



PUBLIC MEETING ZONING BY-LAW AMENDMENT

MEETING MINUTES

March 14, 2023

Council Chambers

Lanark Highlands Municipal Office - 75 George Street, Lanark, Ontario

**Conference Call Dial-In Number: 1-855-344-7722 or 613-244-1312 Conference ID:
2883824**

Members Present: Reeve Peter McLaren
 Deputy Reeve Bill King
 Councillor Ron Closs
 Councillor Steve Roberts
 Councillor Allison Vereyken
 Councillor Marina Summers
 Councillor Jeannie Kelso

Staff Present: Forbes Symon, RPP, MCIP, Senior Planner, Jp2g Consulting
 Inc.
 Darlene Plumley, CAO/Deputy Clerk
 Amanda Noël, Clerk
 Avery Dowdall, Planning, Building, Clerk Administrative
 Assistant

1. ROLL CALL

2. CALL TO ORDER

The meeting was called to order at 6:00 pm.

3. INTRODUCTION

The purpose of this public meeting was to hear the following application for a Zoning By-Law Amendment and Official Plan Amendment:

- **ZA-2023-02 - Thomas Cavanagh Construction Limited**
- **OPA-08 - Thomas Cavanagh Construction Limited**

If a person or public body does not make oral or written submissions at a public meeting or does not make written submissions to the Township of Lanark Highlands before the by-law is passed, the person or public body may not be added to the hearing of an appeal before the Ontario Land Tribunal (OLT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of Council in respect to any of the below-listed applications, you must submit a written request to the Clerk or you must sign the attendance list provided at tonight's meeting. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing.

The Clerk must provide notice of Council's decision to all those who request a copy within 15 days after the day the by-law is passed. Anyone may appeal the decision to the Tribunal by filing with the Clerk within 20 days of the notice of the decision.

An appeal to the Tribunal may be filed with the Clerk of the Township not later than 20 days after the day that the notice of the decision was given. The notice of appeal must set out the objection to the by-law and the reasons in support of the objection, accompanied by the required fee.

4. APPLICANT COMMENTS

The applicant was given an opportunity to explain the need for the Zoning By-Law Amendment and Official Plan Amendment.

Neal Deruyter BES, MCIP, RPP | Partner MHBC Planning, Urban Design & Landscape Architecture for Thomas Cavanagh Construction Limited provided the following:

Overview

- Cavanagh applied for applications under Planning Act and Aggregate Resources Act to permit pits operating below the water table.
- Part Lot 5 Concession 10, Dalhousie, Township of Lanark Highlands
- 2 properties split by Anderson Lane
- Frontage on Highland Line

Proposal

- The area proposed to be licensed: is 50.6 ha.

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

- Proposed extraction area: 35.1 ha.
- Proposed maximum annual tonnage: 1 million tonnes/yr
- Proposed 24-hour operation with restrictions on what equipment can operate between 7 pm and 7 am
- Truck traffic east on Highland Line to County Road 12
- The site is recognized in Provincial geological mapping and Official Plan and Zoning By-law as containing high-quality sand and gravel resources.

Studies

- Stage 1-4 Archaeological Assessments (WSP)
- Traffic Impact Study (Castleglenn Consultants)
- Acoustic Assessment (Freefield Ltd.)
- Level 1 and Level 2 Water Report (WSP)
- Maximum Predicted Water Table Report (WSP)
- Natural Environment Level 1 and 2 Technical Report (WSP)
- Planning Report and ARA Summary Statement (MHBC)
- Site Plan (Cavanagh/WSP)

Operations

- The pit is to be divided into two extraction areas.
- 30 m setback from all wetlands
- Vegetated berms adjacent to public roads and adjacent properties
- Extraction does not require dewatering or blasting.

Rehabilitation

- The pit will be progressively rehabilitated into two ponds with shallow littoral zones for aquatic habitat and sloped areas around the ponds.

