Proposed County Official Plan Amendment 135 – Gibraltar Pit Report PDR-CW-12-18

Part 1 RP 16R9097, Lot 6, Concession 4 (geographic Township of Collingwood) Town of The Blue Mountains

This presentation contains a summary of Staff Report PDR-CW-12-18. For more details on this application, including a thorough comment summary and planning analysis, please see the Staff Report.
Proposed Official Plan Amendment (OPA) 135

• Proposed Official Plan Amendment 135 would permit an expansion to the existing Gibraltar Sand and Gravel Pit, by re-designating the lands to ‘Mineral Resource Extraction with Exceptions’.

• 13.6 hectares of land are proposed to be licensed, but only 10.3 hectares are proposed for extraction.

• The maximum extraction rate is 150,000 tonnes per year, with an estimated total resource of 2,700,000 tonnes.

• The proposed pit will go below the water table, and will be rehabilitated to a man-made pond along with the existing pit.

• The subject lands are designated ‘Rural’ in the County Official Plan, with a very small portion of the lands in the ‘Aggregate Resources Area’.

• The subject lands are east of the historic hamlet of Gibraltar and west of the Pretty River Provincial Park.

• The haul route would the same as the existing Gibraltar Sand and Gravel Pit.

• A joint public meeting with the Town was held for the Official Plan and Zoning applications on May 16, 2016.
OPA 135 – Subject Lands
OPA 135 – Lands to be Re-designated
A significant amount of public comments were received on this application, including a petition signed by a number of individuals. Concerns were raised with respect to:

- Concerns over impacts on neighbouring properties, including proximity to residential dwellings
- Concerns over impacts on natural environment and the Pretty River Park
- Concerns over tree removal
- Concerns over the impacts on wildlife and endangered species
- Preserve existing farmland / avoid loss of good farmland
- Concerns over the spread of weeds from the berms on-site
- Health impacts from the proposed pit and the haul route
- Public health and safety concerns
- Traffic concerns
- Increase in traffic/heavy truck traffic and trucks speeding
- Road safety concerns including impacts on cyclists, pedestrians, horseback riders, sight-seers, and all road users
- Concerns over ongoing maintenance of roads
- Rehabilitation plan questions
- Concerns over the quality of the aggregate resource on-site
Public Comments continued

- Concerns about going below the water table
- Concerns over potential spills
- Concerns over the proposed hours of operation
- Concerns over phasing of extraction
- Concerns over setbacks and the need for fencing on-site, in addition to berms
- Keep the unique beauty of area intact
- Impacts on tourism and outdoor enthusiasts
- Noise impacts
- Impacts on air quality and dust impacts
- Concerns over long-term risks
- Questions over Provincial Policy Statement consistency
- Questions over Official Plan conformity
- Consider the pit application within the context of the new Aggregate Resources Act: Blueprint for Change and the Niagara Escarpment Plan Review
- Growing number of gravel pits in the area, is there a need for more
- Negative impacts on surrounding property values
There are no outstanding objections from the following agencies and stakeholders:
- Grey Sauble Conservation Authority,
- Niagara Escarpment Commission,
- Historic Saugeen Metis,
- Saugeen Ojibway Nation,
- Ministry of Natural Resources and Forestry, and
- Town of The Blue Mountains staff.
Mitigation Measures for OPA 135

Based on the recommendations of the technical reports, there are a number of mitigation measures being applied to this site:

- Noise – a noise study was completed, and a further audit of this site will be completed once the site is operational, to ensure noise does not exceed provincial standards.

- Natural environment - Butternut compensation plantings will be required and a total of 4.6 hectares of trees will be replanted on-site; an increase from the existing forest cover. Edge management plans along the edge of the woodlands will be required, and the treed setbacks to the south have been increased to 30 metres from the proposed 15 metres. Removal of vegetation will also consider both bird and bat nesting seasons.
• Traffic - The Traffic Impact Study concluded that the existing entrance and haul route were sufficient to meet the needs of the pit expansion from a traffic and safety perspective. The entrance from the existing pit will be used for the pit expansion area, via an internal haul route. The existing pit is licensed to extract 150,000 tonnes annually. Should the proposed expansion be granted, the cumulative total of the current pit, and the proposed pit expansion will remain at 150,000 tonnes per year. As a result, local traffic levels will not increase from the proposed pit expansion.
• Berming will also be used around the perimeter of portions of the site to provide visual screening.
Mitigation Measures continued

• Water - a Hydrogeological Assessment was completed in support of the proposal. This assessment reviewed the private wells in the area, which are drilled wells, with the exception of one dug well. These drilled wells get their water from a confined bedrock source.

• The proposed pit expansion requires a monitoring program using three on-site wells, and three wells within the existing Gibraltar pit. Similar to the existing pit, a well interference and response protocol is also going to be required. Within this protocol, the operator may be required to replace local water resources (wells) on a temporary or permanent basis, if the pit is found to be the cause of the water disruption. Reporting is required to Provincial Ministries in the event of a water complaint regarding water quality or quantity.
• The County Plan maps a very small portion of the subject lands as being within the Aggregate Resource Area.
• The County Plan does not require a demonstration of aggregate quality prior to licensing a pit, and the test of need for the aggregate cannot be considered under the PPS.
• The proponent has explored the resource on the expansion portions of the property, and found it to be sufficient for road construction. The resource is primarily comprised of granular B material, with some ability to produce granular A.
Planning Analysis on OPA 135

• County staff are generally satisfied, that subject to the mitigation measures on the license (including berms and on-going monitoring), the proposed pit;
  • has regard for matters of Provincial Interest under the Planning Act,
  • is consistent with the Provincial Policy Statement, and
  • conforms to the goals and objectives of the County Official Plan.
• County staff have worked closely with the Town as part of the processing of these applications. A Town staff report on their official plan and zoning amendments will be presented on April 4th 2018.
New Appeals Process?

- The Province granted Royal Assent to Bill 139, which changes the appeal process, on December 12, 2017.
- The Regulations for this new Act come into force on April 3, 2018. The Transition Regulations for Bill 139 state;
  
  “An official plan, an amendment to it or a repeal of it shall be continued and disposed of in accordance with subsection 17 (36.2) of the Act as it read on April 2, 2018, if the giving of notice under subsection 17 (35) of the Act is completed on or after July 1, 2016 and before April 3, 2018.”

- Based on the above, it would appear that the Gibraltar appeals would not be subject to the new rules, provided the County issues notice of decision prior to April 3, 2018.
Recommendation

1. That all written and oral submissions received on Official Plan Amendment Number 135 were considered and helped to make an informed recommendation and decision;

2. That Report PDR-CW-12-18 be received;

3. And that Amendment Number 135 to permit a gravel pit expansion on lands described as Part 1 RP 16R9097, Lot 6, Concession 4, Geographic Township of Collingwood, in the Town of The Blue Mountains, be supported, to re-designate the subject lands to the ‘Mineral Resource Extraction with Exceptions’ designation on Schedule B to the Plan, while remaining in the ‘Rural’ designation on Schedule A, and that a by-law to adopt the County Official Plan Amendment be prepared for consideration by County Council.