

To:	Warden Halliday and Members of Grey County Council
Committee Date:	July 26, 2018
Subject / Report No:	County Official Plan Amendment 42-07-060-OPA-142 / Addendum to Report PDR-CW-20-18
Title:	Orchard Pit Official Plan Amendment Final Report
Prepared by:	Scott Taylor
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Township of Southgate
Status:	Recommendation adopted by Committee of the Whole as presented as per Resolution CW193-18; Endorsed by County Council on August 9, 2018 per Resolution CC79-18.

Recommendation

1. That all written and oral submissions received on Official Plan Amendment Number 142 were considered and helped to make an informed recommendation and decision;
2. That Addendum to Report PDR-CW-20-18 be received; and
3. That Amendment Number 142 to permit a gravel pit on lands described as Part Lot 15, Concession 1, Divisions 2 – 3 geographic Township of Egremont, in the Township of Southgate, 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', 'Agricultural', and 'Hazard Lands' designations on Schedule A, and that a by-law to adopt the County Official Plan Amendment be prepared for consideration by County Council.

Executive Summary

Proposed County official plan amendment 142 (County file number 42-07-060-OPA-142) would permit a new gravel pit operation. The subject lands are designated as 'Agricultural', 'Rural', 'Hazard Lands', and 'Aggregate Resources Area' in the County Official Plan. The proposed pit will be mostly within the existing Aggregate Resources Area, but partially outside the mapped boundaries of this designation. The Township of Southgate has already adopted a Township official plan amendment, and passed a zoning by-law amendment to permit the pit. County staff are recommending approval of the official plan amendment to permit the gravel pit on Part Lot

15, Concession 1, Divisions 2 – 3 geographic Township of Egremont, in the Township of Southgate.

Background and Discussion

The County has received an application, referred to as official plan amendment (OPA) 142, also known as the Orchard Pit, to amend the Grey County Official Plan. On Schedule A to the County Official Plan the subject lands are designated as 'Agricultural', 'Rural', and 'Hazard Lands'. Schedule B maps the majority of the property as 'Aggregate Resources Area'. The amendment would allow for the pit operation on the subject lands, including a portion of the lands that are outside the Aggregate Resources Area.

The proposed pit will be approximately 29.8 hectares in size, with the total size of the property being 33.1 hectares. The total area for extraction will be approximately 9.9 hectares in size, in three pockets on the property. It is estimated that there are approximately 650,000 tonnes of resource to be extracted on this site. The proponent has applied for a Class A, Category 3 license from the Ministry of Natural Resources and Forestry (MNRF) to extract 100,000 tonnes or less per year. The proposed license will require this pit operation to remain at least 1.5 metres above the water table.

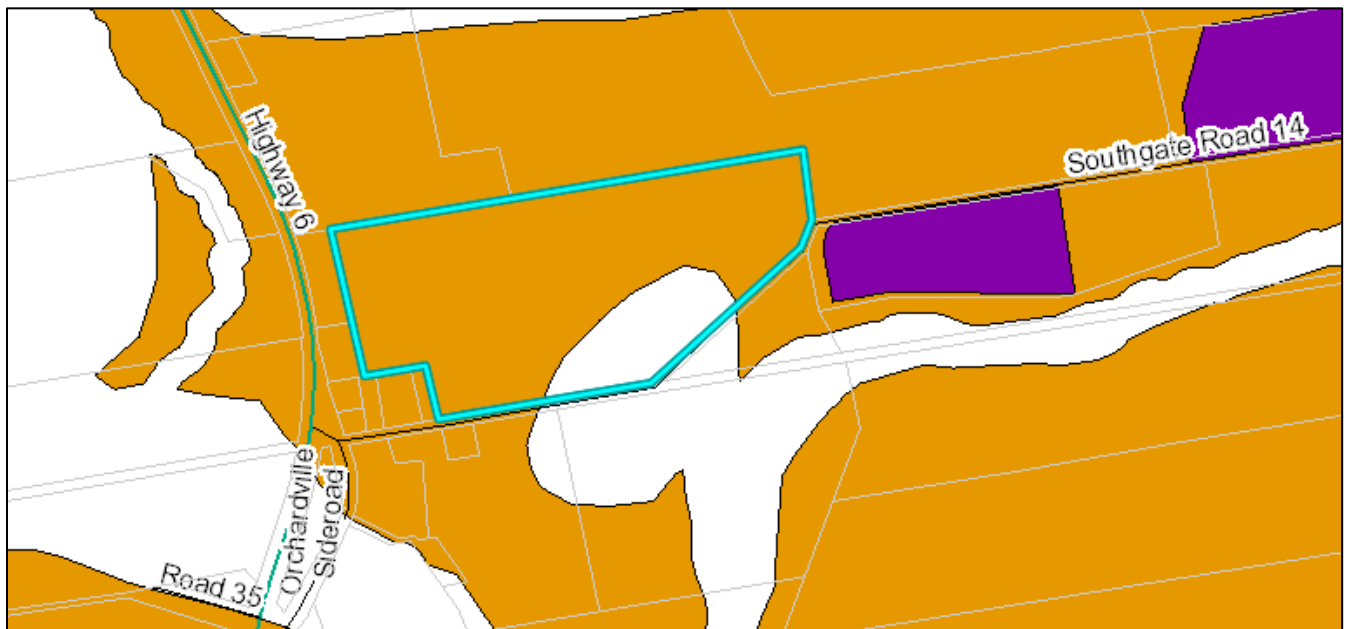
The subject lands are located at Part Lot 15, Concession 1, Divisions 2 – 3 geographic Township of Egremont, in the Township of Southgate. Currently, the subject lands are primarily farmed, with a wooded portion on the west end of the property. The woodlands will not be re-designated and will remain outside of the licensed area. Access to the property will come from Southgate Road 14, with the haul route proceeding west to Highway 6.

