

**Dufferin Aggregates  
Teedon Pit Community  
Liaison Committee Meeting  
Minutes Meeting #6**



<b>Date:</b>	Tuesday, Feb. 5, 2019	6:30pm – 8:30pm
<b>Location:</b>	Wyebridge Community Centre, 8340 County Rd 93, Tiny, ON	
<b>Chair:</b>	John Matheson	StrategyCorp
<b>Participants:</b>	Cindy Hastings	Tiny Township City Councillor
	Peter Anderson	Local Neighbour
	Christopher Williams	Local Neighbour
	David Barkey	Local Neighbour
	Erin Archer	Local Neighbour
	Judith Grant	Federation of Tiny Township Shoreline Associations
	Jessica Ferri	CRH Canada Group, Inc.
	Mohamed Mousa	Dufferin Aggregates
<b>Minutes:</b>	Alicia Sinclair	StrategyCorp
<b>Regrets:</b>	Jessica Campitelli	Local Neighbour
	Kevin Mitchell	CRH Canada Group, Inc.
<b>Guests:</b>	Jenny Anderson	Local Neighbour
	Janie Brown	Local Neighbour
	Cindy Brown	Local Neighbour
	Brian Zeman	MHBC

**Approval of the Minutes**

- The facilitator noted that no changes to the minutes from the November 1 CLC meeting were received, and the CLC proposed no further changes to the minutes during the meeting. The minutes were approved.

**Operations Update**

Dufferin Aggregates' site manager for Teedon Pit provided an operations update on Dufferin's 2018 activities. Dufferin's site manager noted that they have a scale house operator on site to help manage traffic flow.

- One participant asked if Dufferin continues to monitor water, and Dufferin affirmed that they continue to monitor water. Dufferin also noted that there may be stripping activities

on site, but they leave stripped materials on site for rehabilitation. This activity would take place on west side of the pit.

### **Introduction of MHBC Planning**

The facilitators introduced Brian Zeman, President of MHBC Planning, Urban Design, and Landscape Architecture, who is Dufferin's planner for the Teedon Pit extension. Zeman has worked with Dufferin for over 20 years, and he has experience conducting licensing work throughout Ontario. Zeman noted that the goal of his presentation tonight is to provide an overview of the Teedon Pit extension application.

### **Overview of the Three Teedon Pit Projects**

Referring to Slide 2 of the presentation, MHBC provided a brief overview of Dufferin Aggregates' three permits for Teedon Pit:

- **Teedon Pit Operations:**
  - Teedon Pit has approved aggregate operations, and the licensed area is 85.39 ha. It is licensed under the Aggregates Act and is governed by the Ministry of Natural Resources and Forestry (MNRF).
- **Teedon Pit Permit to Take Water (PTTW):**
  - Dufferin Aggregates has an existing PTTW. Dufferin applied to renew the permit with the same rates and volumes. The Ministry of Environment, Conservation, and Parks (MECP) confirmed that the plant had no impact on residential wells, and the MECP has not made a decision on Dufferin's PTTW renewal.
- **Teedon Pit Extension:**
  - Teedon Pit has applied to extend its operations to the land north of Teedon Pit, encompassing 13.5 ha of extraction area. The Planning Act and Aggregate Resource Act applications for this extension were submitted in 2011, and the first pre-hearing was December 5, 2018.
  - Those who registered as appellants in this hearing can participate in the second pre-hearing scheduled for April 2019, and there will be teleconference capabilities. Only those who registered as appellants will be notified.
  - MHBC noted that the Aggregate Resource Act application has been filed with the MNRF.
  - MHBC also explained that Teedon Pit has three applications for this extension: (1) Amendment to the Township's Official Plan, (2) a Zoning Bylaw Amendment, and (3) an Aggregate Act license and application. The Aggregate Act license and application has a 45-day review period, and Dufferin wants to consolidate all applications before Local Planning Appeals Tribunal (LPAT) hearing so all applications can be dealt with at one time.
  - By the time of the 2<sup>nd</sup> pre-hearing, Dufferin aims to understand whether or not they will be able to consolidate all three applications. If they are unable to do so, they will move date of the pre-hearing.

