

Subject: Official Plan and Zoning By-law Amendment - 4200 March Road

File Number: ACS2025-PDB-PS-0003

Report to Agriculture and Rural Affairs Committee on 3 April 2025

and Council 16 April 2025

**Submitted on March 25, 2025 by Derrick Moodie, Director, Planning Services,
Planning, Development and Building Services**

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Ward: West Carleton-March (5)

**Objet : Modification du Plan officiel et du Règlement de zonage – 4200,
chemin March**

Dossier : ACS2025-PDB-PS-0003

Rapport au Comité de l'agriculture et des affaires rurales

le 3 avril 2025

et au Conseil le 16 avril 2025

**Soumis le 25 mars 2025 par Derrick Moodie, Directeur, Services de la
planification, Direction générale des services de la planification, de
l'aménagement et du bâtiment**

**Personne ressource : Cheryl McWilliams, urbaniste, Examen des demandes
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Quartier : West Carleton-March (5)

REPORT RECOMMENDATIONS

That Agricultural and Rural Affairs Committee:

1. Recommend Council approve an amendment to Volume 1 of the Official Plan for 4200 March Road to redesignate from Greenspace to Rural Countryside, to remove the Natural Environmental Area sub-designation and to add the Bedrock Resource Area Overlay as detailed in Document 2 – Details of Recommended Official Plan Amendment.
2. Recommend Council approve an amendment to Zoning By-law 2008-250 for 4200 March Road to rezone from Environmental Protection Subzone 3 (EP3) to Mineral Extraction (ME), as detailed in Document 3 – Details of Recommended Zoning, to permit a quarry expansion.
3. Approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of April 9, 2025,” subject to submissions received between the publication of this report and the time of Council’s decision.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l’agriculture et des affaires rurales :

1. Recommande au Conseil d’approuver une modification du volume 1 du Plan officiel visant le 4200, chemin March, afin de faire passer la désignation de ce bien-fonds de zone d’espace vert à zone d’espace rural, de supprimer la sous-désignation de zone d’environnement naturel et d’ajouter la surzone du secteur des ressources en substrat rocheux, comme l’expose en détail le document 2 – Détails de la modification du Plan officiel recommandée.
2. Recommande au Conseil d’approuver une modification du Règlement de zonage 2008-250 visant le 4200, chemin March, afin de faire passer la désignation de ce bien-fonds de Zone de protection de l’environnement, sous-zone 3 (EP3) à Zone d’extraction de minerai (ME), comme l’expose en détail le document 3 – Détails de la modification de zonage recommandée, et ainsi permettre l’agrandissement de la carrière.

- 3. Approuve l’insertion de la section du présent rapport consacrée aux détails de la consultation en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffe municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux “exigences d’explication” aux termes de la *Loi sur l’aménagement du territoire* à la réunion du Conseil municipal du 9 avril 2025 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.**

Executive Summary

Staff Recommendation

Planning staff recommend approval of the Official Plan and Zoning By-law amendments for 4200 March Road to permit a quarry expansion.

The applicant has requested an amendment to Schedule B9 of the Official Plan to add Bedrock Resource Area Overlay and to rezone to the Mineral Extraction zone. The staff recommendation would also see the removal of the Greenspace designation, Natural Environment Area and Natural Heritage Features Overlay from the property, leaving on the Natural Heritage System Core Area overlay.

The site is currently designated Greenspace in Schedule B9, and in C11 shows as part of the Natural Environment Area (NEA), with Natural Heritage Features Overlay and Natural Heritage Systems Core Area. It is identified as part of an Area of Natural and Scientific Interest (ANSI), the Burnt Lands Alvar. The alvar has been shown to not exist on site making the Greenspace and NEA no longer appropriate designations.

The proposal aligns with applicable Official Plan policies for Bedrock Resource Area Overlay and the Natural Heritage System Overlay and Natural Heritage Feature Overlay in that the mineral aggregate operation rehabilitation plan is considered as no negative impact on the natural systems and features over the long-term.

For mineral aggregates, specifically Bedrock Resource Area Overlay, the area of influence is 500 metres. There will be four residential properties that will now lie within the 500 metres where they did not before. The applicant has filed studies addressing impacts. Studies relating to impacts to ground water and surface water have been demonstrated to minimize those impacts to quality and quantity and are to be monitored. Traffic volumes and haul routes are not proposed to change. The studies relating to mitigating noise, vibration and dust also support the expansion and are to be monitored.

Other Matters

The Provincial Planning Statement contemplates the resource extraction – regardless of need (supply/demand) and also recognizes natural areas such as the Areas of Natural and Scientific Interest (ANSI) as matter of provincial interest. The province has agreed with the applicant's finding that the ANSI does not exist in this location and that the other features can be recreated as part of the rehabilitation plan for the quarry. The quarry expansion is subject to the Aggregate Resources Act and related licencing process. Consultation, studies, monitoring, site operation, complaints, rehabilitation are reviewed and enforced through the licence by the Province. The licence is still under review by the province, but the matters relating to ground water and the natural systems have been addressed to the province's satisfaction.

Public Consultation/Input

Signs were posted on the property, circulation was sent out to owners within 120 metres of the site and the application was posted on DevApps. Over 30 residents and 2 community groups expressed concerns and objections with respect to protection of the ANSI, protection of the natural environment, noise, dust, blasting, traffic, need for more quarries, surface water, ground water quality and quantity and local wells.

Resume

Recommandation du personnel

Le personnel des services d'urbanisme recommande d'approuver les modifications du Plan officiel et du Règlement de zonage pour le 4200, chemin March afin d'autoriser l'agrandissement de la carrière.

Le demandeur a soumis une demande de modification de l'annexe B9 du Plan officiel afin d'ajouter la surzone du secteur des ressources en substrat rocheux et de faire passer le zonage à « zone d'extraction de minerai ». La recommandation du personnel prévoit également le retrait de la désignation d'espace vert, d'aménagement naturel urbain et de surzone des caractéristiques du patrimoine naturel de la propriété, pour laisser place à la surzone essentielle du cœur du réseau du patrimoine naturel.

Le site porte actuellement la désignation « espaces verts » dans l'annexe B9, et dans l'annexe C11 comme faisant partie de l'aménagement naturel urbain, avec la surzone des caractéristiques du patrimoine naturel et la zone essentielle du cœur du réseau du patrimoine naturel. Il est identifié comme faisant partie d'une zone d'intérêt naturel et scientifique (ZINS), l'alvar des terres brûlées. Il a été démontré que l'alvar n'est pas présent sur le site, ce qui rend les désignations d'espace vert et d'aménagement naturel urbain inappropriées.

La proposition s'harmonise avec les politiques du Plan officiel applicables à la surzone du secteur des ressources en substrat rocheux et à la surzone du réseau du patrimoine naturel et de la surzone des caractéristiques du patrimoine naturel, dans la mesure où le plan de réaménagement de l'exploitation des agrégats minéraux est considéré comme n'ayant pas d'impact négatif sur les réseaux et les caractéristiques naturels à long terme.

Pour les agrégats miniers, en particulier la surzone du secteur des ressources en substrat rocheux, la zone d'influence est de 500 mètres. Quatre propriétés résidentielles se trouveront désormais dans cette zone de 500 mètres, alors qu'elles ne l'étaient pas auparavant. Le demandeur a déposé des études d'impact. Les études relatives aux impacts sur les eaux souterraines et de surface ont démontré qu'elles réduisaient au minimum ces impacts en termes de qualité et de quantité et qu'elles devaient faire l'objet d'un suivi. Il n'est pas proposé de modifier les volumes d'achalandage et les itinéraires de transport. Les études relatives à l'atténuation du bruit, des vibrations et de la poussière vont également dans le sens de l'agrandissement et doivent faire l'objet d'un suivi.

Autres questions

La Déclaration provinciale sur la planification envisage l'extraction des ressources, indépendamment des besoins (offre/demande) et reconnaît également les aires naturelles telles que les zones d'intérêt naturel et scientifique (ZINS) comme étant d'intérêt provincial. Le gouvernement provincial a accepté la conclusion du demandeur selon laquelle la ZINS ne se trouve pas à cet endroit et que les autres caractéristiques peuvent être recréées dans le cadre du plan de réaménagement de la carrière. L'agrandissement de la carrière est assujéti à la Loi sur les ressources en agrégats et au processus d'octroi de permis correspondant. La consultation, les études, la surveillance, l'exploitation du site, les plaintes et le réaménagement font l'objet d'un examen et d'une mise en application par le gouvernement provincial dans le cadre du permis. Le gouvernement provincial procède actuellement à l'examen du permis, mais les questions relatives aux eaux souterraines et aux réseaux naturels ont été réglées à la satisfaction du gouvernement provincial.

Commentaires du public/consultation publique

Des panneaux ont été apposés sur la propriété, un avis a été envoyé aux propriétaires situés dans un rayon de 120 mètres autour du site, et la demande a été affichée sur le site DemDam. Plus de 30 résidents et deux groupes communautaires ont exprimé des inquiétudes et objections concernant la protection de la ZINS, la protection de l'environnement naturel, le bruit, la poussière, le dynamitage, l'achalandage, la

nécessité de créer d'autres carrières, les eaux de surface, la qualité et la quantité des eaux souterraines et les puits locaux.

BACKGROUND

Site location

4200 March Road

Owner

Thomas Cavanagh Construction Limited

Applicant

Neal DeRuyter, HMBC

Description of site and surroundings

The 18-hectare site is located west and north of the existing West Carleton Quarry along March Road opposite Burnt Lands Road and abutting the Burnt Lands Alvar, a Life Sciences Area of Natural and Scientific Interest (ANSI). There are residences on Burnt Lands Road, opposite March Road, the closest being about 100 metres from the edge of the property. To the south and east is the existing Thomas Cavanagh Construction West Carleton Quarry which has its truck haul route off March and Upper Dwyer Hill Roads and drains to the east eventually into Manion Corners (Long Swamp) provincially significant wetland.

Summary of proposed development

The owner and applicant had applied for an *Aggregate Resource Act* (ARA) licence to expand the existing quarry onto the subject lands. This was posted for consultation April through June of 2022 and is still under consideration. The Ontario Ministry of Natural Resources and Forestry (MNRF) have removed all objection to the ARA licence including the concerns with the ANSI. The Official Plan amendment and Zoning By-law amendment were initially filed September 2021, and once deemed completed circulated early in 2022. With respect to the operation of the quarry expansion, the haul route will continue to utilize the existing March Road and Upper Dwyer Hill Road entrances, with no changes to the pattern or volume of traffic. The drainage outlet will remain as it is within the current quarry. An existing berm located about 15 metres from the western lot line will remain and tree planting will be enhanced. Turtle fencing is proposed to limit movements onto the quarry site. Another berm is proposed just within the 30-metre setback from March Road. The rehabilitation plan - that forms part of the ARA licence - for this proposed quarry land was initially proposed to be open water. That has

been revised to reflect a proposed rehabilitation of the expansion lands to support the Burnt Lands Alvar that are immediately to the west and to reinstate the woodlands and western chorus frog habitat.

Summary of requested Official Plan and Zoning By-law Amendments

The proponents have requested adding Bedrock Resources Overlay to Schedule B9 of the Official Plan for the subject lands and rezoning to a Mineral Extraction (ME) zone.

DISCUSSION

Public Consultation

For this proposal's consultation details, see Document 4 of this report.

Official Plan designation(s) and policies

As part of the Council adoption of the new Official Plan in 2021 there was a resolution to support the proposed *Aggregate Resources Act* application under what is now the former Official Plan, however with the province's enactment of the *Official Plan Adjustments Act* the ability to consider the old Official Plan is no longer a factor and the application is to be considered under the new Official Plan.

Under the current Official Plan, the lands are within the Rural Transect and are designated as Greenspace within a Natural Environment Area and having a Natural Heritage System Core Area Overlay on it and half within the Natural Heritage Features Overlay. In addition, there is a small portion of lands shown as lying within the Wellhead Protection Area of the Almonte municipal well in the Municipality of Mississippi Mills, with a vulnerability score of 2.

Natural Environment

The Natural Heritage System seeks to improve the long-term integrity and connectivity including the Core Areas, Natural Heritage Features Overlay, significant woodlands and Areas of Natural and Significant Interest. The policies require a no net loss of forest cover.

The Greenspace designation and Natural Environment Area (NEA) sub-designation do not support the site alteration involved in a quarry operation. Mineral extraction is not considered as a permitted use within the NEA. The Official Plan directs that boundary adjustments of the NEA where there is an ANSI require the agreement of the Ministry of Natural Resources and Forestry (MNRF) which has occurred as part of the quarry licencing review. The environmental studies filed by the applicant indicate that the only environmental features on-site are habitat for the threatened western chorus frog and

significant woodlands. It also identified that the alvar does not exist on site. During the quarry operation, prior to implementation of the rehabilitation plan, the natural features will not exist.

Within the Natural Heritage System Core Area, development or site alteration is not prohibited but the policy is to maintain, enhance and restore that system. Development and site alteration in the Core Area and Natural Heritage Feature Overlay are to be consistent with the findings of environmental impact studies. Specifically, Section 5.6.4.1.6) of the Official Plan states:

Where development or site alteration is for the establishment or expansion of mineral aggregate operations within or adjacent to the Natural Heritage System Overlay or the Natural Heritage Feature Overlay, the demonstration of no negative impact or no net negative impact may take into consideration final rehabilitation of the mineral aggregate operation. Rehabilitation of the mineral aggregate operation would need to be planned to occur as soon as possible and be suited to the local natural environment.

This has been demonstrated with the rehabilitation plan that forms part of the ARA licence.

Bedrock Resource Area Overlay

The Growth Management Framework section (2.2) of the Official Plan recognizes that primary industry jobs, such a resource extraction, are typically in the Rural Transect and more specifically in the Rural Countryside designation, especially within the Bedrock Resource Area Overlay.

The Bedrock Resource Area Overlay is intended to protect those resources and contemplates extraction but seeks to minimize impacts on sensitive lands uses such as residences as well as limiting future development of sensitive lands. The area of influence is generally considered to be 500 metres from the resource overlay.

Water Resources

The Official Plan policies of section 4.9 seek to protect both ground and surface water. There are no on-site waterbodies, though the existing quarry dewatering outlets to Manion Corners Long Swamp and will continue to do so. Any proposed changes to the dewatering will require a Permit to Take Water from the Province and will be assessed further through that process. There is a small portion of the site located within Wellhead Protection Area (vulnerably score 2) of the Almonte municipal well and is subject to the policies of the Mississippi-Rideau Source Protection Plan. Notice to both the area's Source Protection administrators and the owner need to be given with respect of quarries being an activity that could result in new transport pathways within the

wellhead protection area. Those notices have been given by the City's Risk Management Official. There are nearby private residential wells that need to be considered. The hydrogeological report indicated that water quantity for both surface and groundwater (wells) would not be impacted by the quarry dewatering. Groundwater level monitoring will be part the ARA licencing for the ongoing operation and rehabilitation of the quarry. Water quality monitoring was not initially proposed, however City staff noted in the review of the Blast report that potential quality issues did not seem to be fully assessed for this proposal and the nearest wells. Additional monitoring wells on private property as well as additional sampling of the private wells will form part of the licence requirements and required prior to the permit to take water. That sampling will be subject to homeowner agreement.

