

**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)

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**WITNESS STATEMENT OF JAMES PARKIN**

May 31, 2018

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**1. INTRODUCTION AND RETAINER**

1. I am a professional land use planner. I have been employed at MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") since October 1989 and have been a partner in the firm since 1996.
2. I am a Registered Professional Planner and member of the Canadian Institute of Planners and the Ontario Professional Planners Institute. My curriculum vitae is attached hereto as Appendix A and my Executed Acknowledgement of Expert Duty is attached as Appendix B.
3. I am a land use planner with experience in rural and resource planning and have been extensively involved in planning related to mineral aggregate resources across the Province. I have advised aggregate producers, municipalities and industry associations on many specific applications and planning policy development. I routinely provide project management and planning evaluations related to Planning Act, Aggregate Resources Act and Provincial Plan matters. I have provided expert evidence before the Ontario Municipal Board and Joint Board.
4. MHBC Planning was retained in 2011 to provide land use planning services related to the Colacem Canada Inc ("Colacem") proposal for a new cement plant in the Township of Champlain (the "Township"), United Counties of Prescott Russell ("UCPR"). I have participated in consultation with the Township and UCPR Planning Department, prepared reports in support of the applications, responded to comments provided and attended open houses, public meetings and Council meetings where the applications were discussed.
5. I co-authored the March 15, 2016 Planning Justification Report for the Colacem Official Plan and Zoning By-Law Amendment Applications with Mitchell Avis, who is no longer with MHBC.

## **2. PROJECT OVERVIEW**

6. Colacem is proposing to build and operate a cement plant west of L'Original, Ontario on the property legally described as Lot 217, Plan M100, in the former Township of Longueuil, now in the Township of Champlain. The property is a total of 55.85 ha (138 ac) in size and is located adjacent to an existing quarry, also owned and operated by Colacem.
7. The area of the site to be developed (referred to as "subject lands") is approximately 39.9 ha (99 ac) in size and is located south of the Charlebois Drain and north of County Road 17. The remaining Colacem owned property located north of the Charlebois drain is not proposed to be developed. The cement plant facility ("proposed development") will be comprised of approximately 52 buildings/structures, including: raw material storage/silos, hoppers, conveyors, crushing and grinding systems, raw mill, preheater, rotary kiln, cooler and cooling tower, cement mill and administrative offices and control room.
8. Cement is a binder that when mixed with aggregate (sand and gravel) and water forms concrete; one of the world's oldest, most versatile and durable construction materials. Raw materials for

cement manufacture include limestone, shale, silica sand, iron and bauxite. The raw materials are burned at approximately 1,500°C to produce clinker. The clinker is ground to a fine powder with gypsum and other additives, to produce Portland cement. Cement is shipped in powdered form to ready-mix concrete plants where it is combined with aggregate and water to form concrete.

9. In order to permit the proposed development, approval of amendments to the UCPR Official Plan and the Township Zoning By-law are required. In addition to the Planning Act Applications, Colacem has submitted applications for Environmental Compliance Approvals ("ECA") under the Environmental Protection Act ("EPA"), which I understand are required for the operation of the proposed cement plant.
10. The original (2016) Official Plan and Zoning By-Law Applications, the 2016 Planning Justification Report and the technical report and studies submitted in support of the applications were based on a conceptual and preliminary cement plant layout provided by Colacem. The proposed Zoning By-Law was structured to divide the subject lands into two zones in order to appropriately separate and mitigate the heavy industrial land use from surrounding sensitive land uses. The two-zone approach introduces intervening land uses at the southern portion of the site and directs the heavy industrial cement plant to the rear to mitigate impact on neighbouring lands. Special Exemption Zone A applies to the southern portion of the subject lands identified as 'intervening' land uses. Special Exemption Zone B applies to the lands between Special Exemption Zone A and the Charlebois Drain and includes the cement plant.
11. As a result of the reviews completed by the UCPR staff and the Ministry of Environment and Climate Change ("MOECC"), and recognizing public comments, the proposed development has been revised to:
  - a. Increase the separation distance from the adjacent sensitive uses to Special Exemption Zone B.
  - b. Share the existing entrance onto County Road 17 with the quarry.
  - c. Remove the electrical substation from Special Exemption Zone A.
12. Notwithstanding these changes, the opinions set out in the 2016 Planning Justification Report continue to be my opinions regarding consistency with Provincial Policy Statement, conformity with UCPR Official Plan and appropriateness of the proposed land use.

## **2.1. *Area Context***

13. The property is located in a predominately rural area of the municipality, outside of a settlement area, with direct access to County Road 17. County Road 17 is identified as a primary artery in the Official Plan and was formally a provincial highway. County Road 17 runs east-west across the UCPR and serves as a major transportation link between the Ottawa region and the Montreal Urban Community.

14. The immediate area surrounding the subject lands is comprised of lands designated Rural Policy Area and Mineral Aggregate Policy Area. Beyond the immediate area is the Agricultural Resource Policy Area, which plays a significant role in the local economy.
15. Generally, there are a variety of rural land uses in the vicinity of the subject lands including aggregate extraction and associated plant facilities, agricultural land, natural features, residential dwellings, and a religious institution (to the south). There are a number of commercial-rural, commercial-highway, industrial-rural, and industrial-restricted uses located along County Road 17, including the Ivaco Rolling Mills steel mill, gravel pits and quarries, solar farms, greenhouses, and manufacturing.
16. The closest residences are located south and east of the subject lands along County Road 17. The nearest residence is located approximately 10 metres from the southeast corner of the subject lands. In total, there are 6 residences within 215 metres of the property line (all located to the south and east).
17. The nearest settlement area is L'Original, which is located approximately 5 kilometers east along County Road 17.
18. Further to the north there are residential lots backing on the Ottawa River. These properties are located about 1.5 kilometers from the subject lands.

### **3. APPLICATION PROCESS**

19. A Project Chronology for the Planning Act Applications is included in **Appendix C**.

#### ***3.1. Pre-Consultation and Submission of Applications***

20. In July of 2011 a pre-submission meeting was held with UCPR staff regarding application requirements. The Township is part of the UCPR and the County provides planning services to the Township. At the July pre-submission meeting it was confirmed that an Official Plan Amendment and Zoning By-Law Amendment would be required. The Application requirements, including the list of studies required for the Official Plan and Zoning By-Law Amendment, were outlined in a letter from the Township to Colacem on July 21, 2011. An additional pre-submission meeting was held with the UCPR staff on October 20, 2015 to provide an overview of the project and update on the technical studies underway.
21. Between 2011 and 2016 technical studies and reports were completed for the Official Plan and Zoning By-Law Amendment Applications. The list of studies completed for the Official Plan and Zoning By-Law Amendment is outlined in Table 1.
22. The purpose of the submitted technical studies is to address the potential impacts of the proposed cement plant and address the policies of the PPS and Official Plan and to ensure that

the development can comply with provincial guidelines and regulations. The studies included recommended measures to avoid, reduce, or mitigate any potential impacts to provincially accepted levels.

*Table 1: List of Studies submitted with Official Plan and Zoning By-Law Amendment Applications*

<b>Report</b>	<b>Author</b>	<b>Date</b>
Planning Justification Report	MHBC Planning	March 15, 2016
Stage 1 Archaeological Assessment	Golder Associates	September 30, 2015
Acoustic Assessment	Golder Associates	January 2016
Traffic Impact Study	CIMA+	January 2016
Environmental Impact Study	Golder Associates	February 2016
Emission Summary and Dispersion Modeling Report	Golder Associates	May 2016
Groundwater Supply Review	Golder Associates	August 28, 2015

23. On June 10, 2016 the Official Plan and Zoning By-Law Amendment Applications were submitted to the UCPR and deemed complete on July 12, 2016.

### **3.2. Peer Reviews**

24. On behalf of the UCPR and the Township a Peer Review of the Emission Summary and Dispersion Modelling Report and Acoustic Assessment Report was undertaken by WSP Canada Inc ("WSP"). The initial review by WSP requested further minor clarifications on the Acoustic Assessment Report and additional dispersion modelling. Following the review of the Golder Associates Ltd. ("Golder") response, in correspondence dated December 15, 2016, WSP indicated that they were satisfied and had no further comments on the Technical Reports that they reviewed.
25. The South Nation Conservation undertook a review of the Environmental Impact Study ("EIS") and the Groundwater Supply Review. The initial review undertaken by South Nation Conservation requested further clarifications on the proposed contingency groundwater supply source. In its response, Colacem indicated that it no longer required the use of groundwater as a contingency plan. Further to this, in correspondence dated October 28, 2016, South Nation Conservation indicated that they had no further concerns or comments, as long as the mitigation measures described in the February 2016 Golder Report are properly implemented.
26. The UCPR Public Works Department conducted a review of the Traffic Impact Study. As suggested by County staff, the entrance for the proposed development will be shared with the existing quarry entrance and Colacem confirmed that it will work with the UCPR and the Township to re-design the proposed roadway improvements so that it meets the needs of both the Counties and the project.

### ***3.3. Public Meetings and Council Decision***

27. The Statutory Public meeting for the Official Plan Amendment and Zoning By-Law Amendment was held on October 17, 2016.
28. On January 24, 2017, the Township Council voted against the Zoning By-Law Amendment. On January 25, 2017 the Council for the UCPR voted to approve the Official Plan Amendment.
29. A second Public Meeting was held on May 18, 2017 in response to challenges raised on behalf of the lawyers for Action Champlain that there were procedural flaws with the October 17, 2016 Public Meeting. On June 14, 2017, the UCPR again voted to approve the Official Plan Amendment
30. The January 25, 2017 Report of the Planning and Forestry Department prepared by Louis Prevost, MCIP, RPP, recommends that the Council of the UCPR approve the Official Plan Amendment and approve the proposed Zoning Amendment. A second report dated June 14, 2017 was prepared by Louis Prevost, MCIP, RPP for the June 14, 2107 Council Meeting. The Recommendation of the Planning and Forestry Department again recommended that Council approve the Official Plan Amendment.

## **4. DESCRIPTION OF OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT**

31. The property is designated Rural Policy Area in the 2006 UCPR Official Plan as well as the Council adopted and MMAH approved 2016 version of the UCPR Official Plan. The property is Zoned Rural (RU) in the Township Zoning By-Law No. 2000-75. As noted during the 2011 pre-consultation meeting, the Planning and Forestry Department of the UCPR confirmed that an Official Plan Amendment was required, in addition, to a Zoning By-Law Amendment.

### ***4.1. Description of Official Plan Amendment***

32. The applications propose to re-designate the subject lands from "Rural Policy Area" to "Trade and Industry Policy Area". The Trade and Industry Policy Area is intended to provide for economic development opportunities in areas located outside of the Urban Policy Area and Community Policy Area and permits a variety of industrial uses including manufacturing, processing, warehousing of bulk products and open storage. The area to be amended includes 39.9 hectares of land located south of the Charlebois Drain. The remaining lands located north of the Charlebois Drain are proposed to remain Rural Policy Area and are not proposed to be developed.
33. Since the Official Plan amendment was submitted in 2016, and as a result of public comments, the cement plant has been shifted approximately +/-50m north on the subject lands towards the Charlebois Drain. There is no change proposed to the area to be re-designated.

## ***4.2. Description of the Zoning By-Law Amendment***

34. The Zoning By-Law Amendment Application proposes to rezone the subject lands from RU-Rural to MG-Industrial Heavy Special Exception Zone A and MG-Industrial Heavy Special Exemption Zone B.
35. The MG -Zone permits the heaviest industrial uses. A cement plant is listed as a permitted use in the Industrial Heavy (MG) Zone. The area to be re-zoned is the 39.9 hectares of land located south of the Charlebois Drain. The remaining area of the property north of the Charlebois drain will retain its current RU Zoning.
36. Two special exemption zones are proposed to implement the Trade and Industry Policy Area designation in the Official Plan. Special Exemption Zone A applies to the southern 259 metres of the subject lands, adjacent to County Road #17 and closest to the sensitive receptors, and includes 'intervening' land uses'. Zone A prohibits a cement and metal fabricating plant and permits only accessory uses such as offices and parking. This zone regulates the permitted uses to ensure compatibility with surrounding sensitive land uses.
37. Special Exemption Zone B applies to the lands located north of the Special Exemption Zone A and the south of the Charlebois Drain. Zone B will permit a cement plant and includes site-specific provisions for a reduced interior side yard and an increased maximum building height.
38. The site specific zoning also includes exemptions to reduce the interior side yard adjacent to the Colacem quarry and increase the maximum building height.
39. The rationale for the zoning approach is outlined in Section 4.3 of the Planning Justification Report which is included in **Appendix G**.

## ***4.3. Revised Zoning By-Law Amendment***

40. In response to issues of concern raised by Action Champlain, the Zoning By-Law Amendment submitted in June 2016 has been modified in order to increase the setback distances to the heavy industrial uses and remove a permitted use from Zone A. The same two-zone approach is being used; however, the MG - Zone B, and associated heavy industrial uses, have been shifted farther north from County Road 17 towards the Charlebois Drain by approximately +/-50m. In addition, the Electrical Sub-station has been removed as a permitted use in MG-Zone A. The modifications to the proposed Zoning By-Law achieve the following separation distances as shown in Figure 4a in **Appendix E**:
  - a. A minimum separation distance of 300m from the front lot line of the Colacem property, adjacent to Hwy #17, to the MG-Zone B;
  - b. A minimum of +/- 300m separation distance, measured from the rear residential property line of #2206 County Road #17 to the MG-Zone B; and,

- c. An increase of +/- 36m of separation distance from the sensitive receptor located at #2184 County Road #17 to the MG-Zone B.

- 41. Attached as **Appendix D** to this witness statement is a revised draft Zoning By-law Amendment that I am recommending for LPAT approval. No changes are proposed to the Official Plan Amendment (OPA) that was approved by the UCPR.
- 42. In my evidence, I will discuss separation distance and land use compatibility as outlined in Section 4.1 of the Planning Justification Report. The applicable policy and legislation framework includes the Provincial Policy Statement, *Environmental Protection Act*, RSO 1990, c E. 19 ("EPA") MOECC D-Series Guidelines and the UCPR Official Plan. Land use compatibility and prevention of adverse effects from the proposed cement plant and accessory uses is achieved through a combination of mitigation measures including separation distance, buffering and site design considerations.

## **5. PUBLIC CONSULTATION**

- 43. Prior to the submission of the Planning Act applications, two Public Open Houses were hosted by Colacem to provide information on the proposed development. These Open Houses occurred on October 13, 2011 and May 3, 2016 in L'Original. At the request of the MOECC, a third Open House was held in Grenville, Quebec on January 30, 2018
- 44. Under the Planning Act, two statutory Public Meetings for the Official Plan and Zoning By-Law Amendment Applications occurred on October 17, 2016 and May 18, 2017.
- 45. Additional detailed information on the Public Consultation process will be provided in the evidence of Golder.

## **6. REVISED SITE PLAN AND ADDITIONAL TECHNICAL INVESTIGATIONS UNDERTAKEN**

- 46. In response to public comments and concerns with the proposed development, and in the context of responding to inquiries from the MOECC related to the ECA, additional technical investigations were undertaken, and new reports prepared or existing reports updated by Golder, on behalf of Colacem.
- 47. Additional studies have been completed by Golder for submission as part of the ECA Application to evaluate potential cumulative impacts. In addition, a revised Traffic Impact Study (October 2017) and Road Design (December 2017) have been completed to combine the cement plant entrance with the existing quarry entrance. Golder will provide additional information on all of the technical investigations as well as the ECA Process.



48. An additional Air Quality Cumulative Effects Study (May 2018) undertaken by Golder to provide the public with further analysis on the air quality impacts from the proposed Project. The predicted cumulative effects of the Project were assessed considering the following emission sources:
- The background ambient air quality in the area surrounding the Project;
  - The identification and quantification of emissions of nearby industrial sources that report to the NPRI [National Pollutant Release Inventory]; and,
  - The significant Project air emission sources.
49. Based on the cumulative effects predictions and screening against selected indicators, the following conclusions are provided, and will be detailed in evidence to be provided by Golder:
- Predicted cumulative concentrations of shared compounds of concern show results that are below the selected air quality indicator (AAQC) for the assessment which indicates good air quality.
  - Modelled cumulative concentrations of the proposed Project, Existing Facilities and the background air quality were greater than the measured ambient air concentration from the Sault Ste. Marie monitoring stations. The predicted concentrations are conservative and not likely to underestimate impacts as the measured values in a similar setting were lower than the predicted cumulative impacts.
  - Based on the results of this cumulative effects dispersion modeling assessment, the Project is not likely to impact the local air quality.
50. The Noise Cumulative Effects (October 2017) investigations undertaken by Golder for the ECA application considered the combined noise levels from the proposed cement plant facility and the existing active quarry located immediately to the west of the cement plant facility that is also owned and operated by Colacem. The Noise Cumulative Effects Study concluded that:
- The predictive analysis indicates the noise emissions, associated with the proposed new Portland cement manufacturing facility and the adjacent existing active quarry, are expected to be below or at the applicable Ontario Ministry of the Environment and Climate Change sound level limits at all identified PORs [Points of Reception].
51. Further, due to the concerns raised by stakeholders, Colacem requested Golder to assess the potential effect of noise from vehicle traffic related to the proposed Cement Plant while on public roadways. The Noise Impact Study of the Plant and Quarry Project Operations-Related Off-Site Road Traffic (May 2018) determined that the proposed route, in the vicinity of the cement plant facility, is the preferred route, and off-site road traffic noise associated with the Project and Quarry is expected to result in a range of perceived noise impacts. The Evidence given by Golder will address this matter.

52. In addition, the revised site plan for the cement plant has been modified to increase separation distances from MG - Zone B to adjacent sensitive land uses and help ensure compatibility with the surrounding sensitive land uses. These changes include:
- a. Relocation of the entrance from the subject lands to utilize the existing quarry entrance in response to comments from the UCPR Public Works staff during Peer Review;
  - b. Additional noise barriers along the internal driveway and adjacent to the electrical generating station;
  - c. A shift of the cement plant approximately +/-50 m north from Highway #17 towards the Charlebois Drain and increase in separation distance from the closest sensitive receptors; and,
  - d. Removal of the electrical substation from MG-Zone A to MG- Zone B.
53. Landscape plantings and a screening berm are proposed to screen the cement plant facility from County Road 17 and the detailed design of the features will be undertaken as part of the Municipal Site Plan Control process.

## **7. SUMMARY OF CONCLUSIONS AND RESPONSE TO ISSUES**

54. The issues for this hearing have been determined by procedural order. The six issues incorporate the core planning considerations that must be satisfied, including: consistency with the PPS, conformity with the Official Plan, land use compatibility, good planning and public interest. My evidence on these key issues will be as follows:

### ***7.1. Issue 1. Are Official Plan Amendment 30 and Zoning By-law Amendment Z-7-2016 (the "Planning Applications") consistent with the Provincial Policy Statement 2014?***

55. It will be my evidence that the Official Plan and Zoning by-Law Amendment Applications are consistent with the Provincial Policy Statement 2014, as follows:
56. The 2014 Provincial Policy Statement ("PPS") was issued by the Province of Ontario in accordance with Section 3 of the Planning Act. The 2014 PPS has an effective date of April 30, 2014. The 2014 PPS applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after April 30, 2014.
57. The PPS provides policy direction on matters of Provincial interest related to land use planning and development. The PPS is to be considered in all planning decisions. Planning decisions "shall be consistent with" the Policy Statement.
58. The Planning Applications are consistent with the PPS 2014. There are several main Provincial policy interests that have been taken into account through the consideration of these applications: protection of mineral aggregate operations from development and activities that would preclude or hinder their expansion or continued use; protection of significant natural

heritage features and ecological functions; protection of prime agricultural land; designing the operation to ensure no adverse impacts on adjacent sensitive land uses and protecting cultural heritage and archaeological resources.

**A. Employment – Section 1.3 of the PPS**

59. The PPS promotes economic development and competitiveness. The proposed cement plant meets the criteria identified in Section 1.3.1 by:

- a. Introducing a new use to the County that will add to the mix and range of employment uses available.
- b. Bringing a new industry to the County and greater area that does not presently exist and help diversify the economic base. The proposed cement plant will complement the aggregate resource use and adds value to the raw materials extracted as well as provides a construction material close to market. Some of the raw materials that will be used to make the cement will be from local sources thereby supporting the local economy.
- c. Proposing an employment use that is compatible with surrounding land uses.
- d. Proposing development on lands where appropriate infrastructure exists for the use.

**B. Adverse Impacts and Land Use Compatibility – Section 1.1.1 and 1.2.6 of the PPS**

60. Section 1.1.1.c of the PPS states, healthy, liveable and safe communities are sustained by:

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.

61. Further, Section 1.2.6.1 of the PPS states:

*major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.*

62. The PPS defines 'adverse effects', as defined in the EPA, means one or more of:

- a. *Impairment of the quality of the natural environment for any use that can be made of it;*
- b. *Injury or damage to property or plant or animal life;*
- c. *Harm or material discomfort to any person;*
- d. *An adverse effect on the health of any person;*
- e. *Impairment of the safety of any person;*
- f. *Rendering any property or plant or animal life unfit for human use;*
- g. *Loss of enjoyment of normal use of property; and*
- h. *Interference with normal conduct of business.*

63. A cement plant is a 'major facility' and nearby residential and institutional uses are considered 'sensitive land uses' as defined by the PPS. The PPS definition of a sensitive land use includes amenity areas and outdoor spaces where routine or normal activities occur at reasonably

expected times and would experience one or more adverse effects from contaminant discharges generated by a nearby major facility.

64. There are various ways to prevent or mitigate adverse effects. Specifically, Section 1.2.6.1 of the PPS promotes the use of design, buffering and/or separation distance as appropriate methods to mitigate adverse effects between a major facility and sensitive land uses.
65. The proposed development required various ECAs from the Ministry of Environment and Climate Change ("MOECC") to ensure that the community and environment are protected from any potential adverse effects from contaminants. Golder has undertaken the required technical reports and modelling, as part of the ECA application, to demonstrate that the proposed development can operate in accordance with Provincial guidelines and regulations.
66. In addition to the PPS, 'adverse effects' are addressed under the EPA. In 1995, the MOECC released the D-1 Guideline on Land Use Compatibility under Section 14 (1) of the EPA. This guideline is intended to be a planning tool used to separate incompatible land uses when a change in land use is proposed. The guideline is, however, over 20 years old and the MOECC has not updated them since they were released.
67. The objective of the D-1 guideline is to minimize or prevent, through the use of buffers, the exposure of any person, property, plant or animal life to adverse effects associated with the operation of specified facilities. The preferred approach identified in Section 3.1 of the D-1 Guideline is for incompatible land uses to be protected from each other through the use of 'buffers' and intervening lands to prevent or minimize adverse effects. Buffers include separation distance, berms, walls, fences, vegetation and/or location and orientation of buildings and activity areas.
68. Therefore, the D-1 guideline permits the use of one or a combination of buffers to achieve the desired result similar to the PPS. The D-1 guideline is intended to be read in its' entirety and includes reference to specific applications including the D-6 guideline which deals with industrial facilities.
69. Guideline D-6 specifically addresses compatibility between industrial facilities and sensitive land uses. The objective of this guideline is to prevent or minimize the encroachment of sensitive land use upon industrial land use and vice versa as these two types of land uses are normally incompatible due to possible adverse effects on sensitive land use created by industrial operations. This guideline categorizes industrial facilities into three classes.
70. The proposed cement plant is a Class III Industrial Facility which is defined as, "*a place of business for large scale manufacturing or processing characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products*

*and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions."*

Through case studies and past experiences, the MOECC has identified potential influence areas (i.e. areas within which adverse effects may be experienced). The actual influence area (overall range within which an adverse effect would be or is experienced) for a particular facility is site-specific. The D-6 guideline recommends a 1,000 metre potential influence area for Class III facilities and the recommended minimum separation distance is identified as 300 metres. The technical work undertaken by Golder as part of the ECA Applications has demonstrated that there will be no adverse effects caused by the proposed development on sensitive land uses.

71. Section 4.4.2 of the D-6 guideline describes that as a general rule the separation distance is measured from the property line of the industrial land use to the property line of the sensitive land use. Section 4.4.3 of the D-6 guideline, however, introduces an exception to the minimum separation distance being measured from the property line, stating:

*"Where site-specific zoning or site plan control precludes the use of the setback for any activity associated with the industrial use that could cause an adverse effect such as shipping and receiving or outside storage/stockpiling of materials (e.g. front yard must be landscaped, and functions as a buffer), then the setback can be included as part of the measurement, rather than measuring from the industrial property line. NOTE: This approach could restrict future expansion of existing land uses."*

72. The proposed development includes both site-specific zoning and site plan control to ensure that there will be no uses located in the proposed setback area on the Colacem property that could provide an adverse effect. In addition, the technical investigations undertaken by Golder have determined that potential impacts from the proposed development in both MG-Zone A and MG-Zone B will be mitigated to within provincially acceptable levels. Therefore, it is appropriate to measure the separation distance as shown on the revised site plan as shown in **Appendix E**.

73. Section 4.6 of the D-6 guideline also supports the proponent providing air quality studies for noise, dust and odour to demonstrate there are no significant adverse impacts on sensitive receptors. Studies can be used to help demonstrate that the proposed development will prevent or minimize adverse effects and meet the intent of the Ministry guidelines.

74. Colacem is proposing a combination of buffers, building design and separation distance to meet the intent of the Ministry D-6 guidelines to minimize and prevent adverse effects and ensure land use compatibility. These site-specific measures include:

- a. Acoustic barriers as shown on the revised site plan in **Appendix E**.
- b. Separation distance between sensitive land uses and the heavy industrial uses implemented through site-specific zoning. The site-specific zoning ensures that the

heavy industrial cement plant will only be located in the MG-Zone B which is located to the rear of the subject lands to help mitigate impacts on neighbouring lands.

- c. Intervening land uses between the adjacent sensitive land uses and the heavy industrial uses to be located in the MG-Zone A.
  - d. Landscaping along County Road 17
  - e. Other site design measures including: the use of shielding, the indoor transfer of materials and the installation of dust collectors and building orientation.
75. Site specific zoning is proposed to regulate the land uses for the subject lands as identified in the revised draft Zoning By-Law Amendment included in **Appendix D**. The proposed Zoning for the subject Lands ensures that all of the heavy industrial cement plant uses located in MG - Zone B are setback a minimum of 300 metres from adjacent sensitive land-uses.
76. Intervening land uses proposed at the south end of the subject lands in MG-Zone A will be limited, through zoning, to accessory uses only, which are not anticipated to create an adverse effect. The intervening land uses proposed include:
- a. Employee and visitor parking;
  - b. Offices, cafeteria and employee lockers;
  - c. Guardroom;
  - d. Vehicle scale and internal roads;
  - e. Berm; and
  - f. The pond
77. An Acoustic Assessment Report and an Emission Summary and Dispersion Modelling Report were prepared by Golder to assess potential noise and dust impacts. These Reports were submitted with the Official Plan and Zoning By-Law Amendment Applications in June 2016. Based on the 2016 proposed site design and corresponding supporting studies it was demonstrated that the cement plant can operate in compliance with provincial requirements.
78. In response to Public Concerns, additional cumulative impact studies have been undertaken by Golder and the proposed site design has been revised to include additional noise barriers as shown on the revised site plan in **Appendix E**. In addition, the proposed cement plant facility has been shifted to the north on the subject lands by approximately +/-50m, towards the Charlebois Drain, and the electrical substation has been relocated from MG-Zone A to MG-Zone B. This revised site layout increases the setback distances between the MG-Zone B and the adjacent sensitive land-uses and improves overall land use compatibility.
79. As a result of the proposed separation distances, buffering and mitigation measures as well as the supporting studies, the proposed cement plant is consistent with the PPS and meets the intent of the Ministry D-6 Guidelines by mitigating adverse effects from noise and other contaminants and maintaining a minimum separation distance of 300m between the zone that will permit the cement plant and the adjacent sensitive land uses.

80. The property is also subject to Site Plan Control which will require the submission and approval of a final Site Plan to the municipality which will provide detailed information on landscaping, the construction of acoustic barriers, and exact building location and design.

