December 20, 2018

Mr. Justin Harrow  
Director of Planning  
County of Hastings  
Planning and Land Development  
235 Pinnacle Street, PO Box 4400  
Belleville, Ontario, K8N 3A9

Ms. Dawn Switzer  
Clerk - Treasurer & Tax Collector  
Township of Faraday  
29860 Highway 28 South  
Bancroft, Ontario, K0L 1C0

Dear Mr. Harrow and Ms. Switzer:

Re. Freymond Quarry  
County of Hastings Official Plan Amendment and Township of Faraday Zoning By-law Amendment  
2287 Bay Lake Road, Part of Lots 51 and 52, Concession W.H.R.  
Township of Faraday, County of Hastings  
OUR FILE 1515B

On behalf of Freymond Lumber Ltd., we are pleased to provide the County of Hastings and the Township of Faraday with various documents that have been prepared and issued during the review of the proposed Official Plan Amendment and the proposed Zoning By-law Amendment, associated with the proposed Freymond Quarry located at 2287 Bay Lake Road, Part of Lots 51 and 52, Concession W.H.R.

The Official Plan Amendment and Zoning By-law Amendment applications were submitted in February of 2017. The applications propose to designate and zone the subject lands to permit a quarry. Freymond Lumber Ltd. also submitted an application under the Aggregate Resources Act to the Ministry of Natural Resources and Forestry, for a Category 2, Below Water Quarry, Class A Licence.

Freymond Lumber Ltd. and the project team prepared and submitted a number of reports and technical studies in support of the applications, all of which are available on the applicant’s website at http://www.freymondlumber.ca/.

Throughout the application process, Freymond Lumber Ltd. has worked with government agencies and the County of Hastings’ peer reviewers to review the applications. These agencies include the Ministry of Natural Resources and Forestry; the Ministry of the Environment, Conservation and Parks; the Department of Fisheries and Oceans; and the Ministry of Tourism, Culture and Sport. The County of Hastings also conducted independent peer reviews of the following reports: natural environment, water resources, traffic, noise and blasting.
Following the review conducted by the government agencies and the peer reviewers, Freymond Lumber Ltd. has obtained the following sign-offs:

Tab A: Sign-off Letter from the Ministry of Natural Resources and Forestry, December 12, 2018
Tab B: Sign-off Email from the Ministry of the Environment, Conservation and Parks, July 19, 2018
Tab C: Sign-off Letter from the Department of Fisheries and Oceans, November 19, 2018
Tab D: Sign-off Letter from the Ministry of Tourism, Culture and Sport, November 18, 2018
Tab E: Natural Environment Report County Peer Review Sign-off, June 27, 2018
Tab F: Water Resources Report County Peer Review Sign-off, August 31, 2018
Tab G: Traffic Report County Peer Review Sign-off, August 15, 2018
Tab H: Blasting and Noise Report County Peer Review Sign-off, December 7, 2018 (County is reviewing the site plans to ensure noise recommendations are included)

In addition, the County had requested a copy of the material provided to the Grail Springs Wellness Retreat, including the following:

Tab I: Noise Assessment prepared for Grail Springs Wellness Retreat, July 24, 2017
Tab J: Aggregate Resources Act objector response letter provided to Grail Springs Wellness Retreat, November 19, 2018

A copy of the draft Official Plan Amendment (Tab K) and Zoning By-law Amendment (Tab L) is also attached. As per our discussions, the draft Zoning By-law Amendment has been revised to remove an asphalt plant from the permitted uses; and removes the general provision to prohibit the construction of new dwellings within 500 metres of the site because the noise and blasting reports accounted for existing and vacant lots.

Please do not hesitate to contact the undersigned if you wish to discuss further.

Respectfully submitted,

MHBC Planning

[Signature]

Brian A. Zeman, BES, MCIP, RPP
President

cc. John MacDonald, Municipal Affairs and Housing
    Mike Elms, Municipal Affairs and Housing
    Lou Freymond, Freymond Lumber Ltd.
    Dan Freymond, Freymond Lumber Ltd.
    Becky Freymond, Freymond Lumber Ltd.
    Carson Freymond, Freymond Lumber Ltd.
    James Gordon, Fowler Construction Company Ltd.
    Moreen Miller
December 12, 2018

Brian Zeman
MHBC Planning Urban Design and Landscape Architecture
113 Collier Street
Barrie, ON
L4M 1H2

Re: Application for Licence under the Aggregate Resources Act (ARA)
Class ‘A’ Licence, Category 2 Quarry
2287 Bay Lake Road: Part of Lots 51 and 52, Concession W.H.R.
Township of Faraday, County of Hastings

Dear Mr. Zeman,

The purpose of this letter is to notify you of the Ministry of Natural Resources and Forestry’s (MNRF) current position on the subject application.

In our April 3, 2017 letter we identified objections to the application with regards to the Licence Area, Habitat of Endangered and Threatened Species, Significant Wildlife Habitat (SWH), Fish Habitat, and Site Plans. The applicant then provided further information to address these objections.

Our office replied with a letter on May 22, 2018 acknowledging that some objections had been resolved and that we required further information with regards to fish habitat and updated site plans.

MNRF acknowledges that the site plans submitted to our office on September 7, 2018 have been amended to address our objections.

MNRF also acknowledges that the applicant has provided our office with documents to address our fish habitat objection. These documents include the MTE report dated November 7, 2018 and the Fisheries and Oceans Canada letter of advice dated November 19, 2018.

As such, MNRF is now in a position to withdraw our objections to the subject aggregate licence application.

If you have any further questions, please contact Paul Shalla, Aggregate Resources Technical Specialist at (613) 332-3940 ext. 231, or paul.shalla@ontario.ca.
Yours sincerely,

Jesse Van Allen
Resources Operations Supervisor

c.c.  Trevor Harris, District Planner – MNRF
    Paul Shalla, Aggregate Technical Specialist - MNRF
Tab B
Yes, Brian.

Thomas

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From: Brian Zeman [mailto: bzeman@mhbcplan.com]
Sent: July-18-18 11:46 AM
To: Guo, Thomas (MOECC); Shalla, Paul (MNRF); Orpana, Jon (MOECC); Morrish, Jon (MOECC)
Cc: Faaren, Greg (MOECC); Taylor, Peter (MOECC); Peter A. Gray; Patrick Townes; 'Lou Freymond'; 'Becky Freymond'; 'Dan Freymond'; freymondcarson@gmail.com; Moreen Miller
Subject: RE: Proposed Freymond Quarry

Good morning Thomas and Paul

Freymond confirms that they will update the ARA Site Plans to include the recommended conditions. Based on this we understand, MOECC has withdrawn its objection to the application.

Paul we anticipate sending you the updated site plans by the end of the month.

Regards,

BRIAN ZEMAN, BES, MCIP, RPP | President

MHBC Planning, Urban Design & Landscape Architecture
113 Collier Street | Barrie | ON | L4M 1H2 | T 705 728 0045 x 226 | F 705 728 2010 | C 705 627 9004
| bzeman@mhbcplan.com

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May 31, 2018

Paul Shalla  
Aggregate Technical Specialist  
Ministry of Natural Resources and Forestry, Bancroft District  
106 Monck Street, PO Box 500  
Bancroft, ON  K0L 1C0

Dear Mr. Shalla,

Re: Response to MOECC Response  
Level 1 and Level 2 Hydrogeological Investigation Report  
Proposed Freymond Quarry  
Lot 51 and 52, Concession W.H.R.  
Township of Faraday  
County of Hastings

I have reviewed the document entitled "Response to MOECC Comments, Re: Level 1 and Level 2 Hydrogeological Investigation Report, Proposed Freymond Quarry", prepared by MTE Consultants Inc. (MTE) and dated April 3, 2018 with MTE File No.: C33886-100.

This document responds to my memorandum dated May 3, 2017 and subsequent correspondences between MTE and myself.

Chronology

December 1, 2016  
On December 1, 2016 MTE on behalf of Freymond Lumber Ltd. submitted a Level 1 and Level 2 Hydrological Investigation Report for a proposed Category 2, Class A Quarry Below Water.

May 3, 2017  
On May 3, 2017, Mr. Guo, a hydrogeologist with the MOECC, provided a memorandum regarding the Level 1 and Level 2 Hydrogeological Investigation Report for the Freymond Quarry related to the requirement for a Permit to Take Water (PTTW) and the zone of influence calculations. MTE obtained clarification on these comments with a follow up telephone conversation which occurred on May 10, 2017.

May 24, 2017  
On May 24, 2017 MTE responded to Mr. Guo’s comments in which the amount of water actively draining from the quarry face post extraction was examined and calculated using five different analytical models.
The zone of influence was found to be approximately 500 m from the quarry face extending predominantly toward the west and southwest. In addition, the amount of water draining into the quarry from a single fracture via gravity drainage was estimated using Darcy’s Law (1856). The estimated drainage rate was found to coincide with the flows estimated by the analytical models above. Based on the calculations being less than 50,000 L/day MTE maintains that a PTTW would not be required with respect to the operation of the site.

June 12, 2017
On June 12, 2017, Mr. Guo responded to MTE, indicating that he was not in agreement with the assessment and conclusions provided by MTE. Following Mr. Guo’s response on June 12, 2017 MTE proposed a site meeting at the Freymond proposed quarry with the MOECC. Representatives from Freymond Lumber (Site Owner) and Fowler Construction (Proposed Operator) were also invited to attend the Site meeting.

