

ZBA-13/12

OPA 46

LIPPA



COMMITTEE OF THE WHOLE **AGENDA REPORT**

TO: Chair Edwards and Members of Committee of the Whole

MEETING DATE: March 16, 2017

SUBJECT: OPA 46, ZBA-13/12, Amended, (LIPPA), Concession 4, Part Lots 3 & 4, (Cardwell), Civic Address: 1089 Butler Mill Road, Roll #'s: 1-4-028, 1-4-030

RECOMMENDATION: That OPA 46, ZBA-13/12, (LIPPA) proceed to a Public Meeting.

APPROVALS:

Date

Signature

Submitted By: D. Pink, Director of Planning

08/03/17 Original signed by D. Pink

Acknowledged: S. McDonald, CAO

08/03/17 Original signed by S. McDonald

ORIGIN

Particulars of Property: Lot Frontage ~2,600 feet on Butler Mill Road
Lot Area 134.2 acres (assessment information)

Proposed Policy: To amend the "Areas of Resource Potential – Mineral Resources" schedule to include the subject property, which will permit the establishment of a new Pit and Quarry.

Proposed Rezoning:

Existing Zoning	Proposed Zoning	Permitted Uses	Accessory Uses	Proposal
Rural (Ru2)	Rural Industrial – Extractive (RuM3)	-Agriculture -Pit or Quarry -Wayside Pit or Quarry	-Contractor's Yard -Office -Residential Dwelling Unit -Retail Store	Rezone property from Ru2 to RuM3 to permit the establishment of a pit and a quarry

BACKGROUND

PLANNING DATA

Official Plan Designation: Rural (Area 2: Low Density)

By-Law 2014-14 Zoning: Rural (Ru2), Environmental Protection (EP1)

Schedule No.: 7, 8

Access: Butler Mill Road (Municipal, Year Round Maintained)

Neighbouring Uses: Rural, Open Space, Township Pit

Civic Address: 1089 Butler Mill Road

PLANNING CONSIDERATIONS

1. Background

These applications to permit the establishment of a Class A Category 1 Pit and a Category 2 Quarry on Butler Mill Road with an annual extraction limit of 200,000 tonnes were considered by Committee of the Whole on March 27, 2012 and were deferred for a number of technical studies to be completed. The applicant's agents have been in contact with staff since, providing updates on completion of the studies and on changes to the proposal. The finalized studies as outlined in Section 2 below have now been submitted to the Township.

The original March 27, 2012 staff report which provides further information is attached to the current agenda.

2. Technical Studies

The following technical reports and studies have been submitted by the applicants;

- Archaeological Assessment, prepared by Archaeological Assessments Ltd.;
- Blast Impact Analysis, prepared by Explotech Engineering Ltd.;
- Hydrological Assessment Level 1 and 2, completed by Skelton Brumwell & Associates Inc.;
- Hydrogeological Assessment Level 1 and 2, completed by Wilson Associates;
- Natural Environment Report Level 1 and 2, prepared by Skelton Brumwell & Associates Inc.;
- Fisheries Impact Assessment, prepared by Riverstone Environmental Solutions Inc.;
- Acoustic Assessment, completed by Hugh Williamson Associates Inc.;
- Bedrock Quality Assessment, completed by Peto MacCallum Ltd.;
- Traffic Impact Study, completed by Skelton Brumwell & Associates Inc.; and,
- Planning Justification Report, completed by Skelton Brumwell & Associates Inc.

All of the reports conclude that any impacts from the proposal can be effectively mitigated or that the site is generally suitable for the proposed use, subject to recommendations. The recommendations can all be implemented through a combination of either zoning controls or conditions to the aggregate licence. The vast majority of recommendations are operational limitations, which are best implemented through the licence. A number of conditions are listed on the Operational Plan attached to the agenda.

Due to the number of studies and volume of material they have not been attached to the agenda but can be reviewed by visiting or contacting the Planning Department.

3. Peer Reviews

Through discussions with the Ministry of Natural Resources and Forestry (MNRF), it has been determined that their in-house Biologists will review the Environmental Reports and the Fisheries Impact Assessment, while their Hydro-geologist and the Ministry of Environmental and Climate Change (MOECC) will review Hydrological Reports. Staff intends to forward the Traffic Impact Study to both the District of Muskoka and Township of Muskoka Lakes Public Works Department for review and

comment. It is not felt that the Archaeological Assessment, Blast Impact Analysis, or Acoustic Assessment warrant a peer review, although Committee can require they be completed if desired.

4. Amended Application

The application has been amended from its original submission, now including the lands to the east, consisting of Part of Lot 3, Concession 4, north of Butler Mill Road. This adds approximately 70 acres to the proposal.

Comprehensive Zoning By-law 2014-14 has also been passed since the original submission. The property was zoned Rural (Ru2), Open Space (OS2) and Environmental Protection (EP1) under Zoning By-law 87-87. The current Zoning By-law has removed the OS2 zoning at the north end of Lot 4, Concession 4.

5. Public Notification

Although the Planning Act requires only a minimum 20 day notice period for the current applications, staff would recommend that an increased circulation period be considered given the complexity and significance of the proposal, and breadth of information. Dependent on the outcome of the Committee's deliberations, staff would be in a position to circulate a complete notice by early-mid April. The June 16, 2017 Council meeting would provide approximately 60 days' notice to the public. The notice will also be placed on the Township website.

Staff has also encouraged the applicants to separately consult with neighbouring landowners and other stakeholders, including the Skeleton Lake Cottagers Association. The applicant's agents have indicated this has occurred.

6. Ministry of Natural Resources and Forestry License Application

The applicants have also submitted an application to MNRF for a category 1 & 2 Class "A" licence. The Ministry is currently in the process of deeming the application complete. Upon doing so, the notification and consultation stage will commence, where a number of agencies including the Township of Muskoka Lakes will be circulated for comments. Once advertised, the municipality will have 45 days to submit comments, or they will not be considered. Presumably, it will be beneficial for Council to hear public comments on the Official Plan and Zoning By-law Amendment Applications prior to making comments to MNRF, although this may result in having to shorten the notice period described above.

7. Official Plan and Zoning By-law Amendments

Official Plan policies state that new rock crushing operations will be limited to areas further than two kilometres from the Waterfront designation, amongst other criteria. The submitted Planning Justification Report states that as a result of setbacks imposed on the site, rock crushing operations will be further than 2 km from Skeleton Lake, while two smaller lakes (Lamberts Lake and unnamed) are not included in the Waterfront designation.

With respect to Skeleton Lake, staff would prefer the Zoning By-law Amendment include an exemption to limit rock crushing to the identified location. This setback also coincides with the Acoustic Assessment recommendations. With respect to the other two lakes, while neither are zoned Waterfront Residential in Zoning By-law 2014-14, they are included in the Waterfront designation on Schedule F to the Official Plan, and would appear to exceed the minimum 20 acre definition of the Waterfront designation described in the Official Plan.

