, meeting a portion of this criterion is 13 ha in size and has some sugar maple trees greater than 100 years old. The remaining forest is relatively small stands of evergreen plantations and secondary growth with numerous openings in the canopy.

To assess the importance and any potential impact to the significant woodland designation at the western end of the site, Grace & Associates were retained in 2011. The proposed licensed property is part of a 353.7 ha woodland named as TTP4, Tiny- Tay Peninsula, part of a large area of woodlands adjacent to the Wye River Valley. This site has approximately 13 ha deemed to be significant. This forested area has been logged in the past and more recently 3 and 8 years ago. The significance of the stand is reduced due to the lower occurrences of native interior forest flora. No significant plant species or communities were identified. It was noted that this 13 ha forested area, which is part of the larger 353.7 ha woodland is isolated with no linkages to other woodlands.

The forest analysis by Grace & Associates found that the Wye River watershed would continue to have more than the minimum forest habitats (as recommended by Environment Canada, 2004) to support all forest interior bird species found in Simcoe County. Data from MNR indicates that 33.8 % of the watershed is forest habitat and approximately 9.2 % is forest interior habitat. After pit extraction, the forest habitat will be 33.4 % of the watershed and interior bird habitat 9% of the watershed. Therefore the loss will be 0.4% and 0.2 % respectively. The loss of forest habitat will not

significantly reduce the total forest habitat or the interior bird habitat within the Wye River watershed. Forest habitats will remain above the minimums throughout the Wye River watershed and provide adequate habitat for forest birds.

We are aware that the Sarjeants pit applications have also provided similar watershed assessment indicating that the future loss of forest habitat will also not be significant in the watershed.

(b) Nearby Communities

The proposed pit expansion is generally within a rural area with no adjacent built up communities. The proposed pit expansion would be immediately to the north of the existing licensed pit. Communities that are a considerable distance from the proposed pit expansion include Wyevale to the north west, Elmvale to the south west, Hillsdale to the south along provincial highway # 93. These communities are not expected to be affected as the existing pit currently utilizes highway 93 as the main haul route highway corridor and will continue to use this route. No annual tonnage increase is proposed through the existing pit.

(c) Agricultural Resources

A review of the Canada Land Inventories Agricultural Capabilities Map indicates that the soils on the proposed extractive area classified as Classes / Subclasses 3FM, 3W and 7T.

Class 3 soils can be fair to moderately high in productivity for a wide range of common field crops. Subclass F denotes soils having low fertility that may be improved through fertility management. Subclass W denotes soils having low moisture holding capabilities and are more prone to drought. Subclass T indicates a presence of excess soil moisture causing a limitation to field crop agriculture.

Class 7 soils have no capability for arable agriculture or permanent pasture. Subclass T indicates topographic limitations due to the steepness of the surface slope and the pattern or frequency of slopes in different directions.

At present approximately 3.4 hectares of land is open field, not being used for agricultural purposes. A number of years ago a portion of the property was used for agricultural purposes, probably used for pasture and some crop cultivation. It is proposed that final rehabilitation will provide for 15.3 hectares of agricultural land and 23.7 hectares of forested property. The agricultural land will be significantly increased with this proposal.

(d) Character of the Area

The character of the area surrounding this proposed pit expansion is generally rural in

nature, agricultural holdings, some area hobby farms, rural residential, and forested areas. The site is vacant land with no structures, contains mixed forested lands, some older evergreen plantations- some in poor condition, secondary tree growth, a hardwood forested area in the western portion of the property and open fields.

The property to the north, outside of the proposal, is primarily tree covered and extends to Stamp Side Road. This road is fairly isolated and has very few rural residences.

The area to the west is forested along Marshall Road and Carpenter Side Road. Further west the land use is mainly agriculture in nature.

To the immediate south of the proposed pit expansion is the parent licensed aggregate pit.

The pit property has existing aggregate operations, agricultural crop fields, and forested areas.

To the immediate east is Darby Road and Highway # 93. The proposed pit expansion proposes to utilize the existing pit entrance on to Darby Road and use the existing haul route for approximately .47 kilometers to Highway #93. Along this section of Darby Road are a few existing rural residential & hobby farm holdings. Similar land uses exist along Highway # 93.

(e) Ground Water and Nearby Wells

The Letter of Opinion / Hydrogeological Assessment prepared by Alpha Environmental Services Inc. estimates that the water table varies from an elevation of 236.0 masl at the west portion of the site to 254.8 masl in the central portion of the site and to 252 masl at the eastern portion of the site. Extraction of aggregate will be undertaken no closer than 1.5 meters from the established water table. Depending on the quality of aggregate, up to 41.2 meters of material may be extracted from the site, based on topography. Aggregate will be removed in a series of lifts. On each lift test holes will be dug to ensure that aggregate extraction remains at least 1.5 meters above the water table. Should the water table vary upwards no extraction will occur within 1.5 meters of the water table.