### **Existing Teedon Pit**

Referring to Slide 3 of the presentation, MHBC provided an overview of the existing Teedon Pit operations. Over the course of the discussion, the following topics were raised:

#### ***Re: Maximum Tonnage***

MHBC noted that the tonnage is capped by amount of tonnage that can be shipped, not tonnage that can be produced. For Teedon Pit, this limit is 600,000 tonnes.

- In response to this, one participant asked why a company would put a limit on

production?

- MHBC explained that companies do not want large inventories that are costly to hold.

MHBC explained that with the new extension, the 600,000 maximum tonnage shipped will not change. There is no increase in permitted truck traffic from the site.

- One participant asked how many years of production Dufferin Aggregates has for this site and why does the company need to extend its operations now?
  - MHBC explained that the Teedon Pit likely has 20 more years of production, and in the aggregate industry, planning this far in advance is not uncommon. This is because applications take upwards of 10 years to get approved, so companies often look to reserves and additional lands well in advance. This timeframe allows companies to properly plan and merge the two sites together for environment and economic reasons.

### **Re: Rehabilitation**

- One participant asked how many pits are rehabilitated back into usable land?
  - MHBC explained that in the Greater Golden Horseshoe, over 700 Aggregate Resource Act licenses have been surrendered, showing that operations have been completed. MHBC noted that there is now more rehabilitated land than disturbed land in Ontario.
- In response to this, one participant referenced a book by Dianne Saxe, former Environment Commissioner of Ontario, in which she writes that of all 5,000 pits and quarries in Ontario, only 40% will be rehabilitated back to reusable land. The participant demonstrated concern that Dufferin would use the Teedon Pit and move on without rehabilitation.
  - MHBC noted that they are unsure of the 40% reference. They explained that all pits must include rehabilitation plans in their license applications. As most of the sites are rural, they will return to agriculture or heritage use. They explained that some properties closer to urban boundaries become golf courses or residential areas. Teedon Pit would return to agriculture, and this is a legal requirement.
  - MHBC also explained that the MECP has a superfund that aggregate companies pay into. In the event of a default, Province uses these securities default on a license, which allows the Ministry to rehabilitate the land.
- One participant noted concerns that they have seen pictures of Dufferin's other rehabilitated pits and quarries and that they were rehabilitated into marsh lands with ponds.
  - MHBC explained that these photos were likely the Acton or Milton quarries, which have different geological features and were below-water quarries. These operations were on land forms in the Niagara Escarpment that were wet lands, cliff-faced, and forested, and Dufferin intentionally returned the lands to wetlands as they were before. They explained that for above water pit operations, Dufferin would not rehabilitate to ponds or marsh lands, as those operations would be separated from the water table. Teedon Pit will be rehabilitated predominantly to agriculture and forest area.
- One participant asked when this rehabilitation would take place? They asked if Dufferin waits to rehabilitate until the operations are done and the product is exhausted from the pit?
  - MHBC explained that the aggregate industry has evolved over time. In the 60s and 70s, fuel was cheap, and there was not a lot of regard for environmental stewardship. As such, licenses were easy to get. Historically, whole properties

were stripped, and they chased the best gravel on the property. However, government is now proactive in legislation. In 1997, there were big legislative changes with regards to rehabilitation. Then in 2005, the government passed legislation on minimizing disturbed area.

- MHBC also explained that phasing operations and rehabilitation is considered a more logical approach for business because it allows companies to get to final depth quickly for production and return soil as soon as possible without having to move soil constantly across the operating pit. The more companies have to move and handle soil, the more expensive it is.
- One participant asked what would stop Dufferin from not rehabilitating the Teedon Pit?
  - MHBC explained that Dufferin has rehabilitation requirements by law and is required to submit annual reports to Ministry. If they are not in compliance, their license can get suspended or revoked. MHCB added that they work for several companies and that Dufferin does some of the highest grade rehabilitation and monitoring. Additionally, future approvals with the Ministry are judged on past performance, so it is critical to demonstrate proper rehabilitation.

