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**Date** Wednesday, October 20, 2021

**From** Jenn Burnett, Senior Planner

**Subject** Sarawak Quarry –The Walker Group

**Report** PL.2021.37

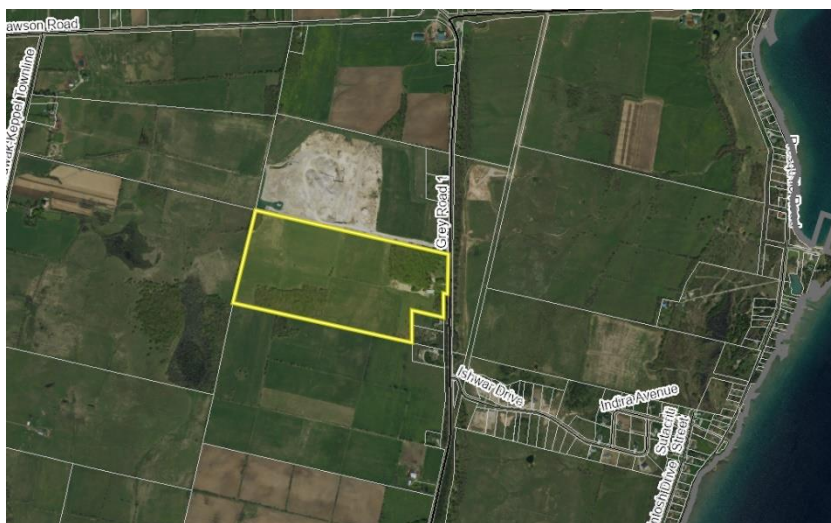
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### Recommendation

Positive comments have not been received from the County Transportation Department regarding the required road widening width to be dedicated. Therefore, at this time it cannot be concluded that applications Z-11-21 and SP-08-21 are consistent with the Provincial Policy Statement 2020 and the County of Grey Official Plan, Recolour Grey. It is recommended that PL.2021.37 be received for information.

### Application Summary

Zoning By-law Amendment Application Z-11-21 seeks to rezone a portion of the lands outside of the licenced area from MX – Extractive Industrial to AG- Agriculture and RU-Rural Special in accordance with the County Land Use designations. The RU-Special zone will permit the existing structures to be used in conjunction with the onsite quarry. The detached dwelling will be converted for office use and meeting rooms and the 72 m<sup>2</sup> (775 sq. ft.) shop will be used for equipment repair related to the quarry operation. No other relief to the By-law has been requested.



Site plan control applies to this property and an application has been submitted for review. The Planning Report by Ron Davidson is appended to this report for additional information on the proposal.

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Roll # 4203-580-004-05100

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## Policies Affecting the Proposal

### **Provincial Policy Statement 2020, Grey County Official Plan (2019), Recolour Grey, and the Township of Georgian Bluffs Zoning By-law 2020-020.**

The 2020 Provincial Policy Statement (PPS) issued under Section 3 of the Planning Act requires that land use planning decisions 'be consistent with' provincial policies.

Decision makers are asked to be consistent with the policies of the PPS including: 1. Building Strong Communities; 2. Wise Use and Management of Resources; and 3. Protecting Public Health and Safety. The PPS is to be read in its entirety and the relevant policies are to be applied to each situation, therefore only excerpts from the PPS have been highlighted to demonstrate the proposal's conformity with the Provincial Policy Statement.

Under Section 4.6 of the PPS, the Official Plan is identified as, "the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans. Official plans shall identify provincial interests and set out appropriate land use designations and policies." (PPS 2020, pg. 35). Schedule 'A' of the Grey County Official Plan (GCOP) designates the subject property as Agricultural, Rural and Extractive Industrial as amended by OPA 148.

Section 2.0 of the PPS, 2020, Wise Use and Management of Resources directs that,

"Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits."

Accordingly, the direction from the Province is to protect and make available mineral aggregate resources for development in the Province while ensuring minimal social, economic and environmental impacts. Section 2.5 of the PPS, 2020, Mineral Aggregate Resources, directs that,

"2.5.1 *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

#### 2.5.2 Protection of Long-Term Resource Supply

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.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or

elsewhere.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

2.5.2.3 *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

2.5.2.4 *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.”

The PPS, 2020 clearly supports mineral aggregate operations and the conversion of the house and shop to an office and repair shop to support the operation would be considered normal and incidental to the aggregate operation.

Section 2.1 of the PPS 2020 directs those Natural features and areas shall be protected for the long term. The GSCA reviewed the proposed amendment in their review of impacts to Natural Heritage features on behalf of the Township and noted the following in their comments directly quoted from their October 12, 2021 correspondence:

#### 2.1 Natural Heritage

“Natural heritage features identified on and/or adjacent to the subject lands include significant wildlife habitat and habitat of endangered species and threatened species. These features were identified in the Natural Environment Technical Report prepared for the proposed expansion of the quarry.

The above features were identified in the southwesterly woodland on the property, well away from the existing structures subject to the zoning and site plan applications. As such, we are of the opinion the proposal is consistent with the Section 2.1 PPS policies.”

#### 2.2 Water

GSCA notes, “We understand no new development is proposed and the applications are associated with existing buildings. As such, no new impacts are anticipated and GSCA is of the opinion the proposal is consistent with the Section 2.2 PPS policies.”

Section 3.0 of the PPS 2020, Protecting Public Health and Safety, directs that development shall be directed away from areas of natural or human-made hazards. GSCA comments indicate that “the subject property does not contain natural hazards as identified in Section 3.1 of the PPS. As such, GSCA is of the opinion the proposal is consistent with Section 3.1 policies of the PPS.” (comments dated October 12, 2021). The GSCA comments are attached for Council’s review.