Monitoring wells located on the subject property; on the adjacent Teedon licensed pit property; and adjacent resident wells were used to determine the water table elevation on the proposed property to be licensed.

Alpha Environmental Services Inc. concluded through their assessment that the proposed pit operation should have no impact on existing ground water users near the site.

(f) Surface Water

Existing surface water drainage on the proposed licensed property is to the west (on western portion of property), to the north (on the central portion of the property) and to the east (at the eastern end of the property). During extraction operations surface water drainage in undisturbed areas will remain the same and within the area of excavation surface water will percolate into the pit floor due to the porosity of the sand and gravel.

After final rehabilitation surface drainage will drain from perimeter sloped areas onto the rehabilitated pit floor. Surface water from rain and snow melt water will percolate into rehabilitated pit floor with some surface waters draining westward (primarily), northward and eastward.

(g) Archaeological / Heritage Assessment

A Stage 1 and Stage 2 Archaeological / Heritage Assessment Report for the subject property was completed by The Central Archaeology Group Inc. dated May, 2011. Background research and field investigation indicated the absence of significant / historic cultural materials. The report was submitted to the Ministry of Tourism and Culture with a recommendation that the Ministry issue a letter of clearance. The Ministry provided written clearance in a letter dated June 24, 2011.

(h) Haul Route / Traffic Information

It is proposed that the entrance of the existing licensed property, owned by Cedarhurst Quarries, be the operational entrance for the new pit expansion. Aggregate materials would be hauled from the northern property through the existing operations and out the existing entrance. The two properties would be operated through the existing pit entrance and exit onto Darby Road. Currently, the aggregate is hauled onto Darby Road and trucked approximately .47 kilometers northward to Highway #93.

In 2010, the Township passed By-law 10-006 exempting K.J. Beamish Construction Co. Limited from the Prescribed Reduced Load Restrictions from their pit entrance on Darby Road approximately .47 kilometers north to Highway # 93 as a result of significant road upgrades proved by the Township Manager of Public Works.

The maximum annual tonnage for the proposed licensed pit is 600,000 tonnes

It is proposed that in any calendar year that no more than 600,000 tonnes of aggregate may be transported onto Darby Road from both the Teedon pit property and the subject property combined.

This will be a binding condition on the pit license site plans to be approved by the Ministry of Natural Resources.

Therefore, because the haulage tonnages remain the same, and as agreed upon with the Township, no Traffic Impact Study would be required.

(i) Acoustic Assessment

The Acoustic Assessment Report by F.H. Theakston Environmental Control Inc. was prepared in accordance with MOE Guideline NPC-233. The analysis shows that the proposed pit expansion will comply with sound level limits outlined in MOE publications NPC-205 & NPC- 232 provided the mitigation measures outlined in the Report are implemented.

In some operational phasing, earth berms will be constructed to a height of at least 5 meters in sections along the limit of extraction to ensure mitigation measures are in place to

meet provincial requirements for noise level limits around the proposal. The operational site plan page illustrates the location of the berms along the western, eastern, and northeastern pit boundaries. For further details, please refer to the Acoustic Assessment Report.

(j) Progressive and Final Rehabilitation

Rehabilitation of the final pit floor will involve grading and placement of topsoil (from on site) as even as possible over the floor with seeding to be carried out thereafter.

That portion of the floor to be rehabilitated for agricultural use will be seeded with a seed mix conducive to crop farming. That portion of the floor to be reforested will be seeded with a seed mix conducive to the planting of trees and natural seeding from the adjacent forested area. The pit floor in Phases 1,2 and 4 will be rehabilitated for agricultural use (common field crops). The pit floor in Phase 3 will be rehabilitated to forest. Planting of trees will be undertaken in accordance with the Tree Planting Prescription prepared by Peter Hynard (Registered Professional Forester). The Tree Planting Prescription is included in the Environmental Statement and Natural Environment Level 1 and Level 2 Technical Report prepared by The Lindsay Environmental Services Group, dated September 30, 2011.