The surrounding lands are predominantly used for agricultural purposes, with some other pit and residential uses also nearby.

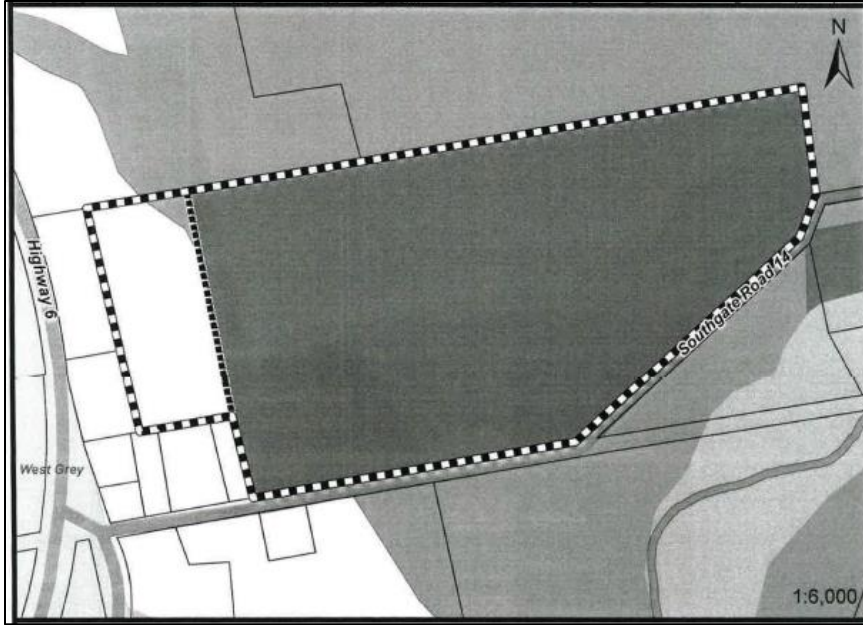
Map 1 below shows an airphoto of the subject lands and surrounding area. Map 2 shows the mapped Aggregate Resource Areas on-site (in orange), while Map 3 shows lands subject to the official plan amendment (shaded in dark gray).



Map 1: Airphoto of the Subject Lands



Map 2: Aggregate Resources Area on the Subject Lands



Map 3: Lands Subject to the Amendment

In 2012, applications were submitted to both the County and the Township to permit the pit operation. At that time, a County OPA application was applied for, known as OPA 116. OPA 116 was later withdrawn, at the recommendation of County Planning Staff. When OPA 116 was initially submitted, the County's five year review OPA 80, had not yet been fully approved by the Ontario Municipal Board (OMB). OPA 80 implemented the County's Aggregate Resources Area mapping, and no longer required an OPA to permit a gravel pit in the mapped resource lands. When OPA 80 was approved, County staff advised the proponent that an OPA was no longer needed to the County Plan, and they withdrew their application. In hindsight, this advice was given in error, as a portion of the proposed pit lands are outside of the mapped resource area in the County Plan (hence the need for the current OPA 142).