**C. Mineral Aggregate Resources – Section 2.5 of the PPS**

81. The PPS contains policies that aim to protect long-term resource supply from incompatible activities that have the potential to directly sterilize a mineral aggregate deposit or indirectly hinder access to the aggregate resource (PPS Section 2.5.2.5). Typically, this policy would apply to “non aggregate” development such as residential severances or subdivisions.
82. The proposed cement plant is located on a bedrock resource area that has been identified as having potential to supply mineral aggregate resources. In 2014, the UCPR completed an Aggregate Resources Inventory Master Plan. The Master Plan states that the Bobcaygeon Formation is about 20 to 25 metres thick in the region and is suitable for use as granular base and for use in asphalt and concrete. The 2016 approved Official Plan incorporates the findings and recommendations from the Master Plan. The subject lands are identified as having Bedrock Resources on Schedule E – Mineral Aggregate Resource of the 2016 approved Official Plan.
83. Even though the proposed cement plant would meet the PPS definition of “development” (i.e. a change in land use) this is not a typical “non aggregate” development that was intended to be subject to the 2.5.2.5 policy that protects known deposits of mineral aggregate resources from development and activities that would preclude or hinder access to the aggregate resource.
84. The cement plant would rely on raw materials from the adjacent quarry (limestone is 80-90% of the raw materials used to manufacture cement). A cement plant is a use that adds value to the raw materials extracted at the quarry. It is a use that complements the extraction of the raw material at the quarry. In Ontario, other cement plants are either located next to a quarry source of raw material or are located on water with dock facilities that are linked with lakeside quarries allowing efficient bulk transportation of raw materials by boat.
85. The PPS defines a mineral aggregate operation as:
- a. lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act;*
  - b. for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and*
  - c. associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.*

86. A cement plant is consistent with (c) above as an associated facility to process a mineral aggregate resource and produce related products. Accordingly, a cement plant is defined in the PPS as part of a mineral aggregate operation. Further, the cement plant would not hinder extraction on the adjacent mineral aggregate operation.
87. Locating a cement plant next to the source of raw material makes sense based on a number of sound planning principles. The locational association between extraction and production of related products means that facilities like cement plants will invariably be located in areas that have known deposits of mineral aggregate resources. It is a reasonable interpretation of the PPS that mineral aggregate operations or facilities that are associated with operations and benefit from a location on or adjacent to a mineral aggregate deposit should not be subject to the same policy restrictions on their location as would apply to incompatible non aggregate development that the PPS protection policies were intended to restrict.

**D. Rural Areas in Municipalities - Section 1.1.4 of the PPS**

88. The PPS recognizes the importance of rural areas to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Section 1.1.4.1 states that healthy, integrated and viable rural areas should be supported by a variety of principles including:
- a. Building upon rural character, and leveraging rural amenities and assets;*
  - b. Using rural infrastructure and public service facilities efficiently;*
  - c. Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; and*
  - d. Conserving biodiversity and considering the ecological benefits provided by nature.*
89. The proposed development is consistent with these principles because:
- a. a cement plant is a mineral aggregate operation that uses limestone extracted in the area to produce a product used in construction. Mineral aggregate is a rural asset and the extraction of the resource and subsequent processing of the material (i.e. a cement plant) is a complimentary use producing a value-added product. Mineral aggregate operations are rural land uses;
  - b. the subject lands are located on County Road 17, which is a primary artery identified by the UCPR Official Plan. A Traffic Impact Study prepared by CIMA+ has been submitted in support of the applications;
  - c. the proposed cement plant will bring a new business to the UCPR willing to create significant jobs. The cement plant will help diversify the economy by establishing the only cement plant in Ontario east of Kingston; and,
  - d. no impact or disturbance to the significant woodland is anticipated as a result of the project and the significant fish habitat will be addressed through Provincial and Federal



approvals. An EIS has been completed by Golder in support of these planning applications.

90. Section 1.1.4.4 of the PPS permits municipalities to direct growth and development in the rural areas to rural lands. Rural lands are those which are located outside settlement areas and which are outside prime agricultural areas. Section 1.1.5.2 of the PPS permits a range of uses on rural lands including the management or use of resources, limited residential development, home occupations and home industries, and other rural land uses. The proposed cement plant is a mineral aggregate operation, which is permitted on and directed to rural lands.

**E. Natural Heritage – Section 2.1 of the PPS**

91. The PPS requires that natural features and areas be protected for the long-term. An EIS has been prepared by Golder to address the natural resources on the subject property. Significant natural heritage features found on the property include fish habitat and significant woodlands.
92. The PPS states in Section 2.1.6, development and site alternation shall not be permitted in fish habitat except in accordance with provincial and federal requirements. The EIS anticipates that there will be no negative impact to fish or fish habitat within the Charlebois Drain. The removal of surface water features on site (e.g. drainage ditches) will be conducted based on recommendations from the Department of Fisheries and Oceans.
93. The PPS only permits development and site alteration in significant woodlands when it has been demonstrated that there will be no negative impacts on natural features or their ecological functions. The EIS identifies a significant woodland in the study area and a small portion (i.e. <0.5 ha) overlaps the northwest corner of the site. The significant woodland is approximately 450m to the north of the footprint of the proposed cement plant and no impact or disturbance to the significant woodland is anticipated as a result.
94. Some significant wildlife habitat (deer winter congregation and bat maternity colonies) are associated within the significant woodland at the northwest portion of the site. Since the significant woodland will not be impacted by the project and no disturbance to the feature is anticipated, the EIS concludes that there is no negative impact.
95. No habitat of endangered or threatened species, significant wetlands, significant valleylands, significant areas of natural or scientific interest were identified by the EIS on the subject lands or within the study area.

**F. Cultural Heritage & Archaeology – Section 2.6 of the PPS**

96. The PPS does not allow development or site alternation on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

97. A Stage 1 Archaeological Assessment ('Stage 1 AA') has been prepared by Golder in support of these planning applications. The Stage 1 AA concluded that some of the subject property has archaeological potential as per the Ministry of Tourism, Culture and Sport Standards and Guidelines. A Stage 2 AA was completed by Golder on December 22, 2016 which included test pit and pedestrian surveys. The field survey resulted in the discovery of two historic artifact find spots. The Stage 2 AA concluded that both Find Spot 1 and Find Spot 2 are of insufficient cultural heritage value to warrant further archaeological investigation; and that no further archaeological work is required for the project under the current zoning applications.
98. The Ministry of Tourism, Culture and Sport indicated that they were satisfied with the Stage 1 Assessment in correspondence dated July 6, 2016 and the Stage 2 Assessment in correspondence dated January 6, 2017.

**G. Protecting Public Health and Safety - Section 3.0 of the PPS**

99. Section 3.1.1 of the PPS states that, development shall generally be directed to areas outside of hazardous sites. Hazardous sites are defined in the PPS as, *property or lands that could be unsafe for development and site alteration due to naturally occurring hazards*. These may be unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).
100. Both Official Plans identify organic soils on part of the subject property. Additional geotechnical investigations have been completed on the property. Bore holes were drilled in several locations to understand the bedrock depth. Most of the proposed buildings and structures are located in areas where the bedrock is approximately 0.6 to 7.6 metres below the surface. The foundations of the buildings and structures on the property will need to be upwards of 8 metres deep, therefore, they will all be located on the solid bedrock.
101. The bedrock is, however, found to be deeper underground in the northeastern corner of the site (approximately 8 to 12 metres below the surface). The solution to appropriately build in this area is to remove the organic soils to the bedrock and put several layers of limestone mixed with cement rolled and compacted to a depth of approximately 5 to 6 metres.
102. The PPS does not prohibit development in areas of organic soils but rather 'generally' directs development to other areas. Investigations have been completed to demonstrate that the proposed cement plant can be built on the bedrock.
103. In summary, the proposed Official Plan and Zoning By-law amendments are consistent with the 2014 Provincial Policy Statement, represents good planning and is in the public interest considering the economic, environmental and social factors that apply to this application.

**H. Agriculture - Section 2.3 of the PPS**

104. The PPS requires that *"Prime Agricultural area shall be protected for long-term use for agriculture"*. The subject lands are not designated Agricultural Resource Policy Area in the UCPR

2006 or 2016 Official Plan. The subject lands include Class 6 soils which are not considered Prime Agricultural Land.

**I. Water - Section 2.2 of the PPS**

105. The PPS states that *"Planning authorities shall protect, improve or restore the quality and quantity of water"*. A Groundwater Supply Review was undertaken by Golder to evaluate the potential for using the quarry sump water as a component of the water supply for the proposed Cement plant. Golder confirmed that the diversion of some water to the cement plant would not inadvertently cause an adverse effect.
106. In addition, a Storm Water Management Report was prepared by Golder to assess the storm water management requirements and identify the required storm water management features. The storm water management facilities will be constructed on the property to monitor water quality and control discharge from the site to the Charlebois Drain.
107. No negative impacts are anticipated to surface or groundwater features as a result of the proposed development.

***7.2. Issue 2. Do the Planning Applications conform to the United Counties of Prescott & Russell Official Plan?***

108. It will be my evidence that the Planning Applications do conform to the UCPR Official Plan.
109. The UCPR Official Plan was adopted by the UCPR on June 22, 1999. A review of the Official Plan was adopted by the UCPR on May 23, 2006 (the (2006) Official Plan). This is the Official Plan that was in place at the time the Colacem Applications were made in June 2016.
110. The UCPR completed a five-year review of their Official Plan and adopted Amendment (OPA) No. 27 on August 16, 2015. The Ontario Ministry of Municipal Affairs and Housing (MMAH) approved OPA No. 27 on March 1, 2016. There were a number of appeals filed to the Ontario Municipal Board (now the Local Planning Appeal Tribunal) on the MMAH Approved OPA No 27. In October 2017 the Board approved the Minutes of Settlement for OPA No. 27. The MMAH Approved 2016 Official Plan is now in full force and effect.
111. Generally, applications are decided based on approved policies at the time of application, however, adopted but not approved policies (at the time of application) are still relevant. In this case both Official Plans are relevant and my evidence will review the proposal in consideration of both the 2006 and 2016 Official Plans.
112. The subject lands are designated "Rural Policy Area" on Schedule A – Land Use Designation of the 2006 and 2016 Official Plans. Rural Policy Area lands are those located outside of the "Urban Policy Area", "Community Policy Area" and "Trade and Industry Policy Area" and lands which are

not subject to the “Resource Policies” or “Natural Heritage Policies”. The Official Plan Amendment proposes to designate the lands Trade and Industry Policy Area.

113. This application proposes to develop the lands for a cement plant. A cement plant is a large industrial use. In the pre-application comments provided, the UCPR confirmed that an Official Plan Amendment is required “given that the proposed project is of a heavy industrial nature”.
114. The Official Plan Amendment proposes to designate a portion of the lands “Trade and Industry Policy Area”. The “Trade and Industry Policy Area” is intended to provide for economic development opportunities in areas located outside of the “Urban Policy Area” and “Community Policy Area” and permits a variety of industrial uses including manufacturing, processing, warehousing of bulk products and open storage.
115. The area to be amended includes 39.9 hectares of land located south of the Charlebois Drain. The remaining lands located north of the Charlebois Drain are proposed to remain Rural Policy Area and are not proposed to be developed.

**A. Policies for Industrial Uses**

116. There are eight land use designations in the UCPR Official Plan: Urban, Community, Rural, Trade and Industry, Agricultural Resource, Natural Heritage, Mineral Aggregate Resource and Waste Management Policy Areas. Within these designations of the 2006 and approved 2016 Official Plans, industrial uses are permitted in the:
- a. Urban Policy Area;
  - b. Community policy area;
  - c. Trade and Industry Policy area;
  - d. Rural Policy area; and the
  - e. Agricultural Resource Policy area.
117. The 2006 and the 2016 Official Plans direct industrial uses to the aforementioned designations, generally, based on servicing requirements. A significant amount of growth is intended to be directed to the Urban Policy Area; therefore, the Official Plan would direct the majority of industrial development to the settlement areas where full services exist.
118. The Community Policy Area consists of partially serviced and un-serviced Villages and Hamlets. The Official Plans permits industrial uses in the Community Policy Area but proposed uses have to be compatible with the surrounding community and have the ability to be appropriately serviced.
119. Development within the existing designation, the Rural Policy Area, will generally be on the basis of private individual services. Permitted uses include agriculture-related commercial and industrial uses and non-agricultural industrial and commercial uses which meet the needs of the

travelling public, or which relate to local resources. Therefore, industrial uses related to local resources are currently permitted on the subject lands.

120. Full services are not required for the proposed development, therefore, lands outside of the Urban Policy Area can be considered in the location of the cement plant. In addition, a cement plant requires a significant amount of land that is not often available within settlement areas. Therefore, the 2006 and 2016 Official Plans direct industrial uses that require large areas of land to the Trade and Industry Policy Area. The Trade and Industry Policy Area is the most appropriate designation for the proposed cement plant. The UCPR confirmed through the pre-consultation process that an Official Plan Amendment to the Trade and Industry Policy Area was necessary for the proposed development.

**B. Trade and Industry Policy Area Policies – section 2.4 (2016 Official Plan)**

121. Both the 2006 and 2016 Official Plans recognize the need for economic development opportunities in areas outside of the Urban Policy Area and the Community Policy Area. The Trade and Industry policies are intended to create a planning framework which will encourage and support mixed use employment areas which can accommodate serviced or un-serviced commercial, industrial or tourism related uses.
122. Section 2.4.3 of the 2016 Official Plan identifies the objectives of the Trade and Industry Policy Area. The proposed development conforms to these objectives by:
- a. Facilitating the development of an industrial use that requires a large amount of land;
  - b. Proposing development on County Road No. 17, which is identified as a primary artery. County Road No. 17 provides access east-west across the UCPR to the City of Ottawa.
  - c. Proposing industrial development that is compatible with surrounding land uses in accordance with provincial guidelines.
  - d. Encouraging economic development opportunities in the UCPR. This will be the only cement plant located east of Kingston. Many of the raw materials used in the production of cement will be locally sourced thereby supporting other businesses in the area. The cement plant will provide significant new jobs in the community.
123. The 2016 Official Plan has identified the Trade and Industry Policy Area as the employment lands as defined in the PPS. This designation shall be the focus of employment growth and development in the UCPR, and shall accommodate a range of uses.
124. Both the 2006 and 2016 Official Plans permit the following commercial and industrial uses which require larger land areas in the un-serviced Trade and Industry Policy Areas:
- a. Manufacturing and processing;
  - b. Warehousing and wholesaling of bulk products;
  - c. Transportation depots;
  - d. Heavy equipment and recreational vehicle sales and service;
  - e. Open storage;

- f. Automobile and commercial vehicle service centres;
- g. Service commercial uses ancillary to the above; and,
- h. Other commercial uses appropriate or compatible with an industrial/commercial mixed use area or business park.

125. A cement plant is a manufacturing use and a processing activity as cement is created by processing several raw materials. A cement plant is an industrial use and is permitted in the Trade and Industry Policy Areas of the 2006 and 2016 Official Plans.

126. Both the 2006 and 2016 Official Plans direct the Zoning By-law to regulate the permitted uses on the lands. Lands designated Trade and Industry Policy Area are typically zoned either Industrial Restricted (ML) or Industrial Heavy (MG) in the Township Zoning By-law. The requested Zoning By-law amendment proposes to zone the lands MG, which permits a cement plant and a metal fabricating plant.

127. Section 2.4.3 of the 2006 Official Plan and Section 2.4.3.7 of the 2016 Official Plan requires that site plan control apply to new or expanded trade and industry uses to regulate the physical character of development and to ensure compatibility with established land uses. A site plan application will be submitted separately from the Official Plan and Zoning By-law Amendment applications but will be required prior to any development occurring on the subject lands.

**C. Land Use Compatibility Policies – Section 2.4.3.1 and 6.9.2 (2016 Official Plan)**

128. The 2006 Official Plan aims to prevent or minimize future land use conflicts which can arise when incompatible land uses develop in close proximity to one another. Section 6.9.2 requires the MOECC guidelines on Land use Compatibility be applied during the planning process.

129. The 2016 Official Plan aims to ensure compatibility between industrial facilities and sensitive land uses. The 2016 Official Plan considers a sensitive land use to be a residence or other land use, such as outdoor recreational activities, where humans or the natural environment may be adversely affected by emissions from industrial facilities. Separation distances *“shall generally conform”* to the MOECC’s D-Series Guidelines. Section 6.9.2 of the 2016 Official Plan permits compatibility to be achieved in many ways including through separation distance, other forms of buffering and/or intervening land uses.

130. As outlined in my response to Issue #1, the proposed development meets the intent of the D-6 Guidelines through the use of separation distances, buffering, and intervening land uses.

**D. Mineral Aggregate Resource Policy Area Policies – Section 4.3 (2016 Official Plan)**

131. The 2006 and approved 2016 Official Plans recognize the importance of aggregate resources to all facets of development in the UCPR as these materials are used in the construction of roads, water and sewer infrastructure, homes, schools and commercial buildings and landscaping projects. Both the 2006 and 2016 Official Plans recognize aggregate resources are a non-

renewable resource; therefore, the intent of the Plans is to protect mineral aggregate resources from incompatible development.

132. The 2006 Official Plan identifies licensed pits and quarries and mineral aggregate reserve areas on Schedule A. The subject lands are not identified as having any type of aggregate reserve. They are, however, located adjacent to a Mineral Aggregate Resource Area – Quarry – also operated by the owners of the subject lands.
133. The 2006 and 2016 Official Plan aims to restrict opportunities for incompatible development near lands designated Mineral Aggregate Resource Policy Area.
134. The 2016 Official Plan also designates pits and quarries licensed under the *Aggregate Resources Act* on the land use plan. In addition, the 2016 Official Plan includes a new schedule that maps mineral aggregate resource areas which are not currently licensed based on provincial information and the Aggregate Resources Inventory Master Plan. These areas are identified in the 2016 Official Plan as they are deemed essential for the long term supply of aggregates and require protection.
135. The intent of the 2016 Official Plan is to protect existing aggregate operations and potential aggregate operations from incompatible land uses.
136. As outlined in my response to Issue #1, the proposed development is an appropriate land use to be located adjacent to the mineral aggregate land use. The raw materials from the quarry as used directly in the cement manufacturing process.

**E. Minimum Distance Separation Policies – Section 7.4.25 (2016 Official Plan)**

137. Lands immediately to the east and south of the subject lands are designated Rural Policy Area. Beyond the Rural Policy Area, the lands are designated Agricultural Resource Policy Area. Agricultural uses are permitted in both of these land use designations. The 2006 and approved 2016 Official Plans require development conform to the province's Minimum Distance Separation (MDS) standards. As addressed in our 2016 Planning Justification Report the proposed cement plan conforms with the MDS formulae.

**F. Natural Heritage Policies – Section 5 (2016 Official Plan)**

138. The 2006 and 2016 Official Plans primary means of protecting the UCPR's natural heritage is through the designation of those features on Schedule A regulating where development is permitted. The 2006 and 2016 Official Plans also identify area of natural heritage where development is to be controlled on Schedule B. Features identified on Schedule B include Areas of Natural or Scientific Interest (ANSI's), fish habitat, significant woodlands, shore lands along major waterways and ground water resources.

139. The proposed development conforms to the natural heritage policies of the 2006 and 2016 Official Plans because:

- a. There are no provincially significant wetlands identified on or adjacent to the subject lands in either Official Plan.
- b. The proposed development is located approximately 450m away from the significant woodland located on the northwest corner of the property (approximately 0.5ha) and on the lands adjacent (greater than 200ha in size). The Golder EIS concludes that no impact or disturbance to the significant woodland is anticipated as a result of the project.
- c. The EIS anticipates that there will be no negative impact to fish or fish habitat within the Charlebois Drain. The removal of surface water features on site (e.g. drainage ditches) will be conducted based on recommendations from the Department of Fisheries and Oceans. A fish collection permit will be obtained from the Ministry of Natural Resources and Forestry to relocate fish in the drainage ditches prior to commencement of construction activities on site.
- d. The EIS concluded that no negative impact to significant habitat on the site or within the study area is anticipated as a result of the project.
- e. No habitat of endangered or threatened species, significant wetlands, significant valleylands or significant areas of natural or scientific interest are located on the subject property or within the study area.

#### **G. Transportation Policies - Section 3.3 (2016 Official Plan)**

140. The transportation system in the UCPR is composed of Provincial highways, County roads, local public roads opened and maintained on a year round basis, seasonal roads which are not maintained during the winter maintenance season and local private roads. The 2006 and 2016 Official Plans identify Council's objective is to ensure that the road network within the UCPR will function in a cost effective, efficient and safe manner for the movement of people and goods.

141. The subject lands are located on County Road 17. The 2006 and 2016 Official Plans identify County Road 17 as the only primary artery in the UCPR. This artery, along with provincial Highway 417, is the main east-west link in Prescott and Russell.

142. The 2016 Official Plan identifies that the County may require a Traffic Impact Study (TIS) in order to demonstrate how the transportation impacts of the proposed development can be mitigated and addressed. Therefore, a TIS was completed by CIMA+ in support of the development and peer reviewed by the UCPR Public Works Department which validated that the proposed increase in traffic volume would not have an impact on County Road 17. To address the safety concerns of County staff, the cement plant will use the existing quarry entrance and Colacem confirmed that it would work with the County and Township to re-design the proposed roadway improvements to meet the needs of both the County and the proposed development.

#### **H. Public Health and Safety Policies – Section 6 (of the 2016 Official Plan)**



143. The 2006 and 2016 Official Plans acknowledge that the natural landscape and resources are constantly being shaped and reshaped by naturally occurring physical and ecological processes. These landscapes and resources only become a hazard when people and structures are located within them or are affected by them. Health and public safety hazards are shown on Schedule C of both Official Plans. A portion of the subject lands are identified as being organic soils.
144. As outlined in my response to Issue #1 of this Witness Statement, investigations have been completed to demonstrate that the proposed cement plant can be built on the bedrock located on the property which will not result in any public health or safety concerns.
145. The 2006 and 2016 Official Plans also identify abandoned pits and quarries on Schedule C. An abandoned pit and quarry is identified on the adjacent property to the east. Development on, abutting or adjacent to lands affected by former mineral resource operations may proceed in accordance with the underlying land use designation only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed. The adjacent property is presently developed with a residence and accessory structures. The proposed cement plant will not aggravate any potential hazards as a result of the former pit and/or quarry.
146. It is entirely likely that the abandoned quarry shown on Schedule C of the Official Plan is intended to represent the pond located on the subject lands. As no development is proposed around the abandoned quarry, no rehabilitation is required as there are no known or expected hazards.

**I. Cultural Heritage Policies – Section 7.7 (2016 Official Plan)**

147. In the pre-consultation letter from the UCPR dated July 21, 2011, staff identified the site as having archaeological potential and required that a Phase 1 Archaeological Assessment be undertaken. Both a Stage 1 and Stage 2 Archaeological Assessment have been completed for the subject lands as s outlined in my response to Issue #1.
148. In summary, the proposed cement plant conforms to both the 2006 and 2016 Official Plan relating to the development of industrial operations. In addition, the studies prepared in support of the Official Plan and Zoning By-Law Applications address the policies of the County.

***7.3. Issue 3. Is the proposed cement plant that would be permitted by the Planning Applications an appropriate land use at the proposed location along County Road 17?***

149. The proposed cement plant is an appropriate land use that is suitable for the proposed location. The proposed plant requires a large un-serviced area with adequate separation distances from sensitive use and direct access to a major transportation corridor for the shipping and receiving of raw materials and finished products.

150. The proposed cement plant will use raw materials extracted at the adjacent quarry operation. It is a complimentary use to the adjacent quarry and an extension of the existing mineral aggregate operation. Locating the plant adjacent to the existing quarry eliminates the need to ship raw aggregate material from elsewhere. The proposed development is a resource-based use that is appropriate for a rural area.
151. The location is also very suitable from a transportation perspective based on the direct access to County Road 17 which is a designated primary arterial road designed to carry the type of traffic required to bring fuel and raw material to the plant and ship finished cement products to markets.
152. Within the immediate area of the proposed development, and along the County Road 17 corridor in the UCPR there are a number of commercial and industrial lands uses, including:
- a. Existing Licensed pits and quarries;
  - b. Solar farms;
  - c. Ivaco Rolling Mills Ltd. Steel Mills;
  - d. Waste management facilities; and,
  - e. Ready Mix Concrete Batching Plant.
153. Additionally, this location has the benefit of not being a designated Agricultural Resource Policy Area and is outside of the Natural Heritage System.
154. The Technical Studies undertaken by Golder for the Official Plan and Zoning By-Law Amendment Application and the ECA Applications have demonstrate that any potential adverse impacts will be prevented or mitigated and will meet all Provincial requirements for noise and air emissions.
155. In summary, the proposed cement plant is an appropriate land use at the proposed location along County Road 17, because it is located:
- a. On a designated transportation corridor;
  - b. In an area of existing commercial and industrial land uses;
  - c. Adjacent to a quarry which directly supplies raw materials used for the production of cement;
  - d. On a large un-serviced lot outside of a urban area;
  - e. Outside of Prime Agricultural Lands and not within any significant natural heritage features; and,
  - f. On a property that can appropriately accommodate the proposed cement plant facility and provides adequate separation distances to the adjacent sensitive land uses.

***7.4. Issue 4. Is the proposed cement plant that would be permitted by the Planning Applications appropriately designed, buffered and separated from neighbouring land uses to ensure appropriate land use***

***compatibility and the prevention or mitigation of any potential adverse effects in accordance with provincial standards and requirements?***

156. It will be my evidence that the design, buffering and separation that has been incorporated in the proposal is appropriate and will prevent or mitigate potential adverse effects. The proposed land use is compatible with surrounding land uses taking into account this design, buffering and separation.
157. As set out in the revised Zoning By-Law Amendment (in revised Figure 4a in **Appendix E**), the separation distances will achieve:
- A minimum 300m from the front lot line of the Colacem property, adjacent to Hwy #17, to the MG-Zone B;
  - A minimum of +/- 300m measured from the rear residential property line of #2206 County Road #17 to the MG-Zone B; and,
  - An increase of +/- 36m of separation distance from the sensitive receptor located at #2184 County Road #17 to the MG-Zone B.
158. In addition, the cement plant facility is located more than 1.5km from Bay Road.
159. The revised site plan for the cement plant has been modified to increase separation distances from MG - Zone B to adjacent sensitive land uses. These changes include:
- Relocation of the entrance from the subject lands to utilize the existing quarry entrance in response to comments from the UCPR Public Works staff during Peer Review;
  - Additional noise barriers along the internal driveway and adjacent to the electrical generating station;
  - A shift of the cement plant about +/-50m back from Highway #17 towards the Charlebois Drain and increase in separation distance from the closest sensitive receptors; and,
  - Removal of the electrical substation from MG-Zone A to MG-Zone B
160. The proposed cement plant is not out of character for a rural area that includes a wide range of uses that are important to economic and employment opportunities within the County. These include resource related industrial uses, such as gravel pits and quarries, and other larger scale industrial uses that require larger land areas and can better locate outside of serviced urban areas, for example solar farms and waste recycling and transfer stations.
161. There is a direct relationship between the proposed plant location and the adjacent source of the primary raw material from the Colacem quarry that is used to manufacture cement. Locating the cement plant adjacent to the quarry will significantly reduce trucking impacts from the shipment of the raw materials required to manufacture cement. The proposed cement plant will be a significant and visually prominent facility that will serve as an accessory use to the existing quarry operation and will not be out of character for the County Road 17 corridor.

162. The site will include landscaped frontage with berms and tree screens that will help mitigate the visual impacts along the Highway 17 frontage. The details of the landscape screen will be developed through the site plan control application.

***7.5. Issue 5. Can additional vehicular traffic and access from County Road 17 to the proposed cement plant that would be permitted by the Planning Applications be safely accommodated? Will additional Vehicular traffic result in any potential adverse effect in the area that are not in accordance with provincial standards and requirements***

163. The UCPR Official Plan sets out infrastructure objectives including providing a road network that will effectively, efficiently and safely accommodate the movement of people and goods through the area. County Road 17 is the only primary arterial road designated in the County Official Plan. It is a former Provincial highway and provides a major east west transportation link between County growth areas and serves as a major transportation link between the Ottawa region and the Montreal Urban Community. Its planned function includes the efficient movement of high volumes of traffic (including heavy trucks) that are required to carry goods such as aggregate and cement.

164. County Road 17 provides direct access to the Trans Canada Highway as well as Highways 417, 416 and Highway 401 (via Highway 416.) Therefore, the proposed site is appropriately situated along a major County Road that provides direct access to numerous Provincial trucking routes that are required supply fuel and raw materials to the plant and provides access to Colacem's markets for its finished cement products.

165. A Traffic Impact Study was completed by CIMA+ in support of the development and peer reviewed by the UCPR Public Works Department which validated that the proposed increase in traffic volume would not have an impact on County Road 17.

166. Good planning includes locating and developing land uses generating large volumes of truck traffic where they have the ability to get to roads that are intended and designed to accommodate these volumes. In the case of the Colacem proposal, there is direct access on to primary transportation corridors used for freight movement. This is an important attribute of this location.