All final pit faces will be sloped at a minimum of 3:1 to provide for slopes that will be forested. Rehabilitated sloping will be accomplished using a combination of infill (from on site) and cut & fill with grading. After grading of the slopes is completed, topsoil (from on site) will be evenly applied over the constructed slopes with seeding carried out thereafter. Seeding will be conducive to planting. Thereafter (upon complete grass coverage of the slopes) trees will be planted in accordance with the Tree Planting Prescription prepared by Peter Hynard. Slopes to be planted are identified on the Rehabilitation Plan.

It is proposed that final rehabilitation will provide 15.3 hectares of land that may be used for productive cropland and provide 27.3 hectares of forested land

(k) Surrounding Property Owners

Adjacent and nearby landowners (within 120 meters of the proposed aggregate license area boundaries) will be notified regarding the proposed pit operation and given the opportunity to provide written comments as per the requirements of the Provincial Standards, Version 1.0, Aggregate Resources Act.

3.0 PLANNING CONSIDERATIONS

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3.1 The County of Simcoe Official Plan

The planning staff of Simcoe County have advised that no official plan (OP) amendment is required to the County of Simcoe Official Plan, consolidated August 2007 with this proposed pit licence. The OP designates the subject land on Schedule 5.2.1 as High Potential Aggregate Resources- Sand & Gravel and on Schedule 5.1 as Greenland & Rural/ Agriculture.

In the Introduction of the Official Plan for the County of Simcoe, Part 1.4, Goals of the Official Plan have relevance to the proposed pit operation. Specifically, the following goals should appear to be supportive:

- . wise management and use of the County's resources;
- . growth management to achieve lifestyle quality and efficient and cost -effective municipal servicing, development and land use;
- . community economic development which promotes economic sustainability in Simcoe County communities, providing employment and business opportunities;

In Section 2.4 Resources and Economic Base, the County is recognized as having a diverse economic base which includes traditional, resource based industries and industries based on modern manufacturing and technology. Aggregate Resources, such as sand, gravel, and stone are mentioned to be extracted in many parts of the County.

This further highlights the importance of aggregate resources within the County for continued economic growth & employment.

Part 3- Growth Management Strategy outlines that the planning strategy is based on four themes. Specifically, theme number two states "Enabling and managing resource based development including agriculture, forestry, aggregates, and tourism and recreation."

Further, Section 3.1.2 states that "The resources of the land are key elements in the economic development of the County and provide environmental benefits. Planning includes (1) managing the use of these resources so that we achieve the economic and environmental benefits balanced with attractive living environments (2) managing the resources so that they don't conflict with one another, and (3) wise use of the land base which spawns the resources."

Section 3.1.4 identifies the importance for "development of communities with diversified economic functions and opportunities. The plan recognizes the need to enable and encourage the development of a wide range of business and employment opportunities to meet the needs of a growing population in Simcoe County. This proposed aggregate pit application lends itself to this goal theme and objective."

The County is expecting rapid growth in the 20 years between 1996 and 2016. The County's population is estimated to grow close to 100,000 persons, increased households and employment opportunities. The expansion and availability of aggregate resources is critical in supplying residential, commercial, industrial, agricultural and transportation future growth needs.

3.7 Greenlands

This section states that the purpose of the Greenlands designation is to ensure that the scale, form and location of development are such that the features and functions of the Natural Heritage system are sustained for future generations.

Policies 3.7.5- Indicate that development and/ or site alteration that is permitted in the Greenlands Designation by the policies of Section 3.7 may take place where, as determined by an EIS, it would not have a negative impact upon the natural features and ecological functions, in particular the significant woodlands in the proposed pit operation site. An EIS Report is included with the package submission.

Section 3.7.11 states that "The Greenland Designation does not imply that all lands within it are completely restricted from development....."

Resources and Environment 4.4 Aggregate Developments

4.4.2 High potential mineral aggregate resources shall be protected for potential long term use. This property proposal does have this aggregate designation. As stated, this application for aggregate resource extraction is supported by an EIS .

4.4.3 Mineral aggregate operations shall be progressively rehabilitated or restored to a condition permitting agriculture, promoting regeneration of natural conditions, or facilitating another use permitted by this plan.

4.4.4 The EIS and proposed Silviculture and Tree Planting Prescriptions found within the EIS demonstrate how the site will be reforested to mitigate the impacts of removal of the significant woodlands.

The goal of the Tree Planting Prescription following pit rehabilitation is to establish a natural self- sustaining forest eventually comparable to the existing forest conditions on site.

4.5 Ground Water Protection: Water Resources and Well Head Protection

The proposed pit expansion will not intercept the ground water table, by staying at least 1.5 metres above the water table. This operational condition is binding and conditional in the pit license site plans as approved under the Aggregate Resources Act, Ministry of Natural Resources.

