



The Corporation of the Township of Tiny

Meeting Date: May 21, 2021

Moved by: **Hastings**

Carried: **3-2**

Seconded by: **Walma**

Defeated: _____

Signed: _____

WHEREAS Council considered Confidential Planning Report PD-027-21 regarding the Teedon Pit Extension - Aggregate Resources Act Application;

NOW THEREFORE BE IT RESOLVED THAT Ms. Hahn and staff proceed as directed.

Recorded Vote:

Councillor Wishart – opposed
Councillor Hastings – in favour
Councillor Mintoff – opposed
Deputy Mayor Walma – in favour
Mayor Cornell – in favour

CONFIDENTIAL REPORT

To: Mayor Cornell and Members of Council

From: Shawn Persaud, Director of Planning & Development
Planning & Development Department

Report Number: PD-027-21

Meeting Date: 05-21-2021

RE: Teedon Pit Extension – Aggregate Resources Act Application
CRH Canada Group Inc.
North Part of Lot 80, Concession 1 O.S.
2 Darby Road – Roll #1-029-00 (Appendix 1)
Our File No. '19/D05 (DS #62762)

Recommendation

It is recommended that Council:

1. Receive Confidential Planning & Development Report PD-027-21;
2. Direct staff to submit a response letter to the MNRF and CRH with the comments as outlined in this Report (see Appendix 6); and
3. Direct staff to work with Barriston to prepare Minutes of Settlement with CRH regarding the Official Plan and Zoning By-law Amendments currently with the LPAT.

Background

On January 22, 2019, the Township received notification of the Aggregate Resources Act (ARA) application entitled “Teedon Pit Extension” made to the Ministry of Natural Resources and Forestry (MNRF) by CRH Canada Group Inc. (CRH). The application included the following supporting studies/reports:

- Summary Statement Report, dated January 2019, prepared by Brian Zeman, MHBC Planning;
- Natural Environment Level 1 and 2 Technical Report, dated January 2019, prepared by Goodban Ecological Consulting Inc.;
- Acoustic Assessment Report, dated January 2019, prepared by Theakston Environmental;
- Hydrogeological Assessment, dated January 8, 2019, prepared by GHD;
- Stage 1 and 2 Archaeological Assessment Report, dated May 2011, prepared by The Central Archaeology Group Inc. and letter dated June 24, 2011 from the Ministry of Tourism and Culture stating that the Ministry concurs with the recommendations of the report that there are no further archaeological concerns for the subject property.
- Site Plans dated January 2019, prepared by Brian Zeman, MHBC Planning of the Existing Features, Operational Plan, Rehabilitation Plan, and Cross Sections.

The Engineering Reports were peer reviewed by R. J. Burnside & Associates Limited (Burnside), Township Engineering Consultant and Aercoustics Engineering Limited (Aercoustics), Engineering Noise Consultant retained by Burnside. The Environmental Report was peer reviewed by the Severn Sound Environmental Association (SSEA).

Confidential Planning & Development Report PD-018-19 was presented to Council at the February 28, 2019 Committee of the Whole meeting. This report provided a summary of the ARA Application and recommended Township comments to the MNRF based on the peer reviews. As a result of Motion #077/19, Recommendation #085/19, and Motion #100/19 approved by Council, a formal objection letter, dated March 25, 2019, was provided to the MNRF as the Township's formal comments on the Teedon Pit Extension ARA Application.

CRH provided a response letter dated June 20, 2019, to the Township's comments and was accompanied by the following supporting studies/reports:

- Category 1 Permit-to-take Water Renewal Application – Supporting Hydrologic and Hydrogeologic Study, dated January 19, 2018, prepared by GHD;
- 2018 Domestic Well Survey, dated April 26, 2018, prepared by GHD;
- Memorandum, dated May 2, 2019, prepared by Theakston Environmental; and
- Memorandum, dated June 21, 2019, prepared by Goodban Ecological Consulting Inc.

Confidential Planning & Development Report PD-057-19 was presented to Council at the October 28, 2019 Committee of the Whole meeting. This report provided a summary of the Burnside, Aercoustics and the SSEA peer reviews of the CRH response letter and supporting studies/reports. As a result, Motion #330/19 was approved by Council, which authorized staff to provide the Report and peer reviews to the MNRF and CRH as the Township's updated comments on the Teedon Pit Extension ARA Application.

CRH provided a response letter dated November 13, 2019 to the Township's updated comments and was accompanied by the following supporting studies/reports:

- Memorandum, dated August 29, 2019, prepared by Goodban Ecological Consulting Inc.;
- Traffic Impact Study, dated October 4, 2019, prepared by C.F. Crozier & Associates Inc.;
- Letter, dated September 25, 2019, prepared by GHD regarding Professional Opinion Regarding Neighboring Domestic Wells;
- Letter, dated September 23, 2019, prepared by GHD regarding Response to Hydrogeological Comments; and
- Sign-off, dated October 25, 2019, from MECP regarding Whip-poor-will.

In addition, the Township received a copy of a letter dated December 19, 2019, from the MNRF formally withdrawing their objection to the ARA application.

Confidential Planning & Development Report PD-004-20 was presented to Council at the January 13, 2020 Committee of the Whole meeting. This report provided a summary of the Burnside and SSEA peer reviews of the CRH response letter and supporting studies/reports. As a result, Motion #022/20 was approved by Council, which authorized staff to provide the Report and peer reviews to the MNRF and CRH as the Township's updated comments on the Teedon Pit Extension ARA Application.

CRH provided a response letter dated September 14, 2020 to the Township's updated comments and was accompanied by an updated set of Aggregate Resources Act Site Plans for the proposed Teedon Pit extension, dated September 2020. In addition, a Comment Response Memo, dated October 2, 2020, prepared by C.F. Crozier & Associates Inc. was provided to the Township in response to the Township's Traffic comments.

Confidential Planning & Development Report PD-042-20 was presented to Council at the November 30, 2020 Committee of the Whole meeting. This report provided a summary of the Burnside and SSEA peer reviews of the CRH response letter and supporting studies/reports. As a result, Motion #339/20 was approved by Council, which authorized staff to provide the Report and peer reviews to the MNRF and CRH as the Township's updated comments on the Teedon Pit Extension ARA Application. As per Council direction, a letter dated December 3, 2020 was sent to the MNRF and CRH with the updated Township comments (Appendix 2).

Analysis

MHBC Planning provided an email to the Township and MNRF on behalf of CRH dated January 21, 2021 stating:

CRH has been in discussions with MNO and MNRF, and have agreed to implement wildlife friendly fencing at the proposed Teedon Pit extension. Please find attached updated ARA Site Plans dated January 2021 (Appendix 3), which supersede the site plans dated September 2020.