***7.6. Issue 6. Do the Planning Applications and the development of the proposed cement plant represent good planning and are they of the public interest?***

167. As stated in the 2016 Planning Justification Report, it is my opinion that the Official Plan and Zoning By-Law Amendments should be approved as the applications have been shown to:

- a. Be consistent with the Provincial Policy Statement, 2014;

- b. Conform to the policies and intent of the 2006 UCPR Official Plan; and
- c. Represent good planning.

168. In response to public comments and concerns, the cement plant site design has been improved by relocating the cement plant facility 50m back on the subject lands. In addition, the electrical substation has been relocated to the MG-Zone B and acoustic barriers have been added along the internal driveway and adjacent to the electrical substation. The revised site plan and revised Zoning By-Law Amendment implement these changes and improve the land use compatibility of the proposed development with the adjacent sensitive land uses.

169. It is my continued professional planning opinion that the approval of the Planning Applications would represent good planning and are in the public interest. This is based on the considerations outlined in our Planning Justification Report and this witness statement.

**ATTACHMENTS:**

**Appendix A – CV for James Parkin**

**Appendix B– Executed Acknowledgement of Expert Duty**

**Appendix C - Project Chronology for Planning Act Applications**

**Appendix D –Revised draft Zoning By-Law Amendment**

**Appendix E – Revised Planning Justification Report Figures (Revised Site Plan and Revised Figure 4a)**

**Appendix F – Document List**

**Appendix G – Planning Justification Report, March 15, 2016 and October 24, 2106 Addendum**

May 31, 2018

A handwritten signature in black ink that reads "James D. Parkin". The signature is written in a cursive, flowing style.

# **Appendix A**

Curriculum Vitae for James Parkin

## CURRICULUM **VITAE**

### James D. Parkin, BES, MCIP, RPP

#### EDUCATION

1982  
Bachelor of Environmental Studies  
(Honours) Department of  
Geography (University of Waterloo)

James Parkin is a Partner at MHBC Planning and has been with the firm since 1989. Mr. Parkin is a land use planner with experience in rural and resource planning. He has been extensively involved in planning related to mineral aggregate resources across the Province. He has advised aggregate producers, municipalities and industry associations on many specific applications and planning policy development.

Mr. Parkin provides project management and planning evaluations related to Planning Act, Aggregate Resources Act and Provincial Plan matters. He is certified by the Minister of Natural Resources to prepare site plans under the Aggregate Resources Act. He has provided expert evidence before the Ontario Municipal Board and Joint Board.

Prior to joining MHBC, Mr. Parkin was employed by the Ministry of Natural Resources and held a variety of field and main office positions in the aggregate resources program.

#### PROFESSIONAL ASSOCIATIONS

Full Member, Canadian Institute of Planners (CIP)  
Full Member, Ontario Professional Planners Institute (OPPI)  
Canadian Land Reclamation Association- Ontario Chapter Past President

#### CONTACT

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F 519 576 0121  
jparkin@mhbcplan.com  
www.mhbcplan.com

## CURRICULUM **VITAE**

**James D. Parkin**, BES, MCIP, RPP

### PROFESSIONAL HISTORY

1996 - Present	Partner, MacNaughton Hermesen Britton Clarkson Planning Limited
1989 - 1996	Senior Planner, MacNaughton Hermesen Britton Clarkson Planning Limited
1988 - 1989	Policy Development Officer - Planner, Ministry of Natural Resources, Queen's Park
1987 - 1988	Mineral Resources Administrator, Ministry of Natural Resources, Carleton Place
1984 - 1987	Pit and Quarry Inspector, Ministry of Natural Resources, Maple District
1984	Geological Assistant, Ministry of Natural Resources, Industrial Minerals Section
1983	Junior Pit and Quarry Inspector, Ministry of Natural Resources, Owen Sound District
1982	Environmental Coordinator, Anaconda Canada Exploration, Bathurst, New Brunswick

### CONTACT

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## CURRICULUM **VITAE**

**James D. Parkin**, BES, MCIP, RPP

### SELECTED EXPERIENCE

Planning evaluations and analysis for mineral aggregate development and resource management. Reserve volume estimates.

Coordinating the design and preparation of site plans under the Aggregate Resources Act. Certified to prepare site plans by the Minister of Natural Resources pursuant to Section 8 (4) of the Aggregate Resources Act.

Advise on general provincial and municipal planning issues and formulate input to provincial policy initiatives and municipal planning exercises (e.g. Niagara Escarpment Plan Review, ORMCP, Provincial Policy, Regional/County Official Plans, Local Official Plans).

Provide expert planning evidence before the Ontario Municipal Board and Joint Board.

Research and preparation of Planning Reports and Aggregate Resources Act Reports for license and permit applications.

Project management and co-ordination for preparation of Aggregate Resources Act, Planning Act and Niagara Escarpment Plan applications.

Conduct Notification and Consultation procedures under the Aggregate Resources Act. Public consultation program and Liaison Committees.

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## CURRICULUM **VITAE**

### James D. Parkin, BES, MCIP, RPP

Aggregate Resources Act licence and site plan amendments, transfers, rehabilitation/redevelopment and post approval problem solving.

Assess Compliance of pit and quarry operations with site plans and conditions of approval and prepare Compliance Assessment Reports.

Expertise related to Niagara Escarpment Plan including Visual Impact Assessment, designation criteria, Development Permits and Plan Amendments.

Conduct investigations and studies to recommend mapping of resource areas and policies for Official Plans.

Policy research and review including background studies such as 2010 and 2016 State of the Aggregate Resource in Ontario Study (SAROS), Agricultural Impact Assessment and Rehabilitation Best Practice.

Project management and co-author for Aggregate Resources Inventory Papers.

Policy development and implementation of Provincial (Ontario) policies and legislation relating to aggregate resources, including the Mineral Aggregate Resources Policy Statement and Aggregate Resources Act (Ministry of Natural Resources, Queens Park).

Administration of Aggregate Resources Program including administration and enforcement of the Pits and Quarries Control Act and implementation of the Mineral Aggregate Resources Policy

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## CURRICULUM **VITAE**

**James D. Parkin**, BES, MCIP, RPP

Statement (Ministry of Natural Resources, Carleton Place and Maple District Offices).

Compilation and computerization of provincial aggregate production, rehabilitation and legislation enforcement data; research and analysis of provincial data; assisting with the research and publication of reports dealing with rehabilitation and industrial minerals (Ministry of Natural Resources, Queen's Park).

Implementation of the Pits and Quarries Control Act as it applies to wayside pits (Ministry of Natural Resources, Owen Sound District Office).

Implementation of revegetation program, mine water treatment, surface drainage control, pollution controls, mine site safety, public and government relations (Anaconda - Caribou Mine Site, New Brunswick).

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## CURRICULUM **VITAE**

**James D. Parkin**, BES, MCIP, RPP

### SAMPLE PROJECTS

Aecon - Due Diligence Acquisition  
 Aecon - Oliver Pit  
 Aecon - Pinchin Pit - post approval liaison  
 Aggregate Producers Association of Ontario - Wetlands Policy Statement review  
 Aggregate Producers Association of Ontario - Regional Municipality of Peel Official Plan  
 Aggregate Producers Association of Ontario - Clarington Official Plan  
 Aggregate Producers Association of Ontario - Oak Ridges Moraine  
 Aggregate Producers Association of Ontario - PPS Review  
 Aggregate Producers Association of Ontario - Various Presentations  
 Aggregate Producers Association of Ontario - Regional Municipality of Durham Official Plan Review  
 Aggregate Producers Association of Ontario - Niagara Escarpment Plan Review  
 Aggregate Producers Association of Ontario - Response to Provincial Planning Reforms  
 Amherst Quarries- Applications and Review of Adjacent Proposals  
 Armbro Inc. - Pinchin Pit applications, Town of Caledon  
 Armbro Inc. - Property investigations  
 Arriscraft- Due Diligence  
 Beachvilime - Hayes Property license application and Planning Act approvals  
 Blueland Farms- McCormick Pit applications (Caledon)  
 Brampton Brick - Cheltenham Quarry, post approval issues  
 Bruman Leasing- North Bay Licencing Application  
 Caledon Sand & Gravel - Caledon Pit Extension applications  
 Canada Building Materials - Brighton Pit  
 Canada Building Materials- Bromberg/Ayr Pit

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## CURRICULUM **VITAE**

**James D. Parkin, BES, MCIP, RPP**

Canada Building Materials- Eramosa Pit  
 Canada Building Materials- Huxley Pit  
 Canada Building Materials - North Dorchester Pit applications  
 Canada Building Materials- Olalondo Road Pit  
 Canada Building Materials- Puslinch Applications  
 Canada Building Materials - Mosport Pit applications, Aggregate  
 Capital Paving- Pit Application  
 Carmeuse Canada Ingersol- Site Plan Amendments  
 Cavanaugh OPA 76 Appeal (Ottawa)  
 Cavanaugh- Almonte Quarry Expansion  
 Resources Act/ Planning Act approvals  
 Canada Building Materials - Cannington Pit, Aggregate Resources  
 Act and planning approvals  
 Cedarhurst Quarries and Crushing Limited - Coboconk Quarry  
 licensing and replacement site plans  
 City of Brampton - Shales Resources Review and Peer Review  
 City of London - Subwatershed Study  
 City of Kitchener - West Side Study  
 City Sand & Gravel - St. John's Newfoundland Expropriation  
 Colacem L'Original Cement Plant  
 Con-Strada Construction- Property Investigations  
 Cornwall Gravel Company Limited - Bonville Quarry license  
 application and Planning Act approvals  
 County of Wellington- Aikensville Pit Peer Review  
 Cox Construction - Puslinch Pit extension  
 Cut Above Natural Stone- quarry expansion and rezoning  
 Cut Above Natural Stone- Site Plan Amendments  
 Dufferin Aggregates - Acton Quarry development permits  
 Dufferin Aggregates - Milton Quarry Extension Applications  
 Dufferin Aggregates - Property investigations and reserve strategy  
 Dufferin Aggregates- Screening the Gap  
 Dunnville Rock Products, Waterford Group - Dunnville Quarry

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## CURRICULUM **VITAE**

**James D. Parkin, BES, MCIP, RPP**

Eagle Rock - Maple Pits, License transfer and amendments  
 E.C. King Contracting - Sydenham Quarry  
 Empire Communities- Nash Neighborhood Visual Impact Assessment, City of Hamilton  
 Erie Sand & Gravel - Zoning By-law appeals  
 Erie Sand & Gravel - Pelee Quarries  
 Erie Sand & Gravel- Aggregate Resources Act Matters and Applications.  
 Everest Tree Farm- Bruce County Building Stone Quarry  
 Federal White Cement - Zorra Township licensing and replacement site plan  
 Floyd Preston - Mountain Lake Quarry  
 General Chemical - MacGregor Quarry Zoning By-law appeals  
 Genuine Springs - Water Supply approvals  
 Global Stone/Ingersoll Lime Limited - Zorra Township Quarry  
 Golder Associates- Planning Services for Environmental Assessments  
 Gormley Aggregates - Property Investigations  
 Graham Brothers - Valuation Court Case  
 Graham Brothers - Caledon Pit extension  
 Guelph Dolime - Site redevelopment plans  
 Halminen - Buckhorn Quarry  
 Halton Crushed Stone/Lee Sand & Gravel - property investigations  
 Halton Crushed Stone- Erin Pit expansion  
 Hard Rock Paving - Law Quarry  
 Harnden & King Construction - Scugog Pit extension, Aggregate Resources Act and Planning Act  
 Hockley- Licence transfer  
 Hydro One- Aggregate Resource Assessment for Bruce to Milton Transmission Line  
 James Dick Construction- Peel & Caledon Greenbelt Conformity  
 James Dick Construction - Caledon reserve property Official Plan referral

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## CURRICULUM **VITAE**

### James D. Parkin, BES, MCIP, RPP

James Dick Construction - Oro Pit Aggregate Resources and Planning Act applications Act

James Dick Construction - Oshawa Harbour Aggregate Handling Facility

James Dick Construction - Rockfort Quarry and Caledon OPA 161

James Dick Construction- Adjala Pit

James Dick Construction-Erin Pit

J.C. Duff - Limehouse Expansion

Jennison Construction- Huron County

Jennison Construction- Staffa Pit

Karson Kartage- Pit and Quarry Management

K.J. Beamish - Campbell Quarry Aggregate Resources Act license and Planning Act approvals

KPM Reid Pit Opening

KPM Brantford- Plant Expansion

Kraus Holdings Limited - Gehl Place Pit license application and planning approvals

Lac Minerals - Property Investigations

Lafarge Canada - Boland Pit

Lafarge Canada- Cambridge Pit

Lafarge Canada - Centreville Quarry applications

Lafarge Canada- Goodwood Pit

Lafarge Canada- Fonthill Pit

Lafarge Canada- Hagersville Quarry

Lafarge Canada - Hewlitt Pit

Lafarge Canada- Manitoulin Aggregates Permit

Lafarge Canada - Manitoulin Meldrum Bay Quarry rezoning

Lafarge Canada - McGill Property

Lafarge Canada - Middlesex Centre Aggregate Resource Act and Planning Act applications

Lafarge Canada - Regan Pit Extension

Lafarge Canada- Site Plan Amendments Various Locations

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## CURRICULUM **VITAE**

**James D. Parkin, BES, MCIP, RPP**

Lafarge Canada - Warren Merger  
 Lafarge Canada- West Paris Pit  
 Lafarge Canada- Woodstock Site Plan Amendments  
 Lafarge Canada- Biodiversity Rehabilitation Plans  
 Lavis Contracting- Huron County Pits Applications  
 Limehouse Clay- ARA Licence and NEC Plan Amendment  
 Livingston Excavating – Simcoe  
 Lilycrop Expropriation  
 Lockyer Brothers - Walker Pit Aggregate Resources Act application  
 and Planning Act approvals  
 Ministry of Agricultural Food and Rural Affairs-Guidance for  
 Agricultural Impact Assessment  
 Ministry of Natural Resources- Class B Site Plans  
 Ministry of Natural Resources - Provincial Policy Statement Training  
 Manual  
 Ministry of Natural Resources SAROS-State of Aggregate Resources  
 of Ontario Study, 2009 Updates Papers 1, 2, 4 and 5  
 Ministry of Natural Resources- SAROS 2016 update  
 Ministry of Natural Resources- Rehabilitation Best Practices (2017)  
 Ministry of Northern Development and Mines - Dufferin County  
 Aggregate Resources Inventory Paper  
 Ministry of Northern Development and Mines - Durham Region  
 Aggregate Resources Inventory Paper  
 Ministry of Transportation - Aggregate permit applications  
 Municipal Contracting - Rocky Lake Quarry Mineral Resource Study  
 (Halifax, Nova Scotia)  
 Nelson Aggregates Co. Burlington Quarry Extension  
 New Tecumseth - Peer Review  
 Ontario Stone Sand and Gravel Association (OSSGA) - City of Ottawa  
 Official Plan  
 OSSGA- Cumulative Impacts GRCA  
 OSSGA- Policy Review and Rehabilitation Research

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## CURRICULUM **VITAE**

**James D. Parkin, BES, MCIP, RPP**

OSSGA- PPS Review Submission  
 OSSGA- Provincial Plan Review  
 OSSGA- Region of Waterloo Official Plan Appeals  
 Oxford Sand and Gravel - Reid Pit Aggregate Resources Act license and Planning Act approvals  
 Prince Edward County- Property Investigation  
 Queenston Quarry Reclamation Company- Rehabilitation and Redevelopment Plans, Visual Impact Assessment  
 Ripple Holdings- Due Diligence on Acquisition of Building Stone Quarry  
 R.W. Tomlinson - Moodie Road License application and Planning Act approvals  
 R.W. Tomlinson - City of Kawartha Lakes Brechin Quarry  
 R.W. Tomlinson - Rideau Road and Brickyards Quarry Expansion  
 R.W. Tomlinson- Property Investigations  
 R.W. Tomlinson- Reid's Mills Sand Pit Application  
 Regional Municipality of Ottawa-Carleton - Mineral Resource Study  
 Regional Municipality of Ottawa-Carleton - Policy Implementation Training Seminar  
 Robins - Alnwick Township Pit Aggregate Resources Act license and Planning Act approvals  
 RSI - Consolidated Board applications site plan amendments  
 SASE Aggregates- Uxbridge Pit Applications  
 Seeley and Arnill Aggregates - Oro Township Aggregate Resources Act licensing  
 Seeley and Arnill Aggregates - Orillia Quarry Aggregate Resources Act license and Planning Act  
 Shelter Valley Aggregates Limited - Class A Pit Application  
 Spartan Ready-Mix Concrete Batching Plant- Township of Uxbridge  
 St. Marys Cement - Bowmanville Quarry  
 St. Mary's Cement- St. Mary's Quarry  
 Standard Aggregates - Consent appeal, Glenelg Township

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## CURRICULUM **VITAE**

**James D. Parkin**, BES, MCIP, RPP

Standard Aggregates - Mono Pit Consent appeal  
 Steed and Evans - City of Cambridge asphalt plant and recycling  
 Stelco Steel Inc. - replacement site plans and site plan amendments  
 Strada Aggregates- Shelburne Pit expansions  
 Summit Aggregates-rezoning to permit recycling  
 Tackaberry - Maple Grove Quarry  
 Tackaberry - Sweets II Pit License  
 TCG Materials - West Brantford Pit Extension  
 TCG Materials - Fonthill Pit  
 Telephone City Aggregates - Pottruff Road  
 Town of Clarington - Zoning By-law Prosecution  
 Town of Vaughan - OPA 332 and Consolidated Board Hearing for Avondale Clay Pit  
 Township of Guelph Eramosa - Holman Pit application review  
 Township of Perth East - Property valuation and site plan amendments  
 United Aggregates - Caledon Pit rehabilitation project and geological mapping  
 United Aggregates - Acton Quarry replacement site plans and Niagara Escarpment Plan Amendment  
 United Counties Prescott and Russell- Peer Reviews, Aggregate Resources Background Study  
 Various Clients- 50 Aggregate Resources Act Replacement Site Plans 1990-1994  
 Various clients - Property investigations  
 Various Clients- Municipal Official Plan Reviews  
 Various clients - Compliance Assessment Reports  
 Walker Environmental-Southwest Landfill EA Studies and OPA policy  
 Walker Industries- Severn Quarry Marshalling Yard Rezoning  
 Washington Sand and Gravel- Ayr Pit Extension  
 Waterford Dunnville Quarry  
 Waterford- Wainfleet Law Quarry

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## CURRICULUM **VITAE**

**James D. Parkin**, BES, MCIP, RPP

Whitchurch Stouffville aggregate producers - OPA and ZBA appeals  
on aggregate related uses

Wimpey Minerals - Nolan Quarry Aggregate Resources Act license  
and Planning Act approvals

Zorra Township Cement and Lime Producers - Oxford County  
Official Plan review

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## **Appendix B**

Executed Acknowledgement of Expert Duty Form




Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

**ACKNOWLEDGMENT OF EXPERT'S DUTY**

<b>Case Number</b>	<b>Municipality</b>
PL170192	United Counties of Prescott-Russell

1. My name is James Parkin. I live at the City of Kitchener in the Region of Waterloo, in the Province of Ontario.
2. I have been engaged by Colacem Canada Inc. to provide evidence in relation to the above-noted Board proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
  - a. to provide opinion evidence that is fair, objective and non-partisan;
  - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
  - c. to provide such additional assistance as the Board may reasonably require, to determine a matter in issue.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date: May 31, 2018

  
Signature

# **Appendix C**

Project Chronology for Planning Act Applications

<b>Parkin Witness Statement</b> <b>Appendix C – Planning Act Project Chronology</b>	
<b>Date</b>	<b>Document</b>
July 2011	Initial pre-submission consultation with United Counties of Prescott-Russell (UCPR) regarding application requirements.
July 21, 2011	Champlain Township Pre-Submission comment letter to Colacem
October 13, 2011	Colacem Public Open House
October 20, 2015	Further pre-submission consultation meeting UCPR
May 3, 2016	Colacem Public Open House
June 10, 2016	Official Plan and Zoning By-Law Amendment Applications submitted to UCPR
July 12, 2016	Applications deemed complete by the UCPR
July 20, 2016	County Public Notice of Complete Application
August 4, 2016	Peer Review Comments- South Nation Conservation Authority on the Environmental Impact Study and the Technical Memorandum – Groundwater Supply Review
August 23, 2016	Email from the UCPR Public Works Engineer regarding TIS comments
August 31, 2016	Peer Review Comments from WSP on the Emission Summary and Dispersion Modelling Report and Acoustic Assessment Report
September 1, 2016	OPA Peer Review Comments cover letter from UCPR
October 17, 2016	1 <sup>st</sup> UCPR Statutory Public Meeting – Township Zoning and UCPR OPA
October 24, 2016	Peer Review Response from Golder Associates to South Nations Conservation Authority
October 24, 2016	MHBC Planning Justification Report Addendum sent to UCPR
October 24, 2016	Peer Review response from Golder Associates to WSP
October 28, 2016	Correspondence from South Nation Conservation - no further concerns or comments (Peer Review sign-off)
December 15, 2016	Correspondence from WSP – No further comments (Peer Review sign-off)
January 24, 2017	Township of Champlain Refusal of the Zoning By-Law Amendment
January 25, 2017	1 <sup>st</sup> UCPR Planning Report recommending approval of Zoning and OPA
January 25, 2017	1 <sup>st</sup> UCPR County Council Approval of OPA Amendment
May 18, 2017	UCPR 2nd Statutory Public Meeting
June 14, 2017	2 <sup>nd</sup> UCPR Planning Report
June 14, 2017	2 <sup>nd</sup> UCPR County Council Approval of OPA Amendment

# **Appendix D**

Revised Zoning By-Law Amendment



# Proposed Revision - May 2018

ANNEXE 2 / APPENDIX 2

## THE CORPORATION OF THE TOWNSHIP OF CHAMPLAIN

### BY-LAW NO. 2017-05

#### BEING A BY-LAW TO AMEND BY-LAW NO. 2000-75

**WHEREAS** By-Law no. 2000-75 regulates the use of land, and the use and erection of buildings and structures within the Township of Champlain;

**AND WHEREAS** the Council of the Corporation of The Township of Champlain has received a request to amend By-law No. 2000-75, to rezone the property described as Lot 217, Plan M-100 on County Road No. 17, in the Township of Champlain;

**AND WHEREAS** the Council of the Corporation of The Township of Champlain deems it advisable to amend By-law No. 2000-75 as hereinafter set forth;

**NOW THEREFORE**, the Council of the Corporation of the Township of Champlain enacts as follows:

1. The area affected by this By-law is located on Lot 217, Plan M-100 in the former Township of Longueuil, on County Road No. 17 with Roll Number 0209-007-001-23700, now in the Township of Champlain as indicated by the black outline on Schedule 'A' attached hereto and forming part of this By-law.

2. That the following be added to the end of Section 7.2(c) Special Exception Zones:

(iii) MG-3 Lot 217, Plan M-100, Longueuil

"Notwithstanding the provisions of Sections 7.2(a) and of 7.2(b) hereof to the contrary, on the land zoned MG-3, the following provisions shall apply:

a) A cement plant and a metal fabricating plant shall be prohibited.

b) The only uses permitted are those uses accessory to a cement plant including:

- Employee and visitor parking;
- Offices, cafeteria and employee lockers;
- Guardroom;
- Vehicle scale and internal roads;
- ~~Electrical sub-station;~~
- Berm; and a
- Pond

c) The minimum west interior side yard shall be zero (0) metre."

(iv) MG-4 Lot 217, Plan M-100, Longueuil

“Notwithstanding the provisions of Section 7.2(b) hereof to the contrary, on the land zoned MG-3, the following provisions shall apply:

a) The minimum west interior side yard shall be zero (0) metre.

b) The maximum building height shall be 125 metres.”

3. By-Law No. 2000-75 is hereby amended as follows:

a) The area shown on Schedule ‘A’ to this By-law as indicated in black shall henceforth be zoned MG-3 and MG-4;

b) Schedule ‘A’ of By-Law No. 2000-75 is hereby amended in accordance with the provisions of this By-law.

4. Subject to the giving of notice of passing of this by-law, in accordance with Section 34(18) of the Planning Act, R.S.O. 1990, as amended, this by-law shall come into force on the date of passing by the Council of the Corporation of the Township of Champlain subject to the following two provisions:

a) This by-law shall not be deemed to have come into force on the day it was passed until the amendment to the Official Plan of the United Counties of Prescott and Russell with regards to the same property comes into effect; and

b) If a notice of appeal or objection is received, the approval of the Ontario municipal Board or where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, R.S.O. 1990 as amended.