Development within Highly Vulnerable Aquifers as identified in Mississippi-Rideau Source Protection Assessment Report, will be encouraged to implement best management practices to help protect regional groundwater supplies.

Traffic

There is no change to the existing quarry accesses proposed and no increase in volume of truck traffic is anticipated as the quarry will expand into this area operations and will cease in other areas, with no overall change in volumes of aggregate annually hauled. Both March Road and Dwyer Hill Road are classified as Rural Arterial roads intended for higher volumes of traffic.

Noise and Vibration

The Official Plan policies seek to protect sensitive land uses such as the nearby residential uses from the direct quarry operation as well as related noise, such as truck traffic. A blast impact assessment and noise assessment were filed with the ARA application as well as with the planning applications. There is no expected increase in noise relating to the traffic. The quarry is expected to operate within the Ministry of the Environment Conservation and Parks guidelines for noise with the buffering, operational practises and monitoring that is to be part of the provincially enforced ARA licence.

Other applicable policies and guidelines

The lands show as forming part of the Burnt Lands Alvar, a Life Sciences Area of Natural and Scientific Interest (ANSI), as identified by the province and reflected in the City's Official Plan. The environmental study does not support the classification of the site as part of the Burnt Lands Alvar and the province has accepted those findings. The Ministry of Natural Resources (formerly MNRF) has withdrawn their objection to the ARA licence and are supportive of the quarry proceeding, agreeing that the ANSI did not exist on site and the adjacent ANSI will remain protected from interference and will be further supported by the rehabilitation plan.

The City is a consultation agency for the purposes of the *Aggregate Resources Act*. That *Act* contains provisions that the zoning by-law must permit the quarry before the licence is issued. After filing the initial OPA and ZBA the ARA licence was posted for consultation. Initial comments were provided but formal response could not be offered until the City had a clear position from the Province on the matters of the status of the ANSI, natural features and the priority given to the aggregates. Subsequent submissions and clarification of the provincial position have addressed the City's comments.

The province's land use guidelines D-6 Compatibility between Industrial Facilities identify a quarry as a Class III Industrial Facility use with a 300-metre minimum distance separation and a 1000-metre area of influence for new sensitive land uses in proximity. That separation can be reduced using buffering and on-site operations or practises.

Planning Rationale

Balancing the natural systems and features against the bedrock resources extraction - being more of an interim land use - and having the rehabilitation addressing the longer-term no negative impact and enhancement of natural features and systems is a matter of provincial interest as expressed in the Provincial Planning Statement. The Ministry of Natural Resources and Forestry has supported the ANSI boundary change in favour of the bedrock resources extraction subject to rehabilitation and enhancement of the natural features and system. Impacts on nearby residents is to be mitigated and monitored through the *Aggregate Resources Act* licence.

The direction in the Official Plan for addressing that sequencing of the matters of provincial interest is redesignating the site from Greenspace to Rural Countryside which is the more appropriate underlying designation in support of adding a Bedrock Resource Area Overlay onto the site. As the quarrying activity will remove all natural features from the site changing the boundary of the NEA sub-designation and removing the Natural Heritage Features Overlay is supported. The Core Area Natural Systems

Overlay will remain in recognition that the site will be rehabilitated to a more enhanced version of what existed prior to the quarrying of the site. Once the rehabilitation is complete there would be consideration for redesignation.

Rezoning the proposed ARA licence area from the Environmental Protection zone to the Mineral extraction zone is a requirement to permit the Aggregate Resource Licence to be issued.

Provincial Planning Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2024 Provincial Planning Statement (2024 PPS). Both Areas of Natural and Scientific Interest and Mineral Aggregate Resources are both identified as matters of provincial interest to be protected for the long term. The Province has provided input identifying that as the quarry (the portion subject to this application) will be rehabilitated to an ANSI and there is buffering proposed to the ANSI that the concerns with quarrying have been resolved. Chapter 4, Section 4.1 Natural Heritage of the 2024 PPS does not permit development or site alteration in such areas. However, the Province has provided the City direction that as the site does not currently meet the requirements for being a part of the Burnt Lands Alvar and as part of the rehabilitation plan it will be rehabilitated post quarrying to a natural alvar that addresses the PPS concerns. Section 4.2 of the 2024 PPS seeks to protect surface and groundwater features, the City's Risk Management Official has provided input into the proposed quarry and protection of the Almonte municipal wells, and the City's Hydrogeologist has reviewed the proposal and had requested additional monitoring program prior to the quarry operation starting on site, to protect adjacent residential wells. Section 4.5 of the 2024 PPS seeks to identify and protect mineral aggregate resources. The local need for bedrock resources cannot be a consideration. The extraction is to minimize social, economic and environmental impacts. Section 4.5.3 of the 2024 PPS promotes that the rehabilitation plan is to recognize the interim use for the extraction, promote ultimate land use capability, mitigating long term impacts as is possible.

RURAL IMPLICATIONS

The expansion of the quarry, the result of the recommended Official Plan and Zoning By-law amendments may result in some impacts to nearby residents. Those impacts are enforced through the ARA licence process. In addition, the expansion also adds to a long-term viability for the employment related to the quarry.

CONSULTATION

The consultation was completed as per the standard notification practice with on-site signs, circulation to owners within 120 metres of the application and posting on DevApps.

COMMENTS BY THE WARD COUNCILLOR

Changing the designation from EP3, (the highest designation of protection) to a Mineral and Aggregate Extraction Zone, is an extreme change and one that will impact the local community and surrounding neighborhoods for decades to come. I believe it is unfair to those who have chosen this area as their home based on the protected lands in the area and the buffer zone that the land provides between the homes and a major quarry operation. When the applicant purchased the land in question, it would have known that this land was zoned EP3 and therefore protected, and unable to be used for mineral and aggregate extraction.

We all understand the vital role that aggregates play in building our infrastructure, homes, and other necessary projects. Our City and region are relatively rich in these resources compared to many other municipalities in the province and as a result, we have many active aggregate resource extraction operations. Our City has sufficient supply currently to serve the growth expected in our city over the coming decades with its existing Aggregate and Mineral Extraction designations.

The purpose of the Bedrock Mineral Aggregate Resource Designation as stated in the 2013 Official Plan update is twofold: “Protect non-renewable mineral aggregate resources, located close to markets, for future use” and “Minimize community and environmental disruptions from aggregate extraction activities”. It is important to note that the findings in this 2013 report went unchallenged, and minimizing community and environmental disruptions from aggregate extraction activities was mentioned in the same sentence as protecting the resources themselves.

Below is an excerpt from the that 2013 staff report, which has not been updated, changed, or challenged:

“Based on current trends and assuming 80% of the aggregate supply continues to be supplied from bedrock sources the estimated required supply for 100 and 200 year planning horizons is 1,360 and 3,640 million tonnes respectively. Reviewing licensed sites as well as active and undeveloped areas, the estimated remaining licensed resource is 861 million tonnes. Resource potential in the designated bedrock resource area but still unlicensed is estimated between 600 and 947 million tonnes. The potential

bedrock resources in both licensed and designated-unlicensed area is estimated between 1,461 and 1,808 million tonnes.”

Based on the numbers cited in the Proposed Official Plan Bedrock Mineral Aggregate Resource Designations report, as of 2013, our city had 120-year supply with its current licensed sites. The same study suggested that a realistic target supply would be 3 planning horizons (60 years based on each official plan having a 20-year horizon).

I believe this shows that the applicant would certainly have options to obtain the aggregate materials it requires within its current operations or by purchasing from another supplier. I do not believe that we need to approve this application in order to ensure supply for our city and region. If we did approve it, we would certainly not be “minimizing community and environmental disruptions from aggregate extraction activities”.

This may be a “nice to have” for the applicant, but it is not required and expanding into land that was designated EP3 would be irresponsible. I am not supportive of approving this application.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the report recommendations.

Should Council approve the Official Plan and Zoning By-law amendments, rights of appeal will be limited to those available under the Planning Act as amended by recent legislative changes. Notably, appeals by third-party individuals (e.g. nearby landowners) are no longer permitted to appeal.

ASSET MANAGEMENT IMPLICATIONS

There are no Asset Management Implications resulting from recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no Accessibility impacts.

ENVIRONMENTAL IMPLICATIONS

The quarry operation will have short-term implications on significant woodlands and habitat, which will be reinstated upon rehabilitation of the quarry as required as a

condition of the licence issued by the Ministry under the ARA. Any potential impacts on groundwater and surface water as well as impacts on noise and dust pollution will be monitored and enforced through the ARA licence. The ANSI to the west and north will be protected from quarry activity by a berm and setback from the lot line. ANSI supportive features (Alvar) will be created upon rehabilitation of this portion of the quarry.

INDIGENOUS GENDER AND EQUITY IMPLICATIONS

There are no gender and equity implications with this report. Indigenous consultation is a requirement as part of the consultation for the province's ARA licence.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Diversified and prosperous economy.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D01-01-21-0019 and D02-02-21-0105) was not processed by the "On Time Decision Date" established for the processing of Official Plan and Zoning By-law amendments due to the complexity of the issues associated with the proposal.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Official Plan Amendment

Document 3 Details of Recommended Zoning By-law Amendment

Document 4 Consultation Details

DISPOSITION

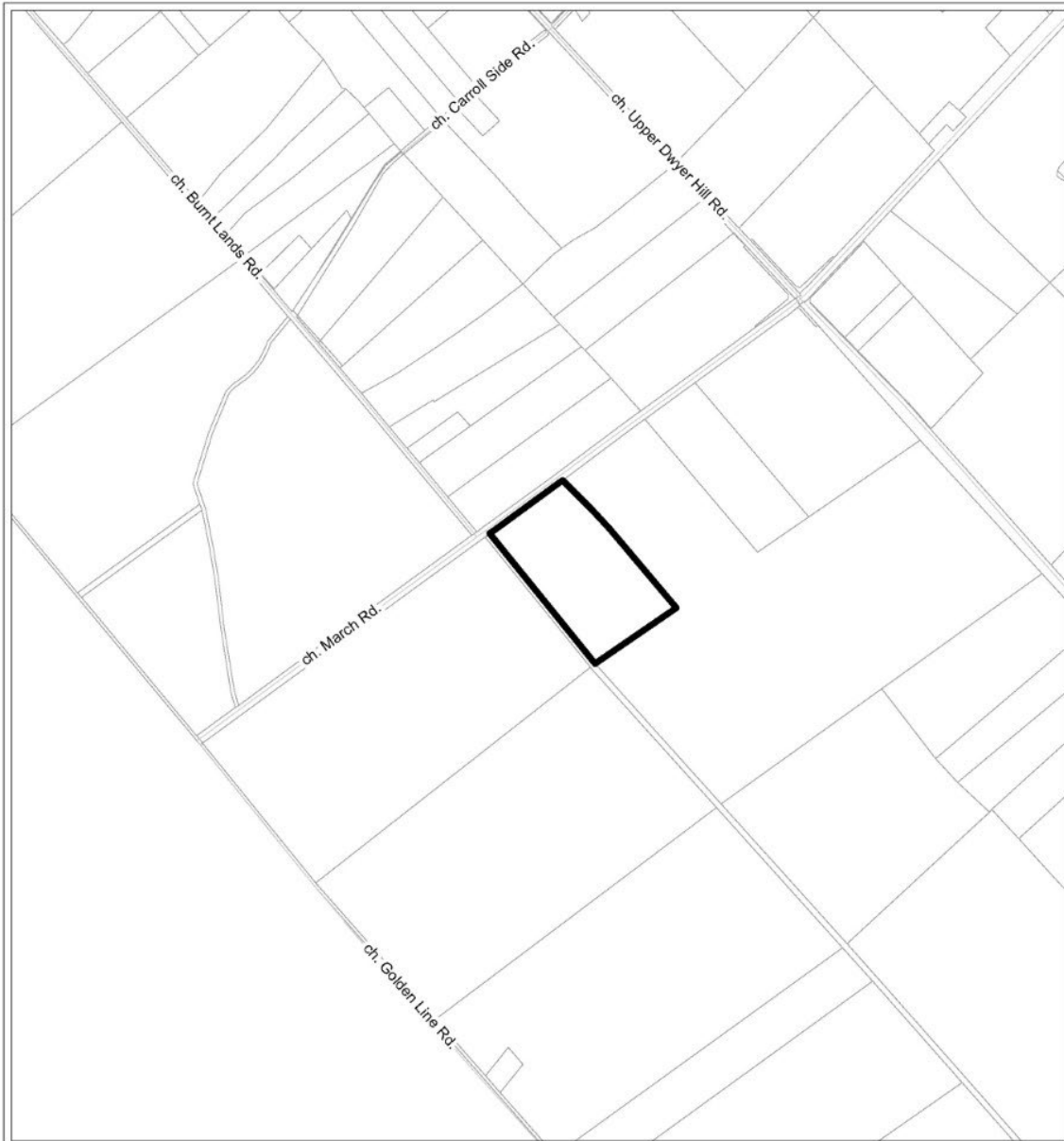
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.


Planning, Development and Building Services Department will prepare a implementing by-laws and forward it to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.


Planning Operations, Planning Services to undertake the statutory notification.


Document 1 – Location Map



	
D02-02-21-0105	22-0162-X
D01-01-21-0019	
I:\CO\2022\Zoning\March_4200	
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REVISION / RÉVISION - 2022 / 02 / 24	

LOCATION MAP / PLAN DE LOCALISATION
ZONING KEY PLAN / SCHÉMA DE ZONAGE
OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL

 4200 chemin March Road


NOT TO SCALE

Document 2 – Details of Recommended Official Plan Amendment

Official Plan Amendment XX to the Official Plan for the City of Ottawa

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment XX to the Official Plan for the City of Ottawa.

PART A – THE PREAMBLE

PURPOSE

LOCATION

BASIS

PART B – THE AMENDMENT

INTRODUCTION

DETAILS OF THE AMENDMENT

IMPLEMENTATION AND INTERPRETATION

SCHEDULE A AND B OF AMENDMENT XX – OFFICIAL PLAN FOR THE CITY OF OTTAWA

PART A – THE PREAMBLE

1. Purpose

To amend Schedules B9 and C11 of the Official Plan to allow mineral extraction, specifically bedrock resources to be recognized.

2. Location

4200 March Road

3. Basis

The amendment to the Official Plan is required to support *the Aggregate Resource Act* (ARA) licence. The ARA licence application process is still underway.

Background

Bedrock resources extraction and having the rehabilitation addressing the longer-term no negative impact and enhancement of natural features and systems is a matter of provincial interest as expressed in the Provincial Planning Statement. The Ministry of Natural Resources and Forestry has supported the Area of Natural and Scientific Interest boundary change in favour of the bedrock resources extraction subject to rehabilitation and enhancement of the natural features and system. Impacts on nearby residents are to be mitigated and monitored through the *Aggregate Resources Act* licence

Rationale

With the provincial ministry accepting the studies filed for the *Aggregate Resources Act* licence and those same studies demonstrating that the proposed quarry expansion can be considered consistent with the policy approaches in the Official Plan, redesignating the site from Greenspace to Rural Countryside is the appropriate underlying designation in support of adding a Bedrock Resource Area Overlay onto the site. As the quarrying activity will remove all natural features from the site altering the boundary of the Natural Environment Area sub-designation and the Natural Heritage Features Overlay is supported. The Core Area Natural Systems Overlay will remain in recognition that the site will be rehabilitated to a more enhanced version of what existed prior to the quarrying of the site. Once the rehabilitation is complete there would be consideration for redesignation.

