AGGREGATE RESOURCES ACT SUMMARY REPORT

For A Pit Licence Application

Prepared for: Cooney Construction and Landscape Ltd. in support of an application **for a Class "A" pit licence to excavate move than 20,000 tonnes annually** pursuant to the Provincial Standards, Parts 1 and 2 adopted by *Ontario Regulation 244/97 under the Aggregate Resources Act*.

Location of site: 9665, Hwy 511, White Lake, ON, K0A 3L0
Pt. West Half Lots 22 and 23, Concession 3,
Geographic Township of Darling,
Municipality of Lanark Highlands,
County of Lanark.

Prepared By: Gary McLaren

Milestone
Aggregate Consulting Services Inc.

December 4 2024

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1.0 INTRODUCTION

Milestone Aggregate Consulting Services Inc. has undertaken the preparation of a Summary Report which consolidates the "Summary Statement" and all technical requirements and notification and consultation requirements for an **application for a Class "A" pit licence to excavate move than 20,000 tonnes annually** pursuant to Provincial Standards, Parts 1 and 2 adopted by ***Ontario Regulation 244/97 under the Aggregate Resources Act***. The proposed pit property is owned by Kevin Cooney and Jennifer Cooney principals for Cooney Construction and Landscaping Ltd. The site is located on County Road 511 in the former Darling Township (now Township of Lanark Highlands). The legal description of the property is Part of the West Half Lot 22 and 23, Concession 3, Geographic Township of Darling, now in the Township of Lanark Highlands. The total area of the property is approximately 44 ha. The proposed licence area will consist of 22.69 hectares with an extraction area of approximately 16.62 ha.

Applicant:	Cooney Construction and Landscaping Ltd.
Location:	9665 Highway 511., White Lake ON, K0A-3L0 Pt. West Half Lots 22 and 23, Concession 3, Geographic Township of Darling, Municipality of Lanark Highlands, County of Lanark. (See map figure 1.0)
Project:	Class "A" Pit Licence Application to extract a maximum of 250,000 tonnes annually from a licenced pit to allow extraction above water, subject to Part 1 and 2 of the Provincial Standards under the Aggregate Resources Act
Pit Name:	Cooney Pit (previously the "James Pit")
Owners:	Cooney Construction and Landscape Ltd.

This report was triggered by an application for a licence to extract sand and gravel above water table, consisting of 22.69 hectares pursuant to the compilation of the Provincial Standards (Site Plan Standard; Technical Report and Information Standard and Circulation Standard), adopted by Ontario Regulation 244/97 under the Aggregate *Resources Act.* The Recommended References in each of the 3 Provincial Standards, as well as relevant sections of the ***Aggregate Resources Program Policy and Procedures Manual (MNRF, 2006*)**. *e.g. A.R. 2.01.02 Licence Applications: New Properties and A.R.2.01.05, Licence Application: Summary Statement Report Standards, etc.) were also considered in preparation of this application.*

This report may also serve to support an application to amend the Official Plan and zoning by-law from the current Rural zone to a **MXP Mineral Extraction Pit zone**.

In 1988, the Ministry accepted the surrender of a pit licence on the subject lands on Pt. of the West half of Lot 22 and 23, Concession 3, geographic township of Darling, Lanark Highlands. The ***"James Pit"*** licence was prematurely surrendered before the majority of the available sand and gravel resource was utilized.

The ***Ontario Geological Survey, Aggregate Resource Inventory Paper (ARIP 189) for the County of Lanark***, dated 2013, maps the Cooney site as a tertiary sand and gravel deposit. The previous pit operation, test pit digging and water well drilling on site, confirm that the classification of the surficial aggregate resources is tertiary but if blended could produce a sand and gravel of secondary significance for such uses as road building, winter sanding, backfill material for residential development and filtration for water and sewer systems. (For more detail, see ARIP 189 Map, **Figure 3**, in section 4.3 of this report.

2.0 KEY PLAN - Satellite Image of the Cooney Pit

Figure 1 Satellite Image showing property and proposed licence pit boundary

The Cooney Pit
Hwy 511, White Lake ON
Pt. West half Lot 22 and 23 , Conc. 3, Geo. Twp. Darling, Municipality Lanark Highlands

3.0 SITE PLAN STANDARDS

Site Plans are the primary regulatory instrument used to indicate existing land uses, sensitive areas and control social and environmental impacts associated with the operation and rehabilitation of pits and quarries. The site plans for this particular site were prepared pursuant to Part 1 of the Provincial Site Plan Standards, as adopted by ***Ontario Regulation 244/97 under the Aggregate Resources Act***. The site plans are included as Appendix B to this report.

4.0 SUMMARY STATEMENT

The Summary Statement was prepared pursuant to Part 2 of the Provincial Standards entitled **Aggregate Resources of Ontario: Technical Reports and Information Standards, August 2020**. The terms of reference for the Summary Statement is identified in Part 1.0 of this Standard, and acts as a summary of the findings, potential impacts and recommended mitigation measures proposed from the technical reports which were placed into enforceable conditions and added to the site plan. The Aggregate Resources Program Policies and Procedures manual (MNR, 2006), particularly, ***Licence Applications – Summary Statement Report Standards, section A.R. 2.01.05*** was also referenced in preparation of this report.

The "Cooney Pit" is directly north of a licenced pit and quarry owned and operated by Thomas Cavanagh Construction Limited, Lic. # 15752 and referred to as the *"Hwy 511 Pit*". The pit was previously known as the *"Madden Pit"*). The surficial sand and gravel ridge and bedrock mapping is identified in the Ontario Geological Survey, *Aggregate Resources Inventory Paper ARIP 189 for Lanark County for Lanark County, Southern Ontario 2013.* The existing site was formally operated under a pit licence and locally known as the "James Pit" until 1988 and has been inactive since the time of licence surrender. There are three residences bordering the property to the east and northeast on County Road 511 and Lukers Road.

The *Summary Statement* shall consider the elevation of the maximum predicted ground water table, planning and land use compatibility, effects on agricultural resources, impacts to source water protection, the quality and quantity of resource, impacts from traffic, haulage routes, and entrance/exit locations, suitability of the progressive and final rehabilitation for the site and adjacent lands. This report further includes statements regarding the potential for any surface water and ground water impacts to water table, and direction of surface water runoff.

4.1. Any planning and land use considerations (*section 1.2 of the Summary Statement Standard)*

Provincial Policy Statement (PPS) 2024

The PPS provides the framework for land use planning and development policies in the local Official Plan.

Section 4.5 of the 2024 Provincial Policy Statement discusses how Minerals Aggregate Resources should be protected for long-term use. The following policy statements from the PPS are relevant to this report:

4.5.2 Protection of Long-Term Resource Supply
1. 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.
2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
3. Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.
4. Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.
5. In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

a) resource use would not be feasible; or
b) the proposed land use or development serves a greater long-term pubic interest; and
c) issues of public health, public safety and environmental impact are addressed.

The PPS, subsection 2 above states that extraction shall occur in a manner that minimizes the impacts of operations on social values and the environment.

Section 4.5.3 of the PPS speaks to requirements for progressive and rehabilitate the pit or quarry considering surrounding land uses.

The Aggregate Resources Act supports the PPS by requiring the site to be rehabilitated back to its former use or a use compatible with the surrounding land use. In this particular case, the site will be maintained as a combination of marginal farm land, pasture, and mixed bush, to blend in with the current farm use and surrounding mixed forest environment and ANSI to the west and southwest. The rehabilitation plan supports the restoration of these land uses progressively as extraction areas are depleted restored.

The development of the Cooney pit is a continuation of previous sand and gravel extraction on this Drumlin deposit which is a recognized sand and gravel source. The pit is consistent with the 2020 PPS and the Lanark Highlands Official Plan. County Road 511 is a primary route that is already used for the haulage of specialty aggregates, such as sand and gravel for winter sand, backfill, filter media sand, bedrock for road construction and other manufacturing and specialty products and a calcite quarry operating for the manufacture of pharmaceutical products, fillers and specialty paper products. The quality sand is especially import to supply regional and provincial markets in Perth Carleton Place and as far west as Ottawa.

The technical Reports and site plans for the proposed pit application demonstrate that this application is consistent with the policies of the 2024 PPS.

Lanark Highlands Official Plan

The proposed extraction site has been designated **Rural Communities** in the Lanark Highlands Official Plan map **Schedule A Land Use and Transportation** and **Mineral Aggregate Reserve** on the **Schedule B Development Constraint Map** of the O.P. The applicant is applying for a concurrent O.P. amendment to designate the site for Pit extraction and a zoning by-law amendment is also being requested to move the site from the present **Rural** zone to a **MXP** zone.

The MXP designation permits sand and gravel pits as the primary land use, along with complimentary and related uses such as asphalt plants and concrete plants. Although a portable asphalt and concrete batch plant might be utilized on this site for a specific public authority contract, regular operation of a permanent or portable asphalt or concrete batch plant is not a permitted use for this operation.