**READ a first and second time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

---

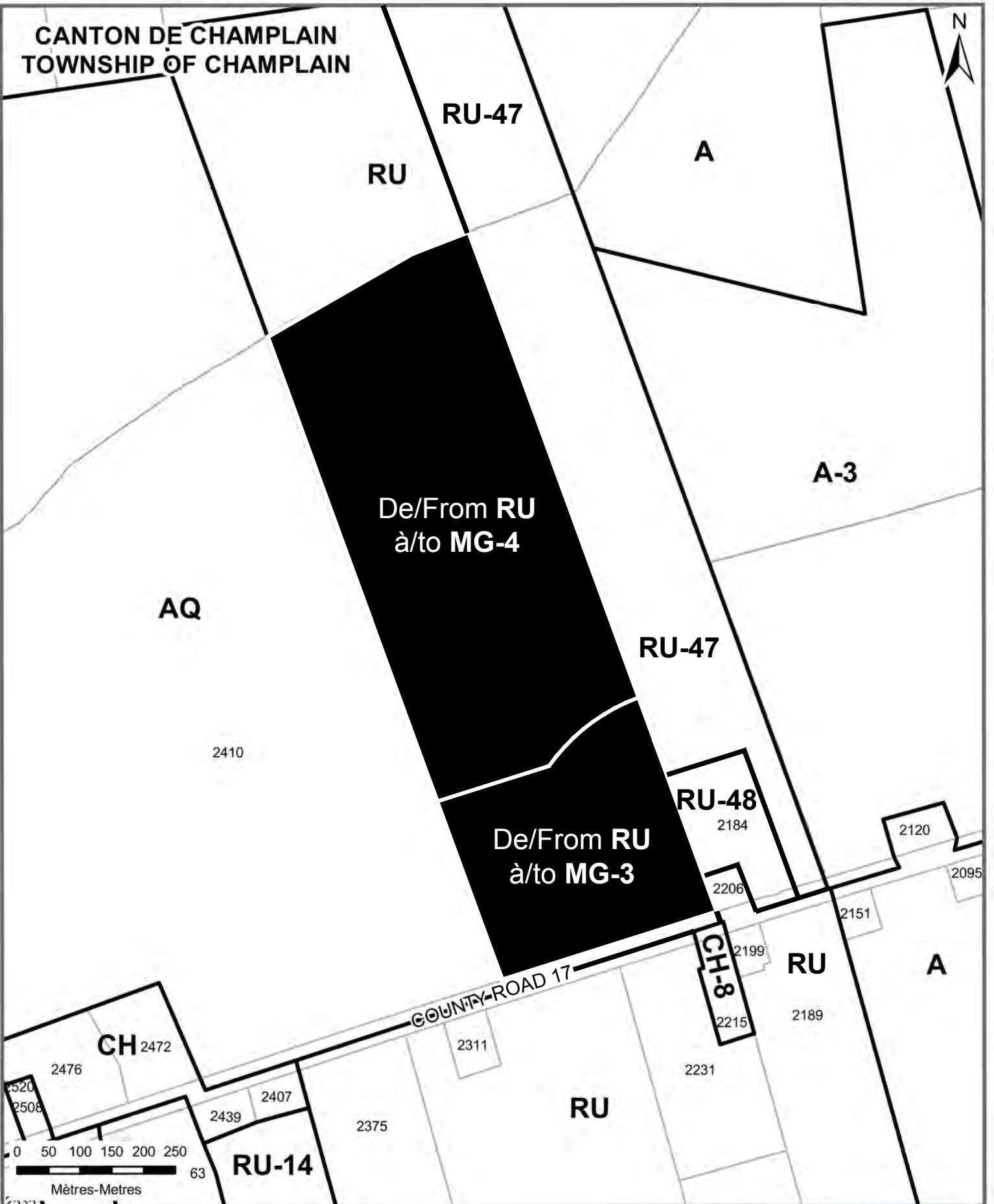
**Gary J. Barton, Mayor**


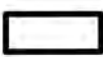
---


**Alison Collard, Clerk**

**SEAL**

CANTON DE CHAMPLAIN  
TOWNSHIP OF CHAMPLAIN



-  Terrain sujet à la demande de modification  
Land subject to the amendment
-  Zonage  
Zoning

 Terrains(s) affecté(s) par ce Règlement de zonage Area(s) affected by this by-law	Plan Annexe «A» du règlement n° 2017-05 Schedule "A" to By-Law No. 2017-05
Changement de zonage / Zone change de / from RU à / to MG-3 et / and MG-4	Lot 217, Plan M-100, chemin de comté n° 17 Lot 217, Plan M-100, County Road No. 17
Certification d'authenticité Certificate of Authentification	Canton de Champlain, Secteur électoral de Longueuil Township of Champlain, Longueuil Ward
Ceci constitue la Cédule «A» du Règlement de zonage n° 2017-05, adopté le 24 janvier, 2017. This is Schedule "A" to Zoning By-Law No. 2017-05, passed the 24 <sup>th</sup> day of January 2017.	Préparé par / prepared by  Canton de Champlain Township 24 janvier 2017 / January 24 <sup>th</sup> , 2017
Pas à l'échelle/Not to scale	
<hr/> Gary J. Barton, Maire / Mayor	<hr/> Alison Collard, Greffière / Clerk



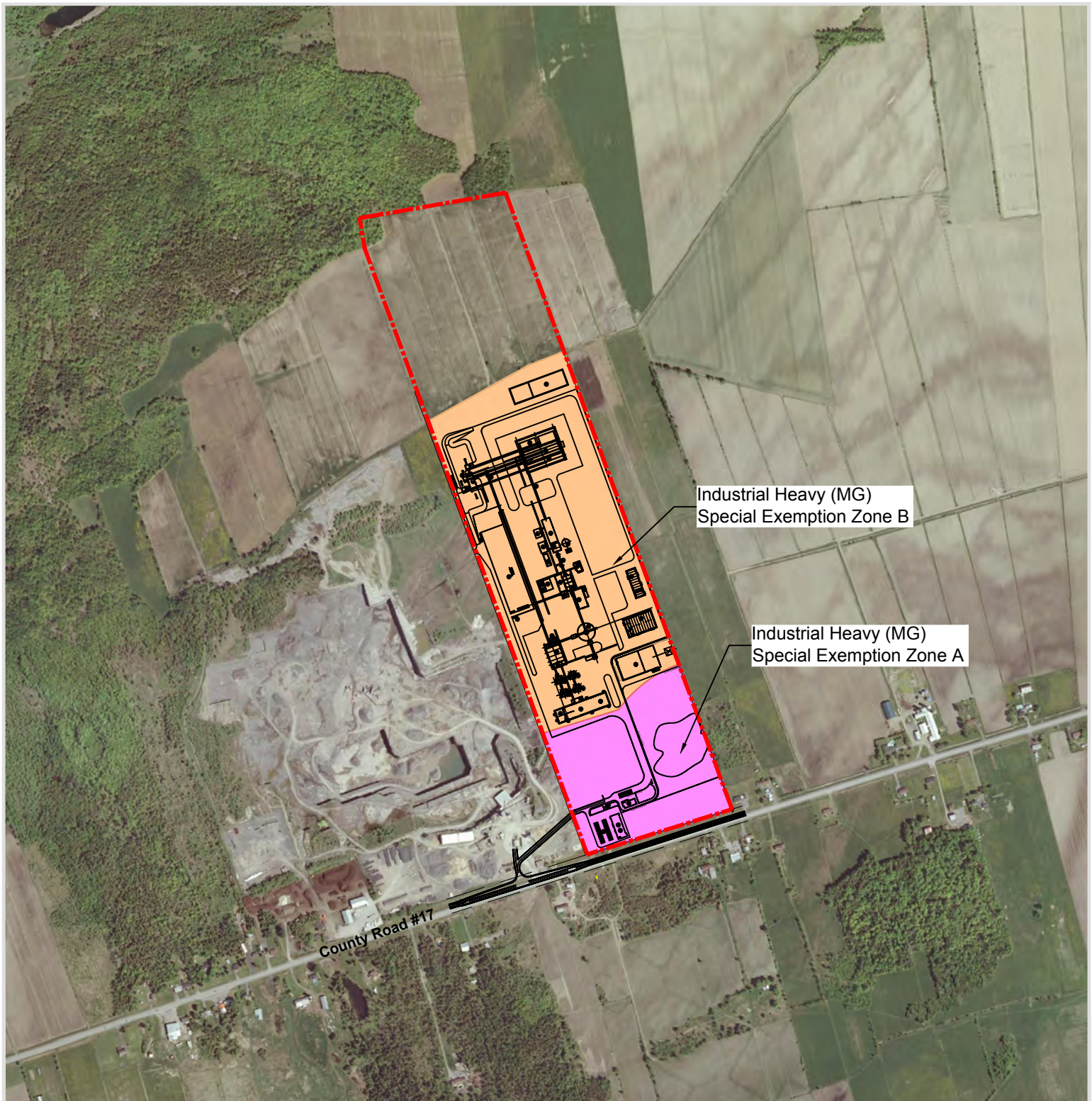


Figure 12  
**Revised  
 Zoning By-law Amendment**  
 Proposed Area to be Amended

**Colacem**  
 Lot 217 Plan M100  
 County Road #17  
 Township of Champlain  
 United Counties of Prescott & Russell

**LEGEND**



Subject Lands



Lands Subject to Amendment

**Sources:**

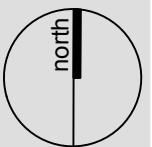
Air Photo: vuMap (First Base Solutions) 2008  
 Site Layout: provided by Colacem May 28, 2018

**DATE:** May 28 2018

**SCALE:** ±1:12,500

**FILE:** 06128C

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**COMTÉS UNIS DE / UNITED COUNTIES OF**

**PRESCOTT – RUSSELL**

**R É S O L U T I O N / R E S O L U T I O N**

**Date:** 25 janvier / January 25th, 2017

**Item no. :** 8.8

**Rapport / Report:** UF-001/2017

**Sujet / Subject:** Modification numéro 30 au plan officiel des comtés unis de Prescott et Russell / United Counties of Prescott and Russell Official Plan Amendment no.30

**Proposé par / Proposed by :** \_\_\_\_\_

**Appuyé par / Seconded by :** \_\_\_\_\_

**ATTENDU** que Colacem Canada a soumis une demande de modification au Plan officiel des Comtés unis de Prescott et Russell pour permettre la construction d'une cimenterie immédiatement à l'est de la carrière licencié appartenue par Colacem le long du chemin de comté 17 dans le canton de Champlain;

**WHEREAS** Colacem Canada has submitted an application to Amend the United Counties Official Plan in order a cement plant just east of the licenced quarry owned by Colacem along County Road 17 in the Township of Champlain;

**ET ATTENDU** que le Conseil des Comtés unis de Prescott et Russell est l'autorité approbatrice pour les demandes de modification au Plan officiel dans Prescott et Russell.

**AND WHEREAS** the United Counties of Prescott and Russell Council is the approval authority for Official Plan Amendment applications in Prescott and Russell.

**QU'IL SOIT RÉSOLU** que la présente modification au Plan officiel des Comtés unis soit approuvée.

**BE IT RESOLVED** that this proposed amendment to the County Official Plan be approved.

Adoptée / Adopted		Vote enregistré demandé par / Recorded vote requested by:	
Défaite / Defeated		Initiales du Secrétaire / Clerk's initials:	

# **Appendix E**

Revised Planning Justification Report Figures



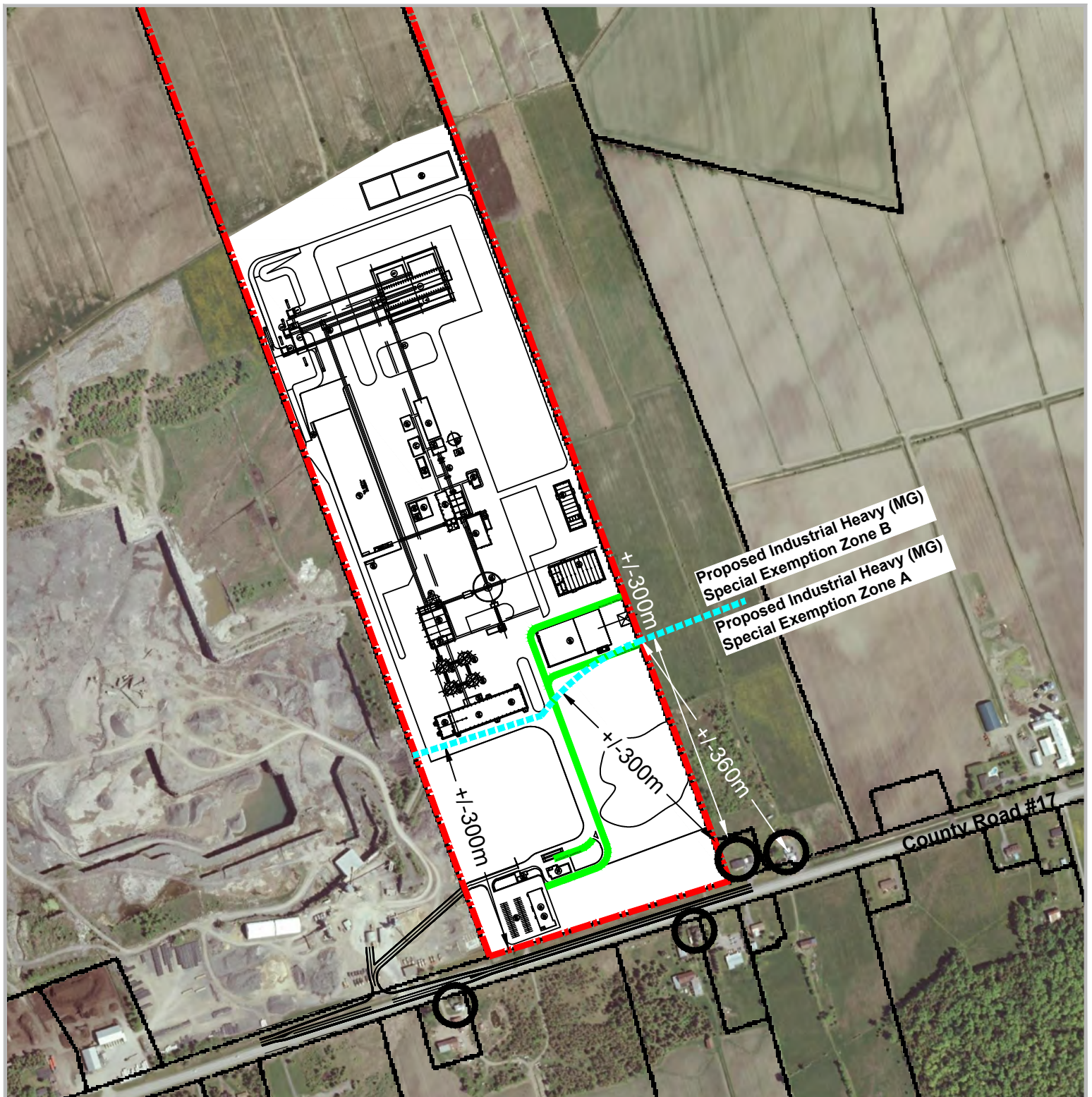





Figure 4a  
**Revised  
D Series Guideline  
Proposed Setback**

**LEGEND**

-  Subject Lands
-  Points of Reception
-  Acoustic Barrier

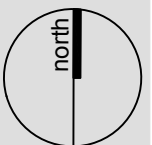
**Sources:**  
Air Photo - vuMAP (First Base Solutions) 2008  
Site Layout - provided by Colacem on May 28, 2018  
Points of Reception - Golder (December 2015)

**DATE:** May 28, 2018

**SCALE:**  $\pm 1:7,500$

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**DRAWN:** DGS



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**Colacem**  
Lot 217 Plan M100  
County Road #17  
Township of Champlain  
United Counties of Prescott & Russell



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URBAN DESIGN  
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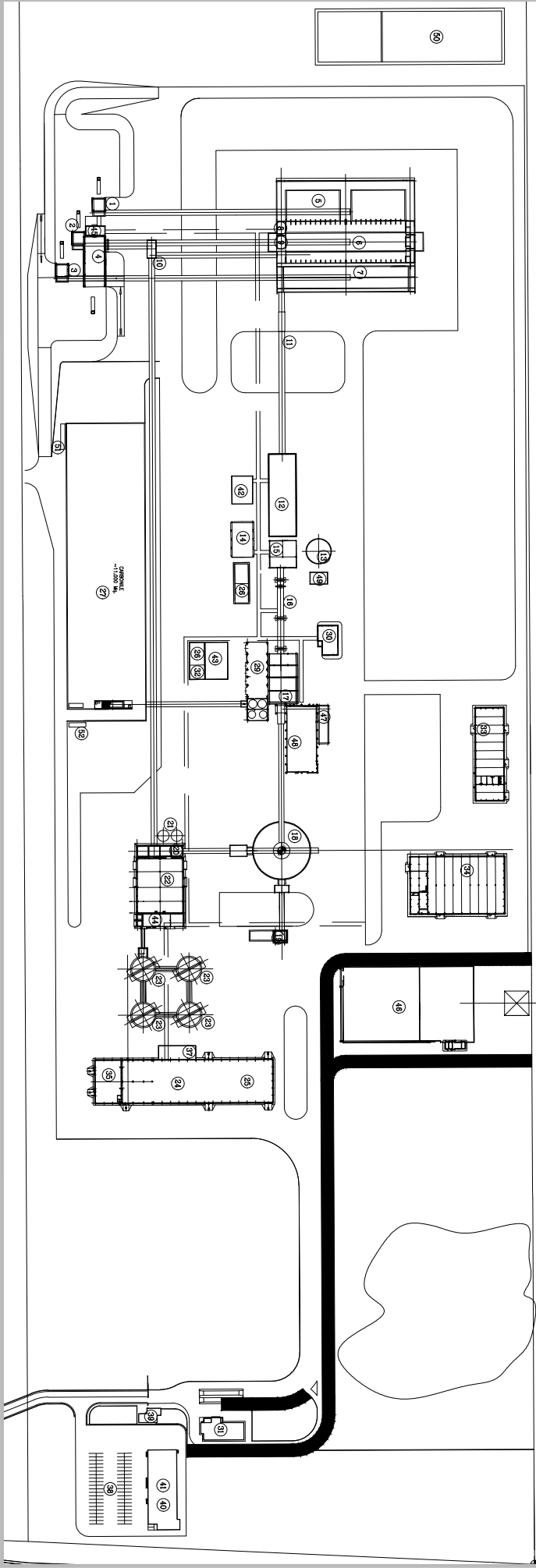
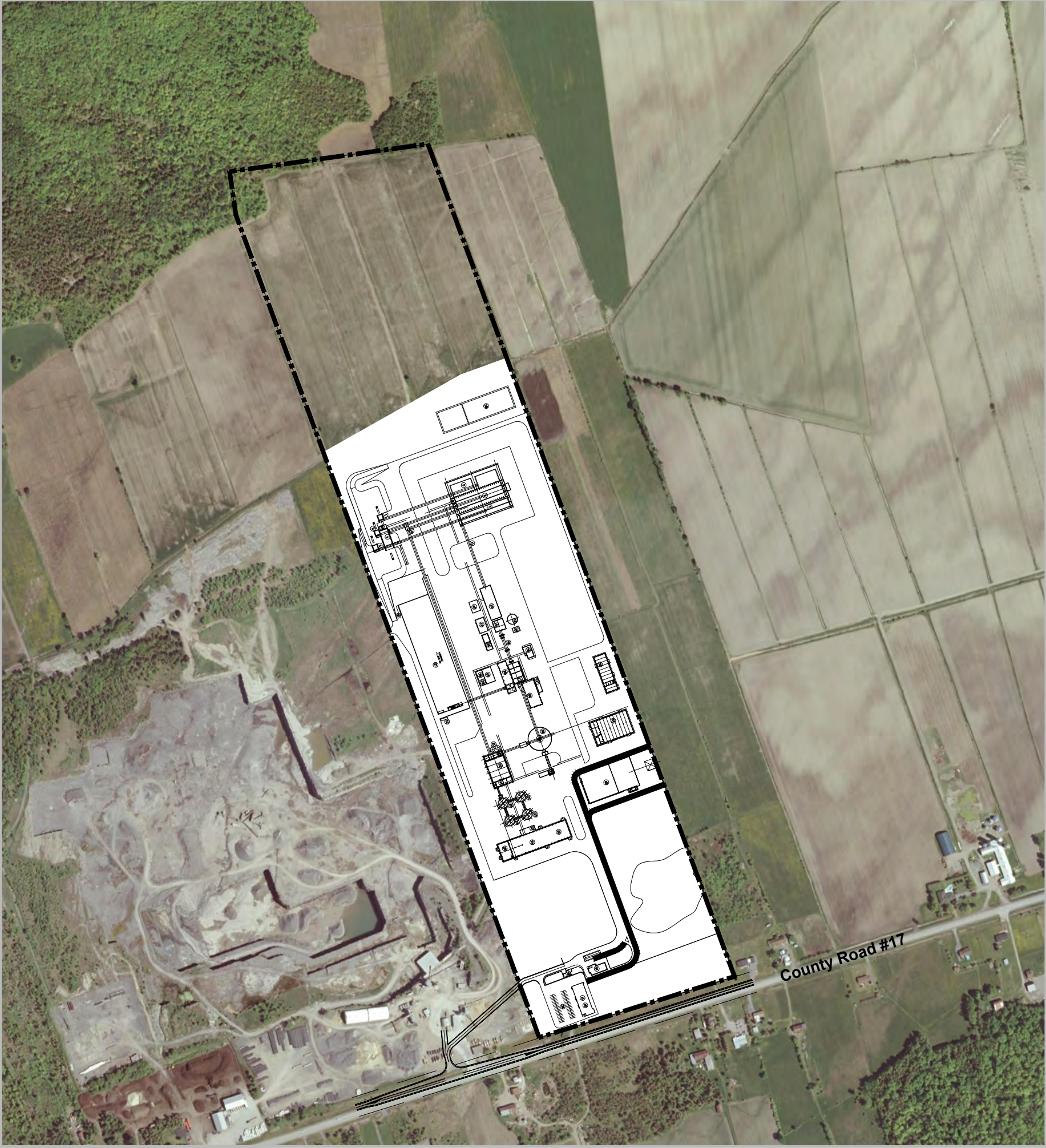



Figure 3

## Revised Site Plan

**Colacem**  
Lot 217 Plan M100  
County Road #17  
Township of Champlain  
United Counties of Prescott & Russell

**LEGEND**

 Subject Lands

LIST OF BUILDINGS & STRUCTURES	
NUMBER	NAME
1	HOPPER BAUXITE AND CONVEYING
2	HOPPER SCHIST, SILICA, IRON AND CONVEYING
3	HOPPER GYPSUM AND CONVEYING
4	LIMESTONE CRUSHER & CONVEYOR
5	BAUXITE STORAGE
6	LIMESTONE AND SCHIST STORAGE
7	GYPSUM STORAGE
8	IRON ORE HOPPER
9	SILICA HOPPER
10	CONVEYOR LIMESTONE, GYPSUM AND ADDITIVES TO CEMENT HOPPERS
11	CONVEYOR BAUXITE, LIMESTONE, SCHIST, AND ADDITIVES TO RAW MILL
12	RAW MILL
13	HOMOGENIZATION SILO
14	WASTE GAS TREATMENT SYSTEM FOR KILN & MILL
15	PREHEATER
16	KILN
17	COOLER
18	CLINKER SILO
19	CLINKER BULK LOADING
20	HOPPER CLINKER AND ADDITIVES OF CEMENT MILL
21	SILICA FUME AND FLY ASH SILO
22	CEMENT MILL
23	CEMENT SILOS
24	CEMENT PACKING
25	PALLETS STORAGE
26	AIR COMPRESSION STATION
27	OPEN STORAGE PETROLEUM COKE
28	HOPPER RAW PETROLEUM COKE AND CONVEYING
29	PETROLEUM COKE GRINDING
30	CENTRAL CONTROL ROOM
31	PORTER'S DESK AND DIRECTORS OFFICE
32	INDUSTRIAL WATER CLOSED CIRCUIT
33	MECHANICAL & ELECTRICAL WORKSHOP
34	STORAGE WAREHOUSE
35	EMPTY BAGS STORAGE
36	VEHICLE SCALE
37	ELECTRICAL ROOM PACKING
38	CAR PARK AREA
39	GUARGROOM
40	CANTEEN
41	CHANGING ROOMS
42	KILN INLET ANG RAW MILL ELECTRICAL ROOM
43	KILN OUTLET, COOLER, AND PETROLEUM COKE MILL ELECTRICAL ROOM
44	ELECTRICAL ROOM FOR CEMENT MILL
45	LIMESTONE CRUSHER AND HOPPERS RECEPTION ELECTRICAL ROOM
46	ELECTRICAL SUB-STATION AT
47	HOPPER RECEPTION CLINKER
48	ALTERNATIVE FUEL
49	DENOX SNCR
50	STORM WATER BASIN
51	PETCOKE TRUCK TIRE WASHING SYSTEMS
52	PETCOKE STORM WATER TREATMENT SYSTEMS

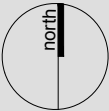
**Sources:**  
Site Layout: Facility Layout, Colacem L'Original Cement Plant,  
(Colacem - May 28, 2018)  
Air Photo: vuMap (First Base Solutions) 2008

**DATE:** May 28, 2018

**SCALE:** ±1:7,500

**FILE:** 06128C

**DRAWN:** DGS



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# **Appendix F**

## Document List

## Parkin Witness Statement Appendix F- Document List

### List of Policy Documents

Document	Date	Author
Provincial Policy Statement	April 30, 2014	Ministry of Municipal Affairs and Housing
United Counties of Prescott-Russell Official Plan	2006	United Counties of Prescott-Russell
United Counties of Prescott-Russell Official Plan	2016 MMAH Approved	United Counties of Prescott-Russell
Township of Champlain Zoning By-Law 2000-75	August 1, 2000	J.L. Richards & Associates Limited
Township of Champlain Zoning By-Law 2000-75	May 8, 2018 Consolidation	The United Counties of Prescott and Russell Planning and Forestry Department
D-6 Compatibility between Industrial Facilities	July 1995	Ministry of the Environment
The Minimum Separation (MDS) Document) – Publication 853	2016	Ministry of Agriculture Food and Rural Affairs

### List of Reports and Studies

Document	Date	Author
Planning Justification Report	March 15, 2016	MHBC
Planning Justification Report Addendum	October 24, 2016	MHBC
Report of the Planning and Forestry Department of the United Counties of Prescott-Russell	January 25, 2017	Louis Prevost, MCIP, RPP
Report of the Planning and Forestry Department of the United Counties of Prescott-Russell	June 14, 2017	Louis Prevost, MCIP, RPP
Stage 1 Archaeological Assessment	Golder Associates	September 30, 2015
Acoustic Assessment	Golder Associates	January 2016
Traffic Impact Study	CIMA+	January 2016
Environmental Impact Study	Golder Associates	February 2016
Emission Summary and Dispersion Modeling Report	Golder Associates	May 2016
Groundwater Supply Review	Golder Associates	August 28, 2015
Stormwater Management Report	Golder Associates	August 2017
Stage 2 Archaeological Assessment	Golder Associates	December 22, 2016

Air Quality Cumulative Effects Study	Golder Associates	May 2018
Traffic Impact Study Update	CIMA+	October 2017
Technical Memorandum: 2017 Warrant Review and Conceptual Geometry for a Single Access for Colacem Aggregates Extraction Site and Proposed Colacem Cement Plant	CIMA+	December 4, 2017
Updated Acoustic Assessment Report and Noise Cumulative Effects Study	Golder Associates	October 20, 2017
Technical Memorandum - Noise Impact Study of the Colacem l'Orignal Cement Plant and Quarry Project Operation-Related Off-site Road Traffic	Golder Associates	May 2018

# **Appendix G**

Planning Justification Report, March 15, 2016 and October 24, 2016 Addendum

# PLANNING JUSTIFICATION REPORT

OFFICIAL PLAN & ZONING BY-LAW  
AMENDMENT APPLICATIONS

LOT 217, PLAN M100

Township of Champlain

United Counties of Prescott & Russell

Date:

**March 15, 2016**

Prepared for:

**Colacem Canada Inc.**

Prepared by:

**MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)**

540 Bingemans Centre Drive, Suite 200

Kitchener ON N2B 3X9

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Our File 06128C

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<b>4.2 United Counties of Prescott and Russell Official Plan</b>	<b>22</b>
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# Summary & Conclusions

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Appendix A: Pre-consultation letter

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1. Location Map
2. Context Map
3. Concept Plan
4. D-Series Guideline – Proposed Setback
5. Minimum Distance Separation – Barns within 1000 Metre Radius
6. United Counties of Prescott and Russell Official Plan (2006) – Land Use Designation
7. Official Plan Amendment – Proposed Area to be Amended
8. United Counties of Prescott and Russell Official Plan (2006) – Natural Resources
9. United Counties of Prescott and Russell Official Plan (2006) – Transportation
10. United Counties of Prescott and Russell Official Plan (2006) – Public Health and Safety
11. Township of Champlain Zoning By-law 2000-75
12. Zoning By-law Amendment – Proposed Area to be Amended

# LIST OF **TABLES**

1. D-6 Guideline Potential Influence Area and Recommended Minimum Separation Distance
2. Properties within 1000 Metres Radius Identified with a Barn
3. Proposed Special Exemption Zones

# 1.0 INTRODUCTION

MHBC Planning was retained to act on behalf of Colacem Canada Inc. ('Colacem') to provide planning advice and submit Official Plan Amendment and Zoning By-law Amendment applications for the lands legally described as Lot 217, Plan M100, located on the north side of County Road 17, west of L'Original in the United Counties of Prescott and Russell (the "subject lands").

The subject lands comprise an area of approximately 55.85 hectares (138 acres) and are located in the rural area of the Township of Champlain. The subject lands are presently vacant agricultural land. It is proposed that the southern 39.9 hectares be developed with a cement plant and accessory structures.

In order to permit the proposed development, approval of amendments to the Prescott-Russell Official Plan and the Township of Champlain Zoning By-law are required. This planning report supports the planning applications and assesses the proposal in the context of the applicable planning framework. This Report also reviews and synthesizes other technical reports prepared in support of the proposed planning applications.

## 1.1 Complete Application

Pre-consultation comments from the Township of Champlain were received on July 21, 2011 (**Appendix A**). It has been confirmed with staff that the 2011 comments remain relevant for these applications. A further pre-submission meeting was held on October 20, 2015. The design of the proposed development and this report take into consideration the comments provided. The reports and documents that are required to form a complete application are:

- Official Plan Amendment;
- Zoning By-law Amendment;
- Planning Justification Report (addresses land use compatibility, Minimum Distance Separation and aggregate resource protection);
- Environmental Impact Study;
- Archaeology Study – Phase 1; and
- Traffic Impact Assessment.

# 2.0 SITE DESCRIPTION & SURROUNDING LAND USES

The United Counties of Prescott and Russell is the easternmost county in Ontario. It borders the City of Ottawa to the west, the Province of Quebec to the east, the Ottawa River on the north and the United Counties of Stormont, Dundas and Glengarry on the south. There are eight local municipalities in the United Counties of Prescott and Russell. The subject lands are located in the northeastern part of the County in the Township of Champlain – west of the village of L'Orignal.

The subject lands are located in the rural area of the Township and are located on the north side of County Road 17. A location map is included as **Figure 1**.

Figure 1: Location Map



The immediate area is comprised of lands designated Rural Policy Area and Mineral Aggregate Policy Area. This area includes a range of rural and mineral aggregate type uses including hobby farms, residences, commercial, retail, religious institution uses and a quarry. Beyond the immediate area is the Agricultural Resource Policy Area, which plays a significant role in the local economy.

Generally, existing land uses within the vicinity of the subject lands include:

**NORTH:** North of the subject lands is vacant agricultural land and northwest of the subject lands is a significant woodlot.

- EAST:** North and east of the subject lands are a range of rural and agricultural lands including residential dwellings.
- SOUTH:** South of the subject lands is County Road 17. South of County Road 17 is a range of rural and agricultural lands including residential dwellings and a religious institution (L'Original Christian Assembly).
- WEST:** The L'Original Quarry operated by Colacem abuts the western boundary of the subject lands.

