



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
DECEMBER 20, 2023 COUNCIL MEETING
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION &
IN-PERSON AT THE MUNICIPAL OFFICE –
7404 WELLINGTON RD 34, PUSLINCH

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AGENDA

DATE: Wednesday December 20, 2023

CLOSED MEETING: 11:00 A.M.

REGULAR MEETING: 10:00 A.M.

Addendum Agenda

9.3.4 Report ADM-2023-076 – High Speed Internet Initiative, as amended

≠ Denotes resolution prepared

- 1. Call the Meeting to Order**
- 2. Roll Call**
- 3. Moment of Reflection**
- 4. Confirmation of the Agenda ≠**
- 5. Disclosure of Pecuniary Interest & the General Nature Thereof**
- 6. Consent Agenda ≠**
 - 6.1 Adoption and Receipt of the Minutes of the Previous Council and Committee Meetings:
 - 6.1.1 November 29, 2023 Council Minutes
 - 6.1.2 November 6, 2023 Youth Advisory Committee Minutes
 - 6.1.3 October 3, 2023 Recreation Advisory Committee Minutes



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- 6.1.4 October 23, 2023 Special Heritage Committee Minutes
- 6.2 City of Guelph Notice of Decision Draft Plan of Condominium Subdivision - 120 Huron Street
- 6.3 City of Hamilton Notice of Study Completion – Airport Employment Growth District Transportation Master Plan Update
- 6.4 Loyalist Township Resolution regarding Expanding Permit-by-rule
- 6.5 Prince Edward County Resolution regarding Expanding Permit-by-rule
- 6.6 Town of Plympton-Wyoming Resolution regarding Strong Mayor Powers and Leave to Construct Threshold
- 6.7 Coleman Township Resolution regarding Conservation Officer Reclassification
- 6.8 Grand River Conservation Authority November 2023 General Membership Meeting Summary
- 6.9 Municipality of Chatham-Kent Resolution regarding Ontario Works Rate
- 6.10 Municipality of Grey Highlands Resolution regarding Enbridge Gas
- 6.11 Municipality of Tweed Resolution regarding Request for Further Funding, Grant Programs, Services
- 6.12 Town of Aylmer Resolution regarding Amendments to the Residential Tenancies Act
- 6.13 Wellington Federation of Agriculture Battery Storage System Contract Requirements
- 6.14 Dufferin Aggregates Mill Creek Pit November 2023 Monthly Monitoring Report
- 7. **Delegations ≠**
 - 7.1 Specific Interest (Items Listed on the Meeting Agenda)
 - 7.1.1 None
 - 7.2 General Interest (Items Not Previously Listed on the Meeting Agenda)
 - 7.2.1 None
- 8. **Public Meetings**
 - 8.1 January 17, 2024 Public Information Meeting held at 7404 Wellington Rd 34 in-person and by electronic participation through Zoom regarding the following matter:

2024 Proposed Budget Public Information
- 9. **Reports ≠**
 - 9.1 **Puslinch Fire and Rescue Services**
 - 9.1.1 None
 - 9.2 **Finance Department**
 - 9.2.1 Report FIN-2023-035 – Annual Indexing of Development Charges≠



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9.2.2 Township of Puslinch Pre-Audit Communication to Council ≠

9.3 Administration Department

9.3.1 Report ADM-2023-071 – Private Well Interference Complaints Resolution Agreement with Triton Water Canada Holdings Inc.≠

9.3.2 Report ADM-2023-074 – Health and Safety Policy and Harassment and Violence in the Workplace Policy Annual Review≠

9.3.3 Report ADM-2023-075 – Application for Noise Exemption for Wellington Common Elements Condo Corp #214 (Mini Lakes) ≠

9.3.4 Report ADM-2023-076 – High Speed Internet Initiative≠

9.3.5 Report ADM-2023-077 – Radiocommunication Tower and Antenna Protocol≠

9.3.6 Report ADM-2023-078 – Reporting Out to Council Update (December 20, 2023)≠ (Circulated under separate cover)

9.3.7 Report ADM-2023-079 – First Reading of Proposed Site Alteration By-law & Road Activity By-law≠ (Circulated under separate cover)

9.3.8 Report ADM-2023-080 – Annual Township Communications and Engagement Report≠

9.4 Planning and Building Department

9.4.1 None

9.5 Roads and Parks Department

9.5.1 None

9.6 Recreation Department

9.6.1 None

10. Correspondence ≠

10.1 **10:05 AM** Presentation by Aldo Salis, Director of Planning and Development and Sarah Wilhelm, Manager of Policy Planning, County of Wellington regarding the RSEDSA Scope of Work ≠

10.2 2023 Compliance Assessment Reports ≠

10.2.1 2023 Compliance Assessment Report - 5465 - Pit 1 - Capital Paving Inc.

10.2.2 2023 Compliance Assessment Report - 5482 - Glen Christie Company Ltd

10.2.3 2023 Compliance Assessment Report - 5483 - Aberfoyle Pit 1

10.2.4 2023 Compliance Assessment Report - 5497 – McNally

10.2.5 2023 Compliance Assessment Report - 5514 - Lafarge Canada Inc.

10.2.6 2023 Compliance Assessment Report - 5520 - St. Mary's Cement Inc.

10.2.7 2023 Compliance Assessment Report - 5563 - Coburn Pit

10.2.8 2023 Compliance Assessment Report - 5609 - Aberfoyle Pit 2

10.2.9 2023 Compliance Assessment Report - 5610 - Phillips Pit



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- 10.2.10 2023 Compliance Assessment Report - 5631 – Edgington
- 10.2.11 2023 Compliance Assessment Report - 5654 - Martini Pit
- 10.2.12 2023 Compliance Assessment Report - 5709 - Arkell Ridge Development Ltd
- 10.2.13 2023 Compliance Assessment Report - 5710 - Puslinch Pit
- 10.2.14 2023 Compliance Assessment Report - 5737 – McMillan
- 10.2.15 2023 Compliance Assessment Report - 5738 - Mill Creek Pit
- 10.2.16 2023 Compliance Assessment Report - 10671 – McMillan
- 10.2.17 2023 Compliance Assessment Report - 15338 - Arkell Ridge
- 10.2.18 2023 Compliance Assessment Report - 17600 – Mast
- 10.2.19 2023 Compliance Assessment Report - 20085 - Capital Paving Inc.
- 10.2.20 2023 Compliance Assessment Report - 20212 - Cox Construction
- 10.2.21 2023 Compliance Assessment Report - 129817 - Mast Snyder Pit
- 10.2.22 2023 Compliance Assessment Report - 624864 - McNally East
- 10.2.23 2023 Compliance Assessment Report - 624889 - Con Construction
- 10.2.24 2023 Compliance Assessment Report - 624952 - Lanci Pit
- 10.2.25 2023 Compliance Assessment Report - 625189 – Roszell
- 10.2.26 2023 Compliance Assessment Report - 625284 - Neubauer Pit
- 10.2.27 2023 Compliance Assessment Report - 625710 - Cox Construction

10.3 MTO's Response to Council's September 27, 2023 Resolution 2023-303≠

10.4 BlueTriton's Response to Council's September 27, 2023 Resolution 2023-306≠

10.5 Notice of Study Commencement – Highway 401 from Steeles Avenue in Milton to 1.5 km west of Halton-Wellington Boundary (GWP 2030-23-00)≠

10.6 October 2023 County of Wellington O.P.P Police Services Board Report≠

11. **Council reports ≠**

11.1 Mayor' Updates

11.2 Council Member Reports (verbal or written updates from members who sit on boards/committees)

12. **By-laws ≠**

12.1 First Reading

12.1.1 BL2023-057 Site Alteration By-law and to repeal BL31/12, as amended

12.1.2 BL2023-058 Road Activity By-law

12.2 First, Second and Third Reading

12.2.1 BL2023-053 Authorize Mayor and Clerk to execute the necessary documents related to the Private Well Interference Complaints Resolution Agreement with Triton Water Canada Holdings Inc.



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12.2.2 BL2023-060 Appoint a Fire Chief and repeal 2022-060

13. **Announcements**
14. **Closed Session – Pursuant to Section 239 of the Municipal Act, 2001**
 - 14.1 Confidential report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Regulatory By-law
15. **Business Arising from Closed Session**
16. **Notice of Motion**
17. **New Business**
18. **Confirmatory By-law ≠**
 - 18.1 BL2023-059 Confirm By-law – December 20, 2023≠
19. **Adjournment ≠**



MINUTES

DATE: November 29, 2023

CLOSED MEETING: Directly following Correspondence Item 10.1

COUNCIL MEETING: 10:00 A.M.

The November 29, 2023 Council Meeting was held on the above date and called to order at 10:00 a.m. via electronic participation and in-person at 7404 Wellington Rd 34, Puslinch.

1. **CALL THE MEETING TO ORDER**

2. **ROLL CALL**

ATTENDANCE:

Councillor Sara Bailey
Councillor Russel Hurst
Councillor Jessica Goyda
Councillor John Sepulis
Mayor James Seeley

STAFF IN ATTENDANCE:

1. Glenn Schwendinger, CAO - absent
2. Mike Fowler, Director of Public Works, Parks and Facilities
3. Mary Hasan, Director of Finance/Treasurer
4. Courtenay Hoytfox, Interim CAO
5. Justine Brotherston, Interim Municipal Clerk
6. Sarah Huether, Interim Deputy Clerk

3. **MOMENT OF REFLECTION**

4. **CONFIRMATION OF THE AGENDA**

Resolution No. 2023-380:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That Council approves the November 29, 2023 Agenda and Addendum as circulated; and

That Council approves the additions to the agenda as follows:

Consent Item 6.1.6 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the November 29, 2023 Council agenda.

CARRIED

5. **DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

None

6. **CONSENT AGENDA**

6.1 Adoption and Receipt of the Minutes of the Previous Council and Committee Meetings:

6.1.1 November 8, 2023 Council Minutes

6.1.2 October 10, 2023 Committee of Adjustment Minutes

6.1.3 October 10, 2023 Planning and Development Advisory Committee Minutes

6.1.4 October 2, 2023 Youth Advisory Committee Minutes

6.1.5 September 11, 2023 Heritage Advisory Committee Minutes

6.2 Grand River Conservation Authority Summary of General Membership Meeting

6.3 City of Owen Sound Resolution Regarding Call for an Amendment to the Legislation Act, 2006

6.4 Township of Lake of Bays Resolution Regarding Call for Amendment to Legislation Act, 2006

6.5 Municipality of Magnetawan Resolution Regarding Call for an Amendment to the Legislation Act, 2006



- 6.6 Township of Ryerson Resolution Regarding Call for an Amendment to the Legislation Act, 2006
- 6.7 Municipality of Wawa Resolution Regarding Call for an Amendment to the Legislation Act, 2006
- 6.8 Village of South River Resolution Regarding Call for an Amendment to the Legislation Act, 2006
- 6.9 Ministry of Municipal Affairs and Housing Decisions on Municipal Official Plans and Official Plan Amendments
- 6.10 Ministry of Municipal Affairs and Housing Decisions on Municipal Official Plans and Official Plan Amendments
- 6.11 Municipality of Temagami Resolution Regarding Bill 21, Fixing Long-Term Care Act
- 6.12 City of Guelph Notice of Decision of a Draft Plan of Condominium Subdivision
- 6.13 Municipality of Wawa Resolution Regarding Bill C-310, Amendments to Income Tax Act
- 6.14 Smith Valeriotte Law Firm LLP Regarding Installation of Hydro Poles Mini Lakes Condominium Corp
- 6.15 Dufferin Aggregates Mill Creek Pit Monthly Monitoring Report
- 6.16 City of Guelph – Minor Variance Public Notice – 16 Glenholm Drive

Resolution No. 2023-381: Moved by Councillor Hurst and
Seconded by Councillor Sepulis

That the Consent Agenda items with the exception of item 6.13 listed for NOVEMBER 29, 2023 Council meeting be received for information.

CARRIED

Resolution No. 2023-382: Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That the Consent Agenda item 6.13 listed for NOVEMBER 29, 2023 Council meeting be received; and

Whereas the Township of Puslinch Council supports the Municipality of Wawa Resolution Regarding Bill C-310, Amendments to Income Tax Act;

Therefore, that Council directs staff to send a support resolution accordingly.

CARRIED

7. DELEGATIONS:

(a) Specific Interest (Items Listed on the Meeting Agenda)

7.1.1 None

7.2 General Interest (Items Not Previously Listed on the Meeting Agenda)

7.2.1 None

8. PUBLIC MEETINGS:

None

9. REPORTS:

9.1 Puslinch Fire and Rescue Services

9.1.1 None

9.2 Finance Department

9.2.1 Report FIN-2023-028 - MPAC Execution of Data Sharing and Services Agreement

Resolution No. 2023-383: Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Report FIN-2023-028 entitled Municipal Property Assessment Corporation – Execution of Data Sharing and Services Agreement be received; and



That Council gives 3 readings to By-law No. 2023-049 being a By-law authorizing the entering into a Data Sharing and Services Agreement with the Municipal Property Assessment Corporation.

CARRIED

9.2.2 Report FIN-2023-032 - 2024 User Fees and Charges By-law

Resolution No. 2023-384:

Moved by Councillor Goyda and
Seconded by Councillor Sepulis

THAT Report FIN-2023-032 entitled 2024 User Fees and Charges By-law be received; and

That Council give 3 readings to By-law No. 2023-042 being a by-law to adopt the User Fees and Charges By-law; and

That Council approve the increase to non-resident fees at the Puslinch Community Centre resulting in an estimated increase in budgeted revenues of \$5,374; and

That Council defer the decision on increasing 2 full-time facility operators to 3 full-time facility operators and the subsequent reduction to the part-time facility operator hours as outlined in this report, until such time that the operating budget is considered by Council and that staff be directed to incorporate the potential tax levy impact of this proposed change through a base budget increase sheet.

CARRIED

9.3 Administration Department

9.3.1 Report ADM-2023-063 Annual Emergency Management Programme Report

Resolution No. 2023-385:

Moved by Councillor Hurst and
Seconded by Councillor Goyda

That Report ADM-2023-063 entitled 2023 Township of Puslinch Emergency Management Programme Annual Report be received; and

That the Council of the Township of Puslinch accepts the annual report of the Township's Emergency Management Programme for 2023.

CARRIED

9.3.2 Report ADM-2023-064 - Township of Puslinch Annual Accessibility Status Report

Resolution No. 2023-386:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That Report ADM-2023-064 entitled Township of Puslinch Annual Accessibility Status Report be received for information.

CARRIED

9.3.3 Report ADM-2023-065- 2023 Corporate Workplan Update

Resolution No. 2023-387:

Moved by Councillor Hurst and
Seconded by Councillor Bailey

That Report ADM-2023-065 regarding the 2023 Corporate Workplan update be received for information.



CARRIED

9.3.4 Report ADM-2023-067 Authorize Entering into Agreement with Fire Marque Inc

Resolution No. 2023-388:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That Report ADM-2023-067 entitled Authorize Entering into an Agency Agreement with Fire Marque Inc. be received; and

That the Mayor and Clerk be authorized to execute the Agency Agreement between the corporation of the Township of Puslinch and Fire Marque Inc. attached as Schedule "B" to this report; and

That Council give three readings to By-law 2023-052 being a By-law to enter into the Agency Agreement with Fire Marque Inc.

CARRIED

9.3.5 Report ADM-2023-068 Procedural By-law Housekeeping Amendments

Resolution No. 2023-389:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That Council receives report ADM-2023-068 regarding the Procedural By-law Housekeeping Amendments; and

That Council gives three readings to By-law 2023-51 being a By-law to amend the Township's Procedural By-law 2022-046, as amended, attached to this report as Schedule "A".

CARRIED

9.3.6 Report ADM-2023-069 Sign Variance Request - 4020 Highway 6

Resolution No. 2023-390:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That Report ADM-2023-069 entitled Sign Variance Request – 4020 Highway 6, Puslinch be received; and

Whereas digital signs are specifically prohibited in the existing Township Sign By-law; and

Whereas the relief being sought is intended to be addressed through the Township's updated Proposed Sign By-law in the first quarter of 2024;

That Council defer the request for relief from the Sign By-law 09/91 for 4020 Highway 6, Puslinch until the completion of the review of the Township's Sign By-law as scheduled in the 2023 Corporate Work Plan.

CARRIED

9.3.7 Report ADM-2023-070 Streamlining Consent Agenda Items

Resolution No. 2023-391:

Moved by Councillor Hurst and
Seconded by Councillor Sepulis

That Report ADM-2023-070 entitled Streamlining Consent Agenda Items be received; and

That Council approves the following criteria with respect to the inclusion of Resolutions of Support under Section 6 Consent Agenda, on Council Agenda as follows:

Resolutions of Support may be filed in accordance with the Township's Record Retention Bylaw, rather than included on the Council Agenda if the support resolution is regarding a topic that has already been considered by Council and does not include new information.

CARRIED

9.3.8 Report ADM-2023-071 – Private Well Interference Complaints Resolution Agreement with Triton Water Canada Holdings Inc. – Deferred to the December 20, 2023 meeting through Agenda Addendum.

9.3.9 Report ADM-2023-072 - 2023 Priority Properties Intention to Designate

Resolution No. 2023-392:

Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Report ADM-2023-072 entitled 2023 Priority Properties Intention to Designate be received; and

That the Council of the Township of Puslinch state an intention to designate the following properties pursuant to Section 29 (Part IV) of the *Ontario Heritage Act, 1990*:

(Municipally known as)

- 1. 22 Victoria Street, Morriston;**
- 2. 32 Brock Road N, Puslinch;**
- 3. 42 Queen Street, Morriston;**
- 4. 43 McClintock Drive, Puslinch;**
- 5. 46 Queen Street, Morriston;**
- 6. 78 Queen Street, Morriston;**
- 7. 80 Brock Road S, Puslinch;**
- 8. 80 Queen Street, Morriston;**
- 9. 84 Queen Street, Morriston;**
- 10. 319 Brock Road S, Puslinch;**
- 11. 600 Arkell Road, Puslinch;**
- 12. 843 Watson Road S, Puslinch;**
- 13. 4492 Watson Road S, Puslinch;**
- 14. 4614 Wellington Road 32, Puslinch;**
- 15. 6705 Ellis Road, Puslinch;**
- 16. 6990 Wellington Road 34, Puslinch;**
- 17. 7156 Concession 1, Puslinch; and,**

That staff be authorized to proceed with notice requirements as outlined in Section 29 of the *Ontario Heritage Act, 1990* and in accordance with the Township's Ontario Heritage Act Alternative Notice Policy; and further,

Where no objections are received within the prescribed time period, that staff be directed to prepare and provide designation by-laws for Council's consideration and enactment.

CARRIED



9.4 Planning and Building Department

9.4.1 Report BLD-2023-004 Report for Council (2023 Q3)

Resolution No. 2023-393:

Moved by Councillor Hurst and
Seconded by Councillor Sepulis

That Report BLD-2023-004 entitled Building Department Third Quarter Update – July to September 2023 be received for information.

CARRIED

9.5 Emergency Management

9.5.1 None

9.6 Roads and Parks Department

9.6.1 None

9.7 Recreation Department

9.7.1 None

10. CORRESPONDENCE:

10.1 County of Wellington Police Service Board Presentation by Police Services Board Chair Earl Campbell, Inspector Stephen Thomas, Police Services Board Secretary Scott Wilson and County Engineer Don Kudo regarding Civilian Governance of Police Services, Detachment Commanders Annual 2022 Report, Lake Road update, and Wellington Road 32 (Lake Road) Reconstruction Project.

Resolution No. 2023-394:

Moved by Councillor Bailey and
Seconded by Councillor Hurst

That Council receive Correspondence item 10.1 County of Wellington Police Service Board Presentation by Police Services Board Chair Earl Campbell, Inspector Stephen Thomas, Police Services Board Secretary Scott Wilson and County Engineer Don Kudo regarding Civilian Governance of Police Services Presentation, Detachment Commanders Annual 2022 Report, Lake Road update, and Lake Road Reconstruction Project for information.

CARRIED

Resolution No. 2023-395:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That Puslinch Council request that the County consider purchasing blackcat equipment to be made available for Township roads as soon as possible taking into account budget constraints.

CARRIED

Council recessed from 11:53 am to 11:58 am

Roll Call

Councillor Goyda
Councillor Sepulis
Councillor Bailey
Councillor Hurst
Mayor Seeley

10.2 Grand River Conservation Authority 2024 Draft Budget



Resolution No. 2023-396:

Moved by Councillor Hurst and
Seconded by Councillor Goyda

That Council receive Correspondence item 10.2 regarding the Grand River Conservation Authority 2024 Draft Budget for information.

CARRIED

10.3 Annual Monitoring Report and Peer Review for Capital Paving Inc. Pit Licence 20085

Resolution No. 2023-397:

Moved by Councillor Bailey and
Seconded by Councillor Sepulis

That Council receive Correspondence item 10.3 regarding the Annual Monitoring Report and Peer Review for Capital Paving Inc. Pit Licence 20085 for information.

CARRIED

10.4 Mill Creek Stewardship 2023 Ranger Report

Resolution No. 2023-398:

Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Council receive Correspondence item 10.4 regarding the Mill Creek Stewardship 2023 Ranger Report for information; and

That Council request that the Mill Creek Stewardship Ranger program present to the Township Youth Advisory Committee at a 2024 meeting.

CARRIED

10.5 ERO 019-7636 Proposed regulatory amendments to encourage greater reuse of excess soil

Resolution No. 2023-399:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That Council receive Correspondence item 10.5 regarding ERO 019-7636 Proposed regulatory amendments to encourage greater reuse of excess soil; and

Whereas the Township of Puslinch is in receipt of ero 019-7636 Proposed regulatory amendments to encourage greater reuse of excess soil; and

Whereas Lake Erie Source Protection Region staff will be presenting an information report entitled "SPC-23-11-06 Proposed Regulatory Amendments to Encourage Greater Reuse of Excess Soil" to the Lake Erie Source Water Protection Committee which outlines their comments submitted to the Province regarding this ERO; and

Whereas the Township does not have a municipal water supply and accordingly is concerned with the protection of its groundwater for well water;

Whereas the majority of aggregate operations in the Township of Puslinch include below the water table extraction;

Whereas municipalities have no authority or enforcement abilities within ARA licensed areas including any accessory uses approved under the ARA licences such as an industrial recycle asphalt depot use;

Be it resolved,

That the Township supports the comments provided by the GRCA staff; and

That the Township does not support exempting aggregate reuse depots, and small liquid soil depots operations from a waste environmental compliance approval (ECA);

That the Township does not support recycling of asphalt on any sites including ARA regulated sites without having a properly designed holding facility to prevent the leaching of asphalt contaminants ultimately into the ground water in the appropriately zoned area; and further

That the Township does not support enhanced reuse opportunities for salt-impacted soil except as appropriately setback (to be defined by the Province) from agricultural and environmentally sensitive areas; and

That the exemption from an ECA and increase of volume of soil must be balanced by appropriate oversight and enforcement to ensure that operators are following their obligations under the Environmental Protection Act and other relevant legislation and policies. The province needs to ensure that strong monitoring and enforcement regime is in place; and

That the proposed changes would require mitigation of potential adverse impacts to the water body, however it is unclear if there would be a reporting obligation for this type of soil storage, or any monitoring of these soil sites. The province needs to ensure that there is an adequate monitoring and enforcement process in place; and

That Council supports the Province enacting legislation requiring generators of recycled asphalt to establish policies to maximize recycling of their asphalt within their jurisdiction; and

That this resolution be forwarded in response to the ero posting, to the Minister of the MOECC, TAPMO, AMO, the Minister of MNRF and area MPP Rae and Speaker Arnott.

CARRIED

11. COUNCIL REPORTS:

11.1 Mayor' Updates

11.1.1 Mayor Seeley gave an update regarding a e meeting the the Minister of Transportation.

11.1.2 Mayor Seeley provided an update that the Santa Clause Parade was a success on the weekend.

11. Council Member Reports

11.2.1 Councillor Bailey provided an update that she was appointed as Co-Chair of the Wellington County Safe Communities Committee.

11.2.2 Councillor Bailey provided an update that Crime Stoppers and OPP provided a presentation on human trafficking at Aberfoyle School.

11.2.3 Councillor Bailey provided an update about the left turn signal at Victoria Rd and Wellington Rd 34 as requested by Dufferin Aggregates and the Township.

Resolution No. 2022-400:

Moved by Councillor Bailey and
Seconded by Councillor Hurst

That Council receive the Mayors and Council member updates for information.

CARRIED

12. BY-LAWS:

12.1.1 BL2023-042 User Fees and Charges By-law and to repeal BL2022-044

12.1.2 BL2023-049 Authorizing Entering into DSSA with MPAC

12.1.3 BL2023-050 Appointment of Deputy Treasurer



12.1.4 BL2023-051 Township Procedural By-law Amendment

12.1.5 BL2023-052 Agency Agreement with Fire Marque Inc.

Resolution No. 2023-401: Moved by Councillor Hurst and
Seconded by Councillor Goyda

That the following By-laws be taken as read three times and finally passed in open Council:

12.1.1 BL2023-042 Being a By-law to adopt the 2024 User Fees and Charges By-law and to repeal BL2022-044

12.1.2 BL2023-049 Being a By-law to Authorize Entering into DSSA with MPAC

12.1.3 BL2023-050 Being a By-law to Appointment of Deputy Treasurer

12.1.4 BL2023-051 Being a By-law to amend the Township Procedural By-law, as amended

12.1.5 BL2023-052 Being a By-law to Authorize Entering into an Agency Agreement with Fire Marque Inc.

CARRIED

13. CLOSED SESSION:

Council was in closed session from 12:03 p.m. to 1:14 p.m.

The Clerk stopped the recording and removed all public attendees from the webinar. The webinar was then 'locked' so no new participants are able to join.

Resolution No. 2023-402: Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Council shall go into closed session under Section 239 of the Municipal Act for the purpose of:

14.1 Confidential report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Land Tribunal matter

14.2 Confidential report regarding personal matters about an identifiable individual, including municipal or local board employees – human resource matter

CARRIED

Resolution No. 2023-403: Moved by Councillor Goyda and
Seconded by Councillor Sepulis

THAT Council moves into open session at 1:14 pm

CARRIED

Council resumed into open session at 1:14 p.m.

Resolution No. 2023-404: Moved by Councillor Bailey and
Seconded by Councillor Hurst

That Council receives the:



14.1 Confidential report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Land Tribunal matter

**14.2 Confidential report regarding personal matters about an identifiable individual, including municipal or local board employees – human resource matter; and
That Report ADM-2023-066 entitled Shared Service Agreement – Fire Chief Responsibilities be received;
and**

Whereas the Township recognizes the operational need for a fulltime, Fire Chief dedicated to the Township of Puslinch Fire and Rescue Services;

**That Council authorize staff to commence recruitment for the fulltime permanent position of Fire Chief,
and**

That the Mayor and Clerk be authorized to execute a renewal of the existing Shared Service Agreement with the Township of Centre Wellington in respect to the service of a Fire Chief subject to the final execution of the agreement by the Township of Centre Wellington; and

That the renewal term be for a period not to extend beyond March 31, 2024 subject to the completion of the recruitment process, in order for the current shared Fire Chief to assist with recruitment and/or onboarding of the new Fire Chief; and

Whereas the Township of Puslinch recognizes and appreciates the on-going collaboration with the Township of Centre Wellington in respect to sharing services and resources; and

That Council direct staff to send correspondence accordingly to the Township of Centre Wellington Council thanking Council and staff, specifically Fire Chief Mulvey, for the continued collaboration.

CARRIED

Council recessed from 1:17 pm to 1:50 pm

Roll Call

**Councillor Goyda
Councillor Sepulis
Councillor Bailey
Councillor Hurst
Mayor Seeley**

14. BUSINESS ARISING FROM CLOSED SESSION:

15. NOTICE OF MOTION:

16. NEW BUSINESS:

17. ANNOUNCEMENTS:

18. CONFIRMATORY BY-LAW:

(a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

Resolution No. 2023-405:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That the following By-law be taken as read three times and finally passed in open Council:

By-Law 2023-054 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 29 day of November 2023.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
NOVEMBER 29, 2023 COUNCIL MEETING
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION
& IN-PERSON AT 7404 WELLINGTON RD 34, PUSLINCH

CARRIED

19. ADJOURNMENT:

Resolution No. 2023-406:

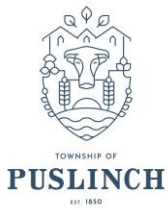
Moved by Councillor Bailey and
Seconded by Councillor Hurst

That Council hereby adjourns at 3:40 p.m.

CARRIED

James Seeley, Mayor

Courtenay Hoytfox, Clerk



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
NOVEMBER 6, 2023 YOUTH ADVISORY COMMITTEE
IN-PERSON MEETING AT 7404 WELLINGTON RD 34, PUSLINCH ON

MINUTES

DATE: November 6, 2023

MEETING: 6:00 P.M.

The November 6, 2023 Youth Advisory Committee was held on the above date and called to order at 6:10 p.m. via in person participation at the Municipal Office at 7404 Wellington Road 34, Puslinch.

1. CALL THE MEETING TO ORDER

2. ROLL CALL

Attendance:

Councillor Sara Bailey
Aaron Dochstader
Chelsey MacPherson
Kenzo Szatori
Laz Holford
Oliver Van Gerwen
Ayla Panylo

Absent:

Carter Devries
Talia Wineberg
Xander Wineberg
Katey Whaling
Carter O'Driscoll

Staff in Attendance:

Justine Brotherston, Interim Municipal Clerk
Laura Emery, Communications and Committee Coordinator
Sarah Huether, Interim Deputy Clerk
Jessica Buczynski, Public Fire and Life Safety Educator
John Uptegrove, Chief Training Officer

3. MOMENT OF REFLECTION



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
NOVEMBER 6, 2023 YOUTH ADVISORY COMMITTEE
IN-PERSON MEETING AT 7404 WELLINGTON RD 34, PUSLINCH ON

4. CONFIRMATION OF THE AGENDA

Resolution No. 2023-065:

Moved by Aaron Dochstader and
Seconded by Kenzo Szatori

That the Youth Advisory Committee approves the November 6, 2023 Agenda as circulated.

CARRIED.

5. DISCLOSURE OF CONFLICT OF INTEREST:

None

6. DELEGATIONS

None

7. CONSENT AGENDA

7.1 October 2, 2023 Youth Advisory Committee Minutes

Resolution No. 2023-066:

Moved by Chelsea MacPherson and
Seconded by Ayla Panylo

That Consent Agenda item 7.1 listed for the October 2, 2023 Youth Advisory Committee Meeting be received for information.

CARRIED.

8. COMMITTEE AND STAFF REPORTS

8.1 Report – Presentation/Tour – Fire Department

Resolution No. 2023-067:

Moved by Laz Holford and
Seconded by Oliver Van Gerwen



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
NOVEMBER 6, 2023 YOUTH ADVISORY COMMITTEE
IN-PERSON MEETING AT 7404 WELLINGTON RD 34, PUSLINCH ON

That the Tour of the Fire Department presented by Jessica Buczynski, Public Fire and Life Safety Educator and John Uptegrove, Chief Training Officer be received for information.

CARRIED.

8.2 Ice Breaker

8.3 Workshop – Youth Ted Talks

Resolution No. 2023-068:

Moved by Kenzo Szatori and
Seconded by Ayla Panylo

That the Youth Advisory Committee defer items 8.2 and 8.3 to a future committee meeting.

CARRIED.

8.4. Report YOU-2023-021 – Committee Goals and Objectives Update & Working on our Projects

Resolution No. 2023-069:

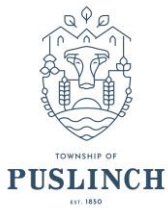
Moved by Kenzo Szatori and
Seconded by Laz Holford

That report YOU-2023-021 entitled Committee Goals and Objectives & Working on our Projects be received; and,

That the verbal updates provided by the Local Government Sub-committee be received; and,

That the Youth Advisory Committee defer the 2024 Goals and Objectives to a future meeting.

CARRIED.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
NOVEMBER 6, 2023 YOUTH ADVISORY COMMITTEE
IN-PERSON MEETING AT 7404 WELLINGTON RD 34, PUSLINCH ON

9. CORRESPONDENCE

9.1 AMO Fellowship Program

Resolution No. 2023-070:

Moved by Oliver Van Gerwen and
Seconded by Chelsea MacPherson

That Correspondence item 9.1 AMO Fellowship Program be received for information.

CARRIED.

10. ANNOUCEMENTS

None

11. NOTICE OF MOTION

None

12. NEW BUSINESS

None

13. ADJOURNMENT

Resolution No. 2023-071:

Moved by Aaron Dochstader and
Seconded by Ayla Panylo

That the Youth Advisory Committee hereby adjourns at 8:02 p.m.

CARRIED.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
OCTOBER 3, 2023 RECREATION ADVISORY COMMITTEE MEETING
IN-PERSON AND VIRTUAL MEETING BY ELECTRONIC PARTICIPATION -
7404 WELLINGTON RD 34, PUSLINCH ON

MINUTES

DATE: October 3, 2023

MEETING: 7:00 P.M.

The October 3, 2023 Recreation Advisory Committee was held on the above date and called to order at 7:00 p.m. via in person participation at the Municipal Office at 7404 Wellington Road 34, and via electronic participation.

1. CALL THE MEETING TO ORDER

2. ROLL CALL

Attendance:

Councillor Jessica Goyda

Mary Christidis

Joanna Jefferson

Staff in Attendance:

Justine Brotherston, Interim Municipal Clerk

Laura Emery, Communications and Committee Coordinator

Sarah Huether, Interim Deputy Clerk

Mike Fowler, Director of Public Works, Parks and Facilities

Absent:

Vince Klimkosz

Stephanie McCrone

3. MOMENT OF REFLECTION

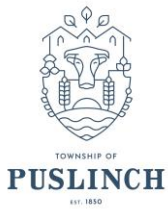
4. CONFIRMATION OF THE AGENDA

Resolution No. 2023-019:

Moved by Joanna Jefferson and
Seconded by Mary Christidis

That the Recreation Advisory Committee approves the October 3, 2023 Agenda as circulated.

CARRIED.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
OCTOBER 3, 2023 RECREATION ADVISORY COMMITTEE MEETING
IN-PERSON AND VIRTUAL MEETING BY ELECTRONIC PARTICIPATION -
7404 WELLINGTON RD 34, PUSLINCH ON

5. DISCLOSURE OF CONFLICT OF INTEREST

None

6. DELEGATIONS

6.1. Delegation by Bruce Joy regarding Puslinch Minor Soccer

Resolution No. 2023-020:

Moved by Joanna Jefferson and
Seconded by Mary Christidis

That the delegation provided by Bruce Joy regarding Puslinch Minor Soccer be received for information and;

That the Recreation Advisory Committee forwards the delegation presentation material provided by Bruce Joy to Council for consideration for the October 18th, 2023 meeting.

CARRIED.

7. CONSENT AGENDA

7.1 May 16, 2023 Recreation Advisory Committee Minutes

7.2 2024 Proposed User Fees and Charges

7.3 Resolution 2023-223 Seniors Active Living Centres Program Expansion

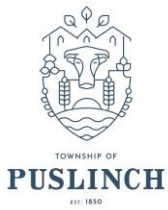
7.4 Facility Revenues and previous year comparators for May 1, 2023 to August 31, 2023

Resolution No. 2023-021:

Moved by Joanna Jefferson and
Seconded by Mary Christidis

That Consent Agenda items 7.1, 7.2 and 7.4 listed for the October 3, 2023 Recreation Advisory Committee Meeting be received for information.

CARRIED.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
OCTOBER 3, 2023 RECREATION ADVISORY COMMITTEE MEETING
IN-PERSON AND VIRTUAL MEETING BY ELECTRONIC PARTICIPATION -
7404 WELLINGTON RD 34, PUSLINCH ON

Resolution No. 2023-022:

Moved by Joanna Jefferson and
Seconded by Mary Christidis

That Consent Agenda item 7.3 regarding Resolution 2023-223 Seniors Active Living Centres Program Expansion be received for information; and,

That Consent Agenda item 7.3 be referred to a the Engagement Opportunities Subcommittee for future direction.

CARRIED.