Figure 2 Township of Lanark Highlands – Schedule A Land Use and Transportation

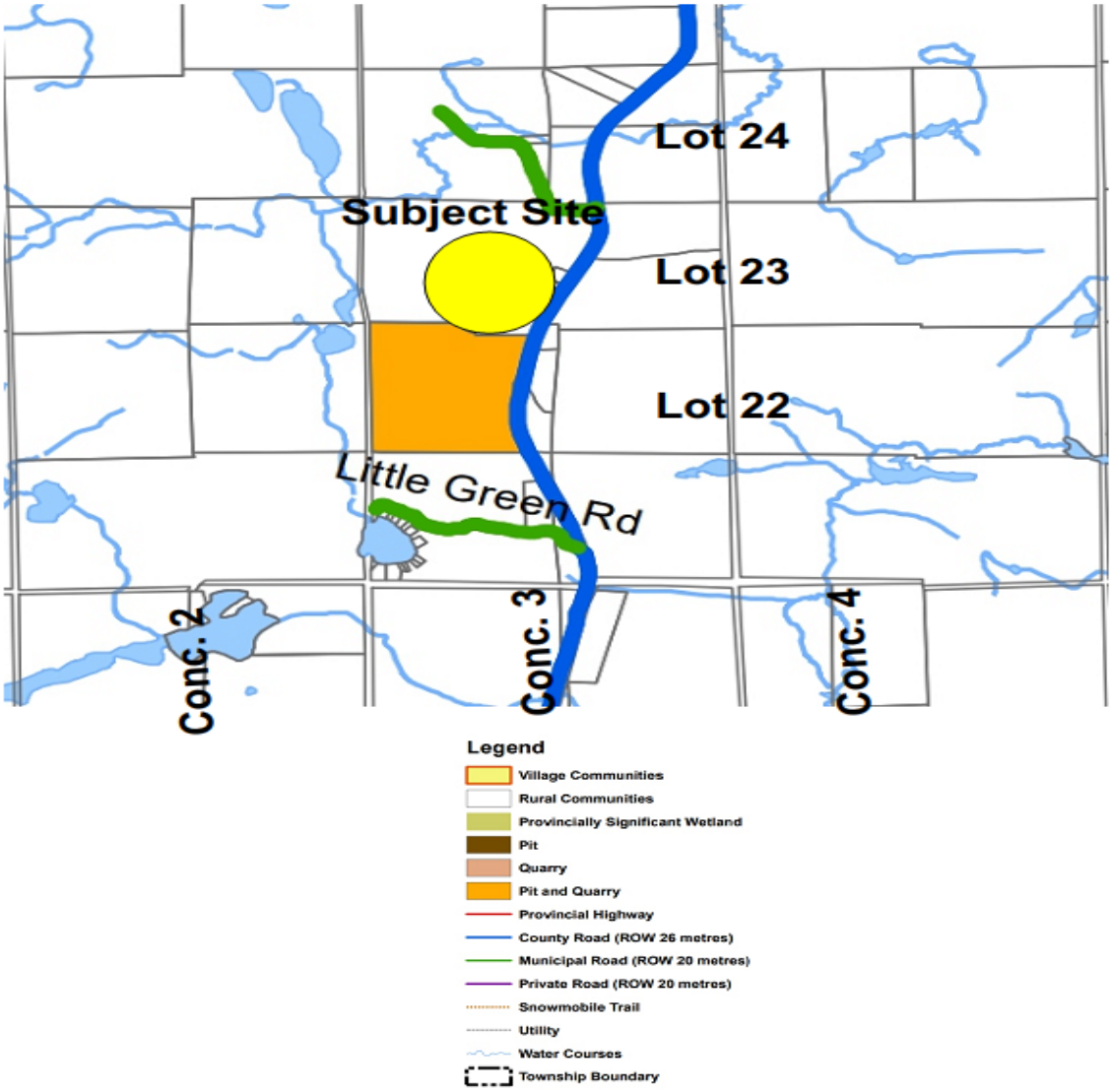
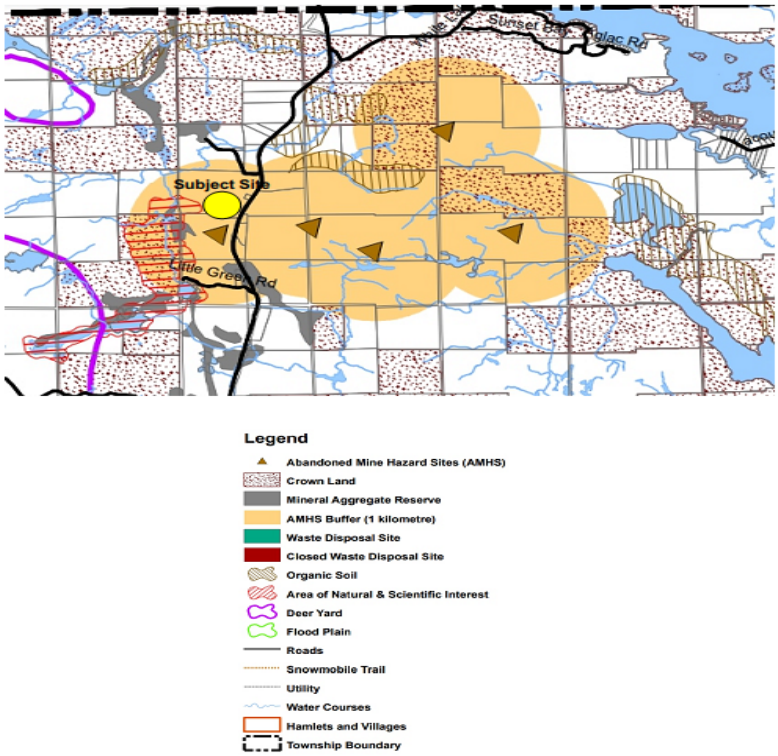


Figure 3 Township of Lanark Highlands - OFFICIAL PLAN SCHEDULE B Development Constraints



Zoning By-law

There are 3 categories of the Mineral Extraction land use or MX zones in the Lanark Highlands Zoning By-law Land use Schedule:

- MXP represents ***"Mineral Aggregate Resources Pit"***;

- MXQ represents "Mineral Aggregate Resource Quarry"; and

- MAR represents "Mineral Aggregate Resource Reserve"

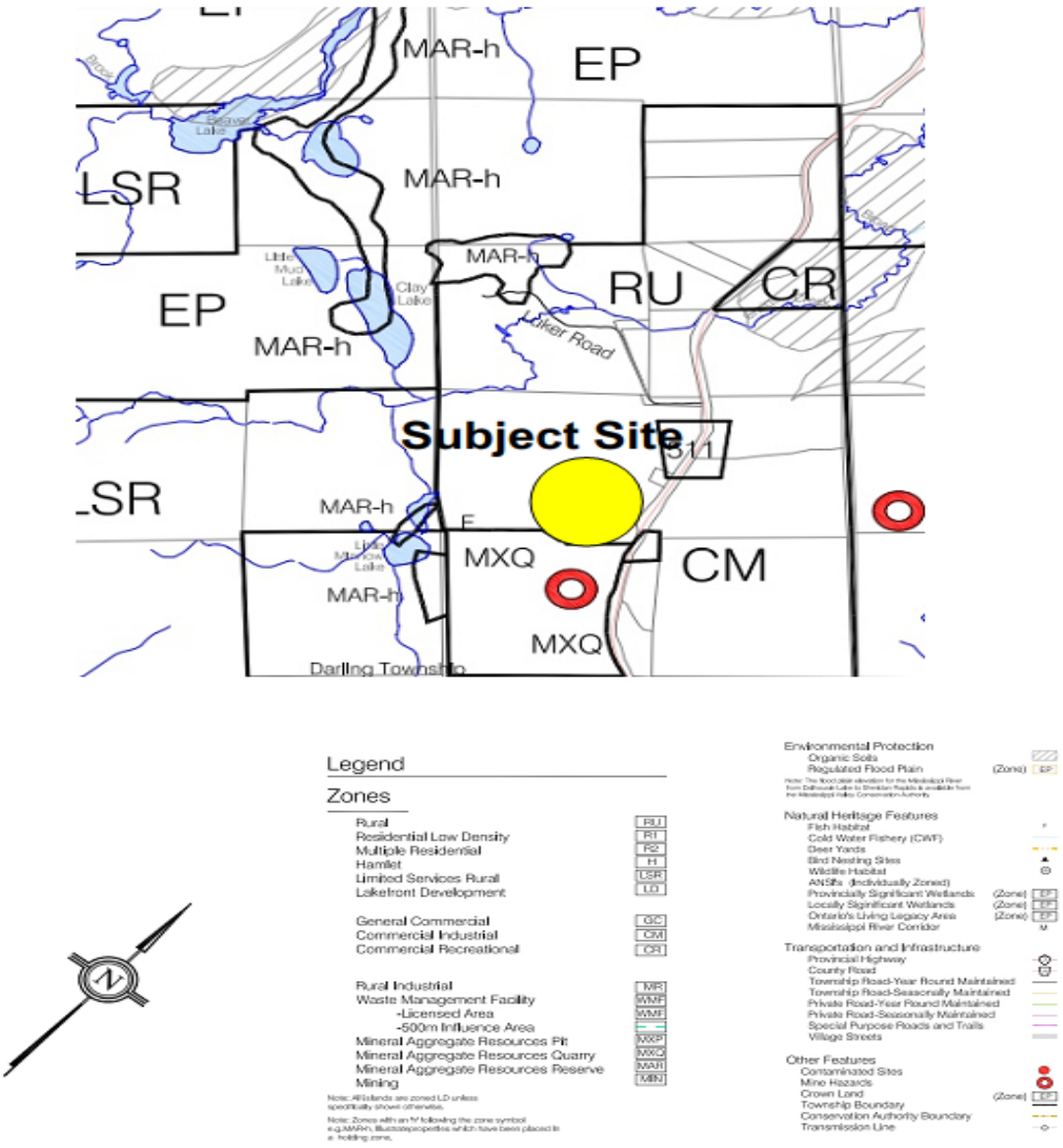
The purpose of the MXP – Mineral Extraction Zone is to:

1) Permit licenced mineral extraction operations in areas mainly designated as Sand and Gravel Resource Area in the Lanark Highlands Official Plan: and
2) Allow a limited range of permitted uses which are related to or compatible with mineral extraction operations, as well as interim uses that would not sterilize the potential of future mineral extraction on the lands within the MX zones.