The Township of Southgate has already adopted the associated OPA to the Township Plan (LOPA 12), and passed an amendment with a holding symbol to the Township of Southgate zoning by-law to permit the pit. The zoning amendment has not been appealed, and the County has not yet approved Township LOPA 12. A haul route agreement has also recently been passed for the subject lands.

This inadvertent error was only recently realized, when the County went to process the adopted Township LOPA 12. The approval of LOPA 12 has been placed 'on hold' pending the processing of County OPA 142.

K. Smart Associates Limited have submitted a Planning Justification Report in support of the proposal. Additional background studies, as well as the operational and rehabilitation plans have also been submitted. A copy of the technical reports and background materials can be found at the below link:

[Link to Background Materials](#)

A public meeting for the proposed pit was held on June 27, 2018, and the meeting minutes can be found at this link - [OPA 142 Orchard Pit Public Meeting Minutes](#)

Public and Agency Comments Received

The proposed application generated some public and agency comments, questions, and concerns. For the purposes of this report, summaries of the comments have been provided. As part of the background materials associated with this pit application the applicant also shared a number of agency comments and 'sign-off' letters that were received as part of the earlier application process. These letters are available on the County's website for review, and will not be summarized in this section. The sign-off letters will be referred to as part of the Planning Analysis section further in the report.

Written or verbal comments were received from the following members of the public;

- Maurits and Robyn Dageinckx
- Hilja and Hans Viirlaid
- Dennis and Lorri Grein

A summary of those concerns raised is as follows;

- concerns over traffic, and why the haul route cannot proceed east to Grey Road 109, rather than west to Highway 6, where there are 5 homes within 20 metres of that hillside,
- the entry/exit points to the pit should be relocated,
- the other two pits in close proximity already use a similar haul route using the County Road, therefore this operation should be able to as well,
- County Transportation Services claim the road is not constructed for heavy traffic, but that is false, as heavy traffic already uses that road,
- concerns over the road use agreement,
- impacts on the significant woodlands and valleylands, along with the Beatty Saugeen River,
- impacts on human health,
- the cumulative impact of this pit and the neighbouring pits needs to be addressed,
- improper notice and not enough materials made available to the public,
- inaccurate mapping was shared with Council, including where the boundaries of Holstein are,
- there are still unmitigated objections by the public regarding the proposed Orchard Pit license application,
- concerns over the timing of the decisions made by the Township, and the timing of the license applications,
- the application has not adequately addressed and mitigated the social impacts of the pit,
- neighbours want the continued right to enjoy our properties, as given to us under the Provincial Policy Statement and the Environmental Protection Act,
- concerns over the rehabilitation plan, and whether or not farming will still be safe on the property if there is only 4 – 6 feet of overburden above the water table in which to filter out manure, fertilizer, pesticides or fungicides,
- no response from the Ministry of Natural Resources and Forestry on whether or not it is safe to farm during the pit's lifespan and after,

- the Township does not need another gravel pit, there are already plenty of pits in the vicinity,
- K. Smart and Associates have not responded to our objections,
- requests for notice of the decision and updates on the file.'

Historic Saugeen Metis, dated June 4, 2018

“The Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department has received a copy of the Proposed County of Grey Official Plan Amendment for the Orchard Gravel Pit located in the Township of Southgate. HSM has taken the time to review the OPA reports which include the Notification and Consultation Report, Hydrogeological Investigation, Environmental Reports (2011, 2015) and the Archaeological Report. HSM has no objection or opposition to the Proposed Official Plan Amendment as presented.”

Saugeen Conservation Authority (SVCA), dated June 20, 2018

“The above noted Official Plan amendment that will re-designate a portion of the property has been reviewed by the SVCA in accordance with the SVCA’s Planning Services Agreement with the Township of Southgate. The proposed amendment is acceptable to the SVCA.”

Township of Southgate

As noted above the Township has already adopted LOPA 12, and passed the associated zoning by-law. A haul route agreement has also been reached with the Township for Southgate Road 14. A holding symbol remains attached to the zoning on-site.