8. COMMITTEE AND STAFF REPORTS

8.1 Report – REC-2023-010 – Proposed Amendment to the Recreation Advisory Committee Terms of Reference

Resolution No. 2023-023:

Moved by Mary Christidis and
Seconded by Joanna Jefferson

That staff report REC-2023-10 regarding the Proposed Amendment to Recreation Advisory Committee Terms of Reference be received for information; and ,

That the Recreation Advisory Committee endorse the proposed amendment to the Committee's Terms of Reference to increase the number of Committee meeting per year to eight (8) including two (2) joint committee meetings with the Youth Advisory Committee to be considered by Council at a future meeting; and,

That the Recreation Advisory Committee propose that the Terms of Reference be further amended to have meeting dates moved to the third Thursday of each month.

CARRIED.

8.2 Report – REC-2023-011 – Proposed 2024 Recreation Advisory Committee Meeting Schedule

Resolution No. 2023-024:

Moved by Joanna Jefferson and
Seconded by Mary Christidis

That staff report REC-2023-11 regarding the Proposed 2024 Recreation Advisory Committee Schedule be received for information; and further,



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
OCTOBER 3, 2023 RECREATION ADVISORY COMMITTEE MEETING
IN-PERSON AND VIRTUAL MEETING BY ELECTRONIC PARTICIPATION -
7404 WELLINGTON RD 34, PUSLINCH ON

That the Recreation Advisory Committee future meeting dates be moved to the third Thursday of each month.

CARRIED.

8.3 Report – REC-2023-012 – Committee Goals and Objectives Training

Resolution No. 2023-025:

Moved by Mary Christidis and
Seconded by Joanna Jefferson

That staff report REC-2023-012 regarding Committee Goals and Objectives Training be received for information.

CARRIED.

8.4 Report – REC-2023-013 – 2022-2026 Committee Goals and Objectives

Resolution No. 2023-026:

Moved by Joanna Jefferson and
Seconded by Mary Christidis

That staff report REC-2023-013 entitled 2022-2026 Recreation Advisory Committee Goals and Objectives be received for information; and,

That the Committee approves the 2022-2026 Recreation Advisory Committee Goals/Objectives as presented for Council's endorsement at a future Council meeting.

CARRIED.

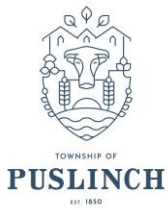
8.5 Report – REC-2023-014 – Proposed 2024 Recreation Advisory Committee Budget

Resolution No. 2023-027:

Moved by Joanna Jefferson and
Seconded by Mary Christidis

That staff report REC-2023-014 regarding the proposed 2024 Recreation Advisory Committee Budget be received for information.

CARRIED.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
OCTOBER 3, 2023 RECREATION ADVISORY COMMITTEE MEETING
IN-PERSON AND VIRTUAL MEETING BY ELECTRONIC PARTICIPATION -
7404 WELLINGTON RD 34, PUSLINCH ON

8.5 Verbal update – Parks Master Plan Update – Director of Public Works, Parks and Facilities

Resolution No. 2023-028:

Moved by Mary Christidis and
Seconded by Joanna Jefferson

That the verbal update from Mike Fowler, Director of Public Works, Parks and Facilities be received for information.

CARRIED.

9. CORRESPONDENCE

None

10. ANNOUCEMENTS

Justine Brotherston, Interim Municipal Clerk shared that the Boreham Park ribbon cutting ceremony is Friday October 20th at 11:00 a.m. Members of the Recreation Advisory Committee meeting are invited.

Councillor Goyda shared that the Township received a donation of \$3,000 from Puslinch Minor Ball as a contribution for the parks revitalization.

Justine Brotherston, Interim Municipal Clerk shared that Puslinch Fire and Resuce Services Department is holding an event Saturday October 28th from 8:30 am to 11:30 am.

11. NOTICE OF MOTION

None

12. NEW BUSINESS

None

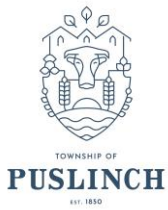
13. ADJOURNMENT

Resolution No. 2023-029:

Moved by Mary Christidis and
Seconded by Joanna Jefferson

That the Recreation Advisory Committee hereby adjourns at 8:04 p.m.

CARRIED.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
OCTOBER 23, 2023 HERITAGE ADVISORY COMMITTEE MEETING
IN-PERSON AND VIRTUAL MEETING BY ELECTRONIC PARTICIPATION
MUNICIPAL OFFICE – 7404 WELLINGTON RD 34, PUSLINCH

MINUTES

DATE: October 23, 2023

MEETING: 1:00 P.M.

The October 23, 2023 Heritage Advisory Committee meeting was held on the above date and called to order at 1:06 p.m. via in person participation at the Municipal Office at 7404 Wellington Rd 34 and via electronic participation.

1. CALL THE MEETING TO ORDER

2. ROLL CALL

Attendance:

Russel Hurst
Andy Day
Lily Klammer-Tsuji

Staff in Attendance:

Laura Emery, Communications and Committee Coordinator
Justine Brotherston, Deputy Clerk (Interim Municipal Clerk)
Courtenay Hoytfox, Municipal Clerk (Interim CAO)

Absent:

Kristine O'Brien
Josh Heller

3. MOMENT OF REFLECTION

4. CONFIRMATION OF THE AGENDA

Resolution No. 2023-051:

Moved by Lily Klammer-Tsuji and
Seconded by Andy Day

That the Heritage Advisory Committee approves the October 23, 2023 Agenda as circulated.

CARRIED.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
OCTOBER 23, 2023 HERITAGE ADVISORY COMMITTEE MEETING
IN-PERSON AND VIRTUAL MEETING BY ELECTRONIC PARTICIPATION
MUNICIPAL OFFICE – 7404 WELLINGTON RD 34, PUSLINCH

5. DISCLOSURE OF CONFLICT OF INTEREST:

None

6. CORRESPONDENCE

Resolution No. 2023-052:

Moved by Lily Klammer-Tsuji and
Seconded by Andy Day

That Correspondence item 6.1 entitled Review of Radiocommunications Tower Application for 7424 Wellington Rd 34, Puslinch be received for information; and,

That the Heritage Advisory Committee provides the following comments with respect to the Radiocommunications Tower Application for 7424 Wellington Rd 34 to be forwarded to the proponent Shared Tower Inc. and Council for consideration:

That the Heritage Advisory Committee does not support the application as presented for the radiocommunications tower at 7424 Wellington Rd 34 due to its proximity and impact of sitelines with respect to 8 Brock Rd which is a property listed on the Township's Heritage Register with non-designated status; and,

That the Heritage Advisory Committee supports an alternate location of the proposed radiocommunication tower such as the address municipally known as 7426 Wellington Rd 34.

CARRIED.

7. ADJOURNMENT

Resolution No. 2023-053:

Moved by Andy Day
Seconded by Lily Klammer-Tsuji

That the Heritage Advisory Committee hereby adjourns at 1:31 p.m.



Notice of Decision of a Draft Plan of Condominium Subdivision by The Corporation of the City of Guelph

The General Manager of Planning and Building Services of The Corporation of the City of Guelph gave approval for a Draft Plan of Condominium Subdivision on November 29, 2023, under subsection 51 (31) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, in respect to (23CDM23505), municipally known as 120 Huron Street, in the City of Guelph, County of Wellington.

A copy of the decision, including the conditions, is attached. For more information regarding the proposed plan of condominium subdivision, contact Planning Services at 519-837-5616, email at planning@guelph.ca or in person at City Hall, Planning and Building Services department. (8:30 a.m. to 4:00 p.m., Monday to Friday)

You will be entitled to receive notice of any changes to the conditions of approval of the draft plan of condominium subdivision if you made a written request to be notified of the changes to the conditions of approval of the draft plan of condominium subdivision.

An appeal of the decision to approve the draft plan of condominium subdivision or any of the conditions, can be made to the Ontario Land Tribunal (OLT). The appeal must be filed with the Clerk of The Corporation of the City of Guelph not later than **December 20, 2023, by 4:00 p.m.** It must set out the reasons for the appeal and be accompanied by the **fee of \$1,100.00, paid by certified cheque or money order** made payable to the Minister of Finance. Only the applicant, the Minister of Municipal Affairs and Housing, The City of Guelph, any person, or any public body that before the City of Guelph made its decision, made an oral submission at a public meeting or sent a written submission before the approval of the final plan of condominium subdivision or conditions, can file an appeal.

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of condominium subdivision or the conditions to the OLT. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. Appeal forms are available from the OLT's website at www.olt.gov.on.ca, or from ServiceGuelph, City Hall.

No person or public body shall be added as a party to the hearing of the appeal of the decision of the City of Guelph, including the lapsing provision or the conditions, or any changes to the conditions of approval, unless the person or public body before the decision of the City of Guelph, made oral submissions at a public meeting or written submission to the council, or made a written request to be notified of changes to the conditions or in the OLT's opinion, there are reasonable grounds to add the person or public body as a party.

Any and all written submissions relating to this application that were made to City Council before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the *Planning Act*, have been, on balance, taken into consideration by City Council as part of its deliberations and final decision on this matter.

DATED at the City of Guelph on December 1, 2023

Stephen O'Brien,
City Clerk
Guelph City Hall
1 Carden
Guelph, Ontario N1H 3A1

clerks@guelph.ca
519-837-5603

November 29, 2023

Jamie Laws,
2106 Gordon Street
Guelph, ON N1L 1G6

Dear Mr. Laws,

**RE: 120 Huron Street: Draft Plan of Condominium
Condominium File No.: 23CDM-23505**

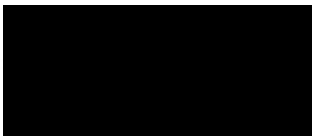
As City Council's delegated approval authority for most condominium applications in the City of Guelph, I would like to confirm that your condominium application for draft plan approval has been reviewed by the City of Guelph Planning and Building Services. As of the date of this letter, I have approved the condominium plan for 120 Huron Street (File No. 23CDM-23505) under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, subject to the conditions attached.

By copy of this letter, I am requesting the City Clerk to initiate the Notice of Decision circulation which will be mailed in accordance with Section 51(37) of the *Planning Act*. This Notice of Decision of the approval of the draft plan including conditions will be circulated for a 20 day time period during which any person or public body may file a notice of appeal of the decision. Should no appeals be filed, the approval of the condominium plan of subdivision shall be deemed to have been made on the day after the last day for appealing the decision.

Once your condominium plan has received draft plan approval, when you wish to register your plan, please contact Planning and Building Services and advise in writing how you have satisfied all of the conditions of draft plan approval. Please comprehensively include all necessary clearance documentation with this request.

If you have any questions on this file, please contact Eric Rempel, Development Planner at (519) 822-1260 ext 2617.

Yours truly,



**Krista Walkey
General Manager
Planning and Building Services**

Attach.

c: City Clerk (email only)
Terry Gayman, City Engineer, Engineering Services (email only)
Christopher Cooper, City Solicitor (email only)
Chris DeVriendt, Manager of Development Planning (email only)
Michael Witmer, Senior Development Planner (email only)

City Hall
1 Carden St
Guelph, ON
Canada
N1H 3A1

T 519-822-1260
TTY 519-826-9771

<p style="text-align: center;">120 Huron Street – Proposed Standard Condominium Draft Plan Conditions (23CDM-23505)</p>
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Preamble: Draft Plan Approval will lapse and expire after five years (5) from date of issuance of approval from the General Manager of Planning and Building Services.

Condominium Draft Plan Details

1. That this approval applies to a Draft Plan of Standard Phased Condominium, known as '23CDM-23505', prepared by James Laws of Van Harten Surveying, on behalf of J.D McAuley, as indicated on Attachment 3 to Report Number 'CONDO-23-06' for the lands municipally known as 120 Huron Street, illustrating a total of three-hundred-twenty-six (326) units, including one-hundred-seventeen (117) apartment dwelling units, ninety-nine (99) unitized parking spaces, and one-hundred-ten (110) storage units. Furthermore, common elements are comprised of, but not limited to, all roads and drive aisles, outdoor common amenity areas and associated landscaping, and exterior visitor and accessible parking spaces [Fifteen (15) common-element visitor parking spaces of which two (2) are barrier free stalls].

Building Code and Site Plan Compliance

2. The Owner and/or Applicant shall develop the subject lands in strict accordance with the Ontario Building Code as set out in Section 6 of Ontario Regulation 48/01, as amended from time to time, and the site plan drawings and reports from the approved site plans (File Nos. SP19-003), including but not limited to the fully detailed site plan, landscaping plan, site grading and drainage plan, erosion and sediment control plan, site servicing plan, building elevations and building drawings and mechanical drawings approved by the City in accordance with Section 41 of the Planning Act, to the satisfaction of the City, prior to the registration of the Plan of Condominium.

Site Inspection

3. The Owner and/or Applicant acknowledge and agree that the City can and shall make detailed site inspection(s) at 120 Huron Street to ensure the site is completed and developed according to the plans approved by the City, and further, shall arrange for such inspection(s), prior to the registration of the Plan of Condominium.

Debts to City

4. The Owner and/or Applicant shall pay any outstanding debts owed to the City (if any), prior to the registration of the Plan of Condominium.

Engineering Conditions

5. That prior to registration the owner shall provide the City with a drainage

certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the lot has been completed and that the elevation of the building foundation(s) and the grading of the site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.

Furthermore, the City may not issue a release of this condition for the site or any phase of the site during the months of December, January, February and March.

6. That prior to registration the owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
7. That a Professional Engineer and/or Ontario Land Surveyor identifies all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system, serving the site and identifies the locations where easements are required prior to registration of the condominium.
8. That prior to registration of the condominium, a lawyer shall certify that the proposed condominium has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system serving the condominium, which are located on private lands other than the lands being registered.
9. That prior to the registration of the Plan of Condominium the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

Access Easements

10. An Ontario Land Surveyor (OLS) shall identify all the rights-of-way required within the boundaries of the draft plan of condominium and/or over the adjacent privately owned lands to the south in order to provide sufficient permanent and/or temporary access for vehicles and pedestrians, prior to the registration of the Plan of Condominium.

Advisory and Warning Clauses

11. Prior to the registration of the Plan of Condominium, an independent lawyer shall provide the City with a copy of the executed proposed condominium declaration that will be registered. The said executed declaration shall contain the following advisory and/or warning clauses:
 - a. "In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services

(STWDSTS), or its assigns or successors, will not travel on privately owned or maintained rights-of-way to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point.”

- b. “Fire Access Routes that are required to be constructed under the Ontario Building Code, the Ontario Fire Code or are required by Municipal By-law are specifically provided to facilitate access for firefighting operations and shall not be obstructed by gates, fences, building materials, waste or recycling receptacles, vehicles or any other form of obstruction. The construction of a gate or fence within a fire route is not permitted and is a direct contravention of Division B, Sentence 2.5.1.2(1) of the Ontario Fire Code, as amended.”
- c. “Private sidewalks, driveways and parking areas are to be maintained in a snow free condition and void of any obstructions twelve (12) months of the year.”
- d. “Adequate exterior lighting and sidewalks will be provided to allow children to walk safely to school or to a designated bus pick-up point.”
- e. “The Corporation is obligated to implement and maintain at its sole expense the Municipality’s approved Private Salt Management Plan, prepared by GM BluePlan Engineering, (dated January, 2019) for approved Site Plan No. SP19-003 related to winter snow and ice clearing.”
- f. “The Corporation is obligated to implement and maintain at its sole expense the Municipality’s approved Stormwater Management Report, prepared by GM BluePlan Engineering, (dated May, 2019) for approved Site Plan No. SP19-003 related to Stormwater Management.”

Solicitor’s Undertaking

12. Prior to the registration of the Plan of Condominium, a lawyer representing the Owner shall:
- a. Provide the City with a copy of the executed proposed condominium declaration and description that will be registered as the case may be and make reference to the same to the satisfaction of the City in the lawyer’s certifications referred to in these conditions;
 - b. Provide the City with the Owner’s unqualified undertaking to register the said declaration in the form as provided to the City by the said lawyer;
 - c. Provide the City with the said lawyer’s unqualified undertaking not to register the said declaration other than in the form provided to the City by the said lawyer; and
 - d. Notwithstanding the above, notify the City in writing if they are no longer retained or instructed by the Owner in this matter.

Canada Post

13. The Owner and/or Applicant shall consult with Canada Post on the location(s) for any mailboxes, rooms, and delivery equipment and further, shall provide written confirmation to the City from Canada Post that all mail delivery requirements for the development have been satisfied, prior to the registration of the Plan of Condominium.

Site Plan Completion and Securities

14. That further to the requirements outlined in Conditions 2 and 3, any works not completed as per the approved site plan(s) shall be completed prior to the registration of the Plan of Condominium or any part thereof, or the Owner and/or Applicant shall pay to the City a financial security* amount representing up to 100 per cent (100%) of the value of the outstanding items therein as agreed to by the Manager of Development Planning, prior to the Registration of the Plan of Condominium or any part thereof. The foregoing security provision may be accepted by the said Manager in lieu of one hundred per cent (100%) completion in the discretion of the said Manager as it is recognized that certain physical features of the development may not be completed at the time of registration as the case may be, and that the site works for the proposed condominium plan may not be completed at the time of registration thereof on account of seasonal or weather conditions.

Digital Plan Submission

15. The Owner and/or Applicant agrees to provide the City's Planning and Building Services staff with a digital file of the final Condominium Plan or Final Condominium Description Plan(s) in an AutoCAD compatible format (i.e. '.dwg') prior to the registration of the Plan of Condominium.

Clearance of Draft Plan Conditions – Comprehensive Notification to City

16. Prior to the City's final approval of the Plan of Condominium Description, the City shall be comprehensively advised in writing by the Owner and/or Applicant, including providing any relevant supporting third party documentation, how conditions 1 through 15 have been satisfied or acknowledged, whatever the case may be.

Notes:

- i. The "Owner" shall refer to Alice Block Inc.
- ii. Draft Plan of Condominium approval will expire and lapse five (5) years from the date draft plan approval is issued.
- iii. The condominium plan for registration must be in conformity with Ontario Regulation 43/96 as amended, under the Registry Act.
- iv. Any financial securities provided to the City in the form of a letter of credit must be done in accordance with the City's Letter of Credit Policy, as per By-law (2011)-19263. A template for letters of credit to be submitted to the City is available upon request through Planning staff.
- v. Digital drawing submissions to the City are to be emailed directly to planning@guelph.ca and/or the Planner on file or sent through a secure digital file hosting service (i.e. Dropbox).
- vi. The Owner/Applicant is responsible for contacting respective telecommunications providers (Bell Canada, Rogers Cable, etc.) and making necessary arrangements to ensure that adequate wire-line

communication/telecommunication infrastructure is sufficiently available to service the development.

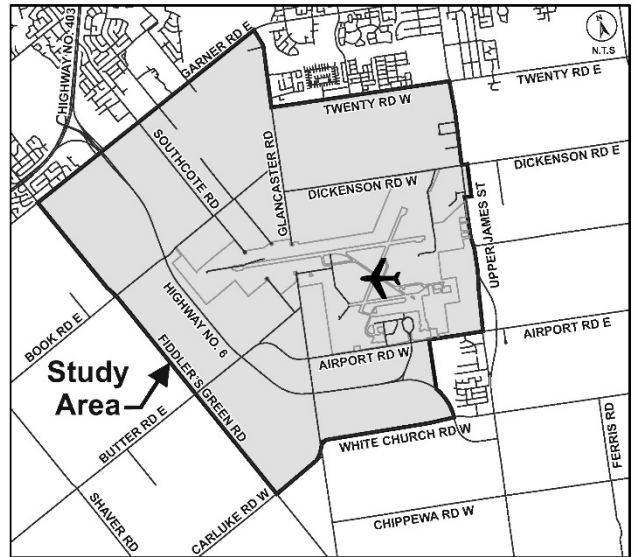
- vii. If the final plan of condominium subdivision is/are approved by the City pursuant to Subsection 51(58) of the Planning Act (i.e. City signs Certificate of Approval on description plans), it must be registered with the local Land Registry Office within 30 days of the date of the City's final approval and release or the City may withdraw its final approval and release pursuant to Subsection 51(59) of the Planning Act.
- viii. All documents with respect to satisfying the draft plan conditions are to clearly reference the file number (i.e. 23CDM-) and parent municipal address. Further, clearance documents are to be comprehensively assembled and provided in a single submission/document to Planning staff when available.

Notice of Study Completion – Airport Employment Growth District Transportation Master Plan Update (2023)

The City of Hamilton has completed the Airport Employment Growth District Transportation Master Plan Update (AEGD-TMP Update) Municipal Class Environmental Assessment (EA) Study. The AEGD TMP Update identifies policies, programs and infrastructure improvements needed to manage both existing and future transportation demand for the business park.

Environmental Assessment Process

This Transportation Master Plan was undertaken in accordance with the master planning process of the Municipal Engineers Association’s Municipal Class Environmental Assessment Document (MCEA, 2001, last amended 2023). The 2023 AEGD TMP Update fulfills requirements of the Approaches 1 and 2 of the master planning process. As a result, Schedule B projects listed below are currently subject to appeal and Schedule C projects will be subject to appeal after completion of subsequent phases of the EA process.



Project Location	EA Schedule
Glancaster Road widening (Arterial 1N to Airport Boundary)	B
Collector 9W (Garner Road East to Collector 11N)	B
Smith Road (Arterial 1N to Airport Boundary)	B
Airport Road (Airport Terminal Access Road to East Cargo Road)	B
Collector 11N (Fiddlers Green Road to Collector 9W)	B

A Project File Report for the AEGD TMP Update provides a full account of the planning and decision-making processes associated with the revised multimodal transportation network. This Report also outlines the updated network phasing and the anticipated timeline for implementation of each project, along with the additional EA study requirements.

Public Comment Period

By this notice, the AEGD TMP Update report is being placed on the public record for a minimum 30-day review period, starting on November 17, 2023.

The AEGD TMP Update Project File Report and appendices are available on the project web page at <https://engage.hamilton.ca/aegd-tmp> , and at the following municipal locations:

- The Municipal Clerk’s Office, City Hall**
1st Floor - 77 Main Street West, Hamilton, ON L8P 4Y5
- Hamilton Public Library, Mount Hope Branch**
3027 Homestead Dr, Mount Hope, ON L0R 1W0

Written comments will be accepted until January 5, 2024. All comments and concerns should be addressed to City of Hamilton staff listed below:

Appeal (Section 16 Order) Process:

Margaret Fazio, E.P., MCIP, RPP
Senior Project Manager – Growth Management
City of Hamilton

iplanning@hamilton.ca
905 546-2424, ext. 2218

Omar Shams, B-Tech, C.E.T.
Project Manager – Transportation Planning
City of Hamilton

Transportation@hamilton.ca
905 546-2424, ext. 7474

A request requiring a higher level of study, or that conditions be imposed on the grounds that the requested order may prevent, mitigate, or remedy adverse impacts on constitutionally protected Indigenous Rights and Treaties may be made. Requests on other grounds will not be considered.

A Request for such an Order (Under Section 16) must be submitted by January 5, 2024, to the Ministry of the Environment, Conservation and Parks (contacts noted below) and copied to City of Hamilton contacts in this Notice, and must include:

- requester's name and contact information,
- type of the Order (request for conditions or a request for an individual/comprehensive environmental assessment),
- how the Order may prevent, mitigate, or remedy potential adverse impacts on Indigenous Rights and Treaties, and
- any information in support of the statements in the request.

Minister, Environment, Conservation and Parks
Ministry of Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto, ON M7A 2J3
Minister.mecp@ontario.ca

Director, Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto, ON M4V 1P5
EABDirector@ontario.ca

For more information on requests for orders under Section 16 of the Environmental Assessment Act visit: <https://www.ontario.ca/page/class-environmental-assessments-section-16-order>

Information will be collected in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Except for personal information, all comments will become part of the public record.

This notice was issued on November 17, 2023

December 1, 2023

SENT VIA EMAIL

Re: Ministry of the Environment, Conservation and Parks (MECP) proposal to expand the use of the permit-by-rule

Please be advised that during the regular Council meeting of Monday, November 27, 2023, Council of Loyalist Township passed the following resolution:

Resolution 2023.21.17

Moved by Deputy Mayor Townend

Seconded by Councillor Proderick

That Council receive and support Prince Edward County's resolution dated November 14, 2023 urging the Province to stop the Ministry of the Environment, Conservation and Parks (MECP) proposal to expand the use of the permit-by-rule to waste management systems, stormwater management systems, and certain water taking activities.

Motion carried.

Sincerely,

A solid black rectangular box redacting the signature of Anne Kantharajah.

Anne Kantharajah

Township Clerk

akantharajah@loyalist.ca

613-386-7351 Ext. 121

Att: Prince Edward County resolution, November 14, 2023

cc: Mayor Jim Hegadorn, Deputy Mayor Townend, Councillor Proderick, Rebecca Murphy, CAO

November 17, 2023

Please be advised that during the regular Council meeting of November 14, 2023 the following motion regarding support for the Province to stop the Ministry of the Environment, Conservation and Parks (MECP) proposal to expand the use of the permit-by-rule to waste management systems, storm water management systems, and certain water taking activities was carried:

RESOLUTION NO. 2023-569

DATE: November 14, 2023

MOVED BY: Councillor Maynard

SECONDED BY: Councillor Roberts

WHEREAS the Municipality, in support of the Quinte Conservation Authority, actively supports the Source Water Protection Program, as part of local efforts to implement the Clean Water Act, 2006 and its regulations to protect local municipal drinking water sources;

AND WHEREAS the Ministry of the Environment, Conservation and Parks (MECP) is proposing to expand the use of the permit-by-rule to waste management systems, stormwater management systems, and certain water taking activities;

AND WHEREAS In 2018, Bill 68, the Open for Business Act was passed, whereby it legislated that less complex activities that pose low-risk to the environment should not be required to go through the approval process and instead, should self-register on the Environmental Activity and Sector Registry (EASR);

AND WHEREAS Quinte Conservation Authority has outlined in their October 24, 2023 report to their Board, that the activities proposed to move to the EASR may pose too much risk to drinking water, and can pose threats to human health and the environment;

AND WHEREAS Quinte Conservation Authority noted the source water protection concern generally lies in the fact the Ministry will no longer undertake an up-front detailed review of applications related to the specified activities, thereby potentially weakening regulatory oversight;

AND WHEREAS the specified activities, which have the potential to cause significant adverse impacts to the natural environment and human health will no

longer be subject to public and site-specific scrutiny prior to commencing operation in Ontario;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of Prince Edward County supports the concerns outlined by Quinte Conservation Authority and urges the Provincial government to stop the Ministry of the Environment, Conservation and Parks (MECP) proposal to expand the use of the permit-by-rule to waste management systems, stormwater management systems, and certain water taking activities; and

THAT this resolution be sent to Premier Doug Ford, Todd Smith, Bay of Quinte M.P.P. and Andrea Khanjin, Minister of the Environment, Conservation and Parks; and

THAT this resolution be shared with all 444 municipalities in Ontario, The Federation of Canadian Municipalities (FCM), The Association of Municipalities Ontario (AMO), The Eastern Ontario Wardens' Caucus (EOWC) and all Ontario Conservation Authorities.

CARRIED

Yours truly,



Catalina Blumenberg, **CLERK**

cc: Mayor Steve Ferguson, Councillor Roberts, Councillor Maynard and Marcia Wallace, CAO



November 17, 2023

Please be advised that during the regular Council meeting of November 14, 2023 the following motion regarding support for the Province to stop the Ministry of the Environment, Conservation and Parks (MECP) proposal to expand the use of the permit-by-rule to waste management systems, storm water management systems, and certain water taking activities was carried:

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longer be subject to public and site-specific scrutiny prior to commencing operation in Ontario;

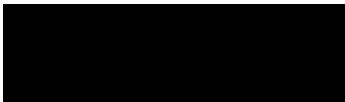
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THAT this resolution be sent to Premier Doug Ford, Todd Smith, Bay of Quinte M.P.P. and Andrea Khanjin, Minister of the Environment, Conservation and Parks; and

THAT this resolution be shared with all 444 municipalities in Ontario, The Federation of Canadian Municipalities (FCM), The Association of Municipalities Ontario (AMO), The Eastern Ontario Wardens' Caucus (EOWC) and all Ontario Conservation Authorities.

CARRIED

Yours truly,



Catalina Blumenberg, **CLERK**

cc: Mayor Steve Ferguson, Councillor Roberts, Councillor Maynard and Marcia Wallace, CAO





Premier Ford
Premier of Ontario
premier@ontario.ca

The Honourable Paul Calandra
Minister of Municipal Affairs and Housing
minister.mah@ontario.ca

The Honourable Todd A. Smith
Minister of Energy, Ontario
MinisterEnergy@ontario.ca

SENT VIA EMAIL

December 1st, 2023

Re: Support to Revoke Strong Mayor Powers and Increase in the Leave to Construct Threshold

Dear Premier Ford, Minister Calandra, and Minister Smith,

Please be advised that at the Regular Council Meeting on November 29th 2023, the Town of Plympton-Wyoming Council passed the following motion, supporting the attached resolutions from the Western Ontario Wardens Caucus regarding Support to Revoke Strong Mayor Powers and Increase in the Leave to Construct Threshold.

Motion 14 Moved by Councillor Kristen Rodrigues
Seconded by Councillor John van Klaveren
That Council support item 'S' Strong Mayor Powers & 'T' Leave to Construct Threshold from the Western Ontario Warden's Caucus.

Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at eflynn@plympton-wyoming.ca.

Sincerely,



Ella Flynn
Deputy Clerk
Town of Plympton-Wyoming

cc: Sent via e-mail
Western Ontario Wardens' Caucus
Hon. Rob Flack, Associate Minister of Housing – Rob.Flack@pc.ola.org
Matthew Rae, Parliamentary Assistant to the Minister of Municipal Affairs and Housing – Matthew.Rae@pc.ola.org
All Ontario Municipalities



October 24, 2023

Premier R. Ford
Premier of Ontario
premier@ontario.ca

and

The Honourable Paul Calandra
Minister of Municipal Affairs and Housing
Send electronically via email
minister.mah@ontario.ca

Re: Strong Mayor Powers

Dear Premier Ford and Minister Calandra

Please be advised at the regular meeting of the Western Ontario Wardens' Caucus held on October 13, 2023, the following resolution was passed:

Moved by M. Ryan, seconded by B. Milne:

THAT item of correspondence 7-1(b) be received; and

WHEREAS the Western Ontario Wardens Caucus Inc. (WOWC) is a not-for-profit organization representing 15 upper and single tier municipalities in Southwestern Ontario with more than one and a half million residents;

AND WHEREAS the purpose of WOWC is to enhance the prosperity and overall wellbeing of rural and small urban communities across the region;

AND WHEREAS the Strong Mayors, Building Homes Act, 2022, S.O. 2022, c. 18, for select municipalities, transfers legislative responsibility from the deliberative body of the Council to the Head of Council;

AND WHEREAS the Better Municipal Governance Act, 2022, S.O. 2022, c. 24 provides for provincially appointed facilitators to assess the regional governments to determine the mix of roles and responsibilities between the upper and lower-tier municipalities;

AND WHEREAS the Building Faster Fund arbitrarily ties housing supportive funding to municipalities that establish a housing target based solely on population size;

AND WHEREAS "responsible and accountable governments with respect to matters within their jurisdiction;

AND WHEREAS overcoming the housing and affordability crisis in Ontario requires sustained, strategic, and focused efforts from all levels of government, informed from the expertise of all levels of government.

NOW THEREFORE BE IT RESOLVED THAT WOWC calls on the provincial government to work with municipalities in Ontario, as a responsible and accountable level of government, to focus all efforts on tackling the housing and affordability crisis in Ontario by:

Revoking existing 'strong mayor powers' and not implementing legislation that transfers legislative responsibility from the body of Council to the Head of Council.

Respecting spheres of jurisdiction, recognizing that municipalities are best positioned to determine the mix of roles and responsibilities between upper and lower-tier municipalities and only conduct structural and service delivery reviews of municipalities or regions where a majority of municipalities included within the region, request the same.

Recognizing rural and small urban municipalities are critical to overcoming the housing and affordability crisis in Ontario and not allocating the majority of scarce provincial housing supportive funding to a limited subset of large urban municipalities in Ontario.

AND THAT WOWC calls upon the provincial government to provide all municipalities with the financial resources to tackle the housing and affordability crisis in Ontario that is pricing too many people, especially young families and newcomers, out of home ownership, while amplifying socio-economic disparities and reliance on municipally provided human services;

AND THAT this resolution be forwarded to the Association of Municipalities of Ontario for support so that the future governance of our communities is in the hands of its constituents;

AND THAT this resolution be forwarded to: the Minister of Municipal Affairs and Housing and the Premier of Ontario; WOWC Members; the EOWC, and all WOWC area MPs and MPPs. - **CARRIED**

Please contact Kate Burns Gallagher, Executive Director, Western Ontario Warden' Caucus, kate@wowc.ca should you have any questions regarding this matter.

Sincerely,

A solid black rectangular box used to redact the signature of Glen McNeil.

Glen McNeil
Chair, Western Ontario Wardens' Caucus



cc.

Hon. Rob Flack, Associate Minister of Housing

Rob.Flack@pc.ola.org

Matthew Rae, Parliamentary Assistant to the Minister of Municipal Affairs and Housing

Matthew.Rae@pc.ola.org

WOWC MPPs

WOWC MPs

Eastern Ontario Wardens' Caucus



October 24, 2023

The Honourable Todd A. Smith,
Minister of Energy, Ontario
Send electronically via email
MinisterEnergy@ontario.ca

Re: Leave to Construct Threshold

Dear Minister Smith,

On October 13, 2023, the WOWC passed a resolution in favour of the Government of Ontario updating the LTC cost threshold from \$2M to \$20M for hydrocarbon lines (by amending Ontario Regulation O.Reg.328/03) while maintaining current requirements and expectations for Indigenous consultation and environmental review for projects greater than \$2M and less than \$10M.

Western Ontario has seen significant growth in the past decade with pressures to build out the gas pipeline network. Many municipalities in our region have lost major investment opportunities because of the delays in getting natural gas to development sites. Any person or company planning to construct hydrocarbon transmission facilities within Ontario, must apply to the OEB for authorization, if the projected cost to build the pipeline is over \$2 million, a threshold that was set in 1998.

Industry proposes updating the LTC cost threshold from \$2M to \$10M for hydrocarbon lines (by amending Ontario Regulation O.Reg.328/03) while maintaining current requirements and expectations for Indigenous consultation and environmental review for projects greater than \$2M and less than \$10M. Increasing the cost threshold to \$10M would closer align Ontario with other Canadian jurisdictions (e.g., in B.C., these thresholds are \$15M for electricity and \$20M for natural gas). The WOWC is recommending a \$20M threshold for our Province to be competitive with other Canadian jurisdictions.

Ontario's outdated regulations are causing the LTC to apply far more broadly than intended when it was established over 20 years ago. Due to increased regulatory and cost pressures, as well as inflation, virtually all gas pipeline projects are now greater than \$2M rendering the threshold meaningless. Roughly 0.5 KM pipe in urban settings now often exceed the \$2M threshold.

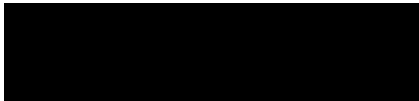
Examples of businesses lost in the region due to the regulation include;

- EV Battery Manufacturer, investment of \$1 Billion
- New Distillery
- 2 New Agricultural processing plants - \$140 million total investment
- New Agricultural plant - \$225 million USD investment

Modernizing these outdated regulations would reduce delays and costs for economic development initiatives including new industries seeking to locate in Ontario and create jobs (or existing seeking to expand), transit projects, community expansion projects, housing developments, connections for low carbon fuel blending (e.g. renewable natural gas, hydrogen) as well as residential and business customer connections.

The WOWC supports an increase in the Leave to Construct threshold to \$20M.

Sincerely,



Glen McNeil
Chair, Western Ontario Wardens' Caucus

cc.