As noted on Figure 4 below an excerpt from the Township of Lanark Highlands Zoning By-law Map, the neighbouring properties are zoned:

- RU to the north and east
- EP (Environmental Protection) to the southwest
- CM (Commercial Industrial) to the southeast on the opposite side of County Road 511
- MXQ (Mineral Extraction Quarry) to the south

Figure 4 Zoning By-Law for the Township of Lanark Highlands – Darling Schedule 'A3'



The MEP zone limits extraction to pit operations only. A completed application has been made to the Province for a licence to extract aggregate materials from above the water table for a previous pit that was operated up the late 1980's then the licence prematurely surrendered before all available resources were utilized.

The surrounding land use is Rural with the exception of the pit and quarry licence directly south of the subject site. Rehabilitation of the site will concentrate on restoring the land use to it's current condition of pasture land and mixed forest.

4.2 Agriculture classification, *(Section 1.1 of the Summary Statement Standard)* Canada Land Inventory (CLI) for soils

As indicated by **Figure 1,** the subject site is predominantly cleared for agricultural use and contains a rolling topography, and has been used for livestock grazing and other agricultural forage crops. The site was also operated as a sand and gravel pit in the past. The overburden consists of sand and gravel as well as cobbles. This material is suitable for the use as aggregate for construction, industrial and manufacturing purposes.

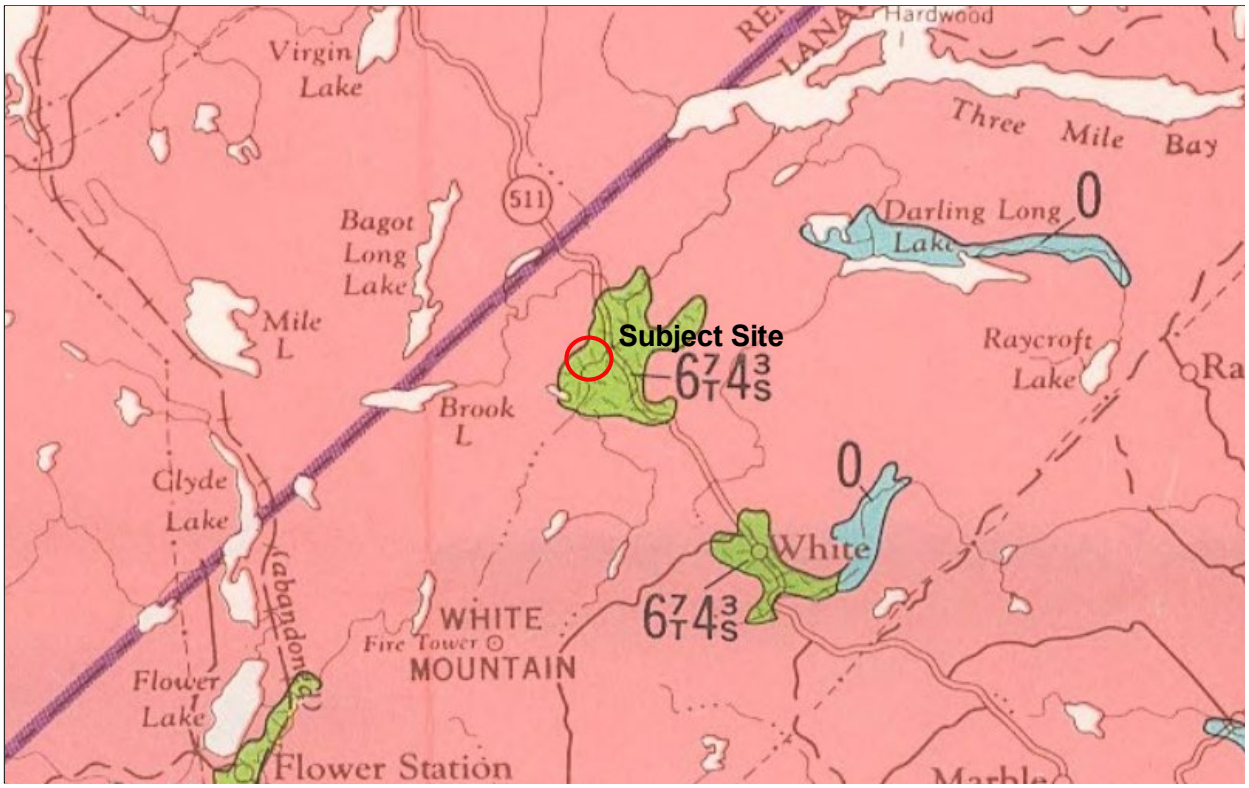
The Canada Land Inventory (CLI) is the primary basis for determining soil classification and capability for agriculture and competing land uses in Ontario. Proponents and approval authorities for pit and quarry applications need to consider CLI information to meet PPS policies 2.3.1 (protection of prime agricultural areas) and 2.5.4.1 (rehabilitation requirements in prime agricultural areas on prime agricultural land). CLI classification is also considered when applying for a license under the Aggregate Resources Act. Section 1.1 of the Summary Statement standard, indicates that the CLI map shall be used to determine classification of soils and rehabilitation techniques if the site is to be returned to agricultural land use. *;*

The Canada Land Inventory (CLI) *(Department of Agriculture, 1966)* for soils lists this site as **Class 6** soils (**See Figure 5**). Class 6 soils are limited to perennial forage crops and and a some ability for sustained livestock pasture. Improvement by mechanical means is impractical to improve crop yields or longer pasture season. The glacial fluvial deposit of sand and gravel is quite defined by the Soils mapping and includes the operating pit and quarry directly south of the subject site. The area beyond the sand and gravel deposit is bordered by Class 7 soils which have no capability for agriculture.

This land is <u>not</u> considered prime agricultural land and is outside the boundary of the four "provincial plans" (Oak Ridges Moraine Conservation Plan; Greenbelt Plan; A Place to Grow: Growth Plan for the Greater Golden Horseshoe; and the Niagara Escarpment Plan). For these reasons, an Agricultural Impact Assessment report was not required for this site.

The final slopes and pit floor will be above the water table and will be returned to pasture land or planted to a mixed deciduous and coniferous forest. These forested areas will provide natural habitat for flora and fauna and will be compatible with the ANSI, wetland area and forest to the west and north of the extraction area.

Figure 5. Canada Land Inventory Map, 1966



CLASS 1 Soils in this class have no significant limitations in use for crops. The soils are deep are well to imperfectly drained, hold moisture well, and in the virgin state were well supplied with plan nutrients. They can be managed and cropped without difficulty. Under good management they are moderately high to high in productivity for a wide range of field crops.

CLASS 2 Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices. The soils are deep and hold moisture well. The limitations are moderate and the soils can be managed and cropped with little difficulty. Under good management they are moderately high to high in productivity for a fairly wide range of crops.

CLASS 3 Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices. The limitations are more severe for Class 2 soils. They affect one or more of the following practices; timing and ease of tillage; planting and harvesting; choice of crops; and methods of conservation. Under good management they are fair to moderately high in productivity for a fair range of crops.

CLASS 4 Soils in this class have severe limitations that restrict the range of crops or require special conservation practices or both. The limitations seriously restrict one or more of the following practices; timing and ease of tillage; planting and harvesting; choice of crops and methods of conservation. The soils are low to fair in productivity for a fair range of crops but may have high productivity for a specially adopted crop.

CLASS 5 Soils in this class have very severe limitations that restrict their capability to producing perennial forage crops, and improvement practices are feasible. The limitations are so severe that the soils are not capable of use for sustained production of annual field crops. The soils are capable of producing native or tame species of perennial forage plants and may be improved by use of farm machinery. The improvement practices may include clearing of bush, cultivation, seeding, fertilizing, or water control.

CLASS 6 Soils in this class are capable only of producing perennial forage crops, and improvement practices are not feasible. The soils provide some sustained grazing for farm animals, but the limitations are so severe that improvement by use of farm machinery is impractical. The terrain may be unsuitable for use of farm machinery, or the soils may not respond to improvement, or the grazing season may be very short.

CLASS 7 Soils in this class have no capability for arable culture or permanent pasture. This class also includes rockland, other non-soils areas, and bodies of water too small to show on the maps.