October 2, 2017
On October 2, 2017 representatives from MTE, Fowler Construction and Freymond Lumber met on-Site to discuss comments the MOECC had provided with respect to the Level 1 and Level 2 Hydrological Investigation Report submitted by MTE. As an outcome of the meeting it was agreed that MTE would outline a work plan to address comments raised by the MOECC.

October 6, 2017
On October 6, 2017, MTE sent the MOECC a work plan which included, a short term (up to 72 hour) pumping test on MW7 and an associated monitoring plan, as well as the location and construction details of an additional open borehole (MW8) at the northwest corner of the Site.

October 17, 2017
MTE submitted a Category 2 PTTW application for a short term pumping test to be performed on MW7.

October 25, 2017
On October 25, 2017 MTE received a response from Mr. Guo related to the work plan submitted by MTE on October 6, 2017.

November 6, 2017
MTE revised the previously submitted PTTW application to include a short term (24 hr) pumping on newly constructed open borehole MW8, in addition to the pumping test to be conducted on MW7.

November 21, 2017
The MOECC issued PTTW No. 1205-ASYT3W authorising the taking of water associated with the short term pumping tests on MW7 and MW8.
December 4, 2017
MTE undertook a 24 hour pumping test on MW7 beginning at a rate of 50 L/min, which was maintained for the first 450 minutes. The pumping rate was observed to drop to 40 L/min 750 minutes into the test. The pumping rate continued to decline and at the end of the test the rate was measured to be 30 L/min.

December 11, 2017
MTE undertook a 24 hour pumping test on MW8 at 50 L/min. MW8 was unable to sustain a sufficient yield (>35 L/min) and the test ended after approximately 285 minutes. The pumping rate was noted to be approximately 11L/min prior to the pump being shut off.

Results from the Pumping Tests
Based on the results of the pumping tests, MTE provides the following results and conclusions:

- Monitoring well MW3d was the only monitoring well to respond to the pumping of MW7.
- The pumping tests conducted on MW7 and MW8 indicate that fractures are random and discontinuous across the Site and of limited aerial extent;
- Pumping at MW8 which is located at the northwest corner of the Site did not affect the two closest off-Site receptors (domestic wells) to the Site;
- Neither MW7 nor MW8 was capable of sustaining a pumping rate greater than 35L/min (~ 50,000 L/day);
- MTE maintains that a Permit to Take Water will not be required to manage groundwater discharging into the quarry at a rate higher than 50,000 L/day.
- MTE maintains that the potential impact of the quarry post extraction has been appropriately assessed by MTE utilizing the analytical methods described in the 2016 Level 1 Level 2 Hydrogeological Investigation Report, and supporting documentation provided to the MOECC by MTE in our correspondence with the MOECC.

Discussion & Conclusions
The results of the pumping test provide evidence that the hydraulic conductivity at the site is dependent on the presence of fractures which appear to be randomly distributed and discontinuous. The testing has demonstrated that fractures intersected by monitoring wells MW7 and MW8 do not appear to be hydraulically connected to domestic wells PW2 and PW13. However, the lack of a hydraulic response at monitoring wells MW1, MW2, MW4, MW5, and MW6 should be interpreted with caution due to the improper completion of these monitoring wells, which may have resulted in the screening of these monitoring wells over low permeability areas.
The estimation of groundwater inflow in discretely and discontinuously fractured media is subject to significant uncertainty and error. The calculation provided by MTE assumes that the bulk permeability of the rock at the site is extremely low; however, it is possible that more transmissive conditions may be encountered which would result in significantly higher groundwater inflow rates. As previously discussed, a PTTW is required for water takings which exceed 50,000 L/day as per Section 34 of the Ontario Water Resources Act (OWRA). Given the non-conservative estimate (biased low) and high degree of uncertainty associated with groundwater inflow at the site, it would be prudent to obtain a PTTW in the event that the groundwater inflows exceed 50,000 L/day. If it is determined in the future that groundwater inflow exceeds 50,000 L/day on any day, a PTTW will be required. If it is determined that a PTTW is required in the future, site activities may be impacted and additional hydrogeological investigations may be required. It is ultimately at the discretion and responsibility of the site owner and operator of the site to ensure that the operations of the site comply with section 34 of the OWRA.

The conducted pumping tests provide evidence that the excavation of rock in the vicinity of MW7 and MW8 will not result in adverse impacts to domestic wells PW2 and PW3; however, uncertainty exists with respect to the location of the fractures which supply these domestic wells and whether they extend beneath other areas of the site. As such, it is my recommendation that a groundwater monitoring program be implemented. It is the responsibility of the site owner/operator to ensure that existing water supplies (wells) are not adversely impacted.

As the volume of storm water is expected to exceed 10,000 L/day, an Environmental Compliance Approval (ECA) is required for the site operation as per Section 53 of the OWRA.

**Recommendations**

For those reasons outlined above, I would be willing to remove my objection to the proposed quarry application, so long as the following requirements are included in the MNRF site license:

- The requirement that the MOECC be notified and a PTTW be obtained if water takings exceed 50,000 L/day, as per the requirements of section 34 of the OWRA.
- The requirement that a flow measuring device/method be developed and implemented that is capable of measuring groundwater inflow at the site.
- A groundwater monitoring program be established as proposed in the Level 1 and Level 2 Hydrogeological Investigation Report, with the exception that private wells PW2 and PW13 should also be included in the monitoring program with the permission of the property owners.
- The groundwater monitoring results and groundwater inflow data should be reviewed annually by a qualified hydrogeologist and kept at or near the site and provided to MOECC or MNRF upon request. If the hydrogeological conditions differ from those currently predicted, the local MOECC district office should be notified and provided with a copy of the data and assessment.
The well interference complaints procedure outlined in the Level 1 and Level 2 Hydrogeological Investigation Report should be implemented at the site and included in the MNRF site plans.

It is recommended that a draft site plans be prepared to address those issues outlined above and provided to me for my review.

Thomas Guo, M. Eng, P. Geo.
Hydrogeologist
Technical Support Section
Eastern Region
TG/dv

c: Brian Zeman, President, MHBC Planning, Urban Design & Landscape Architecture, 113 Collier Street, Barrie L4M 1H2, ON
Jon Morrish, Sr. Environmental Officer, Belleville Area Office, MOECC
Jon Orpana, Environmental Resources Planner, Eastern Region, MOECC

GW File: GW HA FA 02 07 (Freymond Quarry)
TG/ IDS # 1364-AKNKS8
Tab C
Freymond Lumber Ltd.
2287 Bay Lake Road, RR1
Bancroft, Ontario
K0L 1C0

Subject: Freymond Quarry – Implementation of Measures to Avoid and Mitigate Serious Harm to Fish and Prohibited Effects on Listed Aquatic Species at Risk

Dear Lou Freymond,

The Fisheries Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your proposal on May 3rd, 2018. We understand that you propose to undertake the following works, undertakings, or activities south of the Town of Bancroft, on Lot 51 and 52, Concession W.H.R. in the Township of Faraday, County of Hastings (18T 276698E 4991670 N):

- Construct a surface water management pond, including a ~90 m long, 900 mm diameter outlet pipe with a 300 mm thick, 5 m wide riprap pad at the outlet. The riprap pad will end approximately 25 m away from the stream and water from will flow from there, through a constructed river stone lined channel to meet the existing stream.
- Isolate Headwater Tributary (north) from the downstream section, redirect flow into the surface water management system;
- Grade area, including destruction of Headwater Tributary (north) to accommodate aggregate pit development.

Our review considered the following information:

- Request for review
- MTE memo dated January 25th, 2018, subject “Freymond Quarry Proposed Stormwater Management Facility”
- Updated site development drawings by MHBC, dated April 2018
- Riverstone Environmental Solutions Inc. memo dated December 14th, 2017, subject “Fisheries Information – Response to County Peer Review Comments (July 5th, 2017) Freymond Quarry, 2287 Bay Lake Road, Farad Day Township”
Email communication between Bev Wicks, Kevin Trimble (Riverstone), and Laura Phalen (DFO) between August 7th and November 13th, 2018

Your proposal has been reviewed to determine whether it is likely to result in serious harm to fish which is prohibited under subsection 35(1) of the *Fisheries Act* unless authorized. Your proposal has also been reviewed to determine whether it is likely to affect listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the *Species at Risk Act*, unless authorized.

To avoid and mitigate the potential for serious harm to fish, we understand you intend to implement the following mitigation measures:

- Activities and works in waterbody have been designed and planned such that loss or disturbance to aquatic habitat is minimized and sensitive spawning habitats are avoided.
- Time in water work to respect timing windows to protect fish, including their eggs, juveniles, spawning adults and/or the organisms upon which they feed.
- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the waterbody or settling basin and runoff water is clear.
- Clearing of riparian vegetation should be kept to a minimum: use existing trails, roads or cut lines wherever possible to avoid disturbance to the riparian vegetation and prevent soil compaction. When practicable, prune or top the vegetation instead of grubbing/uprooting.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Follow “Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters” (DFO, 1998) when using explosives near water.
- Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and noxious weeds.
- Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.

In addition to these mitigation measures, we also recommend that you:
- Undertake all instream activities in isolation of open or flowing water and maintain the natural flow of water downstream to avoid introducing sediment into the watercourse.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Whenever possible, operate machinery on land above the high water mark, on ice, or from a floating barge in a manner that minimizes disturbance to the banks and bed of the waterbody.

Provided that you incorporate these measures into your plans, the Program is of the view that your proposal will not result in serious harm to fish or prohibited effects on listed aquatic species at risk. As such, an authorization under the *Fisheries Act* or a permit under the *Species at Risk Act* is not required.