Western Ontario MPPs
WOWC Members
WOWC Local Municipalities

**Resolution
Regular Council Meeting**



Agenda Number: 9.4.
Resolution Number 23-371
Title: 23-R-49 Letter of Support - Conservation Officer Reclassification
Date: Monday, November 20, 2023

Seconded by: M. Lubbock

Moved by: S. Cote

WHEREAS Ontario has 196 field Conservation Officers including 6 canine handlers who provide protection to Municipalities Natural Resources and uphold public safety by enforcing hunting and firearm laws and investigate gruesome injuries and even deaths that result from hunting-related accidents; in addition, Conservation Officers are often First Responders and ensure public safety by facilitating evacuations and enforcing Emergency Area orders during forest fires during record breaking wildfires such as we witnessed this past summer; and

WHEREAS Conservation Officers perform comparable work to Police Officers and other Enforcement Officers within the province and are professional, armed Peace Officers trained to police standards and undergo the same training; and

WHEREAS Ontario Municipalities are required that their constituents are informed, and their interests are safeguarded and ensure they have access to outreach and natural resources compliance services; and

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Coleman does here by support the Ontario Conservation Officer's Association (OCA) in their efforts to have Conservation Officers in the Province of Ontario reclassified as Enforcement Officers and be compensated fairly; and

FURTHER request the support of all Ontario Municipalities; and

FURTHERMORE, THAT this resolution with a letter of support be forwarded to Ontario Premiere Doug Ford, the Minister of Natural Resources Graydon Smith, the Local Provincial Member of Parliament (MPP) John Vanthof, Temiskaming Municipal Association and the Federation of Northern Ontario Municipalities.

CARRIED YES: 4 NO: 0 ABSENT: 0

S. Cote
M. Lubbock
P. Rieux
L. Perry

Certified True Copy

Christopher W. Oslund
CAO/Clerk - Treasurer

Justine Brotherston

From: Eowyn Spencer <espencer@grandriver.ca>
Sent: Friday, November 24, 2023 12:26 PM
To: Eowyn Spencer
Subject: Summary of the General Membership Meeting – November 24, 2023



Grand River Conservation Authority

Summary of the General Membership Meeting – November 24, 2023

To GRCA/GRCF Boards and Grand River watershed municipalities - Please share as appropriate.

Action Items

The Board approved the resolutions in the following reports as presented in the agenda:

- GM-11-23-86 - Reserves 2023
- GM-11-23-86 - Financial Summary
- GM-11-23-88 - Human Resources Policies Update
- GM-11-23-85 - Rockwood Bridge No.5 Replacement
- GM-11-23-87 - Shand Dam Isolation Stoplogs Procurement - Tender Award
- GM-11-23-C10 - Non-union Salary Adjustments 2024 (Closed agenda)

The deferral on the following was rescinded, and the original motion received and referred back to staff until September 2024:

- GM-10-23-76 - Outdoor Environmental Education Program Review

Information Items

The Board received the following reports as information:

- Minutes of the Ad-hoc CA Act Review Committee - November 8, 2023
- GM-11-23-84 - Cash and Investment Status
- GM-11-23-89 - Current Watershed Conditions

Correspondence

The Board received the following correspondence:

- County of Prince Edward – Ministry of Environment, Conservation and Parks proposal
- Kevin Thomson – Nature Centres

Delegations

There was one unregistered delegation:

- Peter Pautler – Nature Centres & Outdoor Environmental Education

Source Protection Authority

The General Membership of the GRCA also acts as the Source Protection Authority Board. No meeting.

For full information, please refer to the [November 24 General Membership](#) agenda package. Complete agenda packages and minutes of past meetings can be viewed on our [online calendar](#). The minutes of this meeting will be posted on our online calendar once they have been approved.

You are receiving this email as a GRCA board member, GRCF board member, or a Grand River watershed member municipality. If you do not wish to receive this monthly summary, please respond to this email with the word 'unsubscribe'.

Eowyn Spencer

Supervisor of Administrative Services
Grand River Conservation Authority

400 Clyde Road, PO Box 729
Cambridge, ON N1R 5W6

Office: 519-621-2763 ext. 2200

Toll-free: 1-866-900-4722

www.grandriver.ca | [Connect with us on social](#)

December 7, 2023

The Honourable Doug Ford
Premier of Ontario
Via email: Premier@ontario.ca

The Honourable Michael Parsa
Minister of Children, Community and Social Services
Via email: MinisterMCCSS@ontario.ca

MPP Trevor Jones
Chatham-Kent-Leamington
Via email: trevor.jones@pc.ola.org

Dear Premier Ford, Minister Parsa and MPP Jones:

RE: Ontario Works Rates

On November 6, 2023, after much discussion on increased homelessness in Chatham-Kent, Councillor Marjorie Crew made the following motion that was passed unanimously by the Mayor and Council of the Municipality of Chatham-Kent:

“That Council prepare a letter addressed to the Premier of Ontario, the Minister of Children, Community and Social Services, as well as local MPPs to strongly recommend that accommodation rates of social assistance payments increase to the Average Market Rent (for all types of rentals) for recipients of Ontario Works Assistance and the Ontario Disability Support Program. And that a copy of this letter be sent to AMO, ROMA, aIPHa and all Councils in Ontario”.

In Chatham-Kent:

- 1) Total homelessness has been gradually increasing since November 2022.
 - (a) Pre-pandemic, it was decreasing through Employment and Social Services' 'Housing First' approach, coordinated access system and a 'By Name List'.
- 2) The percentage of individuals experiencing homelessness in our community have identified as staying outdoors doubled in 2023 from 2022.
- 3) The average housing move-ins has been steadily declining each month.
- 4) On average, the number of new individuals (never previously identified as experiencing homelessness) added to the By Name List each month has increased from 2022.
- 5) The average market rent is \$1,522 for a one-bedroom apartment and a single person on Ontario Works receives a maximum of \$390 toward accommodation costs.

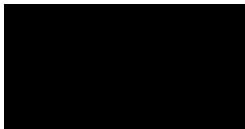
Cont'd...

Homelessness is increasing in Chatham-Kent and the well-being of our residents is decreasing. Since 2018, the Ontario Works rates have been frozen and yet the caseload in Chatham-Kent has only increased. If the goal was to drive more people into the workforce it is not working, but instead driving more people into homelessness. Nearly 80% of people accessing emergency shelter have social assistance as their main source of income. We cannot build affordable housing fast enough and need upstream issues like social assistance rates to be resolved to stop our community members from slipping into homelessness. Homelessness has resulted in significant pressures and costs on many of our services including Police, Fire Services, Paramedics, Public Works, Parks and Social Services. Unhoused residents are suffering, and property taxpayers are seeing significant asks from the 2024-2027 budgets to mitigate the challenges of homelessness.

In recent years, housing was determined to be a human right by both the Federal and Provincial governments and thus income maintenance programs should have housing allowances that reflect actual expenses. Other income programs have increased, yet Ontario Works particularly has remained far below the poverty line with no increase since 2017. In 1995, social assistance rates were slashed by 21.6% and have only increased by 41%. At the same time \$1.00 in 1995 has the same buying power as \$1.81 today, so inflation over that period has been over 80% - however, the Ontario Works rate has increased by only about 41% (half of inflation rate) for a single person in the past 28 years (5,6). People who have had to find new housing in today's rental market, experience a higher rate of inflation as they are required to pay rents that have increased by approximately 133% in that time period.

For these reasons and the fact that Ontario social assistance rates are one of the lowest of provinces in Canada, we ask that the Province of Ontario raise social assistance rates, especially Ontario Works Assistance significantly using the Average Market Rent to determine accommodation limits. This will provide social assistance recipients the opportunity to stay housed and be well, potentially re-joining the workforce and reduce the burden on community programs and municipal services. Our downtowns and parks can return to what we all enjoyed in smaller cities like ours only a few years ago. An investment in our citizens who are vulnerable is expected to create savings in almost every other sector.

Sincerely,



Darrin Canniff, Mayor/CEO
Municipality of Chatham-Kent

C: Association of Municipalities of Ontario (AMO)
Rural Ontario Municipal Association (ROMA)
alPHa
Ontario Councils

December 06, 2023

The Association of Municipalities of Ontario
200 University Ave., Suite 801
Toronto, Ontario M5H 3C6

Sent via email: resolutions@amo.on.ca

Attention: Colin Best, President

Dear Mr. Best

Re: Grey Highlands Resolution #2023-964

Please be advised that the following resolution was passed at the December 06, 2023 meeting of the Council of the Municipality of Grey Highlands.

2023-964

Whereas the Enbridge Gas has shared with Grey Highlands key messages regarding the Ontario Energy Board's Leave to Construct (LTC) process, entitled "reducing red tape for more cost-effective, timely energy connections in Ontario"; and

Whereas Grey Highlands supports and wishes to endorse the recommendations put forward by Enbridge Gas in order to expedite the installation of natural gas to rural, remote or underserved communities such as Grey Highlands; now Therefore be it resolved that the Municipality of Grey Highlands petition the Ontario Government to expedite the implementation of the following recommendations:

- i) THAT the Government of Ontario move to modernize the Ontario Energy Board's (OEB) Leave to Construct (LTC) process for smaller pipeline projects in order to bring reliable, affordable energy options to communities, homes and businesses in a more cost-effective and timely manner.**
- ii) THAT the LTC cost threshold be updated from \$2M to \$10M for hydrocarbon lines (by amending Ontario Regulation O.Reg.328/03) while maintaining current requirements and expectations for Indigenous consultation and environmental review for projects greater than \$2M and less than \$10M.**
- iii) THAT these outdated regulations are causing the LTC to apply far more broadly than intended when it was established over 20 years ago due to**

The Municipality of Grey Highlands

206 Toronto Street South, Unit One - P.O. Box 409 Markdale, Ontario N0C 1H0
519-986-2811 Toll-Free 1-888-342-4059 Fax 519-986-3643
www.greyhighlands.ca info@greyhighlands.ca

increased regulatory and cost pressures, as well as inflation, virtually all gas pipeline projects are now greater than \$2M rendering the threshold meaningless.

iv) THAT roughly 0.5 KM pipe in urban settings now often exceeds the \$2M threshold.

v) THAT modernizing these outdated regulations would reduce delays and costs for economic development initiatives including transit projects, community expansion projects, housing developments, connections for low carbon fuel blending (e.g., renewable natural gas, hydrogen) as well as residential and business customer connections.

vi) THAT based on OEB's performance standards, this proposal would save approx. 5-7 months of regulatory process which is in addition to the time needed to undertake Indigenous consultation and environmental review and prepare an application to the OEB.

vii) THAT the cost of preparing and having a LTC application heard ranges from approx. ~\$50,000 to ~\$200,000, which is passed on to customers.

viii) THAT while no cost-based threshold exists for electricity lines, there are a range of exemptions ensuring that LTC is only required for significant electricity projects and the proposed changes would help ensure that, consistent with electricity projects, LTC for hydrocarbon lines would only be required for significant projects.

ix) THAT increasing the cost threshold to \$10M would closer align Ontario with other Canadian jurisdictions (e.g., in B.C., these thresholds are \$15M for electricity and \$20M for natural gas); and

That this resolution be circulated to the President of AMO, Colin Best, Premier Doug Ford, the Minister of Energy, Todd Smith, The Minister of Finance, Peter Bethlenfalvy and all regional municipalities requesting support of the proposed changes regarding reducing red tape for more cost-effective, timely energy connections in Ontario.

CARRIED.

If you require anything further, please contact this office.

Sincerely,



Amanda Fines-VanAlstine
Manager of Corporate Services/Deputy-Clerk
Municipality of Grey Highlands

cc. Premier Doug Ford
Minister of Energy Todd Smith,
Minister of Finance, Peter Bethlenfalvy
All municipalities in Ontario

The Municipality of Grey Highlands

206 Toronto Street South, Unit One - P.O. Box 409 Markdale, Ontario N0C 1H0
519-986-2811 Toll-Free 1-888-342-4059 Fax 519-986-3643
www.greyhighlands.ca info@greyhighlands.ca

Municipality of Tweed Council Meeting
Council Meeting



Resolution No.

665

Title:

Councillor J. Flieler

Date:

Tuesday, November 14, 2023

Moved by

J. Flieler

Seconded by

P. Valiquette

WHEREAS Municipalities are facing ever increasing demands for services along with demands for repairs, maintenance, and replacement of existing infrastructure to the detriment of the tax paying public they serve as the cost of living continues to rise throughout the country;
AND WHEREAS the Federal and Provincial governments in the past contributed through partnerships to fund projects that have been out of the financial reach of small municipalities;
AND WHEREAS these 1/3 funding agreements have been instrumental in allowing municipalities to adequately plan and execute projects to protect the aging infrastructure already in place;
AND WHEREAS the Municipality of Tweed has successfully completed more than 19 capital projects using these funding scenarios over the years;
AND WHEREAS it is incumbent upon our Federal and Provincial governments to assist municipalities with limited access to funding except through municipal taxes to re-establish this very important funding stream;
NOW THEREFORE BE IT RESOLVED THAT Council lobby the relevant Federal and Provincial representatives to bring these concerns to the forefront;
AND FURTHER, that Council consider making a Delegation at the 2024 ROMA Conference;
AND FURTHER, that copies be sent to MP Kramp-Neuman, MPP Bresee, the Hastings County Warden, the Association of Municipalities of Ontario, and all Ontario municipalities.

Carried



November 16, 2023

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Re: Motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act

At their Regular Meeting of Council on November 15, 2023, the Council of the Town of Aylmer endorsed the following motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act:

Whereas the Ontario government has acknowledged an affordable housing and housing supply crisis, communicating a targeted approach to build 1.5 million homes by 2031; and

Whereas nearly one-third of Ontario households rent, rather than own, according to the most recent 2021 Census of Population; and

Whereas the Ontario government has reported that Ontario broke ground on nearly 15,000 purpose-built rentals in 2022, a 7.5 percent increase from 2021 and the highest number on record, with continued growth into 2023; and

Whereas the Residential Tenancies Act, 2006, provides for the maximum a landlord can increase most tenants rent during a year without the approval of the Landlord and Tenant Board; and

Whereas the Ontario government recently strengthened protections for tenants with the intention of preserving affordability, by holding the rent increase guideline for 2024 to 2.5 percent, well below the average inflation rate of 5.9 percent; and

Whereas the rental increase guideline protection does not apply to rental units occupied for the first time after November 15, 2018, leaving an increasing number of tenants susceptible to disproportionate and unsustainable rental increases compared to those benefiting from legislated increase protection;



The Corporation of the Town of Aylmer
46 Talbot Street West, Aylmer, Ontario N5H 1J7
Office: 519-773-3164 Fax: 519-765-1446
www.aylmer.ca

Now Therefore Be It Resolved that the Council of the Town of Aylmer requests provincial consideration for amendments to the Residential Tenancies Act, 2006, to ensure that all tenants benefit from protections intended to preserve affordability;

That a copy of this Resolution be sent to:

- Honourable Doug Ford, Premier of Ontario
- Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- Honourable Rob Flack, Associate Minister of Housing
- The Association of Municipalities of Ontario (AMO)
- And all Ontario Municipalities.

Thank you,

Owen Jaggard

Deputy Clerk / Manager of Information Services | Town of Aylmer

46 Talbot Street West, Aylmer, ON N5H 1J7

519-773-3164 Ext. 4913 | Fax 519-765-1446

ojaggard@town.aylmer.on.ca | www.aylmer.ca

CC:

Minister of Municipal Affairs and Housing paul.calandra@pc.ola.org

Associate Minister of Housing rob.flack@pc.ola.org

Association of Municipalities of Ontario resolutions@amo.on.ca



WELLINGTON FEDERATION OF AGRICULTURE

Barclay Nap

President

4402 Concession 11, Moffat ON

L0P 1J0

519-223-1287

napbarclay@gmail.com

www.wfofa.on.ca

Katherine Noble

Administrator

6154 Tenth Line, Harriston ON

N0G 1Z0

519-323-7294

wellington-fed-ag@outlook.com

Sarah Wilhelm,
Manager of Policy, Planning & Development Department
County of Wellington

Sent via email to: sarahw@wellington.ca

Re: Battery Storage Systems in Wellington County

Sarah,

The Wellington Federation of Agriculture (WFA) is the largest farm organization in the County of Wellington with over 1500 members. Wellington County is a hub of agricultural innovation, research, and leadership in the province. The primary agriculture sector in Wellington County plays a crucial role in the economy by contributing \$841 million to Ontario's GDP and employing over 12,260 people. Wellington County accounts for a notable portion of the provincial agricultural supply chain, too, producing 5.8% of 2021 provincial farm cash receipts. Protecting and preserving the highly productive agricultural land for the purpose of growing, harvesting, and producing food is the Wellington Federation of Agriculture's (WFA) priority.

An Energy Storage Committee within the Ontario Federation of Agriculture (OFA) recently presented, and the OFA board approved a policy position for Battery Energy Storage Systems (BESS).

Policy and contractual obligations need to include:

- 1) *That step one should be to protect farmland and exercise all alternative options prior to siting on agricultural land.*
- 2) *Regulators and the Ministry of Energy should prioritize siting all energy infrastructure on commercial and industrial land, and not allow siting on Canada Land Class 1 through 4 or Specialty Crop Lands.*
- 3) *Every jurisdiction where grid battery storage is hosted needs to ensure systems and processes comply with the latest standards and codes.*
- 4) *The Independent Electricity System Operator (IESO) should require BESS owners to take steps to ensure that fire and other safety risks are managed effectively, including using approved automatic fire prevention and suppression systems in every battery unit.*
- 5) *The Ontario government recognize and adopt Canadian National Fire Prevention Association (NFPA) and Underwriters Laboratory (UL) codes and standards in applicable energy regulations.*
- 6) *There should be environmental approval requirements for containment and oversight, including ground and surface water, air quality, soil, and related considerations.*

- 7) *BESS facility owners need to be contractually obligated to restore environments and returning the land to its' previous prime agricultural capacity if there is a BESS failure. Also BESS facility owners need to be obligated to restore land to its original purpose once the storage facility has been decommissioned.*
- 8) *Increasing the minimum setback distances for BESS from property lines and buildings, including homes and livestock facilities for safety precautions in an effort to protect people and livestock.*

WFA appreciates the opportunity to provide our recommendation and agricultural perspectives on the necessary policies to safeguard people, animals, and our precious Prime Agricultural Land in Wellington County. Detailed policy development is imperative to protect municipal fire protection resources, as well as ground/surface water, air and soil assets in the County.

We continue to look forward to working with our municipal partners to protect Wellington Counties highly productive farmland and continuing to grow a sustainable environment for the Agricultural system direct and downstream businesses to grow and thrive.

Sincerely,



Barclay Nap
President, Wellington Federation of Agriculture

Cc via email:

Mark Reusser, OFA Regional Director
Dufferin Federation of Agriculture Board of Directors
Waterloo Federation of Agriculture Board of Directors
WFA Board of Directors
Municipality of Minto Clerk
Municipality of Wellington North, Clerk
Municipality of Mapleton, Clerk
Municipality of Centre Wellington, Clerk
Municipality of Guelph-Eramosa, Clerk
Municipality of Erin, Clerk
Municipality of Puslinch, Clerk
Councillor James Seeley, Chair of Planning and Land Division Committee, Wellington County
Mary Lloyd, County of Wellington representative to the WFA Board
Ted Arnott, MPP Wellington-Halton Hills
Matthew Rae, MPP Perth-Wellington



Dufferin Aggregates
2300 Steeles Ave W, 4th Floor
Concord, ON L4K 5X6
Canada

December 11th, 2023

Seana Richardson
Aggregates Technical Specialist
Ministry of Natural Resources and Forestry
Guelph District
1 Stone Road West
Guelph, Ontario
N1G 4Y2

RECEIVED

DEC 11 2023

Township of Puslinch

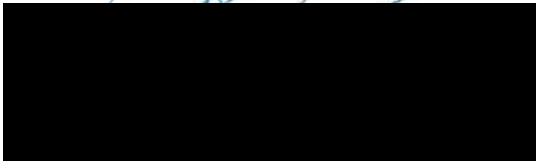
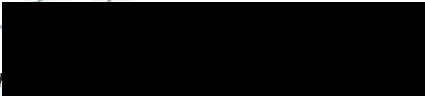
Attention: Ms. Richardson

**Re: Monthly Monitoring Report – November 2023
Mill Creek Pit, License #5738
Township of Puslinch, Wellington County**

Please find enclosed the required monitoring data for the month of November 2023 for those monitoring wells that could be measured. There were no exceedances to report.

If you have any questions, please do not hesitate to call.

Sincerely,



Site Manager

CC: Township of Puslinch
Sonja Strynarka (GRCA)
Kevin Mitchell (Dufferin Aggregates)
University of Guelph



Monthly Reporting
Mill Creek Aggregates Pit
November 2023

Date	DP21 (mASL)	Threshold Value (mASL)	Exceedance
3-Nov-23	305.85	305.58	NO
16-Nov-23	305.78	305.58	NO
20-Nov-23	305.74	305.58	NO

Date	BH13 (mASL)	DP21 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
3-Nov-23	306.14	305.85	0.29	0.09	NO
16-Nov-23	306.07	305.78	0.29	0.09	NO
20-Nov-23	306.06	305.74	0.32	0.09	NO

Date	DP17 (mASL)	Threshold Value (mASL)	Exceedance
3-Nov-23	305.33	305.17	NO
16-Nov-23	305.29	305.17	NO
20-Nov-23	FROZEN	305.17	NO

Date	BH92-12 (mASL)	DP17 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
3-Nov-23	305.53	305.33	0.20	0.04	NO
16-Nov-23	305.58	305.29	0.29	0.04	NO
20-Nov-23	305.55	FROZEN	-	0.04	NO

Date	DP3 (mASL)	Threshold Value (mASL)	Exceedance
3-Nov-23	304.81	304.54	NO
16-Nov-23	304.78	304.54	NO
20-Nov-23	304.81	304.54	NO

Date	DP6 (mASL)	DP3 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
3-Nov-23	305.60	304.81	0.79	0.55	NO
16-Nov-23	305.59	304.78	0.81	0.55	NO
20-Nov-23	305.57	304.81	0.75	0.55	NO

Date	DP2 (mASL)	Threshold Value (mASL)	Exceedance
3-Nov-23	304.03	303.55	NO
16-Nov-23	303.97	303.55	NO
20-Nov-23	303.94	303.55	NO

Date	BH92-27 (mASL)	DP2 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
3-Nov-23	304.70	304.03	0.66	0.34	NO
16-Nov-23	304.64	303.97	0.67	0.34	NO
20-Nov-23	304.63	303.94	0.69	0.34	NO

Date	DP1 (mASL)	Threshold Value (mASL)	Exceedance
3-Nov-23	304.27	303.96	NO
16-Nov-23	304.26	303.96	NO
20-Nov-23	FROZEN	303.96	NO

Date	BH92-29 (mASL)	DP1 (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
3-Nov-23	304.75	304.27	0.49	0.19	NO
16-Nov-23	304.74	304.26	0.48	0.19	NO
20-Nov-23	304.71	FROZEN	-	0.19	NO

Date	DP5CR (mASL)	Threshold Value (mASL)	Exceedance
3-Nov-23	303.34	302.84	NO
16-Nov-23	303.36	302.84	NO
20-Nov-23	303.34	302.84	NO

Date	OW5-84 (mASL)	DP5CR (mASL)	Head Difference (m)	Threshold Value (m)	Exceedance
3-Nov-23	303.62	303.34	0.28	0.15	NO
16-Nov-23	303.61	303.36	0.25	0.15	NO
20-Nov-23	303.59	303.34	0.25	0.15	NO

Note: No exceedances to report for the month of November.



Monthly Reporting
 Mill Creek Aggregates Pit
 November 2023

Max. Allowable as per PTTW- Main Pond		
(Imperial Gallons)		(Litres)
2,500	per minute	11,965
1,800,000	per day	8,183,000

Max. Allowable as per PTTW- Silt Pond		
(Imperial Gallons)		(Litres)
2,597	per minute	11,806
3,739,477	per day	17,000,000

Total Monthly Precipitation (mm):	41.1	Kitchener/Waterloo (Actual)
Total Monthly Normal Precipitation (mm):	87.1	Waterloo-Wellington A (30-year Normal)

Date	Below Water Table Extraction Phase 5	Below Water Table Extraction Phase 2	Water Pumped from Main Pond (gals)	Water Pumped from Active Silt Pond (gals)	Main Pond Level (mASL)	Exceedance Y/N (BELOW 305.5 mASL)	Phase 2 Pond Level (mASL)	Exceedance Y/N (BELOW 305.0 mASL)	Phase 3 Pond Level (mASL)	Exceedance Y/N (BELOW 303.85 mASL)	Phase 4 Pond Level (mASL)	Exceedance Y/N (BELOW 304.5 mASL)
1-Nov-23	0	0	1,659,228	0	306.23	N	305.77	N	304.87	N	305.79	N
2-Nov-23	0	0	1,498,650	0	306.23	N	305.77	N	304.87	N	305.79	N
3-Nov-23	0	0	1,665,167	0	306.23	N	305.79	N	304.86	N	305.79	N
4-Nov-23	-	-	-	-	-	-	-	-	-	-	-	-
5-Nov-23	-	-	-	-	-	-	-	-	-	-	-	-
6-Nov-23	0	0	1,678,805	0	306.21	N	305.79	N	304.85	N	305.80	N
7-Nov-23	0	0	1,696,403	0	306.21	N	305.79	N	304.85	N	305.80	N
8-Nov-23	0	0	1,704,982	0	306.21	N	305.79	N	304.85	N	305.79	N
9-Nov-23	0	0	1,432,440	0	306.21	-	305.79	-	304.85	-	305.79	-
10-Nov-23	0	0	1,704,102	0	306.21	N	305.77	N	304.86	N	305.82	N
11-Nov-23	0	0	734,037	0	306.22	N	305.77	N	304.86	N	305.82	N
12-Nov-23	-	-	-	-	-	-	-	-	-	-	-	-
13-Nov-23	0	0	1,718,180	0	306.22	N	305.77	N	304.86	N	305.85	N
14-Nov-23	0	0	1,723,899	0	306.23	N	305.76	N	304.86	N	305.85	N
15-Nov-23	0	0	1,710,041	0	306.22	N	305.76	N	304.86	N	305.86	N
16-Nov-23	0	0	1,706,961	0	306.22	N	305.76	N	304.87	N	305.84	N
17-Nov-23	0	0	1,713,340	0	306.22	N	305.76	N	304.87	N	305.83	N
18-Nov-23	0	0	727,658	0	306.22	N	305.75	N	304.86	N	305.83	N
19-Nov-23	-	-	-	-	-	-	-	-	-	-	-	-
20-Nov-23	0	0	1,689,364	0	306.21	N	305.76	N	304.86	N	305.81	N
21-Nov-23	0	0	1,684,525	0	306.21	N	305.76	N	304.85	N	305.80	N
22-Nov-23	0	0	1,675,946	0	306.21	N	305.75	N	304.87	N	305.80	N
23-Nov-23	0	0	1,642,070	0	306.21	N	305.74	N	304.87	N	305.79	N
24-Nov-23	0	0	1,755,135	0	306.21	N	305.74	N	304.87	N	305.79	N
25-Nov-23	-	-	-	-	-	-	-	-	-	-	-	-
26-Nov-23	-	-	-	-	-	-	-	-	-	-	-	-
27-Nov-23	0	0	1,796,049	0	306.23	N	305.73	N	304.89	N	305.79	N
28-Nov-23	0	0	1,796,929	0	306.22	N	305.73	N	304.89	N	305.79	N
29-Nov-23	0	0	1,181,455	0	306.22	N	305.73	N	304.89	N	305.78	N
30-Nov-23	0	0	1,433,980	0	306.22	N	305.73	N	304.90	N	305.79	N
Total	0	0	37,729,345	0	-	-	-	-	-	-	-	-

Note: No exceedances to report for the month of November.



REPORT FIN-2023-035

TO: Mayor and Members of Council

PREPARED BY: Mary Hasan, Director of Finance/Treasurer

PRESENTED BY: Mary Hasan, Director of Finance/Treasurer

MEETING DATE: December 20, 2023

SUBJECT: Annual Indexing of Development Charges
File No. F21 DEV

RECOMMENDATIONS

THAT Report FIN-2023-035 entitled Annual Indexing of Development Charges be received; and

THAT the indexed development charge rates outlined in Schedule B to Report FIN-2023-035 be approved.

DISCUSSION

Purpose

The purpose of this report is to provide the Development Charge (DC) rates effective January 1, 2024. The rates are determined by applying the Statistics Canada Non-residential Building Construction Price Index to the 2023 rates.

Background

DC's are collected for the Township under By-law No. 044-2019. Section 5 of the By-law states that the DC's imposed shall be adjusted annually, without amendment to the By-law, on January 1st of each year, in accordance with the prescribed index in the Act.

Section 7 of Ontario Regulation 82/98 of the Development Charges Act, 1997, states the following:

“The Statistics Canada Non-residential Building Construction Price Index for Ottawa-Gatineau or for Toronto, as appropriate, is prescribed for the purposes of paragraph 10 of subsection 5 (1) of the Act. O. Reg. 454/19, s. 2.”

Analysis

The adjustments are made based on the most recent twelve-month change in the Statistics Canada Quarterly, “Building Construction Price Indexes” attached as Schedule A to this Report.

The Toronto non-residential buildings construction price index has increased by 6.6% from the third quarter of 2022 to the third quarter of 2023. Therefore, Township staff will implement an indexing factor increase of 6.6% effective January 1, 2024. The increase recommended is in line with Section 7 of Ontario Regulation 82/98 of the Development Charges Act, 1997. The 6.6% indexing factor is also in line with the County of Wellington’s indexing factor recently communicated to all lower tier municipalities in the County.

Please note, the non-residential indexing factor is used to index DC’s as the intent is to index the capital costs underlying the DC By-law (ie. facilities, bridges, roads, trails, etc.) which are encompassed by the non-residential index.

The current rates for 2023 compared to the indexed rates for 2024 are outlined in Schedule B to this Report.

Residential Development: $\$7,100/\text{dwelling unit} * 1.066 = \$7,569/\text{dwelling unit}$

Non-Residential Development: $\$2.18/\text{square foot} * 1.066 = \$2.33/\text{square foot}$

Bill 23 Implications

Bill 23 indicates that for any DC by-laws passed after January 1, 2022, the rate of the DC must be indexed over five (5) years. The Township’s DC by-law was passed in 2019. The Township’s DC by-law to be passed in September 2024 will require the rate of the DC to be indexed over five (5) years.

The Township has also received confirmation from the Township’s DC consultant that the new legislation does not affect the indexing of a D.C. by-law. As such, what is being proposed by the Township in Report FIN-2023-035 is still compliant under the new legislation.

Financial Implications

DC’s are an important way of funding facilities and services directly related to new development in the Township. The annual indexing provision in By-law No. 044-2019 helps to

offset increases to initial development cost estimates identified for various growth-related capital projects.

Applicable Legislation and Requirements

Section 7 of Ontario Regulation 82/98 of the Development Charges Act, 1997

Attachments

Schedule A – Building Construction Price Indexes

Schedule B – Schedule of Development Charges

Respectfully submitted:

Mary Hasan
Director of Finance/Treasurer



Statistics
Canada

Statistique
Canada

[Home](#) > [Data](#)

Building construction price indexes, percentage change, quarterly¹

Frequency: Quarterly

[Help](#)

Table: 18-10-0276-02

Save my customizations

Release date: 2023-11-01

Geography: Census metropolitan area, Census metropolitan area part

▼ Customize table

Type of building :

Division : ²

Reference period

Non-residential buildings [6... ▼

Division composite ▼

Time : Q3 ▼ 2023 ▼

Apply

Add/Remove data



Download options

Didn't find what you're looking for? [View related tables, including other calculations and frequencies](#)

Showing 12 records

Filter

Reset

Type of building	Non-residential buildings [622]				
Division ²	Division composite				
Geography ³	Q3 2022	Q2 2023	Q3 2023	Q2 2023 to Q3 2023	Q3 2022 to Q3 2023
	Index, 2017=100				
Eleven census metropolitan area composite	133.3	139.9	141.2	0.9	5.9
St. John's, Newfoundland and Labrador (map)	120.9	123.4	124.1	0.6	2.6
Halifax, Nova Scotia (map)	128.1	134.1	134.4	0.2	4.9
Moncton, New Brunswick (map)	127.7	141.0	143.4	1.7	12.3
Montréal, Quebec (map)	141.0	146.3	146.8	0.3	4.1
Ottawa-Gatineau, Ontario part, Ontario/Quebec (map)	146.1	154.9	156.6	1.1	7.2
Toronto, Ontario (map)	144.5	152.3	154.0	1.1	6.6
Winnipeg, Manitoba (map)	123.7	127.7	128.6	0.7	4.0
Saskatoon, Saskatchewan (map)	118.9	122.4	124.5	1.7	4.7
Calgary, Alberta (map)	120.0	123.9	124.9	0.8	4.1
Edmonton, Alberta (map)	129.4	133.0	134.3	1.0	3.8
Vancouver, British Columbia (map)	127.6	136.2	137.9	1.2	8.1

How to cite: Statistics Canada. [Table 18-10-0276-02 Building construction price indexes, percentage change, quarterly](#)

DOI: <https://doi.org/10.25318/1810027601-eng>

Related information

▶ Replaces

▶ Source (Surveys and statistical programs)

▶ Related products

▶ Subjects and keywords

Date modified:

2023-11-23

Schedule B to Report FIN-2023-035

January 1, 2023 - December 31, 2023

Service	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:					
Roads and Related	\$3,864	\$2,101	\$1,786	\$2,890	\$1.34
Fire Protection Services	\$1,879	\$1,021	\$868	\$1,406	\$0.64
Parks and Recreation Services	\$909	\$495	\$420	\$680	\$0.05
Administration - Studies	\$449	\$244	\$207	\$335	\$0.15
Total Municipal Wide Services	\$7,100	\$3,861	\$3,282	\$5,311	\$2.18

January 1, 2024 - December 31, 2024

Service	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:					
Roads and Related	\$4,119	\$2,240	\$1,904	\$3,081	\$1.42
Fire Protection Services	\$2,003	\$1,089	\$926	\$1,498	\$0.68
Parks and Recreation Services	\$969	\$528	\$448	\$725	\$0.06
Administration - Studies	\$478	\$260	\$221	\$358	\$0.16
Total Municipal Wide Services	\$7,569	\$4,116	\$3,498	\$5,662	\$2.33



December 1, 2023

The Corporation of the Township of Puslinch
7404 Wellington Road 34
Puslinch, ON
N0B 2J0

Dear Members of Council:

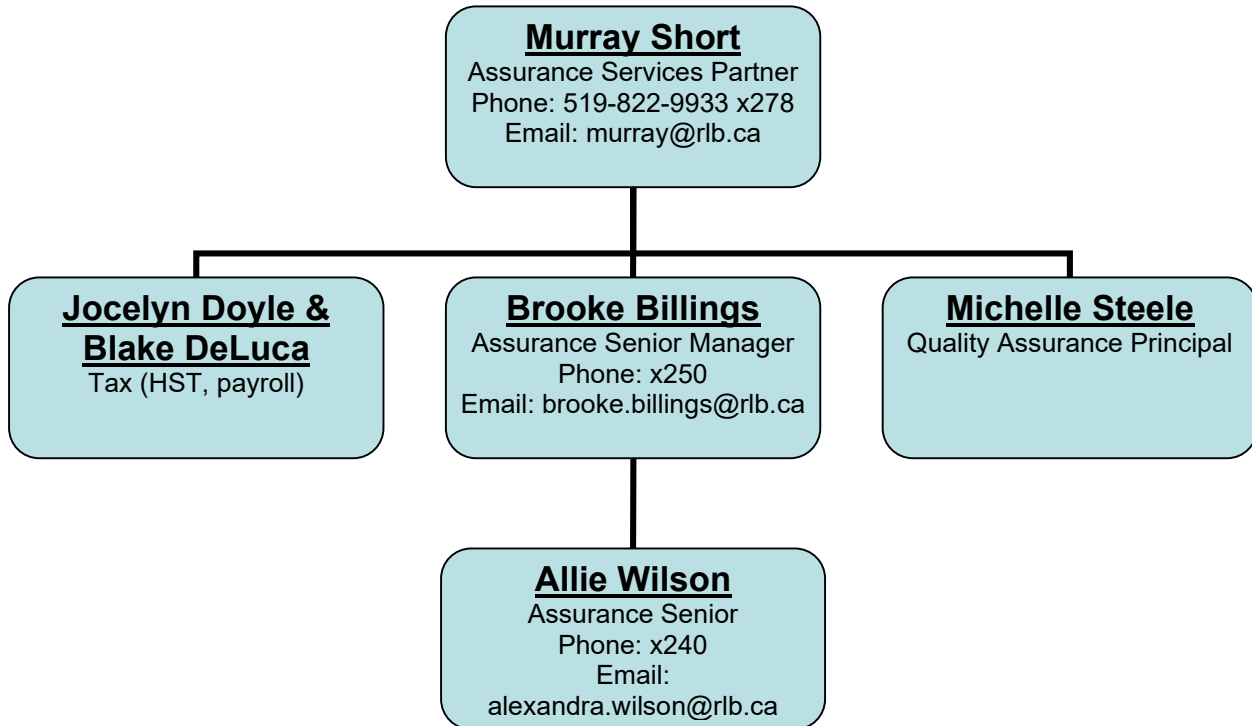
Thank you for appointing RLB LLP as auditors of The Corporation of the Township of Puslinch for the year ended December 31, 2023. The purpose of this letter is to communicate our 2023 audit plan for The Corporation of the Township of Puslinch and to ensure that management and Council are aware of the following:

- Objectives and scope of our audit
- Planned approach for the 2023 financial statement audit
- Update on issues that may impact the audit in current and future years
- Areas of emphasis

RLB LLP's Objective and Scope of our Audit

- Obtain reasonable assurance that the financial statements are free of material misstatement.
- Evaluate the fairness of presentation of the financial statements in conformity with accounting standards established by the Chartered Professional Accountants of Canada.
- Report to management and Council:
 - Significant internal control weaknesses,
 - Matters required under Canadian Auditing Standards,
 - Matters we believe should be brought to your attention.

