



November 17, 2023.

BY EMAIL ONLY

David Hanratty
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and

Karen Bennett
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700 - 10 Kingsbridge Garden Circle
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and

Integrated Aggregate Operations Section
Ministry of Natural Resources and Forestry
300 Water Street
Peterborough, ON K9J 3C7
ARAapprovals@ontario.ca

RE: Notice of Objection
Application for a Class A Licence under the Aggregate Resources Act (ARA)
Proposed Caledon Pit/Quarry
Part of Lots 15-18, Concession 4 WSCR and Part of Lot 16,
Concession 3 WSCR (former Geographic Township of Caledon),
Town of Caledon, Regional Municipality of Peel

Dear Mr. Hanratty:

The Town of Caledon (Town) is in receipt of your submission package related to the above noted ARA licence application. In accordance with the direction provided in the ARA's "Public Notice of Application Form" this letter of objection is being provided by email to the project proponent and staff of the Ministry of Natural Resources and Forestry.

Please note, the comments contained herein relate primarily to the materials prepared as per the requirements of the Aggregate Resources of Ontario Standards adopted by Regulation 244/97 under the ARA. The comments have been provided without the benefit of agency or peer review comments. Therefore, please be advised that these comments should be considered as preliminary in nature. The Town reserves the right to identify further concerns and to provide additional recommendations for the resolution of any concerns identified as the review of this licence application continues.

Please also note, under the Planning Act process for the associated Official Plan and Zoning By-law amendment applications (POPA 2022-006 & RZ 2022-0010), the Town will be providing additional comments which will incorporate concerns identified by commenting agencies and the Town's peer reviewers via the recently established Caledon Aggregate Agency Review Team (CAART) process. Comments related to cultural heritage, visual, transportation, and socio-economic impacts, blasting, and flyrock, in addition to further comments on matters noted herein, will be provided under the Planning Act process.

The Town and its planning consultant have preliminarily reviewed the ARA submission package materials and provided comments below on the technical reports filed in support of the application. These comments are preliminary as the Town continues to conduct peer reviews of the reports provided. The Town wishes to ensure that the proper and appropriate methodologies were carried out for these reports and that they are properly coordinated in their methodology, assumptions and conclusions. All applicable best practices standards must be met in addition to provincial standards, including but not limited to health, safety and protection of the natural environment.

Natural Heritage Assessment

The Natural Environment Report, revised July 2023, prepared by Golder Associates Ltd. (Golder) was reviewed alongside the ARA Site Plan drawings, dated August 2023, prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC). Please note the following:

1. Further information will be required by the Town related to the adequacy of the proposed operational and berm setbacks from identified natural heritage features.
2. Further information related to the provincial permitting requirements under the Endangered Species Act and timing of the removal and creation of little brown myotis and eastern small-footed myotis habitat is required.
3. The timing of the bat and grassland bird habitat creation should be indicated on the ARA site plans with the habitats prioritized during progressive rehabilitation.
4. Please add the Natural Environment Report requirement to install Vegetation Protection Zones (VPZ) adjacent to identified natural heritage features immediately prior to extraction in each phase, to the ARA site plan notes.
5. Please provide the rationale as to why on-going monitoring of natural heritage features and potential impacts during the lifespan of the operation has not been recommended.
6. The Rehabilitation Plan should identify which professional will undertake implementing the natural heritage recommendations.
7. The Rehabilitation Plan should include a requirement for all habitat creation areas to be audited two years after planting to assess planting survival rates and restock if/as required.
8. Please label Woodlands B and D and Tributary #1 directly on the Rehabilitation Plan.
9. Please include the Key Natural Heritage Features Schematic on the Operational Plan.

Water Resources Assessment

The Water Report Level 1 and 2, revised July 2023, prepared by Golder was reviewed alongside the ARA Site Plan drawings, dated August 2023, prepared by MHBC. Please note the following:

1. More information related to the dewatering of the site and any associated monitoring program is required. The reporting has indicated that water management activities and requirements will be determined under the Permit to Take Water application process. The Town is of the opinion that proposed water management activities should be reviewed as part of the licensing process. Relevant requirements are to be included on the ARA Site Plans.

2. Additional information is required regarding the proposed infiltration trench. Examples of sites where this approach has been successfully installed, along with long-term monitoring data from these sites, will be required to determine the potential efficacy of the trench.
3. The details and schedule for water monitoring at the outlet of the proposed settling pond should be identified on the site plans along with the proposed location of the settling pond (if known at this time).
4. Details related to the golf course irrigation pond system and outlet to the Credit River will be required as part of the Town's review, in consultation with the MECP through a future Industrial Sewage Works (ISW) Environmental Compliance Approval (ECA).
5. Prior to, or as part of the follow-up door-to-door private well survey, those landowners with wells that have significant or moderate potential to be impacted by quarrying activities must be clearly notified of this risk with the option to deepen their well(s) at CBM's expense.
6. The Well Complaint Response protocol should include a review of quality as well as quantity of water supply.
7. A Spills Plan should be included on the Operational Plan.