0 Organic Soils (Not placed in capability classes)

STONINESS CLASSES

Class	Description	% Stones on Surface
S1	Slightly stony	0.01 - 0.1
S2	Moderately stony	0.1 - 3.0
S3	Very stony	3.0 - 15.0
S4	Exceedingly stony	15.0 - 50.0
S5	Excessively stony	>50.0

Stones have a diameter greater than 15 cm.

4.3 The quality and quantity of aggregate on site *(section 1.4. of the Summary Statement Standard)*

The surficial geology on the subject site is coarse textured granular deposits described as sand, gravel, with minor silt and cobbles. Based on test pits, the existing pit excavations face and ARIP 189 mapping (see **Figure 7**), the overburden material ranges from silt to cobbles and is generally well-sorted. Well-sorted sand appears to predominate. The material is predominantly ice-contact stratified deposits with some bedrock drift complexes in the Precambrian terrain (OGS, 2013). As expected there are organic deposits in the low-lying areas to the south that form the ANSI and streambed area.

The Ontario Geological Survey, Aggregate Resource Inventory Paper (ARIP – 189) for the County of Lanark, 2013 indicates a tertiary sand and gravel deposit on the subject lands along 511 in the geographic Township of Darling. In an earlier ARIP done in 1985, this deposit was considered "isolated", but today it is considered to be in reasonable travel distance to Perth, Almonte and the City of Ottawa to supply coarse sand speciality materials as well as granular fill to the local market area. The Cavanagh Construction Hwy 511 Pit and Quarry was licenced originally to Jeff Madden in the 1990's. (see **Figure 6 & 7).** The James Pit, which is the subject of this application was directly adjacent and to the north of the Cavanagh licence.

Figure 6 Pits and Quarries Online

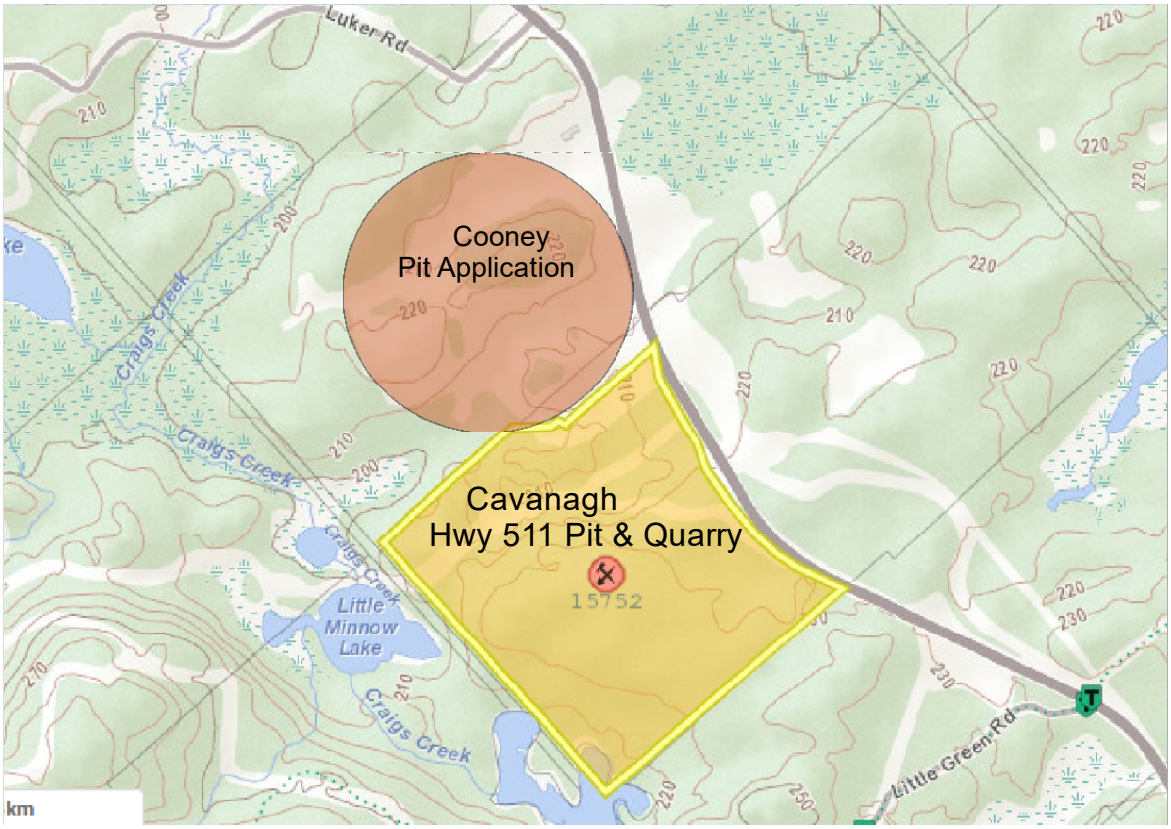
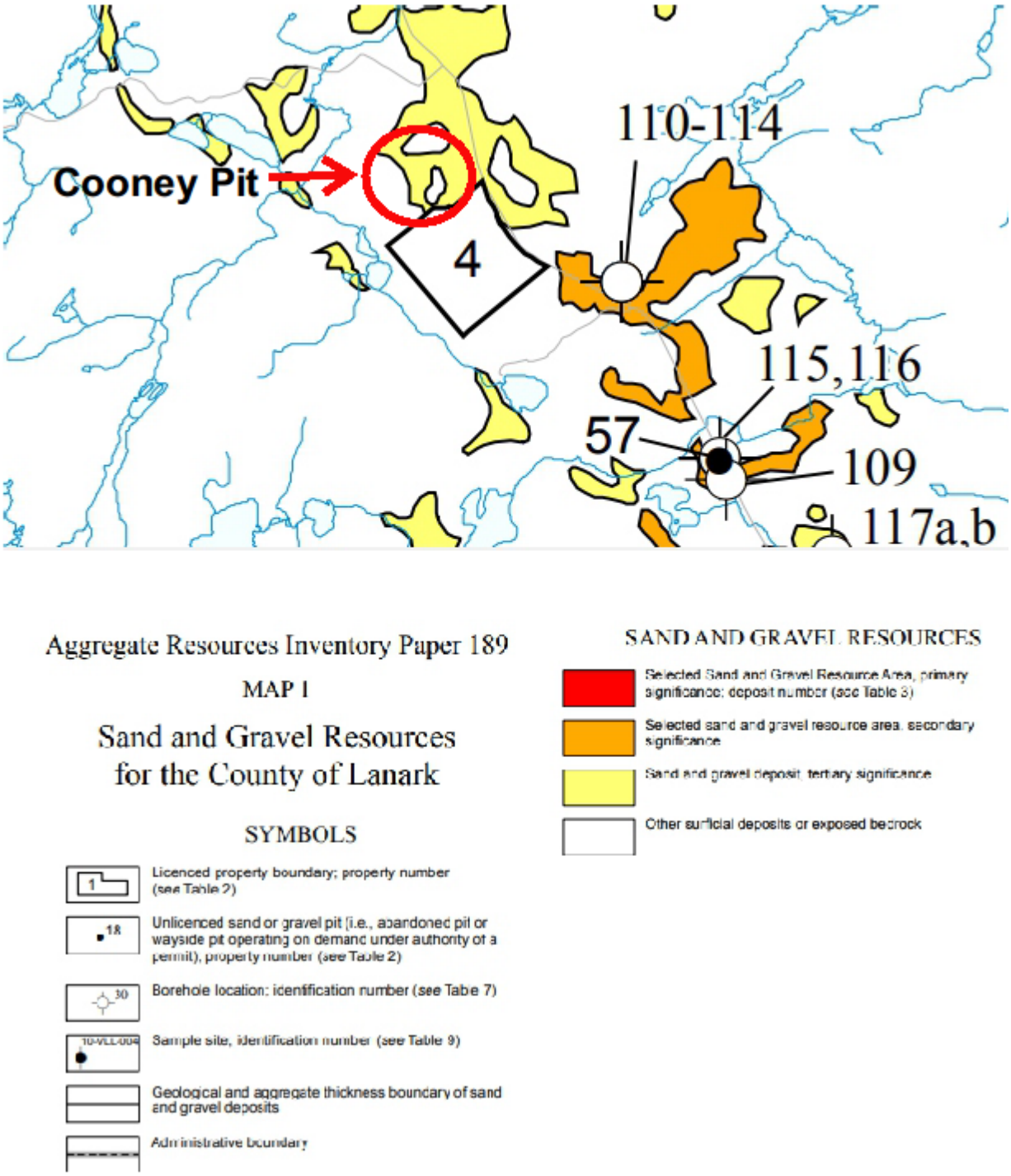


Figure 7 ARIP 189 for the County of Lanark, done in 2013



Cooney Construction and Landscaping Ltd., the applicant, uses aggregates to supply customers in their landscaping and design business, construction of septic beds, winter sanding of roads, and backfill for homes and other structures.

This application allows only the removal of unconsolidated sand and gravel materials which will be limited to contact with the bedrock or the restriction to 1.5 metres above the water table. The proposed depth is indicated on the cross-section diagram. There would be no need for the taking, diverting or discharge of ground water from this site. It is expected that approximately **3** Million tonnes of materials may be removed from the site with a maximum annual extraction from the site of 250,000 tonnes.

