

December 16, 2022

GSAI File: 541-003

Town of Caledon
Development Approvals and Policy Planning
6311 Old Church Road
Caledon, ON L7C 1J6

**RE: Application to Amend the Official Plan and Zoning By-law
CBM Caledon Class A – Pit/Quarry Below Water Table
CBM Aggregates, a division of St Marys Cement Inc. (Canada)
Town of Caledon, Region of Peel**

On behalf of our client, CBM Aggregates (CBM), a division of St. Marys Cement Inc. (Canada), Glen Schnarr & Associates Inc. (GSAI) is pleased to submit this application for Official Plan and Zoning By-law Amendments in support of the establishment of a new Class A, Pit/Quarry Below Water. In order to facilitate the proposed land use, applications and approvals for Town of Caledon Official Plan Amendment and Zoning By-Law Amendments under the Planning Act will be required as well as a Licence Application under the Aggregate Resources Act (ARA).

A Pre-Consultation Meeting (DART) was convened with the Town, CVC and Region of Peel on February 10, 2022. Our current DART checklist was officially received from the Town on April 28, 2022 and it has a scheduled lapsing date of December 31, 2022.

Consistent with the submission requirements outlined in the DART checklist, as well as our subsequent discussions/correspondence with staff regarding clarity on the checklist and the Terms of Reference for some of the technical studies required in support of this application (including Haul Route/Transportation, Air, Noise and Blasting, Archaeology and Cultural Heritage, Socio-Economic Assessment, Visual Impact Assessment, Water and Natural Environment, and Agricultural Impact Assessment), we are pleased to make this **complete formal OPA/ZBLA submission to the Town**, which we are confident will satisfy the requirements of a complete application for Official Plan and Zoning By-law Amendment for the proposed CBM Caledon Pit / Quarry. Based on the timing of this submission (December 16, 2022), we expect this application to be received and processed under the presently in-effect Town Planning Application review process (i.e. DART).

The Proposal and Subject Lands

CBM is applying to the Ministry of Natural Resources and Forestry (MNRF) for a Class A Licence (Pit and Quarry Below Water) and to the Town of Caledon for an Official Plan Amendment and Zoning By-law Amendment to permit a mineral aggregate operation in order to extract sand and gravel and limestone bedrock from lands CBM controls in the Town of Caledon.

The lands under control of CBM are generally located at the northwest, northeast and southwest intersection of Regional Road 24 (Charleston Sideroad) and Regional Road 136 (Main Street). CBM owns / controls approximately 323 hectares of land located at the northwest, northeast and southwest intersection of Regional Road 24 (Charleston Sideroad) and Regional Road 136 (Main Street). It is proposed that approximately 262 hectares in this area are proposed to be designated / zoned under the Planning Act and licenced under the Aggregate Resources Act to permit the proposed CBM Caledon Pit / Quarry. These 262 ha are referred to as the Subject Site. The remaining approximately 61 hectares of land owned / controlled by CBM are not subject to the extraction application and these are referred to as the 'CBM Additional Lands'. These CBM Additional Lands include approximately 25 ha located to the north and northeast of the Subject Site, and approximately 36 hectares located south of the Subject Site, adjacent to the Hamlet of Cataract, and within the jurisdiction of the Niagara Escarpment Commission (NEC). CBM is proposing as part of this application, that the approximate 36 acres of land located adjacent to Cataract be used as upland forest and meadow grasslands. CBM is also exploring the potential of conveying these southern 36 ha of land permanently to a public authority for long term protection.

The bedrock in the vicinity of Charleston Sideroad and Main Street/RR 136 represents an extremely high quality dolostone source from the Gasport Formation which is recognized by the Province for its importance in the support of development that relies on high-strength concrete products. It is one of the most consistent sources of high-quality aggregate due to its superior hardness, crushability, workability and durability and will provide an important source of construction aggregate to the GTA and, specifically, the Region of Peel and Town of Caledon. The proposed Extraction Area identified through this application includes approximately 80 million tonnes of a high-quality bedrock resource and approximately 5 million tonnes of a high-quality sand and gravel resource.