Please note that the only revisions to the site plans include removal of the redline from the September 2020 version, and revisions to Note #6 on page 2 of 4 and override 5.1 on pages 2 and 3 to reflect the implementation of wildlife friendly fencing. The legend has also been updated to reflect a 1 metre high fence.

The above email and updated Site Plan drawings were provided to the SSEA for review. By email, dated January 27, 2021, the SSEA provided the following comments:

We have reviewed the revisions to the site plans as described in the email you provided (i.e., changes made to make the fencing more wildlife-friendly), and it does not change the SSEA comments with respect to natural heritage.

It is noted that the previous comments by the SSEA were that they were satisfied that all natural heritage comments have been addressed.

MHBC Planning provided a response letter on behalf of CRH dated April 27, 2021 to the Township's outstanding traffic comments (Appendix 4).

Burnside have peer reviewed the response information from CRH and their consulting group and have provided a Peer Review Letter dated May 13, 2021 from Mr. Cecil Gratrix, C.E.T., Burnside and Mr. Henry Centen, P. Eng., P. Geo., advising that the comments in the response letter address all of Burnside's traffic comments (Appendix 5).

As noted in Burnside's letter, the Site Plan drawings need to be updated to incorporate the traffic comments. As such, Township staff have prepared a draft letter, which confirms that all outstanding items have been addressed and that once the Site Plan drawings are updated, the

Township should be provided with a copy for review (Appendix 6). This letter would constitute the Township's formal updated comments on the Teedon Pit Extension ARA Application.

The LPAT has advised that Case Management Conferences have been scheduled for June 8, 2021 and July 23, 2021.

All outstanding technical issues have been satisfactorily addressed, therefore, staff recommend that Council direct Barriston to prepare Minutes of Settlement with CRH and report back to Council.

Options/Alternatives

1. Direct Staff as recommend in this Report; or
2. Take other action as directed by Council.

Financial Implications

Costs associated with the peer review are cost recoverable from the owner as part of the ARA application.

Legal costs are the responsibility of the Township.

Relationship to Strategic Plan

- Deliver Efficient and Exceptional Municipal Services
- Healthy Environment and Sustainable Community Planning

Conclusion

All outstanding technical issues have been satisfactorily addressed, therefore, staff recommend that Council direct Barriston to prepare Minutes of Settlement with CRH and report back to Council.

Respectfully,



Report prepared and submitted by:

Shawn Persaud, BA, MCIP, RPP
Director of Planning and Development



Tim Leitch, P. Eng.
Director of Public Works



Financial Implications Reviewed By:

Haley Leblond, Director of Finance/Treasurer



Report Approved By:

Robert Lamb, Chief Administrative Officer

Attachments:

- Appendix 1: Subject Property Map
- Appendix 2: Township Updated Comment Letter
- Appendix 3: Updated Site Plan Drawings
- Appendix 4: CRH Response to Township Comments
- Appendix 5: Burnside Peer Review Letter
- Appendix 6: Draft Letter from the Township



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 Copyright County of Simcoe Land Information Network Cooperative © LINC 2019. Produced (in part) under licence from © Teranet Enterprises Inc. and its suppliers all rights reserved, and Members of the Ontario Geospatial Data Exchange.
 This map is not a plan survey.
 For information call (705)526-4204 or visit www.tiny.ca

Scale: 1:20,000
 0 200 400 600 800 Meters
 Date Printed: 12-20-19

Legend

- Existing Gravel Pit
- Proposed Gravel Pit
- Parcel Fabric





130 Balm Beach Road West
Tiny, Ontario L0L 2J0
(705) 526-4204 | 1-866-939-8469
www.tiny.ca

December 3, 2020

Ministry of Natural Resources and Forestry
2284 Nursery Road
Midhurst, ON L9X 1N8
Attention: Robert Herbst (robert.herbst@ontario.ca)

CRH Canada Group Inc.
2300 Steeles Avenue West, 4th Floor
Concord, ON L4K 5X6
Attention: Jessica Ferri (Jessica.ferri@ca.crh.com)

**RE: Aggregate Resource Act Application – Teedon Pit Extension
Township of Tiny Updated Comments
North Part of Lot 80, Concession 1 O.S. (Roll #1-029-00)**

Thank you for the opportunity to provide updated comments on the proposed Teedon Pit Extension Application under the Aggregate Resources Act (ARA).

The Township submitted an objection letter dated March 25, 2019, on the ARA application. The letter focused on comments in the following areas: hydrogeological, traffic, noise, site operation, and natural heritage. The Township submitted a subsequent letter dated January 29, 2020.

The Township has been reviewing and commenting on all new submission material from the applicant in their effort to address the Township's objection comments. The Township has retained R. J. Burnside & Associates Limited (Burnside), Aercoustics Engineering Limited (Aercoustics), and the Severn Sound Environmental Association (SSEA) to peer review all technical material in support of the application.

Confidential Planning & Development Report PD-042-20 regarding the Teedon Pit Extension Application was presented to Council at the Committee of the Whole meeting held on November 30, 2020. This Report provides the background relative to the Township's review of the application and the current status of comments. As a result of this Report, Council Motion #339/20 was approved at the November 30, 2020 Council Meeting and reads:

WHEREAS the Committee of the Whole considered Confidential Planning and Development Report PD-042-20 regarding the Teedon Pit Extension – Aggregate Resource Act Application;

AND WHEREAS the matter was forwarded to the November 30, 2020 Regular Meeting of Council for formal approval due to its time sensitive nature;

NOW THEREFORE BE IT RESOLVED THAT staff be directed to proceed with the recommendations in PD-042-20;

AND THAT staff include the following comments in the letter to the Ministry of Natural Resources and Forestry and CRH Canada Group Inc.:

1. That the Township is fundamentally opposed to the extraction and washing of aggregate in environmentally sensitive areas.
2. That there is presently a groundwater study being undertaken by Dr. Cherry, et al and that the findings of this report be taken into consideration by the Province prior to the issuance of any further licenses.

AND FURTHER THAT Report PD-042-20, once approved, be made public in nature.

Council Motion 339/20 and Confidential Planning & Development Report PD-042-20 are attached to this letter for your information.

Although the majority of the Township's comments have been addressed, the Township is not satisfied that all traffic matters related to this proposal have been satisfactorily dealt with for the reasons stated in this letter.

TRAFFIC COMMENTS

Burnside has completed a peer review of the Traffic Impact Study (TIS) prepared by C.F. Crozier & Associates Inc. (Crozier), dated October 4, 2019 and the Comment Response Memo, dated October 2, 2020, prepared Crozier.