In this case, the vast majority of the shoreline of the unnamed lake is Crown land; however assessment information does indicate a dwelling exists in the OS2 zone on the only privately owned portion of the

lake. Assessment information does not indicate any structures exist in the Township on Lamberts Lake; however, the majority of the lake is situated within the boundaries of the Town of Huntsville.

The Official Plan Amendment should therefore also include policy to address the proximity of the new rock crushing operation to both these small lakes.



COMMITTEE OF THE WHOLE **AGENDA REPORT**

TO: Mayor Murphy and Members of the Committee of the Whole

MEETING DATE: March 27th 2012

SUBJECT: OPA 46, ZBA-13/12, Lippla, Part of Lot 4, Concession 4, (Cardwell), Roll # 1-4-030

RECOMMENDATION: That OPA 46 and ZBA-13/12 (Lippla) be deferred for the satisfactory completion of technical studies outlined in the following staff report.

APPROVALS:

Date Signature

Submitted By: D. Pink, Senior Planner **20/03/12 Original signed by D. Pink**

Approved By: S. Fahner, Director of Planning **20/03/12 Original signed by S. Fahner**

Acknowledged: W. Schmid, CAO **20/03/12 Original signed by W. Schmid**

ORIGIN

BACKGROUND

Particulars of Property: Lot Frontage ~1320 ft. (Butler Mill Road)
Lot Area 65 acres

Proposed Policy: To amend the "Areas of Resource Potential – Mineral Resources" schedule to include the subject property, which will permit the establishment of a new Pit and Quarry

Proposed Rezoning: From Rural (Ru2) and Open Space (OS2) to Rural Industrial – Extractive (RuM3)

BACKGROUND

PLANNING DATA

Official Plan Designation: Rural (Area 2: Low Density)

By-law 87-87 Zoning: Rural (Ru2), Open Space (OS2)

Schedule No.: 7, 8

Access:	Butler Mill Road
Neighbouring Uses:	Rural Residential, Township Pit, Open Space
Original Shore Road Allowance:	Not Applicable
Fisheries Resource:	Not Applicable
Civic Address:	1089 Butler Mill Road

PLANNING CONSIDERATIONS

1. *Official Plan*

The subject property falls within the Rural Designation, more specifically the Area 2: Low Density character area. Rural character is described as a mix of natural landscape and low density, randomly located development in a predominantly natural setting, distinguished by forested areas, open countryside, and scenic vistas.

Goals and objectives of the Rural area include recognizing important natural resources that should be protected, protecting the limited aggregate resource base from incompatible uses, and encouraging the extraction of aggregate in a manner that will not adversely affect the environment.

The Official Plan characterizes the Low Density Development area as expanses of undeveloped land interspersed with low density scattered residential development, resource based activities and small-scale commercial and industrial uses. Permitted uses include primary and secondary aggregate extraction operations.

District of Muskoka aggregate resource potential mapping does not identify any deposits on the subject property. An Official Plan Amendment Application has been submitted concurrently with the rezoning application to amend mapping to include the subject property.

Although not identified, Official Plan policies for aggregates protect primary and secondary deposits. *Section E.14.7* states that the siting of an Aggregate Pit should be based on the following criteria, in addition to all requirements of the Aggregate Resources Act:

- Proximity of site to waterfront;
- Proximity of site to adjacent conflicting land uses;
- Site is of a suitable size to contain all components of the facility;
- Site is located on an arterial or major collector road capable of handling the increased traffic and haul loads;
- Site is in close proximity to a provincial highway;
- Topography of the site is conducive to an aggregate facility;
- Site can be adequately buffered on all sides from adjoining lands;
- Proximity of site to sensitive environmental features. If within 30 metres (100 feet) an Environmental Impact Study is required.

Policies also state that new rock crushing operations shall be limited to areas:

- Farther than two kilometres of a boundary of an Urban Centre; and
- Farther than two kilometres from the Waterfront designation.

Policies also further detail land use compatibility concerns and mitigative measures, which are outlined in more detail below.

2. Zoning By-law

The subject property is zoned Rural (Ru2) and Open Space (OS2). The application proposes to rezone the property to Rural Industrial – Extractive (RuM3), which would permit a Pit or Quarry. Once established, permitted accessory uses would include a Contractor's Yard, Dwelling Unit, and Retail Store.

3. Site Characteristics

Staff inspected the subject property on March 15th 2012. There is a cleared opening along Butler Mill Road where the residence is located, while the remainder of the site appears heavily forested and contains generally undulating topography. The proposed location is in one of the more remote areas of the municipality.

4. Operational Details

The applicants are looking to obtain a Class A, Category 3 and 4 license under the *Aggregate Resources Act* (ARA) for a Pit and Quarry with extraction restricted to 1.5 metres above the water table in the Pit and 2.0 metres above the water table in the Quarry.

Operations are to consist of site preparation, extraction, crushing and screening of sand and gravel, blasting, crushing and screening of bedrock, shipping and rehabilitation. The License Area is proposed to be over the whole property of 65 acres, while the extraction area and production amounts are to be determined. The hours of operation are to be in accordance with the Township Noise By-law.

5. Land Use Compatibility

One of the major concerns with aggregate operations is the impact on adjoining property owners. Official Plan policies state that uses on land abutting aggregate resources shall be restricted to prevent conflicts and to prevent sterilization of the resource. Issues to be addressed for development proposed adjacent to a pit operation include:

- Off-site impacts such as truck traffic, noise, and dust;
- Visual impact;
- Surface drainage;
- Groundwater impacts;
- Location and size of any proposed stock piles.

Increased setbacks, screening and separations shall be used in areas in close proximity to aggregate operations and along major haul routes to prevent conflicts.

The site visit revealed two residences on Butler Mill Road, one at the intersection with Aspdin Road (District Road 3) and another at 1054 Butler Mill Road, directly across from the subject property. A large Township gravel pit is also located immediately to the west of the property while the property immediately to the east contains a former Lumber Mill, according to the applicant's agent. Although only two residences currently exist, there are a number of vacant parcels zoned to permit residential development. As stated above, the area is quite remote.

In staff's opinion, the issues listed above can be largely addressed through setbacks, screening and potentially improvements to the road. Technical studies will assist in noting any impacts

with respect to groundwater. A minimum setback of 15 m. (50 ft.) is proposed from all lot lines, with a 30 m. (100 ft.) setback proposed from two ponds on the property. Air photos reveal a perimeter that is well treed.

6. Location

Criteria for the siting of a Pit and rock crushing operation are listed above. The property would appear to be suitable for the proposed uses in most respects with the exception of its distance from a provincial highway and the Waterfront designation.

The Official Plan aims to site new Pits in close proximity to a provincial highway. The location is approximately 15 km from Highway 141 in Rosseau and approximately 21 km from Highway 11 in Huntsville. The proposed haul route beyond the intersection of Butler Mill Road and Aspden Road has not been identified. To staff's knowledge, many existing Pits in the municipality are located a greater distance to provincial highways.