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of Schedules A and B and the attached text constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details

The following changes are hereby made to the Official Plan for the City of Ottawa:

- 2.1 Amend Schedule B9 – for 4200 March Road, to change the designation from Greenspace to Rural Countryside and the add Bedrock Resource Area Overlay as shown on Schedule A.
- 2.2 Amend Schedule C11 – for 4200 March Road, to remove the Natural Environment Area and Natural Heritage Features Overlay, leaving the Core Area Overlay as shown in Schedule B.

3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.

SCHEDULE A



Prepared by: Planning, Infrastructure and Economic Development Department,
 Services de la planification, de Géomatique Analytique, Technologie and Solutions

Préparé par: l'infrastructure et du développement économique,
 Analyse géomatique, technologie et solutions

D01-01-21-0019 2025-0273-A

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Revision:

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Scale - NTS / Echelle N.A.E.

SCHEDULE A to AMENDMENT No.
 to the OFFICIAL PLAN
 for the CITY OF OTTAWA
 Amending Volume 1
 Schedule B9 - Rural Transect

ANNEXE A de L' AMENDEMENT No.
 au PLAN OFFICIEL
 de la VILLE D'OTTAWA
 Modification du volume 1
 Annexe B9 - Transect secteur rural

 LANDS TO BE REDESIGNATED FROM "GREENSPACE" TO "RURAL COUNTRYSIDE" AND TO BE INCLUDED IN THE "BEDROCK RESOURCE AREA OVERLAY"
 TERRAINS DONT LA DÉSIGNATION EST PASSÉE DE « ESPACE VERT » À « CAMPAGNE RURALE » ET À INCLURE DANS LA « SUPERPOSITION DE LA RESSOURCES EN SUBSTRAT ROCHEUX »

SCHEDULE B



Prepared by: Planning, Infrastructure and Economic Development Department,
 Services de la planification, de Géospatial Analytics, Technology and Solutions



Préparé par: l'infrastructure et du développement économique,
 Analyse géospatiale, technologie et solutions

D01-01-21-0019 2025-0273-A

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Revision:

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**SCHEDULE B to
 AMENDMENT NO.**

to the OFFICIAL PLAN
 for the CITY OF OTTAWA

Amending Volume 1

Schedule C11-A - Natural Heritage System

**ANNEXE B de
 L' AMENDEMENT No.**

au PLAN OFFICIEL
 de la VILLE D'OTTAWA

Modification du volume 1

Annexe C11-A - Système du patrimoine naturel (Ouest)



LANDS TO BE REMOVED FROM THE "NATURAL HERITAGE FEATURES
 OVERLAY" AND "NATURAL ENVIRONMENT AREA"
 LES TERRES À RETIRER DE LA « ZONE SOUS-JACENTE D'ÉLÉMENTS DU
 PATRIMOINE NATUREL » ET « ZONE ÉCOLOGIQUE NATURELLE »

Document 3 – Details of Recommended Zoning By-law Amendment

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 4200 March Road:

1. Rezone the lands known as 4200 chemin March Road shown in Document 1 from EP3 to ME.

Document 4 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Official Plan and Zoning By-law amendments.

Public Comments and Responses

1) Comment:

An objection filed with the MNRF for the quarry licence and copied to the City objecting to the loss of the ANSI in favour of quarrying

Response

MNRF has identified that quarry is appropriate and that site operation can protect the existing ANSI and the long term rehabilitation will address the natural systems concerns.

2) Comment:

An objection filed with the MNRF for the quarry licence and copied to the City objecting due to concerns with air quality, septic systems, noise, foundation, more truck traffic, destroyed alvar and nature and turtle habitat.

Response:

MNRF has identified that quarry is appropriate, and that site operation can protect the existing ANSI and the long-term rehabilitation will address the natural systems concerns. Air quality, noise, and foundation concerns form part of the licencing requirement and provincial enforcement under the ARA licence. Truck traffic is not to increase as the annual haulage will not increase.

3) Comment:

Concern was expressed with respect to zoning compliance for the existing house that would lie within the 210 metre minimum distance setback for residences abutting Mineral Extraction (ME) zoned lands.

Response:

Any house that currently exists within the 210 metres of the proposed ME zone would retain the legal rights to remain at that distance. The zoning impact would be on the limitation to have a coach house on the property without a variance.

4. Comment:

Attached is our detailed response to the Planning Report Addendum to the application by Thomas Cavanagh Construction Ltd. to expand its quarry at 4048 March Road, Ottawa into the adjacent property at 4200 March Road.

We strongly object to this expansion which will destroy 18 ha. of the Burnt Lands Alvar, a unique and valuable part of Ottawa's natural heritage. The Addendum attempts to justify some fairly radical changes to the City's Official Plan which would be necessary for this expansion to proceed. We don't think their reasoning is at all convincing. We're hoping City Planners will see this proposed expansion for what it is, stand up to an industry which seems to operate with complete impunity and recommend that City Council not approve these changes to the Official Plan or to the EP3 zoning currently on the property.

- The proposed quarry expansion will not contribute to economic development in West Carleton. Aggregate producers can't do anything to influence the actual demand for aggregate.
- Similarly, employment in the industry will follow the demand
- Current licences for aggregate in Ontario exceed the current annual demand by a factor of 13 times. There is sufficient licenced aggregate to meet the goal of building 1.5 million homes and related infrastructure in the next 10 years.
- The Bobcaygeon Formation in the proposed expansion property is not the highest quality aggregate in the Ottawa area. It is inferior to the material from the more plentiful Oxford and March Formations
- Thomas Cavanagh Construction Ltd proposes this expansion solely for competitive reasons; there is a plentiful supply of higher quality aggregate in the area
- Provincial Policy does not require the proponent to demonstrate need. However, this does not prevent Municipal Councils and Provincial Authorities from considering actual local need when evaluating proposals.
- Construction companies who have pits and quarries should be encouraged to trade aggregate among themselves rather than each having quarries all over their area of business.
- Ottawa's Mayor Mark Sutcliffe promised to plant 250,000 trees annually. The City must also strive to save mature forest cover from destruction.
- Site rehabilitation plans for pits and quarries, which may have useful lifetimes measured in centuries, is a requirement for new licences but it's a myth, a fairytale that in most cases will not come true.
- The total amount of aggregate proposed to be removed from the expansion property will require a million truckloads to move.

- In the memo in which Wasyl Bakowsky examined three small areas on the perimeter of the existing quarry, he appeared not to be looking for alvar woodlands which form a large percentage of the Burnt Lands Alvar.
- Damage to the alvar in the extension lands was not caused by the fire of 1999 but by the illegal construction by Thomas Cavanagh Construction Ltd of a shooting range around 2014.
- Alvar experts agree that periodic fires are beneficial to the health and biodiversity of an alvar.
- Surface water drainage in Burnt Lands Provincial Park is being impeded by the large Comments from....., March, 2014 Page 30 of 30 berms constructed by Cavanagh along the southwest boundary of the expansion property.
- Nearby water wells could be drawn down as much as 12 m.
- The problem of “flyrock” has not been adequately acknowledged nor have adequate mitigation measures been proposed. The only truly effective measure is a greater setback of the blast areas from public roads and sensitive receptors. A 500m minimum setback should be required.
- Current regulations prohibit new residential construction within 500 m of an existing quarry but do not prohibit new quarry development within 500 m of an existing dwelling house. This asymmetry is unfair and unjust.
- The setback of the proposed expansion should be at least 120 m from the boundary of the Burnt Lands Provincial Park
- Noise generated by the stationary sources in the existing quarry is annoying to those living nearby. The noise from the expanded area would be much worse. Long term exposure to such noise causes stress which can lead to major health problems.
- Thomas Cavanagh Construction Ltd purchased the expansion land in 2013, knowing full well that it had been declared part of the Burnt Lands ANSI and had been zoned EP3 for years before that. Why were they so confident that the authorities would bend to their requests?

The policies, laws and regulations for environmental protection which have been put in place over the years, were instituted by Provincial and Municipal governments after receiving much expert advice and after serious deliberation and debate. Unfortunately, they included too many built-in loopholes which can be exploited by paid consultants.

In the last few years, Provincial policies and regulations on environmental protection have been further weakened, more loopholes have been added, the rights to object by citizens and community groups have become more restrictive and some regulations eliminated altogether. The aggregate industry continues to complain about “red tape” while pit and quarry operators do whatever they want with complete

impunity. The Ontario MNR is mandated by the Aggregate Resources Act to oversee all the licenced pits and quarries in the Province but they have been understaffed for years and this trend is continuing. Many operators are failing to submit annual reports of their operations and MNR inspectors are failing to make periodic visits. Worse still, there is a move to put certain permitting processes online with no immediate human oversight. The aggregate industry has already demonstrated that self-reporting doesn't work; they'll have a field day with self-permitting.

Our society needs to preserve natural areas whenever and wherever we can, especially those that stand out as special such as the Burnt Lands Alvar. It's already been compromised by existing quarries as well as residential and commercial development. Every incremental incursion, no matter what size, adds to the total destruction of the Alvar and its biodiversity. Unnecessary development has to stop. The proponent's proposal for an expanded quarry must be turned down

Response:

The province has withdrawn the objection with respect to nearby wells, protection of the ANSI and long-term rehabilitation of the site. Staff's review finds that our similar concerns have been addressed through the proposed licencing requirements, including monitoring site operation and rehabilitation. The restriction of new residential lots within the 500 metres and new residential uses within 210 metres of the quarry will limit the ability of existing residents to add for example a coach house to their property.

5) Comment:

As an Ottawa resident and grandmother who is appalled at the current dismal state of Ontario's natural environment, compared with the wealth of wildlife and untouched forests and ponds that I enjoyed when I was a child, I am strongly opposed to the application by Thomas Cavanagh Construction to the City of Ottawa to reverse the existing EP3 environmental protection of 18 hectares of land immediately bordering Burnt Lands Provincial Park – a Nature Reserve class park at the intersection of March Road and Burnt Lands Road.

This application seeks to expand the current aggregate quarry permit with the Government of Ontario for removing limestone aggregate through blasting, crushing, and other processing including significant water extraction from aquifers. There is insufficient justification in the application to reverse the existing EP3 zoning/ environmental protections. Specifically, this land is part of the Burnt Lands Alvar and Ontario Ministry of Natural Resources designated Area of Natural and Scientific Interest (ANSI) due to the unique flora and fauna it supports. The protections are appropriate for land immediately adjacent to a Nature Reserve Class provincial park. In addition, the proposed quarry operations plan by Thomas Cavanagh Construction to draw significant quantities of water from the local ground supply will have huge negative impacts on the nearby creek and local residential wells.

Finally, there is no need for yet another quarry, as there are already multiple aggregate quarries in this area, and studies in Ontario suggest supply already significantly outpaces demand.

Further increasing habitat and species loss by allowing this company to unnecessarily expand its quarry in an ANSI (and the Burnt Lands Alvar is more than deserving of this designation) is contributing to the despoiled world that our children will inherit. In addition, it is putting the water supply of nearby residents at risk.

There is no justification for approving this application by Thomas Cavanagh Construction for all the above reasons. Please do the right thing and turn it down.

Response:

The City cannot, pursuant to the PPS, consider need with respect to preserving or allowing mineral resource extraction. The balance of the comments have been responded to above.

6) Comment:

We are impacted by the current quarry operation and would like to table our questions and concerns with regard to the referenced applications to allow expansion of the quarry, as well as the related consultation process. We have highlighted specific questions where practical.

As you will appreciate, many of the potential stakeholders will have no or limited knowledge of the subject matter presented in the reference documents submitted by the applicant, and/or of the OP and Zoning amendment process. The subjects and processes are complex and unfamiliar; in addition the reports are written for a technical/expert audience, as such, there may be questions below that the City and other public organizations (ex. MNRF, MVCA, MECP) may be in a position to answer directly, and others that the applicant may be better suited to answer.

Q1: Please confirm that the City will direct questions to the appropriate parties, including internal departments and compile the feedback as part of the review process?.

Q2a / 2b: In order to allow for follow up questions, comments and understanding, has a public meeting been scheduled to occur at least 3 weeks prior to the Agriculture and Rural Affairs Committee meeting, scheduled for May 5, 2022? Will the meeting include attendance of the technical expertise necessary to present and interpret the information for the benefit of the layperson?. Will a separate information centre be scheduled to allow the applicant to present their proposal and respond to questions?

We understand that the City is currently completing a technical review of the reference documents as presented by the applicant in support of the application. It also appears that MNRF, MVCA, and RVCA have been consulted by the City and maybe submitting a formal response.. The reference documents made available to date are extensive and

technical in nature and hence a challenge for many of the potential stakeholders to fully comprehend. In order to provide considered and informed feedback prior to closing the consultation process, we request that once completed, the City' and other agencies technical review, be made available to stakeholders who may not have technical resources available to them.

Q3: Will the City make theirs and other agencies review comments, as well as the Applicants responses or revised reports, available to all stakeholders in time to allow for additional questions and comments prior to the end of the consultation process?

As the City's technical review appears to be ongoing we consider the March 30th deadline for comments inadequate and request that a revised deadline be formally provided to all stakeholders to avoid any subsequent confusion regarding the actual deadline. In this regard the note on the City's website that reports under technical review by City staff and other agencies and "may be subject to significant revisions" suggesting that stakeholders should not rely on the information until the report is final.

Q4: When does the City expect to complete their technical review, and will the deadline for comments be formally extended to allow time for additional review and comment based on final reports provided by the Applicant.

We also note that the MHBC report (page 7) indicates that the deadline should be posted as well as details on the public information centre. Item 6 indicates 60 days following certain conditions having been met (items 7 through 11)

- Item 7 - all reports having been made available. See comment above re preliminary nature of the reports. Are all reports accessible, as noted, I could not open all of them (poor broadband, big files, and at least one file was not linked when I last looked)
- Application was to be posted on Enviromental Registry with a 30 day comment period.
- The applicant must "attempt" to resolve comments received in the 60 day period. Please confirm what the deadline for the applicant's response is? What constitutes an "attempt" to resolve.

Without prioritizing any one item, our primary concerns are:

- The timing of the referenced applications relative to an extensive well publicized process to adopt a new Official Plan in October 2021, and a two year freeze on amendments to the OP. Q5: Had the applicant made any indication during the OP update process of their intentions?
- A proposal to change environmental protection zoning to mineral extraction. Approval of the application would reverse the City's and Provinces's previous commitment to environmental protection of the ANSI designated lands. Are aggregate reserves so scarce that previously designated environmentally protected lands must be sacrificed? Why were the lands zoned EP3 in the first instance?.