The proposed CBM Caledon Pit / Quarry is proposed to be operated in 7 phases, beginning in the "Main Area" (northwest quadrant of Charleston Sdrd./RR 24 and Main Street/RR 136), and progressing to the "North Area" (northeast corner of Charleston Sdrd./RR 24 and Main Street/RR 136), and then to the 'South Area' (southwest quadrant of Charleston Sdrd./RR 24 and Main Street / RR 136). The primary market area for the proposed CBM Caledon Pit / Quarry is the Greater Toronto Area, including the Town of Caledon and the Region of Peel. This site represents a close to market source of a high-quality mineral aggregate resource.

The proposed CBM Caledon Pit/Quarry is proposed to be progressively rehabilitated. The overall final rehabilitation plan will consist of three separate lakes in each of the North, Main and South extraction areas surrounded by nearshore, riparian, and upland habitats.

Project History and Background

The background work related to this project has been ongoing since 2019. Not only has this included desktop as well as on-site and in the field technical analysis and background monitoring, but it also has included extensive public consultations with First Nations Groups, Town of Caledon residents, Town of Caledon, Region of Peel and Conservation Authority staff, and representatives of the MNRF, and other community stakeholder groups, such as various village associations located in the Town of Caledon. We note that the informal public consultation that has occurred to date was initiated prior to any studies or drilling being undertaken and has been ongoing through 2022.

As part of many of the supporting technical studies, a study area has been defined which generally includes lands surrounding the subject lands. Studies and monitoring for each discipline have been undertaken in the identified study areas to assist in understanding the existing conditions in this area. The investigations and monitoring within the study areas have assisted our project team in understanding the potential for influence of the proposed development on the surrounding environment, and how the proposed operation can be designed to manage impacts and ensure no negative impacts on the natural environment and surrounding receptors.

Land Use Policies and Processes

The Subject Site is situated within the Protected Countryside and partially within the Natural Heritage System of the Greenbelt Plan.

In the Region of Peel Official Plan (approved November 2022), the Subject Site is within the “Rural System” and is partially designated “Prime Agricultural Area” and partially designated “Rural Lands” (Schedule D-1). There are no Core Areas of the Greenlands on the Subject Site. In addition, the Subject Site is located within the “High Potential Mineral Aggregate Resource Area” (HPMARA) in the Region of Peel Official Plan (Schedule D-2). An amendment to the Region of Peel Official Plan is not required to permit the proposal on the Subject Site.

In the Town of Caledon Official Plan (2018), the lands are identified as Caledon High Potential Mineral Aggregate Resource Area (CHPMARA) and designated ‘General Agricultural Area’, ‘Rural Lands’, and a small portion as ‘Environmental Policy Area’. An amendment to the Town of Caledon Official Plan is required to designate the lands “Extractive Industrial B”, permitting the proposed above and below water aggregate resource extraction. As well, it is proposed to include the area in the northwest corner of the Site in the “Environmental Policy Area” designation to protect the existing tributary with a 10 m VPZ in that area.

The identification of these lands as CHPMARA and HPMARA in the Town of Caledon and Region of Peel Official Plans, respectively, is a primary reason for CBM’s investment in this location.

The Subject Site is currently zoned “Agricultural” (A1) and a small portion as “Environmental Protection Area 2” (EPA2). An amendment to the Town of Caledon Zoning By-law is required to rezone the lands to permit the proposed CBM Caledon Pit / Quarry and to implement the proposed

Official Plan Amendment. It is proposed to rezone the Subject Site to “EPA1-487” (Environmental Policy Area 1 – 487) in the northwest corner of the site to allow the area to be licenced under the ARA but to not permit extraction in that area in order to protect the features in that location, and “MX-YY” (Industrial Extraction – Special) to permit the proposed CBM Caledon Pit / Quarry, including extraction.