The aggregate testing samples from the well drilling logs confirm that the quality of sands meet requirements for filter media and winter sand but could meet asphalt quality if blended.

The bedrock beneath the site consists of tectonites, straight gneisses, porphyroclastic gneisses, unsubdivided gneisses in major deformation zones, mylonites and protomylonites (OGS, 2013). Based on test pits and visual observations, the depth to bedrock varies from 0m (i.e. exposures) to >5m. This pit licence application deals only with removal of unconsolidated sand and gravel above water table and does not permit extraction of consolidated bedrock.

4.4 Haulage routes, truck traffic and entrance permits (Section 1.5. of the Summary Statement Standards)

County Road 511 is a half load road which means that weight restrictions restrict axle weights for trucks carrying bulk loads of materials such as sand and gravel. The Township of Lanark Highlands imposes applicable haul load restrictions every spring during the spring thaw period. The entrance onto 511 is an existing commercial entrance used for a previous pit operation. The entrance is set back off the road to allow trucks to pull completely off the road to open the gates during commencement of operations and closures each day. The major market from this site will be south along 511 to Tatlock road or south to highway 7. The major extent of these materials will be used for growth in the Almonte and Perth settlement areas and rural development in this area of Lanark County. It is not expected that this application will generate a significant increase in truck traffic, but may compete with the adjacent pit and quarry to supply local developments keeping prices for materials competitive. The proposed annual extraction from the site will not exceed 250,000 tonnes annually.

4.5 Suitability of Progressive and Final Rehabilitation having regard for adjacent land use *(Section 1.6. of the Summary Statement Standard)*;

It is anticipated that the good quality material will be removed to an elevation that meets contact with the underlying bedrock or limited to 1.5 metres above the highest established water table. The final floor elevation is limited to 203.00 mASL. Sides of the pit will be sloped to the final pit floor or graded to the surrounding landscape blending into the bedrock contact.

The final rehabilitation will remain as a combination of marginal farm land surrounded by a natural mixed forest ecosystem. The pit floor will be ripped to alleviate compaction and graded, then planted with cover crops initially to restore nutrients then planted to more sustainable pasture crops. Side slopes and areas extracted in proximity to bedrock outcrops and around

the perimeter of the site will be planted with upland tree species indigenous to the area (e.g. hard maple, white pine, red and white oak, white cedar, etc.). Evasive non indigenous species will be removed from the rehabilitated areas on an on-going basis.

The rehabilitation plan will complement the current rural landscape with a combination of restored pasture land, and mixed forest ecosystem to protect the integrity of the adjacent ANSI.

4.6 Source Water Protection area and drinking water threats *(section 1.3 of the Summary Statement Standards)*;

The ground surface slopes from highway 511 toward the north and into the wet area north west of the entrance. Surface water percolates through the sand and gravel to the bedrock contact and flows to the edge of the forest area to the north-west.

There is no Source Water Protection area in proximity to the site. All rural residences contain private services for drinking water and sewage discharge. The monitoring wells will be measured and tested quarterly during the year, and the data will be summarized in a report by a qualified professional and any significant fluctuations noted and mitigated where necessary. There will be no water taking, or sewage works (Wash plant with ponds) or asphalt or concrete batch plants associated with this operation. It is not anticipated that there would be any impact on residential water wells existing in the residents south east of the pit area which contain a minimum of 150 metre setback closet residence.

4.7 Ground Water

A level 1 Hydro Geological Assessment was completed by McIntosh Perry Engineering.

There were no wells on the subject property prior to installation of the three monitoring wells shown on the site plan. There are only 5 existing or proposed water wells within 500 metres of the proposed extraction area. All wells are drilled into the underlying bedrock.

The highest elevation of seasonal unconfined water table has been established at 201 m ASL. The final depth of extraction will be to contact with bedrock or to elevation 203.00 mASL which is 1.5 metres above the wt.

Hydrogeologically sensitive features such as wetlands, or areas that limit or promote infiltration, are located in the vicinity of the site. The ANSI area is a sensitive feature as its hydrologic function is controlled to some extent by groundwater discharge, whose source is partly infiltration of precipitation on the subject property, including the proposed extraction area. As indicated in the Hydrogeological assessment prepared by McIntosh Perry, the sand and gravel deposit is probably a recharge zone for natural features, adjacent creek and possibly the bedrock water wells. The ANSI is a discharge area. The removal of sand and gravel above water table will have little or no impact on the function of the ANSI, nor will it have any effect on the adjacent creek and wetland that are more than 120 metres from the subject site.

This application does not consider the need for a wash plant, asphalt plant or concrete batching plant and therefore no requirement for an application for a Permit to Take Water, Environmental Compliance Approval or other required regulatory approvals for the handling of surface or

ground water. There is no need to divert, pump or discharge water from the site during this operation.

The surface water percolates vertically through the coarse sand and gravels to the bedrock contact. The confined water table where private wells obtain their drinking water, will not be intersected by the extraction of unconsolidated materials from the proposed pit operation. The final depth of extraction is limited to contact with the bedrock or elevation 203.00 mASL. The direction of surface and ground water flow will be maintained during the extraction and rehabilitation the site.

5.0 SUMMARY OF TECHNICAL REPORTS

The technical reports and information standards for a Class A licence application are contained in *Part 2 of the Aggregate Resources of Ontario*, pursuant to *Ontario Regulation 244/97*. For the "Cooney Pit" application, the following Technical Reports were prepared:

- Level 1 Hydrogeological Assessment to determine water table elevation, "Cooney Pit", February 2014 and an Addendum to the report in October 2022, both documents were prepared by McIntosh/Perry (author, Mark Priddle);
- Natural Environment Report, "Cooney Pit", was prepared by BCH Environmental Consulting Inc., August 28, 2024.
  Note: A previous Preliminary NER was prepared by Pinegrove Biotechnical, author Hans von Rosen (Level 1 completed Feb. 2013, and an appendem completed, November 14, 2020). It was agreed that these reports may not meet the new ARA Provincial Standards introduced in 2022 and the peer review process, so the BCH study now replaces the original EIS done by Pinegrove Biotechnical.
- Cultural Heritage Resource, Archeological Assessment Stage 1, and 2 Reports for Cooney pit were prepared by Past Recovery Archeological Services Inc., Stage 1 dated August 31, 2021, Stage 2 dated December 31, 2021. (Stephanie Cleland, M.A. licence P1201);
- Acoustical Assessment Report, was not required at this time but would be required prior to extraction commencing in phase 3 within 150 metres of the adjacent receptor. The Noise study will establish appropriate setbacks and mitigation measures adjacent the residence to the northeast. No impacts are anticipated until phase 3 as the excavation will be below grade behind the existing working face. All excavation and processing equipment will operate in accordance with the NPC-300 noise guidelines and comply with required environmental compliance approvals.

5.1 Hydrogeological Level 1 Assessment

A hydrogeological assessment, completed in February 2014, was conducted for the subject site on this rural property located in the Township of Lanark Highlands. This study has been prepared in support of a proposed development of an aggregate pit on the subject property (see Links to the Hydro G report in Appendix C to this report). The proposal is for a pit above water table.

The preliminary hydrogeological review found that there was potential for impacts to the ANSI feature. Consequently, a further field investigation was completed and a detailed analysis of the potential impacts was undertaken. There was an addendum to the level 1 report prepared by the same author from McIntosh/Perry Engineering in October 2022. The addendum supported the original level 1 assessment confirming that the final depth of extraction for the highest ground water table based on one full year's monitoring of the 3 drilled on-site monitoring wells. The additional work further considered mitigation measures for on-site equipment fueling. Please review the following recommendations in their entirety including modifications to the Level 1 Report and the added recommendations based on the Addendum to the original report:

Monitoring conditions and recommendations from the **February 2014** Hydro-G Assessment:

Note: The following wording from the report has been modified to become more prescriptive as enforceable conditions on the site plan.

This assessment shows that a pit can be developed under the following conditions:

- A 120-metre separation between extraction area and water bodies is maintained
- Vegetation in this 120-metre buffer is not removed;
- Pit remains above water (floor of pit is more than 1.5 metres above established groundwater table);
- ***Prohibition on equipment fueling and the use of road salt within the extraction area This condition was modified during the Oct. 26, 2022 addendum (see below)***;
- A spill kit is on-site any time operations are underway;
- An environmental emergency response plan is developed for the site;
- There is no consumptive water taking or transfer without a Permit to Take Water ;
- Three monitoring wells are to be installed in the setback areas where they will not be disturbed by extraction activities (refer to ARA site plan for locations),
- There is no extraction within 60 metres of any domestic water supply wells
- Regular water level and temperature monitoring shall be conducted at the three overburden monitoring wells on a quarterly basis (four times per year) during the course of active operations. Activity is defined as extraction of more than 2,000 tonnes of aggregate per year.
- The water level and temperature shall also be measured in the Creek, downstream of the pit, on a quarterly basis during active operations as well. A flow gauge may be installed to simplify the monitoring at the creek.
- The monitoring data will be reviewed annually by a qualified professional (P.Geo. or P.Eng.) to assess possible impacts to groundwater/surface water regime during active operations and a report prepared and kept on file for the life of the operation.
- Wells within the extraction area shall be abandoned as per O.Reg. 903 when extraction at the water table occurs within 15 metres or they otherwise interfere with aggregate extraction.