RLB LLP's Assurance Service Team



Financial Reporting Responsibilities

Council

- Set strategic objectives
- Provide effective corporate governance
- Ensure accurate financial reporting and sound internal controls
- Review performance measures

Management

- Maintain cost-effective internal control environment
- Provide timely and accurate disclosure of financial results
- Report results on a fair and consistent basis
- Exercise care in establishing accounting estimates
- Apply appropriate accounting principles

RLB LLP

- Perform cost-effective audits
- Review the effectiveness and reliability of key internal controls
- Assess accounting principles, estimates and financial disclosures
- Provide year end reporting to Council
- Audit report on the financial statements

Management Deliverables

- Prepare required information as agreed with RLB LLP to be able to perform the audit
- Provide documentation and support for accounting used by management for all significant or unusual transactions and estimates
- Identify related parties, if applicable
- Prepare and file Financial Information Return
- Provide representation letter

RLB LLP Deliverables

- Communicate with management and Council to review audit plan
- Review financial statements and management letter findings with management and Council
- Provide audit opinion on financial statements
- Report to Council as required under CAS 260, 265 and 580
- Seek pre-approval from management or Council for all additional services

Audit Approach

- Examine accounting systems and controls for all significant transaction cycles
- Adopt a control reliance strategy where appropriate to increase audit efficiency
 - Taxation revenue, cash receipts, taxes receivable
 - Purchases, disbursements, payables
 - Payroll
 - General computer controls
- Substantive testing of year end balances including grant revenue and receivables
- Search for unrecorded liabilities
- Independence reporting

Audit Timeline

Interim Audit Testing	November 27 & 28, 2023
Communication of Audit Plan to Management	December 1, 2023
Communication of Audit Plan to Council	December 20, 2023
Year-end Testing	February 20-23, 2024
Reporting to Council	April 10, 2024
Issuance of Audit Report and Financial Statements	To follow Council approval

Annual Inquiry Related to the Risk of Fraud

Please consider the following questions to help determine the specific risks of fraud and error with the municipality. We will provide the annual representation letter for signature by management with the audited Financial Statements, where representation will be made regarding the assessment of fraud at the municipality.

- Are you aware of any instances of fraud perpetrated against the municipality by any of its employees, management, or Council?
- Are you aware of any instances of fraud perpetrated by the municipality against creditors, suppliers, lenders, investors, funders, government agencies, or any other business associates?
- Do you believe there is a high level of risk of fraud being perpetrated against or by the municipality – specifically, which risks are classified as the highest risk, and what specifically is management or those charged with governance doing to mitigate these risks?
- Has Council made an assessment of the entity's susceptibility to fraud?
- Does management have a process for identifying and responding to fraud risk factors?

If you have any information to report to us on the above, please contact Murray Short or Brooke Billings at 519-822-9933.

New Public Sector Accounting Standards

The impact anticipated from new standards on the financial reporting of your municipality for fiscal 2023:

- PS 3280: Asset Retirement Obligations (ARO) – Retrospective or modified retrospective application of tangible capital assets which have a legal obligation associated with retirement of an asset, if applicable.

These are effective for fiscal 2023, but no significant impact is anticipated:

- PS 1201: Financial Statement Presentation – expands the requirements for financial statement presentation and disclosure for various categories: financial assets, non-financial assets, revenues, expenses, and losses arising from asset impairment and changes in valuation allowances.
- PS 2601: Foreign Currency Translation – describes accounting treatment for foreign currency transactions, and how they should be presented and disclosed.
- PS 3041: Portfolio Investments – defines portfolio investments and describes accounting treatment and disclosure requirements.
- PS 3450: Financial Instruments – requires additional disclosure in the notes to the Financial Statements to include the various risk components of financial instruments: credit risk, currency risk, interest rate risk, liquidity and market risk.

These are effective for fiscal years beginning on or after April 1, 2023:

- PS 3400: Revenue – describes how to account for and report on revenue and specifically differentiates between revenue arising from transactions including and excluding performance obligations.
- PSG-8: Purchased Intangibles – describes the scope of intangibles that are now allowed to be recognized in the financial statements.
- PS 3160: Public private partnerships – establishes standards for the recognition, measurement, presentation, and disclosure for public private partnership arrangements.

2023 Audit Plan: Materiality

When establishing the overall audit strategy, materiality is determined for assessing the risks of material misstatement and determining the nature, timing and extent of further audit procedures.

- Planning Materiality - \$240,000
- Materiality
 - Professional judgment that is made in the context of our knowledge, assessment of risk and reporting requirements
 - The materiality amount impacts the extent of the scope of work we perform, as it is based on high- and low-risk scope levels, which are determined as a percentage of materiality (other testing is done on a random sampling basis and is not affected by materiality)
 - Materiality is based on 0.5-1% of total prior year assets
 - We will review all errors in excess of 2% of materiality

Areas of Emphasis

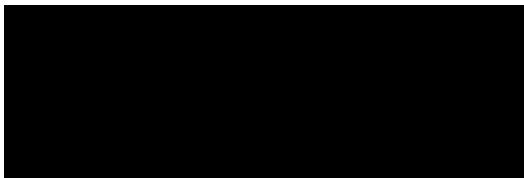
- Taxation revenue and receivables - collectability
- Grant revenue and receivables - completeness and existence
- Operating expenses - completeness and existence
- Tangible capital assets - completeness, existence and valuation
- Reserve, reserve funds and amounts set aside by Council - completeness and existence

If you have any questions about these or other matters relating to any of our professional services, we would be pleased to discuss them further with you.

Yours truly,

RLB LLP

Per:



Murray Short, MBA, CPA, CA, C. Dir.
Engagement Partner



CONFIDENTIAL REPORT ADM-2023-071

TO: Mayor and Members of Council

PREPARED BY: Courtenay Hoytfox, Interim CAO

PRESENTED BY: Courtenay Hoytfox, Interim CAO

MEETING DATE: December 20, 2023

SUBJECT: Private Well Interference Complaints Resolution Agreement with Triton Water Canada Holdings, Inc.

RECOMMENDATION

That Report ADM-2023-071 entitled Private Well Interference Complaints Resolution Agreement with Blue Triton be received; and

That Council give three readings to By-law 2023-056 being a by-law to authorize the Mayor and Clerk to execute the necessary documents in order to enter into a Private Well Interference Complaints Resolution Agreement with Triton Water Canada Holdings, Inc.

Purpose

The purpose of this report is to seek Council direction related to the proposed Private Well Interference Complaints Resolution Agreement with Triton Water Canada Holdings, Inc. (Blue Triton).

Background

The Township commenced the review of the Private Well Interference Complaints Resolution Agreement with Blue Triton (previously Nestle Waters) in early 2019. Upon review of the file, it appears that the execution of the agreement was not completed. Since that time, staff have performed a detailed review in consultation with Blue Triton and made minor amendments to ensure the agreement reflects the Township's current standards and best practices.

Staff are seeking Council direction in relation to formalizing the complaint resolution process through the draft agreement attached as Schedule "A" to this report.

Financial Implications

None

Applicable Legislation and Requirements

Municipal Act, 2001

Attachments

Schedule "A" Draft Private Well Interference Complaints Resolution Agreement

Schedule "B" Draft By-law to authorize entering into a Private Well Interference Complaints Resolution Agreement with Blue Triton

Respectfully submitted,

**Courtenay Hoytfox,
Municipal Clerk (Interim CAO)**

PRIVATE WELL INTERFERENCE COMPLAINTS RESOLUTION AGREEMENT

THIS PRIVATE WELL INTERFERENCE COMPLAINTS RESOLUTION AGREEMENT (“**Agreement**”) is made as of [REDACTED], 2023 (the “**Effective Date**”) between the Corporation of the Township of Puslinch (the “**Township**”) and Triton Water Canada Holdings, Inc. (“**Triton**”).

RECITAL:

The parties wish to set out in this Agreement the procedure and terms on which complaints, if any, that may be raised by Well Owners about their wells being affected by Triton Operations, remediated by Triton.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. KEY DEFINITIONS

In this Agreement, unless the context otherwise requires:

- (1) “**Agreement**” means this Private Well Interference Complaints Resolution Agreement as it may be amended from time to time.
- (2) “**Business Day**” means any day except Saturday, Sunday or a statutory holiday in the Province of Ontario.
- (3) “**Committee**” has the meaning given to it in Section 2(1).
- (4) “**Contractor**” has the meaning given to it in Section 5(1).
- (5) “**GRCA**” means the Grand River Conservation Authority.
- (6) “**including**” means to include without limitation.
- (7) “**PTTW**” means a Permit to Take Water under the Ontario Water Resources Act, R.S.O. 1990 and any applicable regulations, which is applicable to at least part of the Potential Well Interference Area.
- (8) “**Triton Operations**” means the present and future operations by Triton of Triton’s production water wells in the Township of Puslinch, County of Wellington, Ontario.
- (9) “**Well Owner**” means such owners from time to time who have a water supply well within the Potential Well Interference Area.
- (10) “**Potential Well Interference Area**” means the area defined in the attached **Schedule “A”**.

2. WELL PROTECTION COMMITTEE

- (1) The parties shall establish a committee called the “Well Protection Committee” (the “**Committee**”) comprised of five members (the “**Members**”) being:
 - a. Two members appointed by Triton, one of which shall be the Chairperson of the Committee (each, a “**Triton Member**”);
 - b. One member appointed by the Township (each, a “**Township Member**”);

- c. One member appointed by the GRCA who is a member of GRCA's Board of Directors or professional staff (the "**GRCA Member**"); and
- d. One member appointed by the Ministry of Environment, Conservation and Parks (the "**MECP**")

All Members should, to the extent reasonably possible, have a strong technical understanding of hydrogeology.

- (2) The Committee shall meet upon receipt of a Complaint in accordance with Section 6 of this Agreement or as determined by the Committee that a meeting is required. A quorum for a meeting shall be constituted by the attendance of at least:
 - a. One Triton Member; and
 - b. One Township Member.

Any Member of the Committee may call a meeting by providing ten days' prior written notice to the Members of a meeting which shall include any relevant documentation or information. If a Member considers a situation to be urgent, ten days' notice may be waived and a minimum of 24 hours written notice will suffice. Members may participate by telephone or by web-based or video conference call or other electronic means (and as a result be deemed to be in attendance) at the meeting of the Committee.

- (3) Any actions taken by the Committee shall require the approval of the majority of those in attendance at a meeting at which a quorum is constituted, subject to the jurisdiction of the MECP where applicable.
- (4) The purpose of the Committee is to review and discuss any outstanding Complaints (defined in Section 6, below) related to the Triton Operations.
- (5) The Chairperson of the Committee shall keep an active log of all correspondence and prepare and maintain minutes of each meeting. A copy of the minutes, correspondence and all information and documentation considered at the meeting shall be provided by the Chairperson to each of the Members. All records associated with the Committee shall be under the care and control of Triton. Notices, agenda, minutes, and materials supporting the work of the Committee shall only be made public in accordance with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 or other applicable legislation.

3. WELL OWNERS

- (1) At the Committee's reasonable request, Triton shall prepare and deliver to the Committee a list of the addresses of all current Well Owners. At the Committee's

reasonable request, Triton, with the assistance of the Township, will update such list from time to time to reflect changes relating to the Well Owners.

- (2) Triton shall make commercially reasonable efforts to, within sixty (60) days of receiving a new PTTW or a renewal of any existing PTTW, send a package to each then-current Well Owner consisting of
 - A letter to the Well Owner describing the process to file a claim and this Agreement;
 - A copy of this Agreement;
 - A laminated card outlining the process it follows in case of a claim or problem;
 - Contact information; and
 - Such other information as may be approved by the Committee.

4. PRIVATE WELL ASSESSMENT

- (1) As part of its applications for a renewal of its PTTWs, where required by the permitting process, Triton will, at its expense, arrange for a well assessment to be conducted with respect to each Well Owner's well. The assessment may include: well location, type of casing and other well construction details, well depth, water level, depth of pump intake, condition of well and pump, history of water quantity and quality issues, source aquifer and municipal address. In conducting the assessment, public information, information from the Well Owners and, where appropriate, information from actual testing of the well in question will be included in the assessment.
- (2) Triton shall seek permission from the Well Owner to access the well, but no formal written site access agreement will be required by Triton, and Triton shall not be required to pay for access rights or to make a well accessible. If access to the well is limited or denied by the Well Owner, then the assessment will still be conducted to the extent possible, but the parties acknowledge that the assessment may be incomplete.

5. USE OF INDEPENDENT WELL CONTRACTORS

- (1) Triton shall, at its expense, enter into a contractual arrangement with up to two professional licensed well contractors (a "**Contractor**") to provide, if necessary, the services contemplated of Contractors under this Agreement on a seven day-a-week basis.
- (2) Triton shall deliver to each Contractor the addresses of the Well Owner and a description, including a map, of the Potential Well Interference Area
- (3) Triton shall also deliver to each Well Owner the contact information for one or more Contractors.
- (4) Triton shall provide the Township with the list of well contractors which have been retained by Triton under this Section.

6. WELL OWNER COMPLAINTS

- (1) If a Well Owner, in good faith, believes that the quantity or quality of the water from its well located within the Potential Well Interference Area is being adversely affected by Triton Operations (a “**Complaint**”), then the following procedure shall be followed:
 - a. The Well Owner shall contact, as soon as possible, one of the Contractors, who will subsequently notify Triton, to ensure Triton is immediately aware of the issue.
 - b. Such Contractor, at Triton’s costs, will respond to all calls within 24 hours after the Well Owner’s call.
 - c. The Contractor will deliver five (5) cases of bottled water (consisting of at least 60 litres in total) to the Well Owner at Triton’s cost within 24 hours after the Well Owner’s call.
- (2) Triton will instruct the Contractor to investigate the cause of the Complaint as soon as reasonably possible. Triton will continue to provide suitable alternate water supply to the Well Owner while the Contractor investigates.
- (3) If the Contractor determines that the cause of the Complaints is a mechanical issue or otherwise unrelated to the Triton Operations (a “**Non-Triton Issue**”), then the Contractor will issue a written report to that effect and deliver it to the Well Owner with a copy to the Committee, the Township and Triton. There will be no further action by Triton.
- (4) If, however, the Contractor determines that the well water has been adversely affected, and determines that the Complaint is not a Non-Triton Issue, then, Triton, at Triton’s cost, shall:
 - a. Make all reasonable steps to arrange for an alternative water supply; and
 - b. Arrange for a qualified independent consultant (which may be the Contractor) to undertake a scientific study of the Complaint. To the extent reasonably possible, Triton shall take the foregoing steps within twenty-four (24) hours after receiving the Contractor’s report.
- (5) The scientific study shall be documented in a written report (the “**Report**”), prepared in a timely manner and shall summarize all relevant information regarding the Complaint, its cause, and recommendations regarding possible mitigation. The Report must be signed and stamped by a Professional Geoscientist (P.Geo.) or Professional Engineer (P.Eng.) licensed in the Province of Ontario.
- (6) Triton shall direct the Contractor to promptly deliver a copy of the Report to the Well Owner.
- (7) If the Report concludes that the Complaint was caused by Triton Operation, then Triton shall also inform the Committee, and the Well Owner and Triton shall also promptly provide a copy of the Report to the appropriate Manager of the MECP. Subject to Section 6(8) below, Triton shall promptly take all reasonable steps to remedy the Complaint and shall promptly report the details and results of the

remedial action to the Committee, the Well Owner and the Manager of the MECP.

- (8) Any complaints, whether caused by Triton or not, shall be logged by Triton and form part of its annual reporting requirements.
- (9) If the Well Owner limits or denies access to the Contractor or to the consultant engaged to do the scientific study contemplated above, then Triton shall not be responsible for remedying the Complaint raised by the Well Owner. Such access includes, as necessary or appropriate, such tests as may be required or appropriate to assist in determining the cause of the Complaint. The MECP shall be so notified.
- (10) In managing any Complaints, Triton shall comply with the terms of its applicable PTTWs.

7. TERM

This Agreement shall commence on the Effective Date and, unless terminated earlier pursuant to the terms of this Agreement, shall remain in effect until Triton ceases to have any valid PTTWs applicable to the Potential Well Interference Area, at which point this Agreement shall immediately expire automatically. Notwithstanding the foregoing, either party may terminate this Agreement at any time, without cause or penalty, upon not less than six (6) months' written notice to the other party.

8. NOTICES

- (1) Any notice required or permitted to be given by either party under this Agreement to the other shall be in writing and shall be delivered or sent by registered mail (except during a postal disruption or threatened postal disruption) or overnight carrier service or email to the applicable address set out below:

- a. In the case of the Township, to:

The Corporation of the Township of Puslinch
7404 Wellington Road 34, Puslinch, ON
Attention: Courtenay Hoytfox, Clerk
Telephone: 519-763-1226 ext. 227
Fax: 519-763-5846
Email: choytfox@puslinch.ca

- b. In the case of Triton, to:

Triton Water Canada Holdings, Inc.
101 Brock Road South, Puslinch, ON
Attention: XXX

- (2) The contact information for the Manager of the MECP is:

XXX

- (3) Any notice delivered shall be deemed to have been validly and effectively given on the day of such delivery. Any notice sent by registered mail shall be deemed to have been validly and effectively given on the third Business Day following the date of mailing. Any notice sent by overnight carrier or email shall be deemed to have been validly and effectively given on the day it is sent if sent before 4:00 p.m. but if after 4:00 p.m., then on the next Business Day.
- (4) Either party may from time to time, by notice to the other, change its address for any notices under this Agreement.

9. GENERAL

- (1) The parties agree to cooperate in the implementation of this Agreement with the intent that good faith complaints from Well Owners should be addressed promptly, fairly, and reasonably on their merits. Each party shall do such further things and execute such further documents as may be reasonably required by the other party to implement the intent of this Agreement.
- (2) The parties shall act reasonably throughout this Agreement. In the event of any dispute between the parties, the parties agree to submit the dispute to non-binding mediation prior to the pursuing of any other civil remedies.
- (3) This Agreement shall enure to the benefit of, and bind, the parties to it and their respective successors and permitted assigns provided that the Township shall not assign this Agreement (other than to a successor municipality) without the prior consent of Triton, which consent shall not be reasonably withheld.
- (4) A waiver of any default, breach or non-compliance under this Agreement is not effective unless in writing and signed by the party to be bound by the waiver. No waiver will be inferred from or implied by any failure to act or delay in acting by a part in respect of any default, breach, or non-observance or by anything done or omitted to be done by the other party. The waiver by a party of any default, breach or non-compliance under this Agreement will not operate as a waiver of that party's rights under this Agreement in respect of any continuing or subsequent default, breach, or non-observance (whether of the same or any other nature).
- (5) No amendment of this Agreement will be effective unless made in writing and signed by the parties.
- (6) This Agreement is in addition to, and does not replace, or supersede, any rights a Well Owner may have at law or in equity, including under municipal, provincial or federal statutes regulations.
- (7) This Agreement shall be solely for the benefit of the Township and Triton only. No Well Owner is party to this Agreement or have any rights under this Agreement including as a third-party beneficiary.

10. INDEMNIFICATION

- (1) Triton covenants and agrees that it shall indemnify, defend and save harmless the Township from any liability, cost, demands, damages,

expenses, claims and suits to the extent arising out of or related to Triton's negligence of its obligations to carry out of the work or otherwise meet the obligations provided for in this Agreement, including the failure to perform such work adequately or at all, except to the extent that same is caused by the negligence or willful misconduct of the Township. This indemnity shall survive the early termination of or expiry of this Agreement.

- (2) The Township covenants and agrees that it shall indemnify, defend and save harmless Triton from any liability, cost, demands, damages, expenses, claims and suits arising out of or in any way related to the obligations of the Township to carry out of the work or otherwise meet the obligations provided for in this Agreement, including the failure to perform such work adequately or at all, except to the extent that same is caused by the negligence or willful misconduct of Triton. This indemnity shall survive the early termination of or expiry of this Agreement.

11. INTERPRETATION

- (1) This Agreement constitutes the entire agreement between the parties with respect to the subject matter of it and cancels and supersedes any prior agreements, undertakings, declarations or representations, written or verbal in respect of it.
- (2) Any provisions of this Agreement that is prohibited or unenforceable in any jurisdiction will, as to that jurisdiction, be ineffective to the extent of such prohibition or unenforceability and will be severed from the balance of this Agreement, all without affecting the remaining provisions of this Agreement or affecting the validity or enforceability of such provisions in any other jurisdiction.
- (3) The division of this Agreement into Sections, the insertion of headings, and the provision of any table of contents, are for convenience of reference only and will not affect the construction or interpretation of this Agreement.
- (4) Unless the context requires otherwise, words importing the singular include the plural and vice versa and words importing gender include all genders.
- (5) This Agreement will be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable in that Province.
- (6) This Agreement is enforceable when signed by both parties hereto and may be signed in counterparts. Signatures signed or sent electronically will be deemed original signatures.

IN WITNESS WHEREOF, the parties hereto have executed and deliver this Agreement as of the Effective Date.

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

By: _____
NAME:
TITLE
DATE

By: _____
NAME
TITLE
DATE

We have the authority to bind the Corporation.

TRITON WATER CANADA HOLDINGS, INC.

By: _____
NAME
TITLE
DATE

I have the authority to bind the Corporation.

DRAFT

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 056-2023

Being a by-law to authorize the entering into a Private Well Interference Complaint Resolution Agreement with Triton Water Canada Holdings, Inc.

WHEREAS the *Municipal Act*, S.O. 2001, c.25 authorizes a municipality to enter into Agreements;

AND WHEREAS the Council for the Corporation of the Township of Puslinch deems it appropriate to enter into a Private Well Interference Complaint Resolution Agreement with Triton Water Canada Holdings, Inc.;

NOW THEREFORE the Corporation of the Township of Puslinch hereby enacts as follows:

1. That the Corporation of the Township of Puslinch enter into a Private Well Interference Complaint Resolution Agreement with Triton Water Canada Holdings, Inc.
2. That the Mayor and Clerk are hereby authorized to execute the necessary documents to enter into a Private Well Interference Complaint Resolution Agreement.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 20th DAY OF DECEMBER 2023.

James Seeley, Mayor

Courtenay Hoytfox, Clerk



REPORT ADM-2023-074

TO: Mayor and Members of Council

PREPARED BY: Justine Brotherston, Interim Municipal Clerk

PRESENTED BY: Justine Brotherston, Interim Municipal Clerk

MEETING DATE: December 20, 2023

SUBJECT: Health and Safety Policy and Harassment and Violence in the Workplace
Policy Annual Review
File: A09

RECOMMENDATION

That Report ADM-2023-074 regarding the Health and Safety Policy and Harassment and Violence in the Workplace Policy Annual Review be received; and

That Council endorse the Health and Safety Policy and the Harassment and Violence in the Workplace Policy attached to this report as Schedule "A" and "B" respectively.

Purpose

The purpose of this report is to provide Council with the Health and Safety Policy and the Harassment and Violence in the Workplace Policy as reviewed annually, for endorsement by Council.

Background

Legislation requires an annual review of the Health and Safety Policy and the Harassment and Violence in the Workplace Policy and endorsement of the policies from Council. Both policies were reviewed by the Township Joint Health and Safety Committee and were endorsed as presented.

Financial Implications

None

Applicable Legislation and Requirements

Occupational Health and Safety Act, R.S.O. 1990, c. O.1

Engagement Opportunities

Circulation to all Township staff and Volunteer Firefighters.

Attachments

Schedule "A" – Health and Safety Policy

Schedule "B" – Harassment and Violence in the Workplace Policy

Respectfully submitted,

Reviewed by:

Justine Brotherston,
Interim Municipal Clerk

Courtenay Hoytfox,
Interim CAO



Policy No. 2022-007

Corporate Policy

Department: Administration
Date: December 2022
Subject: HEALTH AND SAFETY POLICY

Policy Statement

The Corporation of the Township of Puslinch hereinafter referred to as the “Township” is committed to the health and safety of all employees and contractors and will make every effort to provide a safe and healthy work environment.

The Township will take all reasonable and practical steps to eliminate workplace conditions that may cause injuries or adverse health effects.

Commitment to health and safety is an integral part of the operation of the Township and involves the co-operation and support of every individual within the organization.

Scope

This policy is applicable to all Township Employees and its Contractors.

Definitions

For the purpose of this Policy:

“Act” means the Occupational Health and Safety Act and its Regulations, as amended.

“Contractor” means a contractor retained by the Township to perform work or to provide a service.

“Employee” means a Township employee, a member of Council, a member of a Committee of Council, local board and a Township volunteer.

Purpose

The purpose of this policy, in accordance with the Act, is to outline the Health and Safety mandate to all Employees and Contractors.



Policy No. 2022-007

Corporate Policy

Township Council, CAO and senior management will work in consultation and in co-operation with its Employees and the joint health and safety committee(s) to ensure that the requirements of the Act are fully implemented and integrated into all Township work activities.

Management is responsible for the administration of the Township's health and safety programs, policies and procedures. A supervisor has a duty to ensure that machinery and equipment are safe and that an Employee works in compliance with established safe work practices and procedures.

An Employee must protect his/her own health and safety by working in compliance with the Act and with safe work practices and procedures established by the Township. An Employee will receive information, training and competent supervision in their specific work tasks to protect their health and safety.

An Employee shall report any potential safety hazard to their immediate supervisor so that it may be promptly remedied.

A Contractor is responsible for complying with the Act and for the health and safety of its employees, and when working with the Township all requirements of the Act shall be followed. A Contractor shall report any potential safety hazard to the Township so that it may be promptly remedied.

Work from Home

- a) When working from home, the employee is responsible for setting up and maintaining a designated workspace that meets workplace health and safety requirements. Workspaces should be free of slip and trip hazards, electrical and material handling hazards, as well as any other preventable hazards.
- b) The employee will report all work-related accidents or injuries to their Supervisor or Manager in accordance with the Township's policy and procedure. When an employee is injured while working from home, they must comply with the normal reporting requirements for any work-related accident.



Policy No. 2022-007

Corporate Policy

- c) Employees working at home that are injured while working in their home offices are eligible to apply for WSIB benefits. While the WSIB assesses each case individually based on its circumstances, generally the injury must have occurred in the course of the regular work hours and/or in the home workplace, which the Ministry of Labour defines as the actual space where work is conducted, during the time when work is being done.
- d) Employees should first treat or seek treatment for the injury, and then report the injury to their Supervisor, just as they would if they were injured on the Township's premises.
- e) Incidents of workplace violence and harassment must be reported by the employee to the Supervisor immediately (e.g., harassment via email or phone calls by clients, co-workers, etc.).
- f) The Township is not responsible and assumes no liability for any injuries to family members, visitors, and others in the employee's home.
- g) The Township will not be held liable for any damages to an employee's property.
- h) If the employee is expected to regularly use a computer/laptop for completing their duties, a focus on proper workstation ergonomics is essential. Employees will follow the ergonomic guidelines for their workstations to the best of their abilities.
- i) In the case of an emergency situation, the Township can unilaterally make the decision to have employees work remotely.

Reference and Related Documents

Employee Occupational Accident and Incident Reporting
Personal Protective Equipment
Health and Safety Responsibilities and Duties
Forms



Policy No. 2022-007

Corporate Policy

Dated this 20th day of December, 2023

Interim CAO – Courtenay Hoytfox

Mayor – James Seeley



Policy No. 2022-008

Corporate Policy

Department: Administration

Date: December 2022

**Subject: HARRASSMENT AND VIOLENCE IN THE WORKPLACE
POLICY**

Policy Statement

The Corporation of the Township of Puslinch (the “Township”) is committed to providing and maintaining a work environment that is based on respect for the dignity and rights of everyone in the corporation. It is the Township’s goal to provide a healthy and safe work environment that is free of any forms of violence, harassment or disrespectful behavior. The intention of this policy and its procedures:

- is to prevent workplace violence and harassment from taking place; and
- to outline how we will act upon incidents and complaints of such behavior quickly and fairly with due regard to confidentiality.

The Township will not tolerate or condone discrimination, harassment or violence in the workplace. This includes making everyone in our organization aware of what behaviour is and is not appropriate, assessing the risk of workplace violence, investigating complaints and imposing suitable corrective measures.

Scope

This policy applies to an employee of the Township and applies in any location in which an employee is engaged in work-related activities.

This includes, but is not limited to:

- the workplace, including during council and committee meetings whether in open or closed session
- during work-related travel
- at restaurants, hotels or meeting facilities that are being used for business purposes
- in Township owned or leased facilities
- during telephone, email and other communications, including but not limited to social media



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- dialogue that extends from the workplace, related to work or workplace relations as well as comments made on social media pertaining to or associated with employees, work or the workplace
- at any work-related social event, whether or not it is sponsored by the Township
- discrimination and harassment which occurs outside the workplace but which may adversely impact employee relationships
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This policy also applies to a situation in which you are harassed or discriminated against in the workplace by an individual who is not an employee of the Township, such as suppliers, ratepayers and other members of the public.

1. Definitions

For the purpose of this Policy:

“Employee” means a Township employee, a member of Council, a member of a Committee of Council, local board and a Township volunteer, contractor and consultant and includes a worker.

“Workplace discrimination” includes any distinction, exclusion or preference based on the protected grounds in the Ontario *Human Rights Code*, which nullifies or impairs equality of opportunity in employment, or equality in the terms and conditions of employment.

The protected grounds of discrimination are:

- *ethnic origin, race, colour, ancestry*
- *citizenship, place of origin*
- *creed, including religion*
- *age*
- *gender identity and gender expression*
- *sexual orientation*
- *sex (including pregnancy and breastfeeding)*
- *marital status (including same-sex partnership and single status)*
- *family status*
- *disability or perceived disability (both mental and physical); and*



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- *a record of offences for which a pardon has been granted under the Criminal Records Act (Canada) which has not been revoked, or an offence in respect of any provincial enactment*

“Discriminatory harassment” includes comments or conduct based on the protected grounds in the *Ontario Human Rights Code*, which a person does not welcome or that offends him or her.

Examples of discriminatory harassment include:

- *offensive comments, jokes or behaviour that disparage or ridicule a person’s membership or perceived membership in one of the protected grounds, such as race, religion or sexual orientation*
- *imitating a person’s accent, speech or mannerisms*
- *persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children*
- *inappropriate comments or jokes about a person’s age, sexual orientation or sex*

Harassing comments or conduct can poison a person’s working environment, making it a hostile or uncomfortable place to work, even if the person is not being directly targeted. A poisoned working environment is a form of discriminatory harassment.

Examples of actions that can create a poisoned work environment include:

- *displaying offensive or sexual materials such as posters, pictures, calendars, websites or screen savers*
- *distributing offensive e-mail messages or attachments such as pictures or video files*
- *practical jokes that embarrass or insult someone*
- *jokes or insults that are offensive, racist or discriminatory in nature*

“Sexual and Gender-Based Harassment” includes conduct or comments of a sexual nature that the person does not welcome or that offends him or her. Sexual and gender-based harassment also includes:

- *negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at a person because of his or her gender or sex;*



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- comments or conduct of a sexual nature or that are based on gender or sex that are not necessarily directed at a particular person but are unwelcome or offensive to a person or group.

The Ontario Human Rights Code provides for protection from sexual harassment in employment as follows:

Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by his or her employer or agent of the employer or by another employee.

Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.

The Occupational Health and Safety Act defines workplace sexual harassment as:

- (i) Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or*
- (ii) Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.*

Both men and women can be victims of sexual or gender-based harassment, and someone of the same or opposite sex can harass someone else.



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Examples of sexual or gender-based harassment are:

- *sexual advances or demands that the person does not welcome or want*
- *threats, punishment or denial of a benefit for refusing a sexual advance*
- *offering a benefit in exchange for a sexual favour*
- *leering (persistent inappropriate staring)*
- *displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic websites or other electronic material*
- *distributing sexually explicit e-mail messages or attachments such as pictures or video files*
- *sexually suggestive or obscene comments or gestures*
- *unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing or sex*
- *persistent, unwanted attention after a consensual relationship ends*
- *physical contact of a sexual nature, such as touching or caressing*
- *gossip or rumours regarding a person's sexual activities or relationships, regardless of whether they are malicious; and*
- *sexual assault*

"Workplace Harassment and Bullying" is a health and safety issue that is covered under the *Occupational Health and Safety Act* and means:

- *engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome;*
- *workplace sexual harassment.*

Examples of workplace harassment and bullying are:

- *verbally abusive behaviour such as yelling, insults, ridicule and name-calling, including remarks, jokes or innuendos that demean, ridicule, intimidate or offend*
- *workplace pranks, vandalism, bullying and hazing*
- *gossiping or spreading rumours, regardless of whether they are malicious*
- *excluding or ignoring someone, such as persistent exclusion of a particular person from workplace-related social gatherings*



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- *workplace supervision done in a demeaning or abusive manner*
- *humiliating someone*
- *sabotaging someone else's work*
- *displaying or circulating offensive pictures or materials*
- *offensive or intimidating phone calls, emails, texts or social media communications*
- *a supervisor/manager impeding a person's efforts at promotions or transfers for reasons that are not legitimate*
- *making false allegations about someone in memos or other work related documents*
- *menacing behavior including staring, glaring, inappropriate gestures or unwelcome physical closeness*

What Isn't Workplace Harassment

The *Occupational Health and Safety Act* states:

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Therefore, workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including but not limited to:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan
- imposing discipline for workplace infractions
- requesting medical documents in support of an absence from work
- enforcement of workplace rules and policies
- normal workplace conflict or differences of opinion between individuals

The Test of Workplace Harassment

The test of workplace harassment is whether you knew or should have known that the comments or conduct were unwelcome to the other person.

For example, someone may make it clear through their conduct or body language that the behavior is unwelcome, in which case you must immediately stop that behavior.



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Although it is commonly the case, the harasser does not necessarily have to have power or authority over the recipient. Workplace harassment can occur from co-worker to co-worker, supervisor to employee and employee to supervisor.

Workplace and Domestic Violence

“Workplace Violence” is defined under the *Occupational Health and Safety Act* as:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker
- a statement or behavior that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Workplace Violence is defined broadly enough to include acts that may be considered criminal and includes:

- *physically threatening behavior such as shaking a fist at someone, finger pointing, destroying property, throwing objects*
- *verbal or written threats to physically attack an employee*
- *leaving threatening notes or sending threatening emails*
- *wielding a weapon at work*
- *stalking someone*
- *physically aggressive behaviors including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault*
- *violence that occurs outside the normal workplace but which has an impact on the working environment including working relationships*

Workplace violence may come from many different sources:

- strangers or people with no ties to the workplace
- clients or customers
- other employees
- intimate relationships outside of work (such as intimate partners, family, friends)



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Domestic Violence

Domestic violence in the workplace includes domestic violence that is likely to expose you, or other employees, to physical injury that may occur in the workplace.