Applications

- Class A License under the Aggregate Resource Act
- Applications under the Planning Act:
 - Amendment to the County of Lanark Official Plan
 - Amendment to the Township of Lanark Highlands Official Plan
 - Amendment to the Township of Lanark Highlands Zoning By-Law

Application Process

- Aggregate Resources Act and Planning Act processes will run concurrently.
- We are at beginning of each process.
- Multiple opportunities for public input and discussion
- Consultation under Aggregate Resources Act process will start later this month. This will include landowner mailings, agency circulation, open houses, project websites, etc.
- Under the ARA process, Cavanagh will be required to attempt to resolve all public and agency comments received.
- This typically includes engaging with the local community, receiving input, making changes to applications to address concerns, etc.
- Technical studies will be reviewed by the Township, County, MVCA, Ministry of Natural Resources and Forestry, Ministry of Environment, Conservation and Parks, and Fisheries and Oceans Canada (DFO)
- Natural Environment and Water Reports will be subject to peer review on behalf of the Township/ County
- Cavanagh welcomes opportunities for technical reviews of completed studies including expert peer reviews.
- Site Plan is not a static document – changes will be considered to address feedback.

ARA Requirements

- Aggregate sites must operate in accordance with the terms and conditions of site plans, as well as regulations under the ARA.
- Annual compliance reporting
- Monitoring and reporting requirements
- Applicant's history of compliance with ARA and regulations must be taken into account.

Cavanagh's Track Record

- Arnott Pit application on Pine Grove Road: Cavanagh received public comments, met with residents provided additional information and made substantive changes to the site plan to address concerns & Engaged with Township and County throughout the process.
- Cavanagh is fully aware of rules and regulations for operating aggregate sites and has proven experience.

5. APPLICATIONS

4.1 Thomas Cavanagh Construction Ltd (Highland Line) - Amendment to Township's Official Plan and Zoning By-law

The Township's Planning Consultant, Forbes Symon, provided a brief overview of his public meeting planning report.

The OPA/ZBA applications identify the subject property as being 50.6 ha (125 ac) in size, all of which will be licensed Aggregate Resources Act (ARA) lands. The applications also indicate that 35.1 (86.7 ac) is proposed to be subject to aggregate extraction.

It is important to appreciate that this new proposed pit is to be a Class 'A' Licence to operate a pit below the water table, with a maximum annual tonnage to be extracted at 1,000,000 tonnes. The pit is proposed to operate on a 24-hour basis with limitations on what equipment can operate between the hours of 7 pm and 7 am.

In order for this proposed pit to proceed, there is a need for the proponent to obtain an amendment to the Lanark County Sustainable Communities Official Plan (SCOP), an amendment to the Township of Lanark Highlands Official Plan and Zoning By-law and obtain an Aggregate Resource Act (ARA) licence from the Ministry of Natural Resources and Forestry.

The amendment to the SCOP is required to permit any new mineral aggregate operations within the County by adding them to the Licensed Aggregate Extraction Operation Designation. The proposed SCOP Official Plan Amendment (OPA) will amend the current designation from "Rural" to "Licensed Aggregate Extraction Operation".

The amendment to the Lanark Highlands Official Plan as submitted is to change the land use designation from "Rural Communities" to "Mineral Aggregate Resource Policy Area –Pit". The amendment to the Lanark Highlands Zoning By-law 2003-451 to amend the zoning from "Rural (RU)" and "Mineral Aggregate Reserve – Holding (MAR-h)" to "Mineral Aggregate Resources Pit (MXP)".

Concurrent with amendments to the County and Township planning documents, the proponent has initiated an ARA site plan license request with the Ministry of Natural Resources and Forestry. It is important to appreciate that the County and Township planning approvals focus on land uses, while the ARA site plan license focuses on site extraction

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

details, pit operations, and rehabilitation. The ARA application has been deemed complete by the MNR and is filed as ARA application #626599. The proposed pit operation is expected to generate approximately 60 two-way truck trips per day at maximum production. The proposed operation will extract aggregate using an on-site mobile screening plant and will also require the occasional crushing. Both of these operations will only operate between 7:00 am and 7:00 pm.