The findings of the Hydrogeological Assessment stated that by maintaining the 1.5 meter buffer above the water table, the extraction should have no impact on existing water users near the site.

Appendix 1-Environmental Impact Statement (EIS)

This development application has fulfilled the EIS requirements as this pit expansion is proposed in the Greenlands Designation- see attached EIS and Natural Environment Level 1 & 2 Technical Report.

Official Plan Schedules:

- 5.1 - Land Use Designations- site designated as Rural & Agriculture and Greenland
- 5.2.1 - High Potential Mineral Aggregate Resources Sand & Gravel
- 5.2.2 - Evaluated Wetlands ó not found on site
- 5.2.3 - ANSI's -not found on site
- 5.2.4 - Agriculture Land Classification- show class 5-7 soils
- 5.3.1 - Niagara Escarpment Plan- not applicable
- 5.4 - Natural Heritage System- designated as a Natural Heritage Unit (TTP4)
- 5.3.2 - Oak Ridges Moraine Conservation Plan ó not applicable

On the County OP schedules, no ANSI's, no provincially significant wetlands, nor evaluated wetlands were identified on the site. The pit proposal is found outside of the ORM Conservation Plan Land Use Designation and the Niagara Escarpment area.

The value of this aggregate resource is evidenced by the existence of the adjacent licensed pit immediately to the south.

3.2 Provincial Policy Statement

The Provincial Policy Statement (PPS) as issued under the authority of Section 3 of the Planning Act requiring that the planning authorities ó shall be consistent withö the PPS.

The intent of the PPS is to provide direction on matters related to land use planning and development.

Within the context of the proposed aggregate extraction operation, certain provisions of the PPS are considered to have relevance.

Section 2.5 of the PPS specifically addresses Mineral Aggregate Resources. Specific policies indicate that ömineral aggregate resources will be made available as close to the market place as possible; extraction is to be undertaken in such a way as to minimize the social & environmental impacts; and mineral aggregate operations shall be protected from development and activities which would hinder their expansion or continued use.ö

Section 1.0 (Building Strong Communities) of the PPS promotes development and land use patterns which sustain the financial well being of the Province and municipalities over the long term, while avoiding land use and development patterns which may cause environmental, public health or safety concerns.

The Provincial Policy Statement (PPS) provides overall policy directions on matters of provincial interest related to land use and development in Ontario.

The proposed aggregate operation has been sited in an area along Darby Road that currently has an adjacent licensed pit in existence.

Thus the proposed pit license is not an isolated new operation for the surrounding land uses. The proposal can also take advantage of the available resource which is situated relatively close to the market place.

3.3 The Growth Plan

The initiatives of the provincial Growth Plan have been prepared under Places to Grow Act, 2005. It is a framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth in the County. It looks to improving ways in which our cities, suburbs, towns, and villages will grow over the long term.

The plan will guide decisions on a wide range of issues- including resource protection - in the interest of promoting economic prosperity. It will create a clearer environment for investment decisions and will help secure the future prosperity of the County.

Protecting What is Valuable

The County has a broad array of unique features, including renewable and non-renewable resources that are essential for the long term economic prosperity, quality of life, and environmental health for the County. These valuable assets must be wisely protected and managed as part of planning for future growth.

A balanced approach to the wise use and management of all resources, including natural heritage, agriculture and mineral aggregates, will be implemented. As the area grows so will the demand for water, energy, air and land. The ongoing availability of these natural resources is essential for the sustainability of all communities.

Policies of protecting what is valuable are found in section 4.2.3 of the Growth Plan relating to mineral aggregate resources:

Through sub-area assessment, the Ministers of Public Infrastructure Renewal and Natural Resources will work with municipalities, producers of mineral aggregate, and other

stakeholders to identify significant mineral aggregate resources in the County and to develop a long term strategy for ensuring the wise use , conservation, availability and management of mineral aggregate resources in the area , as well as identifying opportunities for resource recovery and for coordinated approaches to rehabilitation where feasible.

The applicant's proposed pit license is a needed economic growth industry for the County for continued supply of mineral aggregate for local growth, and supports employment opportunities within the Township & County.

The value of this aggregate resource is evidenced by the existence of the adjacent licensed pit immediately to the south.

3.4 Township of Tiny Official Plan

An application to amend the Official Plan (OP) of the Township of Tiny is required to designate the property from "Rural" and Mineral Resources Two and Environmental Protection Two overlap (Township of Tiny- Schedule A-Land Use) to Mineral Aggregate Resources One designation to permit an extractive operation (gravel pit) on the subject lands.