2. Duties of a Supervisor

A supervisor is expected to assist in creating a harassment, violence and discrimination-free workplace and to immediately contact the CAO if they receive a complaint of workplace discrimination, harassment or violence, or witness or are aware of such behaviour.

A supervisor must take every reasonable precaution to protect workers from workplace violence, including participating in conducting risk assessments for workplace violence.

A risk assessment is to be conducted as frequently as necessary to prevent injury in the workplace, for example:

- after an event or threat has occurred
- if the work or workplace has changed
- when a safety concern related to workplace violence has been raised

A risk assessment may include evaluating a person's history of violent behavior to determine whether and to whom this employee poses a risk.

In making this evaluation, a supervisor should consider:

- whether the person's history of violence was associated with the workplace or work
- whether the history of violence was directed at a particular employee or employees in general
- how long ago the incidence of violence occurred

In certain circumstances, a supervisor may have a duty to provide information about a risk of workplace violence from a person with a history of violent behavior if an employee can be expected to encounter that person during the course of his or her work and the risk of workplace violence is likely to expose the employee to physical injury.



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A supervisor will only release as much personal information about the person with a history of violent behavior as is reasonably necessary to protect the employee from workplace violence. A supervisor is required to consult with the CAO prior to releasing information about a person with a history of violence.

3. Duties of All Employees

An employee must do his/her part by ensuring that his/her behavior does not violate this policy. Respect in the workplace and fostering a work environment that is based on respect and is free of harassment, violence and discrimination is everyone's responsibility.

You can assist in achieving an environment free of harassment, violence and discrimination by promptly reporting in accordance with the procedures outlined to your supervisor, any other supervisor the existence of any workplace harassment, violence or discrimination or threat of workplace harassment, violence or discrimination of which you become aware.

4. Procedures – Workplace Harassment and Discrimination

An investigation may be informal or formal as deemed necessary and appropriate by the Township.

Informal Procedure

If you believe that you are being harassed or discriminated against, the first thing to do is to tell the person to stop. Do so as soon as you receive any unwelcome comments or conduct. Although this may be difficult to do, telling the person you don't like their actions is often enough to stop the behavior.

Some of the things you can say that might stop the behavior include:

"I don't want you to do that."

"Please stop doing or saying..."

"It makes me uncomfortable when you..."

"I don't find it funny when..."

If the workplace harassment or discrimination continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation.



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You can also report the incident(s) to your supervisor, your Department Head, any other member of management or the CAO. Where appropriate, the Township will assist you with implementing the appropriate de-escalation techniques.

It helps to keep a record of any incident(s) that you experience. This includes when the workplace harassment or discrimination started, what happened, whether there were any witnesses and what your response was.

If you believe that someone who is not an employee of the Township (e.g., a ratepayer, supplier, contractor, etc.), has harassed or discriminated against you, please report the incident(s) to your supervisor, or any other member of management or the CAO. Although the Township has limited control over third parties, we will do our best to address the issue and prevent further problems from arising.

Formal Procedure

If the incident or complaint cannot be resolved informally or if it is too serious to handle on an informal basis, you may bring a formal complaint to your Department Head. If the matter involves your Department Head, the complaint can be brought to the CAO. If the matter involves the CAO, the complaint can be reported to Council.

When bringing a formal complaint forward, as much written information as possible will be needed, including the name(s) of the person(s) you believe is harassing or discriminating against you, the place, date and time of the incident(s) and the names of any possible witnesses.

It is important that you provide your complaint as soon as possible so that the issue doesn't escalate or happen again. Once a complaint is received an investigation will be initiated.

If a decision is made not to make a formal complaint, an investigation may still occur and steps may need to be taken to prevent further workplace discrimination or harassment. For example, an investigation may need to be conducted if the allegations are serious or if there have been previous complaints or incidents involving the same person.

Investigation



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An investigation into an incident or complaint regarding workplace harassment or discrimination will be undertaken as quickly as possible.

The Township will determine whether to use an internal or external investigator, depending on the nature of the incident or complaint.

The investigation may include:

- advising in writing the complainant, respondent and witnesses of their duty to maintain confidentiality
- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the incident or complaint, including dates and locations
- interviewing witnesses deemed relevant by the investigator, if any
- reviewing any related documentation
- making detailed notes of the investigation and maintaining them in a confidential file

Once the investigation is complete, the investigator(s) will prepare a report of the findings for review by the Department Head, CAO or Council, as applicable, who will determine what action should be taken as a result of the investigation.

The complainant and respondent will be made aware of the findings and provided with a letter stating whether or not the incident or complaint constituted workplace harassment or discrimination. If a finding of workplace harassment or discrimination has been made, the complainant will also be provided with information regarding corrective measures taken to prevent a recurrence.

The Department Head and the CAO or Council will determine the appropriate amount of information to be shared with the complainant and respondent.

5. Procedures – Workplace Violence

Under the *Occupational Health and Safety Act* workers have a responsibility to report workplace hazards and workplace violence is considered a workplace hazard.

If you are aware of workplace violence, even if you are not a recipient or witness to the violence directly, you are required to report it.

If you are either the recipient of or a witness to workplace violence, from any person, you must report such behavior to your supervisor. A person who believes they are unable to



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report workplace violence to their direct supervisor or Department Head may report to the CAO or Council when it involves the CAO.

If a person is believed to be in imminent physical danger or physical assault has occurred, you must immediately report it to the police.

An employee has the right to refuse unsafe work if they have reason to believe they are in danger of workplace violence. Immediately contact your supervisor, at which point appropriate measures will be taken to protect you and investigate the situation. You will be moved to a safe place as near as reasonably possible to your normal work location and will need to be available for the purposes of investigating the incident. Certain employees may have a limited right to refuse, when the risk is inherent in their job duties, such as a member of the fire department.

Investigation

An investigation into a report or incident of workplace violence will be undertaken as quickly as possible.

The Township will determine whether to use an internal or external investigator, depending on the nature of the incident or report.

If a supervisor becomes aware of or witnesses acts or threats of workplace violence, even if these events or actions are not reported to them by an employee, they must initiate an investigation, and corrective and preventative actions by reporting this to the CAO or Council when it involves the CAO.

The investigation may include:

- advising in writing the complainant, respondent and witnesses of their duty to maintain confidentiality
- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the incident or complaint, including dates and locations
- interviewing witnesses deemed relevant by the investigator, if any
- reviewing any related documentation
- making detailed notes of the investigation and maintaining them in a confidential file



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Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings. A copy of the findings will be provided to the Health and Safety Committee, the Department Head, CAO or Council, as applicable.

The complainant and respondent will be made aware of the findings and provided with a letter stating whether or not the incident or complaint constituted workplace violence. If a finding of workplace violence has been made, the complainant will also be provided with information regarding corrective measures taken to prevent a recurrence.

The Department Head and the CAO or Council will determine the appropriate amount of information to be shared with the complainant and shall take into consideration the *Ontario Health and Safety Act* requirements for an employer to not disclose any more personal information than is reasonably necessary.

6. Procedures - Domestic Violence

If you are experiencing domestic violence, the Township will take every precaution reasonable to protect you and your fellow employees in the circumstances. The Township will do its best to assist you as discreetly as possible while maintaining your privacy.

This may include some or all of the following:

- creating a safety plan
- contacting the police
- establishing enhanced security measures such as a panic button, code words, and door and access security measures
- screening calls and blocking certain email addresses
- providing escorts to your vehicle
- facilitating your access to counselling

7. Corrective Action

If a finding of workplace harassment, discrimination or violence is made, the Township will take appropriate corrective measures, regardless of the respondent's seniority or position at the Township.



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A corrective measure may include but is not limited to one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay
- termination with or without cause
- referral for counselling, coaching or training, anger management training, supervisory skills training, or attendance at educational programs on respect in the workplace
- demotion or denial of promotion
- reassignment or transfer
- financial penalties such as the denial of a performance related salary increase
- any other disciplinary action deemed appropriate under the circumstances.

8. Confidentiality of Complaints and Investigations

Due to the sensitive nature of workplace harassment, discrimination and violence complaints, these complaints will be kept confidential to the extent possible. The Township will only release as much information as is necessary to investigate and respond to the incident or complaint, to take corrective action with respect to the incident or complaint or if required to do so by law.

The Township may be required to disclose pertinent information for the purpose of protecting an employee from injury where a reasonable threat of workplace harassment, discrimination and violence exists. Reports will be kept confidential if it has been determined that a reasonable threat of workplace violence does not exist or where reasoned and practical in the circumstances.

Out of respect for the individuals involved, it is essential that the complainant, respondent, witnesses, and anyone else involved in or aware of the investigation maintain complete confidentiality throughout the investigation and afterwards.

You may have the assistance of a support person throughout the investigation process, as long as they are not a witness or potential witness and agree to maintain strict confidentiality. The role of the support person throughout the investigation process is to observe and provide support.

All employees, representatives and support persons are required to fully cooperate in the investigation process and to not in any way impede, obstruct or behave in a manner that



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potentially jeopardizes the integrity of the investigation. Breaching confidentiality or acting in a manner that obstructs, impedes or affects the integrity of the investigation is subject to discipline up to and including termination of employment.



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9. What to Do if You are Accused of Workplace Harassment or Discrimination

If you are asked by a fellow employee to stop behaviors which could reasonably constitute workplace harassment or discrimination, evaluate your behavior. Even if you did not mean to offend, your behavior has been perceived as offensive. Stop the behavior that the employee finds offensive and apologize. Failure to stop this behavior will leave you more vulnerable to disciplinary action if it is determined the behavior is inappropriate or constitutes workplace harassment or discrimination. If you believe the incident has been reported or the complaint has been made in bad faith or is malicious in nature, discuss this with the supervisor or any member of management.

10. Protection from Retaliation or Reprisal

An employee cannot be penalized, reprimanded, or in any way criticized when acting in good faith while following the procedures for addressing situations involving workplace harassment, discrimination or violence.

The Township will not tolerate retaliations, taunts, or threats against anyone who reports an incident or complains about workplace harassment, discrimination or violence or takes part in an investigation. Any person who taunts, retaliates against or threatens anyone in relation to a harassment, discrimination or violence incident or complaint may be disciplined, up to and including termination of employment.

If you report an incident or make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township will, however, discipline or terminate anyone who brings a false and malicious complaint.

11. Training

All staff including volunteers, members of Council and Committees of Council will receive training and communications on this policy and any related program.

This policy will be provided to all staff and posted on the Health and Safety bulletin board. The Township encourages staff to work in groups or with a 'buddy' whenever possible. When staff are working with money or valuables, they are to be locked up and amounts



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kept to a minimum to reduce risk.

In the event of a potentially violent situation involving money or valuables, employee safety is the primary concern over such money or valuables.

12. Employee Support

If Township staff have witnessed or experiences a traumatic event, special support may be required. The Township will accommodate this need on a case-by-case basis.

13. Review

The Township will review this policy as often as necessary or at least annually.

Reference and Related Documents:

Health and Safety Policy
Acknowledgment of Receipt of the Harassment and Violence in the Workplace Policy
Respect in the Workplace Complaint Form

Dated this 20th day of December, 2023

Interim CAO – Courtenay Hoytfox

Mayor – James Seeley



REPORT ADM-2023-075

TO: Mayor and Members of Council

PREPARED BY: Justine Brotherston, Interim Municipal Clerk

PRESENTED BY: Justine Brotherston, Interim Municipal Clerk

MEETING DATE: December 20, 2023

SUBJECT: Application for Noise Exemption for Wellington Common Elements
Condo Corp #214 (Mini Lakes)
File: C01 NOI

RECOMMENDATION

That Council receives report ADM-2023-075 Application for Noise Exemption for Wellington Common Elements Condo Corp #214, (Mini Lakes); and

That Council authorizes an exemption to Section 4 - Prohibitions by Time and Place and Schedule 2, #1 of By-Law 5001-05 to permit the use of a scare gun to scare away geese at the Mini Lakes Resident Association during the period of:

March 25, 2024 to May 31, 2024 between the hours of 9 a.m. to 7 p.m.;
August 1, 2024 to December 31, 2024 between the hours of 9 a.m. to 7 p.m.;

January 1, 2025 to May 31, 2025 between the hours of 9 a.m. to 7 p.m.;
August 1, 2025 to December 31, 2025 between the hours of 9 a.m. to 7 p.m.;

January 1, 2026 to May 31, 2026 between the hours of 9 a.m. to 7 p.m.;
August 1, 2026 to December 31, 2026 between the hours of 9 a.m. to 7 p.m.; and

That the exemption be approved for the time period indicated pending that the Township does not receive any complaints; and

That the Migratory Bird Damage or Danger Permit holder be directed to notify the Ontario Provincial Police of the noise exemption.

Purpose

The purpose of this report is to provide Council with a request for exemption from the Noise By-law for the Wellington Common Elements Condo Corp #214, also known as Mini Lakes to permit the use of a scare gun to scare away geese as outlined in the report.

Background

Township staff received the application for noise exemption for Mini Lakes Residents Association on November 29, 2023 for the use of a scare gun to scare geese away. Council received the same request in 2021 and approved the noise exemption request. The Migratory Bird Damage or Danger Permit, attached to this report as schedule "A", is called from January 1, 2024 to December 31, 2026

Canadian Wildlife Services has indicated that management must cease when flightless birds are present. This applies to chicks that hatch and are incapable of sustained flight during the birds breeding and nesting season. Typically, breeding and nesting season occurs from approximately mid-April to the end of August. Mini Lakes has requested that the noise exemption include the months of May and August. Staff have confirmed with the Canadian Wildlife Services that this is in accordance with their permit and other applicable regulations so long as the birds can safely escape the area while breeding and nesting season occurs.

Financial Implications

None

Applicable Legislation and Requirements

Municipal Act, 2001, S.O. 2001, c. 25

Engagement Opportunities

None

Attachments

Schedule "A" - Migratory Bird Damage or Danger Permit for Mini Lakes Residents Association

Schedule "B" - Application for Noise By-law Exemption

Respectfully submitted,

Reviewed by:

**Justine Brotherston,
Interim Municipal Clerk**

**Courtenay Hoytfox,
Interim CAO**



Damage or Danger Permit

Permits are issued under the *Migratory Birds Convention Act, 1994* (S.C. 1994, c.22) pursuant to paragraph 12(1)(b) and sections 63-71 & 73 of the *Migratory Birds Regulations, 2022*.

Permit number:

DA-OR-2024-1779

Valid From: (yyyy/mm/dd)

2024/01/01

Expiry date: (yyyy/mm/dd)

2026/12/31

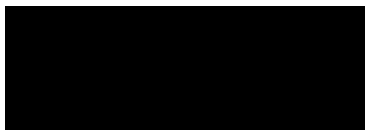
Report due annually on: (mm/dd)

01/31

Permit holder (full name, or name of organization):

Jim Lapos
Mini Lakes Residents Association, WCECC 214

Mailing address:



Telephone number:



Email address:



Activities authorized under this permit:

Activities	Species	Applicable location(s)
Destruction of eggs	Canada Goose (<i>Branta canadensis</i>)	1
Destruction of nests	Canada Goose (<i>Branta canadensis</i>)	1
Scare using an aircraft or firearm	Cackling Goose (<i>Branta hutchinsii</i>), Canada Goose (<i>Branta canadensis</i>)	1

Location(s):

1. 7541 Wellington County Rd. 34 Puslinch Ontario N0B 2J0 Canada (Mini Lakes - WCECC 214 Condominium)

General Terms and Conditions:

1. This permit is valid only:
 - a. during the specific dates, locations, and for the specified activities as indicated on the permit;
 - b. if it is not altered in any way; and
 - c. for the migratory bird species listed on this permit.
2. This permit is not transferable to any other person(s).
3. The permit holder and/or nominee(s) must carry a copy of the signed permit at all times while conducting any activities authorized by the permit.
4. The permit holder and any nominees are bound by the terms and conditions of the permit.
5. Permitted management activities apply only to those species specified on the permit. Disturbance or management of other species present or nesting on the site is prohibited.
6. The permit holder and nominees must comply with all other applicable federal, provincial, territorial and municipal laws, bylaws and regulations.
7. The permit holder and nominee(s) cannot sell, expose for sale, and offer for sale, trade or exchange any migratory birds, eggs, nests, carcasses or skins of migratory birds or any other part thereof taken under the authority of this permit.
8. The permit holder must ensure compliance with the Species at Risk Act (SARA) prior to undertaking any actions in relation to SARA listed species.
9. The permit holder must provide a report on all activities undertaken, with the exception of permits issued solely for scaring activities where no birds are injured or killed. Failure to submit a satisfactory report may result in the delay or refusal of future permit requests.
10. Where bands or markers are found on migratory birds that were killed, these must be reported by the permit holder to the Bird Banding Office at www.reportband.gov or by contacting the issuing regional CWS office.
11. It is the responsibility of the permit holder to address concerns raised by the public regarding the activities.
12. Any permit holder or nominee(s) carrying out activities authorized by this permit must, at the request of a game officer, present a valid government-issued ID with photo, and present the permit signed by the permit holder.
13. Any employee of the permit holder carrying out activities authorized by this permit must, at the request of a game officer, present a copy of the permit signed by the permit holder, and be able to demonstrate that they are employees of the permit holder.
14. Any person or corporation – whose services have been retained by the permit holder to perform the activities authorized by the permit – must, at the request of an enforcement officer, present a copy of the permit signed by the permit holder and a letter signed by the permit holder, identifying that person or corporation and the activities which that person or corporation will perform for the permit holder. They must also be able to demonstrate that they are the person identified in the letter or a representative of the corporation identified in the letter.

Specific Terms and Conditions:

Scare using an aircraft or firearm

Scare using a firearm or aircraft - MBR s. 65

The purpose of this activity is to scare away migratory birds that are causing damage to crops or other property by using an aircraft or firearm.

1. The permit holder and assistant(s) may not kill, or take birds while scaring them with an aircraft or firearms unless otherwise authorized on this permit.
2. Migratory birds may be scared only in the area(s) designated on the permit.
3. Migratory birds may be scared during the period specified on the permit.
4. The firearm should contain blank loads only.

Destruction of eggs

Collection, destruction and disposal of eggs – MBR Section 70. The purpose of this activity is to destroy eggs or prevent them from hatching (oiling and addling) to reduce the number of birds at a location and discourage migratory birds from nesting at that location.

1. The removal of nests is NOT permitted when pursuing the activity of oiling/addling eggs to preventing them from hatching.
2. The permit holder and/or authorized nominee(s) may collect, destroy and dispose of up to thirty (30) eggs of Canada Geese for each year that the permit is valid.
3. The permit holder is responsible to provide accurate record keeping of egg destructions operations (including the number of eggs destroyed, number of nests affected and the dates on which the activity occurred) and must submit a report of these operations to Environment and Climate Change Canada as indicated on the permit.
4. For Canada goose related activities: The permit holder and nominee(s) must comply and conduct the activities in accordance with the requirements in the Best Practices for Destroying Eggs or Preventing Hatching document available on line at <https://www.canada.ca/en/environment-climate-change/services/migratory-bird-conservation/managing-conflicts/goose-best-practices-destroying-eggs.html>

Destruction of nests

Removal and destruction of nests - MBR s. 70

1. The permit holder and nominee(s) may remove nest(s) of Canada Geese only at the activity location(s) listed on this permit.
2. Removal and destruction of nests must occur during the time period specified on the permit.
3. The permit holder is responsible to provide accurate record keeping of nest destruction operations (including dates, numbers and species) and must submit a report to Environment and Climate Change Canada's regional Canadian Wildlife Service office as

indicated on the permit.

Nominee(s):

Name

Organization

Beth Charles

Gaylyne Williamson

Jeff Boreham

Kerri Purgavie

I declare that I have read and understood all the information contained in this permit, including all of the terms and conditions. I understand that this permit may be cancelled should I, or any nominees, be found in violation of the permit conditions.

Permit holder (full name)

Jim Lapos

Permit holder (signature)

Date: 2023/11/22 (yyyy/mm/dd)

Permit issuer (full name)

Chelsea Arden

Canadian Wildlife Service, on behalf of the
Minister of Environment and Climate Change
Canada

Permit issuer (signature)

Date: 2023/11/21 (yyyy/mm/dd)

General Information:

1. The holder and their nominee(s) of a damage or danger permit shall have the permit on his person at all times when attempting to take any migratory bird, nest or egg and when in possession of any migratory bird, nest or egg and shall show the permit to any game officer upon request.
2. The holder of an damage or danger permit must ensure compliance with the Species at Risk Act, S.C. 2002, c. 29 (SARA) when undertaking any actions affecting migratory bird species, or their residences or habitat, that are listed as threatened, endangered or extirpated pursuant to Schedule 1 of SARA.

BY-LAW 5001-05
SCHEDULE 4

**Application for Noise Exemption
To Noise Control By-law 5001-05**

Applicant Name	Last	First
	WCECC214 Mini Lakes	

Applicant Address	Street	Postal Code
	7541 Wellington County Rd.34	N0B2J0

Applicant's Phone Number
519-265-0245

Group or Organization
Goose Busters Of Mini Lakes

Event Title
Scare using an aircraft fire arm.


Date of Event	Time of Event
(If event is being held over more than one day, specify times for each day)	
2024-01-01 to 2026-12-31	

Description of Event – include the source of sound or vibration in respect of which the exemption is being sought:
to scare away migratory birds that cause damage to the property

State the particular provision or provisions of the By-law from which the exemption is being sought
By-Law -5001-05 Schedule 2

2023-11-28

Date



Signature
Property Manager

Title

Submit to:
Clerk's Office
Township of Puslinch
7404 Wellington Road 34
R.R. #3
Guelph, ON
N1H 6H9
(519) 763-1226



REPORT ADM-2023-076

TO: Mayor and Members of Council

PREPARED BY: Courtenay Hoytfox, Interim CAO
Clerks Department team

PRESENTED BY: Courtenay Hoytfox, Interim CAO

MEETING DATE: December 20, 2023

SUBJECT: High Speed Internet Initiative

RECOMMENDATION

That Report ADM-2023-076 entitled High Speed Internet Initiative be received; and

That Council approve the public engage initiatives and schedule as outlined in this report.

Purpose

The purpose of this report is to provide Council with a recommendation related to public engagement opportunities to increase community awareness of the on-going high speed internet projects and related provincial/federal funding. Input was provided by the Chair of the Puslinch Highspeed Initiative Committee, Glenn James, and Councillor Sepulis.

Background

As Council is aware, on August 28, 2023, the federal and provincial government announced over \$219 million in combined federal and provincial funding to bring high-speed Internet access to over 66,000 households in more than 300 underserved Ontario communities, including over 600 Indigenous households. This work is to be undertaken by Rogers. The announcement can be viewed at the link: <https://www.canada.ca/en/innovation-science-economic-development/news/2023/08/governments-of-canada-and-ontario-investing-over-219-million-to-bring-high-speed-internet-access-to-more-than-66000-households-in-over-300-communit.html>

A number of Puslinch communities are noted in the announcement as benefiting from this project.

Standard Broadband, on the other hand, had earlier received grant funding for some work in Morriston. However, most of Standard Broadband's work has been done at their initiative and cost.

The Puslinch Highspeed Initiative Committee has been tracking the progress of the installation of fibre internet throughout the Township for some time based on observational data and input from residents via Facebook. The Committee has developed mapping that is available to the public that identifies the Township road network, the service provider servicing each road section, and the estimated stage of construction. It should be noted that neither Rogers nor Standard Broadband has endorsed the mapping at this time. The mapping can be viewed at the link:

https://www.google.com/maps/d/u/0/viewer?fbclid=IwAR2x_lqydiflkutU0yUzKd4nmOeid7c0rbRBn2LQCFIRw858IQoTg4hfMXA&mid=1EXHzgyzOQZB5qEq8SU5UnPuqjmiCWEM&ll=43.472936093837454%2C-80.1406850365673&z=15

Staff contacted Rogers and Standard Broadband as directed by Council at the October 18, 2023 Council meeting. Council direction is noted as follows:

That staff report back on the issue of lack of communication with Rogers and request that Rogers provide information regarding the identification of areas that may not be served by the two providers (Rogers and Standard Broadband).

Staff received the Rogers mapping attached to this report as Schedule "A" which is available to the public. The roads in RED are part of the subsidized project (eligible roads), the roads in GREEN (ineligible roads) are not included in the subsidized project but have been added to the project by Rogers (without subsidy), both RED and GREEN roads will be served with fiberoptic internet. Rogers has communicated to the Township that the entire project is anticipated to be complete by the end of 2024.

Staff and the Committee are continuing conversations with Rogers regarding the additional information being sought which includes servicing areas not yet identified as being served, and the timing when residents are no longer able to sign up for installation at no cost.

Unfortunately, Standard Broadband did not provide the requested information at the time this report was published. Staff will be monitoring any new information available from the service providers and will regularly update the Township website accordingly.

Staff have developed the below community engagement strategy to increase awareness in the community. Staff are seeking Council’s approval of the calendar below. There are no direct budget implications associated with the engagement as costs are incorporated into the associated projects (i.e. social media advertising, community newsletter, and Community Guide).

Staff will be discussing with Rogers and Standard Broadband, the timing and nature of media events that will announce publicly their respective work.

Date of Engagement	Media Type	Post Copy
December 21, 2023	Township Website page launch	Website information to include: <ul style="list-style-type: none"> • Available mapping • Link to the Highspeed Initiative Committee Mapping • Project description including funding announcement and details • Contact information for service providers for more information • Links to media releases • Link to future Engage Puslinch page to include potential survey or other engagement tool
December 21, 2023	Township Website Banner	Directing to the Township webpage
December 21, 2023	Social Media (X, Facebook)	“Did you know?...”
January 2024	Media Release	Details regarding project and funding.
January 18, 2024	Social Media (X, Facebook)	“Look for more information coming soon in your February tax bill”
February 2024	Interim Tax Bill Insert of Community Newsletter	“Did you know?...” And QR code link to Township Website
February 2024	Email/Letter	Engage directly with Township businesses through economic development registry
February 2024	Print Bulletin Board notices	For distribution throughout the Township (Library, Puslinch Community Centre, ORC, Township Office, Mini Lakes mail room, other community boards, etc.) – Youth Committee to assist with distribution to local community boards.
February 2024	Social Media (X, Facebook) Township Website	“Don’t see your property/road listed on the mapping identified for fibre

		installation? Contact Rogers/Standard Broadband directly”
February 2024	Engage Puslinch page	Tools to be determined through consultation with the-High Speed Initiative Committee
February 2024	Media Release	To promote the Engage Puslinch opportunity.
March 5, 2024	Social Media (X, Facebook)	Engagement Opportunity Alert
March-May 2024	Public Information Open House	Potential for the Township to host an open house where both Rogers and Standard Broadband are on site to provide information to the public. High Speed Initiative Committee to assist with facilitating the Open House in collaboration with the Township. Extra social media posts will be needed should the Open House be confirmed.
April 2024	Township Community Guide is circulated to households	“Did you know?...” And QR code link to Township Website
April 9, 2024	Social Media (X, Facebook)	Engagement Opportunity Alert
May 7, 2024	Social Media (X, Facebook)	“Don’t see your property/road listed on the mapping identified for fibre installation? Contact Rogers/Standard Broadband directly”
May 2024	Website Banner Update	“Did you know?”...and “Don’t see your property/road listed on the mapping identified for fibre installation? Contact Rogers/Standard Broadband directly”
June 6, 2024	Social Media (X, Facebook)	Engagement Opportunity Alert
July 11, 2024	Social Media (X, Facebook)	Engagement Opportunity Alert
August 6, 2024	Social Media (X, Facebook)	“Look for more information coming soon in your August tax bill”
August 2024	Final Tax Bill Insert of Community Newsletter	“Did you know?...” And QR code link to Township Website
September	Social Media (X, Facebook)	Possible data to be shared based on the Engage Puslinch options - Engagement Opportunity Alert
September 2024	Media Release	Tentatively scheduled subject to new information being provided on the project.
October	Social Media (X, Facebook)	Engagement Opportunity Alert

November	Social Media (X, Facebook)	Engagement Opportunity Alert
December	Social Media (X, Facebook)	Engagement Opportunity Alert (potential update on construction timelines)

Financial Implications

Incorporated into the existing budget for Social Media paid advertisements, the budget related to tax bill inserts, and the budget related to the Township Community Guide.

Applicable Legislation and Requirements

None

Engagement Opportunities

1. Media Release Schedule “A” to this report
2. Spring Tax Inset Newsletter
3. Community Guide
4. Township Website dedicated page and banner
5. Engage Puslinch (Informational Engagement Opportunity and/or Engagement)
6. Social Media Engagement as outlined in this report
7. Bulletin Boards throughout the Township (Library, Puslinch Community Centre, ORC, Township Office, Mini Lakes mailroom, other community boards, etc.)
8. Potential Community Open House

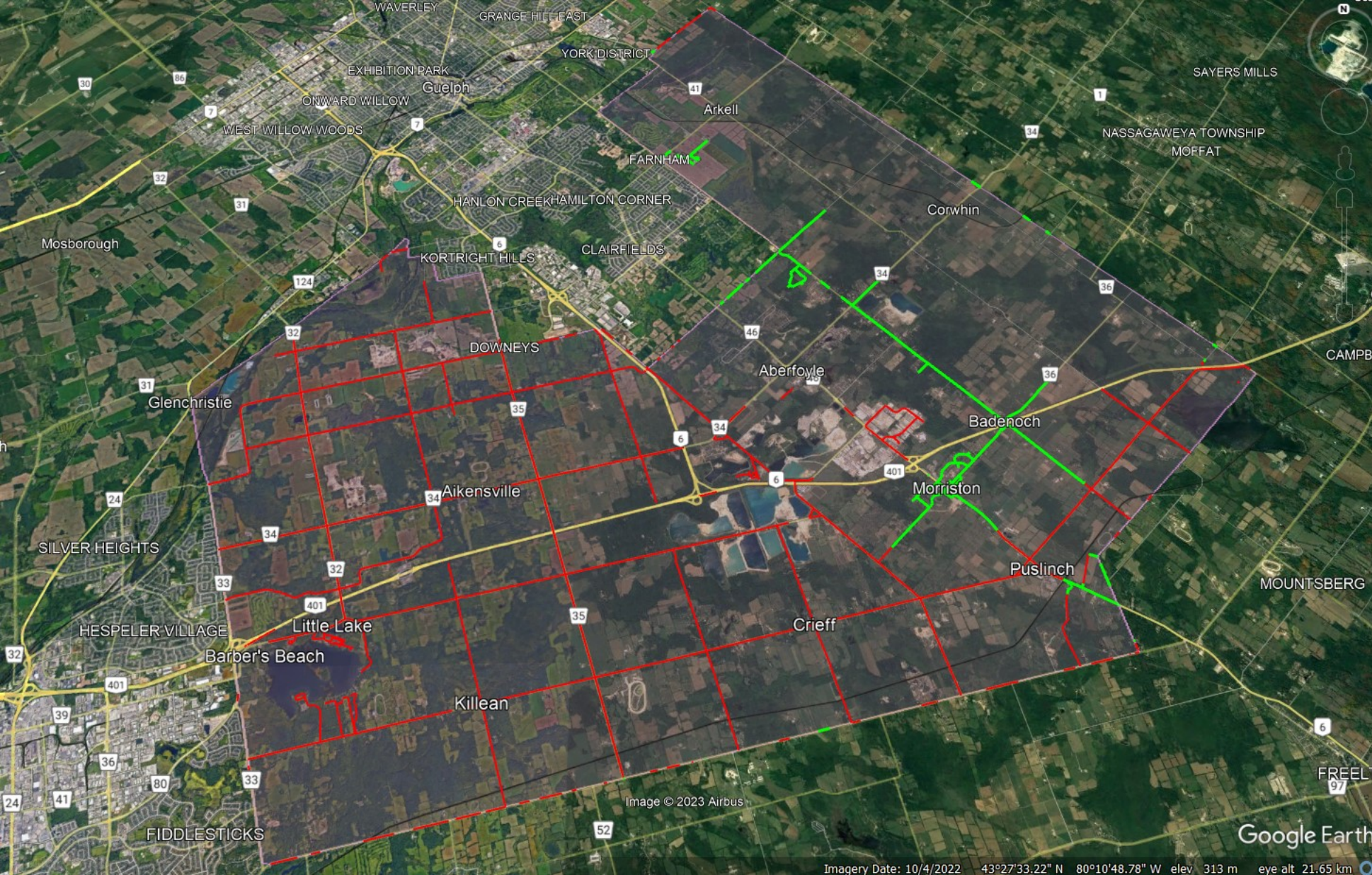
Attachments

Schedule “A” Rogers Mapping

Schedule “B” Rogers Draft Media Release

Respectfully submitted,

Courtenay Hoytfox,
Interim CAO



Mosborough

SILVER HEIGHTS

FIDDLESTICKS

Guelph

Arkell

Corwhin

Aberfoyle

Morriston

Puslinch

Crieff

Killean

Aikensville

DOWNNEYS

CLAIRFIELDS

HANLON CREEK HAMILTON CORNER

FARNHAM

YORK DISTRICT

SAYERS MILLS

NASSAGAWEYA TOWNSHIP
MOFFAT

CAMPB

MOUNTSBERG

FREEL
97

Image © 2023 Airbus

Google Earth

Imagery Date: 10/4/2022 43°27'33.22" N 80°10'48.78" W elev 313 m eye alt 21.65 km



FOR IMMEDIATE RELEASE

JANUARY XX, 2024

ANNOUNCEMENT OF HIGH SPEED INTERNET OPPORTUNITIES IN PUSLINCH

PUSLINCH – The Township of Puslinch is very pleased that the governments of Ontario and Canada have announced funding for Rogers to complete a variety of high-speed internet projects in Ontario, including here in Puslinch. The Rogers project will consist of the installation of high-speed fibre to serve up to 1,100 homes in Puslinch Township, concentrated mostly west of Brock Road, plus east of Highway 6 and south of Highway 401. Rogers and its contractors have been working on the installation of fibre in Puslinch for the last several months. The work is planned for completion by the end of 2024.

With the support of Township staff and Council, the Puslinch High-speed Initiative Committee has been working tirelessly for over four years to secure service for this community. The hard work of the committee and the support of the committee by the community has been instrumental in preparing the necessary information which formed a key part of the successful funding application. Mayor Seeley has stated “We are incredibly happy with the announcement of the funding which will allow this essential project to move forward. On behalf of Council I would like to express our sincere thanks to the Puslinch High-speed Initiative Committee and all their work in the community to help us get to this point. This partnership has proven to be extremely beneficial to our residents and businesses and we are pleased to deliver this exciting news for our community.”

Glenn James, chair of the Puslinch high-speed Initiative Committee said “We are extremely gratified that Rogers has been successful in acquiring funding for a major fibre project in Puslinch. We look forward to working with Rogers and other ISPs with the objective of ensuring maximum coverage for households and businesses who are underserved and are not included in the scope of current fibre projects. A big ‘thank you’ to members of our committee, to Puslinch Council and to our CAO – to achieve this degree of fibre coverage in Puslinch is exceptional”.

-30-

Media, please contact:

Courtenay Hoytfox,

T 519.763.1226

E choytfox@puslinch.ca



REPORT ADM-2023-077

TO: Mayor and Members of Council

PREPARED BY: Courtenay Hoytfox, Interim CAO

PRESENTED BY: Courtenay Hoytfox, Interim CAO

MEETING DATE: December 20, 2023

SUBJECT: Radiocommunication Tower and Antenna Protocol

RECOMMENDATION

That Report ADM-2023-077 entitled Radiocommunication Tower and Antenna Protocol be received; and

That Council approve the Radiocommunication Tower and Antenna Protocol as [presented/amended].

Purpose

The purpose of this report is to provide Council with the proposed Radiocommunication Tower and Antenna Protocol for approval.