The subject property can be best described as a rolling hilled landscape, with tree cover on high lands and hay and pasture fields on flatter and lower lands. A large portion of the tree cover on the property was removed in the spring of 2020. The most significant feature of the property is that it drains to and abuts Barbers Lake. Barbers Lake is part of the Long Sault Creek Subwatershed which is known to be a cold-water stream with a documented native brook trout population (Watershed Canada). In addition to the subject property, approximately 6 other properties abut Barbers Lake, with six dwellings abutting the lake.

It is worth noting that on a site inspection following the submission of the applications, it was confirmed that a large portion of the subject lands visible from the Highland Line has been deforested.

One of the region's most significant rural economic development attractions, Wheelers Pancake House is located directly to the west of the subject property. The proponent's Planning Justification Report suggested that the main structures of the Pancake House are located 500-600 m from the subject property and visual and acoustic berms will be used to mitigate potential impacts from the proposed pit.

The proposal involves Thomas Cavanagh Construction Ltd. making a Class A Licence to operate a pit below the water table. The maximum annual tonnage is proposed to be 1,000,000 tonnes. The ARA License application has been deemed complete and has been assigned #626599. Correspondence from MNR indicates that MECP will review the proposal in terms of the hydrogeological report. The ARA circulation/commenting period is 60 days from January 31, 2023.

It is worth noting that within 7 kilometres of the subject property, there are 9 other ongoing aggregate pit licenses. These licenses combine for a total maximum annual extraction of 900,000 tonnes. Only one of these 9 surrounding pits is below water (Pit ID 4239). All of the operating pits within close proximity to the subject property are pits which operate 1.5 m above groundwater levels.

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

It is also worth noting that of the 9 pits within 7 km of the site, four have frontage on Highland Line. The existing Highland Line pits have a combined annual tonnage of 690,000 tonnes and cover approximately 144 ha of land. All of the existing pits that front Highland Line Road use the existing/proposed haul route east along Highland Line Road to County Road #12 (Watsons Corners Road).

The proposal before Council is to permit a below-water pit to be operated 24hr per day on lands described as Part Lot 5, Concession 10, geographic Township of Dalhousie, now in the Township of Lanark Highlands. The proposed maximum annual extraction is proposed to be 1,000,000 tonnes.

This proposal requires an amendment to the Lanark Highlands Official Plan, Lanark Highlands Zoning By-law, Lanark County Sustainable Communities Official Plan, and a license from the MNRF under the Aggregate Resources Act. Typically, the ARA site license contains all the operational and design details of the pit operation.

There have been numerous studies which have been submitted in support of the various applications. At this time, the peer review of the various studies is ongoing and not yet finalized.

From a land use planning perspective, the proposed pit is in an area of known aggregate deposit and the surrounding neighbourhood understands and has experience with aggregate extraction and the four (4) other pits located along the Highland Line. However, the scale of the proposed extraction will be 30% greater than the combined extraction of the four (4) existing pits along the highland line. It will also be the first pit to operate below the water table and 24hr per day on the Highland Line. The preliminary review of the proposal has generated Township questions and concerns regarding the 24-hour operation of the pit, its impact on the surrounding property owners, its impact on the cold-water creek and its impact on Highland Line Road. There is also the concern that a portion of the lands is located within the Waterfront Communities designation which has not been addressed.

This development proposal has generated a tremendous amount of public interest, as reflected in the 46 comments attached to this report. These comments have merit and should be addressed by the proponent prior to Council making a decision on the merits of the OPA and ZBA.

It is the recommendation of this report that the public meeting be suspended and reconvened at a future date once the applicant has had an opportunity to address comments from the public, provide more information on the impacts on Long Sault Creek/Barbers Lake, to allow the

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

Township to open discussions with the proponent regarding the 24hr pit operations plan and potential impacts on neighbouring properties and the Highland Line Road and to allow for the completion of the peer review of the various studies. It is recommended that Council not make a decision on the merits of the OPA and ZBA at this time.

It is anticipated once the applicant has addressed these matters that the public meeting would be reconvened and all those who provided comments would be notified of the future public meeting date. The members of the public should be aware that it may take a number of months before this matter would come back before Council.

Councillor Closs had questions about the number of below-water pits operating 24/7 in Lanark Highlands. Neal responded that the 24/7 operations are being reviewed. He is unsure of the exact numbers, but the Pine Grove Pit is below the water table.