The Township's concerns regarding traffic have not been addressed as follows:

- The Township requests that the CRH policies and procedures be expanded to add the following items:
 - a) commit to ongoing periodic monitoring of on-site and off-site operations, and reporting to the Township, to confirm that the provisions of the policies and procedures are being followed;
 - b) commit to address any future complaint issues, through acceptable mitigation measures; and
 - c) Quantify the number of infractions that are allowed, before driver suspension.

The policies refer to a 7 am opening time for the pit. The TIS had noted that shipping is being proposed commencing at 5 am. If the existing pit does not currently allow for shipping between 5 am and 7 am, then the impacts of such a time extension on area residents is not fully addressed by the policies and procedures outlined.

- The traffic counts that were used for the traffic operational analysis (i.e., Level of Service, Left Turn Lane Warrant analysis) do not capture the traffic from the Pit Extension. The peak hour counts on Darby Road do not show any heavy trucks during the peak hours analyzed. Considering that CRH has acknowledged that there have been 40 two-way truck trips during peak hours and that this will be the maximum in any given hour, the Township requested in the January 29, 2020 letter that a sensitivity analysis be provided in the TIS to consider this maximum. This may impact the external road improvements required on both Darby Road and Highway 93. The TIS proposes road widenings along Darby Road and a recovery taper along Highway 93 to facilitate turning movements at the intersection of Darby Road and Highway 93. The additional information provided by Crozier in their Memo dated October 2, 2020 does not satisfactorily address this concern. The Township maintains that a sensitivity analysis of these maximum volumes be completed, unless comments are provided by the MTO that this is not required.

- The TIS concludes that left turn lane warrants are not met on Highway 93, based on the low percentages of left turn movements at the intersection of Darby Road and Highway 93. The analysis should be based on equivalent cars (i.e., factor of 2 for large trucks), together with a more realistic estimate of peak period turns that may be generated from the pit. Left turn lane warrants may be met under such conditions. The Township requested in the January 29, 2020 letter that the TIS include an analysis based on equivalent cars (i.e., factor of 2 for large trucks). In Burnside's experience, it is good practice to apply a truck adjustment factor for establishing warrants where truck turning may be a consideration. Transportation Association of Canada (TAC) guidelines (Geometric Design Guide for Canadian Roads, June 2017), specifies longer gap requirements for truck turning maneuvers as compared to cars. The additional information provided by Crozier in their Memo dated October 2, 2020 does not satisfactorily address this concern. The Township maintains that the analysis be adjusted based on equivalent cars (i.e., factor of two for large trucks), unless comments can be provided by the MTO that this is not required.
- The Township requests that CRH notify the Township and Burnside when the Encroachment Permit has been issued by the MTO.
- The Township requests that CRH enter into a Road Improvement Agreement for Darby Road with the Townships of Tiny and Tay, which would include, but not be limited to, detailed engineering design drawings and securities.

In addition, the Council for the Township of Tiny, approved the following additional comments by way of Motion #339/20:

- That the Township is fundamentally opposed to the extraction and washing of aggregate in environmentally sensitive areas.
- That there is presently a groundwater study being led by Dr. John Cherry from the University of Guelph and that the findings of this report be taken into consideration by the Province prior to the issuance of any further licenses.