Background

At the September 27, 2023 Council meeting, Council resolved as follows:

That Report ADM-2023-049 entitled Radiocommunications Tower Application – 7424 Wellington Road 34, Puslinch be received; and

Whereas the Township is not satisfied that its agent, CRINS, has completed the consultation in accordance with the applicable protocols;

That Council defer its decision on providing concurrence or non-concurrence for the application; and

That Council direct staff to advise the proponent that a re-submission of the application is required, to be submitted directly to the Township with no additional fees being collected, in order to ensure that the consultation is completed in accordance with the default ISED protocols; and

Further, that Council direct staff to process the application in accordance with the timeline outlined in this report.

That Council direct staff to notify CRINS that the Township is no longer retaining their services effectively immediately; and

That any fees not submitted to the Township be provide to the Township immediately; and

That ISED be notified that the Township is no longer retaining CRINS for processing applications on its behalf going forward; and

That Council direct staff to develop a local protocol to be used for future Radiocommunications applications and report back to Council.

The firm Clear Cable conduct a cursory review of the Protocol, as Clear Cable assisted the Township in 2020 with the Broadband Strategy Proposal. Through discussions with Clear Cable, it was noted that there are a number of firms available to assist the Township with reviewing applications for tower proposals going forward. Staff will investigate the necessary steps in order to retain a roster of firms for this process. All third party costs and disbursements associated with processing an application will be the responsibility of the proponent as outlined in the Township's Mandatory Pre-Consultation By-law and the proposed Protocol.

Staff are seeking Council's direction in order to approve the attached Protocol as [presented/amended] for telecommunication tower, antenna or related facility applications within the Township.

Financial Implications

As outlined throughout the report.

Applicable Legislation and Requirements

Radiocommunications Act

Township Mandatory Pre-Consultation By-law

Engagement Opportunities

1. Township Website

Attachments

Schedule "A" Proposed Radiocommunication Tower and Antenna Protocol

Respectfully submitted,

Courtenay Hoytfox,
Interim CAO

Title: Radiocommunication Tower and Antenna Protocol Policy

Date: December 20, 2023

Adoption: December 20, 2023 by Council Resolution No. 2023-XXX

Subject: Radiocommunication Tower and Antenna Protocol Policy

1.0 PURPOSE

The purpose of the Radiocommunication Tower and Antenna Protocol Policy is to provide guidance to staff, Council, proponents, and members of the public, by outlining the process proponents must follow to establish new and/or expand existing Radiocommunication towers, antennas, or related facilities within the Township of Puslinch.

2.0 JURISDICTION

The regulation and approval of telecommunication towers, antennas, and related facilities falls under federal jurisdiction and is governed by the *Radiocommunication Act* administered by Innovation, Science and Economic Development Canada (ISED). By extension, telecommunication structures are not subject to municipal or provincial land-use legislation, including the *Planning Act* and the *Municipal Act*.

Under the authority of the *Radiocommunication Act*, the ISED developed the Client Procedure Circular CPC-2-0-03 to outline development and licensing requirements for proposed telecommunication facilities. To ensure local compatibility, the ISED requires proponents to obtain Municipal Concurrence and to engage in both municipal and public consultation.

3.0 AMENDMENTS

This policy may be amended from time to time by the Township, as it deems necessary or appropriate, as relevant circumstances change, and will be applied in accordance with the *Radiocommunication Act*, and the ISED developed the Client Procedure Circular CPC-2-0-03.

4.0 OBJECTIVES

This protocol has been developed with the following objectives and intent:

1. To provide an opportunity to have land-use concerns addressed, while respecting federal jurisdiction.
2. To balance demands for facilities with a desire to preserve natural and cultural landscape and minimize community impacts, through co-location, including health and safety concerns.
3. To outline a general process to be followed by the Township of Puslinch for reviewing and processing telecommunications facility proposals which are not exempt by this protocol, and to provide an opportunity for public consultation.
4. To provide a consistent and timely process for the review of telecommunication facility proposals within the Township of Puslinch.
5. To provide high caliber wireless telecommunications facilities that promote economic development and meet the business and safety needs of the traveling public.
6. To encourage consultation with the municipality as early in the location process as practical and feasible.
7. To encourage the location and siting of telecommunication facilities in a manner which minimizes the effects on residents, lessens visual impact, and respects natural and human heritage features and sensitive land uses to the greatest extent possible.
8. To encourage public notification with respect to mitigating concerns over the siting of wireless telecommunication facilities.
9. To recognize that matters pertaining to health, structural safety (Safety Code 6, NAV Canada, and Transport Canada obligations) and the environment fall under the mandate of the federal government, which are further taken into consideration by ISED, as detailed in CPC-2-0-03.

5.0 MUNICIPAL CONSULTATION AND APPLICATION PROCESS

Proposals to establish new and/or expand existing telecommunication towers, antennas, or related facilities, apart from those that qualify under the Exclusion Criteria identified in Section 6.0 of this Protocol, must apply for municipal concurrence by submitting a Formal Application to the Township using the prescribed form(s).

5.1 Pre-consultation

1. A Pre-consultation Meeting between the applicant, municipality, and other designated authorities having jurisdiction, as deemed necessary by the Township, shall be required prior to the acceptance of a Formal Application.
2. The purpose of the Pre-consultation Meeting shall be to identify the information and materials necessary for the processing of an application, which shall be submitted, in a manner prescribed by the municipality, before an application will be deemed to be complete.
3. The Pre-consultation Meeting, and any preceding discussions with the municipality, are not considered to be included in the 120-day consultation period identified by the ISED. The 120-day consultation period shall not commence until the application is deemed to be complete to the satisfaction of the Township.
4. To initiate the Pre-consultation Meeting, the applicant is required to submit a pre-consultation request, in accordance with the Township's Mandatory Pre-Consultation By-law 2022-054, and shall include the following materials:
 - a. Confirmation from all registered property owners in the form of an authorization to support the proposed telecommunications facility on the property;
 - b. The location of the proposed telecommunications facility, including the municipal address and a map identifying where it is to be situated on the subject property (mapping should be current and any new structures or features not identified on the mapping shall be noted by the proponent);
 - c. An outline of the proposed telecommunications facility and, if applicable, how it meets one of the exclusion criteria;
 - d. Set of drawings illustrating the proposal, including a conceptual site plan, elevation drawings, engineered drawings as applicable, and context plan showing the development within the existing neighborhood (which can be supplied using an aerial photograph base);
 - e. Documentation to demonstrate the identification of co-location alternatives considered within a 3 km radius of the proposed site using the National Antenna Information Database to identify candidates and a statement on future co-location possibilities for the support structure, if applicable.

5.2 Submission Requirements

The municipality has the discretion to deem an application incomplete if the applicant fails to fulfill the submission requirements. The following information shall be provided as part of the formal application request for Municipal Concurrence:

1. Prescribed Application form and applicable fee;

2. A description of the proposed structure type, shelter type, height, access, and utility sources;
3. A title search of the property identifying all registered property owners and confirmation from all registered property owners in the form of an authorization to support the proposed telecommunications facility on the property;
4. A written explanation detailing:
 - a. The rationale for the selection of the proposed site, indicating whether the location provides coverage and/or capacity, and what areas/communities will benefit from the new facility;
 - b. Justification for the proposed height of the tower;
 - c. How the facility will compliment and become a part of the future community without unduly limiting the potential for future development;
 - d. If applicable, the justification as to why the proponent is not able to comply with the design criteria identified under this Protocol; and
 - e. The potential effects that the proposal may have on nearby electronic equipment (both existing and proposed) in accordance with CPC-2-0-03 and EMCAB-2, as well as measures proposed to mitigate those effects.
5. Identification of co-location alternatives considered within a 3 km radius of the proposed site using the National Antenna Information Database to identify candidates and a statement on future co-location possibilities for the support structure, if applicable.
6. Colour photographs of the subject property showing current site conditions, an architectural rendering of the proposed facility in order to demonstrate the visual impacts related to the tower including all existing features and buildings, and a topographical map or satellite image showing the location and proposed facility (mapping should be current and any new structures or features not identified on the mapping shall be noted).
7. Site plan or survey drawn to scale and showing:
 - a. The subject lot and lease area (a key plan can be used for properties having an area of 2.0 hectares or greater);
 - b. General site grading;
 - c. The location of existing lot lines and setbacks from the proposed facility;
 - d. Setbacks from the proposed facility to existing and proposed buildings;
 - e. Setbacks from the nearest building not on the subject property, measured from the nearest point of the building, structure, or feature;

- f. Existing and proposed landscaping, including an inventory of existing vegetation and any plantings proposed to screen the base of the tower and any structures on the ground where applicable;
 - g. Access proposed and any motor vehicle parking spaces with dimensions;
 - h. The structure type and height of the proposed facility.
8. Network coverage mapping showing the applicant's current coverage (if applicable) and anticipated coverage with the installation of the proposed facility, including the nearest existing antenna systems belonging to the proponent.
 9. Approvals from Transport Canada and NAV Canada outlining aeronautical obstruction marking requirements (whether painting, lighting, or both) if available. If unavailable, the proponents can provide their applications to Transport Canada and NAV Canada together with an undertaking to provide those requirements once they become available.
 10. A written attestation signed by the Professional Engineer taking responsibility for the site's compliance, stating: That the proposed facility will comply with Safety Code 6 and that the proposed facility will comply with the National Building Code and National Fire Code in accordance with the proponent's responsibilities under enabling federal legislation.
 11. In lieu of providing attestations for the above matters, a Declaration of Insurance and Liability Statement is required.
 12. The Township shall provide written confirmation to the proponent within 30 days of the formal application being submitted to the Township confirming whether the application has been deemed to be complete/incomplete. The written confirmation of a complete application shall commence the 120 day consultation period. Should the application be deemed to be incomplete, the proponent shall be required to satisfy all outstanding issues prior to the application being deemed to be complete and the 120 day period commencing.

5.3 Site Plan Approval

1. Proposals to establish new and/or expand existing telecommunication towers, antennas, or related facilities on a property with an existing Site Plan Agreement, the Site Plan shall be amended to include the location of the telecommunication tower, antenna, or related facility, as deemed necessary by the municipality.
2. Proposals to establish new and/or expand existing telecommunication towers, antennas, or related facilities on a property without an existing Site Plan Agreement, Site Plan Approval shall be required in accordance with the Township Site Plan Control By-law 2022-027 and to the satisfaction of the municipality.

6.0 EXCLUSION CRITERIA

1. Where the following criteria applies, Municipal Concurrence is not required:
 - a. New Antenna Systems with a height less than 15 metres above ground level provided the antenna system is not proposed by a telecommunication carrier, broadcasting undertaking or third-party tower owner.
 - b. Non-tower structures including antennas on buildings, water towers, lamp posts, etc., may be excluded provided that the height above ground is not increased by more than 25%.
 - c. Temporary antenna systems used for special events or emergency operations, provided they are removed within a three-month timeframe.
 - d. Municipal consultation is not required for the routine maintenance of existing telecommunication towers, antennas or related facilities.
 - e. Transfer of Concurrence is not exempt from the Township's Pre-Consultation process, however, may be excluded from obtaining Municipal Concurrence through a formal application process, subject to the Pre-Consultation submissions and findings.
2. Height shall be measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance.
3. Notwithstanding the above, applicants are still required to contact the Township irrespective of the exclusion criteria to confirm that the proposed facility meets the exclusion and obtain written confirmation from the Township, to be provided to the ISED.

7.0 SITE SELECTION AND DESIGN STANDARDS

7.1 Site Selection Criteria

1. The proponent shall be encouraged to use existing and/or approved structures wherever possible. This includes sharing an existing or approved telecommunication tower, antenna or related facility; modifying, or replacing (if necessary), existing structures; and using existing infrastructure such as rooftops, water towers, etc.
2. Where co-location is not possible, when selecting a site for a new telecommunication tower, antenna or related facility, the following shall be taken into consideration:

- a. Maximizing the distance from residential areas;
- b. The distance from public and institutional facilities such as schools, hospitals, community centre, daycare facilities, and senior's residences;
- c. Avoidance of natural features, vegetation, hazard lands (floodplains, steep slopes);
- d. Avoiding areas of topographical prominence, where possible, to minimize long/short range viewscapes; and
- e. Compatibility with adjacent land uses.

7.2 Design Standards

1. Structures shall be designed to minimize visual impact and to avoid disturbance of significant natural features by:
 - a. Selecting a type and colouring of structure that blends in with the surroundings;
 - b. Providing landscaping and visual screening where appropriate;
 - c. Incorporating safety features to prevent unauthorized access;
 - d. Designing towers and any accessory base stations so that they fit into the context of the surrounding area;
 - e. Implementing tower designs that mimic other features customarily found in the area, such as trees and flagpoles, where appropriate; and
 - f. Ensuring towers only accommodate telecommunication facilities and that there are no signed or other materials apart from that which is required by ISED or for safety or identification purposes (e.g. small plaque at the base of the tower), as deemed appropriate by the Township or other authority.

8.0 PUBLIC CONSULTATION

8.1 Exemptions

1. Proposed telecommunication towers, antennas or related facilities located in commercial or industrial zones (in accordance with the Township's Zoning By-law 2018-023, as amended) and a minimum of 120 metres from residential, agricultural, or other sensitive land uses, as deemed by the municipality, shall not require public consultation. The minimum distance shall be measured from the location of the tower to the nearest lot line of the property where the sensitive land use is located.

8.2 Notification Requirements to the Public

1. Notice of a Formal Application shall be provided in the manner prescribed below, unless otherwise stated in this Protocol:

- a. Regular mail to all property owners located within a radius of three times the tower height, to a minimum of 120 meters, measured from the outside perimeter of the supporting structure;
 - b. An advertisement in the local newspaper; and
 - c. Posting of signage on the subject property.
2. Notice of a Formal Application shall include the following information:
 - a. A key map;
 - b. The address of the proposed location;
 - c. A description of the proposed structure type, shelter type, height, access, and utility sources; and
 - d. Key dates associated with the public consultation process.
 3. The contents and format of all notices shall be prescribed and verified by the Township prior to publication by the proponent.

8.3 Notification Requirements to the Municipality and other Agencies

1. Notice of a Formal Application and materials shall be circulated to the following municipal stakeholders, unless otherwise stated in this Protocol:
 - a. The Township Municipal Clerk, Chief Building Official, Fire Prevention Officer, and any other staff as deemed appropriate by the Township;
 - b. The Municipal Clerk(s) of adjacent municipalities within 500 metres of the proposed site;
 - c. The Township Heritage Advisory Committee, if applicable;
 - d. The Conservation Authority having jurisdiction, if applicable;
 - e. The Ministry of Transportation, if applicable; and
 - f. The County of Wellington.

8.3 Public Comment

1. The public shall be provided with a minimum of 30 days, from the date of the notice, to submit written or verbal comments, including questions and concerns. Comments shall be submitted directly to the proponent and the Township shall be copied on all responses.
2. Responses to questions, comments and concerns received from the public shall be acknowledged by the proponent within two (2) business days and responded to by the proponent within a maximum of five (5) business days of receipt.
3. Proponents are to address in writing, all reasonable and relevant concerns within 60 days of receipt or explain why the question, comment, or concern is not reasonable or relevant.

4. The proponent shall submit to the Township a listing of all public comments, responses to each comment and how they have been addressed, and confirmation that the above response timelines have been appropriately met.

8.4 Community Information Meeting

1. Where the visual impact or degree of visual change is considered by the municipality to be high, or where a significant objection to the proposal is raised during the public comment period, the proponent shall be responsible for organizing and holding a Community Information Meeting in consultation with the Township.
2. Notice of the Community Information Meeting through mail, advertisement and signage is to be provided a minimum of 20 days prior to the meeting date. The contents and format of the notice shall be prescribed and verified by the Township prior to being circulated. The Notice shall be circulated to the distribution list outlined in section 8.2.1(a) and 8.3, and including all individuals that submitted public comments.
3. The proponent shall prepare a record of attendees, minutes, and responses to concerns raised at the Community Information Meeting, to the satisfaction of the municipality, and shall provide such record to the Township.

8.5 Fulfillment of Public Consultation

1. Consultation responsibilities will normally be considered complete when the proponent has carried out the public consultation requirements prescribed by the municipality and has appropriately addressed all reasonable and relevant concerns.
2. A Staff report shall be prepared for Council to consider the proposal in accordance with this Protocol.

9.0 CONCLUSION OF MUNICIPAL CONSULTATION

9.1 Letter of Concurrence

1. Upon completion of all municipal requirements to the satisfaction of the Township of Puslinch, and where Puslinch Council has passed a Resolution in support of the proposed telecommunication tower, antenna or related facility, the Township will issue a Letter of Concurrence to the ISED, to be signed by the Township Clerk or Chief Administrative Officer (CAO) under the delegated authority provided by Council.

2. The Letter of Concurrence, including any related resolutions, shall be provided to the ISED as a record of municipal approval/support and the satisfaction of municipal and public consultation requirements.
3. The Letter of Recommendation shall include an attestation that the proponent shall construct and operate the telecommunication tower, antenna or related facility in accordance with:
 - a. The drawings and justification report submitted to the Township;
 - b. Any required design requirements or considerations and other conditions as determined by the Township through the consultation process.
4. If the requirements of this Protocol are satisfied and the proposal proceeds, the construction of the telecommunication tower, antenna or related facility shall be completed within two (2) years of the conclusion of the consultation. Construction of Telecommunication towers, antennas or related facilities that are not completed within this timeframe will be treated as a new proposal and shall be subject to the application and public consultation requirements set out in this Protocol.
5. The proponent may only commence installation/modification of a telecommunication tower, antenna or related facility after the municipal consultation process has been completed by the municipality, or ISED confirms concurrence with the consultation portion of this process, and after all other requirements under this process have been met.

9.2 Letter of Non-Concurrence

1. Where the Township is not in support of a proposal made through a formal application, and where Puslinch Council has passed a Resolution that is not in support of the proposed telecommunication tower, antenna or related facility, the Township will issue a Letter of Non-Concurrence to the ISED, to be signed by the Township Clerk or Chief Administrative Officer (CAO) under the delegated authority provided by Council.
2. The Township will include in the Letter of Non-Concurrence, the results of the consultation process and any outstanding issues to be provided to the ISED.
3. Where a telecommunication tower, antenna or related facility is constructed in whole or in part, without municipal concurrence or consultation, the Township shall inform the ISED and request that the site be decommissioned, or if under construction, that all works stop until such time that the obligations under this Protocol have been met.

10.0 FEES

1. The proponent shall be required to pay all applicable processing fees including the Township's disbursements and third party consultant fees incurred for the processing of the application. These fees may include, but are not necessarily limited to, the cost incurred by the municipality for the processing of the application such as administration, planning, engineering, and legal fees.
2. The Township relies on external consultants to undertake peer or legal review costs. The proponent is required to pay all third party costs and disbursements generated through the application review, including pre-consultation. The proponent will also be responsible for any fees applied by external regulatory agencies, such as the Conservation Authority having jurisdiction, the Ministry of Transportation, The County of Wellington, etc.

DRAFT



REPORT ADM-2023-078

TO: Mayor and Members of Council

PREPARED BY: Courtenay Hoytfox, Interim CAO
Department Heads

PRESENTED BY: Courtenay Hoytfox, Interim CAO
Department Heads

MEETING DATE: December 20, 2023

SUBJECT: Reporting Out from Council Direction Update

RECOMMENDATION

That Report ADM-2023-078 entitled Reporting Out from Council Direction Update be received for information.

Purpose

The purpose of this report is to provide Council with a number of updates in respect to previous Council direction to staff.

Background

Agenda Item	Council Direction	Update
2022 McMillan Pit Annual Monitoring Report	That Council direct staff to follow up with the Ministry regarding a response to the March 30, 2023; and That Council direct staff to forward this letter to Ken DeHart at the County of Wellington in regard to the industrial use on the property.	Refer to Note 1 below
Roszell Pit 2022 Annual Monitoring Report Review	That Council direct staff to send the report and peer review to the pit operator and the MNRF and request that a response be provided to the Township on actions being taken to address	Refer to Note 2 below.

	Council’s ongoing concerns; and That Council direct staff to provide the TAPMO delegation materials to Council at an upcoming meeting for consideration.	
LAS Automatic Speed Enforcement Update	That Council direct staff to notify the County Clerk of the LAS Automatic Speed Enforcement presentation to the Township and Council’s interest in the program on the appropriate County Committee as determined by the County Clerk and the Council’s desire to work collaboratively with the County regarding speed enforcement; and That Council direct staff to request an update from the County regarding the procurement of electronic speed enforcement; and That Council direct staff to confirm the criteria for establishing a Community Safety Zone and report back to Council; and That Council direct staff investigate the cost of purchasing Township BlackCat equipment.	Refer to Note 3 below.
Hydro Distribution Costs	That Council direct staff to contact the appropriate agency inquiring whether there is a proposed change to the distribution of costs relating to the delivery charges for hydro; and That Council direct staff to inquire what agency has the authority to change the household classification for distribution charges.	Refer to Note 4 below.
Kerr Crescent Storm Water Management Pond	Staff continue to investigate options for cost recovery related to Storm Water Management (SWM) maintenance.	Refer to Schedule “E” Correspondence sent to the County
MTO Auditor General’s Report with respect to Highway Projects	Staff continue to engage municipalities affected by the deferrals noted in the AG report as staff prepare the materials for the ROMA delegation.	Refer to Schedule “F” Correspondence related to the AG report.

Note 1 - 2022 McMillan Pit Annual Monitoring Report

On June 6, 2023, staff received the following information from Ken DeHart, County Treasurer. It was advised that the property has been fully extracted below the water table and the land use consists primarily of a pond and there does not appear to be an industrial use on the site. The property has been under appeal since 2017 and is being examined and assessed correctly in accordance with the Assessment Review Board decision and confirmation by the Ontario Divisional Courts. The County's consultant provided the following response:

"There is no industrial "use" on this site. They have the trout farm operation which I think is more a research operation rather than food production or anything like that.

As for our revised CVA after the decision we really only had to reflect the amendment to their ARA license impacting the 2021 tax year. For 2017 to 2020 the entire site has been classified as RT given it was fully licensed. License was amended in 2020 to show only a small licensed area which this correspondence confirms. We then moved the balance of the land to bulk land rates of 12,645 per acre as the site is owned by St. Mary's they do not qualify for FT for the farming."

With respect to the "aquaculture" use on the property County of Wellington Planning staff advise that in their view the use is permitted on the property from a Township Zoning perspective (whether the Agricultural zone or the EX1 zone applies).

The McMillan Pit Operation Plan includes the following under its general operational notes:

"Licenced operations shall reflect the provisions of the zoning of the woodlot as OS-2, open space with permitted uses restricted to forestry, fish and wildlife management and any public use."

The 1985 Zoning By-law defines Fish and Wildlife Management as, *"the management of fish and wildlife species habitat. This may include stream enhancement, planting of browse or shelter species, nesting boxes, nesting islands, ponds, dugouts and den trees."*

On December 6, 2023 staff received the following response from the Ministry of Natural Resources and Forestry with respect to Council Resolution 2023-073 in which Council directed staff to contact the MNRF to surrender the licence given that extraction has ceased since 2004.

"A surrender is a proponent driven request. If the licensee wishes to have their license surrendered, they must submit a request to the MNRF in writing. Currently, we do not have a surrender request for this license on file."

Additionally, due to aggregate being a market driven product, there is no policy on how active or inactive a site must be in order to remain licensed.”

Note 2 - Roszell Pit 2022 Annual Monitoring Report Review

Staff received responses as noted below in respect to the annual monitoring of Roszell Pit:

Schedule “A” Dance Environment Inc. Report, dated October 25, 2023, in response to the Township’s Peer Review of the 2022 Ecological and Aquatic Monitoring Report.

Schedule “B” Groundwater Science Corp. Report, dated November 1, 2023, in response to the Township’s Peer review of the 2022 Groundwater Monitoring Report.

Schedule “C” Harden Environmental response to the November 1, 2023 Groundwater Science Corp. Report (Schedule “B”), dated November 30, 2023.

Schedule “D” Aboud & Associates Inc. response to the October 25, 2023 Dance Environment Inc. Report (Schedule “A”) dated November 21, 2023.

Note 3 - LAS Automatic Speed Enforcement Update

Staff received the following response from the Township’s solicitor with respect to the criteria for establishing a Community Safety Zone:

Section 214.1 of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended (“HTA”) provides that a municipal council has the discretion to, by by-law, “designate a part of a highway under its jurisdiction as a community safety zone”, where in “council’s opinion, public safety is of special concern on that part of the highway.”

After reviewing the legislative framework and subsequent case law, no formal criteria appear to exist as to what must inform Council’s opinion on community safety zones. As a result, traffic studies, collision reporting, and engineering reports are likely sufficient grounds upon which Council to base its opinion.

However, once Council has decided to designate a community safety zone by-law, the HTA outlines some specific requirements. For example, Section 214.1(3) of the HTA states that a community safety zone by-law must specify the “hours, days and months when the designation is in effect.” In addition, the physical community safety zone sign must meet certain requirements pursuant to Regulation 5.2 of R.R.O. 1990, Reg. 615: Signs (see Section 214.1(4) of the HTA).

As an aside, if you review O. Reg. 510/99, in Schedule 21, there is a prescribed community safety zone in the Township of Puslinch. Link here: <https://www.ontario.ca/laws/regulation/990510>

Prior to designating additional community safety zones, staff recommend that the following information be confirmed in order to strategically plan for speed mitigation in the Township:

- Whether the County has purchased electronic speed enforcement equipment for the use by the local municipalities;
- Request additional information from LAS regarding the pilot program once available; and
- Consider the findings of the Township speed study once completed.

This approach will ensure all information is available in order to apply a comprehensive and consistent approach to speed mitigation within the Township.

Note 4 - Hydro Distribution Costs

On November 22, 2023 staff contacted the Ontario Energy Board and received the following response:

The OEB approves individual Rate Orders for each of the almost 70 electricity distributors across the province. This is done through a public hearing process that follows a period of time where the public is encourage to submit Letters of Comment on the proceeding or to sign up to become an actual intervenor in the proceeding.

The process begins when a utility files a notice that they are applying to change their distribution rates, including delivery rates. Customers of the utility are then given notice via a bill insert and notice in the local newspaper. Some customers will have signed up to receive updates from their utility so they may find out about the application via email.

The OEB will approve, reject or change the amount that the utility is asking for. Each of the individual utility have their own specific rate order which determines the distribution rates they can charge their different kinds of customers. There will be one set of rates for residential customers, a different set for general service customers (small businesses that have a certain demand) all the way up to the large volume commercial users. Which category a given electricity account will fall into is based on how the utility classifies that account. I have included a link below to the section of our website which explains the hearing process: <https://www.oeb.ca/applications/how-file-application/application-process#:~:text=There%20are%20three%20types%20of,floor%20at%202300%20Yonge%20St>

Staff further inquired about the process to have the same distribution class in respect to high, medium and low density classes paying the same distribution rate and if it would be the responsibility of the electricity distributor to make such a request to the OEB and received the following response:

Are you referring to Hydro One's different customer classes based on density? Because that is unique to them for the most part and not based on demand but location. Other utilities only serve one municipality. Those utilities have customer classes solely based on demand. A utility would not ask to have distribution rates be the same for all their classes because they would lose money doing that.

If you are referring to customers of Hydro One in the different rate zones, the medium and low density customers have their delivery charge capped by provincial legislation because of how much it would otherwise cost customers in the low density and medium density areas. You can see information on that here:

[https://www.hydroone.com/rates-and-billing#:~:text=Residential%20\(year%2Dround\)%20medium,charge%20and%20distribution%20volume%20charge](https://www.hydroone.com/rates-and-billing#:~:text=Residential%20(year%2Dround)%20medium,charge%20and%20distribution%20volume%20charge)

If you scroll down you will see an explanation of the capped delivery charges.

Financial Implications

As noted throughout the report.

Applicable Legislation and Requirements

Highway Traffic Act, R.S.O. 1990, c. H.8, as amended

Aggregate Resources Act, R.S.O. 1990, c. A.8

Engagement Opportunities

None

Attachments

Schedule "A" Dance Environment Inc. Report, dated October 25, 2023, in response to the Township's Peer Review of the 2022 Ecological and Aquatic Monitoring Report.

Schedule "B" Groundwater Science Corp. Report, dated November 1, 2023, in response to the Township's Peer review of the 2022 Groundwater Monitoring Report.

Schedule "C" Harden Environmental response to the November 1, 2023 Groundwater Science Corp. Report (Schedule "B"), dated November 30, 2023.

Schedule "D" Aboud & Associates Inc. response to the October 25, 2023 Dance Environment Inc. Report (Schedule "A") dated November 21, 2023.

Schedule "E" Kerr Crescent Storm Water Management Pond correspondence to the County

Schedule "F" MTO Auditor General's Report Township Response

Respectfully submitted,

**Courtenay Hoytfox,
Interim CAO**



Jeff Bunn, Deputy Clerk
Township of Puslinch
7404 Wellington Rd.34
Puslinch, ON, NOB 2J0

DRAFT

**Response to Peer Review by Aboud & Associates Inc. for the
Township of Puslinch Regarding the 2022 Ecological and Aquatic
Monitoring Report, Roszell Pit, License No. 625189**

We have received and considered the comments from the review by Aboud & Associates Inc. regarding the 2022 Roszell Pit Monitoring Report (Dance Environmental Inc. 2022). Herein we provide clarification to relevant questions raised in the letter from Aboud & Associates dated February 1, 2023.

Aboud & Associates Inc. have asked that more discussion and analysis of the data in the annual report be provided. Historically, the level of analysis had been acceptable to the Township's ecological peer review consultant. We have been instructed by CBM to provide more detail and offer the following as an addendum to the 2022 Ecological and Aquatic Monitoring Report, prepared by Dance Environmental Inc. (2022).

As background, we suggest that Aboud & Associates review the 5 year report that was prepared in 2018 (Dance Environmental Inc., 2018). Another existing report that provides an overview of surface water/groundwater conditions through time in the subject study area is the 2021 Golder report (Golder Associates Ltd 2021).

We have organized this addendum response according to thematic subject, see headings in the following document. We have also provided more graphical presentation of the inventory results to illustrate findings through time at a glance.

Peer Review Comments Regarding Vegetation:

Some clarification appears to be necessary regarding historical data that has been outlined in a number of the previous annual monitoring reports, which may not have seemingly been provided to the reviewer. We anticipate that the following will help clarify survey findings for the reviewer.

Discussion regarding the variances noted in Vegetation Plots A and B have been noted in past annual monitoring reports. There are outside influences on Plot A and B, namely that the landowner allows his cattle to graze in the area of the plots. For several years discussion took place with the landowner and CBM staff to try to have him stop that practice, in that area. Those discussions were unsuccessful and Plots A and B have continued to experience varying levels of annual disturbance by cattle. This has resulted in deep depressions caused by cattle hooves in the soft, damp soils in that area, and which in turn creates colonizing

areas where trampled vegetation becomes buried in the mud or if deep enough, the depressions collect standing water, and changes in colonizing species in these plots varies year by year.

Also, as a result of cattle using the area of Plots A and B the occasional stake in the plots has been found knocked over or broken by the time of the next survey, so slight changes may result at these sites attributed to slight variances in where the replacement stake is placed.

Herbaceous vegetation in the plots may experience these changes periodically and in a random manner as cows use the area, but the tree and shrubs of the plots are not so affected and continue to provide indicators of whether significant changes are occurring. The tree and shrub numbers and species occurrence in that area has not significantly changed from pre-extraction survey dates or from 2020 to 2022 when lower than average precipitation has taken place. No significant declines in health of the trees or shrubs has been noted either.

Comments on Soil Moisture Measurements:

Soil moisture measurements from a soil meter probe were taken as a secondary piece of information at the vegetation plots to be able to be referred to if there was ever a need or concerns of a declining vegetation community, not as a primary source of data being collected. Therefore it has not been seen as warranted to assess and include to date.

As it was requested by the peer reviewer it has been provided in Table 1. In 2012 qualitative descriptions of water in soils were recorded, but from 2013 onward any standing water was described, and a soil moisture meter was also used to determine percentage soil moisture in 5 locations within each plot (in the top 90mm of soil).

Table 1 provides the range of soil moisture conditions at the six vegetation plots. The range of moisture percentages measured within the plot and the mean of the measurements are presented for the years 2013 to 2022, inclusive for the Spring and Fall seasons.

Table 1. Range of Soil Moisture Conditions at the Six Vegetation Plots, 2012-2022.

Veg. Plot	2012	2013				2014			
	Fall Comments	Spring (%)		Fall (%)		Spring (%)		Fall (%)	
		Range	Mean	Range	Mean	Range	Mean	Range	Mean
A	Subplot SE: 3cm of water in cattle hoof print. Subplot SW: soil is saturated.	79-85	82.0	36-94	74.8	49-86	77.4	89-93	91.2
B	No standing water; soil is saturated.	70-80	76.0	81-91	86.6	26-90	74.0	85-95	91.4
C	Subplot SE: 1mm of standing water to soil is saturated.	18-79	42.7	32-91	70.6	29-93	68.8	60-92	84.5
D	No standing water.	11-76	51.7	9-90	59.2	33-85	67.1	40-90	70.4

E	Subplot NW: no standing water; soil very moist.	45-82	65.8	12-79	55.4	70-78	74.4	77-91	84.4
F	Subplot SE: 2mm of standing water in corner of quadrat.	7-72	37.3	46-95	81.0	43-88	69.8	64-89	81.4

Table 1. cont'd. Range of Soil Moisture Conditions at the Six Vegetation Plots, 2012-2022.

Veg Plot	2015				2016				2017			
	Spring (%)		Fall (%)		Spring (%)		Fall (%)		Spring (%)		Fall (%)	
	Range	Mean	Range	Mean	Range	Mean	Range	Mean	Range	Mean	Range	Mean
A	67-98	85.0	49-96	78.8	1 to 2cm standing water & saturated soil.	---	91-98	94.4	8-98	95.8	92-99	95.2
B	21-92	74.4	81-97	92.6	1 to 4cm standing water & saturated soil.	---	88-98	94.2	40-98	84.2	86-98	93.2
C	26-98	69.4	43-97	72.6	67-98	85.7	42-98	81.7	58-97	84.0	37-98	79.3
D	25-98	64.8	17-98	76.8	25-92	74.2	31-98	85.5	42-94	85.2	27-98	81.8
E	13-79	51.7	24-92	73.3	45-95	73.0	83-96	88.8	42-98	74.4	69-95	85.8
F	30-91	68.9	73-93	85.2	70-87	79.6	75-94	90.0	49-98	76.3	82-94	90.2

Table 1. cont'd. Range of Soil Moisture Conditions at the Six Vegetation Plots, 2012-2022.