Councillor Roberts has questions on the lifespan of the pit if the aggregate has been sold, and what is being extracted. Neal could not speak on the lifespan of the pit but did clarify that concrete/asphalt / general material would be extracted.

Reeve McLaren also added that the township will request taxes for upkeep on roads, etc.

6. PUBLIC PRESENTATIONS

Any person or public body, in opposition and then in favour, of the application, was heard.

Presentation by: Geoff Mason, 101 Leo Jay Lane, McDonalds Corners ON K0G 1M0

Main concerns with the Highland Line Pit proposal:

- the plan for this pit suggests removing soil, sand and gravel up to 40 metres deep, going below the water table.
- excavation would go below the level of Barbers Lake about 100 metres from the lake.
- the section on Water Balance concludes that the pit will not affect ground and surface water BUT all 4 monitors used in this part of the study failed to record for up to 6 months so data from other locations in Lanark County or elsewhere was substituted. Are the Water Balance conclusions valid with this substituted data?

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

Important conclusions in the various studies talk of acceptable outcomes regarding both noise and the water table. These outcomes are to be achieved through steps laid out in the studies BUT how these steps will be required isn't clear.

- For example, no threat to the water table because there will be no “dewatering” How will no dewatering be enforced?
- ground and surface water should be monitored before, during and after the pit How will water monitoring be required?
- noise levels during operation are acceptable if various mitigation measures are used What will require these mitigations?
- noise levels at 13 locations “are in compliance with MECP limits” This is an educated guess based on sound measurements at other pits in other locations. How will noise measurements during pit construction and operation be required and monitored?
- The study doesn't look at noise measurements taken over open water Sound across open water is a fact for this pit.
- when listing sources of noise, no mention is made of backup alarms Backup alarms will be a major noise source with up to 1000 trucks coming and going per day. These alarms are a major noise irritant around pits.
- additional materials to be brought in, processed, and shipped out What materials are coming in and will they contain toxic material to potentially leach into the lake?
- wash plant on site will be capable of washing 200 tonnes per day Where does the wash water come from? Where does it go after use?
- protections for the existing environment seem inadequate For example excavation area with heavy equipment and lights operating 24 hours a day will go to the edge of the roosting area for a rare bat species. This seems like harassment, not protection. Blandings Turtles will be “protected” by fences keeping them out of their identified preferred habitat.
- after rehabilitation, the site will contain 2 man-made ponds with 10 metres of water in each the water on the site will continue to move to Barbers Lake, Long Sault Creek or the wetland north of the site. It now leaves the Study Area as groundwater at a lower temperature than water exposed to direct sunlight in a man-made pond. What effect will warmer water have on fish and other creatures in Barbers Lake and Long Sault Creek, a rare cold-water trout stream?
- The Highland Pit proposal goes against many parts of the Official Plan for this township Section 3 of the OP details how we “should protect visual qualities of lakes and rivers to protect or enhance the natural shoreline character”.
- The OP details the township's wish to protect fish and wildlife habitat, wetlands, natural shoreline vegetation buffers, quality of lake water and the dark night sky. A gravel pit on lakefront land seems to totally contradict all of these goals.

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

Who Gains and who loses with the Highland Line Pit?

If this pit goes ahead as proposed it will remove up to one million metric tons of a non-renewable resource from Lanark Highlands Township.

With a population of less than six thousand, it's clear that the Township could never use all of this material. It is intended for markets outside our boundaries with the Ottawa area being the most likely destination.

What do residents of the Township gain? The list is long but certainly not positive.

For those of us near Barbers Lake we'll gain noise, dust, possible disruption to our water table and the end of a natural environment that we love. We'll also have to live with a fifth gravel pit in a two-kilometre length of the Highland Line.

For anyone living on Highland Line or County Road 12 through Lanark Village and points east, there will be disruptions from an additional 1000 trucks per day at peak times with their noise, dust, and "Jake brakes". Enjoying a peaceful break on the porch or deck will not be the same.

For all us using these roads, intersections and driveway entrances will be more nerve-wracking and the increased truck traffic will bring a serious intimidation factor with it. Looking at some of the hills, twists and turns on these roads it's not hard to imagine disasters involving trucks vs cars.