***Re: Trust with MECP and CLC Concerns***

- One participant noted that the group believes that the MECP has strained credulity, noting that in their experience, the MECP was aware of issues with the previous owners' operations, and they never implemented repercussions for 10 years. They noted that they requested the previous owners install turbidity monitors, and they never did; they also noted that they asked Dufferin to install turbidity monitors, and they have not.
  - MHBC explained that for above water gravel pits, there is not a need for turbidity monitoring. The facilitators also reminded the participant that the issue of turbidity monitors has come up in previous meetings and that Dufferin has explained why it does not need to install turbidity monitors in wells.
- In response, the participant emphasized that the group is primarily concerned about the operations' impact on water quality in domestic wells and that Dufferin has failed to answer these questions and has not demonstrated why their domestic wells continue to have poor water quality. They emphasized the importance of not expanding operations until there is a full understanding of how operations may be impacting water and wells. The participant noted that though Dufferin and MHBC has stated that there are no cases of aggregate operations impacting water quality, they should not rule out that perhaps they are the first case of this occurring. The participant wanted the CLC to have an opportunity to lead the meetings and voice their concerns to Dufferin, instead of Dufferin providing information.
  - In response, the facilitators reminded the participant that at the first CLC meeting, all participants were given the opportunity to voice their concerns and that the facilitators kept track of these questions. These questions were used to shape the two water-focused CLC meetings. However, the participant who raised this issue tonight was not yet on the CLC and, thus, not at the first meeting when this took place. The facilitators also noted that the CLC meetings should provide an opportunity to answer questions and to provide updates on current materials. Because the 45-review period for Dufferin's extension application begins on February 7, the topic of tonight's meeting—the extension application—is current material.
  - However, the facilitators affirmed that they have noted these concerns and that then next meeting can be used to discuss water and to provide members an opportunity to raise concerns.

- The participant also noted that the pit permit was supposed to be non-transferable, yet the Ministry allowed Dufferin to acquire it.

***Re: Maximum Shipping and Impact on Traffic***

- One participant raised the concern that if Dufferin can ship a maximum of 600,000 tonnes of product per year and if they are not at maximum yet, how will this impact traffic? The participant raised concern that the current rate of traffic is high and Dufferin has not reached maximum numbers of product shipping. The participant asked if it was possible to use the route that Sergeants uses. He emphasized that four school bus routes use this road and with more trucking, increased traffic could be a problem.
  - MHBC explained that in order to alter the trucking route, an amendment would be required. In addition, they explained that there is finite capacity they can ship because there is only one scale on site. As such, the jump from 250,000 tonnes per year to 600,000 tonnes per year would not necessarily mean double the traffic on a day-to-day basis.
  - The Teedon Pit site manager also noted that they can only ship around 2500-3000 tonnes per day logistically.

**Teedon Pit Extension**

Referring to Slide 4 of the presentation, MHBC provided an overview the history of the application. There has been a 65% reduction in the extraction area from the original application in 2011 to the 2018 application. These additional areas are now excluded from the Aggregate Resource Act and the Planning Act. MHBC explained that the reports and site plans will be public on February 7 and will be on Dufferin’s website.

- One participant asked if this extension would fall under the same PTTW?
  - MHBC explained that it would fall under the same application, but that application is currently in the process of being renewed.
- One participant asked if the expansion requires a new well?
  - MHBC affirmed that it does not require a new well.

**Provincial Sand and Gravel Resource Mapping**

On Slides 5 and 6 of the presentation, MHBC explained that the Province categorizes sand and gravel resources into primary and secondary significance. The difference between the two depends usually on stone content. Primary sources have high stone content and cleaner sand; secondary sources have less stone content and are more silty. Higher quality resources are needed for asphalt and concrete; as such, they are important resources. The area of the existing Teedon Pit and proposed extension are considered primary resource locations. The Province has designated these lands for applications.

**Township Official Plan and Proposed Extension Application**

On Slides 7-8 of the presentation, MHBC presented a map from the Township of Tiny’s Official Plan. MHBC disclosed that an MHBC consulting team also developed this plan, and Dufferin Aggregates agreed to provide time-stamped versions of these maps to the CLC.

- In response to the conversation on the various consultants consulted for the extension, one participant raised concern about the noise report. They noted that when they lived beside a quarry in Guelph, there was a noise monitor set up in his front lawn. They explained that, with the Teedon Pit, the noise travels down the lowland and into their backyard. Under Aggregate Act, aggregate companies cannot negatively impact people, and while this is up for interpretation, the participant wanted to understand how planners can provide noise assessments on the extension land without having operations yet?