Official Plan policies also aim to locate rock crushing operations a minimum distance of two km from the Waterfront designation. The property is located approximately 1.7 km from Skeleton Lake at the closest point, 1.2 km at the closest point from Lambert's Lake to the east, and approximately 0.7 km at the closest point from a small unnamed lake to the west. Schedule F of the Official Plan includes these two smaller lakes as part of the Waterfront designation, while the zoning by-law does not zone them waterfront residential. According to assessment information, there are no structures on Lambert's Lake, although air photos do reveal one building. The eastern half of the lake is located within Town of Huntsville boundaries. Assessment information indicates one residence on the unnamed lake, while the remainder is Crown Land. The Planning Justification Report should address the lack of separation distance from these water bodies.

7. Previous Application

A rezoning application was submitted in 1995 to rezone the property to RuM3 for a gravel pit. Council deferred the application so that an Official Plan Amendment Application could be received. One was never submitted.

It should be noted that the District of Muskoka had concerns with the intersection of Butler Mill Road and Aspden Road. The Ministry of Natural Resources was also circulated and had no concerns.

8. Access

As stated above, the District of Muskoka had concerns with the intersection of Butler Mill Road and Aspden Road during the previous rezoning attempt. If approved for circulation, the District will again provide comments and upgrades to the road may still be necessary.

If approved for circulation staff intends on also circulating the Township Public Works Department for comments. It appears as though upgrades may be necessary to Butler Mill Road.

9. Technical Reports

Official Plan policies indicate a field assessment conducted by a licensed professional is required to confirm that an aggregate resource exists. The applicant proposes to also complete a Stage 1 and possibly Stage 2 Archaeological Assessment, an Environmental Assessment, a determination of groundwater table elevation, a Blasting Report, and a Planning Justification

Report. A Road/Traffic Impact Report may also be prudent, however, both the local and upper tier Public Works Departments will be reviewing the application, if approved for circulation.

10. Pre-Existing Pit

According to the previous application and applicant's agent, the property was once the site of a gravel pit, now inactive. Air photos do reveal a rocky clearing well to the rear of the lot.

11. Completed Application

Bill 51 amended the Planning Act and requires planning approval authorities to determine if an application is complete. A number of technical studies should be completed prior to the application being considered complete. These are outlined above.