Conditions and Recommendations from the **October 26, 2022** Addendum to the Hydro-G Assessment:

RECOMMENDATIONS

Based on the available water level data, operations are to be restricted to a final floor elevation of **203.00 mASL**, as this is an “above water” pit. Ongoing water level monitoring at the three monitoring wells should be conducted to evaluate levels and ensure that a 1.5 m separation between the pit floor and the water table is maintained. Operations may have to be adjusted if the water table is found to be higher.

NOTE: All other recommendation in the 2014 report are to be adhered to, with the exception of the following change with respect to fuelling and fuel storage. The following is to be changed from:

· Prohibition on equipment fuelling and the use of road salt within the extraction area

To:

· Prohibition on the use of road salt within the extraction area

· Fuel storage is only permitted in double-walled vacuum-monitored tanks protected by concrete barriers near the southeast corner of the site, just inside the extraction area (this location is farthest from any noted creek and wetlands, the greatest distance from any neighbouring wells, this site is also the closest to power and staging areas).

5.2 Natural Environment Level 1: list of key species and habitat verified

Under the Provincial Aggregate Resources Act, Cooney Construction and Landscaping Ltd. is applying for a pit licence on previously operated site located on Part West ½ Lots 22 and 23 Conc. 3, Geographic Township Darling, Municipality of Lanark Highlands, County of Lanark. The **application for a Class "A" pit licence to excavate move than 20,000 tonnes annually** pursuant to the Provincial Standards, Parts 1, 2 and 4 adopted by ***Ontario Regulation 244/97 under the Aggregate Resources Act***. This class of application requires consideration and identification of any Significant Natural Heritage Features on or within 120 metres of the site being considered, and if present, a further assessment (Level 2 Report) to consider potential impacts and mitigation measures to minimise impacts to these features including species and their habitat. The land is currently zoned Rural Communities with an application for the zoning by-law amendment to change the site to MXP.

A Natural Environment level 1 report was previously prepared by Pinegrove Biotechnical, author Hans von Rosen February 14, 2013 and amended on November 14, 2020 has been replaced by an updated field assessment and report prepared by BCH Environmental Inc. dated September 2023. The BCH, Natural Environment Report and Environmental Impact Statement was based on protocols and a screening list for threatened and endangered species under the Endangered Species Act, for review by staff biologists at the Ministry Environment, Conservation and Parks. The report further considers any Significant Natural Heritage Features on or within 120 metres of the site protected under the Planning Act supported by policies and guidelines directed by the Ministry of Natural Resources and Forestry. The list of these features include the following:

- *significant wetlands (including significant coastal wetlands);*
- significant habitat of endangered and threatened species;
- significant Areas of Natural and Scientific Interest (ANSIs);
- *significant woodlands (south and east of the Canadian Shield)*
- *significant valleylands (south and east of the Canadian Shield)*
- significant wildlife habitat; and
- fish habitat.

This NER follows the guidelines provided in the ***Aggregate Resources Program Policy and Procedures manual*** and ***Part 2: Aggregate Resources of Ontario: Technical reports and information standards, August 2020***, section 2.2 Natural Environment Report. Section 2.2 investigates whether or not significant natural heritage features are on or within 120 meters of a proposed project boundary and describes the methodology, data, mitigation and contingency measures that will be implemented should unforeseen impacts occur. The Level 1 Natural Environment Report also addresses the Natural Heritage assessment requirements (e.g, Environmental Impact Statement - EIS) of the Provincial Policy Statement (PPS) and conformity with the Township of Lanark Highlands Official Plan (OP).

Within 120 m of the licence boundary there is an Area of Natural and Scientific Interest (ANSI). The feature is identified as the **"Darling Township Forest"**, and is considered a significant Life Science ANSI. The ANSI boundary is 17 metres from the pit extraction limit which is a sufficient setback of undisturbed lands, to protect the integrity of the ANSI.

Craigs Creek to the north of the proposed pit boundary, would be considered fish habitat but is more than 120 metres from the licence boundary.

A list of recommendations, with slightly modified wording, were added to the comprehensive set of site plans, to make these conditions enforceable. Please refer to the ***'Additional Notes" page of the site plan (Figure 5).*** These recommendations and conditions have also been listed below:

Summary of Mitigation Recommendations:

Natural Environment Report Recommendations and Conclusions

The studies recommendations are intended to mitigate potential negative impacts due to the proposed sand pit; this should be implemented through a development agreement between the owners and the municipality in order to control development of the site. The proponent wishes to utilize an existing logging road within the southern portion of the subject lands as an extraction/access road. This existing access road is outside of all identified natural heritage features (ANSI and wetlands) and no work/improvements are required to the road, there are no impacts associated with the utilization of this access road.

The following recommendations have been slightly revised to reflect enforceable site plan conditions ("Notes and Recommendations" pg.):

8.1. Mitigation for the Species at Risk and Migratory Birds Convention Act

1- To protect breeding birds, no tree or shrub removal shall occur between April 1st and August 15th, unless a breeding bird survey is completed by a qualified biologist within five days of the woody vegetation removal and identifies no nesting activity.
2- Phase 2 and 3 lands will remain unused for the time being and if disturbances to this bank swallow foraging habitat is sought, these activities must be registered with MECP and compensated for (bank swallow not observed in phase 1 lands).
3- To prevent impacts to bats, no clearing of trees greater than 10cm on-site shall take place between March 15 and November 30 (inclusive) without a qualified biologist first confirming the absence of bats (i.e., open work timing window from December 1 to March 14). If tree clearing is conducted between December 1 and March 15, no interactions with bats are anticipated, and therefore, significant negative impacts to SAR bats would be avoided.
4- Regarding turtles, clearing of vegetation shall only be undertaken between October 15th and April 15th, which is outside of the more active season for turtles. Additionally, exclusion fencing will be installed around the perimeter of the of the Category 3 habitat (bordering Phase 1) to prevent turtles from entering work areas. Proper installation of exclusion fencing is available in appendix C. Daily searches within the work area for turtles during the active season shall be conducted, if turtles are located the project biologist and MECP should be contacted to discuss how to proceed.
5- All disturbances shall be directed outside of Category 2 Blandings Turtle habitat.
6- Multiple black ash were found present within the adjacent lands, these are heavily associated with the coniferous swamp. A black ash boundary line was developed (Figure 3). In accordance with O.Reg 6/24, a 30m setback was established and the proposed disturbances are outside of said setback. If encroachment (within 30m) or removal of these trees is required, then MECP authorization must be sought. The first step would be to submit a report prepared in accordance

with O.Reg 6/24 to the Ministry. Compensation for the removal of healthy trees will be required at a ratio of 2:1. Compensation can be done through third party plantings; quotes can be attained once the number of specimens to be harmed/removed is determined. At this time no development is to occur within 30m of a black ash that meets the requirements for protection.
No further action is required.
7- A total of 51 Butternut trees were found during the survey (Table 2). Of the 51, 24 were Category 1, 20 were Category 2, and 7 were Category 3. As only phase 1 is currently being proposed for extraction at this point, extraction activities in phase 2 and 3 will not be occurring anytime soon. The proponent has agreed to move all potential works within phase 1 outside of the 50m butternut setback. If encroachment into the 50m setback is required, a BHE report will need to be completed and submitted to MECP. Once submitted and the 30-day waiting period has elapsed the trees can be registered. Compensation will be required if Category 2 or 3 trees are harmed (work within 50m) or killed. Category 1 trees can be removed after the 30-day waiting period without compensation. Compensation can be completed through either the conservation fund through third party compensation plantings, quotes can be attained once the number of specimens to be harmed/removed is determined. At this time all works will be directed 50m away from all butternut tree, no further action is required.
8- Staff shall be made aware of the characteristics of species at risk and in the event that any Species at Risk (SAR) are encountered during site clearing, work in the area shall be stopped immediately. Measures will be undertaken to ensure the animal is not harmed and the project biologist and the Ministry of the Environment, Conservation and Parks contacted to discuss how to proceed.

8.2. Wetlands

1- The hydrology and quality of the wetlands should not be impacted and maintained.
2- All lands within 30m of the wetland associated with the ANSI and Craigs Creek shall remain in a natural state.
3- A small wetland (approximately 1ha in size), is present within the adjacent lands and extraction areas. This wetland is outside of the ANSI and has no inlet or outlet. As mentioned in section 3.1.6 this wetland does not represent fish habitat or turtle habitat. It may represent amphibian habitat. This wetland lacks the features and size to be considered provincially significant (evaluation is unnecessary). It is recommended that the extraction area be moved outside of this feature and a 10m setback from this feature be implemented. A soil berm should be put in place within this 10m setback along the extraction area and allowed to naturalize. This berm will serve to protect the integrity of the amphibian habitat, preserve water quality and to ensure no negative impacts to this feature due to excavation.

8.3. Significant Wildlife Habitat

1- Before excavation in phase 2 and 3 commences Habitats of Species of Conservation Concern - Special Concern and Rare Wildlife Species (bank swallow) is required to be addressed.