Should your plans change or if you have omitted some information in your proposal, further review by the Program may be required. Consult our website (http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html) or consult with a qualified environmental consultant to determine if further review may be necessary. It remains your responsibility to avoid causing serious harm to fish and avoid prohibited effects on listed aquatic species at risk, any part of their critical habitat or the residences of their individuals.

It is also your *Duty to Notify* DFO if you have caused, or are about to cause, serious harm to fish that are part of or support a commercial, recreational or Aboriginal fishery. Such notifications should be directed to http://www.dfo-mpo.gc.ca/pnw-ppe/violation-infraction/index-eng.html.

Please notify this office at least 10 days before starting your project. A copy of this letter should be kept on site while the work is in progress. It remains your responsibility to meet all other federal, territorial, provincial and municipal requirements that apply to your proposal.

If you have any questions with the content of this letter, please contact Laura Phalen at 780-495-0507 or by email at laura.phalen@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,

Stephanie Martens
Senior Fisheries Protection Biologist
CC:
Laura Phalen, DFO
Kevin Trimble, Riverstone Environmental Solutions Inc.
Bev Wicks, Riverstone Environmental Solutions Inc.
Nov 18, 2016

Carla Parslow (P243)
Golder Associates Ltd.
100 - 6925 Century Mississauga ON L5N 7K2


Dear Dr. Parslow:

The above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c 0.18, has been entered into the Ontario Public Register of Archaeological Reports without technical review.¹

Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require further information, please do not hesitate to send your inquiry to Archaeology@Ontario.ca

cc. Archaeology Licensing Officer
    Maureen Miller, Fowler
    Justin Bryant, MNRF

¹In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.
June 27, 2018

Cristal Laanstra M.Sc. (Planning)  
Planner  
Department of Planning & Development  
Tel: (613) 966-6712 ext. 4003  
Fax: (613)966-7654  
laanstrac@hastingscounty.com

Re: Response to Technical Peer Review  
Natural Environment Levels 1 and 2 Technical Report  
Proposed Freymond Lumber Ltd. Quarry  
2287 Bay Lake Road, Part Lots 51 and 52, Concession WHR,  
Township of Faraday, County of Hastings  
GGG Project No. 17-3-8211

Dear Ms. Laanstra,

Further to your request I have reviewed the information provided in response to the Greer Galloway comments to the Natural Environment Levels 1 and 2 Technical Report prepared by Robin E. Craig. I do not have any additional comments with the exception of the response to the comment regarding photographs to be provided as part of the supporting documentation. Photographs included in reports provide a very valuable information of the site(s) and support the completed field work. Photographs in the Natural Environment Report were not included.

I do not have any other comments regarding the request of:
- Description of the Fish Habitat,
- Species to be used for reforestation and monitoring of rehabilitation planting and control of invasive species to be included in the Operation and/or Rehabilitation Plan,
- A Monitoring Program for the Storm Water Management Facility,

as long as the information is submitted and approved by the respective parties as estate in the letter of response to the technical peer review comments.

If you have any questions, please do not hesitate to contact me.

THE GREER GALLOWAY GROUP INC.  
CONSULTING ENGINEERS

Yazmin Ramirez Avila, B.Sc., M.Sc.  
Biologist
August 31st, 2018

Hastings County
235 Pinnacle Street
P.O. Bag 4400
Belleville, ON K8N 3A9

Attention: Mr. Justin Harrow, Director of Planning

Re: Technical Peer Review, Level 1 and Level 2 Hydrogeological Investigation Report, Proposed Freymond Quarry Review Response by MTE Consultants Inc. dated May 1, 2018 to Peer Review by Greer Galloway of August 4, 2017
GGG Project No. 17-3-8211

Dear Mr. Harrow,

Following our review of the Level 1 and Level 2 Hydrogeological Investigation Report prepared by MTE Consultants Inc. of Kitchener Ontario, December 2016, MTE provided clarification and additional supporting information on the Hydrogeological Investigation, in their report entitled: Response to Township Peer Review Comments, August 4, 2017, dated May 1, 2018. The Greer Galloway Group Inc. has reviewed this document, provided by the County of Hastings, and submits the following response. The Comment numeration follows that of the MTE document.

Comment #1: MTE has researched the question of weathering of sulphides following exposure in quarries, and presents evidence from other sites of limited impact. No further comment.

Comment #2: MTE presents the results of 24-hour pumping tests on MW7 and MW8. No further comment.

Comment #3: No further comment.

Comment #4: Additional work was performed by MTE to further characterize the South Stream. No further comment.

Comment #5: As for Comment #3. No further comment.

Comment #6: Additional interpretation including groundwater flow maps were prepared. No further comment.

Comment #7: As for Comment #4
Comment #8: Additional pumping tests were carried out by MTE in December 2017 to further clarify the potential interrelationship between MW7 and MW8 and PW2 and PW13. No further comment.

Comment #9: As for Comment #1. No further comment.

Comment #10: As for Comment #1. No further comment.

Comment #11: A Spills Contingency Program will be developed prior to site preparation. No further comment.

Comment #12: Concerns raised have been addressed in responses to Comments 1 through 4. No further comment.

Comment #13: A revised monitoring program has been presented. No further comment.

Comment #14: No further comment.

Comment #15: As for Comments #2 and 3. No further comment.

Comment #16: No further comment.

Comment #17: An additional section has been created and presented. Section C-C’ Figure 5. No further comment.

Comment #18: No further comment.

Comment #19: As for Comment #17. No further comment.

Comment #20: No further comment.

Comment #21: This reviewer re-iterates that: “...flow generated through these confining conditions may be supported by the South Stream.” No further comment.

Comment #22: Additional water level data from December 2017 were collected. As MTE indicates, MW7 aquifer intersection interval is not specific and interpretation of vertical hydraulic gradient from this well not possible. No further comment.

Comment #23: As for comments #2 and 3. No further comment.

Comment #24: No further comment.

Comment #25: MTE has indicated that an ECA will be applied for. No further comment.
Comment #26: No further comment.

Comment #27: The phased development of this quarry should allow for modifications to the groundwater and surface water management plans if unanticipated conditions are encountered. No further comment.

Comment #28: No further comment.

Comment #29: As for Comment #24.

Comment #30: No further comment.

Comment #31: In the event of adverse impacts on neighbouring wells from changes to the groundwater gradient surrounding the proposed quarry are to be dealt with as outlined in the Well Interference Complaint procedure. No further comment.

Comment #32: No further comment.

Comment #33: No further comment.

Comment #34: No further comment.

Comment #35: MTE states that “Blasting will increase horizontal conductivity, ...but that fracturing or permanent deformation will be limited to the immediate area surrounding the blast hole.” This may result in a tighter blasting pattern requirement. MTE also states that: “Blasting performed in accordance with NPC-119 is intended to limit both noise and vibration, thereby limiting the potential to increase of horizontal conductivity.” I am not sure of the connection here, but I presume this issue will be monitored and issues dealt with as they arise. No further comment.

Comment #36: Information is provided on the Proposed Stormwater Management Facility. No further comment.

Comment #37: As for Comment #26. No further comment.

Comment #38: As for Comment #27. No further comment.

Comment #39: No further comment.

Comment #40: As for Comment #4. No further comment.

Comment #41: A Well Interference Complaints Procedure is provided. No further comment.

Comment #42: No further comment.
Comment #43: As for Comment #14. No further comment.

Comment #44: As for Comment #25. No further comment.

Comment #45: As for Comment #1. No further comment.

Comment #46: MTE “maintains a PTTW for groundwater discharge is not necessary pending MOECC approval.” No further comment.

Comment #47: MTE has provided Attachment 3 for information regarding how on-Site water quantity and water quality will be managed. No further comment.

Comment #48: No further comment.

Comment #49: As for Comment #2. Challenges may be encountered with flow beyond what is anticipated from this study. These should be able to be dealt with during the extraction phases. No further comment.

Comment #50: The additional testing that has been carried out by MTE to quantify the impacts on groundwater and surface water from the proposed extraction have addressed the concerns raised. It is very difficult to predict with certainty the final impacts, especially with a phased extraction process contemplated over many years. However, the benefit of a multi-year development is that it allows adaptations to the plan to provide mitigation as the extraction proceeds. The proponent should ensure that impacts to neighbouring uses are minimized, to ensure continued operation. The planning and infrastructure proposed demonstrates a commitment to the long term.

I have no further comment or recommendations on the Level 1 and Level 2 Hydrogeological Investigation.

Sincerely,

THE GREER GALLOWAY GROUP INC.
CONSULTING ENGINEERS

John Porritt, P.Geo.
Senior Hydrogeologist
APGO Reg. 90266. September 2018
Tab G
Justin, below is Matt’s email to me regarding the traffic study.

I have reviewed the response to the Traffic Impact Study Peer Review and unless the Municipality has concerns with the responses, I have no further comments.

Matthew McIntosh, P. Eng.

GREER GALLOWAY
CONSULTING ENGINEERS
1620 Wallbridge Loyalist Road, Belleville ON K8N 4Z5
Tel: (613) 966-3068; Fax: (613) 966-3087
Web Site: www.greergalloway.com
E-Mail: mmcintosh@greergalloway.com
Office Hours: Mon-Thurs 8:00 to 5:00; Fri 8:00 to 12:00

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A review of the August 22, 2018 email from Brian Zeman of MHBC Planning, responding to our peer review comments provided in a memo dated August 9, 2018, “Blast Impact Analysis, Freymond Quarry”, dated September 25, 2018, prepared by Explotech Engineering Ltd., and a covering letter from Explotech Engineering Ltd., dated September 25, 2018 have been completed. Our comments and recommendations are provided below.