Veg. Plot	2018				2019				2020			
	Spring (%)		Fall (%)		Spring (%)		Fall (%)		Spring (%)		Fall (%)	
	Range	Mean	Range	Mean	Range	Mean	Range	Mean	Range	Mean	Range	Mean
A	10-98	77.2	97-98	97.8	45-98	84	44-96	83.2	82-95	90.2	81-98	93
B	35-98	81.8	84-98	94.2	63-95	84.2	40-96	71.6	75-92	86.4	12-98	72.75
C	20-98	80.4	45-98	87.4	53-95	76.5	42-98	85	45-95	70.93	8-95	66.6
D	77-98	91.4	11-98	79.2	3-96	73.8	81-98	92.2	20-95	63	45-98	76
E	9-96	72	40-96	80.4	27-91	72.2	9-93	63	51-93	72.8	32-93	67.1
F	80-96	86.8	83-98	92.6	87-98	91.2	87-94	90.4	21-94	77.3	63-92	82.7

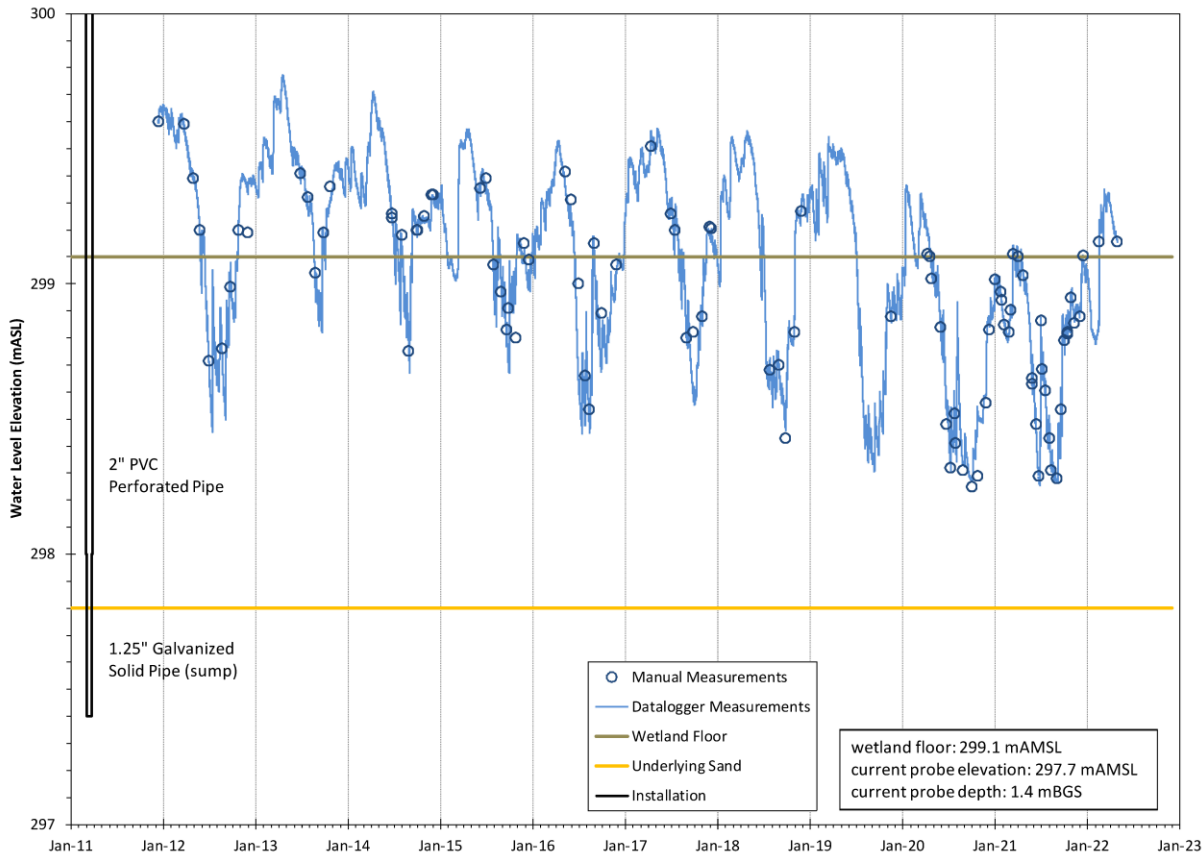
Table 1. cont'd. Range of Soil Moisture Conditions at the Six Vegetation Plots, 2012-2022.

Veg. Plot	2021				2022			
	Spring (%)		Fall (%)		Spring (%)		Fall (%)	
	Range	Mean*	Range	Mean*	Range	Mean*	Range	Mean*
A	45-88	76.8	NA (moisture probe malfunction)	NA	8-99	79	76-99	92.8
B	30-95	63.1	NA (moisture probe malfunction)	NA	44-99	85.2	9-99	60.4
C	22-98	73.5	38-99	83	31-99	78.8	40-99	81
D	30-96	68	5-99	78.8	12-99	77.2	5-99	69.8
E	33-95	61.8	46-99	81.4	40-96	77.8	27-99	83
F	70-95	84.8	70-99	92	88-99	95.8	92-99	94.8

*Mean was calculated using the lowest values from % ranges for 5 measurement locations at each survey plot.

Comparison of 2013 to 2022 Fall soil moisture shows greater soil moisture percent in 2022 than in 2013, in all but Plot B. This may be due to the average calculation having a low value of 9% which may just be a result of poor placement of the soil probe. The 2022 Spring soil moisture values show greater soil moisture in all plots compared to 2021, which makes sense with the Figure 1 hydrograph, which shows water levels in spring 2022 were greater than in 2021.

Figure 1. Hydrograph for PG7 within the Roszell Wetland.



*Hydrograph created by Groundwater Science Corp. in Spring 2022.

The following is provided as clarification to the peer review comment on Section 4.1 referring to soils as “dry, damp or saturated”, as requested by the peer reviewer. Saturated soils refer to soils that contain enough water when compressed between fingers water can be pressed out of the soil. Damp soils refer to soil conditions where when compressed soil may hold their compressed state, create the feeling of moisture on the fingers but no water is expressed by compressing the soils in hand. Dry soils refers to soils in hand being crumbly and not retaining their compressed state when pressed between fingers, and no water is expressed from the soil when compressed between fingers. These are qualitative tests to understand general soil moisture conditions within the plot having three category ranges that soils can fit into.

Comments on Herbaceous Vegetation Monitoring Plots:

The comment from the peer review regarding changes to standing water levels within the vegetation plots not being provided for all vegetation plots is not correct. The summaries of water level results for each plot for Spring and Fall is provided on pages 8 to 11 of the 2022

monitoring report. The water levels from 2022 in the vegetation plots were also compared with the findings of other years at the same plots. Overall, the standing water levels within the vegetation plots indicated similarities to other previous years, and overall indicate natural annual variabilities.

We recognize the oversight of revising the terminology of when the late season vegetation plots are surveyed, and will ensure that “summer” vegetation monitoring is revised to “fall”. The terminology used, however, does not change any results of the two seasons of vegetation monitoring.

Comparison of 2022 results to 2012 and 2013 are provided below, and it is important to note that no 2012 spring vegetation plot data was collected (plots were first surveyed in fall 2012). From 2013 on the timing of the vegetation plots monitoring in fall was adjusted to later in the season by more than two weeks. The species used in Appendix 4 were originally selected based on being wetland indicator species and also ones that were relatively abundant within the subplots at the start of the study. Species such as Common Buckthorn was included as it is an invasive species that could potentially change the community as well. An assessment of every plant species in every one of the subplots and comparison between all years, as noted in last year’s response, is considered unnecessary at this point as no significant declines in wetland vegetation species have been noted. As we indicated in the 2022 peer review response, the greatest potential for expressing significant impacts to the wetlands would be changes to the higher vegetation layer (the sub-canopy and canopy layer of vegetation). The subcanopy and canopy layers of the community are less prone to the annual variability that herbaceous species are.

Comparison with 2012 and 2013 plot data are possible for fall data and comparison with 2013 spring data is as well. Tables 1 and 2 have been prepared to show the results from the first five years of Fall monitoring along with the 2022 data. This is to show comparison between pre-extraction data and first 3 years of extraction and the findings of the 2022 vegetation plot monitoring. It is important to remember that changes between percent categories can mean an estimated change of just 1%, so changes in two or more categories are more suggestive of changes occurring in the plot.

Spring Vegetation Data:

Comparison between pre-extraction data (2013) and the 2022 survey data from survey plots in Spring show a wide variation in percent cover for species reviewed in Table 2 for 2013 compared with 2022 results, for plots A and B. The significant amount of disturbance by cattle observed in the first few years and then reduced presence in more recent years coupled with 3 years of drought (2020 on) make the results from plot A and B a less reliable indicator of change. Plot C shows reduced variability in percent cover changes with some subplots showing increased presence of wetland species, and others slight changes. In Plot D two subplots showed increases in Dwarf Scouring Rush by one percent category when the 2022 findings were compared with 2013 data. Otherwise findings for species in the subplots remained the same or in plants that comprised very little of the subplots, some decreased by one category. That is not unexpected when very few plants are present to perpetuate the species in the subplots and natural changes can explain the slight variations, such as increased shade as canopy and sub-canopy growth increases, fallen wood debris, limited rain during growing season.

Plots E and F both show declines by a single percent cover category for several of the species reviewed in Table 2. Bulblet Bladder Fern in plot E and F, however, was noted to have increased in percent cover in 2022 from that of 2013 findings in two subplots.

Overall the changes in percent cover for species in Spring at Plots C to F, of both increases or decreases, do not suggest significant changes in the species presence of wetland indicator species over the 10 years of monitoring.

Table 2. Summary of 2013 to 2016 and 2022 Spring Herbaceous Vegetation in each Sub-plot.

Plot	Sub-plot	Dominant Taxa Species	2013	2014	2015	2016	2022
			Percent Cover for the Taxa				
A	NE	<i>Glyceria striata</i>	31-50%	31-50%	6-15%	6-15%	-
		Creeping Buttercup	6-15%	1-5%	1-5%	<1%	<1%
		Bitter Dock	-	1-5%	1-5%	<1%	1-5%
	NW	Moss sp.	31-50%	16-30%	16-30%	16-30%	1-5%
		Bulblet Fern	16-30%	1-5%	6-15%	6-15%	16-30%
		<i>Glyceria striata</i>	16-30%	1-5%	1-5%	1-5%	1-5%
	SW	E. White Cedar	31-50%	-	-	<1%	-
		Field Horsetail	16-30%	6-15%	16-30%	16-30%	6-15%
<i>Carex schweinitzii</i>		6-15%	1-5%	1-5%	-	-	
SE	Moss sp.	16-30%	6-15%	16-30%	6-15%	-	
	<i>Agrostis stolonifera</i>	16-30%	6-15%	-	-	-	
	Watercress	16-30%	-	-	16-30%	-	
B	NE	Field Horsetail	31-50%	1-5%	6-15%	16-30%	1-5%
		<i>Carex Schweinitzii</i>	16-30%	16-30%	16-30%	16-30%	-
		<i>Carex flava</i>	6-15%	-	-	-	1-5%
	NW	E. White Cedar	51-75%	6-15%	-	-	<1%
		Moss sp.	31-50%	51-75%	31-50%	51-75%	31-50%
		Bulblet Fern	16-30%	6-15%	6-15%	<1%	-%
	SW	Kentucky Bluegrass	51-75%	1-5%	-	<1%	-
	SE	<i>Ranunculus ripens</i>	6-15%	16-30%	76-100%	51-75%	16-30%
Creeping Charlie		6-15%	<1%	1-5%	<1%	-	
Kentucky Bluegrass		16-30	51-75%	31-50%	31-50%	51-75%	

Table 2. Summary of 2013 to 2016, and 2022 Spring Herbaceous Vegetation in each Sub-plot Cont'd.

Plot	Sub-plot	Dominant Taxa Species	2013	2014	2015	2016	2022
			Percent Cover for the Taxa				
C	NE	<i>Carex pedunculata</i>	16-30%	16-30%	6-15%	6-15%	31-50%
		Bulblet Fern	6-15%	1-5%	1-5%	1-5%	<1%
		Field Horsetail	6-15%	1-5%	1-5%	1-5%	1-5%
	NW	<i>Carex pedunculata</i>	6-15%	<1%	1-5%	1-5%	1-5%
		Field horsetail	6-15%	<1%	<1%	-	-
		Canada Mayflower	6-15%	1-5%	1-5%	1-5%	6-15%
	SW	Field Horsetail	16-30%	6-15%	16-30%	1-5%	-
		Three-leaved Solomon Seal	6-15%	-	1-5%	<1%	1-5%
		Bulblet Fern	6-15%	1-5%	1-5%	<1%	1-5%
	SE	Field Horsetail	16-30%	1-5%	6-15%	16-30%	1-5%
		Coltsfoot	6-15%	1-5%	6-15%	1-5%	-
		Bulblet Fern	6-15%	6-15%	6-15%	6-15%	16-30%
D	NE	Bulblet Fern	6-15%	16-30%	16-30%	6-15%	6-15%
		Dwarf Scouring Rush	6-15%	16-30%	16-30%	16-30%	6-15%
		<i>Carex leptalea</i>	1-5%	-	<1%	<1%	-
	NW	Bulblet Fern	31-50%	16-30%	31-50%	6-15%	16-30%
		Field Horsetail	1-5%	1-5%	1-5%	1-5%	1-5%
		Dwarf Scouring Rush	1-5%	1-5%	1-5%	6-15%	6-15%
	SW	<i>Carex pedunculata</i>	1-5%	6-15%	1-5%	1-5%	-
		Bulblet Fern	1-5%	1-5%	1-5%	1-5%	6-15%
		Dwarf Scouring Rush	1-5%	<1%	<1%	<1%	6-15%
	SE	Bulblet Fern	31-50%	16-30%	31-50%	31-50%	16-30%
		Field horsetail	<1%	<1%	<1%	-	-
		Moss sp.	<1%	<1%	-	1-5%	-

Table 2. Summary of 2013 to 2016, and 2022 Spring Herbaceous Vegetation in each Sub-plot Cont'd.

Plot	Sub-plot	Dominant Taxa Species	2013	2014	2015	2016	2022
			Percent Cover for the Taxa				
E	NE	Cinnamon Fern Canada Mayflower Bulblet Fern	6-15% 1-5% <1%	<1% 1-5% -	1-5% <1% <1%	1-5% <1% -	6-15% <1% -
	NW	Moss sp. <i>Agrostis stolonifera</i> Common Toothwort	51-75% 16-30% 16-30%	76-100% - 16-30%	76-100% - 6-15%	76-100% - 6-15%	16-30% - 6-15%
	SW	Moss sp. Bulblet Fern Carex pedunculata Yellow Birch.	1-5% 1-5% 1-5% 1-5%	1-5% - 1-5% <1%	1-5% 1-5% 1-5% -	6-15% - <1% <1%	1-5% - 1-5% -
	SE	<i>Carex leptalea</i> Bulblet Fern Glossy Buckthorn	1-5% <1% <1%	- <1% <1%	- <1% <1%	<1% <1% <1%	- 1-5% 1-5%
	NE	Moss sp. Canda Mayflower Marsh Fern	6-15% 1-5% <1%	16-30% <1% -	16-30% - -	6-15% <1% -	6-15% - -
F	NW	Moss sp. Canada Mayflower Common Buckthorn	6-15% 1-5% <1%	31-50% <1% <1%	16-30% 1-5% <1%	31-50% 1-5% <1%	6-15% <1% <1%
	SW	Moss sp. Dwarf Scouring rush <i>Carex leptalea</i>	31-50% 1-5% 1-5%	31-50% <1% -	31-50% <1% 1-5%	51-75% <1% <1%	6-15% <1% -
	SE	Moss sp. Canada Mayflower Bulblet Fern	1-5% <1% -	- - <1%	1-5% - <1%	<1% - -	- - 1-5%
	NE	Moss sp. Canada Mayflower Bulblet Fern	6-15% 1-5% <1%	16-30% <1% <1%	16-30% - <1%	6-15% <1% <1%	6-15% - 1-5%

Fall Vegetation Data:

The Table 3 data below shows the fall vegetation summary for the first 5 years in comparison to the 2022 data. As noted with Spring data, change is noted in Vegetation Plots A and B more than any other of the vegetation plots, but as noted consistently through the annual reports and summary above, those areas experience regular change due to cattle grazing within the vegetation plots. Despite this, wetland species such as Bulblet Bladder Fern, *Juncus articulatus*, and Coltsfoot are still present in equal or greater cover percentages within Plot A. In Plot B many of the species identified in the first 5 years of monitoring are not in the vegetation plot any more, however, as noted some stakes have been knocked down over

time by cattle and changes in the extent of disturbance in the plot over time by cattle has changed. Some wetland species are still present, but with reduced disturbance occurring in 2022 creating fewer deep ruts in the plots, there appears to be fewer wetland obligate species present than the initial few years of monitoring.

In Plot B many of the species identified in the first 5 years of monitoring are not in the vegetation plot any more, however, as noted some stakes have been knocked down over time by cattle and changes in the extent of disturbance in the plot over time by cattle has changed. Some wetland species are still present, but with reduced disturbance occurring in 2022 creating fewer deep ruts in the plots, there appears to be fewer wetland obligate species present than the initial few years of monitoring.

In Plot C Field horsetail shows declines from 2013 compared to 2022, but when all years are reviewed this species shows a wide range of variability over the last 10 years. Overall no significant changes in percent cover categories were noted in Plot C or loss of wetland indicator species over the 10 years of monitoring beyond what can be natural variation.

In Plot D the small sedge *Carex leptalea* declined between 1 & 5% of cover in one plot and its presence and absences varied between all of the years. *Carex pedunculata* declined by one category when 2013 and 2022 are compared, but when compared with all years its increased two categories in 2019 & 2020, but was no longer present after the drought year of 2020. Between 2013 and 2022 in one subplot of Plot D Field horsetail and moss sp. were found to no longer present by 2020, but were only ever recorded at <1% or 1-5%, suggesting it has always been a marginal area for supporting those species, and recent drought conditions can explain the changes. Plots C and D show more variation in change of percent cover by 1 to 2 cover categories than Plots E and F, but overall is considered limited change and not an unexpected amount of change for over an 11 year monitoring period.

At Plot E & F data from fall surveys indicate that the majority of species shown in Table 3 at those plots had no change in percent cover and only one species in plot E showed a decrease in presence by 2 percent categories (Moss sp.).

Overall the presence of Common Buckthorn and Glossy Buckthorn within the vegetation plots has not changed significantly over the 11 years of surveys. There are no signs, so far, of dominating any of the vegetation plots or significantly changing the percent cover in the plots.

Conclusions:

There has been some changes noted to occur within the vegetation Plots C to F (which were not impacted by the significant disturbances caused by cattle), but nothing that can't be explained by natural occurrences and changes due to community succession over time (11 years of monitoring). Natural occurrences which explain some change occurring within the vegetation plots monitored include new fallen wood debris, extent of rainfall, changes in understory and canopy cover over time, deer/animal browsing etc. and such changes are considered to be expected.

Table 3. Summary of 2012-2016 & 2022 Fall Herbaceous Vegetation in each Sub-plot.

Plot	Sub-plot	Dominant Taxa Species	2012	Dominant Taxa Species	2013	2014	2015	2016	2022
			Percent Cover for the Taxa		Percent Cover for the Taxa				
A	NE	<i>Carex hystericina</i> Common Mint <i>Poa compressa</i>	51-75% 31-50% 6-15%	Fowl Mana Grass <i>Juncus articulatus</i> E.W.Cedar-seedling	16-30% 6-15% 6-15%	1-5% 6-15% <1%	16-30% 1-5% 1-5%	31-50% - 1-5%	1-5% 6-15% -
	NW	Moss sp. Bulblet Fern <i>Agrostis sp.</i>	51-75% 6-15% 6-15%	Moss sp. Fowl Mana Grass Bulblet Fern	31-50% 16-30% 6-15%	51-75% 31-50% 6-15%	31-50% 1-5% 16-30%	51-75% <1% 6-15%	51-75% <1% 6-15%
	SW	Coltsfoot <i>Carex sp.</i> Bulblet Fern Field Horsetail	31-15% 6-15% 6-15% 6-15%	Coltsfoot <i>Carex schweinitzii</i> Bulblet Fern Field Horsetail	6-15% 6-15% 6-15% 6-15%	6-15% 1-5% 1-5% 6-15%	16-30% - 16-30% 31-50%	31-50% - 16-30% 16-30%	16-30% - 16-30% -
	SE	<i>Carex sp.</i> Watercress Kentucky Bluegrass	31-50% 31-50% 16-30%	<i>Bidens connata</i> Watercress Fowl Manna Grass	6-15% 6-15% 6-15%	- <1% 6-15%	Solitary 6-15% 1-5%	<1% 31-50% 1-5%	- - -
B	NE	<i>Carex hystericina</i> Moss sp.	31-50% 1-5%	<i>Carex schweinitzii</i> Purple Stemmed Aster Field Horsetail	16-30% 16-30% 16-30%	16-30% 16-30% 6-15%	1-5% 16-30% 16-30%	6-15% 6-15% 6-15%	- 1-5% 16-30%
	NW	Yellow Birch – saplings Moss Spp. Glossy Buckthorn – seedlings	51-75% 51-75% 31-50%	Moss sp. E.W. Cedar – seedling Bulblet Fern	51-75% 16-30% 1-5%	51-75% 1-5% 1-5%	51-75% 1-5% 6-15%	51-75% - -	51-75% - -
	SW	<i>Poa compressa</i> Tall Buttercup	31-50% 6-15%	<i>Agrostis stolonifera</i> Tall Buttercup Fowl Mana Grass <i>Pilea Fontana</i> Common Plantain Spotted Jewelweed	31-50% 6-15% 1-5% <1% 1-5% -	- - - 6-15% 6-15% 1-5%	- - - 1-5% 6-15% -	- - - <1% - -	- - - - - -
	SE	Tall Buttercup <i>Poa compressa</i> <i>Carex hystericina</i>	76-100% 6-15% 6-15%	Tall Buttercup <i>Agrostis stolonifera</i> <i>Pilea fontana</i> <i>Poa compressa</i>	16-30% 6-15% 1-5% -	31-50% - <1% 16-30%	51-75% - <1% 6-15%	31-50% - <1% 16-30%	16-30% - 1-5% 16-30%

**Table 3. Summary of 2012-2016 & 2022 Fall Herbaceous Vegetation in each Sub-plot
Cont'd.**

Plot	Sub-plot	Dominant Taxa Species	2012	Dominant Taxa Species	2013	2014	2015	2016	2022
			Percent Cover for the Taxa		Percent Cover for the Taxa 2017				
C	NE	<i>Carex sp.</i> Bulblet Fern	51-75% 6-15%	<i>Carex flava</i> Bulblet Fern Field Horsetail	16-30% 6-15% 6-15%	31-50% 6-15% 1-5%	16-30% 1-5% 6-15%	- 1-5% 6-15%	- 1-5% -
	NW	<i>Carex sp.</i> Dwarf Scouring Rush Field Horsetail	6-15% 1-5% 1-5%	<i>Carex flava</i> Dwarf Scouring Rush Common Buckthorn	6-15% 1-5% 1-5%	6-15% 1-5% 1-5%	6-15% 1-5% <1%	- 6-15% <1%	- 6-15% <1%
	SW	Field Horsetail Moss Sp. Bulblet Fern Rough-leaved Goldenrod	6-15% 1-5% 6-15% 1-5%	Field Horsetail Moss sp. Bulblet Fern <i>Carex flava</i>	31-50% 6-15% 1-5% 1-5%	6-15% 1-5% 1-5% 6-15%	16-30% 1-5% 1-5% <1%	6-15% 1-5% 1-5% <1%	- 6-15% 1-5% -
	SE	Field Horsetail Coltsfoot Bulblet Fern	31-50% 6-15% 1-5%	Field Horsetail Coltsfoot Bulblet Fern	16-30% 6-15% 1-5%	Solitary 6-15% 6-15%	1-5% 6-15% 6-15%	1-5% 1-5% 6-15%	1-5% - 16-30%
D	NE	Dwarf Scouring Rush Bulblet Fern	51-75% 16-31%	Dwarf Scouring Rush Bulblet Fern	31-50% 6-15%	16-30% 6-15%	31-50% 16-30%	51-75% 6-15%	31-50% 6-15%
	NW	Bulblet Fern Shade Horsetail Dwarf Scouring Rush	31-50% 1-5% 1-5%	Bulblet Fern Field Horsetail Dwarf Scouring Rush	31-50% 6-15% 1-5%	31-50% 1-5% 6-15%	16-30% 6-15% 6-15%	31-50% 6-15% 16-30%	31-50% <1% 6-15%
	SW	<i>Carex sp.</i> Bulblet Fern	16-30% 1-5%	<i>Carex pedunculata</i> Bulblet Fern Dwarf Scouring Rush	6-15% 1-5% 1-5%	6-15% 6-15% 1-5%	6-15% 1-5% 1-5%	16-30% 6-15% <1%	16-30% 6-15% 6-15%
	SE	Bulblet Fern	16-30%	Bulblet Fern Glossy Buckthorn Moss sp.	31-50% Solitary	31-50% Solitary	16-30% - 1-5%	31-50% - 1-5%	- - 16-30%

**Table 3. Summary of 2012 -2016 & 2022 Fall Herbaceous Vegetation in each Sub-plot
Cont'd.**

Plot	Sub-plot	Dominant Taxa Species	2012	Dominant Taxa Species	2013	2014	2015	2016	2022
			Percent Cover for the Taxa		Percent Cover for the Taxa				
E	NE	Cinnamon Fern Moss sp. Marsh Fern	<1% <1% <1%	Cinnamon Fern Moss sp. Bulblet Fern	6-15% 1-5% Solitary	6-15% 1-5% -	6-15% 1-5% -	6-15% 1-5% -	6-15% 1-5% -
	NW	Grass sp. Moss sp. Field Horsetail	76-100% 51-75% 6-15%	Moss sp. <i>Agrostis stolonifera</i> Dwarf Raspberry	76-100% 16-30% 1-5%	76-100% 6-15% 1-5%	76-100% - 1-5%	76-100% 1-5% <1%	31-50% 6-15% 1-5%
	SW	Moss sp. Marsh Fern <i>Carex sp.</i> Glossy Buckthorn	1-5% <1% <1% <1%	Moss sp. Bulblet Fern <i>Carex pedunculata</i> Glossy Buckthorn	1-5% 1-5% 1-5% 1-5%	1-5% <1% 1-5% 1-5%	6-15% Solitary - 1-5%	1-5% - 1-5% 1-5%	1-5% - 1-5% 1-5%
	SE	Moss Sp. (6-15%) Bulblet Fern Buckthorn Sp.	6-15% <1% <1%	Moss sp. Bulblet Fern Glossy Buckthorn	16-30% 1-5% <1%	16-30% <1% <1%	16-30% <1% <1%	16-30% <1% <1%	16-30% 1-5% 1-5%
F	NE	Moss sp. (1-5%) Bulblet Fern (<1%)	1-5% <1%	Moss sp. Marsh Fern Glossy Buckthorn	6-15% 1-5% <1%	6-15% - <1%	6-15% - <1%	16-30% - <1%	6-15% - <1%
	NW	Moss Sp. (6-15%) Can. Mayflower <i>Carex sp.</i>	6-15% <1% <1%	Moss sp. Comm. Buckthorn Canada Mayflower	16-30% 1-5% <1%	31-50% 1-5% <1%	16-30% 1-5% 1-5%	16-30% <1% <1%	6-15% <1% <1%
	SW	Dwarf Scouring Rush Moss Sp.	31-50% 31-50%	Moss sp. Dwarf Sc. Rush Glossy Buckthorn Showy Ladyslipper	31-50% 1-5% 1-5% -	31-50% <1% <1% 1-5%	31-50% 1-5% <1% 1-5%	31-50% 1-5% 1-5% 1-5%	16-30% <1% <1% -
	SE	Moss Sp. Glossy Buckthorn	<1% <1%	Glossy Buckthorn Bulblet Fern	1-5% <1%	1-5% <1%	Solitary <1%	- <1%	<1% <1%

In both spring and fall vegetation cover surveys comparison between 2022 and the pre-extraction years data does not show changes in percent cover of wetland indicator species by more than two categories of percent cover which would indicate potentially significant changes were occurring. In addition, neither the Spring or Fall data show any of the wetland indicator species in Table 2 or 3 being no longer present in plots A to F, which would also indicate there are no widespread losses of species or altering of the vegetation community due to negative changes which can be attributed definitively to the extraction in the Roszell Pit.

Trees and Shrubs:

Our opinion remains the same as indicated in the response to peer review comments on the 2021 Roszell Pit Monitoring Report, in that the focus of identifying any indicators of change, should primarily be based on the tree and shrub health findings, as they are robust species; normal variances in yearly precipitation amount is not likely to impact their health, but significant changes to water regimes of the area would be evident in Eastern White Cedar, Yellow Birch, Dogwoods, and Buckthorn populations. We have summarized the tree and shrub data into Table 4.

Table 4 shows that the species present did not change significantly over the study period. Numbers of individual trees and shrubs present in each plot along the transects vary as expected, changes resulting from small seedlings growing tall enough to be counted as time progressed, and some trees or shrubs that were in poor condition or dead at the beginning of the study fell down due to rot or being uprooted by wind. Within the first three years the farmer also cut some cedar trees down in Plots A and B.

Table 4. Tree and Shrub Transect Data by Plot, During the 2012 to 2022 Study Period.

Plot A											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Eastern White Cedar	15	0	0	0	6	8	8	8	8	15	15
Yellow Birch	1	0	0	0	2	2	1	1	1	2	2
Speckled Alder	0	1	1	0	0	0	0	0	0	0	0
Glossy Buckthorn	1	4	4	0	1	4	4	4	4	10	11
Chokecherry	0	1	1	1	1	1	1	1	1	1	1
Plot B											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Eastern White Cedar	16	0	0	11	18	13	18	13	13	15	14

Yellow Birch	6	5	4	4	7	6	6	6	6	5	6
Glossy Buckthorn	18	17	31	23	23	21	24	26	25	25	28
Alternate-leaved Dogwood	1	0	0	0	1	0	0	0	0	0	0
Red-Osier Dogwood	0	0	0	0	0	0	1	0	0	1	1
Plot C											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Eastern White Cedar	18	0	0	5	9	10	10	11	11	10	10
Glossy Buckthorn	2	3	1	2	3	3	5	4	4	7	7
Plot D											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Eastern White Cedar	13	0	0	0	0	0	0	0	0	0	0
Yellow Birch	2	0	0	0	0	0	0	0	0	0	0
Common Buckthorn	0	0	0	0	0	0	0	0	1	1	1
Plot E											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Eastern White Cedar	9	0		0	0	0	0	0	0	0	1
Yellow Birch	1	0	0	0	0	0	0	0	0	0	0
Black Ash	1	0	1	0	0	0	0	0	0	0	0
Glossy Buckthorn	9	6	4	4	4	4	4	4	5	4	6

Plot F											
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Eastern White Cedar	50	0	0	0	0	0	0	0	0	7	11
White Birch	1	0	0	0	0	0	0	0	0	0	0

Note: the 2012 transect methodology was revised in 2013 and the 2013 method, which counted only trees and shrubs taller than 1m and <10cm dbh, has been used subsequently.

Based on comments from Greg Scheifele, the Township of Puslinch’s Natural Environment Consultant (after the 1st year of monitoring), the tree and shrub transect inventory methodology that was used in 2012 was modified in 2013 and the 2013 methodology has been used subsequently. The change in methodology has affected the inventory results. It is important, therefore, to understand the differences between the methodology when comparing the 2012 results to those of subsequent years.

The methodology change results in higher tree numbers from the 2012 data set because canopy trees were within the transect were counted in 2012, but not in 2013. For example, in Plot C in 2012, eighteen Eastern White Cedars were tallied, but in 2013 and 2014 there were none. By 2015 five seedlings were tall enough to be tallied.

Table 3 indicates very minimal change between years 2013 and 2022 at all 6 of the vegetation plots. The majority of the change from 2013 on is a slight increase in numbers of shrubs counted, and no significant declines in numbers of healthy live shrubs has been noted.

When the information on tree and shrub data and the herbaceous vegetation plots are considered together, they do not show any significant negative changes have occurred over the 11 years of monitoring at the Roszell Pit. Yes, there is yearly variation and some changes noted over time of percent cover of some species but there is nothing in the data collected which indicates significant impacts have been occurring to the wetland and its vegetation species, beyond what can be anticipated as yearly variation, due to natural processes.

Comments Regarding Amphibians:

The peer reviewer has requested that the direction of amphibian call surveys be noted on the annual report Figure of survey stations. To clarify, the amphibian stations are always facing towards the direction of where surface water is supposed to be, the directions have remained the same for all years. In future reports we will show direction arrows, showing the direction surveyors were facing.

In response to the peer review comment regarding failing to indicate whether amphibians were heard beyond 100m of the survey stations, we provide the following response: Surveyors are to record any frogs heard during the survey on the field notes, and if they are heard at distances beyond the 100m radius the general location and call code volume are noted, along with what species is heard. However, to standardize the results only amphibians heard within 100m in front of the surveyor are included in the results summarized, as is standard practice with the MMP methodology. Calls of any frogs outside 100m as per the

Marsh Monitoring protocol are not typically counted as due to limitations of human hearing and distortion of calls by wind and obstacles such as trees, and vegetation which reduce the reliability of pinpointing locations and numbers of individuals at such a great distance away. Furthermore, on this case specific study the wetlands where the amphibian call surveys are taking place for the Roszell Pit are small in size so anything outside of 100m from the survey station are typically not in the wetland being surveyed.

It was requested by the peer reviewer that results of the annual hydrological study be referenced. We would like to remind the peer reviewer again that at the time when the Ecological and Aquatic Monitoring report for the Roszell Pit is due for annual submission (by December 31st) the Hydrogeology report for that same year has not been prepared, as it is not due for submission until March. It is not possible at the time the annual ecology report is due to compare results with the hydrogeology report

The discussion in the 2022 Dance Environmental Inc. report indicated that limited rainfall in 2022 occurred resulting in the Roszell Wetland, south of extraction Lake 2b, drying up, and also resulting in reduced water present in the small pond nearby to the south, where FROG_3 is located, for a second year in a row. The 2022 hydrogeology report indicates that lack of precipitation in 2020 and 2021 contributed to lower Roszell wetland water levels. It is shown on Figure 2 that water level elevations increased in Spring 2022, similar to that of 2020, but water levels were still below the typical peaks in Spring seen from 2012 to 2019. From Spring into Summer 2022, limited rainfall took place similar to 2020 and 2021. As discussed in the on site meeting with the peer reviewer and GRCA staff, it was indicated and agreed to by all present that the drought conditions from 2020 on, have been resulting in low water levels in wetlands around the region. It was indicated by Tony Zammit (GRCA) that for shallow wetlands such as the one at Roszell south of Lake 2b, they can start to transition from wetland habitats to drier communities as depressions in the wetland fill with detritus and debris over time, and then coupled with increasingly drier years can result in surface water lasting for shorter periods and reduced extent, in such wetlands. This does make sense for this wetland as the wetland bottom is largely uniform with limited areas of deeper depressions.

Salamanders:

The peer review has indicated confusion as to whether surveys were completed in 2013 for salamander egg masses. As Table 6 of the 2022 Roszell Monitoring report shows, the results from the 2013 surveys in areas A, B, and C were provided in the table. Table 5 of the 2022 Roszell Monitoring report did not have the survey details provided, however they have been provided in previous monitoring reports, but they are included below for ease of reference:

Salamander Egg Mass Survey Details

Survey Date	Survey Details (Weather)
April 30, 2013	12:00 hrs to 15:25 hrs temperature: 19°C; wind: 8 km/hr; water temperature: 15.4°C; cloud <70%; no precipitation, and water pH: 8.0

Based on the results from April 7, 2022 salamander breeding was confirmed to have occurred and at a level above average for the wetland, after the two years of drought when very limited to no salamander breeding occurred.

Table 5 shows salamander egg count results for the entire study period, and as it indicates, 2013 was the first year of surveys.

Table 5. Summary of Total Number of Blue-Spotted Salamander Egg Masses Found in 2013 to 2022.

Wetland Area	Total Number of Egg Masses									
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022*
A	46	147	0	571	1785	1439	2243	277	0	1931
B	9	39	0	32	16	0	170	0	0	0
C	3	4	0	0	22	46	0	0	0	0
Total # Egg Masses	58	190	0	603	1823	1485	2413	277	0	1931

*2022 salamander egg mass survey completed April 7, 2022.

Comments Regarding Trout Redd Surveys:

The following is provided to address the comments/questions from the February 1, 2023 review by Aboud & Associates Inc. in regards to trout spawning.

Comments were made by the reviewer regarding Tributary #9. As summarized in the May 28, 2018 report “Overview of Biological and Aquatic Monitoring results: 2012 to 2017, Roszell Pit, Puslinch Township. ARA Licence No. 625189” no Brook Trout redds were ever found in Tributary # 8 or #9. No Trout redds were found in pre-extraction years 2012 and 2013 or during the first four years of extraction. With no evidence of Brook Trout redds within Tributary #9 for over a 6 year survey period, and many barriers to trout movement in the shallow tributaries, no further monitoring was undertaken at the locations.

At the time when the Ecological and Aquatic Monitoring report for the Roszell Pit is due for annual submission the Hydrogeology report for that same year has not been prepared as it is not due for submission until March. The 2021 Groundwater Monitoring Report by Groundwater Science Corp. has since been prepared and submitted. The discussion in the 2021 Dance Environmental Inc. report indicated that limited rainfall in 2021 took place resulting in the Roszell Wetland, south of extraction Lake 2b, drying up and also resulting in reduced water present in the small pond nearby to the south, where FROG_3 is located. The 2022 hydrogeology report indicates that lack of precipitation in 2020 and 2021 contributed to lower Roszell Wetland water levels. It is shown on Figure 1 that water level elevations increased in Spring 2022, similar to that of 2020, but still below typical peaks in Spring seen from 2012 to 2019.