The development proposed through this application is within the lands designated Rural under the County Official Plan. The proposal is to renovate the existing structures to be used in conjunction with the onsite quarry. The detached dwelling will be converted for office use and meeting rooms and the shop will be used for equipment repair related to the quarry operation. Section 5.4.1(2)(c) of the GCOP permits buildings and yards associated with trades, including contractors yards, plumbing, electrical, heating/cooling shops, etc within the Rural designation.

The Grey County Official Plan identifies Grey Road 1 as a County Collector road typically with a 30-metre right-of-way width. Section 8.3.2 (3) of the GCOP includes a provision that the County can acquire a road widening through the submission of a site plan control application. Through this Section, the County Transportation Department requested a 20 m (66’) road widening.

“(d) Where County road right-of-way widths are less than those described above, the County will require as a condition of approval through a consent, plan of subdivision, or site plan application, the dedication of lands for road widening purposes at no expense to the County. The amount of adjacent land to be obtained for widening will generally be taken in equal amounts from both sides of the road where practical. Unequal widenings may be taken where topographic features, heritage buildings and structures, or other cultural heritage resources, significant environmental concerns or other unique conditions necessitate taking a greater widening or the total widening on one side of an existing County road right-of-way.”

Email correspondence dated October 12, 2021 from the County indicates that the reason for the widening request is because “the eastern side of Grey Road 1 borders on quite a steep cliff within the Hazard Lands, it could be preferable to relocate that portion of the road to run more westerly at some point in the future.” The County has been communicating with the applicants on this request and provided additional comments through email correspondence.

“To be in compliance with the planning act, and as per Grey County Official Plan, the County Transportation would like to revise the requirement for the 20 m (66’) widening to be in the neighbourhood of 8-9 m (26-30’). The exact figure needs to be determined. This would give the County the desired 15 m (50’) half road allowance in that stretch.” (email correspondence dated October 12, 2021)

As this road widening is a condition of site plan control, the road widening width will be identified in the agreement as will a site plan of the lands zoned Rural-special. The site plan agreement does not include activity related to the lands zoned 'MX' Extractive Industrial as there is a licence and corresponding site plan authorized under the Aggregate Resources Act (ARA) and that activity is outside of the scope of the Township's site plan. The proposed site plan is included as an attachment to this report.

The Township of Georgian Bluffs Zoning By-law 2020-020 zones the subject lands 'MX' Extractive Industrial zone. The application proposes to rezone a portion of the lands outside of the licenced area from MX – Extractive Industrial to AG- Agriculture and RU-Rural Special in accordance with the County Land Use designations. The RU-Special zone will permit the existing structures to be used in conjunction with the onsite quarry. The detached dwelling will be converted for office use and meeting rooms and the 72 m<sup>2</sup> (775 sq. ft.) shop will be used for equipment repair related to the quarry operation.

The proposed zones are indicated in the image provided by the applicant. The area in black is the licensed area and the area in red is the location of the proposed office and repair shop.



## Relevant Consultation

The Notice of Complete Application and Public Meeting was circulated to various agencies for review. the following comments were received:

- **Enbridge Gas Inc.** - In comments dated September 22, 2021: “Enbridge Gas Inc, (formerly Union Gas Ltd.), does have service lines running within the area

which may or may not be affected by the proposed Site Plan. Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner. If there is any work (i.e. underground infrastructure rebuild or grading changes...) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected.”

- **Grey Sauble Conservation Authority** - in comments dated October 12, 2021 GSCA noted no objections to the proposed zoning by-law amendment and site plan control applications as the proposal will not impact any areas regulated under Ontario Regulation 150/06, natural hazards and/or natural heritage features. They wish to be notified of any decision made by the Township of Georgian Bluffs regarding the subject application. They request to receive a copy of the decision and notice of any appeals filed.
- **Grey County Planning Department** - In comments dated October 7, 2021 the County notes that provided positive comments are received from the Conservation Authority regarding the Significant Woodlands, and a 66’ road widening condition is included within the Site Plan Control agreement, (revised to 8-9 m in email correspondence dated October 12, 2021) County planning staff have no further concerns with the subject application. The County requests notice of any decision rendered with respect to this application.
- **Risk Management Office** - in comments dated September 22, 2021, the RMO noted that “[t]his property is not located within a Source Protection Area where significant threat policies apply, therefore have no comments on this application under the Clean Water Act.”

The Notice of Complete Application and Public Meeting was circulated to all property owners within 120 m of the subject property. No comments were received by the report submission deadline.

## Conclusion & Recommendation

Positive comments have not been received from the County Transportation Department regarding the required road widening width to be dedicated. Therefore, at this time it cannot be concluded that applications Z-11-21 and SP-08-21 are consistent with the Provincial Policy Statement 2020 and the County of Grey Official Plan, Recolour Grey. It is recommended that PL.2021.37 be received for information.

Respectfully Submitted:

Jenn Burnett, MSc., MCIP, RPP  
Senior Planner

## Report Approval Details

Document Title:	PL.2021.37 Sarawak Quarry –The Walker Group.docx
Attachments:	<ul style="list-style-type: none"><li>- 21470_HSC_ZBA_SPC_GSCA_COMMENTS_12OCT2021.pdf</li><li>- Planning Report Sept 21, 2021 R Davidson.pdf</li><li>- Walker zoning site plan.pdf</li><li>- Site Plan - 660341 Ont Inc. (Walker Quarry).pdf</li><li>- SP-08-21 Walker application.pdf</li><li>- Application - 660341 Ont Inc. (Walker Quarry).pdf</li></ul>
Final Approval Date:	Oct 14, 2021

This report and all of its attachments were approved and signed as outlined below:

Brittany Drury, Interim CAO/Clerk