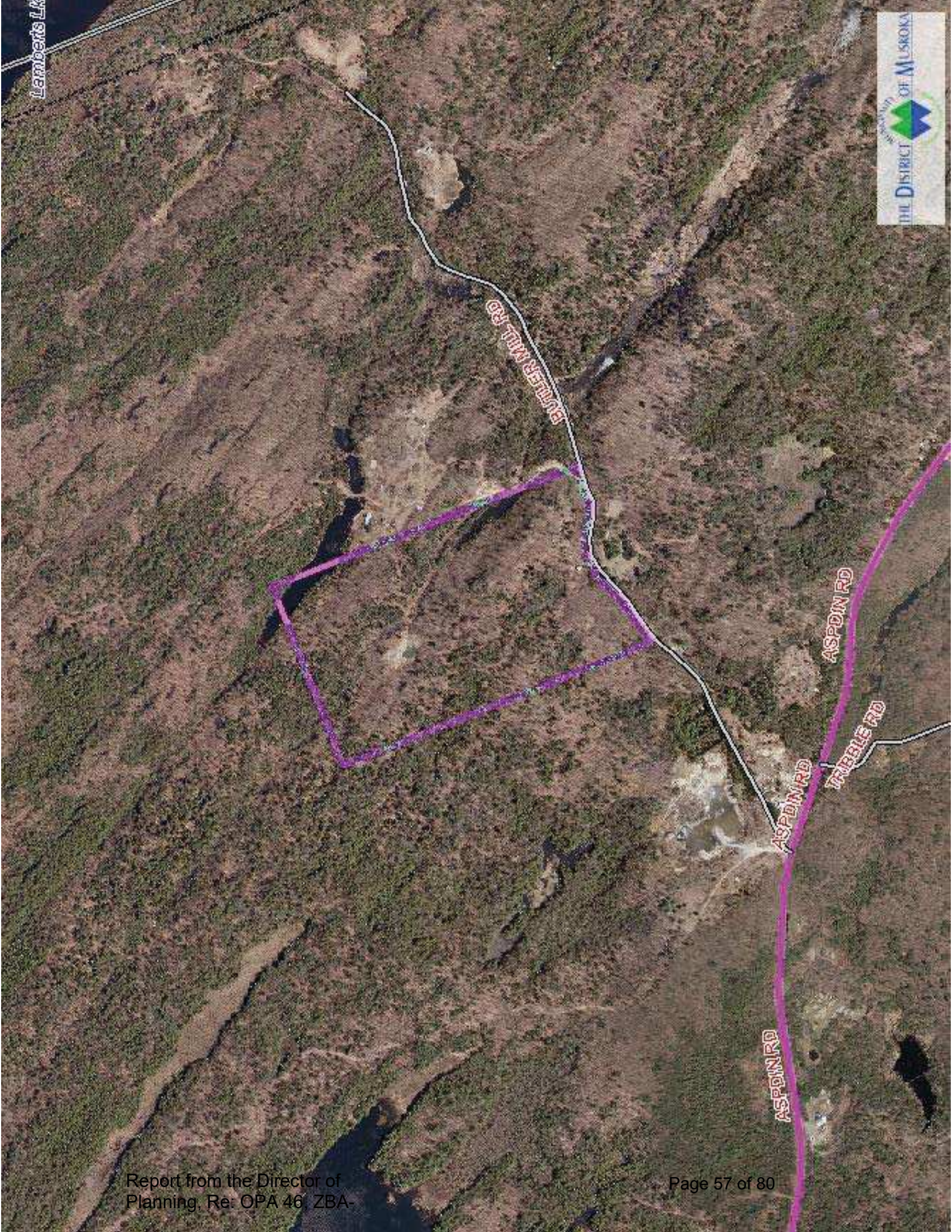
MARCH 15TH 2012

VIEW ALONG BUTLER MILL ROAD FROM SUBJECT PROPERTY

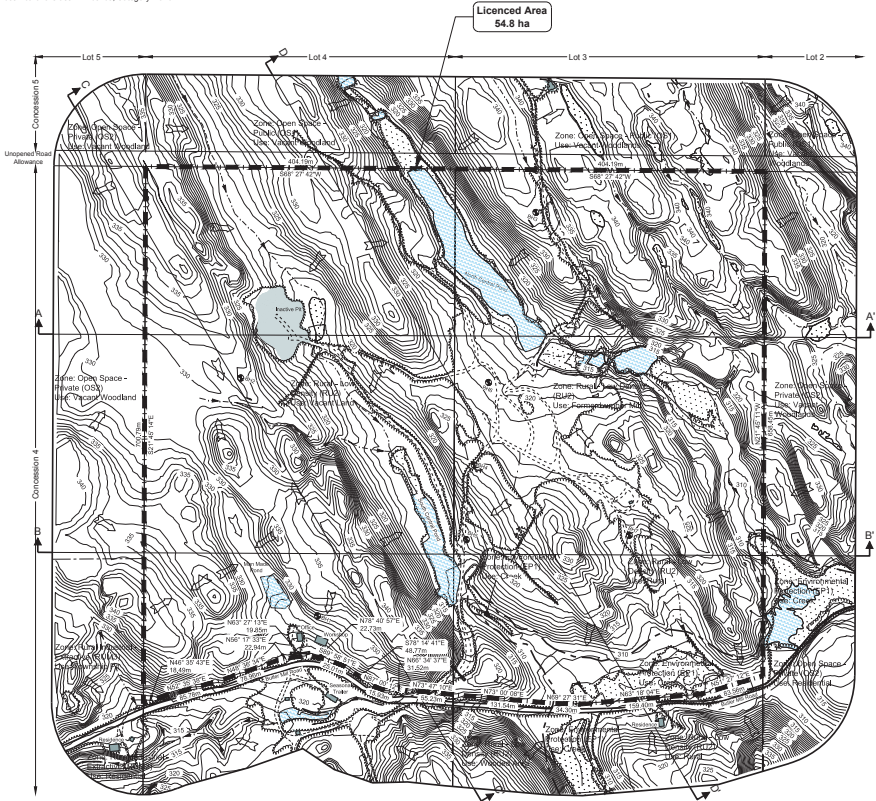




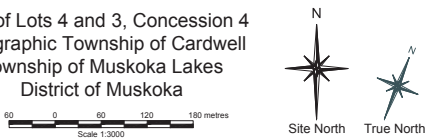
DWELLING ON SUBJECT PROPERTY AS VIEWED FROM ROAD



Declaration of Purpose
This Site Plan is prepared under the Aggregate Resources Act for a Class 'A' Licence, Category 1 and 2.



Part of Lots 4 and 3, Concession 4
Geographic Township of Cardwell
Township of Muskoka Lakes
District of Muskoka



- A. Site Plan References**
1. Contour mapping and topographic features are from 1:2000 mapping using spring 2008 aerial photography from First Base Solutions.
 2. Contours are at two (2) metre intervals with one (1) metre interpolation expressed as metres above sea level (masl). Elevations shown are related to NAD 83 Datum.
 3. All features and buildings are shown to scale.
 4. Zoning was obtained from the Township of Muskoka Lakes Comprehensive Zoning By-law 2014-14 as amended, dated February 2014.
 5. Property boundary interpreted from Land Information Ontario lot fabric and road segment data.
 6. Hours of operation are based on the Township of Muskoka Lakes Noise Control By-law 2005-83, Schedule 2 for Zone 3.
- B. Technical Reports**
1. The Stage 1 Archaeological Assessment of the proposed Lippa Pit and Quarry, Part of Lot 4, Concession 4, Geographic Township of Cardwell, District of Muskoka, (Revised) Archaeological Assessments Ltd., January 12, 2015.
 2. The Stage 2 Archaeological Assessment of the proposed Lippa Pit and Quarry, Part of Lot 4 Concession 4, Geographic Township of Cardwell, District of Muskoka, Archaeological Assessment Ltd., August 16, 2014.
 3. The Stage 1 Archaeological Assessment of the proposed Lippa Pit and Quarry, Part of Lot 3 Concession 4, Geographic Township of Cardwell, District of Muskoka, Archaeological Assessment Ltd., May 20, 2015.
 4. The Stage 2 Archaeological Assessment of the proposed Lippa Pit and Quarry, Part of Lot 3, Concession 4, Geographic Township of Cardwell, District of Muskoka, Archaeological Assessment Ltd., July 22, 2015.
 5. Blast Impact Analysis, Lippa Pit and Quarry Muskoka Lakes, Part Lot 4, Concession 4, Geographic Township of Cardwell, Township of Muskoka Lakes, Expertech Engineering Ltd., September, 2016.
 6. Hydrological Assessment, Proposed Lippa Pit and Quarry, 1089 Butler Mill Road, Township of Muskoka Lakes, District of Muskoka, Skelton Brumwell, October, 2016.
 7. Hydrological Assessment, Proposed Lippa Pit and Quarry, Part of Lots 3 and 4, Concession 4, Geographic Township of Cardwell, Township of Muskoka Lakes, Ian D. Wilson Associates Limited, August 2016.
 8. Natural Environment Report Level I & II, Proposed Lippa Pit & Quarry, Part Lots 3 & 4, Concession 4, Geographic Township of Cardwell, Township of Muskoka Lakes, Ontario, Peto MacCallum Ltd., January 31, 2014.
 9. Fisheries Impact Assessment Lippa Quarry, Township of Muskoka Lakes, RiverStone Environmental Solutions Inc., October, 2016.
 10. Acoustic Assessment of the proposed Lippa Pit and Quarry, Township of Muskoka Lakes, Hugh Williamson Associates Inc.
 11. Review of Bedrock Quality Assessment Laboratory Test data proposed Lippa Pit and Quarry, part Lot 4 Concession 4, Geographic Township of Cardwell, Township of Muskoka Lakes, Ontario, Peto MacCallum Ltd., January 31, 2014.
 12. Traffic Impact Study, Lippa Pit and Quarry, Skelton Brumwell, January, 2016.
 13. Planning Justification Report, Lippa Pit and Quarry, Skelton Brumwell, November, 2016.
- C. Site Description**
1. Area to be licenced 54.8 ha
 2. Disturbed Area (inactive pit) 0.4 ha
- D. Drainage**
1. Drainage of the site and the area within 120m of the site is by overland flow in the direction shown by arrows on the plan, or by infiltration.
- E. Groundwater Table**
1. The established bedrock groundwater table is at a maximum elevation of between 328.57 masl at BH2 and 322.01 masl at BH4, and the overburden groundwater table is at a maximum elevation of between 315.93 masl at BH6 and 312.08 masl at BH5.
- F. Fencing**
1. There is no existing fencing on site.
- G. Benchmark**
1. No geodetic benchmark was established on site.
- H. Cross Sections**
1. Cross sections A-A', B-B', C-C' and D-D' are shown on drawing drawing No. 2569 - 4 of 4.
 2. Lift floor elevations are schematic and only for illustrative purposes. The limiting restriction is a maximum 20m face height.
 3. The proposed finished quarry floor has been set at one (1) metre above the creek invert elevations as recommended by the Hydrogeological Assessment.
 4. For extraction and rehabilitation slope detail, see drawing No. 2569 - 3 of 4.