Sincerely,

THE CORPORATION OF THE TOWNSHIP OF TINY

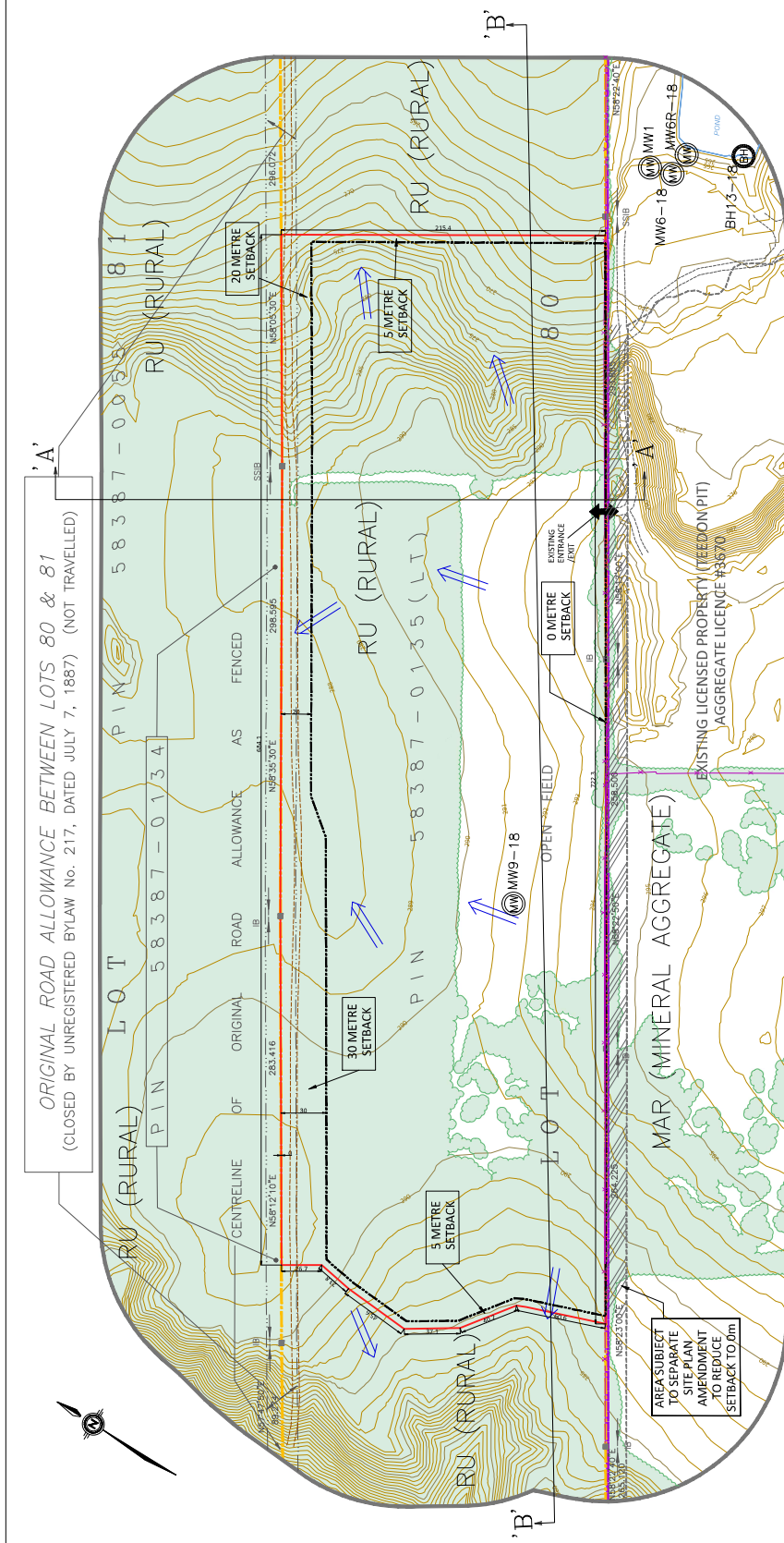


Shawn Persaud, BA, MCIP, RPP,
Director of Planning & Development

Tim Leitch, P. Eng.
Director of Public Works

CC: Members of Council for the Township of Tiny
 Sue Walton, Director of Legislative Services/Clerk for the Township of Tiny (swalton@tiny.ca)
 David Parks, Director of Planning, Economic Development and Transit (David.Parks@simcoe.ca)
 Cecil Gratrix, R. J. Burnside & Associates (Cecil.Gratrix@rjburnside.com)
 Julie Cayley, Severn Sound Environmental Association (JCayley@severnsound.ca)
 Hon. Bruce Stanton, MP, North Simcoe (bruce.stanton@parl.gc.ca)
 Hon. Jill Dunlop, MPP, Simcoe North (jill.dunlopco@pc.ola.org)

ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 80 & 81
(CLOSED BY UNREGISTERED BYLAW No. 217, DATED JULY 7, 1887) (NOT TRAVELLED)



1. THIS SITE PLAN IS PREPARED UNDER THE AGGREGATE RESOURCES ACT FOR A CLASS A LICENSE, CATEGORY 3.
2. PROPERTY INFORMATION OBTAINED FROM VARIOUS SOURCES AND FILES FROM THE LAND REGISTRY OFFICE FOR THE COUNTY OF SIMCOE.
3. TOPOGRAPHIC INFORMATION OBTAINED FROM NORTHWAY PHOTOMAP INC. AERIAL PHOTOGRAPHY DATED APRIL 2008.
4. ZONING INFORMATION OBTAINED FROM THE TOWNSHIP OF TINY ZONING BY-LAW 06-001 CONSOLIDATED JULY 19, 2018.
5. LAND USE INFORMATION COMPILED FROM SITE INSPECTIONS IN 2018.
6. AREA TO BE LICENSED: 15.3 HA
7. AREA TO BE EXTRACTED: 13.5 HA
8. THE ELEVATION OF THE ESTABLISHED WATER TABLE IS OBTAINED FROM GRID HYDROLOGICAL ASSESSMENT DATED DECEMBER 2018. THE FINAL ELEVATION OF THE WATER TABLE WILL BE A MAXIMUM OF 1.5M ABOVE THE ESTABLISHED WATER TABLE. NO EXTRACTION WILL OCCUR BELOW THE WATER TABLE.
9. REFER TO SHEET 4 OF 4 FOR CROSS-SECTIONS.



LEGEND

	UNLICENSED AREA BOUNDARY
	LIMIT OF EXTRACTION
	UNLICENSED AREA BOUNDARY (LICENSE AREA - TEEBODY PIT)
	LIMIT OF EXTRACTION (LICENSE BODY - TEEBODY PIT)
	INTERNAL ROAD
	CROSS-SECTION
	CONTIGUOUS LINE
	ADDITIONAL LANDS OWNED BY CHESAPEAKE REGION OF VIRGINIA
	LIMIT OF INFORMATION ZONE
	EXISTING FENCE
	LOT LINE
	EXISTING TRAIL
	RT (DEVELOP) ZONING
	EXISTING VEGETATION
	EXISTING ENTRANCEMENT TO PIT
	BENCHMARK
	MONITORING WELL
	DIRECTION OF SURFACE DRAINAGE
	POND

Site Plan Amendments			By
No.	Date	Description	
1			
2			
3			


MHBC
 PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE
 115 COLUMBIA STREET, SUITE 100 • CINCINNATI, OH 45202 • (513) 738-0049 | www.mhbcinc.com

NUFF Angular Stamp Stamp

TEEDON PIT EXTENSION
 2 Dundy Road, Tyny, ON L9K 2E1
 North 1/4 of Lot 80, Concession 1, W.P.R. &
 Part of original road allowance between Lots 80 & 81, Concession 1, W.P.R.
 Geographic Township of Tyny, County of Simcoe

CEDARHURST QUARRIES & CRUSHING LIMITED
 500 CMT CANADA GROUP INC.
 500 CMT Canada Group Inc., Suite 420
 Concord, Ontario, L4G 5V8

EXISTING FEATURES

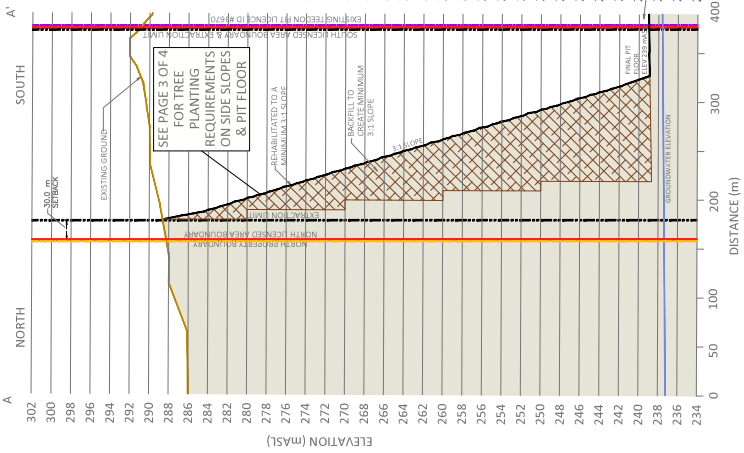
Drawn by	L.H.	Date	January 2021
CHECKED BY	B.Z.		