Noise Impact Study

1. Most of the issues identified in our August 9, 2018 peer review memorandum have been appropriately addressed. However, there remain a few items that need to be considered:
   a. We have not received copies of the latest Site Plans for the quarry. As indicated in the response of the report, the recommended noise mitigation measures will be included on the ARA Site Plans.
   b. The noise mitigation recommendations should include a requirement that equipment be located no more than 25 m from the working face to be consistent with the noise mitigation measures accounted for in the noise study; and
   c. The Site Plans must include the requirement for the noise audit.

Blast Impact Analysis

1. The cover letter and modifications to the report appropriately address our peer review comments.

If there are any questions or if additional information is needed, please do not hesitate to call.
MEMO

To: Freymond Lumber Ltd.
2287 Bay Lake Rd,
Bancroft, ON K0L 1C0

From: Michael Wells
michael@hwacoustics.ca

Date: 24th July, 2017

ACOUSTIC ANALYSIS OF
NOISE IMPACTS AT THE
GRAIL SPRINGS WELLNESS RETREAT
FROM THE
PROPOSED FREYMOND QUARRY

1.0 Introduction

Freymond Lumber Ltd. is applying to the Ministry of Natural Resources and Forestry (MNRF) for a Category 2, Class A, license under the Aggregate Resources Act (ARA), an Official Plan Amendment from the County of Hastings; and a Zoning By-law Amendment from the Municipality of Faraday, to permit a quarry at the property locally known as 2287 Bay Lake Road. The site is located to the south of the Town of Bancroft, at Part Lots 51 and 52, Concession W.H.R. Township of Faraday, County of Hastings, Ontario.

The MNRF license application required the submission of an Acoustic Assessment Report of the proposed operation. Hugh Williamson Associates was retained by Freymond Lumber Ltd. to complete this Acoustic Assessment.

The Acoustic Assessment Report for the Freymond Quarry, issued 15th December 2016 (AAR) was prepared according to the applicable Ministry of Environment and Climate Change (MOECC) Noise Assessment Guidelines, including NPC-300, published August 2013. The assessment considers the impacts on “worst case” noise sensitive land uses of noise generated by all on-site equipment operations, including extraction operations, aggregate processing operations, loading and truck movements but excluding the noise and vibration aspects of blasting. The impacts of blasting are being assessed by others.
Noise impacts were predicted and compared to the MOECC sound level limits as set out in NPC-300. Where applicable, noise mitigation measures such as berms and barriers were recommended to ensure all operations are in compliance with the applicable sound level limits.

At the request of Freymond Lumber Ltd. Hugh Williamson Associates Inc. has undertaken the following acoustic analysis which considers the impacts on the noise sensitive land uses operated by Grail Springs Wellness Retreat, located at 2004 and 2006 Bay Lake Road and Concession WHR, Part Lots 46 and 47, of noise generated by all on-site equipment operations at the proposed Freymond Quarry, excluding the noise and vibration aspects of blasting.

The Grail Springs Wellness Retreat was not included as a noise sensitive point of reception in the submitted acoustic assessment report as the MOECC required locations to be assessed for the Grail Springs facility i.e. plane of window (POW) locations at the residence and outdoor points of reception (OPR) measured 30 m from the residence, are in the same general direction as A-B 2004 Bay Lake Road (POR 4) and 2001 Bay Lake Road (POR 5), which were included. In selecting the locations to be assessed in this acoustic analysis, Hugh Williamson Associates has gone above the minimum requirements of the MOECC criteria and selected worst case locations closest to the quarry at the property boundaries of the land owned and operated by the Grail Springs Wellness Retreat as well as the POW locations of the existing residence.

The following noise sensitive points of receptions have been included in this analysis:

- **POR 9 - POW:** Plane of Window location at existing lodge, assessed as two stories (4.5 m high);
- **POR 9 – OPR 1:** Outdoor Point of Reception located on property boundary of 2006 Bay Lake Road in location most impacted by noise from the quarry (i.e. closest to the quarry), assessed at 1.5 m above grade;
- **POR 9 – OPR 2:** Outdoor Point of Reception located on property boundary of Grail Springs property ARN: 125800002046350, WHR PT LOTS 46 and 47. in location most impacted by noise from the quarry (i.e. closest to the quarry), assessed at 1.5 m above grade;

The recommended mitigation measures contained in the “Acoustic Assessment Report for the Freymond Quarry” issued 15th December, 2016 (AAR) have been incorporated in the acoustic modelling for the worst case scenario’s analysed.

The worst case scenario’s are summarized in the following section. Detailed results of the acoustic modelling are contained in Table 1 and Figures 1 to 6. As shown in Table 1, with the mitigation measures recommended in the AAR, noise impacts will be in compliance with MOECC criteria at the Grail Springs Wellness Retreat and their associated properties, refer POR 9-POW, POR 9-OPR 1 and POR 9-OPR 2, for the proposed daytime period of operation (07:00 to 19:00) and early morning period of operation (06:00 to 07:00). No additional mitigation measures are required.
Refer to the Acoustic Assessment Report for the Freymond Quarry” issued 15th December, 2016 for further details related to the site and surrounding land, the facility description and hours of operation, noise sources, points of reception, assessment criteria, impact assessment and the recommended mitigation measures.
2.0 Impact Assessment

Noise levels have been predicted at the critical receptors using “predictable worst case” assumptions under normal operations and using the ISO sound propagation methodology\(^3\) as implemented in the sound prediction software Cadna-A, version 2017. All sound level calculations are required by the MOECC to be made in accordance with this ISO sound propagation methodology. The “predictable worst case” is interpreted as meaning the greatest noise impact anticipated under normal operating conditions. The ISO methodology provides a conservative (i.e. high) estimate of the noise level at a receptor taking into account adverse wind and meteorological conditions.

The estimation method includes the following:

- Distance between noise source and receiver (attenuation is based on spherical spreading).

- Worst case atmospheric conditions corresponding to a relative minimum in the atmospheric absorption.

- Ground attenuations, i.e. how absorptive or reflective the intermediate surface is between the source and the receiver. In the current analysis the quarry has been assessed as 100% reflective corresponding to worst case noise impacts.

- Barrier attenuation, as appropriate.

In order to consider cases of worst noise impacts, the AAR considered 5 operational scenarios. In general, the worst impacts where assessed when equipment is operating concurrently at grade or one lift down closest to receptors in each direction of the proposed quarry during the different periods of proposed operation.

The following two worst case scenarios assess worst case noise impacts at the Grail Springs Wellness Retreat and their associated properties to MOECC criteria. The two worst case scenario’s are presented as Scenario 6 and 7 below, and are in addition to the 5 worst case scenario’s presented in the AAR, that formed the basis for the recommended mitigation measures and assessment of compliance to MOECC criteria for the proposed Freymond Quarry.

**Scenario 6:**  Worst Case, Extraction Area 4, standard hydraulic rock drill and extraction in operation closest to Grail Springs Wellness Retreat (POR 9), with the portable crushing and screening plant in operation in Extraction Area 2 (Day only) – Figure 3 and Figure 4.

**Scenario 7:**  Worst Case, loading and hauling ONLY (Day or Early Morning) – Figure 5 and Figure 6.

Refer to the Section 2 AAR for further details related to hours of operation and list of equipment.
In Table 1, estimated noise levels at Grail Springs Wellness Retreat for the worst case operating conditions are compared with the applicable sound level limits. It can be seen that the sound level limits are met at the Grail Springs Wellness Retreat, POR 9, for worst case operating conditions during the proposed daytime period of operation 7 am to 7 pm (07:00 to 19:00) and for the proposed early morning period of operation, 06:00 to 07:00 providing the mitigation measures as noted in the AAR are implemented.

Figures 4 and 6 show predicted noise contours for each mode of operation analyzed.
3.0 Closure

It is concluded that with the recommended mitigation measures as detailed in the AAR, noise impacts from operations at the Freymond Quarry, will be in compliance with MOECC Environmental Noise Guidelines\(^1\) at the Grail Springs Wellness Retreat and their associated properties.

Michael Wells
Registered Architect of NSW, Registration No. 8111, B.Arch (Hons) B.Sc (Arch)
Member, Canadian Acoustical Society

References:


Attached:

Resumes: Hugh Williamson, Michael Wells
Table 1: Acoustic Assessment Summary Table

<table>
<thead>
<tr>
<th>Point of Reception ID</th>
<th>POR Description</th>
<th>Location</th>
<th>Scenario 6 Estimated Sound Level at POR Daytime Period (Worst Case) (dBA)</th>
<th>Performance Limit Daytime Period (dBA)</th>
<th>Scenario 7 Estimated Sound Level at POR Early Morning Period (Worst Case) (dBA)</th>
<th>Performance Limit Early Morning Period (dBA)</th>
<th>Compliance with Performance Limit (Yes/No)</th>
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Notes:
1. Performance limits are based on 1-hour equivalent sound levels, Leq.
2. Predicted noise impacts at Outdoor Points of Receptions (OPR) for the early morning period of operation are provided above for information purposes. As shown, while noise impacts at these locations are not required to be assessed during this period, noise impacts are in compliance at these locations with the criteria that is applicable to plane of window locations.
3. POR 9 is classified as a Class 3 Area (Rural) due to the acoustic environment of its location that is dominated by natural sounds having little or no road traffic. This is the most stringent MOECC classification and corresponds with the lowest sound level limits. Refer to the AAR for further details related to assessment criteria and performance limits.
4. POR 9 - POW represents Plane of Window (POW) location at the Grail Springs Wellness Retreat “Lodge” located at 2004 Bay Lake Road.
5. POR 9 – OPR 1 represents Outdoor Point of Reception (OPR) at 2006 Bay Lake Road located at property boundary closest to the proposed quarry.
6. POR 9 – OPR 2 represents Outdoor Point of Reception (OPR) at Concession WHR Part Lots 46 and 47 located at property boundary closest to the proposed quarry.
FIGURES

Figure 1: Scaled Area Location Plan - Showing Receptor Locations

Figure 2: Detail Site Layout & Surface Elevation Contours (elevation contours at 1 meter intervals)

Figure 3: Scenario 6: Worst Case, Extraction Area 4, standard hydraulic rock drill and extraction in operation closest to Grail Springs Wellness Retreat (POR 9), with the portable crushing and screening plant in operation in Extraction Area 2 (Day only) – Figure 3 and Figure 4.