In addition to the land use approvals required through the Town of Caledon, CBM will require a licence to permit extraction on the subject lands pursuant to the ARA. This is under the regulation of the MNRF, who is the approval body for this process. While the two processes and applications will run concurrently, the Planning Act approvals are required to be in place prior to the issuance of a Licence under the ARA from the Ministry of Natural Resource and Forestry (MNRF).

Submission Deliverables

In support of this application for Official Plan and Zoning By-law Amendment, we have provided all requisite materials outlined in the DART checklist. We note the following clarifications were confirmed and agreed to in subsequent correspondence with Town staff that modify the DART Checklist slightly:

- NEC Development Permit is **not** required (*confirmed via email June 5, 2022, copy attached*);
- Aggregate Resource Impact Study is **not** required (*confirmed via email June 13, 2022, copy attached*);
- Fiscal Impact Analysis is **not** required (*confirmed via email June 5, 2022, copy attached*);
- Functional Servicing and Stormwater Management are included within Sections 2.2 and 7.4, respectively, of the Water Resources Study (*confirmed acceptable with staff via email June 5, 2022, copy attached*);
- Tree Inventory and Landscape / Buffer / Planting Plans are included within Sections 4.4.3 and 7.1 of Natural Environment Report, the Visual Impact Report (in viewpoints 1-28, cross sections, and Figure 6), and within the Site Plans and Rehabilitation Plans (*confirmed acceptable with staff via email June 5, 2022, copy attached*);
- Long Term Monitoring Plans are included within Blasting Impact Assessment, Natural Environment Report, Water Resources Report, and Air Quality Impact Assessment (as part of the BMPP) (*confirmed acceptable with staff via email June 5, 2022, copy attached*); and
- Site Grading / Servicing Drawings are included within the Site Plans (*confirmed acceptable with staff via email June 5, 2022, copy attached*).

Based on the DART Checklist and our discussions with staff (as outlined above), the following documents have been prepared and submitted in support of this complete OPA/ZBA submission:

- Application Form for Official Plan Amendment and Zoning By-law Amendment;
 - Site Descriptions describing the lands under control of CBM, addresses, PINs, date of acquisition, etc.;
 - Appointment and Authorizations of Agent signed by all owners;
 - Signed DART Meeting Form;

- Acknowledgement of Public Information Forms signed by all owners;
- Copy of June 5, 2022 and June 13, 2022 email correspondence with Staff re DART item clarifications;
- Signed Aggregate Application Fee Agreement;
- PINS / Parcel Abstract(s) compiled by Delph & Jenkins North Ltd.;
- Survey Plans Summary Table prepared by GSAI (December 2022);
- Survey Plans prepared/compiled by Delph & Jenkins North Ltd. compiled December 2022 including:
 - MAIN AREA:
 - Instrument RO 1144974 (NW quadrant of Main Area)
 - 43R-22355 (NE quadrant of Main Area);
 - 43R-24507 (SE quadrant of Main Area);
 - 43R-4021 (1420 Charleston Sdrd in Main Area);
 - 43R-39683 (SW quadrant Main Area); and
 - File 22213-1A-rev1 (Compiled Survey Plan).
 - NORTH AREA:
 - Part 10 of Plan 43R-29998 (East half of North Area);
 - 43R-34106 (small parcel within North Area);
 - Instrument RO741689 (West half of North Area); and
 - File 22213-4A-Model (Compiled Survey Plan).
 - SOUTH AREA:
 - 43R-19004 (East Half of South Area);
 - Instrument RO593116 (South Part of West Half of South Area); and
 - Instrument VS253870 (North Part of West Half South Area).
 - File 22213-6-Model (Compiled Survey Plan)
- Draft Reference Plans for ROWs prepared by Delph & Jenkins North Ltd., dated December 2022, including:
 - MAIN AREA:
 - Future Road Widening along East Side Mississauga Road, North of Charleston Sdrd. (File Ref. 22213-2-Draft-Model)
 - Future Road Widening along West Side of Main Street, North of Charleston Sdrd. (File Ref. 22213-3-Draft-Model);
 - NORTH AREA:
 - Future Road Widening along East Side of Main Street, North of Charleston Sdrd. (File Ref . 22213-5-DRAFT-Model)
 - SOUTH AREA:
 - Future Road Widening along East Side of Mississauga Road, South of Charleston Sdrd. (File Ref . 22213-8-DRAFT-Model)
- CBM Caledon Easement Report dated December 9, 2022 prepared by Delph & Jenkins North Ltd.;
- Full-Size, Scalable ARA Site Plan Drawings as prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) dated December 16, 2022, including:
 - 1 of 3 – Existing Features – 12.16.2022;
 - 2 of 3 – Operational Plan – 12.16.2022; and
 - 3 of 3 – Rehabilitation Plan – 12.16.2022.

