

**ENVIRONMENTAL AND LANDS TRIBUNAL ONTARIO
LOCAL PLANNING APPEAL TRIBUNAL**

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Colacem Canada Inc.
Subject:	Application to amend Zoning By-law No. 2000-75 – Refusal of Application by Township of Champlain
Existing Zoning:	Rural Zone (RU)
Proposed Zoning:	Industrial Heavy – Special Zone (MG-3) and Industrial Heavy – Special Exemption Zone (MG-4)
Purpose:	To permit a cement plant and accessory structure
Property Address/Description:	Lot 217, Plan M-100, County Road No. 17
Municipality:	Township of Champlain
Municipal File No.:	Z-7-2016
LPAT Case No.:	PL170192
LPAT File No.:	PL170192
LPAT Case Name:	Colacem Canada Inc. v. Champlain (Township)

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant :	Action Champlain
Subject:	Proposed Official Plan Amendment No. 30
Property Address/Description :	Lot 217, Plan M-100, County Road No. 17
Municipality:	Township of Champlain
LPAT Case No. :	PL170756
LPAT File No. :	PL170756
LPAT Case Name :	Action Champlain v. Prescott and Russell (United Counties)

REPLY WITNESS STATEMENT OF CHRISTOPHER LYON

June 29, 2018


1. I have reviewed the Witness Statement of Peter VanDelden. Based on my review, I wish to provide the following additional comments in response to opinions expressed by Messr. VanDelden, which are supplementary to my opinions as set out in my Witness Statement.

Reply to the Witness Statement of Peter VanDelden

2. In paragraph 5, Section a. of his witness statement, Mr. VanDelden expresses his opinion that traffic volumes from July 27 through July 28, 2015 can be used for noise analysis.

3. In my opinion, roadway traffic volumes used in the analysis by Mr. VanDelden are not indicative of traffic volumes on County Road 17 in close proximity to the proposed Colacem Cement Plant due to the following reasons:
- a. The traffic counts presented by Mr. VanDelden are taken from an undisclosed site, an estimated 3 – 5 kilometers along County Road 17 east of the proposed Colacem Plant site. While the exact location of the count site is undisclosed, it is likely that a substantial number of vehicles have been added or removed from the counted highway traffic due to the number of intersections, residences, industrial, retail and other facilities between the approximate count site and the Colacem plant.
 - b. Traffic counts used by Mr VanDelden in his noise assessment have been acquired from local government crews. However, it is unclear what count collection methodology was followed by these crews (e.g., AADT Tube Counter, Optical Counter, Staffed Count, Partial Count Modelled Volumes, etc.)) and the degree of inaccuracy present in the counting equipment, analytical technique or projection modelling technology.
 - c. The traffic counts used in Mr. VanDelden's witness statement were acquired by local government crews in mid-summer 2015 (July 27 and 28, 2015). In the traffic engineering profession, mid-summer traffic flows are not regarded as offering a good representation of 'average traffic', since traffic fluctuates during the summer season with the closure of schools, increased family vacations and unusual hourly variation in traffic flows.
 - d. Finally, on the matter of hourly distribution of traffic (Paragraph 5, a, i to iv), Mr. VanDelden has used an undisclosed method to describe the percent of daily traffic that occurs over various 'quiet' hours of the day. The terms, "quietest daytime hour", 'quietest evening hour' and 'quietest nighttime hour' are not terms used in traffic engineering parlance.

June 29, 2018



Christopher Lyon