Figure 4: Prediction Results, Scenario 6: Worst Case, Day Only Noise Contours, (Noise levels at 4.5 m)

Figure 5: Scenario 7: Worst Case, loading and hauling ONLY (Day or Early Morning) – Figure 5 and Figure 6.

Figure 6: Prediction Results, Scenario 7: Worst Case, Night Noise Contours, (Noise levels at 4.5 m)
Figure 1: Scaled Area Location Plan - Showing Receptor Locations
Figure 2: Detail Site Layout & Surface Elevation Contours (elevation contours at 1 meter intervals)
Figure 3: Scenario 6: Worst Case, Extraction Area 4, standard hydraulic rock drill and extraction closest to POR 9 with portable crushing and screening plant in operation in Extraction Area 2 (Day only)
Figure 4: Prediction Results, Scenario 6 - Day only (07:00 to 19:00): Noise Contours, (Noise levels at 4.5 m)
Figure 5: Scenario 7: Worst Case, Worst case, loading and hauling only (Early morning and daytime period)

- **POR 1**: POW: 44 dBA, OPR: 43 dBA
- **POR 2**: POW: 43 dBA, OPR: 41 dBA
- **POR 4**: POW: 38 dBA, OPR: 35 dBA
- **POR 5**: POW: 25 dBA, OPR: 24 dBA
- **POR 6**: POW: 37 dBA, OPR: 36 dBA
- **POR 7**: POW: 40 dBA, OPR: 38 dBA
- **POR 8**: POW: 37 dBA, OPR: 36 dBA
- **POR 9**: POW: 26 dBA, OPR: 26 dBA

*Note: The map illustrates the site with different routes and loaders.*
Figure 6: Prediction Results, Scenario 7 – Early morning period (06:00 to 07:00): Noise Contours, (Noise levels at 4.5m)

- POR 1: POW: 44 dBA, OPR: 43 dBA
- POR 2: POW: 43 dBA, OPR: 41 dBA
- POR 3: POW: 37 dBA, OPR: 37 dBA
- POR 4: POW: 38 dBA, OPR: 35 dBA
- POR 5: POW: 25 dBA, OPR: 24 dBA
- POR 6: POW: 37 dBA, OPR: 36 dBA
- POR 7: POW: 40 dBA, OPR: 38 dBA
- POR 8: POW: 37 dBA, OPR: 36 dBA
- POR 9: OPR 1: 26 dB, OPR 2: 26 dB, OPR 1: 23 dB
RESUMÉ:  Dr. HUGH WILLIAMSON, P.Eng.

QUALIFICATIONS:
- Ph.D. Mechanical Engineering, University of New South Wales, 1972
- B.Sc. Mechanical Engineering, (with Distinction), University of Alberta, 1967
- Member, Professional Engineers, Ontario
- Member, Canadian Acoustical Association
- Member, American Society of Heating, Refrigeration and Air-conditioning Engineers

KEY COMPETENCIES:
- Environmental noise and vibration assessments, Environmental Compliance Approval (ECA). Noise assessment for land use planning
- Architectural and building acoustics, acoustics of office spaces, meeting rooms, auditoriums and studios, noise and vibration control of building mechanical services.
- Industrial noise and vibration assessment and control.
- Transportation noise and vibration.

PROFESSIONAL EXPERIENCE:
Hugh Williamson is a professional engineer with many years of experience in the measurement, analysis and control of noise and vibration. Hugh Williamson Associates was incorporated in 1997 and provides consulting services in architectural, building, industrial, transportation and environmental acoustics and vibration. Clients include architects, engineering firms, industrial firms and government departments. Prior to establishing Hugh Williamson Associates, his career included extensive periods in industry as well as university level research and teaching. He is a former Director of the Acoustics and Vibration Unit at the Australian Defence Force Academy. He has published over 50 engineering and scientific papers and has been an invited speaker on noise and vibration at national and international conferences. He has more than 20 years of experience as a consultant.

CLIENT LIST:
RESUMÉ: MICHAEL WELLS

QUALIFICATIONS:
- Registered Architect of NSW, Registration Number: 8111
- B. Architecture (Hons), University of Sydney, 2002
- B.Sc. Architecture, University of Sydney, 1999
- Member, Canadian Acoustical Association

KEY COMPETENCIES:
- Environmental noise and vibration assessments, Environmental Compliance Approval (ECA). Noise assessment for land use planning.
- Architectural and building acoustics, acoustics of office spaces, meeting rooms, auditoriums and studios, noise and vibration control of building mechanical services.
- Industrial noise and vibration assessment and control.
- Transportation noise and vibration.
- Design services including sketch design, design development (development / permit applications), contract documents, tendering and contract administration.

PROFESSIONAL EXPERIENCE:
Michael Wells is a professional Architect registered in NSW with many years of experience in the Architectural and Construction industries. With key competencies in measurement, analysis and control of noise and vibration, Michael Wells joined Hugh Williamson Associates in 2012 and provides consulting services in architectural, building, industrial, transportation and environmental acoustics and vibration. Clients include architects, engineering firms, industrial firms and government departments. Prior to joining Hugh Williamson Associates, his career includes the founding of Michael Wells Architect in Sydney Australia which specialized in the design of institutional, commercial and residential projects. He is a Director of Architectural Workshops Australia and Vision Blue Pty Ltd. He has more than 10 years of experience as a consultant.

CLIENT LIST:
Subject: Application for a Category 2 Licence under the Aggregate Resources Act

Lot: Part of Lots 51 and 52
Concession: W.H.R.
Township of: Faraday
County of: Hastings

Objector: Madeleine Marentette & Andrew Norrie
Ph: ______________________
Address: 2004B Bay Lake Road, Bancroft, Ontario K0L 1C0

Further to your letter of April 3, 2017 regarding this licence application under the Aggregate Resources Act, I/we, Freymond Lumber Ltd., offer the following further information to address your objections/concerns:
Please see attached letter.

As per Section 4.3.3.2 of the Provincial Standards under the Act, please be advised that after review of this additional information you, the objector, have 20 days from receipt of this letter (i.e. Dec 17, 2018) to respond to the Ministry of Natural Resources and the applicant at the addresses shown below, with recommendations that may resolve the objections.

These recommendations must be delivered personally or by registered mail within the above-noted 20-day period or it will be deemed that there is no longer a valid objection.

Yours truly,

Brian Zeman, MHBC (on behalf of Freymond)
(Name of Applicant or Consultant on behalf of Applicant)

Signature: ______________________
Date: November 19, 2018

Ministry of Natural Resources
Office Address: 106 Monck Street, PO Box 500
Bancroft, Ontario K0L 1C0
Attention: Paul Shalla

Name of Applicant or Consultant: MHBC
Address: 113 Collier Street
Barrie, Ontario L4M 1H2
Attention: Brian Zeman
November 19, 2018

Grail Springs Retreat Centre for Wellbeing Inc.  
Madeleine Marentette and Andrew Norrie  
2004B Bay Lake Road  
Bancroft, Ontario  
K0L 1C0

Dear Mr. Norrie and Ms. Marentette,

RE:  Letter of Objection to an Application for a Category 2 Quarry Licence under the Aggregate Resources Act – 2287 Bay Lake Road, Part of Lots 51 and 52, Concession W.H.R.  
Township of Faraday, County of Hastings  
Freymond Quarry (Our File 1515B)

During the notification and consultation period for the above noted quarry application, you submitted an objection letter received by email on April 2, 2017 outlining concerns with the applicant’s (Freymond Lumber Ltd.) proposed quarry located at 2287 Bay Lake Road, Part of Lots 51 and 52, Concession W.H.R.; Township of Faraday, County of Hastings.

Since receipt of your letter, the applicant has continued working with the government agencies on the review of the application. These agencies include the Ministry of Natural Resources and Forestry; Ministry of the Environment, Conservation and Parks; Department of Fisheries and Oceans; Ministry of Tourism, Culture and Sport; County of Hastings; and the Township of Faraday. As part of the County’s review, the County also conducted independent peer reviews in natural environment, water resources, traffic and noise and blasting.

Based on the agency and County peer review process to date, the Ministry of Tourism, Culture and Sport’s, Ministry of Natural Resources and Forestry’s, Ministry of the Environment, Conservation and Parks’ and the County’s natural environment, water resources and traffic concerns have been addressed and there are no major outstanding issues related to blasting and noise. To assist in keeping the public updated on the agency review process the technical reports, updated site plans, agency and peer review comments and the applicant’s responses have been posted on the applicant’s website, at http://www.freymondlumber.ca/.