3.5 Township of Tiny Zoning By-law 06-001

K.J. Beamish Construction Co. Limited is submitting an application (Sibthorpe Pit) for a zoning by-law amendment to the Township of Tiny, Zoning By-law 06-001, from "Rural" (RU) Zone to Mineral Aggregate (MAR) Zone to permit the establishment of a Class A pit license, (maximum of 600,000 tonnes of aggregate to be removed from the license property in any calendar year), Category 3, above the water table.

4.0 PLANNING CONCLUSIONS

4.0 PLANNING CONCLUSION

To permit the establishment of a Class A pit license, (maximum of 600,000 tonnes annually), Category 3, above the water table, to be operated in the Geographic Township of Tiny, County of Simcoe, K. J. Beamish Construction Co. Limited is submitting an application (Sibthorpe Pit) for a zoning by-law amendment to the Township of Tiny, Zoning By-law 06-001, from "Rural" (RU) Zone to Mineral Aggregate (MAR) Zone.

Cedarhurst Quarries & Crushing Limited, a Division of K.J. Beamish Construction Co. Limited, is applying for an aggregate license on the subject property and currently operates the existing licensed property (Teedon Pit), aggregate license # 3670 immediately to the south. This application is a proposed expansion of the existing licensed pit.

In addition, an application to amend the Official Plan (OP) of the Township of Tiny is required to designate the property from "Rural" and Mineral Resources Two and Environmental Protection Two overlap (Township of Tiny- Schedule A-Land Use) to Mineral Aggregate Resources One designation to permit an extractive operation (gravel pit) on the subject lands.

The Planning staff of Simcoe County have advised that no official plan (OP) amendment is required to the County of Simcoe Official Plan, consolidated August 2007 with this proposed pit licence expansion.

Municipal Planning & Land Use Considerations:

This application is accompanied with six professional reports/ studies and pit license site plans. The Planning Report discusses the land use considerations within the Township of Tiny Official Plan, in particular those outlined in B14.4.1 of the Development Policies in the OP. This section states that all new pit expansions require an amendment to the OP and the rezoning shall be supported by an Environmental Impact Study (EIS). The submitted EIS Report for this application also includes a Silvicultural Prescription and Tree Planting Prescription which determines that there is only a small ha involved with the potential loss of the significant woodland and appropriate mitigation measures proposed.

This application addresses and supports a number of Simcoe County OP goals; Resources and Economic Base; and Growth Management Strategies.

Application Highlights:

- . provides for the future supply of aggregate materials within the Township and County
- . contributes to local employment opportunities and to the County economy
- . annual aggregate production will remain the same at 600,000 tonnes, as in the home license pit operation, no increased aggregate tonnage out of the existing pit entrance, utilizes existing township road haul route

.the existing allowable haulage onto Darby Road will not be increased

.Acoustic Assessment Report -analysis shows that the proposed pit expansion will comply with sound level limits outlined by MOE publications, plus berm additions

.Hydrogeological Assessment- the proposed pit operation should have no impact on existing ground water users near the site, extraction 1.5 meters above the groundwater table

.EIS Report- No ANSI's, Provincially Significant Wetlands, Endangered Species Fish Habitat nor Significant Valley Lands found on proposal site
No deer concentrations or waterfowl concentrations found on site.
No natural heritage system linkage values will be impacted by the proposal.

.EIS- significant woodlands identified on western portion of site, watershed analysis determines small hectarage (13) of significant woodland potentially affected, MNR indicates that 33.8 % of the watershed is forest habitat and approximately 9.2 % is forest interior habitat. After pit extraction, the forest habitat will be 33.4 % of the watershed and interior bird habitat 9% of the watershed.

Therefore the loss will be 0.4% and 0.2 % respectively. The loss of forest habitat will not significantly reduce the total forest habitat or the interior bird habitat within the Wye River watershed. Forest habitats will remain above the minimums throughout the Wye River system. A Silvicultural Prescription and Tree Planting Prescription prepared by a RPF for the site, additional agricultural & forested lands proposed- the future lost of forest habitat deemed not to be significant in the watershed.

.Final rehabilitation will provide 15.3 hectares of productive cropland and 27.3 hectares of forested land.

Provided the proposed pit operation and related activities follow and adhere to the recommendations of the accompanying technical reports and the binding operational notes on the license site plans under the Aggregate Resources Act, any negative environmental effects are not anticipated to occur.

The applicant, K.J. Beamish Construction Co.Limited, respectfully seeks approval of the Township of Tiny zoning by-law amendment and official plan amendment to permit the pit expansion for a Class A Pit License, above the water table.

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