



January 29, 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 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-004-20 regarding the Teedon Pit Extension Application was presented to Council at the Committee of the Whole meeting dated January 13, 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 #022/20 was approved and reads:

"WHEREAS Council reconsidered Confidential Planning and Development Report PD-004-20 regarding the Teedon Pit Extension Application;

NOW THEREFORE BE IT RESOLVED THAT staff be directed to proceed with the recommendations in PD-004-20;

AND FURTHER 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-004-20 and Closed Session Meeting Minutes dated January 13, 2020, as approved, and January 27, 2020, once approved, be made public in nature.”

Council Motion #022/20 and Planning & Development Report PD-004-20 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 matters related to this proposal have been satisfactorily dealt with for the reasons stated in this letter.

This letter has been divided into five main theme areas: hydrogeological, traffic, noise, site operation, and natural heritage.

HYDROGEOLOGICAL COMMENTS

The Township’s concerns regarding hydrogeology have been addressed. CRH has committed to making the following amendments to the proposed Teedon Pit Extension Site Plans:

- Revising Note #42 on the Operational Plan to reflect the Township’s request to have AWLRs loggers installed and for the wells to be monitored monthly.
- Revising Note #42 and the monitoring well schematic on the Operational Plan to include the additional note: “One year prior to extraction commencing, two additional monitoring wells shall be installed. One between MW9–18 and MW8–18 and the second shall be installed along the eastern edge of the extraction area.”

TRAFFIC COMMENTS

Burnside has completed a peer review of the Traffic Impact Study (TIS) prepared by C.F. Crozier & Associates Inc, dated October 4, 2019. The Township’s concerns regarding traffic have not been addressed as follows:

- The CRH response notes that “No Stopping” signs will be installed on Darby Road, together with OPP enforcement, if required. In addition, CRH has confirmed that communication will be made to drivers/clients to prevent arrivals outside of the operating hours of the pit. We have assumed the OPP enforcement of “No Stopping” would be paid for by CRH. The Township requests that the TIS include the documented CRH policy and procedures to prevent the arrivals and parking of trucks prior to 5 am. This should be made available should a complaint come to the Township so a documented follow up be provided.
- 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, a sensitivity analysis should 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 widenings along Darby Road and a recovery taper along Highway 93 to facilitate turning movements at the intersection of Darby Road / Highway 93. The Township requests 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;
 - comments / approvals be provided from the Ministry of Transportation (MTO) for the TIS and proposed highway improvements;
 - 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, detail engineering design drawings and securities.
- 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 / 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 requests that the TIS include an analysis based on equivalent cars (i.e., factor of 2 for large trucks).

NOISE COMMENTS

The Township's concerns regarding noise have been addressed. CRH has committed to making the following amendments to the proposed Teedon Pit Extension Site Plans:

- To include the equipment list and its associated maximum sound power under the section titled "Equipment to be used Onsite and Noise/Air Mitigation". In addition, this equipment list and sound power readings are identified in Section 2.0 of the Acoustical Assessment Report.

In addition, CRH noted that they had submitted a minor site plan amendment to the MNRF to permit the construction of the acoustic berms and restrict the location of the genset trailer on-site so that this can be completed immediately. Confirmation from MNRF in this regard is requested by the Township to confirm that this has been completed.

SITE OPERATION

The Township's concerns regarding site operations have been addressed. CRH has committed to making the following amendments to the proposed Teedon Pit Extension Site Plans:

- Revising the proposed Site Plans to prohibit the storage of asphalt in the extension.
- Revising the Operational Plan add a new note to the rehabilitation page to state that "no fill shall be imported and disposed of at the site other than to establish slopes as specified in the Rehabilitation Plan."

NATURAL HERITAGE COMMENTS

The Township's concerns regarding natural heritage have been addressed. CRH has committed to making the following amendments to the proposed Teedon Pit Extension Site Plans:

- Revising the Operational Plan to change the word "should" to "shall" in the proposed note, i.e.: "The forest edge management zones shall be monitored for survival in the first, second and fifth years after planting. Replacement planting shall be undertaken if survival is less than 60% for each species."

- Revising the Operational Plan to add a note to the Forest Edge Management Schematic: "The proposed forest edge management measures within forest edge management zones 'A' AND 'B' will commence within three (3) years of the license issuance."
- Revising the Operational Plan to add a general note regarding invasive species monitoring and control: "Prior to and during extraction, the extraction area and immediately adjacent lands owned by CRH Canada Group Inc. will be periodically monitored for the presence of invasive plant species. Control measures will be implemented as required under the direction of a qualified ecologist. Control measures may include cutting woody stems and treating stumps with herbicide, spot application of herbicide to control newly established invasive species and/or use of tarps/covers to kill off invasive groundcover species."
- Revising Note #4 on the Rehabilitation Plan to say "... or another appropriate species recommended by a qualified ecologist at the time of planting."
- Revising Note #7 on the Rehabilitation Plan to include survival assessment at year five (5) in addition to years one (1) and two (2), and that the note will be modified to require 60% survival of each species.

In addition, the Council for the Township of Tiny, approved the following additional comments by way of Motion #022/20:

- 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
Doug Luker, CAO for the Township of Tiny (dluker@tiny.ca)
Sue Walton, Director of Legislative Services/Clerk for the Township of Tiny (swalton@tiny.ca)
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