- Q6: What is the City's position with respect to the current EP3 zoning and what consultation have they had with the MNRF?
- Q7: Do the applicant's technical studies provide the level of rigour and analysis to assess the long term impact of the expansion beyond the applicants property line? More specifically:
 - to well water quality and supply - If the water taken from the site exceeds annual precipitation where does the balance of water originate. Q8: Has a water balance been completed to demonstrate that the water does not come from the water table? If adjacent ground / well water is not impacted by the proposed expanded quarry, where does the make up water originate?
 - noise and vibration impacts on neighbours and the ecosystem. We assume that there are set standards and methods to establish allowable noise and vibration levels in neighbourhoods. Q9: What are the standards for noise and vibration?
 - How is this currently monitored, reported and independently validated? How will it be monitored, reported and independently validated in the future?
 - Q10: Has the MNRF been consulted regarding the impact of noise and vibration on the natural environment?
 - How does chipping away at the boundaries of the ANSI area impact what is being protected? If the ANSI lands impacted by the application are not considered important, what about the next application.. Q11: What is the MNRF's decision making criteria to determine rezoning of ANSI / EP areas previously considered important.
- Although the applicant indicates that no additional truck traffic is anticipated we feel that the design of the entrance onto March Road should be reviewed under the current or a separate process. Increasing traffic on March Road due to residential development in Almonte and neighbouring rural areas, combined with traffic lights at the March Road / Upper Dwyer Hill Road intersection results in long lines of cars on March Road west of Upper Dwyer Hill Road; this combined with poor sight lines of, and presumably from the truck entrance presents a safety concern at this particular entrance. Q12: Does the current quarry entrance on to March Road meet current City of Ottawa standards for truck access? Has the impact of increased traffic from Almonte and the traffic lights at March and Upper Dwyer Hill Road been evaluated.
- As indicated above, the OP Amendment, and Site Plan Approval process may not be as clear to a layperson as it could be; Q13: Will sufficient time and process be made available to review documents and become informed of their content after the City and other public agencies have completed their review?.

Section 2.1 Mineral Aggregate Resources (PPS 2.5) of the MHBC Planning report makes a clear statement that the Province places high importance on aggregate resources, particularly those of high quality and in proximity to where they are most needed for infrastructure. Furthermore it is stated: "that extraction shall be undertaken in a manner that minimizes social, and environmental impacts.". Q14: Q14: What

specific mitigation measures are proposed to minimize social, and environmental impacts and what are the measurable evaluation criteria being proposed?

Will the proponent include for costs for independent and random third party testing/ measurement and/or continuous monitoring to demonstrate the measurable standard is being met?

Should the measurable standard not be met what are the applicants responsibilities and timelines?

There are some subjects of significance that appear to be buried in the reports and should be brought to light during the current process. If the application is approved in whole or part certain conditions should be placed on the property after all approved quarrying operations are completed. Q15: What is the closure plan for the expansion other than to backfill it? Backfilling is a very broad statement; will it be reinstated to a natural area? Will the City establish specific requirements?

Will the area be designated as a natural environment area?

There is mention of accessory aggregate recycling facilities being an approved use (maybe it already is). Does this mean that large quantities of asphalt, and concrete could be brought to the site for recycling. This could entail crushing, grinding, separating and stockpiling reinforcing steel removed from the concrete. Q16: Is accessory aggregate recycling permitted on the site, or could it be permitted in the future?

Response:

- We do try to respond to all questions and comments. You would only receive a response to your own though. The formal (and public) response staff makes to all comments is part of the report brought forward to Committee and Council.
- No community meeting has been scheduled at this time. The ARAC meeting date was tentative, depending on resolution of issues.
- The comments and responses on the applications are not provided to the public, but the revised reports as a result are posted on DevApps.
- We have had a number of requests to extend the comment period which we deal with on an individual basis. We are still awaiting internal and external technical comments and do not yet have a date for receipt of that. I have let residents know that mid-April would be appropriate for a date to submit comments by. We do continue to accept comments up until a matter goes to Council though.
- Attached is the ERO notice. It is a completely separate process with the City as a commenting agency only.
- During consideration of the adoption of the new Official Plan there was a Council resolution to allow Official Plan amendment proposals under the Aggregate Resources Act (pits and quarries) to be exempt from the freeze. It was not specific to this site.

- They are zoned to reflect the previously recognized ANSI boundary.
- MNDNRF have been consulted and circulated the proposals. The City position is established when Council makes a decision on it. Staff make a recommendation to ARAC and then ARAC recommends a position to Council.
- That is part of the review process both on the planning applications as well as the Provincial licencing (Aggregate Resources Act)
- The Ministry of Environment Conservation and Parks sets standards for noise (relating to humans)
- That is done through the provincial licencing and related enforcement, reporting and monitoring.
- It is part of the licence filed (ERO) as well as the circulation to them on the Planning applications.
- Typically for subsequent submissions we are expected to turn around comments in 2 weeks. There is no formal commenting period set after the first submission.
- Supposed to be within the reports provided.
- That is part of the ARA licence requirements. The City can make a comment or request but it is ultimately a provincial matter.
- It is unclear at this point. The quarry extraction and rehabilitation is very long term - beyond the scope of City Official Plans and zoning. The licence requirements will dictate what the rehabilitated quarry is to be and at that point the zoning will need to be amended to reflect that.
- The ME zones typically do permit a range of related uses. The ME(725r) is the zone for the current quarry - permitted uses are as follows:

ME Zone: Permitted Uses

1. The following uses are permitted subject to:
 1. the provisions of subsections 213(3) and (4);
agricultural use, see Part 2, Section 62
agriculture-related use, see Part 3, Section 79B (By-law 2021-222)
environmental preserve and educational area
equestrian establishment
forestry operation
kennel, see Part 3, Section 84
on-farm diversified use, see Part 3, Section 79A (By-law 2019-41)
 (By-law 2021-222)
 leaf and yard waste composting facility
mineral extraction operation
2. The following conditional uses are permitted subject to the following:
 1. the provisions of subsections 213(3) and (4);
 2. the use is located on the same lot as an operating **mineral extraction operation**;
 3. the use **mobile home** is for a security guard or caretaker;
 4. the **waste processing and transfer facility** is limited to inert construction materials such as concrete and asphalt;
 one **mobile home**
waste processing and transfer facility

The Exception zone 725r also permits -'small arms, rifles and explosives outdoor testing and training area'

Definition - **Mineral extraction operation** includes a pit, quarry or underground mining operation and aggregate related uses including an asphalt plant and a concrete batching plant.

7) Comment:

The proposed expansion will:

- Negatively impact the Burnt Lands Alvar ANSI (Area of Natural and Scientific Interest) designated by the province, a rare ecosystem type found only in a few locations in North America and Scandinavia. This ecosystem supports many distinctive (and some unique) plant and animal species.
- Add to the already large amounts of dust and noise produced by the existing quarry operations. Importantly these negative effects will be moved closer to existing residences on Burnt Lands Road, to within a few hundred metres in some cases.
- Increase the amount of blasting; this, together with the reduced distance, will create a substantial risk of damage to residence foundations and septic systems.
- Use large amounts of local groundwater in the quarry operations; this together with the increase in blasting will potentially disrupt local aquifers used by residents for their wells, and local springs draining into the Coady Creek (and ultimately Mississippi) watershed.
- Increase already high levels of truck traffic from Cavanagh and the nearby Burnt Lands Quarry in Mississippi Mills, further adding to pollution and noise, and adding to congestion and wear on March Road.

All of the above factors will potentially contribute to reduced, local property values.

Cavanagh Construction has been able to expand this quarry several times in the last half century, and owns multiple other quarries in the Ottawa Valley, including many locally, giving them a large, existing quarry capacity. We believe that the local quarry capacity is more than adequate, and that an expansion of the above site is both unnecessary and inadvisable.

Response:

The City cannot, pursuant to the PPS, consider need with respect to preserving or allowing mineral resource extraction. The balance of the comments have been responded to above.

Comment:

Just a quick note to state that I would object to the change of zoning to allow quarry expansion at 4048 March Road.

Response:

Comment was noted.

Comment:

We are writing to inform you that we are opposed to the proposed West Carleton Quarry Extension Project. We are aware that Thomas Cavanagh Construction Limited has applied to the Ministry of Northern Development, Mines, Natural Resources and Forestry for a Class A licence to excavate a maximum of 2,000,000 tonnes of aggregate (annual limit) from a below the ground water table quarry that is located adjacent to Aggregate Resources Act Licence No. 4085. The new proposed site is 18.2 hectares in size and is proposed to be located in Part Lot 15, Concession 11, Geographic Township of Huntley, City of Ottawa.

.....Our address is directly mentioned in the development [application](#) to the City of Ottawa (see Water Report, Blast Impact Analysis).

We are very concerned about the potential impacts the proposed project would have on our health, property and the environment. An overview of some of our general concerns is presented below:

Health

- Significant risks associated with elevated noise that approaches the established sound level limits
 - According to the Acoustic Assessment, receptor POR2 that was placed nextdoor our residence indicated that a dBA of 48 and above would be reached in multiple scenarios (where the limit is 50 for daytime). Moreover, these calculations have not been verified by acoustic audit so there is potential that higher noise levels could be reached.
- Concern that contaminants could be introduced into our water supply
- Concern over potential for high concentrations of suspended particulate matter (quarry dust) leading to respiratory issues

Property

- Decreased property value
 - We have consulted with several realtors who have advised that our residence's proximity to the quarry extension could significantly affect our property value.
- Damage to property
 - Our house is already significantly affected by blasts from the nearby quarry which cause shaking. There are multiple cracks in our foundation which we suspect to be caused by the blasting. We are concerned that increased proximity to the blasting site would exacerbate these issues and result in further damage.

Environmental

- We oppose changing the zoning of the extension area from EP3, Environmental Protection Zone, to a zoning which would allow mineral extraction.

- As mentioned in the Natural Environmental Report, the boundary for the proposed project overlaps with a portion of the Burnt Lands alvar, designated as an area of natural and scientific interest.
- The boundaries of the project would be adjacent to Burnt Lands Provincial Park.

This presents an overview of our principal concerns, however, before any decision on this application is made, we request that a meeting be held between affected residents, the province, the city and developers to discuss concerns in greater detail. Additionally, we request to be kept informed of all developments related to this project, and any further opportunities for public consultation.

Response:

Further to the previous responses in this report, property values cannot be considered a factor in planning recommendations and decision. The applicants have demonstrated, and has been accepted by the province that impacts will be mitigated, monitored and rehabilitation will address the natural systems concerns.

8) Comment:

How can Cavanagh's Complaints Response Program allow such a long response time?

Mental health of nearby residents must be considered. At the moment, the closest the blasting that the existing licence allows for, is about 400 m from the South-East end of (the nearest) house. The Cavanagh Proposal would put the rock face where blasting is to occur as close as 125 m or so. That's less than a third of the current distance allowed. Regardless of the fact that the distance from the house and the calculated blast shock and sound are within the legal limits, it will make life here intolerable.

Is he distance 120 m or 150 m? I measure the distance from ...house to the nearest rock face at about 125 m. What attenuation factor does March Road provide for (a) Noise and (b) vibration from the blasts?

What is the typical crystalline silica content of the rock extracted from the March Road quarry?

1) Are there any penalties for what's been done either at the City or the Provincial level? Have any charges been laid?

2) In whatever proceedings are about to happen, can Cavanagh claim that the property has already been degraded so much that it should no longer be classified as a nature reserve?

3) If whatever tribunal is to make the final decision decides in favour of the applicant, is this not simply rewarding a law breaker for their misdeeds?

4) Is there a written agreement between Thomas Cavanagh Construction Limited and either the City of Ottawa Police Department or the Ontario Provincial Police? If so, please release it to the public.

If the site is to be rehabilitated by backfilling to the existing ground surface, where will 7.425 x 106 cubic metres of backfill material be sourced?

How many truckloads of backfill is that, perhaps a million or more?

How can such rehabilitation be realistically carried out?

What is the time frame for rehabilitation?

Response:

The timing for rehabilitation to start is dependent on the resource being fully extracted. The Excess Soils Regulations could be part of the rehabilitation. This department does not have access to any agreements any police service may have entered into for this property. The blasting/vibration, dust is to meet the provinces guidelines and enforced by them.

9) Comment:

1. Does the City have any outstanding concerns? If not, why did the City not renew their concerns, which I understand is an ongoing requirement. Is there any opportunity to register concerns at this stage?
2. **Hydrogeological risks.** How have these now been addressed to the City's satisfaction since the initial concerns?

The next few questions fall under the '**Additional Comments**' section:

1. it states that the assessment required by the City's OP with respect to impacts on wells, ground and surface water have not been addressed adequately. How have these now been addressed to the City's satisfaction?
2. Also under 'Additional Comments' section – it mentions "legal and sufficient outlet from the quarry has not been demonstrated." Given so many of the drainage issues we have seen in West Carleton-March, this is very concerning. How has this now been demonstrated?
3. City had concern that the design, and location of the proposed berming and fencing to mitigate impacts and support the rehabilitation may not be appropriate. Extent of berming may require removal of trees from buffer areas. How has this been alleviated, or has it?

4. How has the issue of alvar been addressed in light of the archeological assessment, and has the issue of reestablishment been determined? If not, how was it determined that it cannot be?
5. Has the City received confirmation from the Province with respect to the ANSI? If so, has the City prepared detailed comments to the applicant?

Response:

The outstanding City concerns were addressed. The licence would require additional monitoring and sampling of nearby wells. The province has withdrawn concerns with the alvar.

10)Comment:

We are very concerned about the amount of water to be removed from the aquifer in this area.

The submissions do not address the effect that the loss of water, available to the distinctive flora and fauna found on the property, will produce.

It is quite one thing to agree to monitor and correct any issues with well water; but this will not help the surface environment.

This is not called the Burnt Lands out of fantasy. No, we have had THREE VERY SIGNIFICANT FIRES during the 50 years that we have lived here. One, in fact occurred on the very property under discussion.

We do not need to have more extreme removal of water as this quarry expands closer and closer into the alvar.

We may still have our 'refilled' wells, which could well be surrounded by a desert-like landscape.

Response:

The reports indicate that surface water in the alvar should not be affected by the quarry expansions. A Permit to Take Water (PTTW) will be needed for the expansion area and will need to further address any concerns with groundwater. The current reports indicate that the potential drawdown should be manageable for most local wells. Further sampling, inspections and monitoring will be required per the licensing commitments prior to the PTTW.

11)Comment:

I am concerned about the impacts of the water wells and foundations of proximate houses. The current blasts are already significant and moving the blasting area closer will only increase the effects on both of these.

Response:

The site operations, complaints process and monitoring are to occur to minimize those impacts and would be enforced through the province.

12)Comment:

Please consider the following when reviewing Cavanagh's application to expand their West Carleton Quarry onto the 4200 March Road property. The lists of species I found on the site along with those found by Golder show that this piece of property has great biodiversity. I suggest that the City consider acquiring the property.

Reasons Why The Thomas Cavanagh Construction Limited Company Must Not Be Allowed To Expand It's West Carleton Quarry Onto The 4200 March Road (Part of Lot 15, Concession 11, Geographic Township of Huntley) Property.

Continued comments from March 7th, 2024.

6/ The species inventory lists in addition to Golder Associates lists I found on the 4200 March Road site are listed below.

Vascular Plant List

The more common of the following plants were identified by myself. The majority were identified by a botanist retired from the Canadian Museum of Nature in Ottawa. Mr. Albert Dugal did the identification from photos I sent him and plant samples that I took and gave to him. Of the plant samples he has a number of them pressed.