LEGEND

- LICENSED AREA BOUNDARY
- LIMIT OF EXTRACTION
- LICENSED AREA BOUNDARY
- LICENSED AREA BOUNDARY (LICENSEE # 3870 - TEEDON PIT)
- ADDITIONAL LANDS OWNED BY C&C CANADA GROUP INC.
- AREA TO BE BACKFILLED

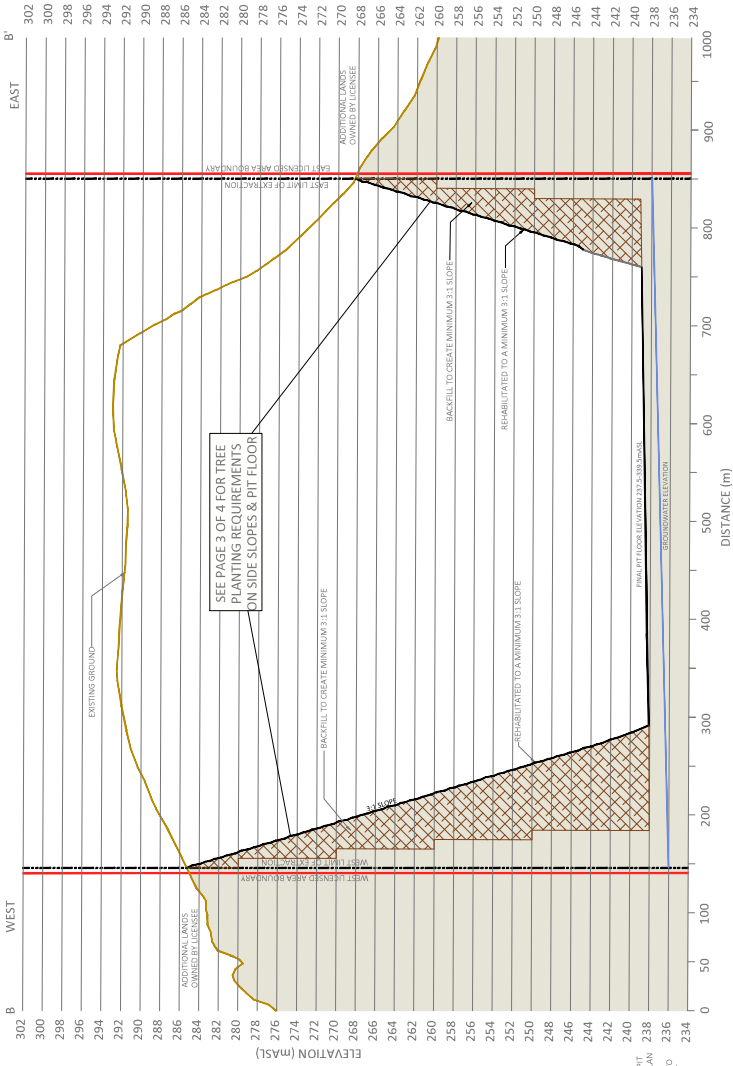
CROSS-SECTION A-A'

Vertical Elevation: 1:50



CROSS-SECTION B-B'

Vertical Elevation: 1:50



Site Area - Landmarks		Access Point	
Area	Notes	Access Point	Notes
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			



TEEDON PIT EXTENSION

2 Drive Street, Twp. 24 N. R. 1 E. S. 10
North 1/4 of Lot 10, Concession 1, W.P.R. & S. 10
Geographic Township of Twp. County of Simcoe

CEDARHURST QUARRIES & CRUSHING LIMITED
c/o C&C Canada Group Inc.
2305 Sheela Avenue W. Suite 420
Concord, Ontario L4K 5G6

Sheet		Scale	
Sheet	Scale	Sheet	Scale
1	1:1	2	1:1
3	1:1	4	1:1
5	1:1	6	1:1
7	1:1	8	1:1
9	1:1	10	1:1
11	1:1	12	1:1
13	1:1	14	1:1
15	1:1	16	1:1
17	1:1	18	1:1
19	1:1	20	1:1
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33	1:1	34	1:1
35	1:1	36	1:1
37	1:1	38	1:1
39	1:1	40	1:1
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43	1:1	44	1:1
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79	1:1	80	1:1
81	1:1	82	1:1
83	1:1	84	1:1
85	1:1	86	1:1
87	1:1	88	1:1
89	1:1	90	1:1
91	1:1	92	1:1
93	1:1	94	1:1
95	1:1	96	1:1
97	1:1	98	1:1
99	1:1	100	1:1

April 27, 2021

Shawn Persaud, BA, MCIP, RPP
Director of Planning and Development

Township of Tiny
130 Balm Beach Road
Tiny, ON L0L 2J0

Dear Shawn Persaud:

RE: Teedon Pit Extension (No. 625375) – Truck Policies & Procedures
North ½ of Lot 80, Concession 1, W.P.R & Part of Original Road Allowance between Lots 80
& 81, Concession 1, W.P.R, Township of Tiny, County of Simcoe
OUR FILE 9061CZ

Please accept this letter as a response to the Township's December 3, 2020 letter, which provided the Township's updated comments on the proposed Teedon Pit Extension application under the Aggregate Resources Act ("ARA"). As outlined in the December 3, 2020 letter, we understand that the only outstanding technical matter the Township has is related to traffic.

Overall, a response to each of the outstanding traffic concerns identified by the Township's Peer Reviewer, R. J. Burnside & Associates Limited ("Burnside"), has been included in the table below:

Township Comment	Dufferin Aggregates ("DFA") Response
<p>The Township requests that the CRH policies and procedures be expanded to add the following items:</p> <ul style="list-style-type: none"> a) commit to ongoing periodic monitoring of on-site and off-site operations, and reporting to the Township, to confirm that the provisions of the policies and procedures are being followed; b) commit to address any future complaint issues, through acceptable mitigation measures; and c) Quantify the number of infractions that are allowed, before driver suspension. <p>The policies refer to a 7 am opening time for the pit. The TIS had noted that shipping is being</p>	<p>DFA's Trucking Rules and Safe Practices for the Teedon Pit have been updated taking into account comments from the Township. See Attachment #1 to this Letter.</p>

Township Comment	Dufferin Aggregates (“DFA”) Response
<p>proposed commencing at 5 am. If the existing pit does not currently allow for shipping between 5 am and 7 am, then the impacts of such a time extension on area residents is not fully addressed by the policies and procedures outlined.</p>	
<p>The traffic counts that were used for the traffic operational analysis (i.e., Level of Service, Left Turn Lane Warrant analysis) do not capture the traffic from the Pit Extension. The peak hour counts on Darby Road do not show any heavy trucks during the peak hours analyzed. Considering that CRH has acknowledged that there have been 40 two-way truck trips during peak hours and that this will be the maximum in any given hour, the Township requested in the January 29, 2020 letter that a sensitivity analysis be provided in the TIS to consider this maximum. This may impact the external road improvements required on both Darby Road and Highway 93. The TIS proposes road widenings along Darby Road and a recovery taper along Highway 93 to facilitate turning movements at the intersection of Darby Road and Highway 93. The additional information provided by Crozier in their Memo dated October 2, 2020 does not satisfactorily address this concern. The Township maintains that a sensitivity analysis of these maximum volumes be completed, unless comments are provided by the MTO that this is not required.</p>	<p>The Ministry of Transportation (“MTO”) has confirmed that they are in agreement with the TIS findings and recommendations. MTO has concluded that a left turn lane is not warranted and no additional analysis is required.</p> <p>Correspondence from MTO outlining the above is included as Attachment #2 to this letter.</p>
<p>The TIS concludes that left turn lane warrants are not met on Highway 93, based on the low percentages of left turn movements at the intersection of Darby Road and Highway 93. The analysis should be based on equivalent cars (i.e., factor of 2 for large trucks), together with a more realistic estimate of peak period turns that may be generated from the pit. Left turn lane warrants may be met under such conditions. The Township requested in the January 29, 2020 letter that the TIS include an analysis based on equivalent cars (i.e., factor of 2 for large trucks). In Burnside’s experience, it is good practice to apply a truck adjustment factor for establishing warrants where truck turning may be a consideration. Transportation Association of</p>	<p>MTO has confirmed that they are in agreement with the TIS findings and recommendations, and have concluded that a left turn lane is not warranted and no additional analysis is required.</p> <p>Correspondence from MTO outlining the above is included as Attachment #2 to this letter.</p>