Analysis of Planning Issues

In rendering decisions, planning authorities must have regard to matters of Provincial interest under the *Planning Act* and be consistent with the Provincial Policy Statement (PPS). Decisions within the County must also conform to the County of Grey Official Plan, and in this case the Township of Southgate local official plan, and any Provincial plans in force and effect. No Provincial plans are in effect for this section of the County.

A detailed planning analysis has not been undertaken at this stage. Following the public process, and agency comments, a thorough analysis and staff recommendation will be provided. Key Provincial and County policies have been flagged below for consideration.

Provincial Legislation – The Planning Act

Section 2 of the *Planning Act* provides matters of provincial interest which planning authorities must have regard for in rendering any decision under the Act. Most notable to this proposed official plan amendment are the following clauses, with some staff comments below.

(a) the protection of ecological systems, including natural areas, features and functions,

A Natural Environment Level 1 and 2 Report was completed for the proposed pit, in addition to supplemental information, in response to public and agency comments.

There is a woodland along the western boundary of the subject lands. This woodland will remain outside of the extraction area for the proposed pit. There is also a small pond on the subject property, which will remain outside of the extraction area as well (including a 20 metre buffer). The limit of extraction has also been reduced in Phase 3 of the site, to ensure the old field meadow habitat for Eastern Meadowlark and Bobolink remain intact.

Both the SVCA (June 20, 2018) and MNRF (April 18, 2018) have signed off on the proposal from a natural heritage perspective. It is further worth noting here that Saugeen Ojibway Nation (SON) also had their own expert peer review the environmental work on this property and they concluded;

“Natural Heritage - General agreement that the findings of the report suggest no significant threat to the natural heritage features on-site should the mitigations measures outlined in the report and Addendum be observed.”

The recommendations of the Natural Environment Level 1 and 2 Report, and supplemental information have been implemented through changes to the operations plan, and conditions attached to the license (should it be granted).

(b) the protection of agricultural resources of the Province,

The subject property is designated as Agricultural and Rural on Schedule A to the County Official Plan. As per the Provincial Policy Statement, the lands will remain in these designations throughout the lifespan of the pit (should the pit be approved). The subject lands will continue to be farmed, to the extent possible, throughout the lifespan of the pit, in addition to being rehabilitated back to an agricultural end use. At the request of County and Township staff a maximum disturbed area provision of 4 hectares has been included in the progressive rehabilitation plan associated with the license application. The topsoil scraped off the site will be spread back across the site as part of the rehabilitation process. Any fill imported to the site will be required to be clean.

There has been concern raised from the public as to whether or not farming is safe on site during and following aggregate extraction. The concerns stems from the question of whether or not the removal of aggregate resources would allow for a quicker pathway to ground water, for any contaminants associated with agriculture (e.g. pesticides). As part their aggregate license, should it be approved, the applicant will be required to stay at least 1.5 metres above the water table. This separation distance has been recognized by Provincial standards for a number of years now. Applications for aggregate extraction in agricultural areas are required to rehabilitate the lands back to an agricultural end use, as long as the operation is not going below the water table. Both the Ministry of Natural Resources and Forestry, as well as the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) have recognized rehabilitation strategies similar to the one proposed through OPA 142, and have raised no concerns with respect to safety in this regard. County staff have also supported such rehabilitation plans in the past to return the lands to farming.

Although not specific to agriculture, a spills response plan is also in place during the operation of the pit.

(c) the conservation and management of natural resources and the mineral resource base;

Only a small portion of the proposed extraction area is not designated as 'Aggregate Resource Area' on Schedule B to the County Official Plan (see the orange areas on Map 2 earlier in the report). The purple areas on Map 2 show the existing licensed gravel pits. The proponent has explored the resource on the property and found 'the majority of site to contain primary material consisting of fine and medium grained sand, gravel/cobbles, overlain by topsoil.' Extraction is proposed for 9.9 hectares of the property, most of which is inside the Aggregate Resource Area boundaries.

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

The provision of effective water, wastewater, and communication systems has not been questioned for the proposed pit. The proposed pit will not be a heavy water or wastewater user, and should have no impact on communication infrastructure.

A number of concerns regarding the proposed pit, relate to the traffic, haul route, and road safety. There was a Traffic Impact Study completed for the pit, to address the needs of the pit from a traffic and safety perspective.