There are 72 species of plants named below in addition to the list that Golder Associates produced. The list below doesn't include about a dozen spring plant species yet to be identified.

As indicated in my previous comments there are a few hundreds of Showy Lady-Slipper and Yellow Lady-Slipper Orchids on the site. Attached please see a photo taken on June 11th, 2022 of two Showy Lady-Slipper Orchids. You can see blooms that hadn't quite opened yet. The size of the plants shows that they've been above ground since roughly June 1st. The leaves of these orchids are quite distinctive and the plants can be readily identified without blooms as a result. The second attached photo taken just a week later shows 8 Showy Lady-Slipper Orchids in full bloom. Zoom in for a closer look. The third attached photo (IMG_0099.JPG) taken on Sept 2nd shows three Showy Lady-Slipper Orchid plants (two above the log and one below the log) still complete except for the blooms which had finished. These plants were still recognizable two to three weeks later. Therefore, they were easily recognizable for almost 4 months. Keeping that in mind ask yourself if Golder Associates managed to miss seeing hundreds of Showy Lady-Slipper Orchids, along with two in bloom right along the south bank of Cavanagh's east-west running road on the site (see attached "Showy Lady-Slipper Orchids along Cavanagh roadway") and more than 72 other plant species, how many others, including possibly some Species At Risk ones, would they have missed? Shouldn't they have to redo their Natural Environment Report? This one is deficient.

<i>Acer rubrum</i>	Red Maple	
<i>Actaea rubra</i>	Red Baneberry	
<i>Agrostis stolonifera</i>	Creeping Bent-grass	
<i>Anemone riparia</i>	Tall Anemone	
<i>Artemisia vulgaris</i>	Mugwort	
<i>Aster ciliolatus</i>	Lindley's Aster	Ciliolate Wood Aster
<i>Aster novae-angliae</i>	New England Aster	
Now called <i>Symphotrichum Novae-angliae</i>		
<i>Aster umbellatus</i>	Flat-topped Aster	
Now called <i>Doellingeria umbellata</i>		
<i>Astragalus canadensis</i>	Canada Milk-vetch	Regionally Significant
<i>Astragalus neglectus</i>	Cooper's Milk-vetch	Regionally Significant
<i>Athyrium filix-femina</i>	Lady Fern	
<i>Carduus acanthoides</i>	Spiny Plumeless Thistle	Uncommon
<i>Carex flava</i>	Yellow Sedge	
<i>Carex hystericina</i>	Porcupine Sedge	
<i>Carex lasiocarpa</i>	Slender or Wiregrass Sedge	Uncommon
<i>Carex leptalea</i>	Bristle-stalked Sedge	Uncommon
<i>Carex Pseudo-Cyperus</i>	Cypress-like Sedge	
<i>Clintonia borealis</i>	Yellow Blue-bead Lily	
<i>Comandra umbellata</i>	Bastard Toadflax	Uncommon
<i>Convovulus arvensis</i>	Small Bindweed	
<i>Cypripedium calceolus</i>	Yellow Lady-Slipper Orchid	Uncommon
<i>Cypripedium reginae</i>	Showy Lady-Slipper Orchid	Uncommon
<i>Cypripedium arietinum</i>	Ram's Head Lady's Slipper	G3
<i>Dryopteris clintoniana</i>	Clinton's Wood Fern	Uncommon
<i>Dryopteris spinulosa</i>	Spinulose Wood Fern	
<i>Erigeron annuus</i>	Daisy Fleabane	
<i>Erigeron philadelphicus</i>	Philadelphia Fleabane	
<i>Erigeron strigosus</i>	Rough Fleabane	
<i>Euphorbia cyparissias</i>	Cypress Spurge (Non-native)	
<i>Fraxinus americana</i>	White Ash	
<i>Galium verum</i>	Yellow Bedstraw	Uncommon
<i>Halenia deflexa</i>	Spurred-gentian	Regionally Significant

<i>Hesperis matronalis</i>	Dame's Rocket	
<i>Hieracium florentinum</i>	Yellow Hawkweed	
<i>Juncus articulatus</i>	Jointed Rush	Uncommon
<i>Juncus nodosus</i>	Knotted Rush	Uncommon
<i>Linnaea borealis</i>	Twinflower	Uncommon
<i>Lonicera oblongifolia</i>	Swamp Fly Honeysuckle	
<i>Lotus corniculatus</i>	Bird's-foot Trefoil	
<i>Lycopus americanus</i>	American Water Horehound or Bugleweed	
<i>Medicago lupulina</i>	Black Medick	
<i>Melilotus officinalis</i>	Yellow Sweet-clover	
<i>Mimulus ringens</i>	Monkey-flower	
<i>Osmunda cinnamomea</i>	Cinnamon Fern	
<i>Osmunda regalis</i>	Royal Fern	
<i>Pastinaca sativa</i>	Wild Parsnip	
<i>Plantago major</i>	Broadleaf or Common Plantain	
<i>Polygala paucifolia</i>	Fringed Polygala, Milkwort or Gay Wings	
<i>Populus alba</i>	White Poplar	
<i>Prenanthes alba</i>	White Lettuce	Regionally Significant
<i>Pyrola asarifolia</i>	Pink Pyrola	
<i>Ranunculus acris</i>	Common or Tall Buttercup	
<i>Rosa blanda</i>	Smooth (or Wild) Rose	
<i>Salix bebbiana</i>	Bebb's Willow	
<i>Sambucus pubens</i>	Eastern Red Elderberry	
<i>Saponaria officinalis</i>	Bouncing-bet	
<i>Scirpus validus</i>	Strong Bulrush	
<i>Sisyrinchium montanum</i>	Blue-eyed Grass, Common	
<i>Sisyrinchium mucronatum</i>	Blue-eyed Grass, Slender	
<i>Solanum dulcamara</i>	Bittersweet Nightshade	
<i>Solidago altissima</i>	Tall (or Late) Goldenrod	
<i>Solidago graminifolia</i>	Narrow-leaved Goldenrod	
<i>Solidago hispida</i>	Hairy Goldenrod	
<i>Sonchus arvensis</i>	Sow-thistle	
<i>Sphagnum</i>	Sphagnum Moss	
<i>Spiranthes cernua</i>	Nodding Ladies' Tresses	
<i>Tilia americana</i>	Basswood	
<i>Tsuga canadensis</i>	Canadian (or Eastern) Hemlock	
<i>Trifolium pratense</i>	Red Clover	
<i>Tragopogon dubius</i>	Yellow Goat's Beard (Yellow Salsify)	
<i>Waldsteinia fragarioides</i>	Barren Strawberry	
	Yellow Crucifer	

Insect Species List

Mr. Jeffrey Skevington, PhD Research Scientist, Canadian National Collection of Insects, Arachnids and Nematodes assisted with the identification of some of the species by reviewing some photos I sent him.

There are 26 species named below and 3 narrowed down to families. Two species are Species of Special Concern, Yellow-banded Bumblebee and the Monarch Butterfly. See attached photos, 8339 and 0436, of these two species.

There is one species of bumblebee not identified. See attached photo IMG_8723JPG. There are two species of Lady Bug or Beetle and several of dragonfly and other species of insect not yet identified.

Aquarius remigis	Water Strider	
Bombus terricola	Yellow-banded Bumblebee	Celithemis
elisa	Calico Pennant Dragonfly	
Chinavia hilaris	Green Stink Bug	
Crambid (family)	Pyralidae (sub-family)	
Danaus plexippus	Monarch Butterfly	
Geometer moths (family)		
Graphocephala coccinea	Candy-striped Leafhopper	
Jumping spiders (family)		
Leste tardif	Spotted Spreadwing Damselfly	
Libellula pulchella	Twelve-spotted Skimmer Dragonfly	
Mantis religiosa	Praying Mantis	
Megisto cymela	Little Wood Satyr Butterfly	
Microcentrum rhombifolium	Greater Angle-wing Katydid	
Neodactria luteolellus	Mottled Grass-Veneer Moth	
Phyciodes tharos	Pearl Crescent Butterfly	
Polites themistocles	Tawny-edged Skipper Butterfly	
Pollenia rudis	Cluster Fly	
Pyralidae	Crambid	
Sarcophaga	Flesh Fly	
Scathophaga stercoraria	Yellow Dung Fly	
Sympetrum spp.	Meadowhawk Dragonfly	
Sympetrum vicinum	Autumn Meadowhawk Dragonfly	
Syrphinae	Flower Fly	
Tetrapoes terophthalmus	Red Milkweed Beetle	

Thorybes pylades	Northern Cloudywing Butterfly
Tipulidae	Crane Fly
Trochodes nuttalli	Red-blue Checkered Beetle
Zanclognatha pedicillialis	Grayish Fan-foot Moth

Amphibians Species List

Salamander: Species to be identified, possible Species At Risk.
See attached photos 8540 and 8542, zoom in for a closer look.

Snail Species List

Two unidentified species. See attached three photos (8549, 8551 and 8552) of one species. Zoom in for a closer look. Possible Species At Risk.

Response:

The City cannot review the information provided when it seems as if access to the site to obtain it was not authorized, despite the thoroughness of the work involved.

13) Comment:

Respectively, we wish to register our strong objection to the proposed amendment to current zoning for expansion of the quarry at 4200 March Road by Cavanagh Construction.

We believe the current zoning which recognizes the lands as part of the Burnt Lands Alvar (ANSI designated) as most appropriate and preferable to local residents – human and otherwise.

PROXIMITY OF BLASTING AND HEAVY EQUIPMENT TO LOCAL HOUSING: There are several reasons we object to this permit request but the most significant is the proximity of extraction work to our friends and their long-time home. Based on the illustration on the posted notice and aerial photos (Google), resource extraction via blasting or other violent means will be within 150m of their house and fresh water well. We live on Burnt Lands Road, approximately 4km from the active face of the quarry and we regularly feel the ground tremors from the blasting. We understand some of our neighbours have had well water supplies affected by the blasting and this is despite the land (to be extracted if the proposal proceeds) being a buffer. Expansion of the quarry would put blasting and heavy equipment noise virtually in our neighbour's back yard. It will make living there unbearable and will undoubtedly kill their property value also.

PRESERVE THE ALVAR (IT IS STILL RECOVERING): Besides the impact to human neighbours, we are concerned about the environmental impact of quarry expansion. We

live on the Burnt Lands Alvar – both beautiful and environmentally significant. Those of us living here accept responsibility for keeping the alvar intact and healthy for humans and the animals we share this space with. The special zoning, combined with the establishment of the provincial park are valued by everyone in this area and the lands previously damaged by DND with the listening station is now returning to a more natural balance. We expect Cavanaugh Construction to be a good corporate citizen and avoid this expansion and respect the zoning as-is to do their part to uphold this environment.

POTENTIAL AIR QUALITY IMPACTS: Elevated air particulate as a result of aggregate mining is well documented. A study conducted in response to the Miller Braeside quarry concluded that:

"The results of the dispersion models were evaluated against the TSP concentration limits set by the Ontario Ministry of Environment (MOE). All simulated 1-h average TSP concentrations were found to significantly exceed Ontario's 1-h TSP limit. Similarly, the simulated 24-h average TSP concentrations on the days representing the winter, summer, and autumn seasons were found to be well ab Ontario's 24-h TSP limit.

Since the quarry is situated in close proximity to many residential areas, expansion of the Miller Braeside quarry is not recommended as its high TSP concentration levels will pose as a severe hazard to human health."

Reference: [Air quality assessment for the proposed Miller Braeside quarry expansion in Canada: TSP](#)

A similar study should be conducted, with results provided by impacted residents for transparency.

FLY ROCK: "Fly Rock discharge from quarry blasting is a contaminant as determined by the Supreme Court of Canada. It is likely to cause an adverse effect under the Environmental Protection Act." Reference: <https://ontarioplanners.ca/OPPIAssets/Documents/Policy-Papers/OPPI-Fly-Rock-Advisory-August-2021.pdf>

Please provide details on how fly rock will be managed protecting our neighbour who will be within 150m of the proposed expansion.

Please be sure to establish meaningful public consultation on this matter and provide notice directly to us as we would like to be heard.

Response:

Much of the consultation process is through the ARA licensing process.

14) Comment:

I have no doubt the powers that be will choose economy over environment in this situation, which is why I am focusing my concerns on how I can best protect my family and my neighbours. My concern is regarding the proposed setback (or lack thereof).

While I understand the proposed 30 meter setback is meeting the minimum standards as set out by the province, on January 1, 2022 Rule 28 of subsection 0.13 (1) in Ontario Regulation 244/97 of the Aggregate Resources Act came into effect. This rule acknowledges that there is a concern for all “sensitive receptors” within 500 meters of the boundary of the blasting site in terms of sensitive land use; affect on private homes/dwellings and fly rock.

I have little doubt the report prepared for this expansion is compliant with the provincial guidelines and outlines how they intend to ensure “all reasonable measures to prevent fly rock from leaving the site during blasting if a sensitive receptor is located within 500 meters of the boundary of the site.”

However, who is responsible regarding the enforcement of this plan? Who is providing oversight of their blasting protocols? Is it the Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNRNF)? Is it the City of Ottawa?

FACT: There is currently no existing provincial government guideline indicating HOW the licensee is to keep fly rock within the quarry site when blasting (as of August 2021 - if there is a plan I request a copy).

FACT: The Act and Regulation do not indicate how the proponent is to take all-reasonable measures to demonstrate that fly rock can be contained within the quarry site during blasting (as of August 2021 - if there is a plan I request a copy).

It is clear the NDMNRNF failed citizens by not protecting them from fly rock in various incidents in the recent past. How is it possible that many areas in Canada and the US have minimum set backs or “Exclusion Zones” of up to 800 meters to protect their citizens, but Ontario does not? Why do you wait for accidents to happen before protecting private land owners (i.e. the Miller quarry in Braeside, ON resulted in a 500 meter setback only after negligence was demonstrated on multiple occasions)?

By implementing Rule 28 above, the provincial and municipal governments acknowledge that people within a 500-meter radius are at risk of being adversely impacted. So why not have a 500 meter setback from March Road? Is the 500 meters really going to hurt the profits when you are planning to excavate 16 hectares? It will help to ensure the safety of my children, neighbours and thousands of commuters along March Road.

Cavanagh has supported the communities around us by donating funds to a local hospital, lending trailers for my children’s school plays, and much, much more. So why not give us the gift of safety, knowing that a rock won’t land on my home or hurt my child? Additionally, this could potentially address the other concerns regarding reducing the impact on well water, air quality, land values and damage to our homes.

While I understand that the current quarry has been/is operating “safely” with a 30 meter setback, can we all just be honest and agree that we know better now? Things have changed since the quarry first opened and the licence was granted. More homes have been built closer to the quarry. More provinces, states and countries are acknowledging that mandatory setbacks of up to 800 meters is required to protect homes and lives.

I am respectfully requesting a 500 meter setback/exclusion zone incorporated in the proposed site plans to ensure the safety of local residents and minimize the damage to our properties.

Response:

Enforcement of the ARA licence is by the province. The 500 metres can be reduced if it is demonstrated that the impacts can be mitigated.

15) Comment:

I completely agree with message (14) above). We really must preserve habitat and water supply to maintain biodiversity around Ottawa. The Burnt Lands Alvar is significant for rare and endangered species.