- MHBC explained that negative impact is assessed through MECP and that noise guidelines set for 7am-7pm. They explained that when neighbours are unable to resolve problems with operators directly, the MECP will measure and assess to ensure compliance to 50 DBA.
- The participant followed up that a consultant brought in a handheld noise meter to test noise, which they found to be insufficient for testing compared to the permanent monitor that was used when they lived in Guelph. They also reminded MHBC that the group does not trust the MECP, and another member affirmed this.
  - MHBC explained that the hand held noise monitors are for ambient noise from operations. They explained that the monitor in Guelph the participation was referring to was a blast monitor, which is permanently set up and is connected to bedrock to measure air concussion. When there is a blast, the noise will be louder than 50 DBA, and blasts are not governed by the same speculations. Blast monitors ensure that structures and wells are protected, and they are not monitoring for listening.
  - Furthermore, MHBC explained that for proposed sites, noise consultants use topographic information for sites and surrounding areas to determine potential noise. Additionally, they look at elevations at which they are proposing to extract, and they have to comply with noise requirements for neighbourhoods that have two-story homes, even if the immediate neighbours do not have two-story homes at that time. Complying with 2<sup>nd</sup>-story noise requirements is more difficult than complying with only ground level noise requirements. Additionally, they must meet the noise requirements for the 30M amenity area surrounding the property. For operations like Teedon Pit and its extension, the current processing plants are used to measure sound levels. As a way to decrease noise, operators will often lower elevation to comply. In other words, they have to alter plans based on the needs of the surrounding area.
  - For Teedon Pit's extension, they peer reviewed the old application, the noise from the pit, and the noise from extraction. Pulling all three of these items allows them to properly assess and predict noise for the extension.
- One participant asked if the noise report included noise from trucks driving from the pit. They noted that because there is a small hill on the road, the majority of trucks use Jake breaks and, thus, are squealing.
  - MHBC noted that at the open house consultants will be present and can answer questions about reports. They also affirmed that there should be more dialogue with the drivers.
  - MHBC also noted, however, that they do not know the intricacies of the model to know if the noise report takes into account noise from breaking trucks.
  - They also affirmed that all reports have been completed.

### **Teedon Extension Revisions to Original Application Summary**

On Slide 9 of the presentation, MHBC discussed the revisions to the original application. As a clarification, they explained that this site was formerly called the Sibthorpe site and is now called the Teedon Pit extension. MHBC explained that Dufferin's ecological report advised them to reduce the area of operation, which is why the extension is now smaller.

The facilitators agreed to share the website information for the extension application materials.

### **Teedon Extension Application Operation Plan**

On Slide 10 of the presentation, MHBC presented a map of the operational plan for the extension.

- One participant noted that in one of the plans they saw, the plan called for a 15M set back between the existing Teedon Pit and the extension, though the operational plan presented by MHBC displayed a 0M set back. Dufferin agreed to follow up about this.
- One participant asked if this land went over the sharp cliff face and down the bank or if the operations would stay on top of the hill?
  - MHBC explained that the limit of extraction on the hill is 290M above sea level, which is on the western end of the extension, and the operations would drop down to 270M above sea level on the eastern end of the extension.
- MHBC also explained that deforesting would not extend to the property line.

### **Archaeology Report**

On Slide 12 of the presentation, MHBC presented an overview of the archaeology report for the application.

- One participant asked if First Nations were involved in this report.
  - MHBC explained that they did not believe First Nations were spotters in this report, as it dates back to 2010. They affirmed that new practices call for First Nations spotter who specializes in archaeology to demonstrate cultural significance.
- In response, one participant noted that it was reported to them that this hill has significant spiritual value, so it is difficult to imagine that this hill did not play a significant role in the community. They affirmed that First Nations groups should be peer reviewing and participating in such reports.
  - Dufferin explained that they are in dialogue with First Nations groups and have circulated all reports to First Nations groups. They had not had contact with a First Nations archaeologist, but there is ongoing dialogue.
  - Dufferin presented that the archaeology report was approved by the Ministry of Tourism and Culture

### **Natural Environment Report**

On Slides 12-17 of the presentation, MHBC provided an overview of the natural environment report as part of the application. Overall, they noted that the extension area has low ecological quality, as some of the mature forests are excluded. In the reports, there is a proposal to extract some of the significant woodland, but this is referencing pine plantation and younger deciduous forest that can be replicated and do not have value. MHBC affirmed that high quality ecological features will be protected.