The closest residences are located south and east of the subject lands. The nearest residence is located approximately 10 metres from the southeast corner of the subject lands. In total, there are 6 residences within 215 metres of the property (all located to the south and east). The nearest settlement area is L'Original, which is located approximately 5 kilometres east along County Road 17. A Trade and Industry Policy Area, home of Ivaco Rolling Mills, is located approximately 2 kilometres east of the subject lands.

Further to the north there are residential lots backing on the Ottawa River. These properties are located more than 1 kilometer from the northeast corner of the subject lands and more than 1.5 kilometres from the area proposed to be developed.

A surrounding context map is included as **Figure 2**.

The subject lands have frontage on County Road 17, which is identified as a primary artery in the Official Plan. County Road 17 runs east-west across the United Counties of Prescott Russell and provides access to the City of Ottawa.







Figure 2

## Context Map

**Colacem**  
Lot 217 Plan M100  
County Road #17  
Township of Champlain  
United Counties of Prescott & Russell

- LEGEND**
-  Subject Lands
  -  Existing Licence #5904  
Owned by Applicant
  -  Additional Lands  
Owned by Applicant
  -  L'Original Urban Policy Area

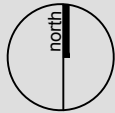
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# 3.0 DESCRIPTION OF PROPOSED DEVELOPMENT

## 3.1 Cement Production in Ontario

Cement is a binder that when mixed with aggregate (sand and gravel) and water forms concrete; one of the world's oldest, most versatile and durable construction materials. In Canada, we use approximately 31.2 million cubic metres of concrete per year in a wide variety of construction projects. In Ontario, cement production was valued at \$635 million in 2008, over 40 per cent of the total value of cement produced in Canada.

Raw materials for cement manufacture include limestone, shale, silica sand, iron and bauxite. The raw materials are burned at approximately 1,500°C to produce clinker. The clinker is ground to a fine powder with gypsum and other additives, to produce portland cement. Cement is shipped in powdered form to ready-mix concrete plants where it is combined with aggregate and water to form concrete.

## 3.2 Colacem Canada Inc.

Colacem and its subsidiaries and associated companies in the cement industry generated revenues of over 504 million euro in 2014 with 2,130 employees. In Italy, Colacem's share of the market reached around 14% of the national production. The company branches out through Italy with 7 complete cycle plants, 1 lime production plant, 1 plant for pre-measured products, 3 port terminals, 1 grinding plant, 2 storage facilities and several local offices. Colacem's headquarters are in Gubbio, Italy.

Colacem also owns and operates plants in Tunisia, Dominican Republic, Kilmar-Grenville-sur-la-Rouge (Quebec), Albania, together with terminals in Spain, Jamaica, and a storage facility in Haiti to form an international organization that continues to grow. Colacem Canada's headquarters are located in Laval, Quebec.

## 3.3 Proposed Development

Colacem Canada Inc. (Colacem) is proposing to build and operate a cement plant west of L'Orignal, Ontario. The facility will have the capacity to produce 3,000 tonnes of clinker per day, with an estimated annual production of 1.16 Million tonnes of cement. It is anticipated that four

types of Portland cement will be produced at the plant: general use cement (GU), general use limestone cement (GUL), high early strength cement (HE) and blended general use silica fume cement (GUbsF).

The new cement plant would increase Colacem's Canadian capacity for cement production and increase the range of cement products that it can produce. The existing Canadian plant at Kilmar-Grenville-sur-la-Rouge has been operated by Colacem since 2007. The Kilmar facility was originally developed as a refractory for magnesite that was mined at the site beginning in 1907. Colacem has adapted the facility to manufacture cement using limestone from the L'Orignal Bertrand quarry (located adjacent to the subject lands). The decision to invest in a new plant beside the limestone quarry means the main raw material is immediately available, therefore, reducing transportation costs and impacts. The proposed site is located on a good County Road that is suitable for heavy truck traffic and is well connected to the highway system that is required to supply fuel and other raw materials as well as access to Colacem's markets for its' cement products. If the L'Orignal plant is approved the Kilmar facility would most likely continue to operate at reduced volumes for specific cement products.

The proposed cement plant will be located on a 55.85 hectare lot adjacent to an existing quarry, also owned and operated by Colacem. The area of the site to be developed is approximately 39.9 hectares of land located south of the Charlebois Drain. The facility will be comprised of 52 buildings/structures, including: raw material storage/silos, hoppers, conveyors, crushing and grinding systems, raw mill, preheater, rotary kiln, cooler and cooling tower, cement mill and administrative offices and control room. See **Figure 3** for a concept plan of the proposed cement plant.

The production of cement is a three-step process, as briefly described below:

- Raw material preparation: limestone and silica sand are analyzed, blended with additional mineral components such as bauxite, shale and iron depending on the type of limestone available then finely ground and dried in a mill for further processing;
- Clinker production: the materials are heated in a kiln reaching temperatures of 1,450°C producing a molten product called clinker which is then rapidly cooled; and
- Cement grinding and distribution: the clinker is mixed with gypsum and additional limestone, and supplementary materials such as fly ash and silica fume, depending on the type of cement being made, then ground to a fine powder.

All raw materials will be stored in enclosed structures to preserve the material's integrity and minimize impacts to the environment. Limestone will be sourced from the adjacent quarry and trucked or conveyed to the plant. Silica sand and shale will be sourced from local quarries (within 100 km) and trucked to site. Iron mill scale could be sourced from the Ivaco Rolling Mills steel producer located nearby in L'Orignal and trucked to site. Silica fume and fly ash will be transported by truck to the site. Bauxite and gypsum will be transported via ship to either the



Ports of Montreal, Contrecoeur or Valleyfield, all located in Quebec, and then trucked to site. The facility will use petcoke to fuel the plant. Petcoke is a solid carbon product that is produced in the oil refining process and commonly used as an efficient fuel for industrial applications. The fuel will be transported via ship to either the Port of Contrecoeur or Valleyfield then trucked to site and stored outdoors on a contained concrete pad.

Access to the facility will be provided via Highway 17. The combined fleet of trucks delivering raw material to the site and delivering the processed cement to third party users will generate an additional 55 trucks per hour (28 trucks entering and 28 trucks leaving the site). One new internal trucking route will be constructed between the adjacent quarry and the cement plant for the delivery of limestone.

An estimated 550 m<sup>3</sup>/day, or 180,000 m<sup>3</sup>/year, of water will be required to produce the cement. This water will be primarily sourced from the adjacent quarry, from sump water being pumped from the quarry pits. Preliminary calculations indicate that no well would be required to supply water to new installations. The cement plant is designed as a closed loop system, and consequently, there is no process water discharge from the plant. Excess water from the manufacturing process is released as water vapour. A stormwater management pond will be installed on the property to collect surface drainage from the developed areas of the site and to monitor water quality and control discharge flow to the Charlebois municipal drain.



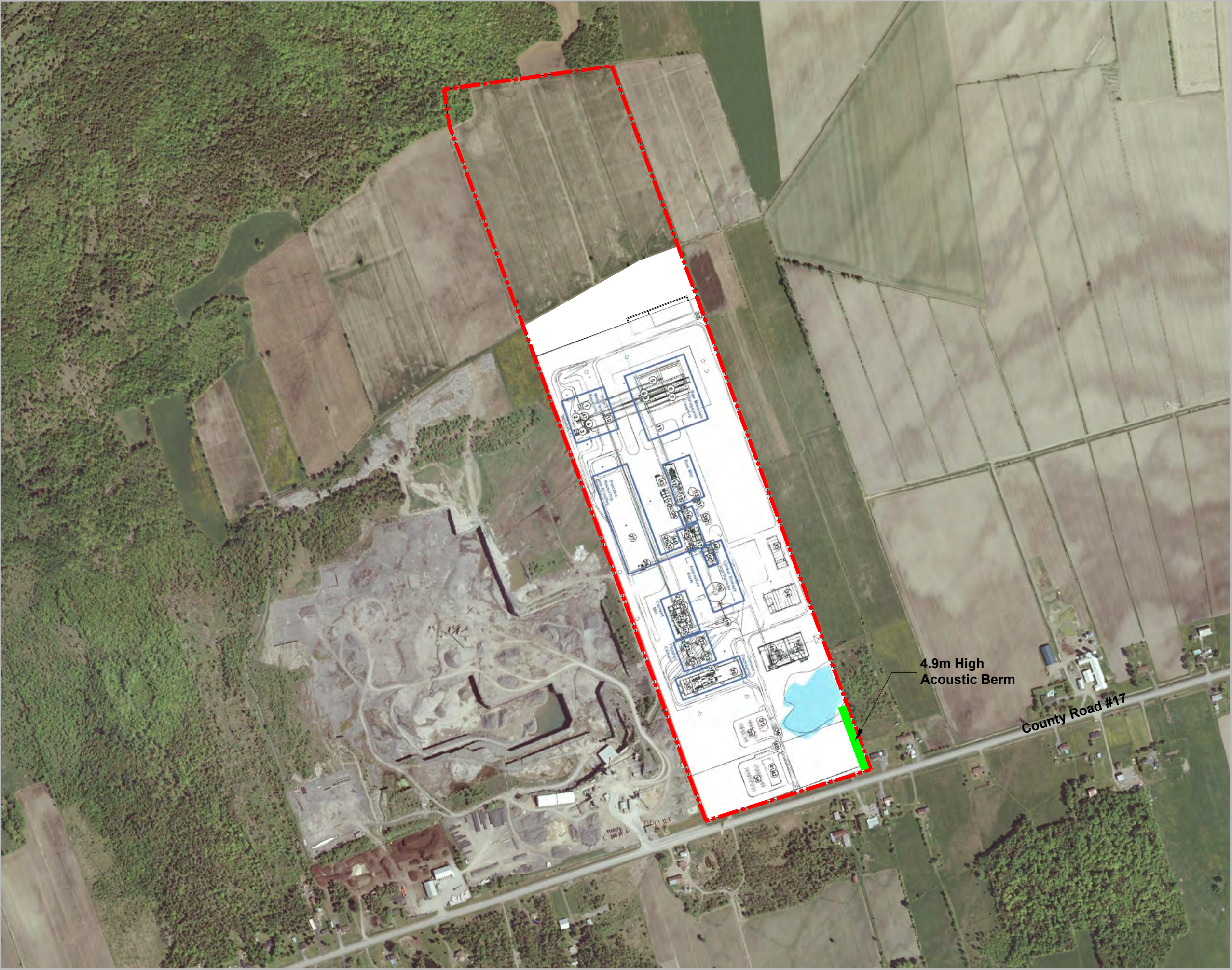



Figure 3

Site Plan

**Colacem**  
Lot 217 Plan M100  
County Road #17  
Township of Champlain  
United Counties of Prescott & Russell

LEGEND

 Subject Lands

Colacem ID	Building/Structure Name	Colacem ID	Building/Structure Name
1	Hopper Bauxite and Conveying	27	Pet Coke Storage (Open Storage)
2	Hopper Schist, Silica, Iron and Conveying	28	Pet Coke Hopper
3	Hopper Gypsum and Conveying	29	Pet Coke Grinding Building
4	Limestone Crusher and Conveyor	30	Central Control Room
5	Raw Material Storage Building (Bauxite)	31	Director's Office
6	Raw Material Storage Building (Limestone and Schist)	32	Industrial Water Closed Circle
7	Raw Material Storage Building (Gypsum)	33	Mechanical and Electrical Workshop
8	Raw Material Storage Building (Iron Ore)	34	Storage Warehouse
9	Raw Material Storage Building (Silica)	35	Empty Bags Storage
10	Conveyor Limestone, Gypsum and Additives to Cement Hoppers	36	Vehicle Scale
11	Conveyor Bauxite, Limestone, Schist and Additives to Raw Mill	37	Electrical Room Packing
12	Raw Mill	38	Car Park
13	Homogenization Silo		
14	Waste Gas Treatment System for Kiln and Mill	40	Guardroom
15	Preheater	41	Canteen
16	Kiln Building	42	Changing Room
17	Cooler Building	43	Kiln Inlet & Raw Elec Room
18	Clinker Silo	44	Kiln Outlet, Cooler and Petcoke Mill Electrical Room
19	Clinker Bulk Loading Structure	45	Electrical Room for Cement Mill
20	Hopper Clinker and Additives of Cement Mill		
21	Silica and fly ash silo	47	Limestone Crusher
22	Cement Mill	48	Electrical Substation
23	Cement Packing Silos	49	Hopper Reception Clinker
24	Cement Packing	50	Alternative Fuels Building
25	Pallets Storage	51	Dancox SNCR
26	Air Compressor Station	52	Stormwater Basin

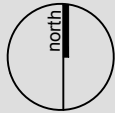
**Sources:**  
Site Layout: Map 3 - Facility Layout, Colacem L'Original Cement Plant ECA, Golder Associates (January 2016)  
Air Photo: vuMap (First Base Solutions) 2008

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### 3.4 Technical Report Summaries

#### **Stage 1 Archaeological Assessment (prepared by Golder Associates Ltd.)**

Golder Associates Ltd. completed a Stage 1 Archaeological Assessment (AA) for the proposed cement plant. The Stage 1 AA determined that some of the subject property has archaeological potential as per the Ministry of Tourism, Culture and Sport (MCTS) Standards and Guidelines.

The assessment involved a review of documents pertaining to the study area including land registry records, historic maps and aerial photographs. The MCTS was contacted for current information on registered archaeological sites and previous archaeological assessments undertaken in the vicinity. A property inspection was completed on June 19, 2015 to identify potential areas of historic activity and areas of disturbance on the property. During the property inspection, a single celt (a prehistoric stone or metal implement) was observed within an agricultural field in the northwest corner of the subject property

Based on the background research and property inspection it was determined that some of the subject property has archaeological potential. The areas of archaeological potential are recommended for additional archaeological investigation. The Stage 1 Archaeological Assessment provided the following recommendations:

1. That a Stage 2 Archaeological Assessment be conducted by a licensed archaeologist using the test pit survey and pedestrian survey method where appropriate within all areas of archaeological potential; and
2. Undertake intensified pedestrian survey at 1m intervals over a minimum of 20 m radius at the location of the celt recovered during the Stage 1 property inspection.

The celt was recovered in the northwest corner of the subject property, north of the Charlebois Drain. Colacem is not proposing to develop the land north of the Charlebois Drain. A Stage 2 AA will be conducted on the lands identified in the Stage 1 AA south of the Charlebois Drain, where development is proposed.

#### **Environmental Impact Study (prepared by Golder Associates Ltd.)**

Golder Associates Ltd. completed an Environmental Impact Study (EIS) for the proposed cement plant. The EIS concluded that there will be no residual negative impacts to the significant natural features and functions in the study area. A significant woodland was identified that overlaps the northwest corner of the site. The significant woodland is approximately 450 metres to the north of the proposed project area and no impact or disturbance to the significant woodland is anticipated. Significant fish habitat is identified on the subject lands. No anticipated negative impact to fish or fish habitat is anticipated within the Charlebois Drain. The removal of surface water features on site (e.g. pond and drainage ditches) will be conducted based on

recommendations from the Department of Fisheries and Oceans. No other significant features were identified on or adjacent to the subject lands.

#### **Traffic Impact Study (prepared by CIMA+)**

CIMA+ completed a Traffic Impact Study (TIS) to verify the anticipated development-related traffic on impacted roads will be in conformity to relevant policies and regulations. The TIS found that the amount of traffic from the plant (inbound and outbound) expected to impact on the Peak Daily Hour (PM) for County Road 17 is 110 vehicles per hour. This traffic is comprised of mostly heavy vehicles involved in the conveyance of raw materials good movement and production of cement to/from the market area.

The existing 2015 peak hour two-way volume is 688 vehicles per hour (PM Peak Hour) for County Road 17, which is well within the roadway two-way capacity of 2800 vehicles per hour for a Rural Arterial highway. Total traffic (due to background, new site traffic and 2% per annum increase) is expected to reach approximately 33% of County Road 17 capacity by 2023 (approximately 916 vehicles per hour in the peak afternoon hour from 4pm to 5pm).

In order to support safe conduct of left turns into the site from heavy vehicles traveling east, it is concluded that a left turn lane is warranted. To accommodate heavy truck movements into and out of the site and to reduce the spillage of gravel from the shoulder it is recommended that the site access from County Road 17 include a westbound right turn taper. The taper would be 80 metres. It is further recommended that the same standard be used west of the site access for the trucks leaving the site and turning right onto County Road 17.

#### **Acoustic Assessment Report (prepared by Golder Associates Ltd.)**

Golder Associates Ltd. completed an Acoustic Assessment Report (AAR) in support of the application for an Environmental Compliance Approval (ECA) considering Air and Noise emissions for the proposed cement plant. This AAR has been completed in accordance with the Ontario Ministry of the Environment and Climate Change (MOECC) publications NPC 233 and NPC 300. The purpose of the assessment is to evaluate the overall sound emissions of the facility with respect to MOECC guidelines.

Five locations have been identified as being representative of the most sensitive Point(s) of Reception (POR[s]) in the vicinity of the Facility in accordance with NPC 300 guidelines. Elevated background sound levels due to existing road traffic were investigated and applicable limits were established in accordance with MOECC accepted practices. Based on the results of this assessment, sound levels from the facility operations, on the surrounding PORs, are expected to be at or below the applicable MOECC sound level limits. Therefore, the facility can operate in compliance with the MOECC noise guidelines as specified in NPC 300.

## **Emission Summary and Dispersion Modelling Report (prepared by Golder Associates Ltd.)**

Golder Associates Ltd. completed an Emission Summary and Dispersion Modelling (ESDM) Report in support of an application for an Environmental Compliance Approval (ECA) for air and noise. The ESDM Report satisfies the requirements of s.26 of Ontario Regulation 419/05. The Point of Impingement (POI) concentrations were compared against Provincial standards. At 71%, nitrogen oxide has the highest predicted POI concentration relative to the corresponding MOECC POI limit. Predicted concentrations of all contaminants with no MOECC POI limits were found to be below the corresponding Jurisdictional Screening Level or the de minimum limit. This ESDM Report demonstrates that the facility can operate in compliance with s.20 of O. Reg 419/05.

# 4.0 PLANNING POLICY ANALYSIS

This section assesses consistency and conformity with the applicable Provincial, County, and Municipal planning regulatory policies. There are two tiers of municipal government in the United Counties of Prescott and Russell. The Prescott-Russell Official Plan and the Township of Champlain Zoning By-law apply to the subject lands.

## 4.1 Provincial Policy Statement

The 2014 Provincial Policy Statement (“PPS”) was issued by the Province of Ontario in accordance with Section 3 of the *Planning Act*. The 2014 PPS has an effective date of April 30, 2014. The 2014 PPS applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after April 30, 2014.

The PPS provides policy direction on matters of Provincial interest related to land use planning and development. The PPS is to be considered in all planning decisions. Planning decisions “shall be consistent with” the Policy Statement. The following is an analysis of the proposed development in the context of the policies in the PPS.

There are several main Provincial policy interests that must be considered as part of these applications: protection of mineral aggregate operations from development and activities that would preclude or hinder their expansion or continued use; protection of significant natural heritage features and ecological functions; protection of prime agricultural land; designing the

operation to ensure no adverse impacts on adjacent sensitive land uses and protecting cultural heritage and archaeological resources.

#### **4.1.1 Employment**

The PPS promotes economic development and competitiveness. The proposed cement plant meets the criteria identified in Section 1.3.1 by:

- a) Introducing a new use to the County that will add to the mix and range of employment uses available.
- b) Bringing a new industry to the County and greater area that does not presently exist and help diversify the economic base. The proposed cement plant will complement the aggregate resource use and adds value to the raw materials extracted as well as provides a construction material close to market. Some of the raw materials that will be used to make the cement will be from local sources thereby supporting the local economy.
- c) Proposing an employment use that is compatible with surrounding land uses.
- d) Proposing development on lands where appropriate infrastructure exists for the use.

#### **4.1.2 Land Use Compatibility**

Section 1.1.1.c of the PPS states, *healthy, liveable and safe communities are sustained by:*

- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns.*

Further, Section 1.2.6.1 of the PPS states, *major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.*

The PPS defines 'adverse effects', *as defined in the Environmental Protection Act, means one or more of:*

- a) *Impairment of the quality of the natural environment for any use that can be made of it;*
- b) *Injury or damage to property or plant or animal life;*
- c) *Harm or material discomfort to any person;*
- d) *An adverse effect on the health of any person;*
- e) *Impairment of the safety of any person;*
- f) *Rendering any property or plant or animal life unfit for human use;*
- g) *Loss of enjoyment of normal use of property; and*
- h) *Interference with normal conduct of business.*

A cement plant is a 'major facility' and nearby residential and institutional uses are considered 'sensitive land uses' by the PPS. The PPS definition of a sensitive land use includes amenity areas and outdoor spaces where routine or normal activities occur at reasonably expected times and would experience one or more adverse effects from contaminant discharges generated by a nearby major facility.

There are various ways to prevent or mitigate adverse effects. Specifically, Section 1.2.6.1 of the PPS promotes the use of design, buffering and/or separation distance as appropriate methods to mitigate adverse effects between a major facility and sensitive land uses.

In addition to the PPS, adverse effects are addressed under the Environmental Protection Act, RSO 1990 (EPA). In 1995, the Ministry of the Environment (MoE) released the D-1 Guideline on Land Use Compatibility under Section 14 (1) of the EPA. This guideline is intended to be a planning tool used to separate incompatible land uses when a change in land use is proposed. The guideline is, however, over 20 years old and the MoE has not updated them since they were released.

The objective of the D-1 guideline is to minimize or prevent, through the use of buffers, the exposure of any person, property, plant or animal life to adverse effects associated with the operation of specified facilities. The preferred approach identified in Section 3.1 is for incompatible land uses to be protected from each other through the use of 'buffers' to prevent or minimize adverse effects. Buffers include separation distance, berms, walls, fences, vegetation and/or location and orientation of buildings and activity areas.

Therefore, the D-1 guideline permits the use of one or a combination of buffers to achieve the desired result similar to the PPS. The D-1 guideline is intended to be read in its' entirety and includes reference to specific applications including the D-6 guideline which deals with industrial facilities.

Guideline D-6 specifically addresses compatibility between industrial facilities and sensitive land uses. The objective of this guideline is to prevent or minimize the encroachment of sensitive land use upon industrial land use and vice versa as these two types of land uses are normally incompatible due to possible adverse effects on sensitive land use created by industrial operations. This guideline categorizes industrial facilities into three classes. The proposed cement plant is a Class III Industrial Facility which is defined as, *a place of business for large scale manufacturing or processing characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.*

The D-6 guideline recommends a 1,000 metre potential influence area for Class III facilities and the recommended minimum separation distance is identified as 300 metres. Table 1 summarizes

the potential influence areas and recommended minimum separation distances identified by the D-6 guideline.

Table 1: D-6 Guideline Potential Influence Area and Recommended Minimum Separation Distance

<b>Class</b>	<b>Potential Influence Area (m)</b>	<b>Recommended Minimum Separation Distance (m)</b>
I	70	20
II	300	70
III	1000	300

Section 4.4.2 describes that as a general rule the separation distance is measured from the property line of the industrial land use to the property line of the sensitive land use. Section 4.4.3, however, introduces an exception to the minimum separation distance being measured from the property line, stating:

- *“Where site-specific zoning or site plan control precludes the use of the setback for any activity associated with the industrial use that could cause an adverse effect...then the setback can be included as part of the measurement, rather than measuring from the industrial property line.”*

Section 4.6 of the D-6 guideline also supports the proponent providing air quality studies for noise, dust and odour to demonstrate there are no significant adverse impacts on sensitive receptors. Studies can be used to help demonstrate that the proposed development will prevent or minimize adverse effects and meet the intent of the Ministry guidelines.

Colacem is proposing a combination of buffers, building design and separation distance to meet the intent of the Ministry Guidelines to minimize or prevent adverse effects. One barrier is proposed on the subject lands along the east property line at a height of 4.9 metres to help attenuate impacts on surrounding lands (see **Figure 3** for berm location). Other control measures have been incorporated into the site design including the use of shielding, the indoor transfer of materials and the installation of dust collectors. All building openings are directed away from the Points of Reception identified in the Acoustic Assessment Report (prepared by Golder Associates Ltd.) and/or are acoustically treated.

In addition to buffers and building design, mitigation is also proposed through separation distance. Site specific zoning and/or site plan control is proposed to regulate the land uses at the south end of the site. Uses associated with the processing of the raw materials and manufacturing of cement are proposed to be setback a minimum of 259 metres from the south property line (see **Figure 4**). Therefore, nearby residences will be setback from the closest area zoned to permit the cement plant by a minimum of approximately 300 metres in accordance with the recommended setback identified in the D-6 Guidelines. In addition, intervening land



uses proposed at the south end of the property between the cement plant and surrounding sensitive land uses will be limited through zoning to accessory uses which are not anticipated to create an adverse effect. Intervening land uses proposed include:

- Employee and visitor parking;
- Offices, cafeteria and employee lockers;
- guardroom;
- vehicle scale;
- Electrical sub-station;
- Berm; and the
- pond.

An Acoustic Assessment Report and an Emission Summary and Dispersion Modelling Report were both prepared by Golder Associates Inc. in support of the proposed cement plant to assess noise and dust impacts. Based on the proposed site design, the supporting studies demonstrate that the cement plant can operate in compliance with appropriate standards.

As a result of the proposed separation distances, buffering and mitigation measures as well as the supporting studies, the proposed cement plant is consistent with the PPS and meets the intent of the Ministry Guidelines by mitigating adverse effects from noise and other contaminants and maintaining a minimum separation distance of 300 metres between the zone that will permit the cement plant and adjacent sensitive land uses.

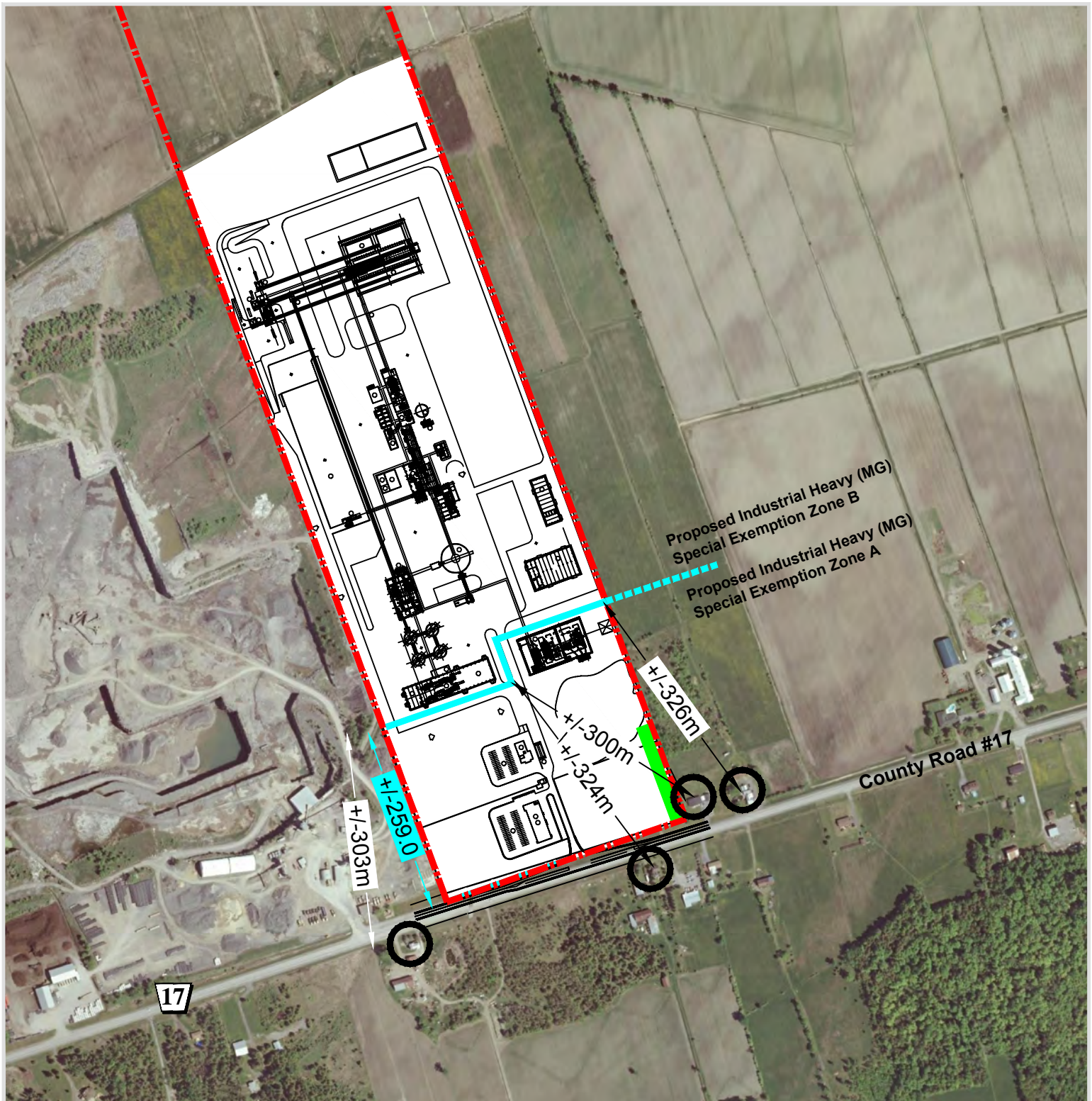


Figure 4  
D Series Guideline  
Proposed Setback

LEGEND



Subject Lands



Points of Reception



4.9m High Acoustical Berm

Sources:

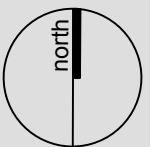
Air Photo - vuMAP (First Base Solutions) 2008  
Site Layout - provided by client, January 2016  
Points of Reception - Golder (December 2015)

DATE: March 2016

SCALE:  $\pm 1:7,500$

FILE: 06128C

DRAWN: DGS



K:\06128C COLACEM CHAMPLAIN TOWNSHIP\PTD SERIES GUIDELINES INVESTIGATION.DWG

Colacem

Lot 217 Plan M100  
County Road #17  
Township of Champlain  
United Counties of Prescott & Russell



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

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### 4.1.3 Mineral Aggregate Resources

The PPS contains policies that aim to protect long term resource supply from incompatible activities that have the potential to directly sterilize a mineral aggregate deposit or indirectly hinder access to the aggregate resource (PPS Section 2.5.2.5). Typically, this policy would apply to “non aggregate” development such as residential severances or subdivisions.