In addition to the agency / peer review process and updating the Freymond website, there have been other efforts to update and inform the community regarding the application. These included:
Attendees of the public information session on March 20, 2017 were provided with an opportunity to participate in a tour of Fowler’s Fleming quarry. The Fleming quarry is similar to the Freymond Quarry as it is situated in a tourism-based economy surrounded by cottages, lakes and wetlands; extracts below the water table; extracts granite; is permitted to produce 300,000 tonnes of aggregate per year and is similar in size to the proposed Freymond quarry. A tour of the Fleming Quarry was held on June 1, 2017, and more than 20 community members took a bus to Washago to tour the Fleming quarry. The applicant and Fowler would like to thank those members of the community who attended the tour. Members who attended the tour observed that operations co-existed with the surrounding natural environment, lakes and wetlands, could not be heard from 500 metres away, and a blast at the quarry was of short duration and was no louder than a gunshot; and

The County and the Township hosted a public meeting on September 30, 2018. This public meeting provided an opportunity to update the community on the application, changes that have been made to address agency and public comments and mitigation measures that are in place to protect surrounding residents. Following the meeting, the Freymond family provided a copy of the attached newsletter to everyone that attended the meeting.

Grail Springs has been a neighbour of Freymond Lumber since you purchased the property in 1993, and the Freymond family has continued a dialogue with both of you during this time. They appreciate the fact that you took the time express your concerns, and they in turn are hopeful to address and alleviate those concerns regarding the proposed quarry.

This letter is being provided to respond to your objection letter under the Aggregate Resources Act. The letter has been prepared with input from experts related to noise, blasting, water resources, natural environment, land use planning, the applicant and Fowler Construction. If after the 20 day objector response period there are continued objections, the applicant will request the Minister to refer the application to the Local Planning Appeal Tribunal (LPAT) for a hearing to address any outstanding objections. Despite this, Freymond Lumber remains committed to work with any outstanding objectors in an effort to resolve or scope their objection.

In order to facilitate a response to your objection, we have prepared the following responses to the comments provided in your letter.

Thank you for providing a very comprehensive overview of the Grail Springs Retreat. Its contributions to the community are many, and Bancroft has benefited from its continued success. Freymond Lumber and Fowler Construction are committed to working very hard to ensure that Grail Springs continues to flourish, taking into account a constantly changing community fabric.

**Noise**

Subsequent to the receipt of this letter, a noise analysis was subsequently completed on your property to further identify noise issues that may be specific to Grail Springs Retreat.

Grail Springs is located more than 500 m from the quarry at its closest point. For at least the first 27 years of operation, the quarry will be operating on the north half of the property which is located more than 700 m away from Grail Springs. Furthermore, Grail Springs is located in closer proximity to the Freymond lumber mill that existed prior to Grail Springs being established and the acoustic environment at Grail Springs will not substantially change as a result of the quarry. It is also important to
recognize that Grail Springs is located much closer to land that the County of Hastings has identified in their Official Plan as “Extractive Reserve” and the County is protecting these areas for future aggregate operations.

Freymond Lumber and Fowler Construction have committed to bringing their knowledge and expertise together to ensure that the quarry is operated in accordance with the site plan requirements. The technical reports, and the resulting third party reviews of these reports, have confirmed that Grail Springs will not be affected by the proposed quarry.

The noise report that was specifically completed for Grail Springs Retreat has been discussed in detail with both of you, and confirms the original study conclusions that Grail Springs will not be negatively affected by noise from the proposed quarry operations. If there are outstanding concerns, Freymond and Fowler are happy to continue the discussion.

**Employment and Jobs at the Quarry**

The proposed quarry, if approved, will employ local residents in a variety of jobs, including truck driving, operating heavy equipment required at the quarry, earth moving for site clearing and site rehabilitation, and mechanical maintenance of the equipment used on the site. The quarry will rely on a variety of other businesses to complete its work, including environmental monitoring firms, electricians, earth moving equipment mechanics, suppliers of parts and supplies for maintaining equipment, and local suppliers of trees and other vegetation for rehabilitation activities. Freymond and Fowler hope to source this work locally, provide additional revenue to already established local businesses, adding to the long term business development of the Bancroft area.

Your letter questions whether the jobs in the quarry would go to local people or would be employees of Fowler from other communities. Freymond and Fowler intend to operate the quarry together, and it is very much the intent that the jobs in the quarry will be filled by members of the Bancroft community. The training and experience required to run the quarry will be shared by Fowler with local residents who express interest in working at the quarry.

The aggregate materials produced in the quarry will be used by Freymond Lumber in their forestry operations, and in local road and infrastructure construction jobs. The quarry will provide more choices in the local market, and contrary to opinions held by other industry members, additional choices for quarry products means a more competitive local industry.

**Surrounding Property Value Reduction**

Property values are affected by a wide range of variable factors (e.g. economic conditions, investment/maintenance of property, supply/demand of property etc.). Property value is not a factor used to judge the acceptability or appropriateness of a land use. The County of Hastings Official Plan recognizes that this area is to be protected for future aggregate extraction and aggregate extraction and other industrial uses are already an established use in the area.

To protect surrounding properties from a use that is planned for and anticipated to occur, the operation has been designed with appropriate mitigation measures and operational controls to protect the surrounding residents from adverse impact.
The applicant is responsible to ensure the proposed quarry operation does not result in adverse impacts on surrounding properties and their use. Accordingly, the design of the quarry operation incorporates measures to mitigate impacts related to blasting, noise, air quality, and water quantity/quality in order to achieve provincial standards established by the Ministry of the Environment, Conservation and Parks and the Ministry of Natural Resources and Forestry.

These measures have been incorporated into the site plan, thereby becoming legally binding on the licensee and ensuring the quarry will be operated and impacts controlled so that use and enjoyment of properties is not adversely affected. The proposed operation is well planned and designed, and will be managed and controlled to mitigate off-site impacts.

**Increased Air Pollution / Noise from Truck Traffic**

The proposed quarry will utilize the existing truck entrance/exit that is used by the Freymond lumber operation and the Class B sand and gravel pit (Licence No. 624804) for shipping, onto Bay Lake Road, then to Highway 62, except for local deliveries. This is an existing truck route and is well separated from surrounding residents and is an appropriate truck route to utilize.

Regardless of this quarry, there will be aggregate truck traffic in the community to supply the aggregate required by the Province, County, Township, local businesses, residents and cottagers for local construction projects. Air and noise emissions for trucks are regulated by the Province and having multiple aggregate sites serves to reduce overall air and noise pollution from trucks. Having multiple operations allows the consumer to source the aggregate they need from the closest site which reduces the overall distance trucks travel and results in less greenhouse gas emissions.

**Local Aggregate Supply**

The Provincial Policy Statement, which applies to this application, states:

> 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. (Section 2.5.2.1).

**Damage to Bay Lake Road**

The maintenance and upkeep of Bay Lake Road between the existing entrance and Highway 62 has been identified as a concern by local residents. This section of Bay Lake Road is an existing approved truck route, and the county has confirmed that it has sufficient capacity to accommodate the truck traffic of the proposed quarry. As part of the application, there will be improvements to the intersection of Bay Lake Road and Highway 62. The improvements include the construction of a southbound right turn taper lane on the west side of Highway 62 approaching Bay Lake Road, which would accommodate southbound right turns from Highway 62 to Bay Lake Road.

At the request of the County’s traffic peer reviewer, Freymond retained additional expertise from WSP to examine the structurally integrity of Bay Lake Road. WSP responded to the County peer reviewer confirming that the additional truck traffic will not have any impact on the rate of deterioration of the
road and confirmed that Freymond Lumber has expressed a willingness to contribute to hot mix paving the 350m segment of road in question.

**Wildlife Impact Beyond the Quarry**

All land use change involves some localized impacts and adjustment in wildlife habitat use. Local and provincial policy establishes a number of ecological “tests” to determine whether these changes are deemed acceptable in terms of potential risk of impact to natural features and functions (including Significant Wildlife Habitat and associated migration patterns). Local and provincial approval bodies have no outstanding concerns with the studies submitted and the follow-up information that was provided.

The surrounding ecosystem is dominated by human land uses and wildlife communities have adapted to changes associated with residential development, agriculture, resource extraction, industrial uses, forestry, etc. The wildlife community in the vicinity of the proposed quarry have adjusted to an adjacent industrial use, interrupted movement corridors due to the road network and adjacent residences. Ecological communities adjust with new land uses and reach new equilibria. Localized impacts are focussed on the site itself and precautions to minimize impacts to surrounding areas (e.g. creek corridor) have already been considered. The location of the proposed quarry minimizes regional fragmentation because it is immediately adjacent to other disturbed land uses. Larger regional forested stream corridors exist to the north and south of the site and will allow for continued wildlife movement. The site plans were developed in consultation with qualified ecologists and contains progressive and final rehabilitation design which will enhance the local ecosystem.

Speaking specifically to Eastern Hog-nosed Snakes, this species naturally exist at low densities and are very cryptic; these factors make locating this species through surveys very difficult. When found in forest communities, this species typically seeks out areas of open canopy. The forest community on the subject property has a primarily closed canopy suggesting that this area has a low likelihood of use by Eastern Hog-nosed Snakes. If approved, the quarry will be required to comply with the Provincial Endangered Species Act, 2007 and would thus have to protect this species if it were encountered. This would happen through direct consultation with MNRF, should an Eastern Hog-nosed Snake be found during the operational life of the quarry.