Blasting Assessment

The Blast Impact Assessment, revised July 2023, prepared by Golder was reviewed alongside the ARA Site Plan drawings, dated August 2023, prepared by MHBC. Please note the following:

1. The Blasting Notification program should include the Town as a party to be notified. The Town requires an opportunity to review and comment on the details of this program. The approved program should be added to the ARA site plan notes.
2. Reports and records related to blasting procedures and monitoring results must be made available to the Town upon request or annually.
3. In addition to the Blasting Notification program, the proponent should consider a voluntary pre-licensing foundation inspection program for residences within 500 metres of the proposed licensed boundary.

Air Quality Assessment

The Air Quality Impact Assessment, revised July 2023, prepared by Golder was reviewed alongside the ARA Site Plan drawings, dated August 2023, prepared by MHBC. Please note the following:

1. In addition to notifying the province of air quality complaints, as outlined in the Best Management Practices Plan (BMPP), the Town will require notification of air quality complaints. Town staff will work with the proponent to identify an adequate threshold requirement for this notification to be triggered.

Noise Assessment

The Noise Assessment Report, revised July 2023, prepared by Golder was reviewed alongside the ARA Site Plan drawings, dated August 2023, prepared by MHBC. Please note the following:

1. Please confirm the setback of the nearest sensitive receptor northeast of Phase 2B as there is a discrepancy between the reporting and the ARA site plans.
2. Please add the Noise Mitigation Schematic to the Operational Plan.

Agricultural Impact Assessment

The Agricultural Impact Assessment, revised July 2023, prepared by Colville Consulting Inc. was reviewed alongside the ARA Site Plan drawings, dated August 2023, prepared by MHBC. Please note the following:

1. The Final Rehabilitated Landform and Ecological Enhancement Areas includes off-site lands to the south of the proposed quarry which are intended to be converted to naturalized areas. Please confirm if consideration was given to retaining these lands for agricultural purposes as the quarry proposal will result in permanent loss of agricultural lands.
2. Please confirm if aquaculture was considered for after-use of the quarry lands.

Archaeological Assessment

1. As a general note, the requirement for Stage 3 Assessments should be added to the Extraction Sequence notes of the Operational Plan.

Transportation Impact Assessment

While the Town will reserve its main comments related to traffic and transportation impact until issuance of comments under the Planning Act, please note the following.

1. During pre-submission consultation with the Town, the proponent's traffic consultant completed Terms of Reference for the Transportation Impact Assessment which included a requirement related to reviewing available collision data. The Town reiterates its concerns related to safety along the proposed haul route, particularly the adequacy of the intersection of Charleston Sideroad and Highway 10. Further review of the safety and adequacy of the haul route is required in this regard.

Conclusion

The Town has identified areas of concern with the application and/or where additional information related to the application is required. The Town therefore objects to the subject ARA licence application in its current form.

The Town reiterates the fact that its comments to date are preliminary in nature and reserves its right to comment in further detail during its peer review process under both the ARA and Planning Act processes.

As noted earlier in this letter, additional planning and land use considerations will require further assessment and will be reviewed primarily under the parallel Planning Act process. The Planning Act review will provide additional comments on the matters included herein and review matters related to cultural heritage, visual, socio-economic and traffic impacts against all relevant planning policy. Consistency with the Provincial Policy Statement and relevant provincial plans and conformity with the Region of Peel and Town of Caledon Official Plans will be required to be demonstrated prior to any planning approvals being issued.

As you are aware, a CAART process has been recently established by the Town for aggregate applications. The CAART will be comprised of various agency-appointed staff and/or experts from the Town, the Region of Peel, the Credit Valley Conservation Authority, and various provincial approval authorities as required.

Through the CAART process, the Town will coordinate all agency, department and peer review comments into a formal Summary of Comments Letter which will be provided to the applicant/proponent and all application reviewers in advance of any required discipline-to-

discipline conversations on matters related to the proposal. The Town looks forward to engaging with the proponent through this process alongside our agency partners.

The Town requests notification of any future meetings or updates on the review of this file. For further questions and correspondence on this file, please contact the undersigned.

Sincerely,



Genevieve Scott
Cuesta Planning Consultants Inc. on behalf of
Development, Planning & Development Department
TOWN OF CALEDON

cc: Adam Wendland, Town of Caledon
Max Rubin, Town of Caledon
Chris Barnett, Osler, Hoskin & Harcourt LLP