The proposed cement plant is located on a bedrock resource area that has been identified as having potential to supply mineral aggregate resources. In 2014, the United Counties of Prescott and Russell completed an Aggregate Resources Inventory Master Plan. The Master Plan states that the Bobcaygeon Formation is about 20 to 25 metres thick in the region and is suitable for use as granular base and for use in asphalt and concrete. The adopted Official Plan (2015) incorporates the findings and recommendations from the Master Plan. The subject lands are identified as having Bedrock Resources on Schedule E – Mineral Aggregate Resource of the adopted Official Plan (2015).

Even though the proposed cement plant would meet the PPS definition of “development” (i.e. a change in land use) this is not a typical “non aggregate” development that was intended to be subject to the 2.5.2.5 policy that protects known deposits of mineral aggregate resources from development and activities that would preclude or hinder access to the aggregate resource.

The cement plant would rely on raw materials from the adjacent quarry (limestone is 80-90% of the raw materials used to manufacture cement). A cement plant is a use that adds value to the raw materials extracted at the quarry. It is a use that complements the extraction of the raw material at the quarry. In Ontario, other cement plants are either located next to a quarry source of raw material or are located on water with dock facilities that are linked with lakeside quarries allowing efficient bulk transportation of raw materials by boat.

The PPS defines a mineral aggregate operation as (bold added for emphasis):

- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act;
- b) for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) **associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.**

A cement plant is consistent with c) above as an associated facility to process a mineral aggregate resource and produce related products. Accordingly, a cement plant is defined in the PPS as part

of a mineral aggregate operation. Further, the cement plant would not hinder extraction on the adjacent mineral aggregate operation.

Locating a cement plant next to the source of raw material makes sense based on a number of sound planning principles. The locational association between extraction and production of related products means that facilities like cement plants will invariably be located in areas that have known deposits of mineral aggregate resources. It is a reasonable interpretation of the PPS that mineral aggregate operations or facilities that are associated with operations and benefit from a location on or adjacent to a mineral aggregate deposit should not be subject to the same policy restrictions on their location as would apply to incompatible non aggregate development that the PPS protection policies were intended to restrict.

#### **4.1.4 Rural Areas in Municipalities**

The PPS recognizes the importance of rural areas to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Section 1.1.4.1 states that healthy, integrated and viable rural areas should be supported by a variety of principles including:

- Building upon rural character, and leveraging rural amenities and assets;
- Using rural infrastructure and public service facilities efficiently;
- Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; and
- Conserving biodiversity and considering the ecological benefits provided by nature.

The proposed development is consistent with these principles because:

- a cement plant is a mineral aggregate operation that uses limestone extracted in the area to produce a product used in construction. Mineral aggregate is a rural asset and the extraction of the resource and subsequent processing of the material (i.e. a cement plant) is a complimentary use producing a value-added product. Mineral aggregate operations are rural land uses.
- the subject lands are located on County Road 17, which is a Primary Artery identified by the Prescott-Russell Official Plan. A Traffic Impact Study prepared by CIMA+ has been submitted in support of the applications (see **Sections 3.4 and 4.2.7** for further information).
- the proposed cement plant will bring a new business to the United Counties of Prescott-Russell willing to create significant jobs. The cement plant will help diversify the economy by establishing the only cement plant in Ontario east of Kingston.



- No impact or disturbance to the significant woodland is anticipated as a result of the project and the significant fish habitat will be addressed through Provincial and Federal approvals. An Environmental Impact Study (EIS) has been completed by Golder in support of these planning applications (see **Sections 3.4 and 4.1.6** for further information).

Section 1.1.4.4 of the PPS permits municipalities to direct growth and development in the rural areas to rural lands. Rural lands are those which are located outside settlement areas and which are outside prime agricultural areas. Section 1.1.5.2 of the PPS permits a range of uses on rural lands including the management or use of resources, limited residential development, home occupations and home industries, and other rural land uses. The proposed cement plant is a mineral aggregate operation, which is permitted on and directed to rural lands.

#### 4.1.5 Minimum Distance Separation Formulae

Section 1.1.5.9. of the PPS requires that new land uses on rural lands shall comply with the Minimum Distance Separation (MDS) formulae. MDS Formulae is a land use planning tool that determines a recommended separation distance between a livestock barn or manure storage and another land use. The objective of MDS is to prevent land use conflicts and minimize nuisance complaints from odour.

MDS I is applied at the time of planning and/or development review for proposed new development. MDS I formulae provides the minimum distance separation between proposed new development and existing livestock facilities and/or permanent manure storages located in areas where the keeping of livestock is permitted. The proposed cement plant is characterized as a Type A land use in accordance with Implementation Guideline #34. Implementation Guideline #6 requires MDS I be applied for livestock facilities within a 1000 metre radius (see **Figure 5**).

Analysis was completed to investigate all properties within 1000 metres of Lot 217, Plan M100 for livestock barns and/or manure storage. Most properties are residential in nature and do not contain barns. Table 2 summarizes the properties identified as having barns on them. Many of the barns identified through this analysis do not appear to house livestock; however, they are still included in this inventory as they may still be capable of housing livestock. Old barns or accessory structures that clearly are not used or capable of housing livestock are not included on this list.

Table 2: Properties Identified with a Barn

<b>ID #</b>	<b>Address (Lot &amp; Concession)</b>	<b>Size (approximate)</b>	<b>Zoning</b>
1	2535 County Road 17 (Lot 174, Plan M100)	325m2	RU
2	2487 County Road 17 (Lot 172, Plan M100)	580 m2	RU-33
3	2231 County Road 17	615m2	RU

	(Lot 168, Plan M100)		
4	2189 County Road 17 (Lot 167, Plan M100)	230m2	RU
5	Pt Lot 166, Plan M100 PCL 166 RP 46R4872 Part 1	330m2	A
6	Lot 219, Plan M100	1,650m2	A-3
7	2184 County Road 17 (Lot 218, Plan M100)	300m2	RU

Implementation Guideline #12 states, *where there are four, or more, existing non-farm uses closer to the subject livestock facility and in immediate proximity to the current application, MDS I will not be applied.* In the immediate vicinity of the subject property, the lands are designated Rural Policy Area, which permits a higher density of residential dwellings than normally observed in agricultural areas.

From the list of barns in Table 1, Implementation Guideline #12 applies to barns # 1, 2 & 5 as there are four or more existing non-farm uses closer to the potential livestock barn and in immediate proximity to the subject lands. Township Staff have also confirmed that the #6 buildings have been converted to storage and no livestock capacity exists. Further investigation has found that the remaining potential livestock barns (ID # 3, 4 & 7) do not appear to contain livestock.

As a result, the proposed development complies with the MDS formulae.

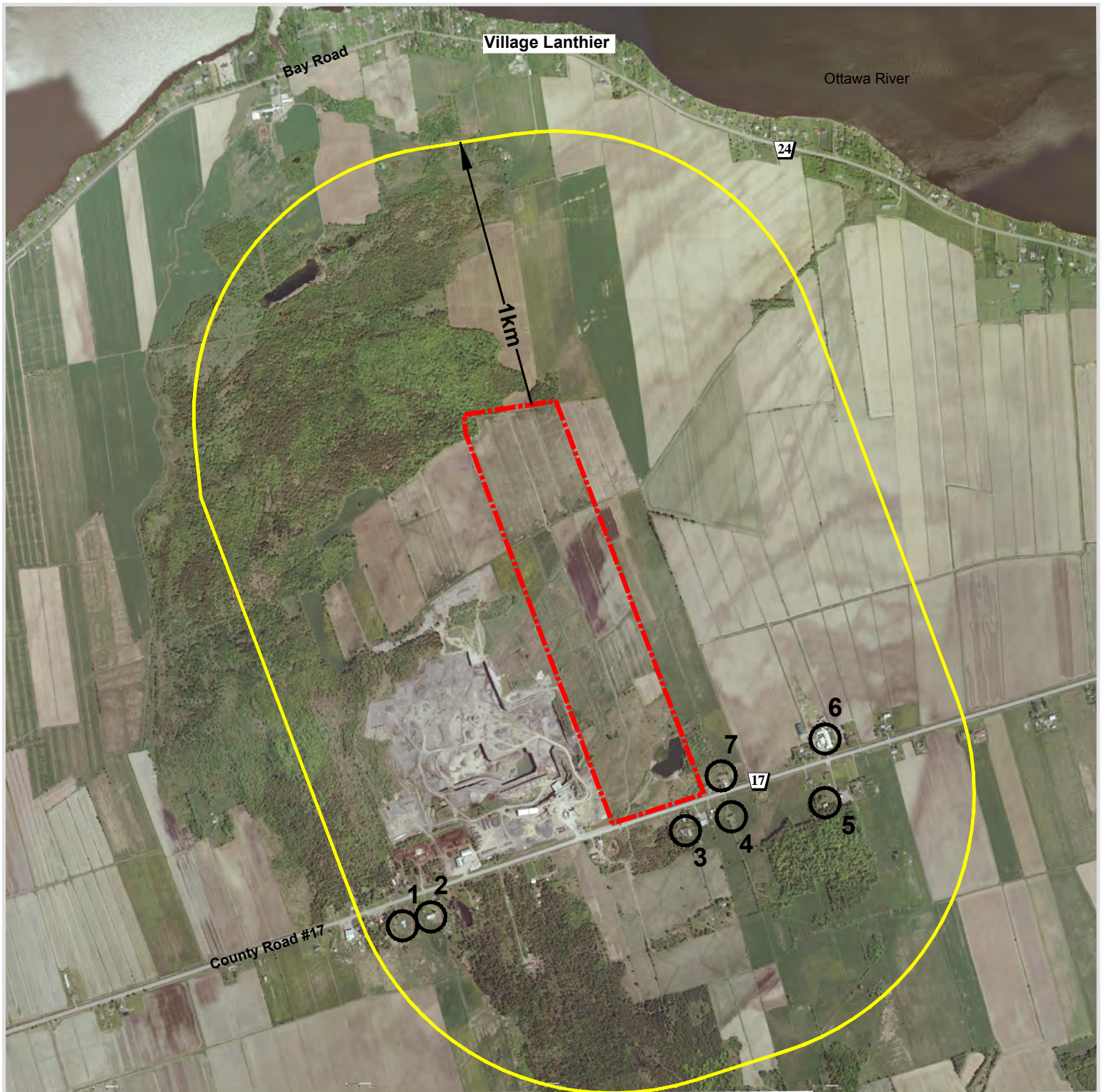


Figure 5  
**Minimum Distance  
 Separation (MDS)**  
 Barns Within 1000m Radius

**LEGEND**



Subject Lands



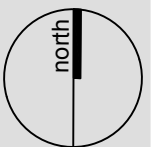
Properties Identified with a Barn

**DATE:** March 2016

**SCALE:**  $\pm 1:20,000$

**FILE:** 06128C

**DRAWN:** DGS



K:\06128C COLACEM CHAMPLAIN TOWNSHIP\RPRT\MDS ADJACENT BARNS.DWG

**Colacem**

Lot 217 Plan M100

County Road #17

Township of Champlain

United Counties of Prescott & Russell

**Source:**

Air Photo: vuMap (First Base Solutions) 2008



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#### 4.1.6 Natural Heritage

The PPS requires that natural features and areas be protected for the long-term. An Environmental Impact Study (EIS) has been prepared by Golder Associates Ltd. to address the natural resources on the subject property. Significant natural heritage features found on the property include fish habitat and significant woodlands.

The PPS states in Section 2.1.6, *development and site alternation shall not be permitted in fish habitat except in accordance with provincial and federal requirements*. The EIS anticipates that there will be no negative impact to fish or fish habitat within the Charlebois Drain. The removal of surface water features on site (e.g. drainage ditches) will be conducted based on recommendations from the Department of Fisheries and Oceans.

The PPS only permits development and site alteration in significant woodlands when it has been demonstrated that there will be no negative impacts on natural features or their ecological functions. The EIS identifies a significant woodland in the study area and a small portion (i.e. <0.5 ha) overlaps the northwest corner of the site. The significant woodland is approximately 450 metres to the north of the footprint of the proposed cement plant and no impact or disturbance to the significant woodland is anticipated as a result.

Some significant wildlife habitat (deer winter congregation and bat maternity colonies) are associated within the significant woodland at the northwest portion of the site. Since the significant woodland will not be impacted by the project and no disturbance to the feature is anticipated, the EIS concludes that there is no negative impact.

No habitat of endangered or threatened species, significant wetlands, significant valleylands, significant areas of natural or scientific interest were identified by the EIS on the subject lands or within the study area.

#### 4.1.7 Cultural Heritage & Archaeology

The PPS does not allow development or site alternation on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

A Stage 1 Archaeological Assessment ('Stage 1 AA') has been prepared by Golder Associates Ltd. in support of these planning applications. The Stage 1 AA concluded that some of the subject property has archaeological potential as per the Ministry of Tourism, Culture and Sport Standards and Guidelines. A Stage 2 AA will be conducted on the lands identified in the Stage 1 AA south of the Charlebois Drain, where development is proposed. See **Section 3.4** for more information.

#### 4.1.8 Protecting Public Health and Safety

Section 3.1.1 of the PPS states that, *development shall generally be directed to areas outside of hazardous sites*. Hazardous sites are defined in the PPS as, *property or lands that could be unsafe for*



*development and site alteration due to naturally occurring hazards. These may be unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).*

Both Official Plans identify organic soils on part of the subject property. Additional geotechnical investigations have been completed on the property. Bore holes were drilled in several locations to understand the bedrock depth. Most of the proposed buildings and structures are located in areas where the bedrock is approximately 0.6 to 7.6 metres below the surface. The foundations of the buildings and structures on the property will need to be upwards of 8 metres deep, therefore, they will all be located on the solid bedrock.

The bedrock is, however, found to be deeper underground in the northeastern corner of the site (approximately 8 to 12 metres below the surface). The solution to appropriately build in this area is to remove the organic soils to the bedrock and put several layers of limestone mixed with cement rolled and compacted to a depth of approximately 5 to 6 metres.

The PPS does not prohibit development in areas of organic soils but rather 'generally' directs development to other areas. Investigations have been completed to demonstrate that the proposed cement plant can be built on the bedrock.

**In summary, the proposed Official Plan and Zoning By-law amendments are consistent with the 2014 Provincial Policy Statement, represents good planning and is in the public interest considering the economic, environmental and social factors that apply to this application.**

## 4.2 United Counties of Prescott and Russell Official Plan

The Prescott-Russell Official Plan was adopted by the United Counties of Prescott and Russell ("the County") on June 22, 1999. A review of the Official Plan was adopted by the County on May 23, 2006 (the 'current (2006) Official Plan'). The current (2006) Official Plan is in full force and effect within the UCPR.

The UCPR recently completed a five-year review of their Official Plan. The Council of the UCPR adopted Official Plan Amendment (OPA) No. 27 on August 26, 2015 (the 'adopted (2015) Official Plan'). OPA No. 27 must still receive final approval by the Ministry of Municipal Affairs and Housing (MMAH).

Generally, applications are decided based on approved policies at the time of application, however, adopted but not approved policies are still relevant. The following sections will review the proposal in consideration of both the current (2006) and adopted (2015) Official Plans.

The Subject Lands are designated Rural Policy Area on Schedule A – Land Use Designation of the current (2006) and adopted (2015) Official Plans (**Figure 6**). Rural Policy Area lands are those located outside of the Urban Policy Area, Community Policy Area and Trade and Industry Policy

Area and lands which are not subject to the Resource policies or Natural Heritage Policies. The Official Plan Amendment proposes to designate the lands Trade and Industry Policy Area.

This application proposes to develop the lands for a cement plant. A cement plant is a large industrial use. In the pre-application comments provided, the UCPR confirmed that an amendment to the 2006 UCPR Official Plan is required “given that the proposed project is of a heavy industrial nature” (see **Appendix A**).

The Official Plan Amendment proposes to designate a portion of the lands Trade and Industry Policy Area. The Trade and Industry Policy Area is intended to provide for economic development opportunities in areas located outside of the Urban Policy Area and Community Policy Area and permits a variety of industrial uses including manufacturing, processing, warehousing of bulk products and open storage.

The area to be amended includes 39.9 hectares of land located south of the Charlebois Drain. The remaining lands located north of the Charlebois Drain are proposed to remain Rural Policy Area and are not proposed to be developed. See **Figure 7** for the area to be amended.

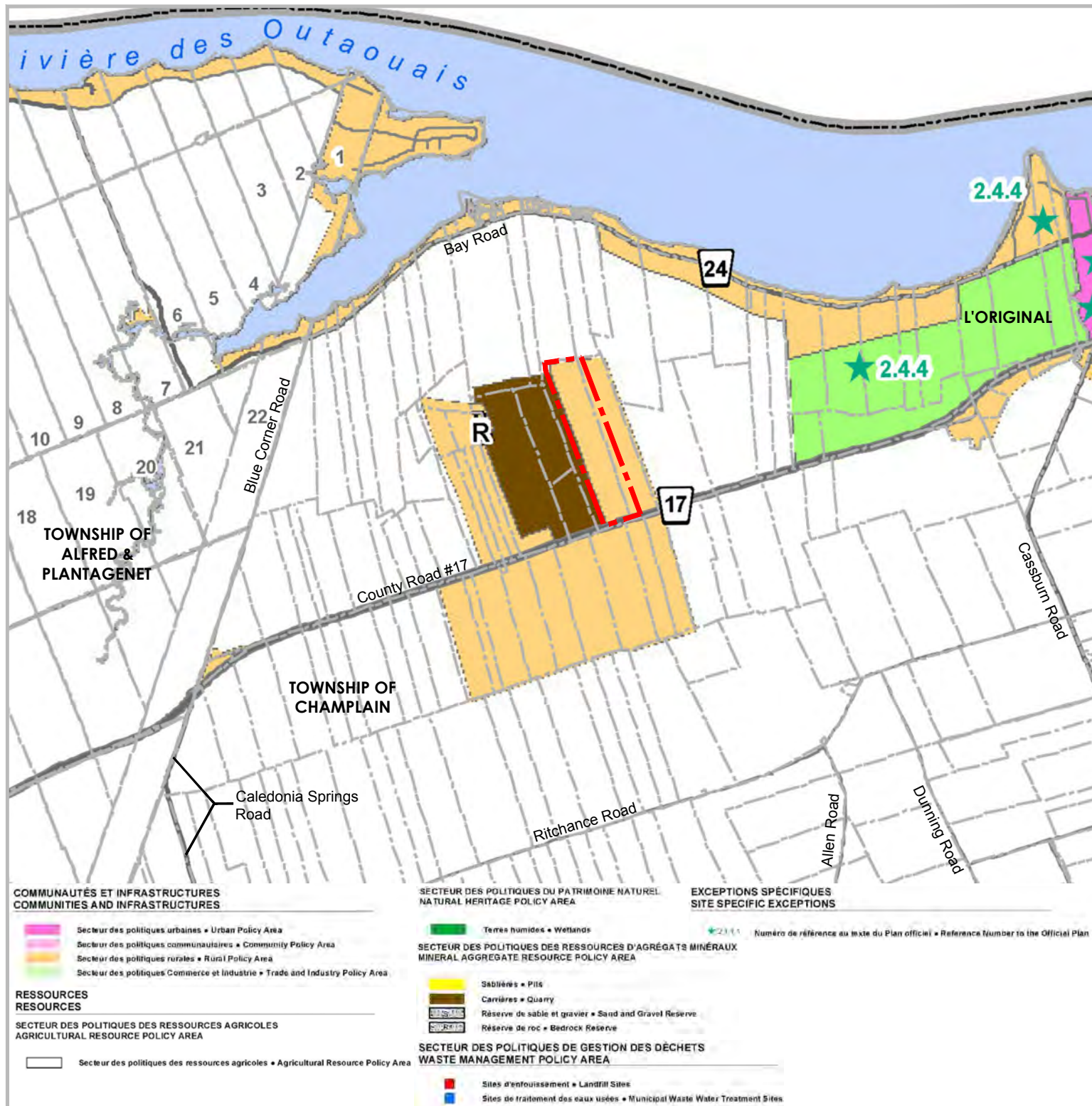



Figure 6  
**United Counties of  
Prescott and Russell  
Official Plan (2006)**  
Land Use Designation

#### LEGEND

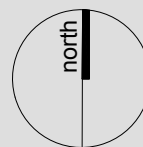
 Subject Lands

DATE: March 2016

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DRAWN: DGS



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#### Colacem

Lot 217 Plan M100  
County Road #17  
Township of Champlain  
United Counties of Prescott & Russell

#### Source:

United Counties of Prescott & Russell Official Plan -  
Schedule A Land Use Designation  
(Last Modification - September 10, 2014)



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Figure 7  
**Official Plan Amendment**  
 Proposed Area to be Amended

**LEGEND**



Subject Lands



Lands Subject to Amendment  
 Redesignated from Rural Policy Area  
 to Trade and Industry Policy Area

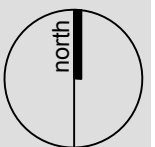
**Sources:**  
 Air Photo: vuMap (First Base Solutions) 2008  
 Site Layout: provided by client, January 2016

**DATE:** March 2016

**SCALE:**  $\pm 1:12,500$

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**Colacem**

Lot 217 Plan M100  
 County Road #17  
 Township of Champlain  
 United Counties of Prescott & Russell



**PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE**

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#### 4.2.1 Industrial Uses

There are eight land use designations in the UCPR Official Plans: Urban, Community, Rural, Trade and Industry, Agricultural Resource, Natural Heritage, Mineral Aggregate Resource and Waste Management Policy Areas. Within these designations of the current (2006) and adopted (2015) Official Plans, industrial uses are permitted in the:

- Urban policy area;
- Community policy area;
- Trade and industry policy area;
- Rural policy area; and the
- Agricultural resource policy area.

The current (2006) and adopted (2015) Official Plans direct industrial uses to the aforementioned designations, generally, based on servicing requirements. A significant amount of growth is intended to be directed to the Urban Policy Area; therefore, the Official Plan would direct the majority of industrial development to the settlement areas where full services exist.

The Community Policy Area consists of partially serviced and un-serviced Villages and Hamlets. The Official Plans permit industrial uses in the Community Policy Area but proposed uses have to be compatible with the surrounding community and have the ability to be appropriately serviced.

Development within the existing designation, the Rural Policy Area, will generally be on the basis of private individual services. Permitted uses include agriculture-related commercial and industrial uses and non-agricultural industrial and commercial uses which meet the needs of the travelling public, or which relate to local resources. Therefore, industrial uses related to local resources are currently permitted on the subject lands.

Full services are not required for the proposed development, therefore, lands outside of the Urban Policy Area can be considered in the location of the cement plant. In addition, a cement plant requires a significant amount of land that is not often available within settlement areas. Therefore, the current (2006) and adopted (2015) Official Plans direct industrial uses that require large areas of land to the Trade and Industry Policy Area. The Trade and Industry Policy Area is the most appropriate designation for the proposed cement plant. The County confirmed through the pre-consultation process that an Official Plan Amendment to the Trade and Industry Policy Area was necessary for the proposed development.

#### 4.2.2 Trade and Industry Policy Area

Both the current (2006) and adopted (2015) Official Plans recognize the need for economic development opportunities in areas outside of the Urban Policy Area and the Community Policy Area. The Trade and Industry policies are intended to create a planning framework which will encourage and support mixed use employment areas which can accommodate serviced or un-serviced commercial, industrial or tourism related uses.

Section 2.4.3 identifies the objectives of the Trade and Industry Policy Area. The proposed development conforms to these objectives by:

- a) Facilitating the development of an industrial use that requires a large amount of land;
- b) Proposing development on County Road No. 17, which is identified as a primary artery. County Road No. 17 provides access east-west across the UCRP to the City of Ottawa. The Traffic Impact Study prepared by CIMA+ found that total traffic on County No. 17 is expected to reach approximately 33% of the road's capacity by 2023.
- c) Proposing industrial development that is compatible with surrounding land uses in accordance with provincial guidelines. Further analysis of land use compatibility was analyzed in **Section 4.1.2**.
- d) Encouraging economic development opportunities in the UCRP. This will be the only cement plant located east of Kingston. Many of the raw materials used in the production of cement will be locally sourced thereby supporting other businesses in the area. The cement plant will provide significant new jobs in the community.

The adopted (2015) Official Plan has identified the Trade and Industry Policy Area as the employment lands as defined in the PPS. This designation shall be the focus of employment growth and development in the County, and shall accommodate a range of uses.

Both the current (2006) and adopted (2015) Official Plans permit the following commercial and industrial uses which require larger land areas in the un-serviced Trade and Industry Policy Areas:

- Manufacturing and processing
- Warehousing and wholesaling of bulk products
- Transportation depots
- Heavy equipment and recreational vehicle sales and service
- Open storage
- Automobile and commercial vehicle service centres

- Service commercial uses ancillary to the above
- Other commercial uses appropriate or compatible with an industrial/commercial mixed use area or business park.

A cement plant is a manufacturing use and a processing activity as cement is created by processing several raw materials. A cement plant is an industrial use and is permitted in the Trade and Industry Policy Areas of the current (2006) and adopted (2015) Official Plans.

Section 2.4.3 of the current (2006) Official Plan and Section 2.4.3.6 of the adopted (2015) Official Plan directs the Zoning By-law to regulate the permitted uses on the lands. Lands designated Trade and Industry Policy Area are typically zoned either Industrial Restricted (ML) or Industrial Heavy (MG) in the Township of Champlain Zoning By-law. The requested Zoning By-law amendment proposes to zone the lands MG, which permits a cement plant and a metal fabricating plant. Details of the proposed zone change are included in **Section 4.3**.

Section 2.4.3 of the current (2006) Official Plan and Section 2.4.3.9 of the adopted (2015) Official Plan requires that site plan control apply to new or expanded trade and industry uses to regulate the physical character of development and to ensure compatibility with established land uses. A site plan application will be submitted separately from the Official Plan and Zoning By-law Amendment applications but will be required prior to any development occurring on the subject lands.

#### **4.2.3 Land Use Compatibility**

The current (2006) Official Plan aims to prevent or minimize future land use conflicts which can arise when incompatible land uses develop in close proximity to one another. Section 6.9.3 requires the Ministry of the Environment guidelines on Land use Compatibility be applied during the planning process.

The adopted (2015) Official Plan aims to ensure the compatibility between industrial facilities and sensitive land uses. The adopted (2015) Official Plan considers a sensitive land use to be a residence or other land use, such as outdoor recreational activities, where humans or the natural environment may be adversely affected by emissions from industrial facilities. Separation distances “*shall generally conform*” to the Ministry of Environment and Climate Change’s D-Series Guidelines. Section 6.9.3 of the adopted (2015) Official Plan permits compatibility to be achieved in many ways including through separation distance, other forms of buffering and/or intervening land uses.