8.4. Mitigation for Tree Protection

1- Any tree in the vicinity of works but not slated for removal will have its critical roots zone protected by sturdy temporary fencing at least 1.3 metres in height installed from the tree trunk to a distance of 10 times the trees diameter where possible.
2- No grading, heavy machinery traffic, stockpiling of material, machinery maintenance and refueling, or other activities that may cause soil compaction are to occur within three metres of the critical root zone of the trees to be protected.
3- The root system, trunk, and branches of the trees to be protected are to be protected and not damaged. If any roots of trees to be retained are exposed during site alterations, the roots shall

be immediately reburied with soil or covered with filter cloth, burlap or woodchips and kept moist until the roots can be buried permanently. A covering of plastic should be used to retain moisture during an extended period when watering may not be possible. Any roots that must be cut are to be cut cleanly to facilitate healing and as far from the tree as possible. Overhanging branches from protected trees that may be damaged during construction are to be pruned by a qualified arborist prior to construction.
4- Exhaust fumes from all equipment during construction will not be directed towards the canopy of the adjacent protected trees.

8.5. Additional Mitigation Measures

1- The extent of any vegetation removal is to be minimized where possible.
2- All rules governing septic systems and wells shall be followed and be kept in good operational order.
3- There shall be no use of herbicides in clearing of vegetation.
4- Municipal by-laws and provincial regulations for noise shall be followed.
5- To discourage wildlife from entering the work areas during construction, the site will be kept clear of food wastes and other garbage. Proper drainage should be provided to avoid accumulation of standing water, which could attract amphibians, birds, and other wildlife to the work areas.

5.3 Cultural Heritage Resource Report –

Stage 1

Past Recovery Archaeological Services Inc. was retained by Cooney Construction & Landscape Ltd. to undertake Stage 1 and Stage 2 archaeological assessments as part of an application under the *Aggregate Resources Act* for a proposed pit located on parts of Lots 22 and 23, Concession 3 in the geographic Township of Darling, now in the Township of Lanark Highlands, Lanark County (see Maps 1 to 3). The study area for this assessment was defined on the basis of project mapping supplied by the project proponent and consisted of approximately 17.8 ha (43.9 acres) of land (see Map 3).
The purpose of the Stage 1 investigation was to evaluate the archaeological potential of the study area and present recommendations for the mitigation of any significant known or potential archaeological resources. To this end, historical, environmental and archaeological research was conducted in order to make a determination of archaeological potential. The Stage 1 assessment completed August 31, 2021 resulted in the identification of areas of archaeological potential, though with factors limiting the potential across much of the study area (see Map 7). A Stage 2 Archeological Assessment was recommended to be performed by a licenced archeologist.

Stage 2

The purpose of the Stage 2 investigation was to determine whether or not there were archaeological resources on the subject property, and if so to recommend an appropriate Stage 3 assessment strategy.
The Past Recovery Stage 2 Archeological Assessment for “Cooney Pit” dated December 31, 2022 forms the basis for the following recommendation:

1) As the Stage 2 property survey did not result in the identification of any archaeological resources requiring further assessment or mitigation of impacts, no further archaeological assessment of the study area as defined on Map 2 is required.

2) If any additional areas are to be impacted (i.e. soil disturbances or other alterations) beyond the limits of the study area as presently defined, further archaeological assessment may be required. It should be noted that impacts include all aspects of the proposed development, including temporary property needs (i.e. access roads, staging/lay down areas, associated works, etc.). Any additional archaeological assessment should be undertaken by a licensed consultant archaeologist, in compliance with *Standards and Guidelines for Consultant Archaeologists* (MTCS 2011).

3) Since the potential always exists to miss important information in archaeological surveys, if any artifacts of Indigenous interest or human remains are encountered during the development of the subject property, please contact: Algonquins of Ontario Consultation Office, 31 Riverside Drive, Suite 101, Pembroke, ON, K8A 8R6; Tel: 613-735-3759; Fax: 613-735-6307; E-mail: algonquins@tanakiwin.com.

5.4 Acoustical (Noise) Report

A noise report will be prepared prior to extraction in Phase 3 occurring within 150 metres of the sensitive receptor to the north east.

6.0 CONCLUSIONS

The sands and gravel material are considered to be a tertiary aggregate in the OGS, Aggregate Assessment for Lanark County, (ARIP 189) and will be used for construction projects in the vicinity of the subject property. The lands will be returned to an agricultural use with modified natural state at the extremities of the licence area to the north and west. The extraction of aggregate material is consistent with the Provincial Policy Statement (2020) and complies with the local Official Plan for the Township of Lanark Highlands. The subject property is presently in a Rural Community zone and a zoning by-law amendment is required.

We would therefore conclude that there are no significant provincial constraints on or immediately adjacent to the site (within 120metres). The site was previously operated as a pit and continuation of this land use would be considered wise management of a natural resource. Adjacent cumulative impacts of this operation are minimal.

7.0 REPORT SUBMITED TO MNRF

This comprehensive Summary Report, including Summary Statement, was prepared for submission to the Ministry of Natural Resources and Forestry in support of an application for a pit licence under the Aggregate Resources Act to operate a pit above the water table. Respectfully submitted.

Gary McLaren
President
Phone: 613-272-6795
Mobile: 613-893-6227

8.0 QUALIFICATIONS OF AUTHOR

GARY D. MCLAREN

EDUCATION

Secondary School Graduation Diploma, 1977
Napanee District Secondary School

OTHER SPECIAL QUALIFICATIONS

Ontario Police College Law Enforcement Certificate Course – Aylmer (MNR-Level 1)
Pits and Quarries Inspection Certificate (Ministry of the Environment)
Pits and Quarries Enforcement (Ministry of Natural Resources)
Aggregates/Petroleum Resources Enforcement and Compliance (MNR)
Lands and Waters Certificate
Restricted Radio Operator's Certificate
Transportation of Dangerous Goods Basic Emergency Management Training Course
Temperate Wetlands Restoration Training Course
Small Non-Pleasure Vessel Basic Safety
CCG Pleasure Craft Operators Certificate
Occupational Health and Safety Certification Course (Level one, basic and level two, site specific)

EMPLOYMENT HISTORY

President of Milestone Aggregate Consulting Services Inc. (2015 to present)

Over the past 8 years my company has provided the following services to the aggregate industry in Eastern and South-Central Ontario:

- Provided compliance monitoring and reporting (completion and submission of annual Compliance Reports for licensees under ARA), and prepared comprehensive compliance strategies for licensees based on site audits;
- Project Management services for complex pit licence applications under the Aggregate Resources Act (ARA);
- Facilitated licence and site plan amendment approvals under the ARA, the Planning Act, the Environmental Registry, and the Water Resources Act, and various other related legislation, policies and guidelines intended to develop mining and sand and gravel operations and protect significant features of a provincial interest;
- Provide credible planning advice to support the protection of Aggregate Resource areas pursuant to the Provincial Policy Statement (PPS). Preparation of 25 Mineral Resource Impact Assessment Reports to support planning applications (severances, minor variances, building permits) near active pit and quarry operations and designated aggregate resource areas across eastern Ontario (City of Ottawa, Counties of Lanark, Renfrew and Leeds and Greville);
- Act as an approvals liaison representative for the industry when seeking licence, permit, approvals and amendments from local and upper tier municipalities, provincial government agencies, non-government organizations, stakeholders and the general public;

- Contracted to represent MNRF Aggregate Program Inspectors with a job specification special case presentation to Provincial Government and union task teams;
- Contracted to develop and facilitate an MNRF Issues Management scoping list for Ontario Stone, Sand and Gravel Association (OSSGA);
- Commented on Government initiatives (Blue Print for Change – Aggregate Resources and Mining Modernization Act);
- Member of working Group for OSSGA East Region Committee reviewing several draft documents for submission to provincial initiatives (e.g. Prov. Gov. Red tape Review, MNRF Scoping Issues Report, preparation for Meeting with MNRF regarding proposed regulations under the Aggregate Resources Act;

Senior Program Adviser, Aggregates (MNR) – **September 2014 to December 2014**

- Lead an Operations Division working group to scope potential delivery mechanisms resulting from the 2013 Aggregate Resources Act Review;
- Develop a performance matrix for provincial aggregate inspectors; and
- Develop and deliver training for a risk-based compliance program for supervisors and inspectors.

Aggregate Resources Coordinator (MNR) – January 2008 to September 2013

- Provide advice and leadership for all matters related to the Ministry's Aggregate Resources program to operations division;
- Provide leadership and direction to regional directors and assistant deputy minister in the resolution of highly complex issues;
- Collaborate with others in the preparation of Ministry (and Inter-Ministry) policy initiatives related to aggregate resources and the Aggregate Resources Act and regulations;
- Provide expert advice and assistance on all matters related to the Aggregate Resources program;
- Act as expert witness at provincial tribunals (Ontario Municipal Board hearings and Mining Lands Commissioner);
- Contribute to and deliver training packages to Ministry staff as required;
- Lead and participates on planning policy teams identifying and developing provincial policy initiatives and issues relating to Aggregate Resources;
- Consult and liaise on a regular basis with other ministries, industry, non-government organizations and stakeholders;
- Promote cooperative partnerships and develop and implement strategies to achieve aggregate resources program goals and objectives; and
- Develop an approvals template for Inspectors following the 2011 change in Delegation of Authority under the Aggregate Resources Act.