- Final Rehabilitated Landform and Ecological Enhancement Areas prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) dated December 2022;
- OBC Data Matrix for the following:
 - A101 – ‘Office’ OBC Data Matrix, Elevation(s), Floor Plan(s) prepared by Architecture 49 dated November 28, 2022;
 - A 102 – ‘QC Lab’ OBC Data Matrix, Elevation(s), Floor Plan(s) prepared by Architecture 49 dated November 28, 2022;
 - A 103 – ‘Scale House’ OBC Data Matrix, Elevation(s), Floor Plan(s) prepared by Architecture 49 dated November 28, 2022;
 - A 104, 105 – ‘Maintenance Shop’ OBC Data Matrix, Elevation(s), Floor Plan(s) prepared by Architecture 49 dated November 28, 2022;
- Zoning Matrix prepared by Glen Schnarr & Associates Inc. (GSAI) dated December, 2022;
- Draft Official Plan Amendment and Schedule prepared by Glen Schnarr & Associates Inc. (GSAI) dated December, 2022;
- Draft Implementing Zoning By-law and Schedule prepared by Glen Schnarr & Associates Inc. (GSAI) dated December, 2022;
- Phase 1 ESA – Cover Letter and Overall Mapping prepared by Golder Associates Ltd. dated December 16, 2022 and the following Phase One ESA’s as Separate Reports each prepared by Golder Associates Ltd.;

(Note for staff: Each site within the project limit has been subject to a Phase One ESA as required. PINs and PIN map has been provided to assist staff in their review of the documents.)

- Phase 1 ESA - Site 1 (No Municipal Address Assigned. Legal Description: PT LT 16 CON 3 WHS. PIN: 142740421) dated July 9, 2021;
- Phase 1 ESA - Site 2 (18722 Main St) dated June 28, 2021;
- Phase 1 ESA - Site 3 (18667 Mississauga Road) dated June 30, 2021;
- Phase 1 ESA - Site 4 (No Municipal Address Assigned. Legal Description: PT LT 16 CON 4 WHS. PIN: 142730323) dated July 9, 2021;
- Phase 1 ESA - Site 5 (No Municipal Address Assigned. Legal Description: PT LT 16 CON 4 WHS. PIN: 142730345) dated July 7, 2021;
- Phase 1 ESA - Site 6 (1 R.R.#1, Caledon. Legal Description: PT LT 16 CON 4 WHS. PIN: 142730561) dated July 7, 2021;
- Phase 1 ESA - Site 7 (No Municipal Address Assigned. Legal Description: PT LT 16 CON 3 WHS. PIN: 142740018) dated July 8, 2021;
- Phase 1 ESA - Site 8 (18501 Mississauga Rd) dated November 6, 2020;
- Phase 1 ESA - Site 9 (1420 Charleston Sideroad) dated August 29, 2022;
- Phase 1 ESA - Site 10 (18221 Mississauga Road) dated December 7, 2022;
- Phase 1 ESA - Site 11 (1055 Charleston Side Road) dated November 29, 2022;
- Phase 1 ESA - Site 12 (1455 Charleston Sideroad) dated December 7, 2022;
- Stage 1/2 Archaeological Assessment prepared by Golder Associates Ltd . dated November 14, 2022;
- Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment prepared by Golder & Associates dated December 16, 2022,