Response:

See response to Comment 14).

16)Comment:

I live at Burnt Lands Road and am presenting the following comments solely on behalf of my wife and myself. As I am a Professional Engineer, it is important to note that I do not purport to have any professional expertise in any of the subject matter.

I have copied Councillor El-Chantiry and his office, as well as Jamie Oxtobee at Golder/WSP, the firm that completed the hydrogeological, and natural environment reports for Cavanagh Construction.

For clarity I have highlighted our questions with blue highlighter. As much as practical I have tried, to varied degrees of success, to preface the questions as concisely as practical. The e-mail format is not ideal, however, it may facilitate responses.

Executive Summary: We appreciate that aggregates play a very important role in our society and that governments have established policies to try to avoid endless approval processes and opposition, however, as in this case 4048 March Road, not at the cost of valuable natural heritage. We also understand that Province will not licence the site for aggregate extraction if appropriate municipal zoning is not in place. We feel that the Cavanagh submission;

- has not fully recognized the significance and importance of the Burnt Lands Alvar in terms of its natural heritage value

- may not treated the the provincial park as the area of highest importance without recognizing that it was established based on "available" lands and as such the importance of the ANSI lands are not fully considered
- does not address the available scientific studies that have identified the global significance of the area
- has not presented sufficient argument to demonstrate the current zoning is not appropriate and as such, leveraging the Provincial Policy Statement (PPS) in order to access additional aggregates does not recognize that the PPS places the onus on the proponent to demonstrate that there there will be no significant harm to important natural heritage.
- does not provide sufficient evidence using current data to demonstrate with a high level of confidence that the proposed quarry expansion will not have significant impact on ground water and drinking water wells
- does not provide a tangible mitigation plan to indicate the process by which drinking water well complaints will be addressed, establishes responsibilities, and includes for clearly defined timely and independent conflict resolution in the event of disagreement.

Although the nature of the subject matter is complex, it would be appreciated that where applicable the City ask that the authors of any updated technical reports understand some of the stakeholders are laypersons, and as such prepare a summary of the findings, conclusions and proposed direction to help in the initial understanding of the subject matter. As we have no expertise in these subjects, we would appreciate if the City would continue to provide clarification if the premise of our comments is incorrect, or if not applicable to the SPA process we would appreciate if you could redirect us. (as lay persons, as much is reasonable, we have referenced publicly available information and reports and made efforts to try to cross reference the information with multiple sources. We have also attempted to select sources that are appropriately referenced and have been completed by and for recognized agencies and institutions.)

Please accept the following comments as a follow up to our earlier email thread in April (included at the end of this e-mail). Despite your feedback, I will admit to remaining somewhat confused about the various deadlines. [Whether it is the City's or Provinces' process, we highly recommend that a calendar and automatic updates be made available to all interested parties in order that they do not miss their opportunity to comment.](#) Based on your earlier comments there is some latitude to continue to share comments/questions with the proponent and as part of City's process of reviewing the application for a SPA amendment. Needless to say, the complexity and specialization of the various reference reports is a challenge for a "lay- person" and requires considerable time and effort to gain a basic understanding .

In addition to considering the commentary below, [would you please provide an update on the status of the referenced application for zoning amendment at that time. If specific dates are not known, I am quite happy with approximate timelines.](#)

Given that our property is approximately one kilometer from the subject we have focused the following additional comments and questions on environmental and

hydrogeological facets of the proponents application which we believe could have the most significant impact at both our property, and the Burnt Lands Alvar (Although we may have an opinion with respect to the value of the alvar and ANSI lands this value can and is established by the academics and researchers that have studied it). Note that commentary with respect to hydrogeology follows as the last topic in the e-mail. Please clarify that the City's interest in the hydrogeology related to drinking water supply (quantity and quality)? As I understand it wells are licenced through MECP and the City provides a sampling/testing service? In the scenario that the water supply is potentially impacted by quarry activities, is there involvement on the part of the City?

The nature of the subject matter is complex, and we suggest that if the authors of the technical reports prepare, and make available, a summary of the findings, conclusions and proposed direction it may in fact enhance the stakeholders understanding. Note that similar to many of the potential stakeholders, my wife and I have no expertise in subject matter, and we would appreciate if the City would provide clarification if the premise of our comments is incorrect, or if not applicable to the SPA process redirect us.

The lines of responsibility between the City and Province are not always clear and I have tried to limit my comments to the zoning application, As indicated in your previous e-mail, the City and other internal and external stakeholders are also completing their expert review(s) concurrently and their comments are only shared with the proponent. We understand that other stakeholders will only see the proponents' updated reports and not the questions or comments that triggered these updates. It is our opinion that expert comments and questions directed to the proponent, along with the proponents responses should be shared with other stakeholders in order to help these stakeholders fully understand the issues and demonstrate that their individual concerns are addressed . On this basis, and as necessary with the agreement of the proponent, would the City share comments/questions along with the proponents responses with interested stakeholders?

Natural Environment:

If we understand correctly, Cavanagh Construction is leveraging the Provincial Policy Statement (PPS) as the basis for their application for a Site Plan Amendment (SPA) to expand the subject West Carleton Quarry onto 4048 March Road lands. it is also understand that the land was purchased in or about 2014 at premium price relative to similar lands in the area and that at the time of purchase Cavanagh would have been well aware of both the EP-3 zoning and its restrictions, the ANSI designation, and the PPS-2014 wording: "(2.5.2.1) As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.

" Furthermore: Claus 2.5.2.5 of the PPS states "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:** 1. resource use would not be feasible; or 2. the proposed land use or development serves a greater long-term public interest; and 3. **issues of public**

health, public safety and environmental impact are addressed." The updated PPS-2020 appears to be consistent with PPS-2014 (in effect at the time of the land purchase) in that it asserts that having aggregate resources near the market it supplies is of value to society in general, but not at the cost of significant environmental impact.. PPS-2020 also emphasizes the importance of protecting natural features such as:

- Part IV: Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.
 - Long-term prosperity, human and environmental health and social well-being should take precedence over short-term considerations
- Section 1.1 c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- h) promoting development and land use patterns that conserve biodiversity;

Cavanagh's actions to date; including constructing large berms and internal roads on the subject EP-3 lands, prior to undertaking a natural environment assessment could/should be construed as the proponent trying to influence the outcome of the formal process and placing higher priority on corporate competitiveness without regard to environmental diligence. This of course gives the proponent the benefit of the doubt, and that the proponents actions were not simply wanton disregard for the zoning limitations.

What is the City's policy/position with respect to reported modification of the lands currently zoned EP-3 prior to approval of any SPA amendments?

We understand that the importance of the zoning amendment to the proponent is that the geologic formation accessible in the quarry produces an aggregate that is ideal for concrete and asphalt - it would be logical to think that a zoning amendment would inherently provide Cavanagh with a competitive advantage in bidding for local projects for some time; and/or supplying aggregate to suppliers to other contractors building infrastructure in the area. Furthermore, it is understood that the PPS was established to reach a balance between protecting natural environments and societal interests.

Part 1 of the PPS notes that "Municipal official plans are the most important vehicle for implementation of this Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Municipal official plans are the most important vehicle for implementation of this Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions." With respect to the current SPA Amendment application, it is our opinion that the onus is on the

proponent to demonstrate that the current zoning of 4048 March Road is not appropriate.

We have included a number of links and key facts below for reference and as being indicative of the fact that Alvars are of significant interest globally, internationally and provincially, and that the Burnt Lands Alvar consisting of the Provincial Park **and** ANSI lands are an important example of Alvar ecosystems. The list is by no means exhaustive.

1. The boundaries of the PP were established based on availability of public and some private land and not on efforts to include all of the natural features in the ANSI area. In effect the PP boundary is geopolitical.
2. From a practical perspective the ANSI area was established to identify to governments and stakeholders that the area provides an environment that provides and protects suitable habitat for valuable and unique natural heritage
3. Natural heritage areas do not necessarily end at defined perimeters and the natural habitat areas are influenced at by the ecology that borders it; effectively a zone of influence or buffer. A good example of this is that a waterway may provide habitat for an at risk species, however the survival of the species also requires that adjacent land areas must be protected although they may not be considered as habitat. The following study prepared by Beacon Environmental (Dec 2012) involved a number of Conservation Authority stakeholders, and an extensive literature search regarding buffer zones. <https://cvc.ca/wp-content/uploads/2021/06/Ecological-Buffer-Guideline-Review.pdf>
4. For the sake of discussion in the context of the Beacon Report if the PP as the natural heritage area, there is a buffer zone beyond the PP that protects/isolates the natural heritage area, from the influences that surround it such as invasive species, human activity, adjacent land use it also acts as foraging area for wildlife, birds etc that habitate the PP. On this basis Beacon Report, its references, and potential approach should be considered in any ecological assessment of the impact that surrounding land use may have on the BL Alvar. Note that the scenario is used to illustrate a point and is not intended to suggest that the ANSI area outside of the PP boundaries does not provide habitat for threatened or significant organisms.
5. It is interesting to note that the Golder Report makes no reference to buffer zones nor do many of the ecological studies cited in the various references. Beacon Environmental focused somewhat, but not entirely, on waterways and wetlands, they did, however, note: "In addition, buffers to somewhat specialized habitats that occur in southern Ontario (e.g., alvars, cliffs, shrub thickets) **are not addressed because of the absence of any scientific or technical literature on buffers to them.**" Additional key notes extracted in part from the Beacon report are summarized separately below under separate heading. My wife and I purchased our property and appreciate and respect the reasons for the EP-3 zoning; in many respects our private ownership protects the natural environment more so than the public lands are protected. Our own research and readings about alvars in general as well as the Burnt Lands Alvar indicate that there are a limited number of specialists

- who have studied and published on the topic. With all due respect to the biologist, it is not clear that the Golder report included for site specific knowledge that may be necessary to understand the habitat of the local vegetation and wildlife and the influence of the surrounding buffer zones. Does the City agree that for the purposes of protecting natural heritage setbacks listed in regulations and standards are intended as part of the planning process to trigger additional evaluation and that the actual setback from the natural heritage feature or habitat should be scientifically based and supported by site and habitat specific evaluation? Would the City be willing to comment in general regarding the process by which zoning setbacks are established to protect unique natural heritage?
6. With reference to the PPS intent, that impediments should not be put into place to prevent mining of aggregates close to where they are needed, the PPS further indicates that it is up to the proponent to demonstrate that the proposed aggregate activity will not harm the natural environment " 2.1.1 Natural features and areas shall be protected for the long term. 2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. Has the City had any consultations with other agencies including the Province with respect to protecting the Burnt Lands Alvar natural heritage? What is the City's policy with respect to destruction/modification of natural heritage in areas zoned EP-3 ? What bylaws and potential penalties does the City have in place?
1. **Conclusion:** Cavanagh has not demonstrated that the ANSI area is not a critical element in the protection of the designated Burnt Lands PP. In addition based on the discussion in Beacon Environmental and indication that little scientific research has been completed to evaluate the influence of the buffer zones on the health and maintenance of sensitive lands such as alvars, a higher standard of care with respect to environmental protection may be required for the current SPA amendment application. As the current ANSI area of which the PP is central has in the past been adopted by the City and Province as "appropriate" it is understood that it is the responsibility of the proponent to demonstrate otherwise. On this basis it would be incumbent on the proponent to provide sufficient expertise and/or scientific research to demonstrate (1) that work already completed on the extension lands has not impacted the ANSI area, and (2) proposed quarry operations will not impact the ANSI lands or PP. Is the City willing to comment at this time with respect to the adequacy of the proponents application to demonstrate that the the current zoning is not appropriate for the subject lands? Does the City agree that it is incumbent on the proponent to demonstrate that the current zoning is not appropriate?

Q: It is understood that the City's EP-3 zoning was largely established based on the Province's ANSI designation for a larger area that extends into Mississippi Mills, surrounds and includes the Burnt Lands PP. Has the City had any discussions with the Province regarding the scale of importance of the ANSI area with respect to providing an environmental buffer zone around the PP?.

Summary Notes prepared based on Beacon Environmental Report " Ecological Buffer Guideline Review" (December 2012): Note that the following are excerpts copied in whole or part, and/or paraphrased from the referenced document to illustrate content of the report and **potential** relevance to the Application for Site Plan Approval Zoning Amendments (4048 March Road). The full document should be reviewed for applicability and context.

Although ecological buffers cannot compensate for habitat scarcity and fragmentation (see Section 5.1.1), they have been increasingly recognized as useful planning tools for helping to protect remnant natural heritage features, and their associated functions, from some of the impacts of adjacent land uses in both rural and urbanizing contexts (e.g., Bennett and Molongoy 2006)

Footnote 1 of the document indicates that: The Natural Heritage Reference Manual (OMNR 2010), which is the primary supporting guideline document for implementation of the Provincial Policy Statement (MMAH 2005), defines buffers and asserts their value in mitigating against impacts related to site alteration. and/or development adjacent to natural heritage features throughout the document, but does not recommend minimum widths for any features other than fish habitat (see Table 11-3, p. 106).

This guidance document specifies that a buffer should: · Be between a natural feature and lands subject to development or site alteration; · Be permanently vegetated (preferably with native species); and · Protect the natural feature against the impacts of the adjacent land use (rather than provide the functions of the feature itself) Should not be considered as providing habitat, but protects that adjacent habitat. In some cases provide what Environment Canada calls Critical Function Zones

Should not be confused with setbacks established for planning purposes and/or as a trigger to determine if additional study is needed. Planning boundaries should not be construed as being the same as buffer zones.

In their study of wildlife responses to mined versus natural peat bogs in New Brunswick, Bonifait and Villard (2010) found that songbird abundance was not reduced in peat bogs surrounded by areas disturbed by mining and left intact with some adjacent buffer (300 m to 500 m).

Noise levels can impact breeding; breeding may be lower at edge of protected area

Section 3.2.5 indicates that recommended buffer zones ranged from 15 to 300 m for core habitat protection

Also looked at edge effects; how far into the natural environment does the stressor impact the protected habitat Looked at 3 impacts (1) abiotic (2) direct biological (3)

indirect biological effects (i.e., changes in species interactions related to the difference in physical conditions) – ranging from 10 to 600 m For example, predation, brood parasitism, competition, herbivory, seed dispersal and plant propagation. A number of research articles cited a “rule of thumb” approach “starting” at 100 m.

Should planning setback be from the edge of the buffer and not the protected area? The Environmental Law Institute (2003) uses their findings as the basis for recommending generalized buffers of 230 to 300 m from habitat edges, however the largest documented effects were related to responses of birds and mammals, and it is questionable to what extent these longer distance effects are actually site-specific “edge effects” rather than responses to changes in the extent and nature of habitat in the broader landscape (e.g., fragmentation). This is an important distinction, because pointing to edge effects as the causative factor suggests that simply placing a larger buffer on the given feature can mitigate the observed impacts, whereas if overall habitat fragmentation and loss is the driver of the documented responses, then buffers can do very little and the solution lies in increasing overall habitat coverage and connectivity

The Natural Heritage Reference Manual (in Section 13.5.4.2) further states that: “The physical separation of development from natural feature boundaries using vegetated protection areas or vegetation protection zones is one of the most widely used mechanisms for softening or reducing (i.e., buffering) the impacts of land use changes on adjacent natural features.”