The Highland Line is a chip-top road without shoulders or lines. In addition to the traffic accident potential posed by increased traffic from gravel trucks, it seems obvious that the lifespan of this road will be greatly shortened. All Township residents will then get to share in road repair costs which will be significant. Increases to tax bills appear to be an unpleasant outcome.

So, what is it all for? Why this pit? Why now? Why here? The material to be removed could be found in licensed sites much closer to the intended markets. That would mean fewer trucks travelling shorter distances, burning less fuel and causing less overall wear and tear on roads. The threats to the natural environment of Barbers Lake and Long Sault Creek would be removed and residents and users of Highland Line and County Road 12 would have much less truck traffic passing by on the way to distant markets.

This sounds like a much better scenario to me. Why should Lanark Highlands become the gravel pit for Ottawa?

**Presentation by: Carolee Mason, 101 Leo Jay Lane, McDonalds Corners ON
K0G 1M0**

STATED GOALS

Lanark County in SCOP 5.3: “It is Lanark County’s overall goal that the County’s natural heritage features be both conserved and protected from the negative impacts of development, and that they should be conserved for the benefit of future generations according to best management practices undertaken today and as they evolve.”

Golder 2.1.6 says development and site alterations shall not be permitted in fish habitat except in accordance with provincial and federal requirements; 2.1.7 likewise says development and site alteration shall not be permitted in the habitat of endangered species and threatened species... They note that there are no fish on the site. They do not consider the waters of the bordering lake, which may well be impacted.

Golder 2.6. refers to the SCOP goals, with reference to lands north and south of the site but ignores Barbers Lake to the east. Golder acknowledges SCOP’s objectives of “maintaining the distinct character of rural waterfront, and settlement areas... to ensure development is compatible with natural heritage features and natural resources uses.” However, they do not address the fact that Barbers Lake is populated with full-time residents, and cottagers, and is well-used by weekend kayakers, fishers, and nature lovers from across Eastern Ontario.

METHODOLOGY/TERMINOLOGY QUESTIONS

Golder 4.1 outlines its methodology, relying heavily on a literature review and data/mapping search to explore any natural heritage features, including wetlands, rare vegetation and rare species, including threatened and endangered species and other natural heritage features within two kilometres of the site.

On page 7, the consultant explains their “desktop” SAR screening, a review of records, range maps, and recent occurrence records “in the vicinity”. We note their shifting use (equivocation) in the terms “site”, “study area”, “in the vicinity” and “within two kilometres of the site”. These terms are not defined and are used without precision in the document.

Golder 8.0 states “it is expected there will be no negative impacts to the significant natural features and functions on the Site or in the Study Area”. Yet, since the Study Area projects into Barbers Lake, the water boundary is a fluid one; this is not like a terrestrial boundary. Water moves — soil and rocks do not. Once they sample aquatic life in the Study Area, surely, they must sample the entire lake.

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

Golder does not project the probable outcomes on fish and aquatic life in their consideration of water infiltration from the site's man-made ponds, runoff and erosion. Water entering the lake, affected by temperature changes, silt, and potential contamination from imported recycled materials, blowing dust, silica and dirt, and potential leakage from diesel and gasoline engines is not addressed.

PROBLEMS WITH THE TIMELINE

Golder 5.4.2. notes in field visits over the summer of 2020, that "much of the forests in the Study Area have undergone intensive selective logging in recent years." In fact, we heard about and watched intensive logging during the period from February to May 2020, which were recent months.

Field surveys carried out a botanical inventory, wildlife and fish and wildlife habitat surveys, in the Study Area between April 24 and August 31 of 2020 immediately following the period of intensive logging. Habitat and species were likely removed prior to the field surveys when the mature forest was removed from the site.

Golder sought additional SAR information "in the vicinity of the site" from the MNR Species at Risk Management Biologist, Kemptville on September 30, 2020, after the conclusion of their field studies. On October 15th, 2020, the Golder ecologist was advised to note that "a lack of information for a site does not mean that species at risk or their habitat are not present...It is the responsibility of the proponent to ensure that species at risk are not killed, harmed, or harassed and that their habitat is not damaged or destroyed through the activities carried out on the site...Many areas in Ontario have never been surveyed and new plant and animal species records are still being discovered..."