Mineral Resource Administrator and Pits and Quarries Inspector (MNR) – April 1977 to December 2008.min

- Implement, administer and enforce the Aggregate Resources Act, regulations and related Ministry policies and guidelines;
- Provide advice on Aggregate Resource deposit areas, license properties and other planning matters to Ministry front line field staff responsible for plan input and review;
- Coordinate the implementation of abandoned pit and quarry rehabilitation projects for the area office;
- Monitor and inspect on a regular basis aggregate extraction sites under licence or permit to assess compliance with the Aggregate Resources Act, regulations, provincial operational standards, and conditions of the license and the site plan;
- Investigate complaints and provide direction on remedial action and recommend enforcement action where warranted;
- Coordinate pit and quarry license and permit applications as well as site plan amendment approvals in accordance with the Aggregate Resources Act policy and procedures manual; and
- Consider other related federal, provincial and municipal legislation as part of compliance monitoring and approval processes using current inspection techniques. (e.g. Environmental Protection Act, Water Resources Act, Environmental Bill of Rights, Occupational Health and Safety regulations for Mining and Mining Plants, Planning Act, Municipal Act, etc.).

AFFILIATIONS, ACCREDITATIONS AND ACCOMPLISHMENTS:

- Associate Member of the Ontario Stone, Sand and Gravel Association (OSSGA) Active since 2017
- Member of the OSSGA Eastern Region Committee and working Group;
- Received Approval from MNRF to prepare site plans under the Aggregate Resources Act (Mar. 2017);
- Member of Aggregate Resources Program Policy and Procedures Manual 2006;
- Member of Aggregate Resources Program Policy, Procedures Manual Apr. 1986;
- Co-chair of Non-Renewable Resources task team for the 2010 Provincial Policy Statement review;
- Co-chair of the Southern Region Aggregate Inspector Task Team and the Lands, Aggregates and Waters NE Regional Forum and lead Inspector task teams with development of annual work plans, performance measures and annual reports;
- MNR Member of the City of Ottawa Steering Committee, for the 1993-95 Aggregate Resource Mapping and O.P. Policy Review;
- Lead the Planning exercise for the development and approval of the Mississippi River Water Management Plan;
- Prepared and monitored Southern and Northeast region Aggregate Program work plans, performance measures and annual reports;
- As a member of one of MNR's Southern Region Operational Forums (Safety and Health forum) MNR's southern region was presented with the Canada Award for Excellence for achievements in quality, customer service and a healthy workplace;
- Member of inter-ministerial committee (federal provincial and local government) responsible for the development of the Cornwall Sediment Strategy to protect the Cornwall water front;
- Member of the Health and Safety committee for the Nepean Relay for Life (Cancer Fundraiser);
- Chair of Joint health and Safety Committee Kemptville MNR office and member of JHSC MNR Peterborough Robinson Place;
- Acting District Planner, member for Inter-ministerial committee reviewing comprehensive municipal official plans;
- Peer reviewer, MNR member for eastern Ontario Source Water Protection Plans; and
- Tracking and tagging moose calves in Algonquin Park

PUBLICATIONS AND PRESENTATIONS

- Working Group member for the Risk Based Compliance Handbook for Aggregate Inspectors;
- Co-authored the Aggregate Resources Program Administration Manual 2005 and the previous ARA Administration Manual 1986;
- Co-authored the Kemptville District Health and Safety Plan;
- Strategic Operations Report for Aggregate Resources Kemptville District – 1998;
- Co-authored with Stacy Robertson, Background Report for Mineral Extraction Policy Areas in Drummond Township – 1991;
- Co-authored with Amarjit Sandhu and Stacey Robertson, Aggregate Resources Annual Review, 1988 and 1990, MNR Carleton Place District;
- Guest lecturer for the Ministry of Natural Resources, Land and Waters Certificate Course on the Aggregate Resources Act, 1989;
- Guest lecturer on the Aggregate Resources Act, 1989 for the Ministry of Transportation's Municipal Update Course;
- Co-authored with S.M. Thatcher and M. McMaster, Hazard Mine Inventory, Tweed and Napanee Districts, 1986; and
- Co-authored with S.M. Thatcher and M. McMaster, Abandoned Pits and Quarries Inventory Reports for Tweed District (Middle Hastings County) 1983 and Abandoned Pits and Quarries Inventory Report for Napanee District (Prince Edward County) 1985;

PRIOR ONTARIO MUNICIPAL BOARD EXPERIENCE

I have been qualified by the Board to provide opinion evidence for matters under the Aggregate Resources Act and the Provincial Policy Statement including the following examples:

- 2023 prepared witness statement for OLT hearing for zoning referral to Crain Construction Pit Application under the Planning Act;
- 1996 – Hostile licence transfer under the ARA (Secaspina, Polowin, Wilson), West Carleton Twp.;
- 1995 - Environmental, Social and Economic impacts relating to a Quarry Licence application
- referral under ARA in Montague Township, Lanark County;
- 1992 - Dust, noise, ground vibration and air overpressure impacts, truck traffic and other environmental, social, economic impacts in an MNR appeal to a severance application under the Planning Act Goulbourn Township (Leubert);
- 1991 - Environmental, social, and economic criteria for identifying and protecting bedrock reserve areas in a municipal official plan, Aggregate Producers Association of Ontario and Dechan Construction appeal to Beckwith Township Official Plan;
- 1990 - Dust, noise, truck traffic, ground vibration and air overpressure impacts of an operating quarry on lands adjacent to proposed residential development – MNR appeal of severance application under P.A. in Pakenham Township, Lanark county (Kennedy);
- 1989 - Acting as Agent for the appellant in a land consent appeal (severance application). Prepared all background evidence, e.g. photographs, aerial photos, O.M.B. maps, pertinent O.P. policies, Provincial legislation, zoning by-laws, influence areas, etc.; and
- 1982 - Haul route impacts on nearby residents during referral of a pit licence application under the Pits and Quarries Control Act (PQCA) in Hungerford Township, Hastings county.

9.0 REFERENCES

Township of Lanark Highlands Official Plan and Land use Schedules, Dec. 2012

Township of Lanark Highlands –Zoning By-Bylaw for Darling Township By-law 2008- 250 and Land use Schedules By-law No. 2003-451

Department of Agriculture, 1966 - Canada Land Inventory Soil Capability for Agriculture, Map 31 G — Map prepared by Energy Mines and Resources.

V.L. Lee, Aggregate Resources Inventory of the County of Lanark, Southern Ontario Ontario Geological Survey (OGS) Aggregate Resources Inventory Paper 189.

Open File Report 5550, Aggregate Resource Inventory for Lanark County 1985, OGS

Level 1 Hydrogeological Assessment to determine water table elevation, "Cooney Pit", February 2014 and an Addendum to the report in October 2022, both documents were prepared by McIntosh/Perry (author, Mark Priddle);

Natural Environment Report, "Cooney Pit", was prepared by Pinegrove Biotechnical (Level 1 completed Feb 14, 2013, Level 2 completed, November 14, 2020, (both reports prepared by Pinegrove Biotechnical, author Hans von Rosen);

Natural Environment Report and Environmental Impact Study, BCH Environmental September 2024.

Cultural Heritage Resource, Archeological Assessment Stage 1, and 2 Reports for Cooney pit were prepared by Past Recovery Archeological Services Inc., Stage 1 dated August 31, 2021), Stage 2 dated December 31, 2021. (Stephanie Cleland, M.A. licence P1201);

Site Plan for the "Cooney Pit" prepared by Rob Passmore under the supervision and approval of Gary McLaren, Milestone Aggregate Consulting Services.

Ministry of Municipal Affairs, 2024 – Provincial Policy Statement

Ministry of Natural Resources and Forestry, 1997 - Aggregate Resources of Ontario Provincial Standards adopted by Ontario Regulation 244/97.

Ministry of Natural Resources and Forestry, 2006 - Aggregate Resources Program Policies and Procedures

Aggregate Resources of Ontario Standards adopted by Ontario Regulation 244/97under the Aggregate Resources Act.

10.0 ACRONYMS

ANSI – Area of Natural and Scientific Interest

ARA – Aggregate Resources Act

ARPPM - Aggregate Resources Program Policy and Procedure (MNRF)

MECP – Ministry of Environment, Conservation and Parks

MNRF - Ministry of Natural Resources and Forestry

OGS – Ontario Geological Survey

OP – Official Plan (Township of Lanark Highlands)

PPS – Provincial Policy Statement 2020

PSW – Provincial Significant Wetland

Regs. – Ontario Regulation 244/97 under the Aggregate resources Act

ZB –Zoning By-Law (Township of Lanark Highlands)

11.0 APPENDICES

APPENDIX A – Application for Licence, Permit or Wayside Permit under ARA

- Licence Application Form

APPENDIX B - Site Plans

- Photobase Plan
- Notes and Recommendations
- Existing Features
- Operation Plan
- Rehab Plan

APPENDIX C - HydroG Report

- HydroG Level 1
- HydroG Addendum

APPENDIX D - Natural Environment Report

- Natural Environment Report & Environmental Impact Study

APPENDIX E - Cultural Heritage Report

- Stage 1 & 2 Archeological Report
- MCM Clearance Letter
- Criteria for Evaluating Archeological Potential
- Criteria for Evaluating Potential for Built Heritage Resources
- Cultural Heritage Landscape Summary