Legend

- Proposed Licenced Boundary
- Environmental Protection
- Line indicating all points within 120m (minimum) of licenced boundary
- Zone / Designation Line
- Property Line
- Public Road
- Internal Haul Roads
- Water Course - Permanent
- Water Course - Intermittent
- Buildings and Structures
- Contours (1m interval)
- Disturbed Area (inactive pit)
- General Direction of Drainage
- Existing Gate
- Wooded Areas
- Swamp
- Pond / Surface Water
- Boreholes
- Section Arrows

Schedule of Revisions (Pre-Licensing)			
No.	Date	Description	Approved

Schedule of Amendments			
No.	Date	Description	Approved

PRELIMINARY ONLY

Anne Terry Guist
is approved by the Ministry of Natural Resources pursuant to section 8 (a) of the Aggregate Resources Act to prepare and certify Site Plans.

Date	Date

Lippa Pit & Quarry
1089 Butler Mill Road
Township of Muskoka Lakes

Licensor: Frank Lippa
17 Haas Road
Eldorado, Ontario
M9W 3A1

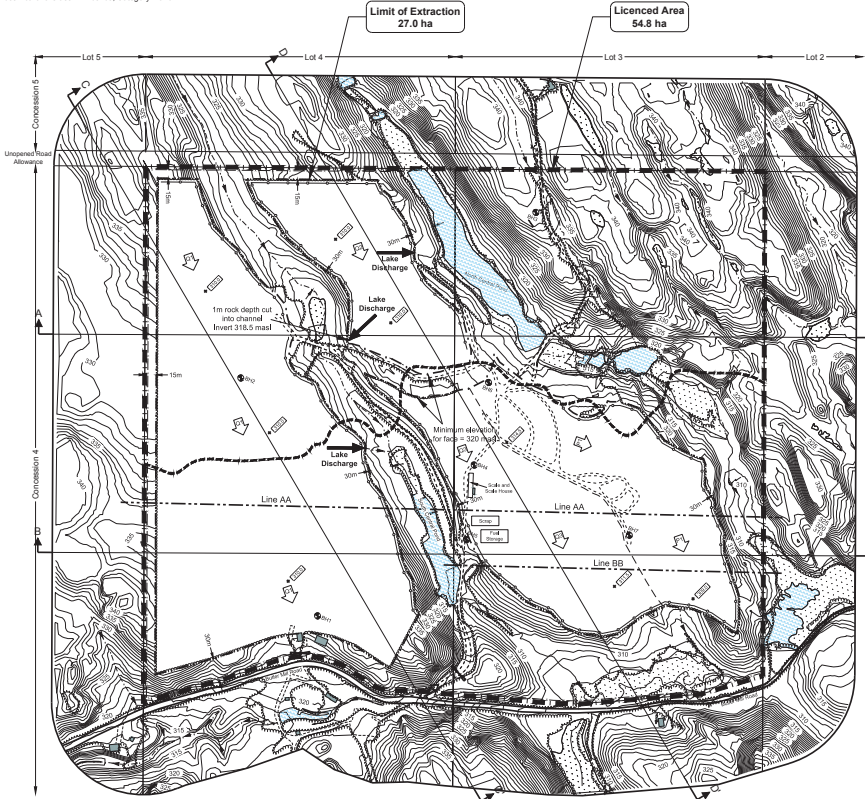
Existing Features

Project No. 11 - 2569 Dwg. No. 2569 - 1 of 5
Date: October 2016 Scale: 1:3000

Drawn: CAP Checked: Approved:

Skelton Brumwell
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Burlington, Ontario L7R 4S1 Fax (705) 728-0331
www.skeltonbrumwell.ca Toll Free (877) 728-1141

Declaration of Purpose
This Site Plan is prepared under the Aggregate Resources Act for a Class 'A' Licence, Category 1 and 2.



A. General

1. Licenced area 54.8 ha

- Area to be extracted 27.0 ha

- Area to be protected 27.8 ha

2. The established bedrock groundwater table is at a maximum elevation of between 328.57 msl at BH42 and 322.01 msl at BH46; and the overburden groundwater table is at a maximum elevation of between 315.93 msl at BH49 and 312.08 msl at BH45.

3. Annual extraction will not exceed 200,000 tonnes.

B. Hours of Operation

1. Operations are permitted during the hours noted below Monday to Saturday inclusive except no operations are permitted on public holidays as defined by the Employment Standards Act or on Saturday after 12:00 noon.

2. Hours of operation are based on the Township of Muskoka Lakes Noise Control By-law 2005-83, Schedule 2 for Zone 3.

3. Loading and shipping operations are permitted Monday to Friday between 7:00am to 9:00pm and Saturday noon to 9:00pm and will comply with the noise mitigation measures outlined in section B on drawing 5 of 5.

4. Processing - crushing and screening operations are permitted Monday to Friday between 7:00am to 9:00pm and Saturday noon to 9:00pm and will comply with the noise mitigation measures outlined in section B on drawing 5 of 5.

5. Blasting is permitted Monday to Friday between 8:00am to 6:00pm except on public holidays as defined by the Employment Standards Act.

C. Drainage and Siltation Control

1. Drainage of undisturbed areas will continue as shown and described on drawing 1 of 4 Existing Features.

2. Drainage of disturbed areas will be contained on-site and will infiltrate into the pit floor, or be directed to siltation ponds, then discharged. Prior to extraction in Phase 1 a storm water management / siltation pond will be designed by a qualified person to the satisfaction of the MOECC.

3. An Environmental Compliance Approval (ECA) for discharge will be obtained prior to any discharge to the existing and proposed ponds.

4. Silt fence or alternative siltation controls will be installed to prevent siltation of the setback and adjacent lands as shown.

5. The silt fence or alternative controls will be maintained until the stripped area is extracted to an elevation that retains all runoff from the disturbed area.

D. Fencing and Tree Screens

1. Post and wire fencing, minimum height 1.2 m, will be installed as shown within six (6) months of licensing (see Section D: Variations from Provincial Standards).

2. A gate will be installed at the entrance/exit of the site on Butler Mill Road and will be kept closed and locked during hours of non-operation.

3. Existing trees in setbacks and undisturbed areas will be maintained.

4. Fencing will be maintained and/or replaced as necessary until the licence is surrendered.

E. Site Preparation

1. No clearing of vegetation between April 1st and August 31st to coincide with migratory bird breeding season.

2. Trees, brush and stumps will be removed from site, disposed of by burying or burning with applicable permits, or stockpiled for use in rehabilitation.

3. Within the limit of extraction all trees will be removed within five (5) metres of the excavation face.

4. Prior to stripping in each phase, the silt fence or alternative controls will be installed along the limit of extraction as shown.

5. Topsoil and overburden from each Phase will be stripped separately, wherever possible (see Section D: Variations from Provincial Standards).

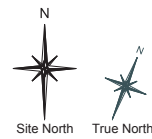
6. Topsoil and overburden will be stockpiled in the disturbed area or used directly for for progressive rehabilitation.