Township Comment	Dufferin Aggregates ("DFA") Response
Canada (TAC) guidelines (Geometric Design Guide for Canadian Roads, June 2017), specifies longer gap requirements for truck turning maneuvers as compared to cars. The additional information provided by Crozier in their Memo dated October 2, 2020 does not satisfactorily address this concern. The Township maintains that the analysis be adjusted based on equivalent cars (i.e., factor of two for large trucks), unless comments can be provided by the MTO that this is not required.	
The Township requests that CRH notify the Township and Burnside when the Encroachment Permit has been issued by the MTO.	Comment noted.
The Township requests that CRH enter into a Road Improvement Agreement for Darby Road with the Townships of Tiny and Tay, which would include, but not be limited to, detailed engineering design drawings and securities.	DFA has committed to the Township that they will enter into a Road Improvement Agreement. As per DFA's previous request, could the Township please provide DFA with a draft agreement for review.

Subject to Township Staff confirming the attachments resolve the outstanding technical matters, it is our understanding that Township Staff are now proceeding to work with Barriston Law to prepare Minutes of Settlement, as per the recommendation outlined in the Township's Planning and Development Report PD-042-20 which was approved by Council.

Given this direction, DFA requests a meeting between Barriston Law and DFA's solicitor Blake, Cassels & Graydon LLP to discuss preparation of the Minutes of Settlement. Could the Township please provide some potential meeting dates.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

MHBC



Brian Zeman, BES, MCIP, RPP
President

cc. Kevin Mitchell | DFA
Jessica Ferri | DFA
Jonathan Kahn | Blake, Cassels & Graydon LLP
Alexander Fleming | Crozier

Attachments: Attachment #1 – Teedon Pit Trucking Rules & Safe Practices Policy
Attachment #2 – Correspondence from MTO, dated February 3, 2021

Attachment 1



Dufferin Aggregates
2300 Steeles Ave W, 4th floor
Concord, Ontario
L4K 5X6 Canada

T. 905-761-7100
F. 905-761-7200

www.dufferinaggregates.com

**Dufferin Aggregates - Teedon Pit Extension
Truck Policies & Procedures
April 2021**

- DFA is committed to providing the attached letter to all drivers accessing the site, should the Teedon Pit Extension be approved.
- DFA will prepare an annual report that will be filed with the Township by the end of January each year. The annual report will outline any complaints received related to the operation and the actions undertaken by DFA to address complaints. A summary of the monitoring results of on-site and off-site operations, including the number of infractions issued to drivers will also be outlined as part of this reporting.
- On-going monitoring of off-site operations along Darby Road will be undertaken by DFA staff.
- Any driver found to out of compliance with DFA procedures will be issued an infraction notice. Drivers will be given a warning for the first notice, a 1 week suspension from the site for the second notice, and a 4 week suspension for the third notice.
- Any complaint that is received by the Township related to the operation should be directed to DFA to ensure that it can be addressed in accordance with the policies and procedures.
- As part of the annual reporting to the Township, DFA will review the policies and procedures and make recommendations for additional mitigation measures should they be required.



Dufferin Aggregates
2300 Steeles Ave W, 4th floor
Concord, Ontario
L4K 5X6 Canada

T. 905-761-7100
F. 905-761-7200

www.dufferinaggregates.com

Attention: Freight Vendors & Customers

Subject: Teedon Pit Trucking Rules & Safe Practices

Dear Valued Freight Vendors & Customers,

Thank you for purchasing and or hauling products from the Dufferin Aggregates Teedon Pit.

Please remember to have respect and courtesy for the Teedon Pit community when picking up products at the Dufferin Aggregates Teedon Pit. The following Trucking Rules and Safe Practices policies are for the benefit and safety of haulers, employees and the community :

- The Teedon Pit is permitted to operate from 5 am to 7 pm Monday to Friday and from 5 am to 4 pm on Saturdays. Shipping hours may vary during the year and will be posted;
- Under no circumstances should trucks arrive at the site before 5 am;
- Trucks are not permitted to park on Darby Road or Hwy 93 at any time, especially prior to the site opening each morning. Dufferin will monitor for early morning waiting and discipline drivers that do not follow this rule;
- All trucks must enter Darby road from the north entrance off Hwy 93;
- Do not exit your truck anywhere on site other than at the scale house to get your ticket and the tarping area at the front of the site;
- You may not access your truck box anywhere on site;
- Abide by all posted speed limits on Hwy 93 and Darby Road as well as the 20km per hour speed limit while inside the Teedon Pit.
- Proper Personal Protective Equipment is required in all areas of the site unless demarcated;
- Abide by all traffic signs posted on site.

Failure to abide by any of these above stated rules will may result in disciplinary action. Repeat offenders will be suspended.

Sincerely,

Attachment 2

From: [Alexander Fleming](#)
To: [Kevin Mitchell](#); [Jessica Ferri](#); [Brian Zeman](#)
Cc: [Ellen Ferris](#)
Subject: FW: CRH Teedon Pit Burnside Comments
Date: February 3, 2021 12:07:24 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[ATT00001.jpg](#)
[ATT00002.png](#)
[ATT00003.png](#)
[ATT00004.png](#)

Hello All,

Please see recently received correspondence from MTO in regards to the Teedon Pit.

Thanks,

Alex

Alexander Fleming, MBA, P.Eng | Associate
40 Huron Street, Suite 301 | Collingwood, ON L9Y 4R3
T: 705.446.3510



Crozier Connections:   

Read our latest news and announcements [here](#).

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Alexander Fleming P.Eng., MBA | Associate
40 Huron Street, Suite 301 | Collingwood, ON L9Y 4R3
T: 705.446.3510



Crozier Connections:   

Read our latest news and announcements [here](#).