Table 6 indicates limited scientific support re meadows Table 7 references 120 m buffer for meadows Appendix A lists 4 references that recommend buffers greater than 120 m.

Summary of Important Environmental features of the Burnt Lands Alvar: The following is included as evidence of the importance of the Burnt Lands Alvar as a significant natural heritage site. The various reference documents and literature should be reviewed for context and relevance.

1. The Burnt Lands PP was established to protect a valuable and threatened natural heritage area. The boundaries of the Park were established on availability of public and private land within the ANSI designated area.
 - "Alvars are open areas of flat limestone covered with thin, patchy soils and sparse vegetation of herbs, shrubs, and few trees. They are considered some of the most floristically rich habitats in the northern-temperate regions and are considered globally rare" From the Ontario Aggregate Resources Corporation - 2004 Annual Report https://toarc.com/wp-content/uploads/2019/02/2004_TOARC_AReport.pdf (pdf page 14)
 - Alvars are globally imperiled. In the Great Lakes Basin only 112 square km over 120 locations
 - Burntlands Provincial Park is only 25 -33% of the protected ANSI area
 - one globally rare, 3 provincially rare and at least 20 regionally rare plants. (provincial park only)

- - Due to the rarity of alvar environments, and the exceptional quality of the Burnt Lands... (from Interim Management Strategy)
 - Per MNR: "Aggregate extraction will not be allowed due to the significance and sensitive nature of the alvar ecosystem. (Part 12 of IMS)
 - Many parts of this property are highly disturbed (per IMS)
 - The insect community is rich and diverse, with at least 50 species of butterflies. Brunton (1986) observed 84 species of birds.
 - Over 450 species of vascular plants have been recorded in this area. Sixteen of these species are characteristic of alvars, and 5 of these almost completely confined to alvars
 - Nine globally rare species of land snail have been recorded in the south block, and four of these are found nowhere else in Ontario:
 - The ANSI is the best representative alvar in site district 6E–11, in terms of both its size and the diversity of community types contained within it. The International Alvar Conservation Initiative (IACI) ranked the Burnt Lands Alvar as B1, or of outstanding significance, based on the concentration and quality of globally rare vegetation communities found within it. Additionally, Burnt Lands is the most easterly alvar in Ontario, and is separated from most other alvars in Ontario by the Frontenac Axis.

Burnt Lands Alvar is one of the five most diverse alvars in the Great Lakes Basin; five of the 13 alvar vegetation community types identified by the IACI as being globally imperiled are represented in the protected area. Burnt Lands Alvar contains the best examples found in North America of two of these high priority community types – annual alvar pavement grassland and poverty grass dry alvar grassland (Appendix I).

A previous study (Brunton 1986) identified 14 different vegetation community types within the ANSI, 11 of which are found within the protected area. Two of these community types are provincially significant.

The Nature Reserve includes sections of three significant alvar areas identified by Brunton (1986): the north block of Crown land ("Ramsay Alvar"), the Nature Conservancy of Canada property ("DND Alvar"), and the south block of Crown land ("South Block Woods and Alvar". These are described below:

- north block – largest area of open, natural alvar within the Burnt Lands; supports most of the alvar taxa known in the study area; supports only prairie dropseed (*Sporobolus heterolepis*) meadows in ANSI; rich in rock flats vegetation and flora

- NCC property – extensive example of later–successional, deeper–soil alvar; alvar pavement; wide variety of alvar shrubbery and turf species; *Cirsium discolor* population
- south block – mixed forest and alvar complex; most vegetational variation in entire Burnt Lands represented here; excellent *Cypripedium arietenum* populations
-
- "OTTAWA VALLEY - Natural Area Conservation Plan II (NACP) Québec and Ontario Regions" (Nature Conservancy Canada - 2013) [Table 4.1: Summary of Threats to the Ottawa Valley NA Biodiversity Targets](#), lists "Expansion of aggregate and stone extraction" as a high risk threat to Alvars
-
- Lists 154 species of birds site at the Burnt Lands
PP <https://ebird.org/hotspot/L1518681?yr=all&m=&rank=hc>
- Another list for birds that lists at risk status: <https://avibase.bsc-eoc.org/checklist.jsp?region=CAon0048&list=howardmoore>
- Daniel Brunton: biologist: <https://www.natureconservancy.ca/en/blog/authors/daniel-brunton.html>
- No specific reference to Burnt Land, however, mention of alvars/ limestone barrens. Catling is cited. <https://www.canadianfieldnaturalist.ca/index.php/cfn/article/view/1602>
- <https://mvfn.ca/wordpress/wp-content/uploads/2014/12/Great-Plains-Ladies-tresses.pdf> Catling cited. Paper lists a number of botanical varieties. A number of papers cited in the references supporting this particular paper.
- <https://mnfi.anr.msu.edu/communities/description/10702/alvar> State of Michigan - listing of rare fauna. Useful to emphasize that alvars are under the same pressures elsewhere.
- <https://drpaulkeddy.files.wordpress.com/2019/12/belcher-et-al.-1992-can-j-bot-alvar-vegetation-in-canada-a-multivariate-description.pdf> Reference right column on page 1290 that suggests that alvars differ from location to location suggesting that they are all important.

Hydrogeological:

With respect to the Hydrogeological Study submitted we table the following concerns and assume that the questions will be directed to the proponent: [For my edification does the potential impact of quarry expansion on ground water considered in the SPA process?](#)

- The hydraulic model is based on recent well data for wells on the quarry site, and static water levels at the time of drilling at potentially impacted drinking water wells in proximity to the quarry. In some cases the wells may have been drilled over 40 years ago and there is potential that the static water level has changed over time. **Should the model be calibrated for current well levels?**
- The hydraulic model is static and does not take into account seasonal or yearly fluctuations of ground water levels. The impact of these variations is not addressed in the report. **What is the impact of seasonal water variations on the predictions of the model? Will various wells in the subject area have different seasonal water variations (for example our water quantity and quality varies seasonally, whereas, others assumed to draw water from the Rockcliffe formation do not report the same issues?**
- The study looked at the impact due to drawdown at the nearest Town of Almonte wells west of the quarry site, It is noted that private wells on Golden Line Road are not specifically mentioned; these wells are believed to be closer to the quarry site than the Town of Almonte wells. **Is there a reason that wells for homes on Golden Line Road were not assessed and/or reported on?**
- Based on personal experience water quality and well capacity changes seasonally. Seasonal changes in water quality as well draw down occurs, and is not addressed. Similarly seasonal changes in water supply are not addressed in the scenario where aggregate extraction activities have resulted in reduced well water levels over long time periods. **How will the proponent model seasonal variations?**
- If I understand correctly weather data from an Environment Canada weather station at Drummond Station was used as well as WHC for the same geographic area. Intuitively one would expect that WHC could be significantly different in the Burnt Lands area particularly with limited soil depth and the possibility that the soil may already be saturated when a new rainfall event happens. **Would the proponent comment on the potential impact of local conditions relative the current model scenario that uses weather data from a remote location with different soil conditions.**
- **In estimating a water balance for the site; is the water leaving the site from the on-site sump metered? Will it be in the future?**
- Available drawdown is defined as the original static water level at the time of well drilling less the bottom elevation of the well. **Is it realistic to use the bottom elevation of the well as the pump may not reliably draw water at that level?** This also does not appear to account for the depression in well level when the well pump is operational.
- **Could the proponent comment further on the process and timelines should in the future, a party suggest to Cavanagh that performance of their well has been impacted by quarry operations?.**

Response:

The resubmission for the planning applications and ARA licence have addressed the concerns the province and the City had with the proposal.

17) Comment:

I recently became aware of the Application for Official Plan Amendment to change the Zoning to allow Cavanagh Construction to expand their Quarry operations onto land that is designated ANSI. “The Burnt Lands Alvar Life Science Area of Natural and Scientific Interest (ANSI) includes most of the site, and extends over much of the landscape surrounding the site excluding the existing Cavanagh quarry and rural residential properties extending northward along Burnt Lands Road (figure 3). The Burnt Land Alva includes a mosaic of ecosystems including bare rock, alvar meadow and mature bedrock forests. The Burnt Lands Alvar ANSI is considered unique and has specific characteristics for which it was designated as an ANSI....”

I object to the applicant’s request for re-zoning the land from ENVIRONMENTAL PROTECTION TO MINERAL EXTRACTION. Apparently, the council passed a resolution on October 27, 2021, allowing aggregate applications to proceed within the 2-year freeze period post adoption of the new Official Plan. However, without seeing the Oct 27, 2021 motion and resolution, I would find it a very poor planning not to have an Official Plan that could see at least 2 years into the future and be able to govern Ottawa’s land use for 2 years. Furthermore, again, without seeing the resolution, I would disagree with passing a motion that would overturn an ANSI designation on land within the City of Ottawa into commercial quarry land use, for profit and that the City would sacrifice the importance of GREENSPACE AND more importantly an ANSI designation, over profit.

Additionally, upon cursory glance at the Golder Natural Environment Report, it seems that brief surveys took place only on approximately 10-12 site visits, and the site visits were focused on one species per visit.

Were residents, other users of the surrounding lands consulted on their siting of birds, plants, animals, insects and reptiles? Has the town of Almonte, the Village of Corkery, and other adjacent communities been consulted on this proposed application and have they been given the opportunity to comment before the March 31, 2022 deadline to provide comments?

My opinion is that you cannot put the toothpaste back in the tube. Once the ANSI land is destroyed it cannot be restored. Please consider this email my initial comments on this proposed development application for an OPA. I reserve the right to update my comments, however, I wanted to ensure that I filed an objection before the March 31, 2022 deadline posted, to comment.

Response:

The applications were circulated to Mississippi Mills and all nearby registered community associations. The province accepted that the alvar did not exist and that the quarry rehabilitation can meet the requirements to protect and reinstate natural systems. Review of the information filed for the planning applications also supported that position.

18) Comment:

I would like to register my very strong objection to the above application, and request the City of Ottawa deny the proposed quarry expansion.

This request is due in part to the fact that the area is currently well-served by many existing quarries, but mostly due to my concern that permanent detrimental effects will occur to natural environments for flora and fauna, agricultural livestock and farm activities, and human residents, including, but not limited, to:

1. Industrial Traffic Risk to Vulnerable Seniors:

In the last 3 decades, several new subdivisions in and around the proposed quarry expansion area were approved, resulting in significant increases in traffic volume at the corner of March Road and Burnt Lands Road, the proposed quarry expansion site.

The quarry proposal to remove 2 million tons of rock aggregate would translate into adding 1 million industrial haulage trucks onto the 2-lane March Road, raising the risk of traffic accidents for all drivers along this major commuter corridor.

In particular, additional industrial traffic would impose significantly greater safety risks to the vulnerable senior residents of the City of Ottawa's west border Golden Line, the West Carleton Ward, and Lanark County's Mississippi Mills. The latter's resident population aged 65 and older was 22% in 2016, the highest in Ontario and Canada, and is rapidly outpacing the Ontario average by a significant margin, with a projected 26% of the population by 2026. This dedicated voter population uses March Road regularly to access routine medical, dental and retail services, and also for emergency medical treatments.

Public health specialists advise that longterm health outcomes for vulnerable seniors are safer and less costly to social service budgets when they age in place within their own homes, and remain socially and economically active for as long as possible. Planning experts also state that public transportation options like buses and taxi-type services are either limited or non-existent for the vulnerable seniors in this catchment area.

Given the above, the City of Ottawa should strongly support existing public health advice to create elder-safe transportation and commercial infrastructures, and to achieve that goal, deny proposals (such as the aforementioned) that do not fit with this important public health mission.

2. Health Risks to Existing Residents (Elder and Youth)

Elderly residents currently live a mere 125 metres from the proposed quarry. Several children under 12 years of age also live only a few dozen more metres down the road from those elders.

Quarry blasting, vibrations, digging and industrial haulage from 7am to 11 pm poses a definite threat to the health status of these residents from chronic exposures, including but not limited, to:

2a. Dust Pollution:

Exposure to industrial dust is correlated with many adverse health outcomes, including asthma, reduced lung function, cancers, and obesity.

2b. Noise Pollution:

Exposure to chronic industrial and traffic noise is correlated with hearing loss, tinnitus, reduced sleep quality, and mental health deterioration.

2c. Well Contaminants

The quarry expansion proposal has the potential to significantly reduce the existing level of residential well water quality and quantity by removing large volumes of water for industrial use and then dumping post-production slurry and sludge back into the water table.

Risks to existing well water quality and quantity are real, and contaminants pose unique risks to longterm health outcomes.

2d. Industrial Traffic Risks:

Outlined in point 1 above.

3. Risks to Agriculture

About 1, 018 hectares of agricultural properties on

Burnt Lands Road are serviced by subsidiaries of Coady Creek, downstream from the proposed quarry expansion site.

As noted in 2c above, there is great potential to harm water quality and quantity when large volumes of water are removed for industrial use and the post-production slurry and sludge is dumped back into Coady Creek and its related water table.

Harm to animal and crop production, both short- and long- term, are inevitable, unquantified, and unidentified. Proponents of the quarry expansion have obligations to demonstrate that proposed aggregate-removal activities will not harm natural environments; they have not done so to date (See Point 4 below).

4. Risks to Provincial Park: Plants and Protected Wildlife

Burnt Lands Provincial Park directly abuts the proposed quarry expansion land on several borders. The park is heavily used by residents, tourists, bird-watchers and photographers who enjoy the wildlife and the alvar (a type of extremely rare flora globally).

Ninety-four species of birds and other endangered and protected flora and fauna inhabit Burnt Lands Provincial Park and its adjacent lands, the latter of which is designated ANSI (area of natural and scientific interest). Endangered species include, but are not limited to: alvar; butternut trees; and salamanders.

Their existence and that of their future offspring will be directly threatened by alterations to their natural environmental habitat via:

- Land access, composition, and integrity
- Industrial noise pollution
- Increased vehicular traffic
- Increased contaminants of blast-activity/equipment (silica, smog, exhaust and fuel emissions, and post-production sludge/slurry);
- Effect of water removal on the quality and quantity of natural water tables, ponds, streams and subsidiaries, including a likely increased risk of fires in an already identified as a fire-susceptible microclimate and a known history of fires in 1870, 1999, and 2013.

Of note, fire-fighting aircraft dredged water off a Burnt Lands Provincial Park pond to help stop the 2013 fire from spreading further into Ottawa.

A 2020 Provincial Planning Statement for Ontario outlines the need to demonstrate that proposed land use activity will:

- Not harm the natural environment;
- Protect natural features and areas long term; and
- Maintain, restore and improve (where possible) the diversity and connectivity of natural features in proposed sites.

The above requirements explicitly recognize and respect linkages between and among natural heritage features and areas, surface water features, and ground water features.

In summary, the referenced quarry expansion proposal does not address all of the complexities within the Burnt Lands Provincial Park and related ANSI areas, and therefore does not meet the community's current needs and modern land use standards. As such, the proposal should be denied.

Please consider the above issues and information contained in the reading citations below prior to making your evaluation, and take the most sensible action by respecting this sensitive ecological area and its vulnerable senior population and denying the quarry expansion proposal.