7. Stockpiles will be seeded and maintained to control erosion as necessary.

8. No topsoil or overburden will be removed from the site.

9. A scale and scale house is proposed in the location shown on the plan view.

Part of Lots 4 and 3, Concession 4
Geographic Township of Cardwell
Township of Muskoka Lakes
District of Muskoka



Legend

- Licensed Boundary
- Limit of Extraction
- Line indicating all points within 120m (minimum) of licensed boundary
- 2000m Offset from Waterfront Designation
- Property Line
- Post and Page Wire Fence (unless otherwise noted)
- 50m Fence
- Public Road
- Internal Haul Roads
- Water Course - Permanent
- Water Course - Intermittent
- Buildings and Structures
- Contours (1m intervals)
- Proposed Pit Entrance / Exit
- Gate
- Wooded Areas
- Swamp
- Pond / Surface Water
- Borehole
- Maximum Depth of Extraction
- Section Arrows
- Aggregate Recycling Area
- Quarry Direction / Sequence of Extraction
- Pit Direction / Sequence of Extraction
- Scrap Area
- Setback - Acoustic Assessment Report
- Lake Gravity Discharge Point and Dewatering Foreman Outlet Point

F. Extraction Sequence

1. The floor of Lift A will be at an elevation of a 330 mast; Lift B at a 320 mast and Lift C at a 310 mast as shown on drawing 4 of 5.

2. Extraction of Lift A will proceed in the direction shown by the arrows on the plan view. Lift B and Lift C will follow in sequence, but are not tied in timing to the previous Lift.

3. As the horizontal limit of extraction and/or maximum depth of extraction are reached in any part of each phase, progressive rehabilitation will commence as shown on drawing 3 of 5.

4. Extraction will commence at the northern extent of Phase Q1 and proceed in a southeasterly direction.

5. Phase Q2 will be extracted in a southeasterly direction commencing at the northern extent.

6. Phase Q3/P1 will be extracted in a southeasterly direction commencing at the northern extent.

7. Extraction may occur in two Phases simultaneously to allow for transition between Phases.

G. Extraction Details

1. The height of the lifts will vary due to rock quality and safety considerations but will not exceed 20m. The maximum number of lifts will be three and vary through the Phases due to the variable surface topography.

2. Aggregate stockpiles will generally be located in close proximity to the working face, or in proximity to any processing plants.

3. As the limit of extraction is reached, the operator will utilize one of the lift extraction options as outlined in Detail 'A' on the Progressive and Final Rehabilitation Plan drawing No. 2569 - 3 of 4.

4. All excavation faces will be stabilized to prevent erosion into the setback area.

5. Where the quality of material does not meet the operator's market requirements, the horizontal extent or depth of extraction may be reduced.

6. The location of internal haul roads in the disturbed area will vary as the operation progresses.

7. The location of the internal haul roads outside the disturbed area will remain unchanged during the operation.

8. Prior to extraction below the water table in Phase P1, a professional engineer shall satisfy the Occupational Health and Safety Act and Ontario Regulation 854/90 to ensure safe equipment operation at the waters edge.

H. Equipment

1. Equipment to be utilized on the site will include, but not be limited to: Scrapers, excavators, loaders, shovels, trucks, screening plant, crushers, conveyors, power plant, feed bin, crushing plant, tool trailer, and rock drill.

2. All processing equipment will be portable and will move throughout the site in proximity to the extraction face.

3. If required, an ECA will be obtained for processing equipment to be used on site.

4. No crushing will be permitted south of the 2000 m Offset from Waterfront Designation Line.

I. Washing

1. No washing operation will occur on site.

J. Dust Control

1. Dust will be mitigated on site.

2. Water or other provincially approved dust suppressant will be applied to internal haul roads and processing areas as often as required to mitigate dust.

3. Processing equipment will be equipped with dust suppressing or collecting devices where the equipment creates dust and is being operated within 300 metres of a sensitive receptor.

4. A permit to take water (PTTW) shall be obtained from MOECC for all takings in excess of 50,000 litres per day.

5. The maximum speed limit of 20 km/h on internal haul roads will be posted at the gate.

L. Fuel Storage, Equipment Maintenance and Scrap

1. A fuel storage tank may be installed and maintained in accordance with the Liquid Fuels Handling Code or equipment will be refuelled in accordance with the Liquid Fuels Handling Code.

2. Mobile equipment will be serviced off site.

3. All equipment will be inspected daily for leaks of fuel, oil or hydraulic systems.

4. Stationary equipment will be fuelled by a mobile refuelling tank and will be serviced on site in accordance with the Liquid Fuel Handling Code.

5. All Petroleum Waste Products will be collected and disposed of by a MOECC approved agent.

6. A Spills Contingency Plan will be in place prior to the operation of any equipment on site.

7. Scrap shall be stored in the area shown on the plan view and will be removed from the site on an on-going basis. The scrap area may be relocated within the disturbed area, but shall not be located within 30 m of the licensed boundary or any body of water.

M. Auxiliary Uses of the Site

1. Recycling of asphalt, concrete and masonry materials will be permitted on this site following extraction of the area shown on the plan (IDENTIFY ON PLAN). This area may be relocated within the disturbed area as extraction proceeds to facilitate rehabilitation.

2. Recyclable asphalt materials will not be stockpiled within:
2.1. 30m of any water body or man-made point; or
2.2. 30m of any seasonally flooded areas on quarry floor

3. Any rebar and other structural metal must be removed from the recycled material during processing and placed in a designated scrap pile on site which will be removed on an on-going basis.

4. Removal of recycled aggregate is to be on-going.

5. Once the aggregate on site has been depleted, importation of recyclable materials will not be permitted.

6. Once final rehabilitation has been completed and approved in accordance with the site plan, all recycling operations must cease.

7. Aggregate products from off-site, organic material and mulch may be imported and temporarily stored on site for the purpose of resale and/or blending with on site products.

8. All imported materials will be removed from the property prior to final rehabilitation of the site.

N. Variations from Provincial Standards

No.	Description	Reference to Provincial Standards	Comments
1	Fencing will not be installed along the east and part of the north boundary boundary	5.1	The limit of extraction along the east and part of the north boundary will be demarcated with all fence and/or warning signs. Access signs from the property to the east will be posted in season.
2	Topsoil and overburden will be stripped and stockpiled separately whenever possible	5.4	Depth of topsoil and overburden is very shallow in some locations. Therefore, it will be principally imported.
3	No silt fence will be located in the located pit in Lot 5, Concession 4	5.10	This will permit extraction to a common pit / quarry floor.