From: Dorton, Peter (MTO) <Peter.Dorton@ontario.ca>
Sent: February 3, 2021 10:47 AM
To: Alexander Fleming <afleming@cfcrozier.ca>

Cc: Tuen, Nelson (MTO) <Nelson.Tuen@ontario.ca>; Janke, Aaron (MTO) <Aaron.Janke@ontario.ca>; Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>

Subject: RE: CRH Teedon Pit Burnside Comments

Hi Alex:

This is to confirm that MTO is in agreement with the TIS study findings and improvement recommendations. A left turn lane is not warranted; we do not require any additional analysis.

Thanks,

Peter Dorton

Senior Project Manager

Ministry of Transportation

Central Operations, Highway Corridor Management Section

159 Sir William Hearst Avenue, 7th Floor

Toronto, ON M3M 0B7

Cell: (437) 833 - 9396

E-Mail: peter.dorton@ontario.ca

Web: www.mto.gov.on.ca/english/engineering/management/corridor

From: Alexander Fleming <afleming@cfcrozier.ca>

Sent: January 28, 2021 3:50 PM

To: Dorton, Peter (MTO) <Peter.Dorton@ontario.ca>

Subject: CRH Teedon Pit Burnside Comments

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Hi Peter,

It was nice talking with you last week about the CRH Teedon Pit file. You had requested that I send an email that summarized the points made in our conversation.

History:

As part of the application to extend the life of the Teedon Pit, we had produced a TIS to examine the impacts. I should note that the while the life of the pit is to be extended, the extraction is ***not*** being increased. The extraction will continue at current rates. MTO approved the TIS (email, April 23, 2020) and its recommendations. The recommendation was improvements primarily to Darby Road. It is to widen Darby Road at its approach to Highway 93 as Darby Road has an existing tight horizontal curve at its approach. This widening is intended to accommodate the turns of the aggregate trucks as they exit/enter. Currently the trucks will use the full road platform as they negotiate the curve, or are forced to track on the shoulder if there is an oncoming vehicle. The

widening of Darby Road at the approach would fix this issue. There would also be a southbound departure taper on Highway 93.

MTO agreed with the study findings and the improvement recommendations and provided some comments for the detailed design of the improvements. I've attached the email for convenience.

Current Status:

Currently, CRH is addressing Township comments, with only traffic comments from their municipal engineers (Burnside) remaining to be resolved. They state that they desire additional left turn lane analysis on Highway 93, unless MTO reaffirms that it is not required.

Specifically, Burnside has stated that since CRH has acknowledged in other documents that up to 20 trips to the site could occur in an hour (40 two-way trips assuming an inbound and an outbound), this should be studied as a sensitivity analysis. To provide context, the Teedon pit operates virtually exclusively as a provider of aggregate to plants where the material is used in preparing concrete and asphalt. The operations see a regular rate of 5 to 6 vehicles per hour over the course of the day.

On rare occasions, the trips per hour will be higher. CRH provided visitation information for the site. In 2019, only once there was 18 trucks in an hour. In 2020, there was only 8 occasions when there more than 18 trucks in an hour. This compares to approximately 250 days of operation, with daily operation generally between 7 a.m. and 5 p.m. This amount of occurrences is 0.3% or less. I don't believe it's appropriate to design our roadway infrastructure for the 99.7 percentile occurrence.

The second Burnside point is that they state that the left turn lane warrants should be conducted converting trucks to two passenger cars (essentially doubling the turning volumes). I disagree with this approach. The MTO Design Supplement to the TAC guidelines states that trucks should be accounted for in the left turn lane warrants by adding **additional storage length** to left turn lanes, not by doubling the truck volume. This is found in Exhibit 9-F of the supplement I've attached it for reference. By arbitrarily doubling the truck volume for analysis, this is effectively assuming operations twice the size than actually occur at the site.

I kindly ask that MTO reaffirm their agreement with the TIS study findings and improvement recommendations, and also respectfully ask that MTO affirm that this additional analysis is not necessary.

Thanks,

Alex

Alexander Fleming, MBA, P.Eng | Associate

40 Huron Street, Suite 301 | Collingwood, ON L9Y 4R3

T: 705.446.3510



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May 13, 2021

Via: Email

Timothy Leitch, P. Eng.
Director of Public Works
Township of Tiny
130 Balm Street West
Tiny ON L0L 2J0

Dear Mr. Leitch:

**Re: Teedon Pit Extension
CRH Canada Updated Site Plans
Township of Tiny, County of Simcoe, Ontario
Project No.: 300031221.0000**

R.J. Burnside & Associates Limited (Burnside) was retained by the Township of Tiny (Township) to peer review the Aggregate Resources Act (ARA) Site Plans with respect to Hydrogeological, Traffic, Noise and Site Operation matters. The chronology of our reviews is listed in our last peer review letter, dated November 2, 2020.

This current letter provides our review of the additional information that has been provided since our previous review letter, to confirm if our previous comments have been adequately addressed. The additional information reviewed includes the following:

- Letter to the Ministry of Natural Resources and Forestry Re: Township of Tiny Updated Comments, Aggregate Resource Act Application – Teedon Pit Extension; dated December 3, 2020; prepared by the Township of Tiny;
- Letter to the Township of Tiny Re: Teedon Pit Extension – Truck Policies & Procedures; Dated April 27, 2021; prepared by MHBC Planning Urban Design & Landscape Architecture (MHBC).

Based on the above correspondence, it is understood that the only technical matter that remains on this application relates to traffic issues that were not adequately addressed, as identified in Burnside's peer reviews. We have reviewed the responses to these comments and this letter confirms the status of these issues. For ease of reference, the issues have been reiterated in italics.

Issue 1 – The Township requests that the CRH policies and procedures be expanded to add the following items:

- a. *Commit to ongoing periodic monitoring of on-site and off-site operations, and reporting to the Township, to confirm that the provisions of the policies and the provisions of the policies and procedures are being followed;*
- b. *Commit to address any future complaint issues, through acceptable mitigation measures;*
- c. *Quantify the number of infractions that are allowed, before driver suspension.*

The policies refer to a 7 AM opening time for the pit. The TIS had noted that shipping is being proposed commencing at 5 AM. If the existing pit does not currently allow for shipping between 5 AM and 7 AM, then the impacts of such a time extension on area residents is not fully addressed by the policies and procedures outlined.

Burnside Comment – This item has been addressed. The applicant has provided *Truck Policies & Procedure (April 2021)* that outline the monitoring, reporting and mitigation process proposed for the Teedon Pit Extension. Burnside recommends that the Site Plan be amended to incorporate these truck policies and procedures, so they are enforceable by the MNRF.