Land use compatibility and the MOE guidelines have previously been addressed in **Section 4.1.2**.

#### 4.2.4 Mineral Aggregate Resource Policy Area

The current (2006) and adopted (2015) Official Plans recognize the importance of aggregate resources to all facets of development in the UCPR as these materials are used in the construction of roads, water and sewer infrastructure, homes, schools and commercial buildings and landscaping projects. Both the current (2006) and adopted (2015) Official Plans recognize aggregate resources are a non-renewable resource; therefore, the intent of the Plans is to protect mineral aggregate resources from incompatible development.

The current (2006) Official Plan identifies licensed pits and quarries and mineral aggregate reserve areas on Schedule A (**Figure 6**). The subject lands are not identified as having any type of aggregate reserve. They are, however, located adjacent to a Mineral Aggregate Resource Area – Quarry – also operated by the owners of the subject lands.

The current (2006) Official Plan aims to restrict opportunities for incompatible development near lands designated Mineral Aggregate Resource Policy Area.

The adopted (2015) Official Plan also designates pits and quarries licensed under the Aggregate Resources Act on the land use plan. In addition, the adopted (2015) Official Plan includes a new schedule that maps mineral aggregate resource areas which are not currently licensed based on provincial information and the Aggregate Resources Inventory Master Plan. These areas are identified in the adopted Official Plan as they are deemed essential for the long term supply of aggregates and require protection.

The intent of the adopted (2015) Official Plan is to protect existing aggregate operations and potential aggregate operations from incompatible land uses.

The appropriateness of locating a cement plant on the subject lands has previously been reviewed in **Section 4.1.3**.

#### 4.2.5 Minimum Distance Separation

Lands immediately to the east and south of the subject lands are designated Rural Policy Area. Beyond the Rural Policy Area, the lands are designated Agricultural Resource Policy Area. Agricultural uses are permitted in both of these land use designations. The current (2006) and adopted (2015) Official Plans require development conform to the province's Minimum Distance Separation (MDS) standards.

**Section 4.1.5** demonstrates that the proposed cement plan conforms with the MDS formulae.

#### 4.2.6 Natural Heritage

The current (2006) and adopted (2015) Official Plans primary means of protecting the County's natural heritage is through the designation of those features on Schedule A regulating where development is permitted. The current (2006) and adopted (2015) Official Plans also identify area



of natural heritage where development is to be controlled on Schedule B (**Figure 8**). Features identified on Schedule B include Areas of Natural or Scientific Interest (ANSI's), fish habitat, significant woodlands, shore lands along major waterways and ground water resources.

The proposed development conforms to the natural heritage policies of the current (2006) and adopted (2015) Official Plans because:

- There are no provincially significant wetlands identified on or adjacent to the subject lands in either Official Plan.
- The proposed development is located approximately 450 metres away from the significant woodland located on the northwest corner of the property (approximately 0.5 ha) and on the lands adjacent (greater than 200 ha in size). The Golder EIS concludes that no impact or disturbance to the significant woodland is anticipated as a result of the project.
- The EIS anticipates that there will be no negative impact to fish or fish habitat within the Charlebois Drain. The removal of surface water features on site (e.g. drainage ditches) will be conducted based on recommendations from the Department of Fisheries and Oceans. A Fish collection permit will be obtained from the Ministry of Natural Resources and Forestry to relocate fish in the drainage ditches prior to commencement of construction activities on site.
- The EIS concluded that no negative impact to significant habitat on the site or within the study area is anticipated as a result of the project.
- No habitat of endangered or threatened species, significant wetlands, significant valleylands or significant areas of natural or scientific interest are located on the subject property or within the study area.

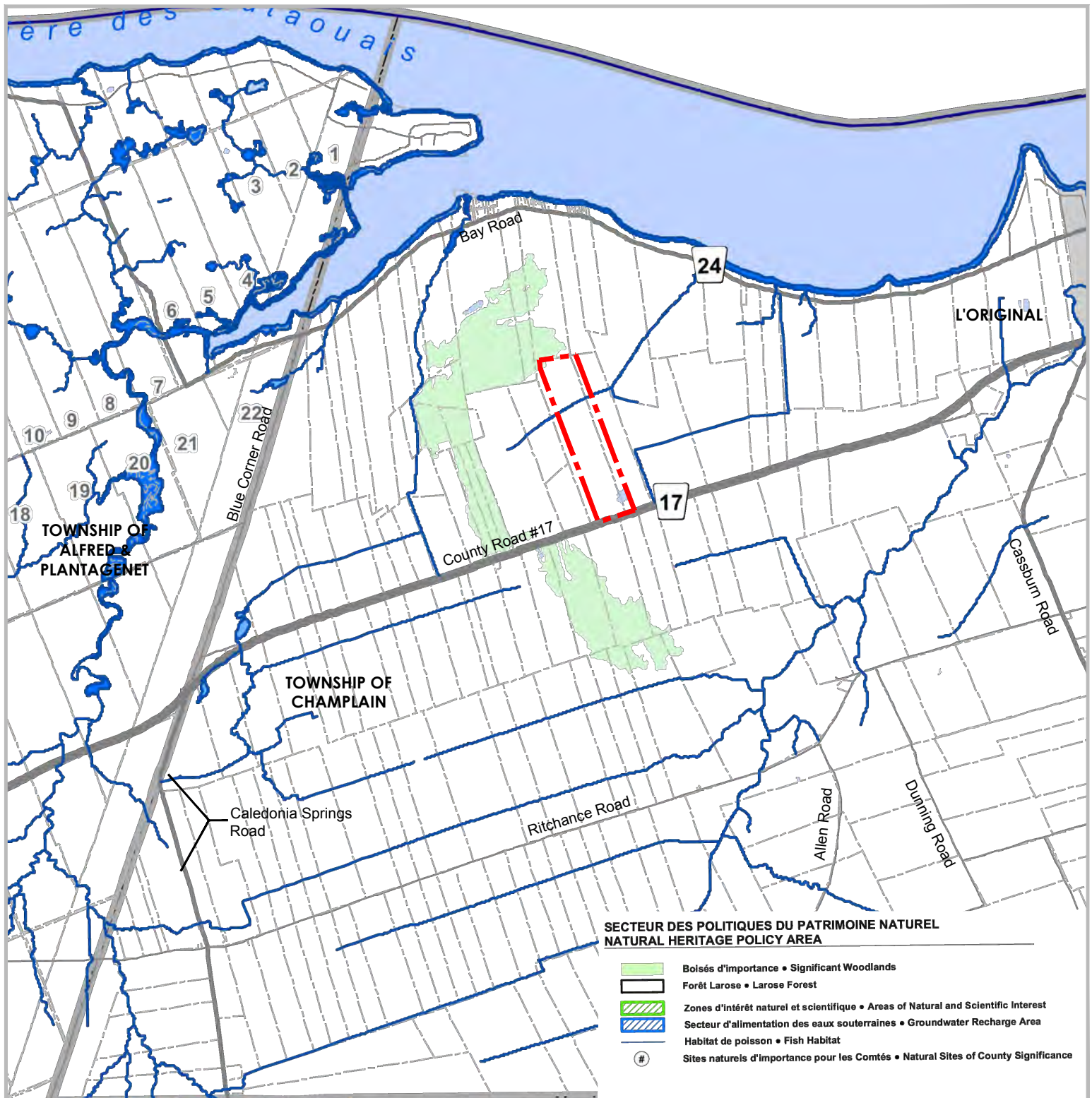


Figure 8  
**United Counties of  
 Prescott and Russell  
 Official Plan (2006)**  
 Natural Resources

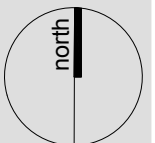
**LEGEND**  
 Subject Lands

**DATE:** March 2016

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**DRAWN:** DGS



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**Colacem**  
 Lot 217 Plan M100  
 County Road #17  
 Township of Champlain  
 United Counties of Prescott & Russell

**Source:**  
 United Counties of Prescott & Russell Official Plan -  
 Schedule B Natural Resources  
 (Last Modification - March 10, 2011)



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 ARCHITECTURE**

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#### 4.2.7 Transportation

The transportation system in the UCPR is composed of Provincial highways, County roads, local public roads opened and maintained on a year round basis, seasonal roads which are not maintained during the winter maintenance season and local private roads. The current (2006) and adopted (2015) Official Plans identify Council's objective is to ensure that the road network within the UCPR will function in a cost effective, efficient and safe manner for the movement of people and goods.

The subject lands are located on County Road 17. The current (2006) and adopted (2015) Official Plans identify County Road 17 as the only primary artery in the UCPR (**Figure 9**). This artery, along with provincial Highway 417, is the main east-west link in Prescott and Russell.

The adopted (2015) Official Plan identifies that the County may require a Traffic Impact Study in order to demonstrate how the transportation impacts of the proposed development can be mitigated and addressed. The pre-consultation comments from the UCPR identify a Traffic Impact Study as a requirement for a complete application. Therefore, a Traffic Impact Study (TIS) was completed by CIMA+ in support of the development.

The purpose of the TIS was to verify that anticipated development-regulated traffic on impacted roads will be in conformity to relevant policies and regulations and include verification of minimum highway entrance geometrics requirements to provide for entrance and exit maneuvers at County Road 17. The TIS determined that the amount of traffic from the plant (inbound and outbound) expected to impact on the Peak Daily Hour (am or pm) for County Road 17 is 110 vehicles per hour. This traffic is comprised of mostly heavy vehicles providing transport of raw materials good movement and production of cement to/from the market area. Total traffic is expected to reach approximately 33% of County Road 17 capacity by 2023. Therefore, vehicle circulation is not anticipated to be adversely impacted as a result of the cement plant and traffic will continue to move in an efficient manner along Highway 17.

The proposed entrance to the cement plant is located approximately 330 metres from the existing Colacem quarry access to the west and approximately 145 metres from the nearest residence to the east. In order to support safe conduct of left turns into the subject lands from heavy vehicles, CIMA+ recommends that a left turn lane is warranted under traditional Ministry of Transportation Ontario guidelines for rural two-lane highways. The TIS recommends that the cement plant access should be planned to ensure a minimum separation distance of 290 metres between the proposed new site entrance and the existing quarry entrance to allow for an appropriate amount of storage, deceleration and taper. The location of the cement plant entrance reflects the safety considerations identified in the TIS.

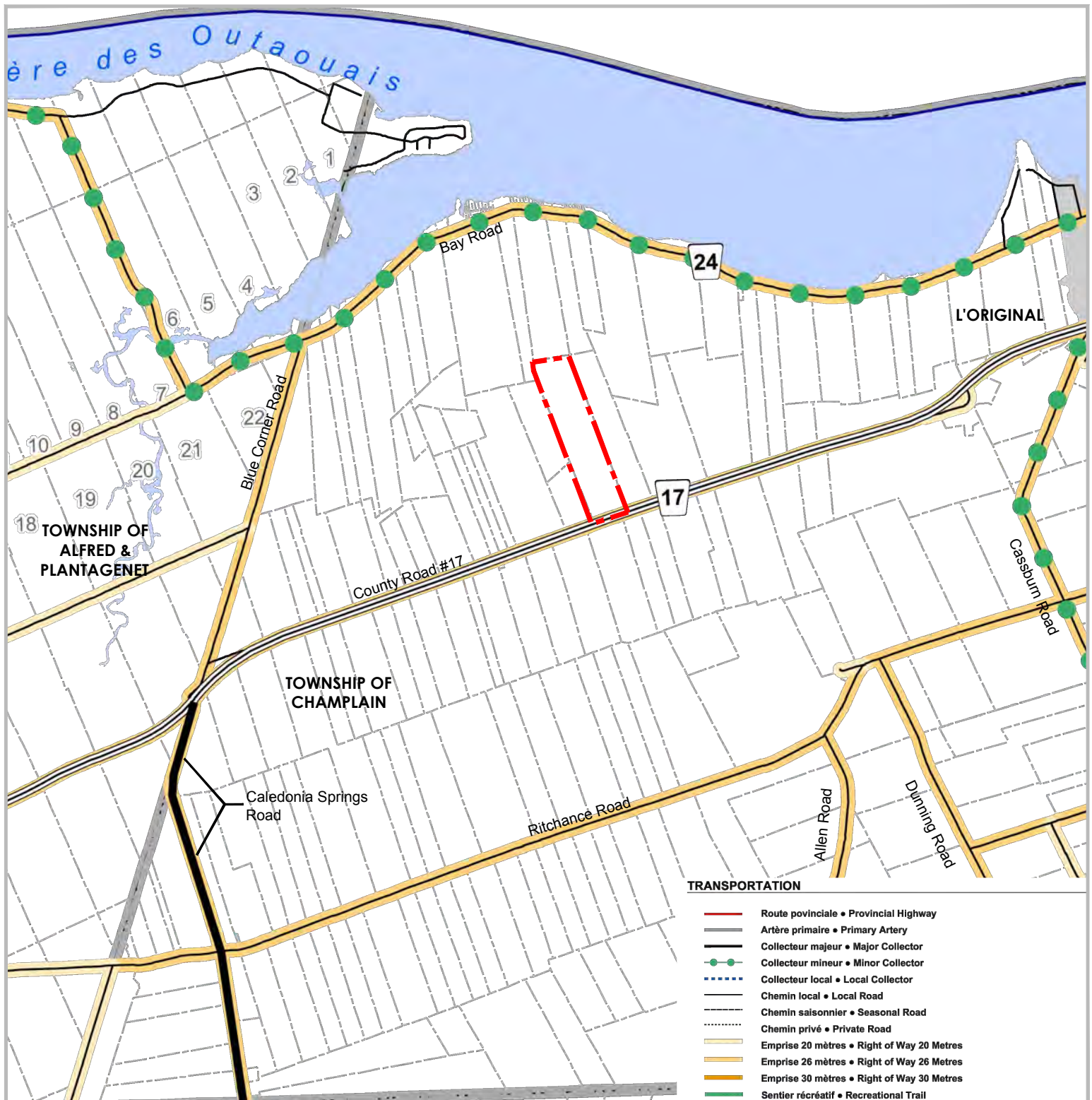


Figure 9  
**United Counties of  
 Prescott and Russell  
 Official Plan (2006)**  
 Transportation

**LEGEND**  
 Subject Lands

**DATE:** March 2016

**SCALE:**  $\pm 1:50,000$

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**Colacem**  
 Lot 217 Plan M100  
 County Road #17  
 Township of Champlain  
 United Counties of Prescott & Russell

**Source:**  
 United Counties of Prescott & Russell Official Plan -  
 Schedule D Transportation (2006-06-21)



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#### 4.2.8 Public Health and Safety

The current (2006) and adopted (2015) Official Plans acknowledge that the natural landscape and resources are constantly being shaped and reshaped by naturally occurring physical and ecological processes. These landscapes and resources only become a hazard when people and structures are located within them or are affected by them. Health and public safety hazards are shown on Schedule C of both Official Plans (**Figure 10**). A portion of the subject lands are identified as being organic soils. The suitability of the lands for development is discussed in **Section 4.1.8**.

The current (2006) and adopted (2015) Official Plans also identify abandoned pits and quarries on Schedule C. An abandoned pit and quarry is identified on the adjacent property to the east. Development on, abutting or adjacent to lands affected by former mineral resource operations may proceed in accordance with the underlying land use designation only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed. The adjacent property is presently developed with a residence and accessory structures. The proposed cement plant will not aggravate any potential hazards as a result of the former pit and/or quarry.

It is entirely likely that the abandoned quarry shown on Schedule C of the Official Plan is intended to represent the pond located on the subject lands. As no development is proposed around the abandoned quarry, no rehabilitation is required as there are no known or expected hazards.

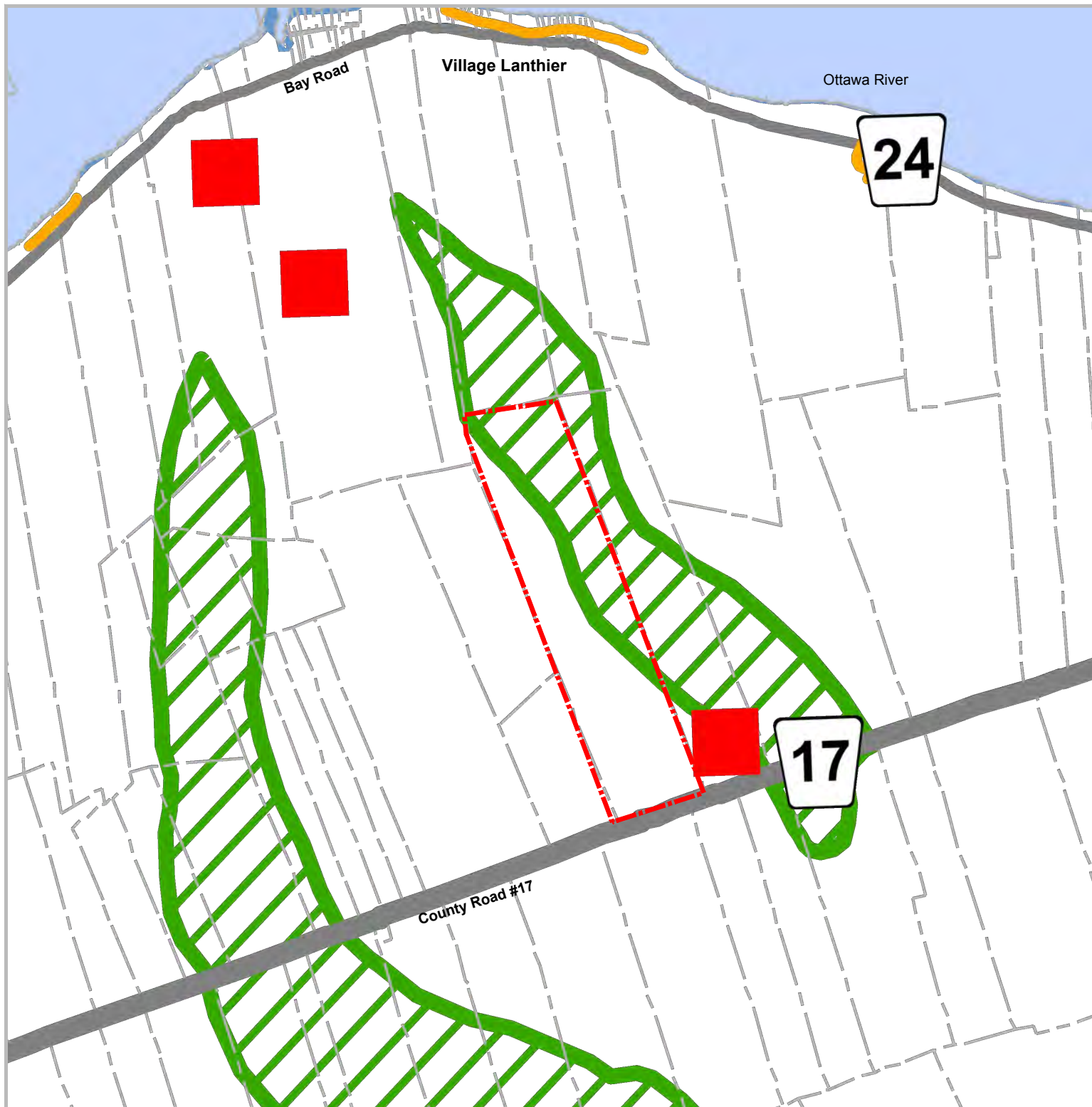


Figure 10  
**United Counties of  
 Prescott and Russell  
 Official Plan (2006)**  
 Public Health and Safety

**LEGEND**

-  Subject Lands
-  Organic Soils
-  Unstable Slopes
-  Abandoned Pits and Quarries

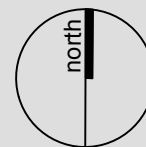
**Base Map Source:**  
 United Counties of Prescott & Russell Official Plan  
 Schedule B - Natural Resources (Last Modification - March 10, 2011)

**DATE:** March 2016

**SCALE:** ±1:20,000

**FILE:** 06128C

**DRAWN:** DGS



K:\06128C COLACEM CHAMPLAIN TOWNSHIP\RPT\PRESCOTT AND RUSSELL OP SCHEDULEC.DWG

**Colacem**  
 Lot 217 Plan M100  
 County Road #17  
 Township of Champlain  
 United Counties of Prescott & Russell



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#### 4.2.9 Archaeology

In the pre-consultation letter from the UCPR dated July 21, 2011, staff identified the site as having archaeological potential and required that a Phase 1 Archaeological Assessment be undertaken. Archaeology has been addressed in **Section 4.1.7**.

**In summary, the proposed cement plant conforms to the current (2006) United Counties of Prescott and Russell Official Plan relating to industrial operations, and the studies prepared in support of this application address the policies of the County. In addition, these applications have been considered in relation to Official Plan Amendment No. 27, which was adopted by the UCPR on August 26, 2015. The proposed cement plant also conforms to the intent of OPA No. 27.**

### 4.3 Township of Champlain Zoning By-law 2000-75

The Township of Champlain approved Zoning By-law No. 2000-75 on August 1, 2000. The Zoning By-law is the implementing tool for the Official Plan and is deemed to conform. The subject lands are zoned Rural (RU) in the Zoning By-law (**Figure 11**). Section 11 of the Zoning By-law permits the following uses in the RU Zone:

- Agricultural use
- Conservation use
- Single dwelling
- Veterinary establishment
- Wayside pit
- Wayside quarry
- Dwelling accessory to an agricultural use, or veterinary establishment
- Hobby farm accessory to a single dwelling

The subject lands are presently used for agriculture. A cement plant is not permitted in the Rural Zone. A Zoning By-law amendment is necessary to permit the proposed cement plant, which is an industrial land use.

The Zoning By-law directs industrial uses to three industrial zones: Industrial Restricted (ML), Industrial Heavy (MG) and Industrial Rural (MR). The MG Zone permits the heaviest industrial uses. A cement plant is listed as a permitted use in the Industrial Heavy (MG) Zone.

The Zoning By-law Amendment proposes to zone the lands Industrial Heavy (MG). Permitted uses in the MG Zone include a cement plant and a metal fabricating plant. The remainder of the property is proposed to retain the RU Zoning. See **Figure 12** for the area to be amended.

Two special exemption zones are proposed to implement the Trade and Industry Policy Area designation in the Official Plan (see Table 3). Special Exemption Zone A applies to the southern 259 metres of the subject lands identified as the 'intervening' land uses. This zone regulates the permitted uses to ensure compatibility with surrounding sensitive land uses.

Special Exemption Zone B applies to the lands between Special Exemption Zone A and the Charlebois Drain. The Special Exemptions requested in Zone B are for a reduced interior side yard and an increased maximum building height.

Table 3: Proposed Special Exemption Zones

<b>MG – Special Exemption Zone A</b>	<b>MG – Special Exemption Zone B</b>
<ul style="list-style-type: none"> <li>Prohibits a cement plant and a metal fabricating plant;</li> <li>Notwithstanding the permitted uses in Section 7.2.a of the Zoning By-law, the only uses permitted in the MG-Special Exemption Zone A are those uses accessory to a cement plant including: <ul style="list-style-type: none"> <li>Employee and visitor parking;</li> <li>Offices, cafeteria and employee lockers;</li> <li>Guardroom;</li> <li>Vehicle scale</li> <li>Electrical sub-station;</li> <li>Berm; and the</li> <li>Pond.</li> </ul> </li> <li>A west side yard setback of 0 m, where a minimum of 15 m is required</li> </ul>	<ul style="list-style-type: none"> <li>An interior side yard of 0 m, where a minimum of 15 m is required; and</li> <li>A maximum building height of 125 m, where a maximum of 18 m is required.</li> </ul>

The proposed amendment conforms with the general intent and purpose of the Township of Champlain Zoning By-law because:

- Industrial uses are directed to three industrial zones (ML, MG, MR);
- A cement plant is a permitted use in the Industrial Heavy (MG) Zone;
- The site can be designed to appropriately separate and mitigate the industrial land use from surrounding sensitive land uses. The two-zone approach introduces intervening land uses at the southern portion of the site and directs the heavy industrial cement plant to the rear to mitigate impacts on neighbouring lands.
- A reduced side yard setback of 0 metres will not have any adverse impact as the adjacent land use to the west is a quarry and to the east is agricultural land.
- The requested maximum height of 125 metres is necessary for the operation of the cement plant, which is a permitted use in the MG Zone. Only one structure (the preheater) is proposed to be 125 metres and is located towards the rear of the developable area. A clinker silo is proposed to be 74.5 metres tall and located in the centre of the developable area and the raw mill will be 70.1 metres tall. The Zoning By-law normally exempts silos from the height requirements. All other buildings and structures will be less than 40 metres in height. The special exemption for height is not anticipated to have a negative impact on surrounding lands.