Schedule of Revisions (Pre-Licensing)			
No.	Date	Description	Approved

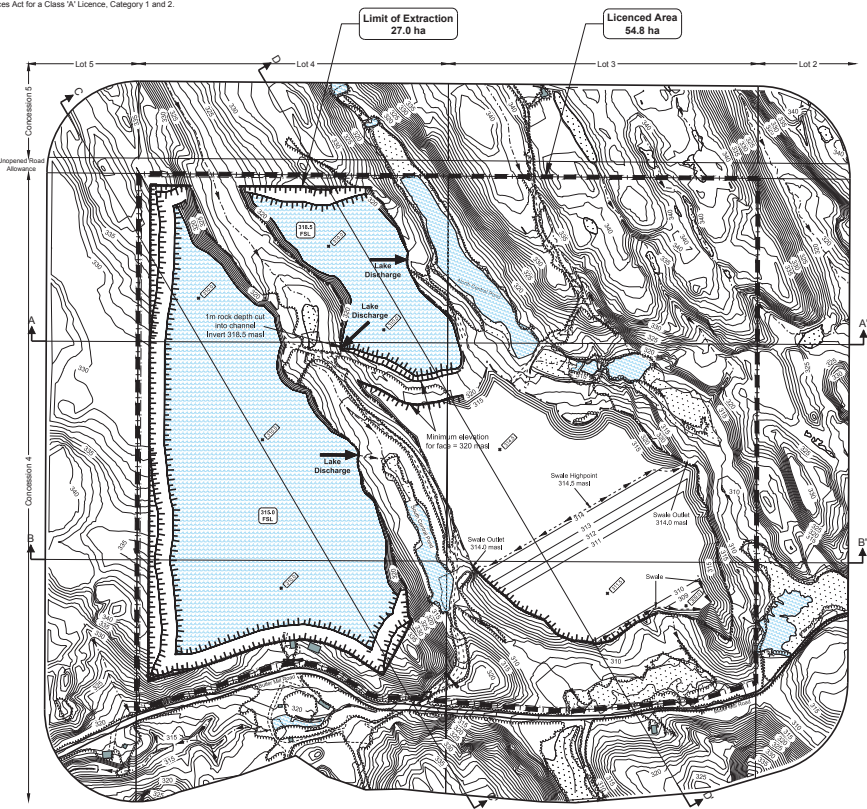
Schedule of Amendments			
No.	Date	Description	Approved

PRELIMINARY ONLY		Anne Turry Guertl	
		is approved by the Ministry of Natural Resources pursuant to section 8 (4) of the Aggregate Resources Act to prepare and certify Site Plans.	
	Date		Date

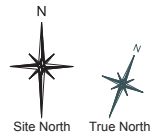
Lippa Pit & Quarry 1089 Butler Mill Road Township of Muskoka Lakes	
Licence:	Frank Lippa 17 Haas Road Eldorado, Ontario M9W 3A1

Operational Plan			
Project No.	11 - 2569	Dwg. No.	2569 - 2 of 5
Date:	October 2016	Scale:	1:3000
Drawn:	CAP	Checked:	Approved
93 Ball Farm Road, Suite 107 Burlington, Ontario L7R 4S1 www.skeltonbrumwell.com			
Telephone (765) 728-1141 Fax (765) 728-0331 Toll Free (877) 728-1141			

Declaration of Purpose
This Site Plan is prepared under the Aggregate Resources Act for a Class 'A' Licence, Category 1 and 2.



Part of Lots 4 and 3, Concession 4
Geographic Township of Cardwell
Township of Muskoka Lakes
District of Muskoka



PROGRESSIVE REHABILITATION

A. Staging

1. Staging of progressive and final rehabilitation will follow the direction and sequence of extraction as shown on the Operational Plan drawing No. 2569 - 2 of 3.
2. As the horizontal limit of extraction and/or maximum depth of extraction are reached in any part of each phase, progressive rehabilitation will commence utilizing topsoil, overburden and organic material from stockpiles or areas being prepared for extraction.
3. Where the quality of material does not meet the operator's market requirements, the horizontal extent or depth of extraction may be reduced and progressive rehabilitation commenced as required throughout the pit and quarry.

B. Slopes and Grading

1. As the horizontal limit of extraction is reached in the quarry area, the operator will create a slope no steeper than two (2) metres horizontal to one (1) metre vertical by extracting to the 2:1 slope, by cut and fill, or by backfilling with overburden from stockpiles or stripped areas as outlined in Detail 'A'.
2. Where extraction does not extend through the sand and gravel formation, the slopes will be no steeper than three (3) metres horizontal to one (1) metre vertical by extraction to the 3:1 slope, by cut and fill or by backfilling with overburden from stockpiles or stripped areas as outlined in Detail 'A'.
3. The pit floor will be graded to a minimum slope of 1% using a dozer and ripped or filled to alleviate compaction.
4. All available overburden, topsoil and organic matter will be applied to the slopes as well as the pit and quarry floor.
5. Where there is a deficit of overburden for rehabilitation purposes, clean inert fill will be imported.
6. Clean inert fill (eg. Topsoil, overburden) under Ontario Regulation 334/13 of the Environmental Assessment Act may be imported to facilitate pit and quarry rehabilitation. Only sufficient material to create a 2:1 / 3:1 (horizontal:vertical) grade may be imported.

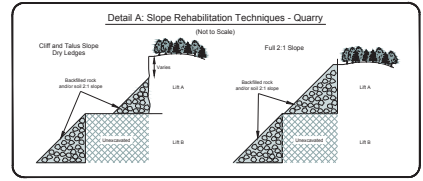
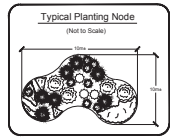
C. Seeding and Planting

1. All slopes and graded pit/quarry floor areas will be seeded with a native grass seed mix as soon as possible to control erosion.
2. Planting nodes will be created throughout the pit/quarry slopes and floor utilizing all available overburden, topsoil and organic material.
3. Nodes will be approximately 100 square metres in area with random shapes and spacing. A minimum of _____ nodes will be created.
4. Native/local plant material will be planted or transplanted to the nodes.

FINAL REHABILITATION

A. General

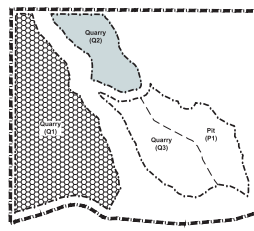
1. All equipment, buildings and stockpiles will be removed from the site.
2. Roads may be maintained to access the property.
3. All overburden and topsoil stockpiles will be utilized in progressive and final rehabilitation.
4. Once extraction operations cease, Phases Q1 and Q2 will fill naturally from runoff to a final water elevation of 315.0 and 318.5 masl, respectively.
5. The anticipated final end use is private open space including two lakes.