**Planning Approach**

It is typical to submit all of the required applications concurrently since they all rely on the same technical reports. This allows for an efficient review from the agencies and members of the public. However, please note that the Ministry of Natural Resources and Forestry cannot issue the licence until the Township’s zoning has been approved for the site.

**Hydrogeological Report**

Your letter raises several issues with regard to the hydrogeological report and the technical methods used. Further hydrogeological information and data collection has taken place in the last 18 months, and, as a result, the peer reviewers, and all provincial ministries have indicated that the hydrogeological reports meet their requirements and they have no further concerns. All the reports and the agency comments are available on the Freymond Lumber website.
The application includes a comprehensive monitoring program for water resources which includes some off-site wells. If Grail Springs would like to be included in the off-site monitoring program, please contact Freymond Lumber.

Although no impacts to water supplies are predicted the applicant will implement a well interference complaint procedure to ensure that if there is a complaint an investigation will occur and any well impacted by the quarry will be replaced or restored at the expense of the applicant.

In addition, surrounding water resources will be protected and on-site water resources will be managed in a proposed stormwater management pond. Monitoring and discharge from the stormwater management pond will be in accordance with requirements from the Ministry of Environment, Conservation and Parks to ensure protection to water quality and quantity.

An annual water resources monitoring report will be completed and submitted to the Ministry of Natural Resources and Forestry and the Ministry of Environment, Conservation and Parks, as a requirement on the site plans.

If you have still have unanswered questions, Freymond and the hydrogeological consultants would be willing to meet with you to further discuss your outstanding concerns.

**Asphalt Plant / Aggregate Recycling**

Concern has been raised that there will be an asphalt plant located in the quarry. Freymond and Fowler are not proposing to operate an asphalt plant at the quarry and the use is not permitted on the Aggregate Resources Act Site Plans.

As part of the application the Freymond’s have requested that the site be rezoned to “Extractive Industrial”. The Township Zoning By-law permits asphalt plants in all properties zoned “Extractive Industrial” within the Township. To alleviate any concern the Freymond’s commit to revising the requested Zoning By-law Amendment to exclude an asphalt plant from the permitted uses for this site.

The application does include the permission to recycle asphalt. The storage of recycled asphalt pavement (known by its acronym of RAP) will be stored temporarily and recycled as required in the quarry within the processing area. This is only to accommodate the MTO requirement of full asphalt pavement recycling on its road construction contracts. RAP is commonly stored in aggregate sites, and often blended with natural stone and sand to make additional products. RAP is also blended into new asphalt mix designs, and would be transported from the quarry to the road project where the asphalt plant would be located. The Province has prescribed conditions for the storage of asphalt to ensure there are no impacts to water resources. These conditions require that recycled asphalt materials will not be stockpiled within 30m of any water body or man-made pond or within 2 m of the surface of the established water table.

**Increased Air Pollution / Noise from Truck Traffic**

The proposed quarry will utilize the existing truck entrance/exit that is used by the Freymond lumber operation and the Class B sand and gravel pit (Licence No. 624804) for shipping, onto Bay Lake Road, then to Highway 62, except for local deliveries. This is an existing truck route and is well separated from surrounding residents and is an appropriate truck route to utilize.
Regardless of this quarry, there will be aggregate truck traffic in the community to supply the aggregate required by the Province, County, Township, local businesses, residents and cottagers for local construction projects. Air and noise emissions for trucks are regulated by the Province and having multiple aggregate sites serves to reduce overall air and noise pollution from trucks. Having multiple operations allows the consumer to source the aggregate they need from the closest site which reduces the overall distance trucks travel and results in less greenhouse gas emissions.

**Noise, Dust and Blasting Associated with the Extraction Operation**

A noise report was prepared by Hugh Williamson Associates Inc. to assess potential noise impacts from the proposed quarry on surrounding residential receptors. It was concluded that the quarry has been appropriately designed and/or separated to ensure the Ministry of Environment, Conservation and Parks noise limits would be met at all surrounding residential receptors. The following recommended measures have been included on the site plans to ensure the noise limits are met:

- Site preparation, rehabilitation, extraction, drilling and processing may only be permitted from 7 am to 5:30 pm (Monday to Friday);
- The overburden storage area in the northeast corner shall be constructed to a minimum height of 6 m to provide an acoustical barrier;
- The processing plant may only be permitted within phases 1 and 2 on the quarry floor and shall include additional noise barriers;
- The rock drills must implement additional noise barriers in certain locations; and
- Sound emission levels for all equipment used in site preparation and rehabilitation must comply with the limits outlined in MOE Publication NPC-115.

Furthermore, a requirement has been added to the site plans that require a noise audit be completed in phase 1 once the quarry is in full operation to ensure Ministry of the Environment, Conservation and Parks noise limits are being met. The County conducted an independent peer review of the noise report that confirms there are no major outstanding issues.

The Province has developed prescribed conditions that apply to all new quarries to ensure that air quality impacts are minimized on surrounding land uses. In accordance with the prescribed conditions established by the Province, the applicant is required to mitigate dust on-site; apply water or another provincially approved dust suppressant on any internal haul route as often as required to mitigate dust; and equipment that has the potential to create dust and is located within 300 metres of a sensitive receptor must be equipped with dust suppressing devices.

A blasting impact assessment was completed by Explotech to assess potential impacts on surrounding residential buildings and wells. It was concluded that blasting could be completed in accordance with the Ministry of the Environment, Conservation and Parks blasting limits which are among the most stringent limits in North America. Based on the size of the quarry and annual production levels, there will only be around 3-5 blasts per year. All blasts are highly regulated by the Province, are designed by qualified experts and monitored to ensure the Provincial limits are being met. The County conducted an independent peer review of the blasting report that confirms there are no major outstanding issues.
**Damage to Bay Lake Road**

The maintenance and upkeep of Bay Lake Road between the existing entrance and Highway 62 has been identified as a concern by local residents. This section of Bay Lake Road is an existing approved truck route, and the County has confirmed that it has sufficient capacity to accommodate the truck traffic of the proposed quarry. As part of the application, there will be improvements to the intersection of Bay Lake Road and Highway 62. The improvements include the construction of a southbound right turn taper lane on the west side of Highway 62 approaching Bay Lake Road, which would accommodate southbound right turns from Highway 62 to Bay Lake Road.

This section of Bay Lake Road is already in use by Freymond Lumber, and the Freymond Lumber Class B gravel pit, as well as other truck and car traffic not associated with Freymond Lumber. Freymond Lumber will continue to work cooperatively with the local municipality to ensure the road meets municipal requirements.

At the request of the County's traffic peer reviewer, Freymond retained additional expertise from WSP to examine the structurally integrity of Bay Lake Road. WSP responded to the County peer reviewer confirming that the additional truck traffic will not have any impact on the rate of deterioration of the road and confirmed that Freymond Lumber has expressed a willingness to contribute to hot mix paving the 350m segment of road in question.

The County peer reviewer is satisfied that this issue has been resolved.

**Community Liaison Committee**

Freymond Lumber and Fowler Construction are interested in maintaining good communication with their immediate neighbours, local municipal representatives, and MNRF staff. They are proposing to establish a Community Liaison Committee that would meet on a predetermined basis to discuss the quarry and its operation, and answer any questions that may arise. In other locations in the province, these groups have proved very successful in communicating community concerns or suggestions to the licensee, ensuring that the concerns are well understood and dealt with quickly and appropriately. These committees are often the place that concerns are raised, addressed, and communicated quickly and respectfully.

These committees are often comprised of representatives from the licensee, the municipality, MNRF, neighbours in close proximity to the quarry, and businesses in close proximity to the quarry. Freymond and Fowler fully support the idea of having regular and meaningful dialogue with the Bancroft community. Freymond Lumber and Fowler are hopeful that you will choose to participate in this committee. If you would be interested in participating in this type of group, please contact Freymond Lumber at your earliest convenience. This committee would not replace the proponent’s commitment to continuing regular dialogue with you with regard to Grail Springs.

**Summary**

This letter is being sent now, since Freymond Lumber Ltd. is required by legislation to conclude the Aggregate Resources Act process by February 16, 2019. As a result, they are now required to proceed with fulfilling Section 4.3.3.1 of the Provincial Standards, under the Aggregate Resources Act. This section requires us to provide you a response to your concerns and advise you, the objector, that you have 20 days from receipt of this letter to respond (no later than December 17, 2018) to both the Ministry of
Natural Resources and Forestry and the applicant at the following addresses with recommendations that may resolve your objection. As noted in the enclosed form, these recommendations must be delivered personally or by registered mail to the below addresses within the above noted 20 day period or it will be deemed that you no longer have a valid objection.

Ministry of Natural Resources and Forestry
106 Monck Street, PO Box 500
Bancroft, Ontario, K0L 1C0
Attention: Paul Shalla

MHBC
113 Collier Street
Barrie, Ontario, L4M 1H2
Attention: Brian Zeman

We hope that this information adequately addresses your concerns during the process. Again, the materials associated with the application are available online at http://www.freymondlumber.ca/.

If you have any questions please do not hesitate to call.

Yours truly,

MHBC

Brian Zeman, BES, MCIP, RPP
President

Encl. – October 2018 Freymond Newsletter

cc. Paul Shalla, Ministry of Natural Resource and Forestry
Lou Freymond, Freymond Lumber Ltd.
Dan Freymond, Freymond Lumber Ltd.
James Gordon, Fowler Construction
OFFICIAL PLAN AMENDMENT NO. ____

“Rural” to “Extractive (Active)”

Freymond Lumber Ltd.