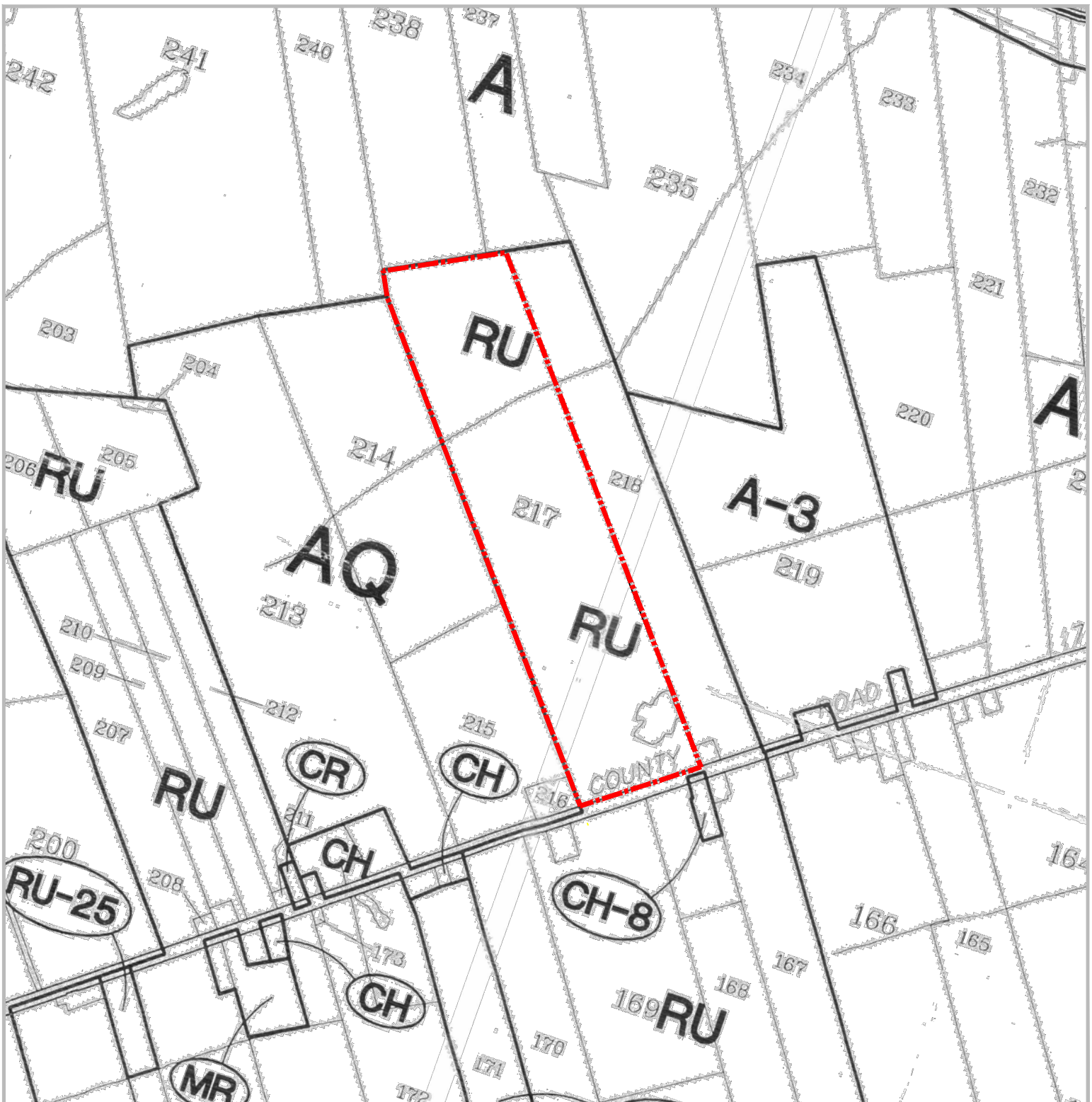



Figure 11  
**Township of Champlain  
 Zoning By-law 2000-75**

**LEGEND**

 Subject Lands

A - Agriculture  
 AQ - Mineral Aggregate Quarry  
 RU - Rural  
 CH - Commercial Highway  
 CR - Commercial Rural  
 MR - Industrial Rural

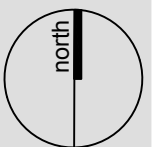
**Source:**  
 Schedule A - Township of Champlain Zoning By-law 2000-75,  
 Ward of Longueuil (2007)

**DATE:** March 2016

**SCALE:** ±1:15,000

**FILE:** 06128C

**DRAWN:** DGS



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**Colacem**

Lot 217 Plan M100  
 County Road #17  
 Township of Champlain  
 United Counties of Prescott & Russell

**MHBC** PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE  
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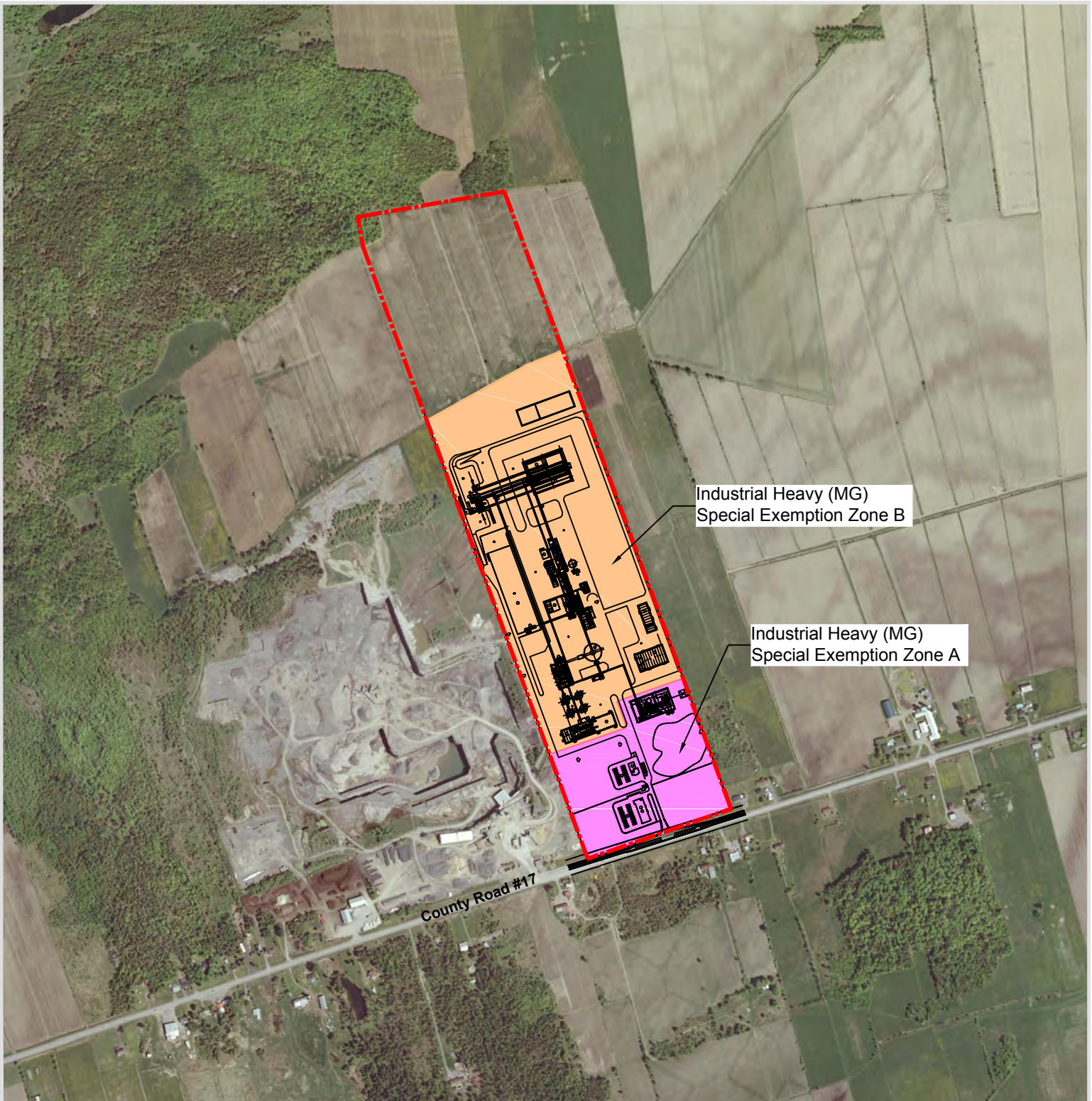


Figure 12  
**Zoning By-law Amendment**  
 Proposed Area to be Amended

**LEGEND**



Subject Lands



Lands Subject to Amendment

**Sources:**

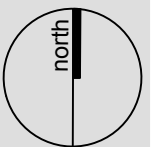
Air Photo: vuMap (First Base Solutions) 2008  
 Site Layout: provided by client January 2016

**DATE:** March 2016

**SCALE:**  $\pm 1:12,500$

**FILE:** 06128C

**DRAWN:** DGS



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**Colacem**

Lot 217 Plan M100  
 County Road #17  
 Township of Champlain  
 United Counties of Prescott & Russell



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# 5.0 SUMMARY & CONCLUSIONS

It is our opinion, as outlined in this report together with the supporting technical reports, that the Official Plan and Zoning By-law Amendments should be considered for recommendation by staff and approved by Council as the applications have been shown to:

- Be consistent with the Provincial Policy Statement, 2014
- Conform to the policies and intent of the in-force 2006 UCPR Official Plan; and
- Represent good planning.

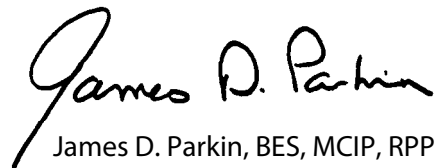
On behalf of Colacem Canada Inc., we request that this report and all supporting material related to the applications be deemed 'complete' and circulated for review.

We look forward to work with the County and agencies thorough the review and approvals process.

Respectfully submitted,



Mitchell Avis, MSc, BES  
Planner



James D. Parkin, BES, MCIP, RPP  
Partner

## **APPENDIX A: Pre-Consultation Letter**





BUREAU ADMINISTRATIF / ADMINISTRATION OFFICE  
948 EST, CHEMIN PLEASANT CORNER ROAD EAST  
VANKLEEK HILL, ONTARIO (K0B 1R0)

613-678-3003 / (FAX) 613-678-3363

July 21<sup>st</sup>, 2011

*"By Email Only"*

Mr. Moreno Capolli  
Chief Manager  
Colacem Canada  
1235, chemin Kilmar  
Grenville-sur-la-rouge, Québec  
J0V 1B0

**SUBJECT: Proposed Industrial Project**  
**Lot 217, Plan M100, County Road 17, Township of Champlain**

Sir:

Thank you for the opportunity to participate in commenting the above noted project. Following the July 11<sup>th</sup> meeting, which provided the occasion to understand the proposed cement plant project, we offer the following comments.

The subject site is currently designated Rural under the Official Plan (OP) of the United Counties of Prescott and Russell (UCPR). The adjacent site, to the West, is currently designated Quarry under the OP of the UCPR. Please refer to the map attached hereto which illustrates the land uses and constraints of the OP of the UCPR.

The Planning and Forestry Department of the UCPR is of the opinion that an official plan amendment is required given that the proposed project is of a heavy industrial nature. Consequently, supportive studies will be required as additional information for Council to make a decision on the proposal. It is our understanding that the lands designated as Agriculture will not be part for the proposed project.

It is noted that a watercourse traverses the subject properties. In order to ensure consistency with Section 2 of the Provincial Policy Statement (PPS) and of Section 5.5.7 of the OP of the UCPR, we require an Environmental Impact Study as per Section 5.6 of the OP of the UCPR to ensure there are no negative impacts to the quality of water and fish habitat as a result of the proposed development. The Environmental Impact Study would also serve to ensure consistency with PPS 2.1.4 and of Section 5.5.6 of the OP of the UCPR as it is noted that the subject site is adjacent to identified significant woodlands. I also would like to underline the fact that the Endangered Species Act (2007) which is administered by the Ministry of Natural Resources (MNR) affects to this project.

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(FAX) 613-675-1050



SERVICES / DEPARTMENTS  
RÈGLEMENT / BY-LAW ENFORCEMENT  
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CORNER RD E.  
VANKLEEK HILL, ONTARIO  
(K0B 1R0)  
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(FAX) 613-678-3363



As a watercourse traverses the site, the subject area is deemed as an area of archaeological potential in accordance with the Ministry of Tourism and Culture's criteria. In this regard, we require a Phase 1 Archaeological Study to be undertaken as supportive information to ensure consistency with PPS 2.6.2 and with Section 7.6.4 of the Op of the UCPR.

Furthermore, PPS 1.7.1(e) states that "Long-term economic prosperity should be supported by planning so that major facilities (such as airports, transportation/transit/rail infrastructure and corridors, intermodal facilities, waste management systems, oil and gas pipelines, industries and resource extraction activities) and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety." In this regard, we require a Land Use Compatibility Study to ensure consistency with the PPS and Section 6.9.3 of the OP of the UCPR and to ensure that the proposed use complies with the Ministry of the Environment's D-Series Guidelines.

The proposed site is adjacent to lands designated as Agriculture, we require a Minimum Distance Separation (MDS) calculation to be undertaken to ensure that the use does not hinder existing or future agricultural operations. This would ensure that the proposal is consistent with PPS 2.3.3.3 which states "New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae."

Since the proposed development will generate substantial trucking traffic, the UCPR requires a traffic impact analysis, pursuant to Section 3.3.3 of the OP of the UCPR, completed to the satisfaction of the Director of Public Works.

At a municipal level, a Zoning by-law application is required to change the zoning from "Rural Zone (RU)" to an "Industrial Heavy Zone (MG)". Moreover, prior to the issuance of a building permit a Site Plan Agreement is required to be concluded with the Municipality.

Our biggest concern refers to the current Aggregates Study underway by the UCPR. The subject site is identified as a potential aggregate resource in the current mapping efforts for the Aggregates Study, thus we recommend examining site suitability through various studies. The Township of Champlain and the UCPR must ensure that their decisions are consistent with the Provincial Policy Statement (2005) which includes the long term protection of the resource as well as protecting operations and designated areas from development activities that would preclude/hinder expansion, continued use or establishment of future operations of the aggregate on or adjacent to the site. Consequently, the UCPR must consider the long term resource access and the possible sterilization of the resource that would be located underneath the cement plant.

However, a cement plant would not likely be a non-compatible land use adjacent to a quarry. The studies are requested in order to get a better sense of matters as it relates to this particular site and adjacent lands. Therefore, we strongly advise that you contact MNR early on in the process in order to determine next steps as it relates to the Aggregate Resources Act.

I hope this information is helpful and please don't hesitate to contact me should you require further information or have any questions.

Sincerely,



Dominique Lefebvre, MCIP, RPP  
Planner

Encl.

C.c. Mr. Pier Federico Baldinucci, Colacem Gruppo Financo  
Mr. Anthony Ciccone, Golder Associates  
Mr. James D. Parkin, MHBC Planning Urban Design & Landscape Architecture  
Mrs. Lynne F. Groulx, Ministry of Economic Development and Trade  
Mr. Gary J. Barton, Mayor  
Mr. Jean Thériault, Chief Administrative Officer/Clerk-Treasurer



October 24 2016

Mr. Louis Prevost  
United Counties of Prescott and Russell  
59 Court Street, P.O. Box 304  
L'Orignal, ON K0B 1K0

Dear Mr. Prevost:

**RE: Official Plan Amendment 050-OPA-16-002  
Planning Justification Report Addendum  
OUR FILE 06128C**

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This letter is in response to your letter dated September 1, 2016, requesting an addendum to the Planning Justification Report to address the March 1, 2016 approval of the United Counties of Prescott and Russell Official Plan Amendment No. 27 by the Ontario Ministry of Municipal Affairs and Housing (MMAH).

While preparing the Planning Justification Report in advance of MMAH's approval we reviewed and analyzed the application in the context of both the 2006 Official Plan (in full force and effect) and the 2015 County adopted Official Plan. On March 1, 2016, MMAH approved Official Plan Amendment No. 27, with modifications. We have since reviewed MMAH's approval and modifications in the context of OPA No. 30.

The analysis and conclusions of Section 4.2 of our Planning Justification Report (dated March 15, 2016) do not change as a result of MMAH's approval and modification. The proposed policy changes as a result of OPA No. 27 were already considered and addressed in our Planning Justification Report and the Minister's modifications do not affect the policies that are applicable to this proposal.

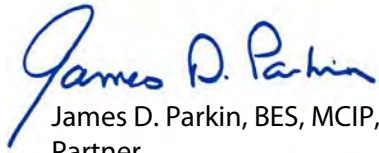
We understand that the 2006 Official Plan remains in full force and effect while appeals are heard by the Ontario Municipal Board on OPA No. 27. Nevertheless, please find enclosed an addendum to Section 4.2 of our Planning Justification Report to acknowledge the March 1, 2016 MMAH approval, with modifications, of OPA No. 27.

We have also reviewed the Traffic Impact Study, prepared by CIMA+, and the Environmental Impact Study, prepared by Golder Associates, and concluded that the 2006 Official Plan references in these studies do not change as a result of the approval of OPA No. 27 and the Minister's modifications.

Do not hesitate to contact the undersigned with any questions.

Yours truly,

**MHBC**



James D. Parkin, BES, MCIP, RPP  
Partner

cc. *Rachel Gould, Golder Associates Ltd.*  
*Marc Bataille, Colacem Canada Inc.*

## 4.2 United Counties of Prescott and Russell Official Plan

The Prescott-Russell Official Plan was adopted by the United Counties of Prescott and Russell (“the County”) on June 22, 1999. A review of the Official Plan was adopted by the County on May 23, 2006 (the ‘current (2006) Official Plan’). The current (2006) Official Plan is in full force and effect within the UCPR.

The UCPR recently completed a five-year review of their Official Plan. The Council of the UCPR adopted Official Plan Amendment (OPA) No. 27 on August 26, 2015 and the Ontario Ministry of Municipal Affairs and Housing (MMAH) approved OPA No. 27 on March 1, 2016 (the ‘approved (2016) Official Plan’). MMAH’s approval of OPA No. 27 has since been appealed to the Ontario Municipal Board.

Generally, applications are decided based on policies in full force and effect at the time of application, however, approved policies under appeal to the Ontario Municipal Board are still relevant. The following sections will review the proposal in consideration of both the current (2006) and approved (2016) Official Plans.

The Subject Lands are designated Rural Policy Area on Schedule A – Land Use Designation of the current (2006) and approved (2016) Official Plans (**Figure 6**). Rural Policy Area lands are those located outside of the Urban Policy Area, Community Policy Area and Trade and Industry Policy Area and lands which are not subject to the Resource policies or Natural Heritage Policies. The Official Plan Amendment proposes to designate the lands Trade and Industry Policy Area.

This application proposes to develop the lands for a cement plant. A cement plant is a large industrial use. In the pre-application comments provided, the UCPR confirmed that an Official Plan Amendment is required “given that the proposed project is of a heavy industrial nature” (see **Appendix A**).

The Official Plan Amendment proposes to designate a portion of the lands Trade and Industry Policy Area. The Trade and Industry Policy Area is intended to provide for economic development opportunities in areas located outside of the Urban Policy Area and Community Policy Area and permits a variety of industrial uses including manufacturing, processing, warehousing of bulk products and open storage.

The area to be amended includes 39.9 hectares of land located south of the Charlebois Drain. The remaining lands located north of the Charlebois Drain are proposed to remain Rural Policy Area and are not proposed to be developed. See **Figure 7** for the area to be amended.

#### **4.2.1 Industrial Uses**

There are eight land use designations in the UCPR Official Plan: Urban, Community, Rural, Trade and Industry, Agricultural Resource, Natural Heritage, Mineral Aggregate Resource and Waste Management Policy Areas. Within these designations of the current (2006) and approved (2016) Official Plans, industrial uses are permitted in the:

- Urban policy area;
- Community policy area;
- Trade and industry policy area;
- Rural policy area; and the
- Agricultural resource policy area.

The current (2006) and approved (2016) Official Plans direct industrial uses to the aforementioned designations, generally, based on servicing requirements. A significant amount of growth is intended to be directed to the Urban Policy Area; therefore, the Official Plan would direct the majority of industrial development to the settlement areas where full services exist.

The Community Policy Area consists of partially serviced and un-serviced Villages and Hamlets. The Official Plans permit industrial uses in the Community Policy Area but proposed uses have to be compatible with the surrounding community and have the ability to be appropriately serviced.

Development within the existing designation, the Rural Policy Area, will generally be on the basis of private individual services. Permitted uses include agriculture-related commercial and industrial uses and non-agricultural industrial and commercial uses which meet the needs of the travelling public, or which relate to local resources. Therefore, industrial uses related to local resources are currently permitted on the subject lands.

Full services are not required for the proposed development, therefore, lands outside of the Urban Policy Area can be considered in the location of the cement plant. In addition, a cement plant requires a significant amount of land that is not often available within settlement areas. Therefore, the current (2006) and approved (2016) Official Plans direct industrial uses that require large areas of land to the Trade and Industry Policy Area. The Trade and Industry Policy Area is the most appropriate designation for the proposed cement plant. The County confirmed through the pre-consultation process that an Official Plan Amendment to the Trade and Industry Policy Area was necessary for the proposed development.

#### 4.2.2 Trade and Industry Policy Area

Both the current (2006) and approved (2016) Official Plans recognize the need for economic development opportunities in areas outside of the Urban Policy Area and the Community Policy Area. The Trade and Industry policies are intended to create a planning framework which will encourage and support mixed use employment areas which can accommodate serviced or un-serviced commercial, industrial or tourism related uses.

Section 2.4.3 identifies the objectives of the Trade and Industry Policy Area. The proposed development conforms to these objectives by:

- a) Facilitating the development of an industrial use that requires a large amount of land;
- b) Proposing development on County Road No. 17, which is identified as a primary artery. County Road No. 17 provides access east-west across the UCRP to the City of Ottawa. The Traffic Impact Study prepared by CIMA+ found that total traffic on County No. 17 is expected to reach approximately 33% of the road's capacity by 2023.
- c) Proposing industrial development that is compatible with surrounding land uses in accordance with provincial guidelines. Further analysis of land use compatibility was analyzed in **Section 4.1.2**.
- d) Encouraging economic development opportunities in the UCRP. This will be the only cement plant located east of Kingston. Many of the raw materials used in the production of cement will be locally sourced thereby supporting other businesses in the area. The cement plant will provide significant new jobs in the community.

The approved (2016) Official Plan has identified the Trade and Industry Policy Area as the employment lands as defined in the PPS. This designation shall be the focus of employment growth and development in the County, and shall accommodate a range of uses.

Both the current (2006) and approved (2016) Official Plans permit the following commercial and industrial uses which require larger land areas in the un-serviced Trade and Industry Policy Areas:

- Manufacturing and processing
- Warehousing and wholesaling of bulk products
- Transportation depots
- Heavy equipment and recreational vehicle sales and service
- Open storage
- Automobile and commercial vehicle service centres

- Service commercial uses ancillary to the above
- Other commercial uses appropriate or compatible with an industrial/commercial mixed use area or business park.

A cement plant is a manufacturing use and a processing activity as cement is created by processing several raw materials. A cement plant is an industrial use and is permitted in the Trade and Industry Policy Areas of the current (2006) and approved (2016) Official Plans.

Section 2.4.3 of the current (2006) Official Plan and Section 2.4.3.6 of the approved (2016) Official Plan directs the Zoning By-law to regulate the permitted uses on the lands. Lands designated Trade and Industry Policy Area are typically zoned either Industrial Restricted (ML) or Industrial Heavy (MG) in the Township of Champlain Zoning By-law. The requested Zoning By-law amendment proposes to zone the lands MG, which permits a cement plant and a metal fabricating plant. Details of the proposed zone change are included in **Section 4.3**.

Section 2.4.3 of the current (2006) Official Plan and Section 2.4.3.7 of the approved (2016) Official Plan requires that site plan control apply to new or expanded trade and industry uses to regulate the physical character of development and to ensure compatibility with established land uses. A site plan application will be submitted separately from the Official Plan and Zoning By-law Amendment applications but will be required prior to any development occurring on the subject lands.

#### **4.2.3 Land Use Compatibility**

The current (2006) Official Plan aims to prevent or minimize future land use conflicts which can arise when incompatible land uses develop in close proximity to one another. Section 6.9.3 requires the Ministry of the Environment guidelines on Land use Compatibility be applied during the planning process.

The approved (2016) Official Plan aims to ensure the compatibility between industrial facilities and sensitive land uses. The approved (2016) Official Plan considers a sensitive land use to be a residence or other land use, such as outdoor recreational activities, where humans or the natural environment may be adversely affected by emissions from industrial facilities. Separation distances *“shall generally conform”* to the Ministry of Environment and Climate Change’s D-Series Guidelines. Section 6.9.2 of the approved (2016) Official Plan permits compatibility to be achieved in many ways including through separation distance, other forms of buffering and/or intervening land uses.

Land use compatibility and the MOE guidelines have previously been addressed in **Section 4.1.2**.



#### 4.2.4 Mineral Aggregate Resource Policy Area

The current (2006) and approved (2016) Official Plans recognize the importance of aggregate resources to all facets of development in the UCPR as these materials are used in the construction of roads, water and sewer infrastructure, homes, schools and commercial buildings and landscaping projects. Both the current (2006) and approved (2016) Official Plans recognize aggregate resources are a non-renewable resource; therefore, the intent of the Plans is to protect mineral aggregate resources from incompatible development.

The current (2006) Official Plan identifies licensed pits and quarries and mineral aggregate reserve areas on Schedule A (**Figure 6**). The subject lands are not identified as having any type of aggregate reserve. They are, however, located adjacent to a Mineral Aggregate Resource Area – Quarry – also operated by the owners of the subject lands.

The current (2006) Official Plan aims to restrict opportunities for incompatible development near lands designated Mineral Aggregate Resource Policy Area.

The approved (2016) Official Plan also designates pits and quarries licensed under the Aggregate Resources Act on the land use plan. In addition, the approved (2016) Official Plan includes a new schedule that maps mineral aggregate resource areas which are not currently licensed based on provincial information and the Aggregate Resources Inventory Master Plan. These areas are identified in the approved (2016) Official Plan as they are deemed essential for the long term supply of aggregates and require protection.

The intent of the approved (2016) Official Plan is to protect existing aggregate operations and potential aggregate operations from incompatible land uses.

The appropriateness of locating a cement plant on the subject lands has previously been reviewed in **Section 4.1.3**.

#### 4.2.5 Minimum Distance Separation

Lands immediately to the east and south of the subject lands are designated Rural Policy Area. Beyond the Rural Policy Area, the lands are designated Agricultural Resource Policy Area. Agricultural uses are permitted in both of these land use designations. The current (2006) and approved (2016) Official Plans require development conform to the province's Minimum Distance Separation (MDS) standards.

**Section 4.1.5** demonstrates that the proposed cement plan conforms with the MDS formulae.

#### 4.2.6 Natural Heritage

The current (2006) and approved (2016) Official Plans primary means of protecting the County's natural heritage is through the designation of those features on Schedule A regulating where development is permitted. The current (2006) and approved (2016) Official Plans also identify

area of natural heritage where development is to be controlled on Schedule B (**Figure 8**). Features identified on Schedule B include Areas of Natural or Scientific Interest (ANSI's), fish habitat, significant woodlands, shore lands along major waterways and ground water resources.

The proposed development conforms to the natural heritage policies of the current (2006) and approved (2016) Official Plans because:

- There are no provincially significant wetlands identified on or adjacent to the subject lands in either Official Plan.
- The proposed development is located approximately 500 metres away from the significant woodland located on the northwest corner of the property (approximately 0.5 ha) and on the lands adjacent (greater than 200 ha in size). The Golder EIS concludes that no impact or disturbance to the significant woodland is anticipated as a result of the project.
- The EIS anticipates that there will be no negative impact to fish or fish habitat within the Charlebois Drain. The removal of surface water features on site (e.g. drainage ditches) will be conducted based on recommendations from the Department of Fisheries and Oceans. A Fish collection permit will be obtained from the Ministry of Natural Resources and Forestry to relocate fish in the drainage ditches prior to commencement of construction activities on site.
- The EIS concluded that no negative impact to significant habitat on the site or within the study area is anticipated as a result of the project.
- No habitat of endangered or threatened species, significant wetlands, significant valleylands or significant areas of natural or scientific interest are located on the subject property or within the study area.

#### 4.2.7 Transportation

The transportation system in the UCPR is composed of Provincial highways, County roads, local public roads opened and maintained on a year round basis, seasonal roads which are not maintained during the winter maintenance season and local private roads. The current (2006) and approved (2016) Official Plans identify Council's objective is to ensure that the road network within the UCPR will function in a cost effective, efficient and safe manner for the movement of people and goods.

The subject lands are located on County Road 17. The current (2006) and approved (2016) Official Plans identify County Road 17 as the only primary artery in the UCPR (**Figure 9**). This artery, along with provincial Highway 417, is the main east-west link in Prescott and Russell.

The approved (2016) Official Plan identifies that the County may require a Traffic Impact Study in order to demonstrate how the transportation impacts of the proposed development can be mitigated and addressed. The pre-consultation comments from the UCPR identify a Traffic Impact Study as a requirement for a complete application. Therefore, a Traffic Impact Study (TIS) was completed by CIMA+ in support of the development.

The purpose of the TIS was to verify that anticipated development-regulated traffic on impacted roads will be in conformity to relevant policies and regulations and include verification of minimum highway entrance geometrics requirements to provide for entrance and exit maneuvers at County Road 17. The TIS determined that the amount of traffic from the plant (inbound and outbound) expected to impact on the Peak Daily Hour (am or pm) for County Road 17 is 110 vehicles per hour. This traffic is comprised of mostly heavy vehicles providing transport of raw materials good movement and production of cement to/from the market area. Total traffic is expected to reach approximately 33% of County Road 17 capacity by 2023. Therefore, vehicle circulation is not anticipated to be adversely impacted as a result of the cement plant and traffic will continue to move in an efficient manner along Highway 17.

The proposed entrance to the cement plant is located approximately 330 metres from the existing Colacem quarry access to the west and approximately 145 metres from the nearest residence to the east. In order to support safe conduct of left turns into the subject lands from heavy vehicles, CIMA+ recommends that a left turn lane is warranted under traditional Ministry of Transportation Ontario guidelines for rural two-lane highways. The TIS recommends that the cement plant access should be planned to ensure a minimum separation distance of 290 metres between the proposed new site entrance and the existing quarry entrance to allow for an appropriate amount of storage, deceleration and taper. The location of the cement plant entrance reflects the safety considerations identified in the TIS.

#### 4.2.8 Public Health and Safety

The current (2006) and approved (2016) Official Plans acknowledge that the natural landscape and resources are constantly being shaped and reshaped by naturally occurring physical and ecological processes. These landscapes and resources only become a hazard when people and structures are located within them or are affected by them. Health and public safety hazards are shown on Schedule C of both Official Plans (**Figure 10**). A portion of the subject lands are identified as being organic soils. The suitability of the lands for development is discussed in **Section 4.1.8**.

The current (2006) and approved (2016) Official Plans also identify abandoned pits and quarries on Schedule C. An abandoned pit and quarry is identified on the adjacent property to the east. Development on, abutting or adjacent to lands affected by former mineral resource operations may proceed in accordance with the underlying land use designation only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed. The adjacent property is presently developed with a residence and accessory structures. The proposed cement plant will not aggravate any potential hazards as a result of the former pit and/or quarry.

It is entirely likely that the abandoned quarry shown on Schedule C of the Official Plan is intended to represent the pond located on the subject lands. As no development is proposed around the abandoned quarry, no rehabilitation is required as there are no known or expected hazards.

#### 4.2.9 Archaeology

In the pre-consultation letter from the UCPR dated July 21, 2011, staff identified the site as having archaeological potential and required that a Phase 1 Archaeological Assessment be undertaken. Archaeology has been addressed in **Section 4.1.7**.

**In summary, the proposed cement plant conforms to the current (2006) United Counties of Prescott and Russell Official Plan relating to industrial operations, and the studies prepared in support of this application address the policies of the County. In addition, these applications have been considered in relation to Official Plan Amendment No. 27, which was approved by the Province on March 1, 2016 and subsequently appealed to the Ontario Municipal Board. The proposed cement plant also conforms to the intent of the approved Official Plan (OPA No. 27).**