Golder made no effort to consult local residents' observations of bird, fish or other wildlife neither "in the vicinity" nor "within two kilometres." Had they done so, I could have identified with dates and photographic evidence, the presence of species they do not acknowledge, including but not limited to resident endangered Golden Eagles, and threatened Bald Eagles that soar over the lake and the subject site. Further, mitigations seem to be incomplete where SAR was found on the site; fencing mitigations for the Tri-coloured bat and the Little Brown and Northern Myotis fail to take into account harassment from sound and light. Management practices evolve as we confront climate change, a global crisis, not addressed in the report. Planning changes must address settlement and intensification of land use. Clearly, there is a need for further study. We urge the Council to consider the preservation of our natural heritage features with a 21st-century lens in their careful consideration of the Application.

7. ORAL & WRITTEN SUBMISSIONS
Written Submissions

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

There has been a high volume of comments received from the public and surrounding property owners. At the time of the writing of this report, there were 46 individual submissions from the public. The cut-off for comments included in this report was March 8th, 2023, at 12:45 p.m.

Those who have provided comments include:

- Patrick Clarke – 273 Leo Jay Lane
- Sylvia MacKenzie – 203 Leo Jay Lane
- George MacKenzie – 203 Leo Jay Lane
- Cal Wallis – 526 Highland Line
- Alani Galbraith-Kuzma – 264 Con 9A Dalhousie
- Kristen Roy – 6111 McDonald's Corners Road
- Jeremy & Zoe Adam – 483 Highland Line
- Lynn Ann Reside – 264 Con 9A Dalhousie
- Nathan Wheeler – 172 Trembleau Rd, NY
- Vernon Wheeler – 1001 Highland Line
- Judy Wheeler – 1001 Highland Line
- Dan & Tami Hunton – 2144 Bathurst Line W
- Tim Schruder – 626 Highland Line
- Geoff Mason – 101 Leo Jay Lane
- Caitlin Mason – 101 Leo Jay Lane
- Linda Grenier – 104 McCulloch Rd
- Jenna & Doug Deforge – 134 Eldreds Road
- Gary Glover & Cindy McCall – 100 Milton's Road
- Trecia Jones – 626 Highland Line
- Judith Long – 100 Shelby Lane
- Dale Moulton – 127 Leo Jay Lane
- Angela Wheeler – 1001 Highland Line
- Mark & Shannon Wheeler – 1001 Highland Line
- Bill Bak – 926 Con 9A Dalhousie
- Ken Hillis & Michael Petit – 291 McCulloch Road
- Trevor Fisher – no address
- Tim Wheeler – 1001 Highland Line
- Cindy & Ian Preville – 4557 Watson Corners Road
- Joel Smith – 1121 Highland Line
- Isla Smith – 1121 Highland Line
- Dan McRae – 133 Karen Lane
- Charles Temple & Susan Snyder – Lot 7 Con 8, Lanark Highlands
- Arnott Construction – Dalhousie Concession 10
- Tracy Smith - 1121 Highland Line
- Caleb Smith - 1121 Highland Line
- Gary Scrafano, Glynnis Brushett and Corbeau Scrafano – 983 9th Concession A Dalhousie

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

- Chuck Kozo – 160 Ferguson Side Rd.
- Norah & Douglas Frobel – 255 Leo Jay Lane
- Clair & George Fisher – 332 McCulloch Road Sheila MacDonald – McDonald’s Corners
- Larry Deforge – Dalhousie Concession 10
- Bobbi & Alex Puharich – 105 Maple St.
- Donna Marie & Robbie Adam – 872 Dalhousie Con 9A
- Erica Riley & Keith Johnson – 949 11th Concession Dalhousie
- William Barrett – 4439 Watson’s Corners Road
- Carolee Mason - 101 Leo Jay Lane

The following is a summary of the range of topics and concerns that have been submitted:

1. The below water table pit is a great concern regarding the protection of drinking water and environmental impacts on Barbers Lake and Long Sault Creek.
2. Overall disregard of the impact on those who live/own lands on Barbers Lake and the environmental impact on the Lake
3. Overall loss of habitat and impact, 2020 deforestation.
4. The 24hr operation and noise throughout the night, impact the natural environment with lighting, light pollution
5. Economic impact on a significant regional business (Wheelers Pancake House & Museum).
6. Traffic impact related 24hr operation, the ability of the road to withstand high use
7. The general quality of life impacts, noise, air pollution, and visual impact.
8. Concerns with enforcement of terms and conditions of ARA site plan – past infractions by applicant
9. Most if not all comments received are well documented and have merit. It will be the proponent’s responsibility to address these comments prior to Council making a decision on the OPA and ZBA

Oral Submissions

Any person or public body, in opposition and then in favour, of the application, was heard.

1. **Angela Wheeler - 229 Leo Jay Lane:** Resides on Barber’s Lake and is concerned about the lake no longer being quiet and peaceful. Archaeological artifacts and potential in the surrounding area including other local pits warrant further studies. Concerns about uranium and pluton with the proposed development and resulting negative impacts to Barber’s Lake and the public including drinking water from those who’s

drinking water comes from the lake and those downstream. Erosion concerns with proposed height, distance, and pit leachate from lake – a further distance from the Lake would be more appropriate.

2. **Tim Schruder - 626 Highland Line:** Located approximately 120m north of proposed site. Proposal seeking 24 hr operation – will this be 7 days per week? Estimated because of proposed extraction 75,000 truck loads per year during the daytime only. Concerned with fatal collisions – heavy trucks need adequate distance to come to a stop – serious safety issues. Traffic impact study speaks to alternate access point, there is speeding in this area – would like to see a revised report to incorporate this information. Concerns with brake dust, diesel fumes, carbon, pollutants, etc. do the proposed emissions meet the standards? Will dust suppressants be used? Noise study – acoustic s. 6.9 shows both operations; evening and overnight hours, was this left out for a reason? Dewatering – extracting from low water table. The proposed site contains 2m tonnes – estimate using ARA site plan page 5 profile review seems to be 28 million tonnes. Has enjoyed living here for the past 11 years, many neighbours have called Lanark Highlands their home. The pit will cause stress; no more hunting and fishing, no sleeping with windows open, and should not be permitted. Aggregate industry has more supply than demand – will disturb local businesses, air, and water.
3. **Tricia Jones - 626 Highland Line:** Likes nature and rural setting. In opposition of pit application. Pit is adjacent to Long Sault Creek and the wetland. Creek was restored in 2016 by Watershed Canada, recently received their report. Creek has significance – its streams are home to Brook Trout. Concerns with temperature regulators – references letter from MNRF - if water warms up could be detrimental to the Brook Trout. Concerned with amount of water usage needed to operate the pit. Effects to aquifer concerns and water quality. Lower property values. Diminishes the quality of life. Cavanagh is disruptive neighbour, consumes water, noise pollution, decreasing quality of life
4. **Mark Wheeler - 1001 Highland Line:** Pit is proposed approximately 500m from residence. Wants to speak to OP and policies that relate to the application. Live and work at Wheelers Pancake House and the place it has in our community, tourism, chamber of commerce. People like to visit our area for these reasons, beautiful drive, naturistic area. OP speaks of value of where we live, rugged geography, protect our rural lands. Land use compatibility study should be completed, generally ordered when development proposed adjacent to sensitive land use. PPS, Twp's op is based on PPS – PPS may go beyond minimum measures. Land use

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

compatibility provisions of the OP. Aggregates, minimizes social, economic, impacts. Waterfront communities' provisions of OP. Water table concerns, lives within 500m of proposed site – bottom of his well is static level is water at 199m above sea level, horizontal level listed in study groundwater generally flows from his house to pit. Pit 176m = 19m below ground water level at south – of pit. OP forestry provision clearcutting prohibited within 500m of shoreline. Traffic study was conducted midweek during the day during the pandemic. 4 pits on highland line currently. Traffic study doesn't address traffic from existing pits and does not consider them extracting at full capacity. Road not built to support pit, site lines, lack of shoulders, how highland line enters onto county road. Would like to see traffic study completed during busy times of year, are city people travelling on Highland Line who may not be paying attention to the road and have increased chance of having accident. This pit can set a precedent for how LH considers future pits near water.