The pit is proposed to extract 100,000 tonnes annually, with a total estimated resource of 650,000 tonnes. The traffic study has noted that a 'busy day' would be about 20 truck-loads per day (or up to 27 trucks per day), however an average day would more likely be about 10 loads per day. Hourly truck loads would generally range from 1 – 4 an hour.

Based on the traffic study, Southgate Public Works Staff summarized the haul route options as follows in a report dated March 4, 2015. Staff recommended option 3 as the preferred haul route, which is also the preferred route of the County Transportation Services department.

“Option 1: Route all trucks headed to Highway 6 via Southgate Road 14 to Grey Road 109 and Grey Road 9. This option creates considerable additional travel time and distance for the majority (90%) of trips to and from Hwy. 6 increasing fuel consumption and vehicle emissions compared to Option 3. Additional distance of about 7.6 km would occur for southbound trips and 3.6 km additional for northbound trips. This routing would bypass several houses that are located close to the road (at least 6 houses).

Option 2: Route trucks via Southgate Road 14 to Grey Road 109 with southbound trips using this road and Southgate Road 12 or another route further south to go west to Hwy. 6, if required. The most significant problem with this option is that trucks would be routed through Holstein bypassing several houses and schools. This option has the most resident impact and additional travel distance compared to Option 3 will be incurred.

Option 3: Route trucks directly to/from Hwy. 6 via Southgate Road 14 using the west access. This option provides the most direct route and bypasses 6 houses. This option reduces travel distance and emissions and passes by similar or lower number of residential dwellings.

Option 3 is the preferred option from both an operations perspective and consideration of the nearby residential dwellings to the route.”

In a further staff report dated March 18, 2015, Township Operations staff recommended that the;

“Proponent will enter into a Development Agreement with the Township and incur all costs for improvements (construction and paving) to Southgate Road 14, from just west of the westerly pit entrance to Highway #6.”

The proponent has agreed to these upgrades and Township Council passed the haul route agreement on April 18, 2018 (through Report PW2018-045).

County staff acknowledge that the option 3 haul route is not the preferred haul route of some neighbours who provided comments on this application. Both County Transportation and Township staff recommended this haul route, and it was further supported by the traffic study. Neighbours commented that there is existing pit traffic that uses the County Road, and therefore it should be sufficient for this pit operation. County Transportation staff have noted that Highway 6 would be the preferred route in this regard based on;

- Highway 6 being of a construction level to better accommodate heavier traffic,
- Grey Road 109 having some sections which were not designed to carry such heavy trucks, even though there are some heavy trucks that use it currently, and
- The intersection of Grey Road 109 and Southgate Road 14 not being ideal for truck turning movements, based on the vertical geometry.

County staff would note that some of the neighbours concerns will be alleviated by the section of Southgate Road 14 between the entrance and Highway 6 being paved. County staff would further note that based on this short distance travelled the trucks will not be passing the neighbouring houses at any high levels of speed.

Staff have carefully considered the neighbours comments in this regard, but have found the option 3 haul route to be a better haul route in this regard.

(k) the adequate provision of employment opportunities,

The proposed development would provide some continued employment, but it would not be considered a major employment generator. The proposed pit would support construction and growth across the County, as other pits currently do.

(o) the protection of public health and safety,

There have been a number of studies prepared in support of the application in order to ensure that the proposal meets Provincial, County, and Township standards for the establishment of mineral aggregate operations. The limits of extraction have been shaped such that a minimum of 150 metres of separation distance has been maintained to neighbouring houses (sensitive receptors). Berming is also being proposed around portions of the site (in the south and west boundaries of the site), which should add both visual and acoustic screening.

Dust suppression will occur on-site as per Provincial standards.

Water levels will be monitored quarterly to ensure that the extraction depth remains a minimum of 1.5 metres above the water table.

As is the standard with extractive operations, a spills response plan will also be implemented for the proposed gravel pit operation.

County staff are satisfied that the proposed pit will adequately meet Provincial and local standards with respect to the establishment of mineral aggregate operations.

(p) the appropriate location of growth and development.

Unlike some other land uses, aggregate development has to locate where the resource is available, and should be permitted as close to market as possible. Through the supporting reports the applicant has demonstrated that the proposal will not unduly impact agriculture, the natural environment, or neighbouring land uses beyond the Provincial standards.

Subject to appropriate mitigation and monitoring measures on the license, the proposed official plan amendment has regard for matters of Provincial interest under the *Planning Act*.