Part of Lots 51 & 52, Concession W.H.R.
2287 Bay Lake Road
Township of Faraday

FOR THE
TOWNSHIP OF FARADAY
IN THE
COUNTY OF HASTINGS
Amendment No. ____ to the Official Plan of the County of Hastings

The attached explanatory text and map identified as Schedule “A”, constituting Amendment No. ____ to the Official Plan of the County of Hastings, was prepared by the Council of the Corporation of the County of Hastings under the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

The amendment was adopted by the Council of the Corporation of the County of Hastings by By-law No. _____ in accordance with Sections 17 and 21 of the Planning Act. R. S.O. 1990, c.P.13, as amended, on the _____ day of ___________, ___.

Jim Pine, CAO/Clerk

Rodney Cooney, Warden
The Corporation of the County of Hastings

BY-LAW NO. ______-____

Being a By-law to adopt an Amendment to the Official Plan of the Corporation of the County of Hastings

WHEREAS the Council of the Corporation of the County of Hastings is desirous of amending By-law No. 2000-0033, a By-law to adopt the Official Plan, for the future development of the County;

WHEREAS AMENDMENT NO. _____ to the Official Plan of the County of Hastings has been considered and recommended for adoption by the County of Hastings Planning and Development Committee;

AND WHEREAS a Public Meeting regarding the proposed amendment has been held pursuant to the requirements of Section 17 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

NOW THEREFORE the Council of the Corporation of the County of Hastings in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby orders and enacts as follows:

1. THAT Amendment No. _____ to the Official Plan of the County of Hastings, consisting of the attached explanatory text and Schedule "A" is hereby adopted.

2. THAT the CAO/Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Amendment No. _____ to the Official Plan of the Hastings County Planning Area.

3. THAT Amendment No. _____ shall come into force and take effect in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

THIS BY-LAW READ A FIRST, SECOND AND THIRD TIME, AND finally passed in open council this _____ day of ______________, _____.

Jim Pine, CAO/Clerk

Rodney Cooney, Warden
1. **Title and Contents:**

The following text and map identified as Schedule “A” constitutes Amendment No. ____ to the Official Plan of the Corporation of the County of Hastings. The Official Plan of the County of Hastings was approved by the Minister of Municipal Affairs and Housing, taking effect January 12, 2002 as modified by the Ontario Municipal Board Decision No. 0189, File No. O020014.

Also attached hereto but not forming a part of the amendment are:

- **Appendix “A”** - Certified Statements and Declaration that:
  a. The Notice of Public Meeting and the holding of at least one public meeting have been complied with in accordance with the Planning Act;
  b. The Notice of Adoption of Official Plan Amendment No. _____ was given in accordance with the Planning Act; and,
  c. Official Plan Amendment No. ______ is consistent with the Provincial Policy Statement.

- **Appendix “B”** - Copies of Notices
  d. Certified copies of the Notices of Public Meeting and Adoption; and,
  e. List of agencies and neighbouring land owners circulated and copies of written comments received.

- **Appendix “C”** - Minutes of the Statutory Planning Committee Public Meeting held in regard to the Official Plan Amendment on _________ ___, ________.

- **Appendix “D”** - Hastings County Planning Staff Report dated _________ ___, ________.

2. **Purpose and Effect of the Amendment:**

The purpose of Official Plan Amendment No. ____ to the Official Plan of the County of Hastings is as follows:

To re-designate 33.3 hectares of land owned by Freymond Lumber Ltd. located on Part Lots 51 & 52, Concession W.H.R. in the Township of Faraday from “Rural” to “Extractive (Active)” on Schedule “A5-1” of the County of Hastings Official Plan.
The effect of Amendment No. _____ will be to permit a quarry on the lands, including the permitted uses as listed in Section 3.8.2 of the County of Hastings Official Plan.

3. **Location of Lands Affected:**

The total land holdings owned by Freymond Lumber Ltd. are approximately 128 hectares and includes an existing gravel pit (License No. 624108) and an existing lumber mill operated by the owner. The subject lands are 33.3 hectares and represent the proposed licensed area under the Aggregates Resources Act, located on Parts 51 & 52, Concession W.H.R., Township of Faraday, County of Hastings. The property is municipally known as 2287 Bay Lake Road. The lands subject to Official Plan Amendment No. ____ are shown on Schedule “A”.

4. **Basis of the Amendment:**

a) **Existing Uses:**

   The subject lands currently contain one small sugar shack structure and are forested.

b) **Proposed Uses:**

   The applicant proposes to designate the subject lands to “Extractive (Active)” to permit a quarry and accessory uses on the lands, as shown on Schedule “A”.

c) **Planning Justification Report prepared by MHBC Planning Limited:**

   A Planning Justification Report was prepared by MHBC Planning Limited.

d) **Other Agency and Public Comments:**

   - 
   - 

A Public Meeting for the proposed Official Plan Amendment (OPA No. ____ ) was conducted by the County Planning Committee on __________ ____, ____. In consideration of OPA No. ____, the County of Hastings gave due regard to all agency and public comments received prior to and during the Public Meeting(s), the purpose and intent of the Official Plan and matters of Provincial interest. At its meeting of __________ ____, ____, County Council approved a motion recommending adoption of proposed OPA No. _____.
e) Planning Staff Report:

The Planning Staff Report dated ______________ , ____ (see Appendix “D”) recommends the adoption of OPA No. ____ after giving due consideration to existing Official Plan policies and the recommendations of the Ministry of Natural Resources and Forestry.

5. Details of the Amendment:

Schedule “A5-1” of the Official Plan of the County of Hastings is hereby amended by designating the subject lands of 33.3 hectares as “Extractive (Active)”, constituting Part of Lots 51 & 52, Concession W.H.R., Township of Faraday, as shown on Schedule “A” attached to and forming part of this Amendment.

6. Implementation & Interpretation:

The provisions of the County Official Plan, as amended from time to time, regarding the implementation and interpretation of the Plan shall apply in regard to this amendment.
SCHEDULE “A” TO AMENDMENT NO. ____
SCHEDULE “A”
TO BY-LAW NO. ______
(OPA NO. ______)

2287 Bay Lake Road
Part of Lots 51 & 52, Concession W.H.R.
Township of Faraday, County of Hastings

This is Schedule “A” to By-law ______-_____
Passed this ____ day of _______________, ______

_________________________
Rodney Cooney, Warden

_________________________
Jim Pine, CAO/Clerk
BEING a By-Law under the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, to amend Zoning By-Law Number 21-2012, of the Township of Faraday;

WHEREAS the lands subject to this amending Zoning By-law have historically been used for forestry;

WHEREAS the Council of the Corporation of the Township of Faraday deems advisable, while remaining consistent with the intent of the By-law, to amend By-Law 21-2012 in order to rezone the property to permit a quarry and associated accessory uses;

AND WHEREAS authority is granted under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Faraday enacts as follows:

1. THAT By-law Number 21-2012, as amended, is hereby amended for the lands as shown on Schedule “A” attached hereto from the “Rural” (RU) Zone and the “Industrial” (M) Zone to the “Extractive Industrial – Exception No. 1” (MX-1) Zone.

2. THAT By-law 21-2012, as amended, is hereby further amended by inserting Section 4.13.3.1 immediately following Section 4.13.3, to read as follows:

   “4.13.3.1  MX-1 (Lots 51 & 52, Concession W.H.R., Township of Faraday)

   Notwithstanding any provisions of this by-law, to the contrary, on Part of Lots 51 & 52, Concession W.H.R. the following special provisions shall apply:

   Permitted Uses

   The following use shall be permitted in addition to those uses permitted in the MX zone:

   i)  Aggregate recycling

   Prohibited Uses

   The following use shall not be permitted in the MX-1 zone:

   i)  Asphalt plant
Zone Provisions

The following zone provisions shall apply:

i) The minimum setback for extraction shall be 30 metres from a road, 30 metres from a property zoned residential and 15 metres from any other property line. The minimum setback for processing shall be 90 metres from a property zoned residential.

ii) For the purposes of the MX-1 zone, the general provisions in Section 3.2.1 shall not apply for existing lots of record that were in existence as of [insert the day this By-law is passed].

All other provisions of this by-law shall apply.

3. THAT Schedule A to By-law No. 21-2012 – Map 2, as amended, is hereby further amended by changing the zone categories thereon in accordance with Schedule “A” attached hereto;

4. THAT Schedule “A” attached hereto forms part of this By-law;

5. THAT this By-Law shall come into force and take effect on the date of passing providing no notice of appeal is filed within Twenty (20) days of the date of the giving of written notice of the passing of this By-Law as required by the Planning Act. In the event that an appeal is filed, this By-Law shall not come into force and take effect until all such appeals are finally disposed of by the Local Planning Appeal Tribunal.

Read a First, Second and Third time and finally passed this the ____ Day of ___________, ____.

__________________________  _________________ ________________
Dennis Purcell, Reeve    Dawn Switzer, Deputy Clerk
SCHEDULE “A” TO BY-LAW NO. __________

2287 Bay Lake Road
Part of Lots 51 & 52, Concession W.H.R. Township
of Faraday, County of Hastings

This is Schedule “A” to By-law ______-____
Passed this ___ day of ______________________. ___

Dennis Purcell, Reeve

Dawn Switzer, Deputy Clerk