5. **Susan Berlin - Watsons Corners:** Has focused on narrow aspect of the consultant's traffic study. Municipal Roads are categorized to how much traffic they carry and how they are structured. Highland Line is a class 5 road it can carry a maximum of 499 unspecified vehicles an hour. With the existing and proposed pit the road will carry twice that amount if maximums are reached. Trucks will add another 200-300% - roads will have to be repaired and rebuilt. The PPS says when considering development you can not go beyond what the municipality has planned for it's infrastructure. No plans to increase infrastructure of Highland Line so this is against the PPS. If development proceeds who pays for repairs?
6. **Judy Hitchcock – 418 Concession 9A Dalhousie:** Lived in area for 25 years. Started petition, have 3180 signatures, posted on Facebook. Question: where we live is God's country why alter that with another pit. Why not use as tourist attraction.
7. **Susan Brandum – Climate Network Lanark:** Wetland is important – this proposal can threaten wetlands and wetlands need to be retained. We are in a climate crisis. In letter found discrepancy in Golder reports related to water table. Are asking that a detailed analysis of zone of influence be undertaken. Question: what additional studies will be provided and what are their estimated costs as MVCA is no longer playing roll in studies this will put an extra financial burden on the Township to undertake the additional studies.
8. **Arthur Sherman - Lanark Highlands:** Resides her for 38 years. Application to open pit, we have pits already, LH needs to change their by-

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

laws to approve it. We don't need the aggregate. Application should be denied.

9. **Nathan Wheeler – Keeseville, NY:** legacy; urge council members to consider what can be lost like drinking water or truck accidents occur.
10. **Doug Nutall – 2396 Elphin Maberly Road:** Resident for 20 years. Worked for CA as a water resources engineer. Looked at cold water fisheries, no method that is consistently used to vacate impact thermal impact on cold water fisheries. Will change temperature of surface water - ground water temperature and the negative implications of what the warmer water will have on the fish habitat. Warm water will kill fish.
11. **Cindy Preville - 4557 Watsons Corners Road:** Would move if pit is developed. Does not believe application should be considered.
12. **Tim Wheeler – 229 Leo Jay Lane:** got building permit in 2017, OP in place at that time. Gets water from Barbers Lake. Insane that adults trying to figure out how to open a pit on Barbers Lake. Won't be leaving but this has attention.
13. **Cynthia Edwards - 6337 McDonalds Corners Road:** Live less than 1 mile from where mine site will be. Will have negative impacts on life. Were not informed in ward 5 about pit or public meeting. Couldn't find it on the website. Came here 8 years ago because it was safe place to live. Has existing medical issues that will be put at risk because of pit. Noise issue, other pits are working can hear them. Heard clear cutting in 2020, has a particular noise sensitivity. Already on County 12 in height 30 trucks an hour coming from west of her. Can hear them all the way to McDonalds corners using Jake brakes. Bill 23 recent bill – authorized OLT to make the cost of an appeal borne by the losing party.
14. **Joel Smith - 1121 Highland Line:** Spoke about the difficulty of reverting back to what existed prior to development occurred. Family uses Barbers Lake for recreational activities. Need to show that we are good stewards of our resources.
15. **John Young - 150 Mill Ave, McDonalds Corners:** In consultation with the Chief of Algonquins from Sharbot Lake. Artifacts exist from

TOWNSHIP OF LANARK HIGHLANDS
PUBLIC MEETING MINUTES
March 14th, 2023

archaeological sites need further investigation on this. Want to continue to enjoy the area.

16. **Susan Breckenridge – 4108 HWY 511:** question about the clear cutting of the land.

7. ADJOURNMENT

The meeting has been recessed and will reconvene at a later date when more study and supporting documentation has been provided. Surrounding landowners, agencies, and any other public body who has shown interest will be notified at least 20 days prior to the meeting, in accordance with the planning act.

Peter McLaren, Reeve

Amanda Noël, Clerk