Response:

Traffic patterns and volumes relating to the quarry are not expected to change as the haulage rate remains unchanged. Human health issues are to be addressed through the standards established by the province and enforced through the licence. The province is satisfied that the ANSI can be protected and that rehabilitation of the quarry will be complimentary.

19) Comment:

I am very concerned about this matter. We already have issues of blasting and shaking the house. My concern is the foundation of my home. I do not want this expansion.

Response:

Blasting is to be monitored and enforced through the quarry licence, with a complaints process set up.

20) Comment:

We would like to express our concerns about the proposed expansion of the Cavanagh Quarry located on 4048 March Road. Along with others, we have concerns about this usage next to protected and endangered areas. We would expect that proper notice would have been delivered to nearby residents to inform them of the proposed expansion of the Quarry in the form of a letter.

We have lived approximately 1+ km from the existing quarry for the past 32 years. Over the many years we have been subjected to the constant noise of heavy equipment and to various degrees of blasting. At times this blasting will shake the entire house. This has also resulted in our well partially collapsing. We have had to repair drywall cracks occasionally.

At present we have some of the best quality drinking water in the Ottawa region. I dread the thought of losing our quality of water with the ongoing activities at the Cavanagh Quarry. (I.e. Continuous blasting activities). Also, we are subjected on a regular basis with the police force performing target shooting and and other very loud activities.

We request that the city not allow this proposed expansion to go forward so that no further damage is done to the nearby ecosystem, our drinking water aquifers, and our building structures. The ongoing activities at the quarry effects the entire area surrounding the quarry.

Response:

Concerns with quarry operations have been addressed.

21) Comment:

We would like to add our names to the list of neighbours opposed to the plan from Thomas Cavanagh Construction to turn 18.2 hectares (44 acres) of the Burnt Lands Alvar (designated by the province as an Area of Natural and Scientific Interest [ANSI]) into an extension of the existing quarry.

As well as destroying another part of our natural heritage, it will create **more and louder** blasting, vibration, dust and noise, especially for neighbours closest to the area in question. We are also very concerned about the effect on the local water table this could have on our community.

We believe Ottawa is well supplied with quarries and doesn't need another one.

Response:

The City cannot consider supply in their decision and the issues with the quarry operation and natural systems have been addressed.

22) Comment:

1) March 30th deadline for Comments and Notice to affected residents: It is difficult for residents to comment on this type of proposal when they aren't aware of it. When we drove down March Road towards Burnt Lands to see the notice for ourselves, we could not help but see that this notice is not even visible to traffic travelling north and south bound on March Rd (see 2 photographs included). March Rd. is a high traffic, high speed roadway. Drivers on this road would not see the posted Notice unless they happen to be stopped on the side of the road or at the stop sign on Burnt Lands facing March Rd. If we were unaware of this proposal, how many other residents are also left in the dark? We are formally requesting that residents within a 3 km radius of this quarry be given proper notice in writing, by mail.

2) We are affected by quarry activities and the proposed expansion (blasting effects on residential properties, increased heavy vehicular traffic, dust/air pollution, decreased greenspace).

3) We have concerns regarding potential effects on water source (aquifer).

4) There are 17 technical reports in relation to this proposal on the City of Ottawa website. Some are over 100 pages long. The link for one of the reports cannot be opened (Hydrogeology - "File or directory not found"). These are extremely technical and may be difficult for lay people to decipher. We, as well as other residents in the area, have some questions and wish an opportunity to voice our concerns.

Response:

Comments are considered up until Council makes a decision. No City public meetings were held, though the applicant held meetings under the ARA process. The issue with the on-line access to reports was resolved. Concerns with traffic, quarry operations and the natural system have been addressed.

23) Comment:

we want to show our big concerns about the notification process for the expansion of the existing West Carleton Quarry by 18.2 hectares on March Rd.

We expected, that not only us, but all nearby residents will get notification delivered in the form of a letter. Due to lack of notification, we are asking for the comment period to be increased up to 60 days.

We have been living 30 years beside existing Cavanagh Quarry. We have border with them and also experience with Cavanagh.

When they started blasting, ground was shaking including our house. Underground shock waves traveling so far from the origin. Cracks in the basement and ground floor also. Blasting almost always were happening around lunch hour. People were at work,

not at home. So they didn't know what was/is happened. I was so many times in our house when blasting was on. I know!!!

After while Cavanagh bought 40 acres land towards us. Got permission for blasting (?) and blasted that property.

We haven't been once notified of anything regarding Cavanagh Quarry even we are neighbours.

Before considering this proposal, we ask that you allow time for a first hand investigation and that you allow constituents a reasonable timeframe to present their concerns.

*Provincial Park - Alvar land/Ecologically sensitive area

*Conservation Area - Special flora/Ecologically sensitive area

*Foundation cracks

*Air and Water pollution - heavy dust /especially from grinding rocks

*Possibility of losing water in the wells

*Losing water for trees and all living vegetation / already happening

Water is disappearing by blasting and shaking the ground deep to the earth. Cavanagh can have Quarry out of City of Ottawa!!! Without people living around.

Please let us know about the coming hearing and meetings, we are really extremely concerned about the extension.

Our Burnt Lands alvar is the best example of this habitat type in Lanark County and in the whole of eastern Ontario. It has been the subject of numerous scientific studies. Because of its significance, the Ontario Ministry of Natural Resources has designated some 1,500 hectares of the alvar as an Area of Natural and Scientific Interest (ANSI). A smaller parcel of several hundred hectares is protected within the Burnt Lands Provincial Park (Nature Reserve). (PS: An Area of Natural and Scientific Interest (or ANSI) is an official designation by the provincial Government of Ontario in Canada applied to contiguous geographical regions within the province that have geological or ecological features which are significantly representative provincially, regionally, or locally. Furthermore, the word 'contiguous' is also important in that it implies a 'joining' and/or the ability to 'move and/or flow' from one area to another.)

Response:

Comments were considered past the initial commenting period. The province has accepted that the alvar can be protected and the quarry operation are regulated through the ARA licence.

24)Comments:

We would like to show our concerns about the notification process for the quarry expansion application of the Cavanagh Quarry on March Rd.

We have been living 10 years 1,4 km from the existing quarry and we have not been notified. We would expect that notice would be delivered to nearby residents in the form of a letter.

Due to lack of notification, we are asking for the comment period to be increased to 60 days.

Before considering this proposal, we ask that you allow time for a first hand investigation and that you allow constituents a reasonable timeframe to present their concerns.

- * protected and endangered areas that are valuable to our ecosystem
- * possibility of losing water in the wells - would Cavanagh pay for a new well?
- * foundation cracks - we had to fix foundation already
- * air pollution - dust
- * if asfal will be recycled - water pollution/ air pollution

Response:

Comments were considered past the initial commenting period. The province has accepted that the alvar can be protected and the quarry operation are regulated through the ARA licence. There is a complaints process through the licence as well as monitoring relating to local wells.

25)Comment:

.... live at Ramsay in the ANSI. We have been here since 1978. At that time (Owner)owned the land behind our property. He snuck by us his proposal to have a small part of his 200 acres rezoned for a quarry. Later on he wanted to make the whole property a quarry. I organized my neighbors to take it to the Ontario Municipal Board.board that grants permission. It was an exercise in futility.(owner)was very unhappy that I had instigated a petition, etc. He came to my door and threatened me.

- At the hearing of the Ontario Municipal board the chair, Mr. Singer, would not even let the neighbors speak....(owner) had a lawyer, and of course money talks. Since then we learned that the swamp on the back of our property that butts up to the quarry has been drained in order to keep water out of the quarry.
- This all has no bearing on the present proposal to allow Cavanaugh to get the zoning changed. However, it reflects the kind of shenanigans we should expect

from the people with the money to get their way. The property Cavanaugh wants to rezone has a vast area of mature trees.

- Any action you plan to take will be most welcome.We will be moving out of our home in April, but will be moving in. They are very concerned.
- Although we are not mobile we can write letters, etc.
- I certainly hope we can stop the expansion of the quarry!!! Please keep us apprised of the efforts to stop it.
- p.s. ...(Owner) ran the crusher without the muffler to make the noise as intolerable to us as possible.

Response:

The ARA licence requirements should address many of the concerns of the previous quarry licence process.

26)Comment:

We are writing with concerns about the proposed expansion of the Cavanaugh Quarry. Along with others, we have concerns about this usage next to protected and endangered areas that are valuable to our ecosystem and to our expanding city. If this land usage is to change, there are many other usages that would be less damaging to the delicate balance of this area.

As homeowners of over 20 years within a 2 km radius of the existing quarry, we have had concerns and questions over the years that we planned to bring to your attention. On our land, almost 2 km away, we experience quarry blasts to varying degrees, from mild rumbles to startling blasts that shake our house, cause dogs to bark, horses to bolt, and even guests to ask if a bomb has gone off somewhere. Although our foundation has not been affected, we suspect cracks in wall plaster may have resulted from some of these blasts. What the quarry owners do on their land affects the lands of wildlife and property owners in the area.

Are there guidelines that quarries are adhere to in regard to intensity of blasting, especially near residences and protected areas? And if so, do you have information showing these have been monitored for this existing site?

Many of us have also had 'close encounters' with quarry trucks pulling out from the March Road entrance with a lack of attention to traffic, visibility or road conditions. This is a busy commuter road these days. An increase in quarry traffic on the current road may raise further issues.

Before considering this proposal, we ask that you allow time for a firsthand investigation of the factors we mention, and that you allow constituents time to properly present their concerns.

We appreciate and respect the work you do on behalf of our ward and expect you will give this important ecological concern the attention it deserves. That said, what

is the reason this important proposal was not mentioned in your Ward5 newsletters that we rely on for information about our area?

Response:

The province has accepted that the alvar can be protected and the quarry operation are regulated through the ARA licence. There is a complaints process through the licence and there is to be monitoring. Truck traffic is not to increase, and any issues with increasing traffic on the receiving roads is a matter to be dealt with separately.

27) Comment:

I am sending you the copy of a letter I have sent to our councillor and his assistant. We know that you do not live in this vicinity, and likely have limited, if any, knowledge of this quarry, its effect on people in our area, any interest in the ANSI land on which it borders, or regard for the inconvenience and discomfort it causes us. Have you looked at aerial photos of this area to see the extent of this huge ground removal? If this quarry no longer has the resources it needs, it's time it was shut down. Kavanagh has other sites from which they can extract gravel to fill in natural areas and build on them. The devastation of nature in this area has gone far enough. It needs to stop now.

Response:

The province has accepted that the alvar can be protected and the quarry operation are regulated through the ARA licence. There is a complaints process through the licence and there is to be monitoring.

Community Organization Comments and Responses

1) Comment:

The Greater Avalon Community Association (GACA) in Orléans strongly object to the rezoning of the aforementioned quarry from Environmental Protection (EP) to a Mineral Extraction zone.

The site of the proposed expansion (18.2 hectares (44.9 Acres)), currently consists of coniferous and mixed forests, meadows and wetlands, as well as some roads and unvegetated disturbed areas. Most notably, the site of the proposed expansion is almost entirely within the Burnt Lands Alvar Area of Natural and Scientific Interest (ANSI). In the case of the Burnt Lands Alvar ANSI, the classification was provided with the goal of protecting the regional alvar for both conservation and scientific study. Alvars are unique ecological environments situated on limestone plains with little to no soil cover.

The same situation exists in Nantes Woods (5 hectares) in Orléans which is being proposed for rezoning from EP (also identified as an Alvar Area of Natural and Scientific Interest (ANSI) to Multi-residential.

Rezoning the Burnt Lands Alvar Area to allow mineral extraction will not only jeopardize the 18.2 hectares within the application area, but will potentially set a troublesome precedent wherein conservation designations are overturned to allow development.

As such, the GACA strongly support West Carleton in opposition to the Official Plan and Zoning By-Law Amendment application that has been submitted to the City of Ottawa.

Response:

There are specific policies in the PPS and OP that contemplate aggregates that likely make the circumstances different from the Nantes Woods.

2) Comment

Application # D01-01-21-0019

Cavanagh West Carleton Quarry Expansion

Comments of the Greenspace Alliance of Canada's Capital

As a result of the approval of the City's new Official Plan, the proponent was asked to submit an addendum addressing the new provisions of the OP, notably those dealing with the protection of greenspace and natural areas.

In the submitted report, the proponent reviews the various new provisions, specifically 4.8 Natural Heritage, Greenspace and the Urban Forest, 5.6.4 Natural Heritage Overlays and 7 Greenspace Designation, and concludes that because of the eventual rehabilitation of the quarry extension, its development will have no negative impact on those areas subject to this test, and no net negative impact on the other areas subject to this less stringent test.

The proponent invokes the provision 5.6.4.6, which states that "for the establishment or expansion of mineral aggregate operations within or adjacent to the Natural Heritage System Overlay or the Natural Heritage Feature Overlay, the demonstration of no negative impact or no net negative impact may take into consideration final rehabilitation of the mineral aggregate operation." Note that this provision establishes that final rehabilitation may be taken under consideration. But should it in this case?

The proposed quarry extension is located in an area that enjoys the highest level of protection available under the policies of the new Official Plan. It is located within the Natural Heritage System, is a Natural Heritage System Core Area and is given a greenspace designation of Natural Environment Area. Let us review these relevant sections of the Official Plan.

4.8.1.2 The City shall seek to improve the long-term integrity and connectivity of the Natural Heritage System through land use planning, development processes, acquisition and conservation of land and support for voluntary, private land conservation and stewardship.

Does the expansion of this quarry “improve the long-term integrity and connectivity of the Natural Heritage System”? No, it does not.

5.6.4 a) In Natural Heritage System Core Areas, development or site alteration shall maintain or enhance the integrity, biodiversity and ecosystem services of the area; and, not compromise the potential for long term enhancement and restoration of the ecological integrity, biodiversity and ecosystem services of the area;

Note that this provision calls for both maintaining now, and not compromising future enhancement. Does the extension of the quarry “maintain or enhance the integrity, biodiversity and ecosystem services of the area; and, not compromise the potential for long term enhancement and restoration of the ecological integrity, biodiversity and ecosystem services of the area”? No, it does not.

7.3.3 b) Permitted uses in Natural Environment Areas are: passive open spaces; scientific, educational, or conservation uses associated with the natural features; agricultural operations established prior to May 2003; forestry as defined in the Forestry Act; and renewable energy generation as outlined in Subsection 4.11, subject to demonstration that the use will not compromise the character, form and ecological functions of the area;

Is a quarry extension a permitted use in a Natural Environment Area? No, it is not.

So while provision 5.6.4.6 foresees that it may be possible to envisage the expansion of a quarry within or adjacent to the Natural Heritage Overlay, it by no means implies that it ought to be permitted in every case. Surely, in the case of a site such as this one, which enjoys the highest level of protection available under the Official Plan, an area of the highest ecological value recognized in the OP, the eventual rehabilitation of the proposed quarry expansion should not be taken into consideration. The loss of ecological integrity, biodiversity and ecosystem services of the area would essentially be irrecoverable.

Paul Johanis

Greenspace Alliance of Canada’s Capital

Response:

The review of the application against the current Official Plan (OP) is noted in the main part of the report. Between the policies of the PPS and the OP the proposal can be considered as consistent.