MHBC explained that on day one of operations, the ecologist will want to see a perimeter gap between the operations and mature forest. They will plant new trees to create a canopy that develops over the years, and they conduct what is called edge management. Because of different types of forest, there can be different species within forest communities; as such, Dufferin can only clear on certain times when species will not be habitating there.

### **Site Plan Rehabilitation**

On Slide 18 of the presentation, MHBC presented the rehabilitation plan. They noted that primarily conifer and deciduous trees will be rehabilitated in the forested areas, and the pit floor will be rehabilitated to agriculture to the existing pit. There will be a net increase of significant woodland.

### **Noise Report**

On Slide 19 of the presentation, MHBC presented on the noise report from the application.

There were no further questions.

### **Traffic and Hours of Operations Report**

On Slide 20, MHBC presented an overview of the changes to the traffic and hours of operations. As part of its operations, Dufferin is pursuing earlier start times for shipping. However, this does not mean that there will also be earlier processing or operations. The only activity would be shipping and using the shipping loader and between 5am-7am. For time extensions like this, there is a reduction in the number of trucks that can be on site in the earlier hours of the morning before standard operations. MHBC noted that these earlier start times are helpful for companies because product is being shipped farther and needs to be ready to get into construction operations for 7am. MHBC explained that the only activities would be loading product into the shipping trucks.

- Participants raised concerns about this. One participant emphasized that Dufferin knew it was moving into a residential area with the Teedon Pit and that they need to respect the needs of the community. The participant emphasized that this would be a huge problem and that residents will be angry. Furthermore, in addition to summer traffic as people travel to cottages, this increased truck traffic will contribute to traffic jams on Route 93.
  - MHBC noted that they were at the meeting with the Township when this issue was brought up, and Dufferin is at consultations to improve alignment of the road for public safety.
- The participant stressed that there are kids in the neighbourhood, and their safety is important.
  - MHBC reminded participants that this is proposed and that people can submit comments to this proposal.

In response to these concerns about increased shipping hours, MHBC noted that the construction operations in the GTA are now 24/7, especially in the Flamborough area. For example, a lot of highway construction projects are operating only at night, which means they need supply to come in at night. They explained that the Province produces 180M tonnes of aggregate per year, and the GTA consumes almost all. As supply diminishes in the areas surrounding the GTA, companies need to look to aggregate further outside the city. Now, the GTA imports 72% of aggregate from north.

- One participant noted noise concerns regarding reverse beepers.
  - The Teedon Pit site manager explained that they use white noise beepers, which have a lower frequency. MHBC affirmed that shipping from 5am-7am will be subject to lower noise limits and that neighbours shouldn't hear 45 DBA.

### **Water Report**

On Slide 21 of the presentation, MHBC provided an overview of the water report from the application. MHBC explained that this is an above water gravel pit and that the expansion land is above the water table. They affirmed that there are no chemicals used in aggregate washing. They also explained that their 20 years of working on applications like these—15 to 20 active applications per year—they were not aware of any above water gravel pit that has had an impact on water quality.

- In response, one participant noted that suspended silt in water is considered a contaminant. As such, it is important to note that the community members may have different definitions of what a contaminant is. Their belief is that this suspended silt is problematic, and though GHD has made statements to the contrary, they requested

that Dufferin and its consultants heed more care when saying no contaminants are used.

MHBC affirmed that there will be no asphalt recycling on the extension, and there is no intent to store asphalt on the existing operation.

- Participants pointed out that though there is no intent, Dufferin is allowed to recycle asphalt if it wants to, and the CLC members would like that clause be removed from the license if Dufferin has no intent to store asphalt.