Provincial Policy Statement (PPS 2014)

Section 2.1 of the PPS deals with natural heritage systems and features. This item has already been addressed under the discussion on the *Planning Act*.

Section 2.3 of the PPS contains policies on the permitted uses in prime agricultural areas. Section 2.3.6.1 of the PPS states;

“Planning authorities may only permit non-agricultural uses in prime agricultural areas for:

a) extraction of minerals, petroleum resources and mineral aggregate resources, in accordance with policies 2.4 and 2.5;”

Section 2.5.4.1 of the PPS states;

“In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition.”

The subject lands are mostly within a prime agricultural area. This section of the PPS provides for the most prescriptive tests for permitting extractive uses (i.e. more detailed than the policy tests applied to a rural area). The proposed pit expansion would meet the above-noted tests, in that land is being temporarily removed from agricultural production for extraction, but it will be rehabilitated back to an agricultural end use. As noted above, the lands will remain in the Agricultural and Rural designations, and farming will continue during and after the pit operations.

Section 1.1.5.2 of the PPS notes; *“On rural lands located in municipalities, permitted uses are: a) the management or use of resources;”* The PPS considers aggregate extraction within rural and agricultural areas of the Province.

Section 2.5.2.1 of the PPS notes that;

“As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability,

designation or licensing for extraction of mineral aggregate resources locally or elsewhere.”

As a result, the County cannot consider the test of need when siting aggregate operations, regardless of the fact that there may be other operations within this part of the Township.

Section 2.2 of the PPS provides for the protection of the Province’s water resources. Being an above the water table pit, a Hydrogeological Investigation (Level 1 and Limited Level 2) was completed in support of the proposal. This assessment reviewed the private well water records in the area, in addition to using monitoring wells on-site, to help establish where the water table is. As noted above, quarterly water monitoring will occur to account for any changes in the groundwater table and extraction depths will be adjusted accordingly, if need be.

The Saugeen Ojibway Nation (SON) also had their own hydrogeology expert review the Hydrogeological Investigation, and they were in ‘general agreement with the hydrogeological assessment put forward by MTE Consultants Inc.’

Section 2.6 of the PPS requires significant built, cultural and archaeological resources to be conserved. The applicant has completed a Stage 1 and 2 Archaeological Assessment for the subject property. The recommendations of the Stage 1 and 2 Archaeological Assessment concluded *“There are no archaeological resources on the subject property. It is therefore recommended that the subject property be considered free of heritage concern.”* In addition, the SON and HSM have also noted they have no further concerns with cultural heritage aspects of the proposed pit. SON commented;

“Although there were minor issues with Detritus Consulting’s Stage 1 background research and Stage 2 field methodology, the assessment’s results and recommendations that no further investigation is required appears acceptable.

Several suggestions should be taken under advisement for future archaeological assessments by the proponent and consultant archaeologist.”

The Ministry also accepted the Stage 1 – 2 Archaeological Assessment on December 3, 2009.

The proposed pit is consistent with the Provincial Policy Statement, subject to the mitigation measures outlined on the aggregate site plans associated with the license.

County of Grey Official Plan

All new development proposals within the County must conform to the purposes and policies of the Official Plan. The requirements for official plan amendments are outlined in section 6.3 of the County Plan, while the detailed Agricultural and Rural policies are found at sections 2.1 and 2.3 of the Plan. The subject lands would remain designated as Agricultural and Rural on Schedule A to the County Plan, but would be re-designated to Mineral Resource Extraction with Exceptions on Schedule B to the Plan.

The proposed extraction areas will not disturb the small section of designated ‘Hazard Lands’ on-site, and would therefore conform to section 2.8.2 of the County Plan.

As noted above, the subject lands are currently designated as Agricultural, Rural, and Hazard Lands on Schedule A to the County Plan. The County's Agricultural and Rural designations would support both farm and resource extraction uses on the subject lands.

Large portions of the subject property are designated within the County's Aggregate Resource Area mapping on Schedule B to the Plan. However, because the proposed extraction area extends beyond this mapped area, an official plan amendment is required. Should the extraction area have been proposed entirely within the Aggregate Resource Area an official plan amendment would not have been needed. The Aggregate Resource Area mapping is meant to protect lands for future extraction purposes. Should the application be approved, then the extraction could occur.