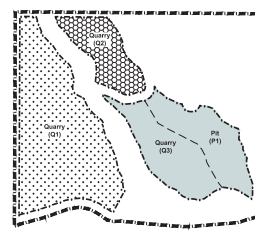
Progressive Rehabilitation
Phase Lines are Schematic



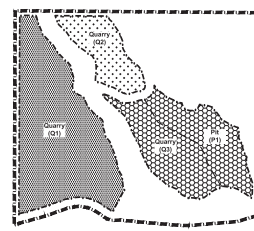
Stage 1



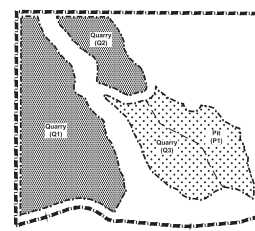
Stage 2



Stage 3



Stage 4



Legend

- Licensed Boundary
- Limit of Extraction
- Line indicating all points within 120m (minimum) of licensed boundary
- Property Line
- Post and Pave Wire Fence (unless otherwise noted)
- Public Road
- Internal Haul Roads
- Swale
- Water Course - Permanent
- Water Course - Intermittent
- Overhead Hydro Lines
- Buildings and Structures
- Contours (1m interval)
- Gate
- Wooded Areas
- Swamp
- Pond / Surface Water
- Borehole
- Maximum Depth of Extraction
- Section Arrows
- Cliff and Talus Slope
- Lake Gravity Discharge Point and Dewatering Foreman Outlet Point
- Full Surface Level
- Unexcavated Area
- Prepared for Extraction
- Under Extraction
- Undergoing Progressive Rehabilitation
- Rehabilitated Completely

Schedule of Revisions (Pre-Licensing)

No.	Date	Description	Approved

Schedule of Amendments

No.	Date	Description	Approved

PRELIMINARY ONLY

Anne Terry Guist
is approved by the Ministry of Natural Resources pursuant to section 8 (4) of the Aggregate Resources Act to prepare and certify Site Plans.

Date	Anne Terry Guist	Date

Lippa Pit & Quarry
1089 Butler Mill Road
Township of Muskoka Lakes

Licensor: Frank Lippa
Elkton, Ontario
M9W 3A1

Progressive and Final Rehabilitation Plan

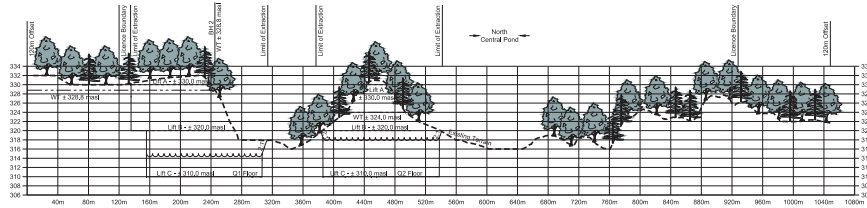
Project No.	11 - 2569	Dwg. No.	2569 - 3 of 5
Date:	October 2016	Scale:	1:3000
Drawn:	CAP	Checked:	Approved:

Skelton Bramwell
INCORPORATED
Professional Engineers, Geoscientists, Environmental Scientists

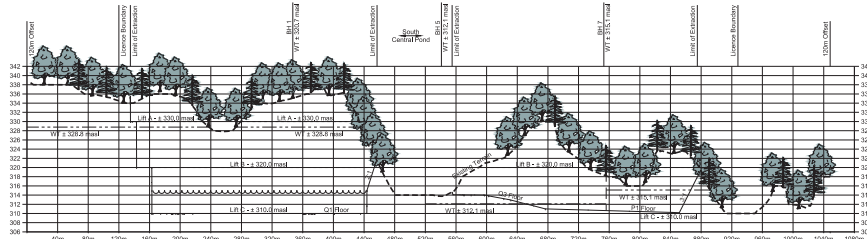
93 Bell Farm Road, Suite 107
Brampton, Ontario L6Y 5G1
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Telephone (905) 728-1141
Fax (905) 728-0331
Toll Free (877) 728-1141

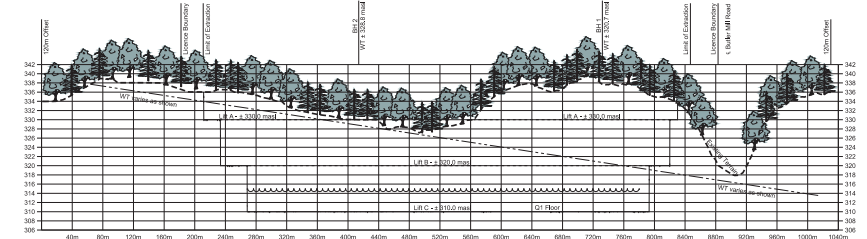
Declaration of Purpose
This Site Plan is prepared under the Aggregate Resources Act for a Class 'A' Licence, Category 1 and 2.



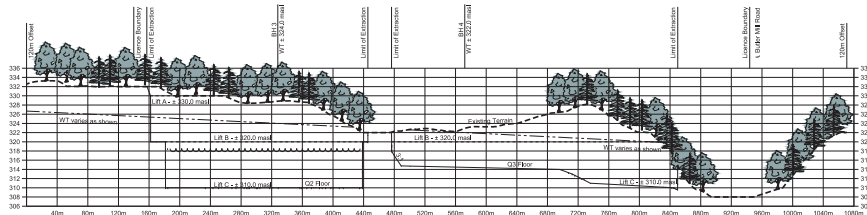
Section A-A'
Scale 1:3000 Horizontal
1:500 Vertical



Section B-B'
Scale 1:3000 Horizontal
1:500 Vertical

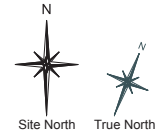


Section C-C'
Scale 1:3000 Horizontal
1:500 Vertical



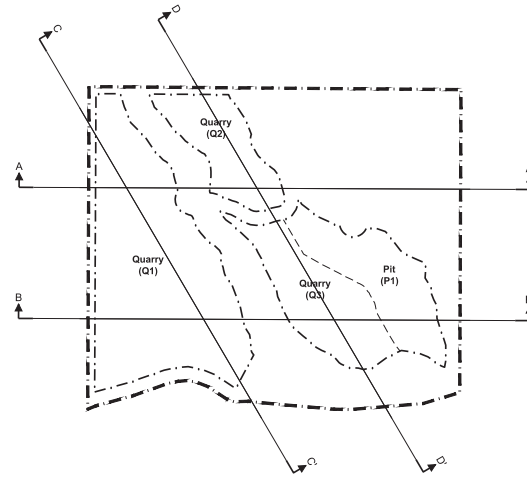
Section D-D'
Scale 1:3000 Horizontal
1:500 Vertical

Part of Lots 4 and 3, Concession 4
Geographic Township of Cardwell
Township of Muskoka Lakes
District of Muskoka



Legend

- Licensed Boundary
- Limit of Extraction
- Existing Terrain
- Pit / Quarry Floor
- Water Table
- Lake Level
- Section Arrows



Schedule of Revisions (Pre-Licensing)			
No.	Date	Description	Approved

Schedule of Amendments			
No.	Date	Description	Approved

PRELIMINARY ONLY		Anne Terry Guest Is approved by the Ministry of Natural Resources pursuant to section 8 (4) of the Aggregate Resources Act to prepare and certify Site Plans.	
		Date: _____	Date: _____

Lippa Pit & Quarry
1089 Butler Mill Road
Township of Muskoka Lakes
Licensee: Frank Lippa
17 Haas Road
Eldorado, Ontario
M9W 3A1

Cross Sections			
Project No.	11 - 2569	Draw. No.	2569 - 4 of 5
Date:	October 2016	Scale:	1:3000
Drawn:	CAP	Checked:	Approved:

Skelton Bramwell
INCORPORATED
Geotechnical Engineering, Environmental, Construction
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