### **Teedon Pit Extension Aggregate Dates**

On Slides 22-23 of the presentation, MHBC noted key dates in the application process and provided a map of the new boundaries. They explained that Dufferin is required to provide mail notices about the application process to all neighbours within a 120M boundary. They sent it to neighbours within 120M, and they also voluntarily send it to all neighbours within 750M of the pit. There are 13 residents who they sent notices to, and four have received and signed the notices. Dufferin mailed these last Friday, and they explained that on Thursday, February 7, all items will be posted to the website. Furthermore, a sign went up last Monday near the pit.

They explained that February 7 is the first day of the review period, and a notice will be in the English and French newspapers. The notice includes Form 1, which advises about the public meeting, and Form 2, which explains the process. Participants can submit complaints until March 25, which goes to Dufferin and to MNRF. Dufferin will either provide written responses about the complaints or will have one-on-one discussions. Dufferin is required to respond to the issue raised and provide a mitigation strategy.

- One participant noted that the extension will be using the current PTTW, and, as such, Dufferin needs to use existing groundwater to facilitate the expansion. However, the use of water in existing operations is not included in the expansion application, even though water is integral to this operation and extension. In other words, if water is integral to washing and if Dufferin is proposing to expand, it should examine the current operation's impact on water before expanding.
  - In response, MHBC explained that there are three processes that Dufferin has—the existing operations, the PTTW, and the expansion—all fall under different jurisdictions and different tribunals.
    - The existing Teedon Pit operations fall under the MNRF, and site plan amendments are MNRF.
    - The PTTW falls under the MECP and the Environmental Review Tribunal. If people want to appeal the PTTW, that appeal would fall under the ERT.
    - The tribunal that handles the expansion, the LPAT, does not have jurisdiction over PTTW permits, and they do not have authority to consolidate the applications.
  - MHBC also explained that there is no public notice for minor amendments, but they do provide notices to the Environmental Review Board for major amendments. Furthermore, the issue of washing is PTTW and, thus, MECP. As such, if MECP denies the PTTW, Dufferin cannot was the product.
- It was noted that on the original application before Council, one of questions asked was about the continuation of the wash plant. Though Council is not an approval authority, they can comment on applications. Burnside and SSEA will be looking at reports and will be bringing comments forward prior to 45-day deadline.
- MHBC also noted that because of date of original application, the zoning amendments

can be dealt with in one tribunal.

### **Next Meeting and Concluding Remarks**

Dufferin will canvass the group for the best time for the next meeting.

The facilitators emphasized that the next meeting can be used to review the meetings from the past year and narrow down to the critical issues left unanswered. This meeting will give participants an opportunity to voice concerns.

- One participant noted that their concerns over water are both micro and macro. They are concerned about the impact on their domestic wells, but they are also concerned about the pit's impact on their aquifer.
  - MHBC affirmed that water protection is critical.
- In response, the participant reminded the group that GHD said that silt plumes do not move underground, yet the participants have seen silt coming out of springs in the surrounding areas. There is an overall concern of the participants witnessing phenomena that is different from what GHD says is possible, which frustrates committee members.

Overall, there was an affirmation amongst the members that there are issues left unresolved coming out of the GHD presentations.

- The facilitators noted that in advance of the next meeting, they would work with members to determine the topics of the next meeting so that the group can approach the concerns in a structured manner.

One participant noted that the group has worked with scientists who advocate for natural environment and who do not work for a company who may have other interests.

- In response, MHBC reminded that group that Dufferin's application was reduced due to environmental concerns. It is the planners' job to ensure that commercial plans are compliant with provincial policy. They are not advocates of the company; they believe in their professional opinions that the extension should be approved based on provincial policy.

Though the next meeting will likely be in March or April, the group requested to have a meeting in May when Dr. Shotyk, one of the scientists who works with the CLC, will be in town. Shotyk has written that removing the aggregate will harm the natural filter in the area.

The members also reminded Dufferin and MHBC that they have significant documentation of operations and impact on their domestic wells.

Participants raised concerns that the MNRF acts in ways it wants, even if it is not completely compliant. MHBC noted that zoning is the first item that needs to be approved. If the zoning amendments are not in place, license can't be issued, and MNRF does not have the authority to handle zoning amendments. As such, even if MNRF wanted the pit operations to continue, they would not have the authority to ensure this.

### **Meeting Adjourned**