



TOWNSHIP OF / CANTON DE  
**Tiny**

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March 25, 2019

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**RE: Township of Tiny Comments on Proposed Teedon Pit Extension  
North Part of Lot 80, Concession 1 O.S. (Roll #1-029-00)**

Thank you for the opportunity to provide comments on the proposed Teedon Pit Extension Application under the *Aggregate Resources Act*. Confidential Planning & Development Report PD-018-19 regarding the Teedon Pit Extension Application was presented to Council at the Committee of the Whole meeting dated February 28, 2019 and Motion # 077/19 was approved and reads:

**"WHEREAS** the Committee of the Whole considered Confidential Planning & Development Report PD-018-19 regarding the Teedon Pit Extension Application by CRH Canada Group Inc.,

**AND WHEREAS** the matter was forwarded to the February 28, 2019 Regular Meeting of Council due to its time sensitive nature;

**NOW THEREFORE BE IT RESOLVED THAT** staff be directed to provide comments to the Ministry of Natural Resources and Forestry as outlined in the peer review letters, to be included on the March 11, 2019 Committee of the Whole Meeting in anticipation of the March 25, 2019 comment deadline;

**AND THAT** Confidential Report PD-018-19, including appendices, be made public in nature."

Planning & Development Report PD-018-19 and Motion #077/19 are attached to this letter for your information.

The Township is not satisfied that all matters related to this proposal have been satisfactorily addressed for the reasons stated in this letter, and is therefore objecting to the Application.

The Township has retained R. J. Burnside & Associates Limited (Burnside), Aercoustics Engineering Limited (Aercoustics), and the Severn Sound Environmental Association (SSEA) to peer review the following documentation submitted in support of the Application:

- Aggregate Resources Act Summary Statement and the Site Plan drawings, prepared by MHBC Planning Urban Design & Landscape Architecture, dated January 2019;
- Acoustic Assessment Report, prepared by Theakston Environmental Control, dated January 2019;
- Hydrogeological Assessment, prepared by GHD, dated January 8, 2019; and
- Natural Environment Level 1 and 2 Technical Report (NETR), prepared by Goodban Ecological Consulting Inc., dated January 2019

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

### **HYDROGEOLOGICAL COMMENTS**

- The hydrogeological assessment completed by GHD does provide some additional information on the geology in the vicinity of the sump pond/wash pond, however there is no discussion on how water levels in the ponds relate to levels in the local aquitard, the Newmarket Till and the Upper Thorncliffe.
- The addition of the new wells improves the understanding of the geology on the existing pit site and in the proposed pit extension area. The following additional information is required for Burnside to complete their peer review:
  - A table showing the dates that the manual water level data was collected and hydrographs showing the results for each well;
  - Borehole logs for the wells so that the geology can be seen at each location. Based on the cross sections, it appears that the sump pond/wash pond is effectively isolated from the underlying aquifer. The borehole logs would assist us with the interpretation of the extent of the silt and clay aquitard; and
  - A “regional” cross section that includes the reported depths of the wells reportedly impacted by previous operations at the quarry.
- The GHD Assessment does not address previous comments made by the Township as part of the Official Plan Amendment and Zoning By-law Amendment applications (2015), Teedon Pit Site Plan Amendment application (2016), and Permit to Take Water application (2018).
- Burnside recommends that:
  - The current condition of nearby domestic wells be established, including the well depth and condition of the casing/screen, the well yield and general water quality.
  - Manual monitoring be done at least monthly and that Automatic Water level Recorders (AWLR's) be installed so that the peak spring water levels in 2019 can be

captured and used to confirm that the proposed Teedon Pit Extension pit floor elevation is 1.5 m above the high-water table.

- An additional monitoring well be installed between MW9-18 and MW8-18 to provide data on the water table as there are no other wells on the Teedon Pit Extension property that are completed in the sand aquifer. Similarly, an additional well should be installed along the eastern edge of the proposed extraction area. Wells on the Teedon Pit to the south should be included in the monitoring program.
- The Monitoring Program should include provisions to modify operations in the event the pit floor is less than 1.5 m above the water table.
- Additional data be collected using AWLR's to confirm the water table elevation until the Teedon Pit Extension begins operations. Water level collection only began in June 2018 and may have missed peak spring water levels.
- Testing be completed to evaluate the connection between the existing wash pond and the underlying aquifer. This may require the installation of additional shallow monitoring wells near the wash pond so that the water table can be monitored, and vertical gradients can be calculated. If it is found that the pond has the potential to impact groundwater water quality/quantity, then consideration should be given to the installation of a liner.

### **TRAFFIC COMMENTS**

- The Application material did not include a Traffic Impact Study, however it did include some traffic-related information.
- In order to determine the impacts on Darby Road and on the Highway 93 intersection, a Traffic Impact Study (TIS) must be provided. It is acknowledged that the licensed extraction rate and truck volumes are not proposed to increase, however the length that the pit will be in operation will change. Based on the maximum annual extraction volume of 600,000 tonnes, it will take an additional 17 years of operation to exhaust the Teedon Pit Extension supply (assuming the existing Teedon Pit is near the end of its life). This should be a consideration in determining the revised traffic impact.
- The alignment of Darby Road has a sharp bend at its intersection with Highway 93. The sight distances at this intersection are limited by the horizontal alignment on Highway 93. The traffic operations at the intersection of Darby Road and Highway 93 should be confirmed in the TIS. Safety issues (collision history) should be reviewed for the haul route (and intersection) to determine if there have been any incidents from the existing Teedon Pit operations.
- A scenario with 15 trucks idling close to the entrance before 5:00 am will impact the functionality of Darby Road in this area. This matter needs to be addressed.
- It is noted that the Township has been approached by the Sarjeant Company Limited regarding a proposal to use the existing CRH entrance for their two pits. It is the

Township's understanding that no formal application has been made to the MNRF relative to this proposal.