Issue 2 – The Traffic counts that were used for the traffic operational analysis (i.e. Level of service, Left Turn Warrant analysis) do not capture the traffic from the Pit Extension. The peak hour counts on Darby Road do not show any heavy trucks during the peak hours analyzed. Considering that CRH has acknowledged that there have been 40 two-way truck trips during peak hours and that this will be the maximum in any given hour, the township requested in the January 29, 2020 letter that a sensitivity analysis be provided in the TIS to consider this maximum. This may impact the external road improvements required on both Darby Road and Highway 93. The TIS proposes road widenings along Darby Road and a recovery taper along Highway 93 to facilitate turning movements at the intersection of Darby Road and Highway 93. The additional information provided by Crozier in their Memo dated October 2, 2020 does not satisfactorily address this concern. The Township maintains that a sensitivity analysis of these maximum volumes be completed, unless comments are provided by the MTO that this is not required.

Burnside Comment – This item has been addressed. We acknowledge that MTO has confirmed that they are in agreement with the TIS findings and recommendations, that a left turn lane is not warranted, and that no additional analysis is required.

Issue 3 – The TIS concludes that left turn lane warrants are not met on Highway 93, based on the low percentages of left turn movements at the intersection of Darby Road and Highway 93. The analysis should be based on equivalent cars (i.e., factor of 2 for large trucks), together with a more realistic estimate of peak period turns that may be generated from the pit. Left turn lane warrants may be met under such conditions. The Township requested in the January 29, 2020 letter that the TIS include an analysis based on equivalent cars (i.e., factor of 2 for large trucks). In Burnside's experience it is good practice to apply a truck adjustment factor for establishing warrants where truck turning may be a consideration. Transportation Association of Canada (TAC) guidelines (Geometric Design Guide for Canadian Roads, June 2017), specifies longer gap requirements for truck turning maneuvers as compared to cars. The additional information provided by Crozier in their Memo dated October 2, 2020 does not satisfactorily address this concern. The Township maintains that the analysis be adjusted based on equivalent cars (i.e.,

factor of two for large trucks), unless comments can be provided by the MTO that this is not required.

Burnside Comment – This item has been addressed. We acknowledge that MTO has confirmed that they are in agreement with the TIS findings and recommendations, that a left turn lane is not warranted, and that no additional analysis is required.

Issue 4 – The Township requests that CRH notify the Township and Burnside when the Encroachment Permit has been issued by the MTO.

Burnside Comment – This item has been addressed. Burnside recommends that the Site Plan be amended to incorporate this requirement.

Issue 5 – The Township requires that CRH enter into a Road Improvement Agreement for Darby Road with the Townships of Tiny and Tay, which would include, but not be limited to, detailed engineering design drawings and securities.

Burnside Comment – This item has been addressed. Applicant has committed to entering into a *Road Improvement Agreement* and has requested that the Township provide a draft agreement for review. Burnside recommends that the Site Plan be amended to incorporate this requirement.

Conclusion

Subject to the above noted comments, the additional responses have satisfactorily addressed Burnside's traffic comments. Burnside recommends that once the Site Plan drawings have been updated to incorporate the above, that Burnside be provided with a copy for review.

Yours truly,

R.J. Burnside & Associates Limited



Cecil Gratrix, C.E.T., rcca
Senior Project Manager
CG:sc



Henry Centen, P. Eng.
Senior Transportation Engineer

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130 Balm Beach Road West
Tiny, Ontario L0L 2J0
(705) 526-4204 | 1-866-939-8469
www.tiny.ca

May 28, 2021

Ministry of Natural Resources and Forestry
2284 Nursery Road
Midhurst, ON L9X 1N8
Attention: Robert Herbst (robert.herbst@ontario.ca)

CRH Canada Group Inc.
2300 Steeles Avenue West, 4th Floor
Concord, ON L4K 5X6
Attention: Jessica Ferri (Jessica.ferri@ca.crh.com)

**RE: Aggregate Resource Act Application – Teedon Pit Extension
Township of Tiny Updated Comments
North Part of Lot 80, Concession 1 O.S. (Roll #1-029-00)**

Thank you for the opportunity to provide updated comments on the proposed Teedon Pit Extension Application under the Aggregate Resources Act (ARA).

The Township submitted an objection letter dated March 25, 2019, on the ARA application. The letter focused on comments in the following areas: hydrogeological, traffic, noise, site operation, and natural heritage. The Township submitted a subsequent letter dated January 29, 2020.

The Township has been reviewing and commenting on all new submission material from the applicant in their effort to address the Township's objection comments. The Township has retained R. J. Burnside & Associates Limited (Burnside), Aeroustics Engineering Limited (Aeroustics), and the Severn Sound Environmental Association (SSEA) to peer review all technical material in support of the application.

Confidential Planning & Development Report PD-027-21 regarding the Teedon Pit Extension Application was presented to Council at the Special Meeting of Council meeting held on May 21, 2021. This Report provides the background relative to the Township's review of the application and the current status of comments. As a result of this Report, Council Motion #000/21 was approved at the May 21, 2021 Council Meeting and reads:

WHEREAS the Council considered Confidential Planning and Development Report PD-027-21 regarding the Teedon Pit Extension – Aggregate Resource Act Application;

NOW THEREFORE BE IT RESOLVED THAT staff be directed to proceed with the recommendations in PD-027-21;

Council Motion #000/21 and Confidential Planning & Development Report PD-027-21 are attached to this letter for your information.

All outstanding technical issues have been satisfactorily addressed. The Site Plan drawings once updated as recommended in the Burnside letter appended to PD-027-21 are to be provided to the Township for review.

Sincerely,

THE CORPORATION OF THE TOWNSHIP OF TINY

Two handwritten signatures in black ink. The signature on the left is for Shawn Persaud and the one on the right is for Tim Leitch.

Shawn Persaud, BA, MCIP, RPP,
Director of Planning & Development

Tim Leitch, P. Eng.
Director of Public Works

CC: Members of Council for the Township of Tiny
Sue Walton, Director of Legislative Services/Clerk for the Township of Tiny (swalton@tiny.ca)
David Parks, Director of Planning, Economic Development and Transit (David.Parks@simcoe.ca)
Cecil Gratrix, R. J. Burnside & Associates (Cecil.Gratrix@rjburnside.com)
Julie Cayley, Severn Sound Environmental Association (JCayley@severnsound.ca)
Hon. Bruce Stanton, MP, North Simcoe (bruce.stanton@parl.gc.ca)
Hon. Jill Dunlop, MPP, Simcoe North (jill.dunlopco@pc.ola.org)