In this case, unlike other recent pit applications that were partially inside, and partially outside the Aggregate Resource Area, the applicant has applied to amend the Aggregate Resource Area on-site. This approach is in contrast to the normal approach of amending the Mineral Resource Extraction designation on-site. County staff are however recommending approval of a Mineral Resource Extraction with Exceptions designation on-site, rather than simply changing the Aggregate Resource Area, for two reasons;

- 1) to remain consistent with how other pits across the County have been treated, and
- 2) to ensure that the application is tested against all policies of the County's Mineral Resource Extraction designation policies, including those relating to technical standards and mitigation, rather than just those associated with the identification of the resource.

County staff agree that re-designating the lands to the Aggregate Resource Area would also have the effect of permitting the pit, and could then also provide conformity for the pending LOPA 12. However, County staff prefer the approach of re-designating to Mineral Resource Extraction with Exceptions.

Within the County Official Plan Section 6.3 sets out criteria for amending the County Plan. Although subsection (a) requires the County to consider "the need for the proposed change", it is clear under the PPS that the test of need can no longer be required when considering aggregate operations. The impact on other policies of the Plan, and the County's objectives has been addressed through the materials provided, and is similar to justification provided on other pit applications.

Aside from the Agricultural, Rural, Hazard Lands, and natural environment sections of the County Plan, the most pertinent official plan policies to this application are the Mineral Resource Extraction designation policies. Under Section 2.7 of the County Plan, the County requirements are set out for the establishment of new mineral aggregate operations. The applicant has submitted the necessary reports and studies, and responded to concerns through response submissions. Mitigation, including berms, vegetated buffers, and water monitoring, should help minimize impact on neighbours. While there will be some impacts to neighbours based on this proposed pit, such impacts would appear to be within Provincial and local policy guidelines.

Within section 2.7.4 of the Plan, it permits new pit operations under the following circumstances;

- 1) Without an amendment to the Plan, where the lands are mapped as Aggregate Resources Area, and

- 2) With an amendment to the Plan, where the lands are mapped outside, or partially outside of the Aggregate Resources Area.

Based on the proposed pit being partially outside of the Aggregate Resources Area, an official plan amendment has been deemed necessary for this operation. As explained above, when OPA 80 to the County Plan was first approved, this proponent was incorrectly advised to withdraw their OPA 116 application, based on a misinterpretation of the new County policy and mapping by County Planning staff.

Section 2.7.3(1) of the Plan states;

“It shall be a policy of this Plan that an applicant who wishes to undertake a mineral aggregate operation other than a wayside pit and quarry must, if requested to do so by the local municipality, enter into a Development Agreement with the local municipality. The Agreement shall be entered into prior to local Council's enactment of the implementing Zoning By-law Amendment.

Such an Agreement may include:

(i) Capital arrangements regarding improvements beyond the boundary of the applicant's land, as they may be required by reason of the operation of that extractive industry, e.g. widening and improving roads; and

(ii) Routes to be used by trucks carrying aggregate.”

As noted earlier in this report, Township Council have already authorized a haul route agreement for this pit.

Section 5 of the County Plan deals with transportation matters, and it has been discussed above in the review of the *Planning Act*.

The proposed official plan amendment would generally conform to the goals and objectives of the County Official Plan provided the mitigation measures and monitoring attached to the license are implemented, as per the technical background studies.

Township of Southgate Official Plan

Township of Southgate staff have not flagged any concerns with respect to the Township Official Plan. As noted above, the Township has already passed the associated zoning by-law amendment and adopted LOPA 12, to permit the proposed pit. LOPA 12 is awaiting a decision from the County; however the decision on OPA 142 needs to come first.

The subject Official Plan Amendment application would appear to have regard for matters of Provincial Interest under the *Planning Act*; be consistent with the Provincial Policy Statement; and conform to the goals and objectives of the County Official Plan, and can therefore be supported by County staff.

Legal and Legislated Requirements

The application will be processed in accordance with the *Planning Act*.

Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed official plan amendment, beyond those normally encountered in processing an amendment. County staff has suggested the waiving of the requisite application fee and peer review deposit for this application, based on our own staff error with their earlier OPA 116 application.

Relevant Consultation

- Internal: Planning Staff
- External: Township of Southgate, required agencies under the *Planning Act*, and the public

Appendices and Attachments

[Draft OPA 142 By-law](#)

[Draft OPA 142 Schedule](#)