### **NOISE COMMENTS**

- The nighttime sound level limits are based on a predictable worst case hour during the period between 7:00 pm and 7:00 am. This means that shipping operations from 5:00 am to 7:00 am would meet the Ministry sound level limits.
- CRH plans to load and ship materials from the pit starting at 5:00 am. The nighttime sound level limits are based on a predictable worst-case hour during the period between 7:00 pm and 7:00 am. This means that shipping operations from 5:00 am to 7:00 am would meet the Ministry sound level limits.
- A scenario with 15 trucks idling close to the entrance of the pit was modelled and it was found to have the potential to cause an objectionable noise impact. This matter needs to be addressed.
- The following additional information is required for Aeroustics to complete their peer review:
  - The operator should confirm that a 10 m high working face, which was modeled in all worst-case scenarios that forms an integral part of the noise control design, can be maintained at all times and is feasible in the context of the planned front-end loader sizes, according to safety (working face structure) and labour laws (i.e. permitted height above the top of extended bucket).
  - Restrictions on the number of permitted equipment and maximum sound level permitted should be incorporated in the licensing document.
  - Modelling parameters for the surrounding foliage such as height of trees and elevation of the ground relative to the existing topography at each point of the foliage object should be provided.
  - Confirmation is required to be provided that the noise reduction due to foliage is reasonable for 12 months.
  - There are acoustic barrier requirements and other noise controls outlined in the noise study which apply to the existing Licence. It should be confirmed whether requirements and noise controls will be implemented on the existing Licence and whether they will be feasible to implement and/or enforce.

### **SITE OPERATION**

- The Operational Plan – Imported Materials, Note 50 specifies that “where the imported material is not being placed within 1.5 metres of the surface, the criteria under Table 1 for Sodium absorption ratio and electrical conductivity do not have to be met.” With the local groundwater sensitivity, we would recommend that Note 50 be replaced with “No

fill shall be imported and disposed of at the site other than to establish slopes as specified in the Rehabilitation Plan.”

- Considering the above noted point, the Township recommends that asphalt recycling be removed as a permitted use at the existing licensed Teedon Pit.
- The Rehabilitation Plan – Tree Planting Schematic proposes an agricultural use in the pit floor, however, fertilizers and other agricultural chemicals used for normal farming practices may negatively impact the aquifer especially considering the final depth of extraction will be a maximum of 1.5 metre above the established groundwater table. It is recommended that the rehabilitation plan be revised to remove this proposed use and replace it with a tree planting plan.

### **NATURAL HERITAGE COMMENTS**

- Table 2 of the NETR lists Species At Risk (SAR) with potential to occur in the study area. Since this table does not include endangered bats, it is not clear that SAR bats and their habitat (e.g., snags/cavity trees suitable for bat roosting or maternity sites) were considered in the preparation of the NETR, and clarification or additional information may be required. The SSEA defers to the Ministry of Natural Resources and Forestry (MNRF) on issues related to the Endangered Species Act, and understands that MNRF will be reviewing the proposal.
- The NETR references the MNRF’s Significant Wildlife Habitat Technical Guide (2000), and indicates that the Significant Wildlife Habitat (SWH) Criteria Schedules for Ecoregion 6E (MNRF 2015) were also consulted. The SWH Ecoregion Schedules provide specific criteria for identifying *candidate* and *confirmed* SWH. Clarification is required regarding the following types of SWH:
  - Amphibian Breeding Habitat (Woodland) – according to the NETR, swamp community SWDM4a is within approximately 120 m of the proposed extraction area (see Figure 5), and several amphibian species including wood frog, spring peeper and gray treefrog were documented on site (section 5.4). As per the SWH Ecoregion Schedule, if these amphibians are present in sufficient numbers, the wetland plus a 230m radius of woodland area would be considered SWH and the NETR would have to address any potential negative impacts. The NETR does not discuss whether or not this area qualifies as *candidate* or *confirmed* SWH, and further information is required.
  - Woodland Area-Sensitive Bird Breeding Habitat – area-sensitive bird species were documented in the NETR at station 3 and 4 (see Attachment E, Point Count Data Summary), however these station locations were not included in the SWH mapping shown on Figure 8. Further explanation is required.
- Planting as proposed for Forest Edge Management should include follow-up survival assessments of planted stock. Replacement planting should be undertaken, if necessary due to poor stock survival.
- Survival assessments for rehabilitation tree planting of setbacks and side slopes:



- Survival assessments should be done at years one, two and five (free-to-grow assessment), as is currently the practice of tree planting agencies like Trees Ontario/Forests Ontario, rather than just in the first and second year after planting as indicated in the NETR.
- The bullet regarding replacement planting if survival is less than 60% should be modified to indicate that 60% survival of each species is required to ensure post-planting species diversity.
- The SSEA would like to be provided with information on the projected timing of extraction for the site. If extraction is anticipated to be a considerable ways off, then management of forested areas on site may be appropriate; in addition, the species proposed for use in rehabilitation planting should be re-assessed at a later date, to ensure that they are still appropriate and practical for climate and site conditions, according to the best available information at that time.

If you have any questions with respect to this correspondence please do not hesitate to contact the undersigned.

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  
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