- Agricultural Impact Assessment prepared by Colville Consulting Inc. dated December 2022
- Air Quality Impact Assessment (including dust and odour, and long-term monitoring per BMPP) prepared by Golder Associates Ltd. dated December 16, 2022;
- Blast Impact Assessment (including vibration and long-term monitoring) prepared by Golder Associates Ltd. dated December 16, 2022;
- Noise Assessment Report prepared by Golder Associates Ltd. dated December 16, 2022;
- Natural Environment Report (including tree inventory, buffer planting details, landscape details and long-term monitoring) prepared by Golder Associates Ltd. dated December 16, 2022;
- Water Report Level 1/2 (including long term monitoring) prepared by Golder Associates Ltd. dated December 16, 2022 including:
 - Hydrogeology (incl. Hydrogeological Field Investigation in Sec. 5);
 - Water Resources; and
 - Water Management and Site Servicing;
- Maximum Predicted Water Table Report prepared by Golder Associates Ltd. dated December 16, 2022;
- Visual Impact Assessment prepared by Golder Associates Ltd. dated December 16, 2022;
- Socio-Economic Assessment prepared by Golder Associates Ltd. dated December 16, 2022;
- Transportation Impact Study and Haul Route Assessment prepared by T.Y. LIN International Canada Inc. (TYLin) dated December 15, 2022;
- Planning Justification Report/ARA Summary Report (including public engagement information) prepared by Glen Schnarr & Associates Inc. (GSAI) and reviewed by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) dated December 16, 2022;

NOTE(S):

- i) The application includes the complete ARA Licence Site Plan Documents and information (Site Rehabilitation, Grading/Servicing Plans, etc.).*

We understand that the Town will require settlement of the application fees in order to deem the application complete. Accordingly, and further to our email of Thursday December 8, 2022, due to processing and time constraints, CBM proceeded with providing an Electronic Fund Transfer (EFT) payment to the Town of Caledon on Thursday **December 15, 2022**, in the amount of **\$125,000** to cover the requisite ‘Recovery Fees’ associated with filing the Official Plan and Zoning By-law Amendment application for Aggregate uses. At the time the EFT was processed, the total application fees were not confirmed with the Town and the \$1250,00 was provided out of an abundance of caution. Since that time, we have confirmed with staff that the required fee amount is **\$100,000** and therefore we request the Town process an overage refund in the amount of **\$25,000**. As we noted in our emails to staff of December 8, 2022 and December 15, 2022, this EFT would have been sent by ‘St. Marys Cement’.

CBM is also seeking a formal agreement (as discussed) with the Town of Caledon which would outline in detail, a cost agreement related to the Cost Recovery Process.

We understand the following additional application fee payments are required in connection with this proposal (however are not required to deem the application complete):

- Payment in the amount of **\$9,000.00** is payable to the Region of Peel in connection with the Region's OPA review fee; and
- Payment in the amount of **\$71,461.00** is payable to Credit Valley Conservation in connection with their review fee for a Major Aggregate Application.

Upon your confirmation, we will proceed with providing payment of the required fees to the Region and CVC in the form of payment permitted by each agency. Should you require any clarification or need any further information, please do not hesitate to contact the undersigned at 905-568-8888 x235 or Sarah Clark of GSAI at 905-568-8888 x237.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



Karen Bennett, MCIP, RPP
Partner

cc. David Hanratty, Director of Land, Resource & Environment,
Votorantim Cimentos, North America
B. Zeman, MHBC
CBM Consulting Team