As requested, in order to clarify the comments regarding the trout spawning data, all years of data are shown below in Tables 6, 7, and 8, as suggested.

Table 6. Summary of 2012 and 2013, Pre-extraction, Brook Trout Spawning Surveys, Roszell Pit.

	Tributary Name	Station Location	Number of Redds	Total Number of Redds
2012	Main Creek	M-1	2 to 3	8 to 9 redds
		M-2	2	
		M-3	1	
		M-4	3	
	Tributary 7	7-1	2	5 redds
		7-2	2	
7-3		1		
Tributary 8 and 9		No redds	0	
2013	Main Creek	M-1 (13)	3	19 redds
		M-2 (13)	3	
		M-3 (13)	6	
		M-4 (13)	5	
		M-5 (13)	2	
	Tributary 7	7-1	1	5 redds
		7-2	4	
		7-3	0	
	Tributary 8 & 9	No redds	No redds	0

Table 7. Summary of 2014 and 2017, Extraction Years, Brook Trout Spawning Surveys, Roszell Pit.

	Tributary Name	Station Location	Number of Redds	Total Number of Redds
2014	Main Creek	M-1	2 to 3	9-10 redds
		M-1A (14)	1	
		M-2 (14)	2	
		M-3 (14)	4	
	Tributary 7	7-2(14)	2	4 redds
7-2A (14)		2		
2015	Main Creek	M-1(15)	1	2-3 redds
		M-2(15)	1 to 2	
	Tributary 7	No redds	No redds	0
Jan. 2016	Main Creek	M-1B(16)	1	5-6 redds
		M-1C(16)	3	
		M-5(16)	1 to 2	
	Tributary 7	7-2A(16)	1	2 redds
		7-2B(16)	1	
Dec. 2016	Main Creek	M-16A	1	15-16 redds
		M-16C	1	
		M-16D	3-4	
		M-16E	4	
		M-16F	1	
		M-16G	1	
		M-16H	1	
	M-16I	3		
Tributary 7	7-1(16)	1	6 redds	

		7-2(16)	2	
		7-3(16)	3	
Nov/ Dec. 2017	Main Creek	M-1(17)	1	13 redds
		M-2(17)	1	
		M-3(17)	1	
		M-4(17)	5	
		M-5(17)	1	
		M-6(17)	1	
		M-7(17)	1	
		M-8(17)	1	
		M-9(17)	1	
		Tributary 7	7-1(17)	
	7-2(17)		2	
	7-3(17)		1-2	

Table 8. Summary of 2018 to 2022, Extraction years, Brook Trout Spawning Surveys, Roszell Pit.

	Tributary Name	Station Location	Number of Redds	Total Number of Redds
Dec. 2018	Main Creek	M-1(18)	3	13 redds
		M-2(18)	1	
		M-3(18)	1	
		M-4(18)	7	
		M-5(18)	1	
	Tributary 7	7-1(18)	1	6-9 redds
		7-2(18)	1-2	
		7-3(18)	2	
		7-4(18)	1-2	
		7-5(18)	1-2	
Dec 2019	Main Creek	M-1(19)	2-3	13-14 redds
		M-1B(19)	1	
		M-2(19)	1	
		M-3(19)	2	
		M-4(19)	3	
		M-5(19)	2	
		M-6(19)	1	
	M-7(19)	1		
	Tributary 7	7-1(19)	1	9 redds
		7-1B(19)	2	
		7-1C(19)	1	
		7-2(19)	2	
		7-3(19)	2	
7-4(19)		1		
Dec 2020	Main Creek	M-1(20)	1	8-10 redds
		M-2(20)	1-2	
		M-2B(20)	1-2	
		M-3(20)	2	
		M-4(20)	3	
	Tributary 7	7-1(20)	1	6-9 redds

		7-1B(20)	1-2	
		7-2(20)	1-2	
		7-3(20)	1-2	
		7-4(20)	2	
Dec 2021	Main Creek	M-2(21)	3	11 redds
		M-2B(21)	3	
		M-3(21)	3	
		M-4(21)	2	
	Tributary 7	7-2(21)	3	8 redds
		7-3(21)	4	
		7-4(21)	1	
Dec 2022	Main Creek	M-1(22)	1	16-20
		M-2(22)	1-2	
		M-2B(22)	1	
		M-3(22)	3-4	
		M-3A(22)	1	
		M-4(22)	1	
		M-5(22)	1-2	
		M-6(22)	2-3	
		M-7(22)	4	
		M-8(22)	1	
	Tributary 7	7-4(22)	2-3	6-8
		7-2(22)	2	
		7-3(22)	1	
		7-4B(22)	1-2	

Figure 2 has been provided as requested showing the maximum estimated numbers of Brook Trout redds for each year in the Main Creek. Greater numbers of Trout redds have been counted from 2016 on, when more extraction has occurred and the lakes in the pit became larger in size and deeper, as material was removed. This does not vary from what was outlined in the text of the 2022 monitoring report, but is now provided graphically for the peer reviewer. Even during the previous 3 drought years trout redd numbers have remained greater than the lowest years (2012 and 2015) when no extraction had occurred and when minimal aggregate had been removed. If extraction created an impact on the trout spawning the trout redds should show negative trends as time progressed and greater and greater aggregate was removed. The data does not show this has occurred.

Figure 3 data shows the numbers of trout redds at Tributary #7 have increased compared to the pre-extraction years findings(2012 and 2013) and very limited variability has been found in trout redd numbers from 2018 to 2022.

The first two years of monitoring (pre-extraction) in 2012 & 2013 had an average of 14 redds/yr in the Main Creek and 5 redds/yr in Tributary #7. The averages were calculated using the highest number of redds counted when a range was recorded for a year. The 10 year average for trout redds in the Main Creek from 2012 to 2021 was 12.1 redds/yr (with a range of 6 to 19 redds/yr) and a 10 year average of 6.1 redds/yr for Tributary #7 (with a range of 2 to 9 redds/yr).

Figure 2. Estimated Maximum Count of Brook Trout Redds 2012 to 2022, Main Creek, Roszell Pit.

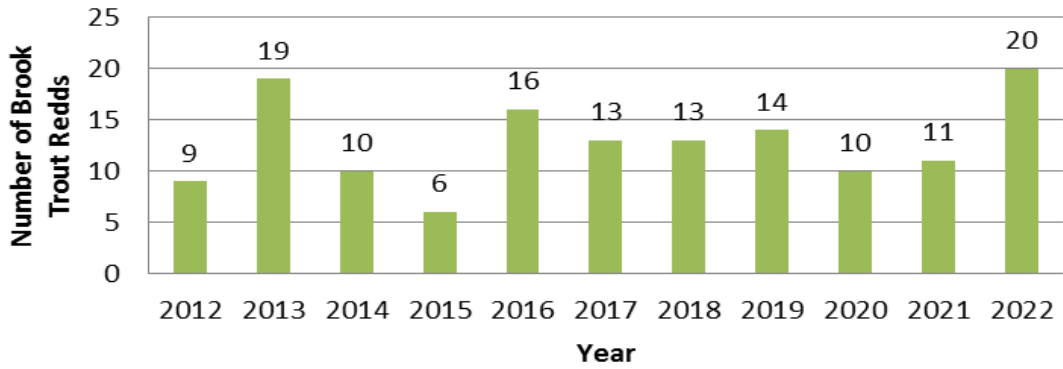
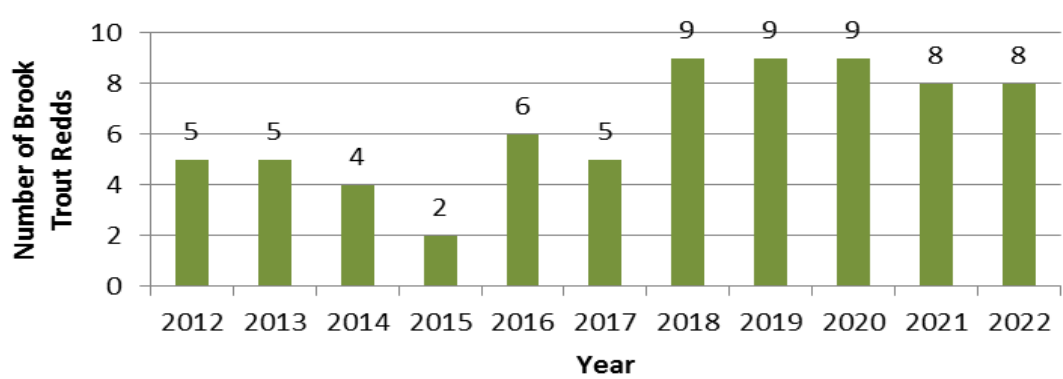


Figure 3. Estimated Maximum Count of Brook Trout Redds 2012 to 2022, Tributary #7, Roszell Pit.



The 2020 and 2021 findings coincide with the discovery that landowners had built a dam in the creek in the area near the culvert at Roszell Road, and more sedimentation was noted due to the seemingly reduced flow in that area (less fine cobble was visible compared to years prior). The physical change in the creek channel due to the dam, clearly coincided with the slightly reduced number of trout redds found, as no redds were found in the area impacted by sedimentation from the created dam structure (an area where a few redds were typically found annually, before that). The 2022 results still indicated the dam was present, but greater numbers of redds were found downstream of the dam.

The peer review comment on removal of the dam structure is recognized, however it is under the jurisdiction of the government agencies to enforce any removal of the created dam

structure. Through our annual report submission to the GRCA and MNRF we anticipate they are aware of the situation.

Conclusions and Recommendations:

Comments from the peer review on the formatting, wording choices, additions to figures used, revisions to air photos used etc. are recognized as potential improvements for the 2023 monitoring report and will where deemed appropriate, be considered and implemented.

Conclusions From Responses to Peer Reviewer Comments:

1. With the return of higher quantities of precipitation in Autumn 2021 and Winter 2022, the pond in Roszell Wetland once again contained surface water in Spring 2022.
2. Amphibians were heard calling in the Roszell Wetland and along the Southwestern margin of the Pit Lake (shown on Figure 1 as Lake 2b) and at FROG_3 and 4 in Spring 2022 in numbers similar to long-term averages.
3. The analysis of the tree and shrub data from the plots set up along the Speed River PSW indicates no long term negative declines or significant changes in wetland vegetation communities based on tree and shrub presence and health, beyond what can be attributed to natural change. If hot dry conditions do continue to persist for year after year there is potential for increased change within wetland communities in the Roszell Wetland, but also throughout the region. The changes of percent cover in Vegetation Plot C to F in 2022 compared with pre-construction data, indicate limited change overall has occurred in the vegetation plots over the 11 years of surveys.
4. Even during the last three years of drought, trout redd numbers in the Main Creek and Tributary #7 remained near long-term average numbers based on the 2022 counts. Both of the creek locations with historical trout spawning also show continued use of the same primary spawning areas throughout the monitoring years.

Additional Comments:

The peer review commented on the need for incorporating additional adaptive mitigation measures, the approaches that are recommended to meet this are provided below.

1. CBM has requested that amphibian breeding progress be monitored, for the third year in a row, every 7 to 10 days during May and June 2023 to document conditions in the Roszell Wetland. These results were to be reported to CBM as the data are gathered and these results will be reported in the annual monitoring report for 2023.
2. The 2021 peer review made comments regarding potential for a plan to be prepared to increase the capacity of the Roszell Wetland to hold and retain more standing water so that successful amphibian breeding can occur annually, including during dry periods. A site meeting with the GRCA and peer review ecologist and hydrogeologists took place on August 23, 2022. During this meeting it was made clear by the GRCA ecologist (Tony Zammit) that the GRCA would not support undertaking any physical changes to the wetland itself, and that the changes to the wetland to the south of Lake 2b appear to be natural changes expected during a multi-year drought period. It was also noted by GRCA staff that some wetlands will undergo transitions under natural processes where they exhibit less wetland characteristics and it was suggested this is the case at this wetland. Based on the indication that GRCA

would not authorize a permit to deepen areas within the wetland to create longer lasting surface water within the wetland to improve conditions for amphibian and salamander breeding, this approach is not being pursued further.

Bibliography:

Dance Environmental Inc. 2018. Overview of Biological and Aquatic Monitoring Results:2012-2017, Roszell Pit, Puslinch Township. ARA Licence No. 625189. Prepared for CBM Aggregates.

Golder Associates Ltd. 2021. Hydrological Evaluation of the Wetland Adjacent to the CBM Roszell Pit Site in the Township of Puslinch, Ontario.

Groundwater Science Corp. 2022 (March). Roszell Pit, Licence No. 625189 2021 Groundwater Monitoring Report. Prepared for CBM Aggregates.

We trust that these clarifications will be of value to the Township.
Respectfully submitted,

K.W. Dance, M.Sc.
President
Dance Environmental Inc.

K.S. Dance, M.E.S.
Terrestrial Biologist and Partner
Dance Environmental Inc.

November 1, 2023

David Hanratty, P.Geo.
Votorantim Cimentos
Director of Land, Resource and Environment
CBM Aggregates
55 Industrial Street
Toronto, Ontario
M4G 3W9

Sent via email to: david.hanratty@vcimentos.com

Dear Mr. Hanratty:

RE: Roszell Pit – Harden Environmental Review Comments, 2022 Monitoring Report

As requested, this letter provides a response to the August 3, 2023 review comments provided by Harden Environmental Services Ltd (HESL) on behalf of the Township of Puslinch (Township) regarding the 2022 annual monitoring report for the Roszell Pit.

The comments deal with 2 subjects, namely: groundwater and surface water level monitoring results at the site; and, groundwater and surface water temperature monitoring results.

Water Levels

HESL begins by stating that “2022 was a relatively dry year”. Attached (see **Appendix A**) is our analysis of seasonal precipitation patterns from January 1, 2001 to October 25, 2023 (representative of the Roszell Pit monitoring period) as reported by Environment Canada in this area. Three graphs are provided, illustrating annual and seasonal (spring, summer, fall and winter - see definition provided) precipitation totals and comparing those totals to reported 30 year Climate Normals (e.g. average conditions). The annual comparisons indicate that 2022 was by far the driest period over the 23 year period examined. As compared to “average” conditions, 2022 was over twice as “dry” as the next 3 lowest precipitation years (2012, 2019 and 2020).

The cumulative pattern of precipitation since 2018 can be considered to be exceedingly dry. A graph showing the seasonal difference from reported to “average”, along with a 4 season (i.e. yearly period) running average shows this pattern, with the running yearly total fluctuating from above to below average, however showing no sustained multi-year trend until about 2018, when a year over year declining trend begins and has been sustained until now. This pattern directly affects groundwater levels and must be considered fully when reviewing groundwater and related surface water levels.

We note that the 2023 annual total as shown does not include the remainder of October, November or December. The 2023 pattern of precipitation starts with a “dry” winter, slightly “wet” spring and increasingly wet summer period). We note that if “average” levels of precipitation occur over the remainder of the year, the annual should be close to “normal”. Therefore additional recharge potential has occurred in 2023 as compared to 2022.

HESL states that a review of water levels at other sites do not match the patterns of change observed at the Roszell Pit. While we do not have data at all of the other sites listed, we do have access to data at the

PQA (Puslinch) Pit and Neubauer Pit. We have attached (see **Appendix A**) a long-term graph for one monitor at each site (for clarity). In our opinion the monitoring results at these two sites clearly show the following:

- relatively high water levels in the 2007 to 2009 period, corresponding to a series of successive “wet” years;
- a subsequent decline to more moderate water levels, particularly sustained from about 2012 to 2020; and,
- an overall decline in water levels from about 2020 to present.

This pattern corresponds relatively well with the reported pattern of precipitation over this period. This pattern also correlates to major trends observed at the Roszell Pit.

We note that the monitors referenced by HESL also appear to be primarily located within large-scale regional flow systems within large catchment areas, which have more “buffering” capacity to moderate (or “average”) seasonal and annual trends. At the Roszell Pit, although it is at the base of a regional flow system, the outwash deposit along the Speed River (set within a morainal till) also has significant local flow system characteristics related to a more immediate response to seasonal recharge and nearby discharge opportunities. Therefore direct comparisons of patterns of seasonal or annual water level variation between these sites may not be fully supported.

A water level monitoring update for the Roszell Pit is attached (see **Appendix B**) for reference. We note the following:

- water levels to date in 2023 are generally higher than observed in 2022 (i.e. some “recovery” has occurred due to increased recharge);
- no specific water level elevation thresholds have been exceeded in 2023;
- at the extraction ponds and most monitors south of the barrier, although spring water levels in 2023 were low for that time of year (as compared to previous years), water levels were essentially “maintained” at more moderate levels through the summer – likely due to increased precipitation over that period; and,
- water level patterns at the Roszell Wetland (PG7) continue to differ from the adjacent groundwater level patterns and indicate that spring (e.g. pond) levels are significantly affected by runoff inputs from the surrounding catchment (e.g. as noted by Golder Associates in their July 2021 technical memorandum).

In summary, water level recovery has occurred through 2023 and can be expected to continue through the fall/winter 2023/2024 period. No water level elevation threshold exceedances have occurred.

We note that the current extraction pond configuration was fully developed in late 2022. No extraction occurred at the site in 2023. It is our interpretation that the overall surface water and groundwater system is in the process of equilibrating to both the extraction pond configuration and precipitation trends.

Water Temperatures

Also attached is an update of surface water and groundwater temperature monitoring results (see **Appendix C**). The graph order is from extraction pond through the BH16 to BH1 groundwater profile to surface water monitoring locations within the Speed River valley.

We note that these results have been previously discussed, and although identified threshold levels have been exceeded at certain locations it has been determined that there are no direct ecological impacts

identified, and that HESL has historically reviewed and agreed with these findings. Based on the agreed findings and lack of identified impacts, no mitigative response has been recommended.

We note the following with regard to the temperature monitoring results:

- shallow pond temperatures are similar from year to year over the monitoring period;
- observed temperature changes at BH16 (directly adjacent to Lake 1) shows a possible slight moderating trend in maximum temperatures since a peak in 2020;
- significant thermal attenuation occurs by BH17 (only 20 m directly downgradient of BH16);
- no significant negative impact is noted at BH1 (115 m directly downgradient of Lake 1);
- no temperature effects are noted within the main tributary channel (SW1 to SW4);
- other temperature monitoring stations are consistent with previous reporting.

We note that road construction and culvert replacement at the main tributary crossing of Roszell Road has changed conditions at SW1, and, that monitoring station/datalogger was removed. Data is available at that location to June 2023. A replacement datalogger was installed in October 2023 and we anticipate temperature data will be available going forward.

Recommendations

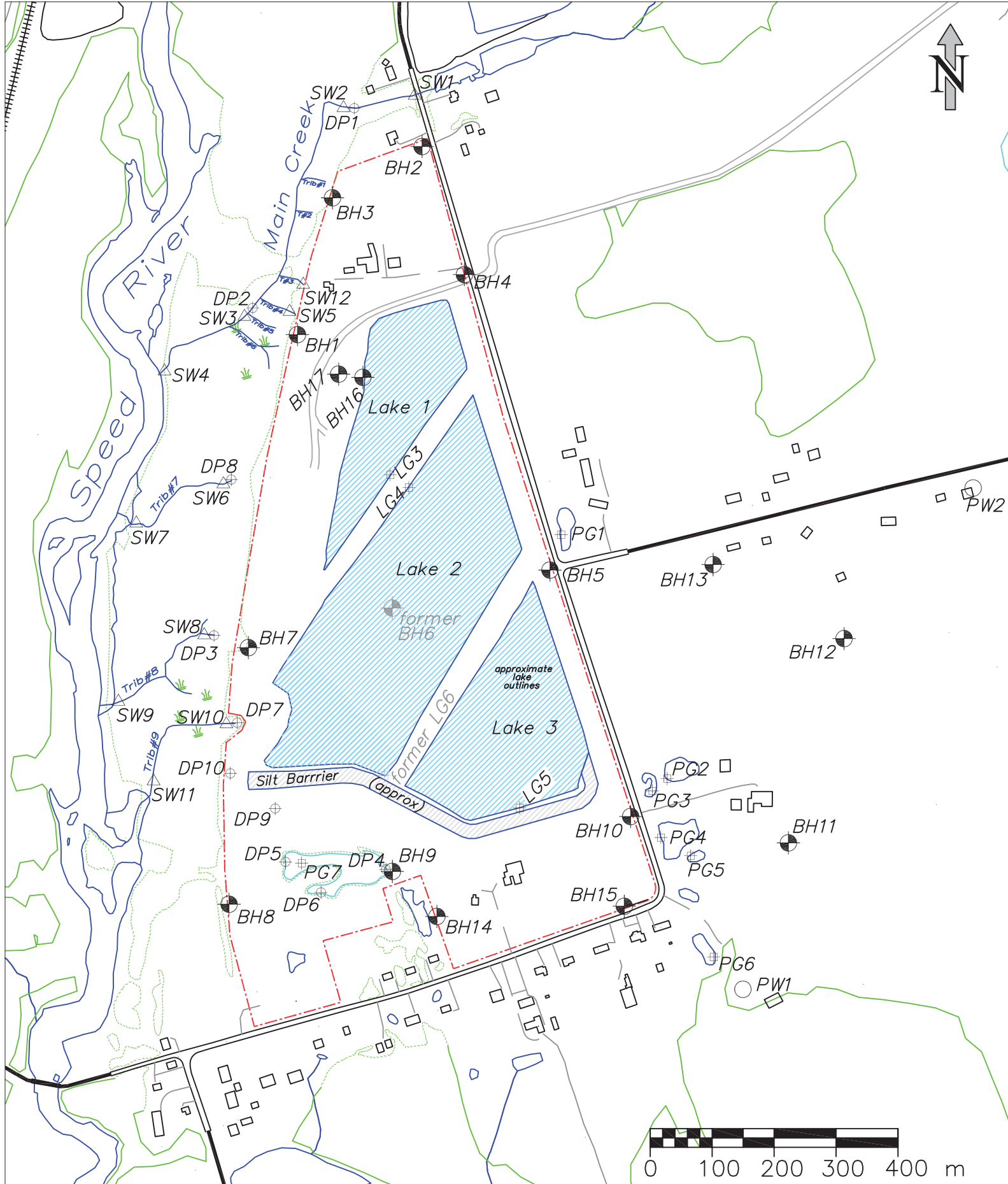
As HESL indicates, continued monitoring is recommended in order to determine equilibrated groundwater and surface water levels at the site.






Sincerely,




Andrew Pentney, P.Geol.
Hydrogeologist
mobile: 519-580-7325
email: apentney@rogers.com

Attached: Figure 1: Monitoring Locations
 Appendix A: Climate Analysis and Data from Other Sites
 Appendix B: Water Level Monitoring Update
 Appendix C: Temperature Monitoring Update



-  monitoring well (or well nest)
-  drive-point piezometer
-  surface water flow/temperature
-  pond/Lake gauge
-  private well

 **Groundwater Science Corp.**

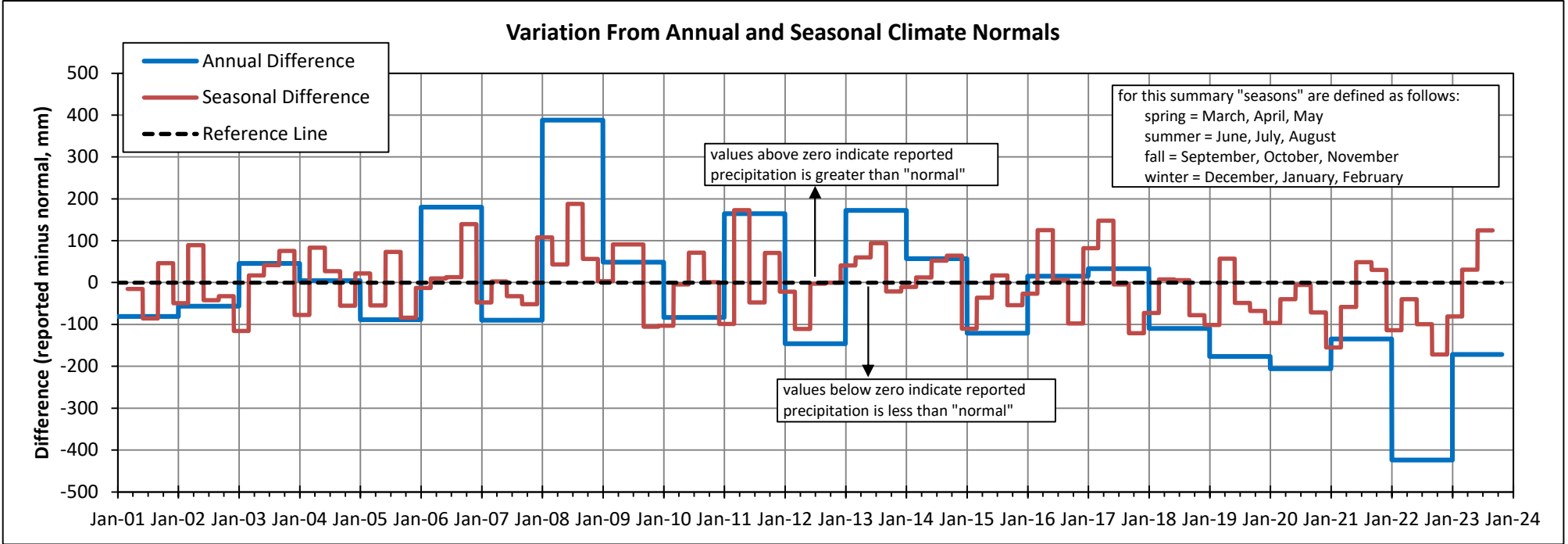
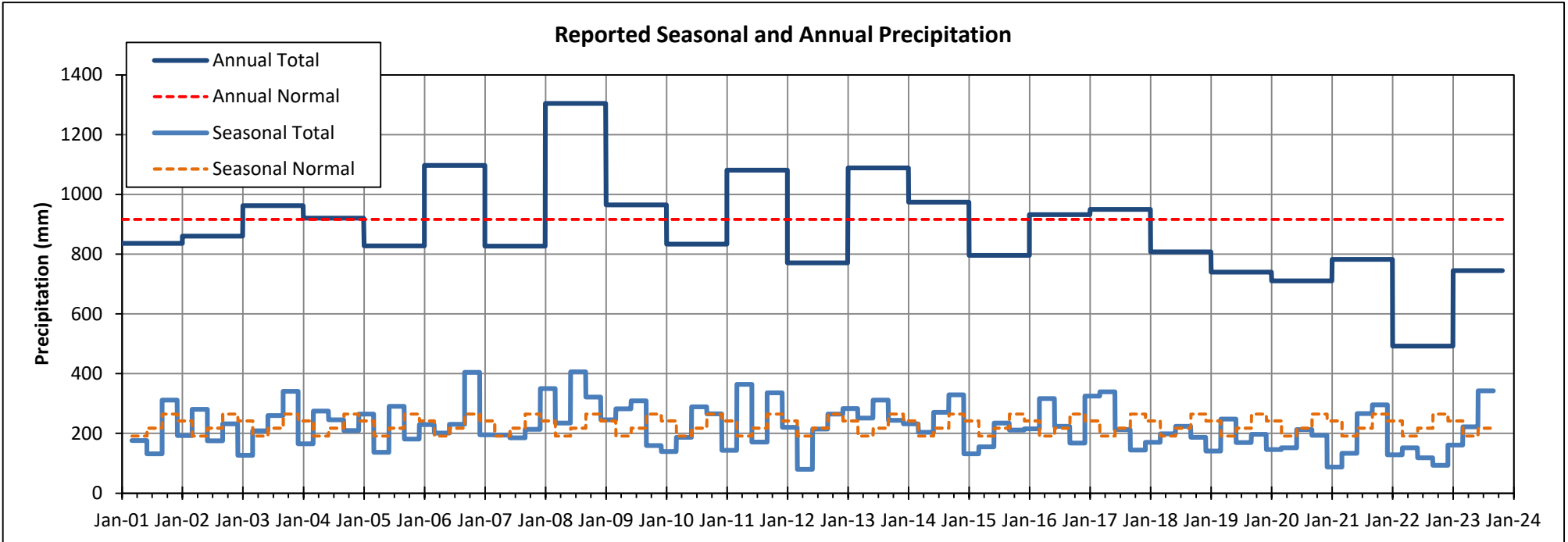
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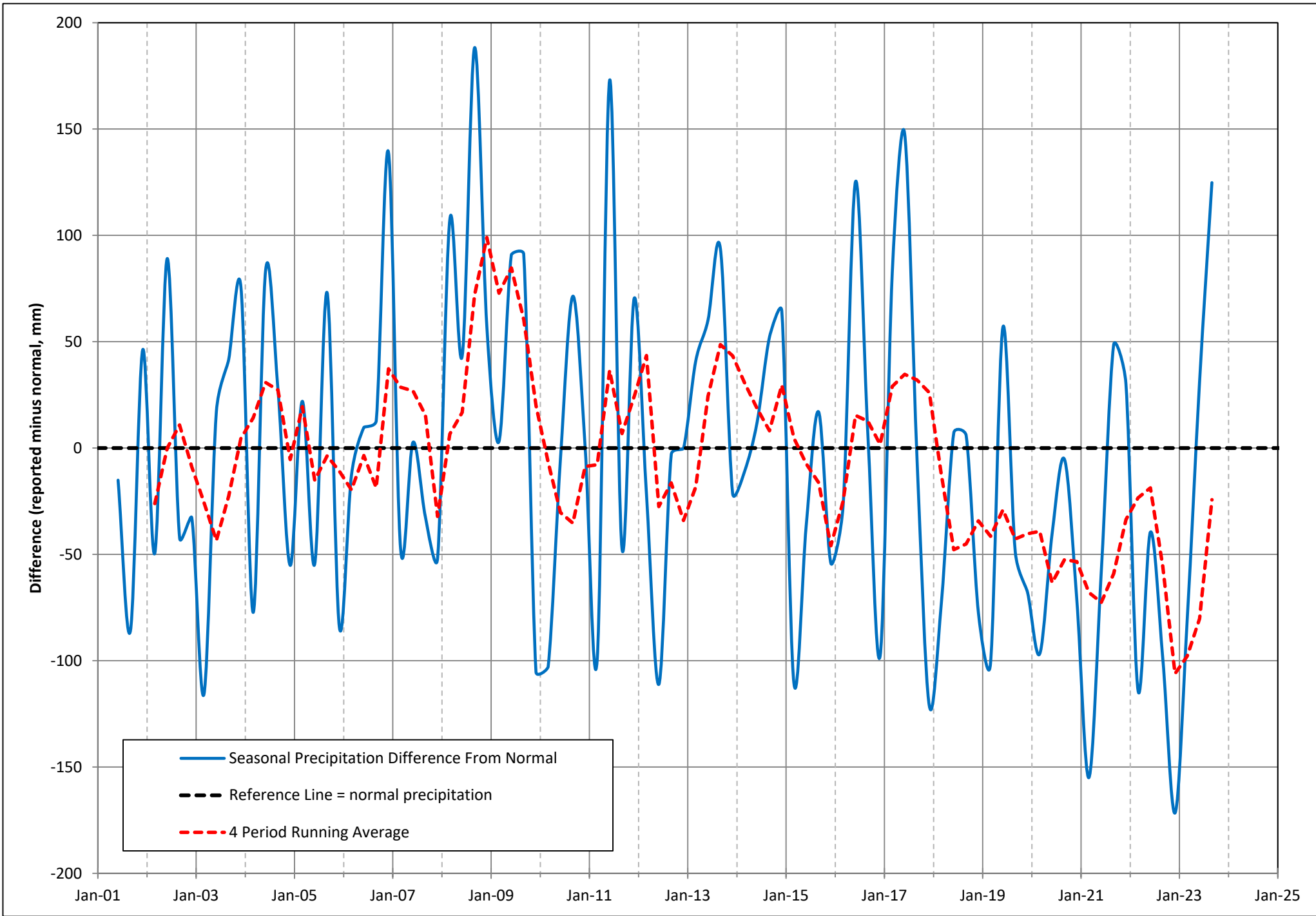
Groundwater
Monitoring
Program

Figure 1: Site Details and Monitor Locations

CBM Aggregates Roszell Pit	Part Lots 1 & 2, Concessions 3 & 4 Township of Puslinch, County of Wellington
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Appendix A
Climate Analysis
Data from Other Sites





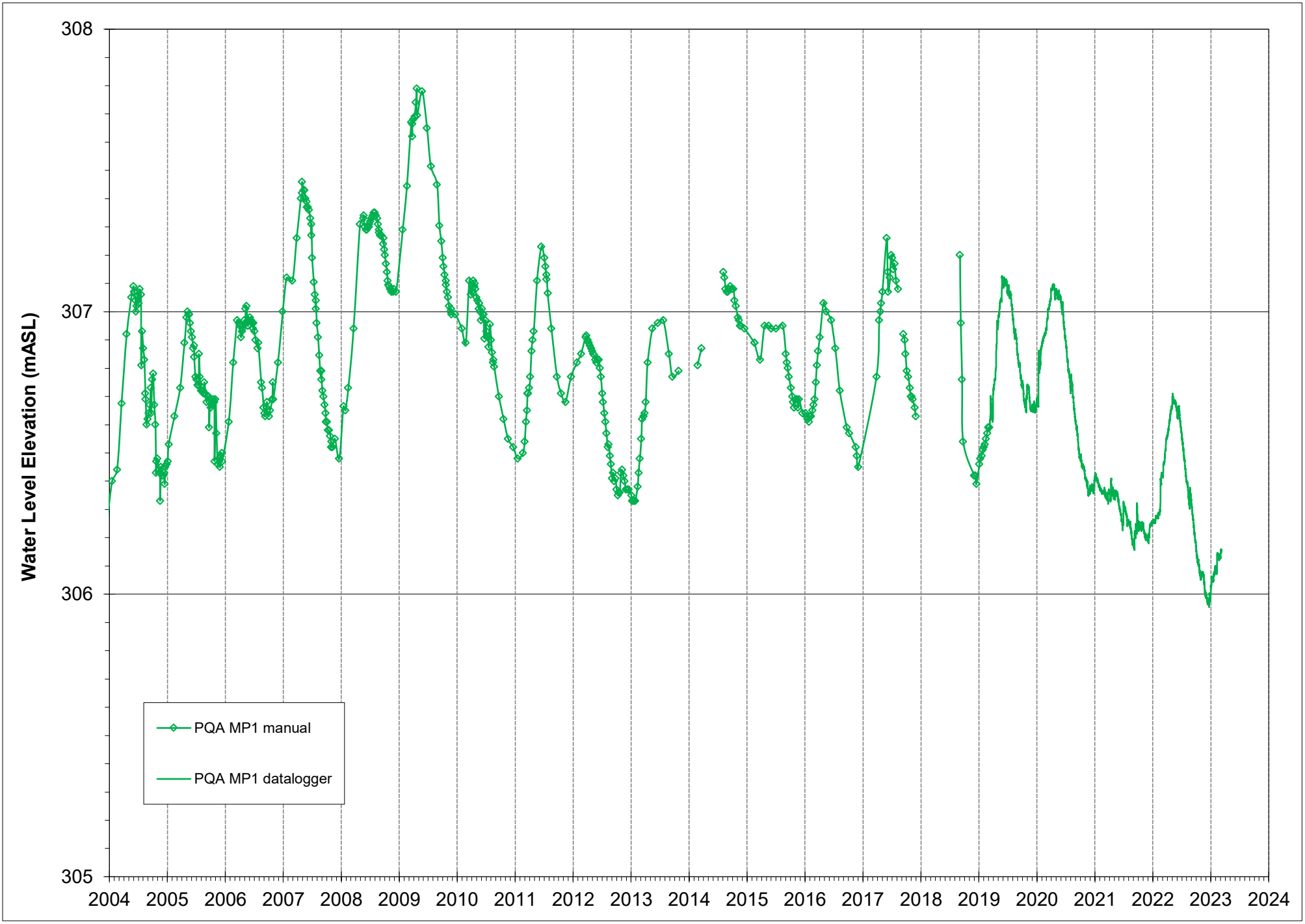


Figure 2: Historical Water Level Elevation Hydrograph

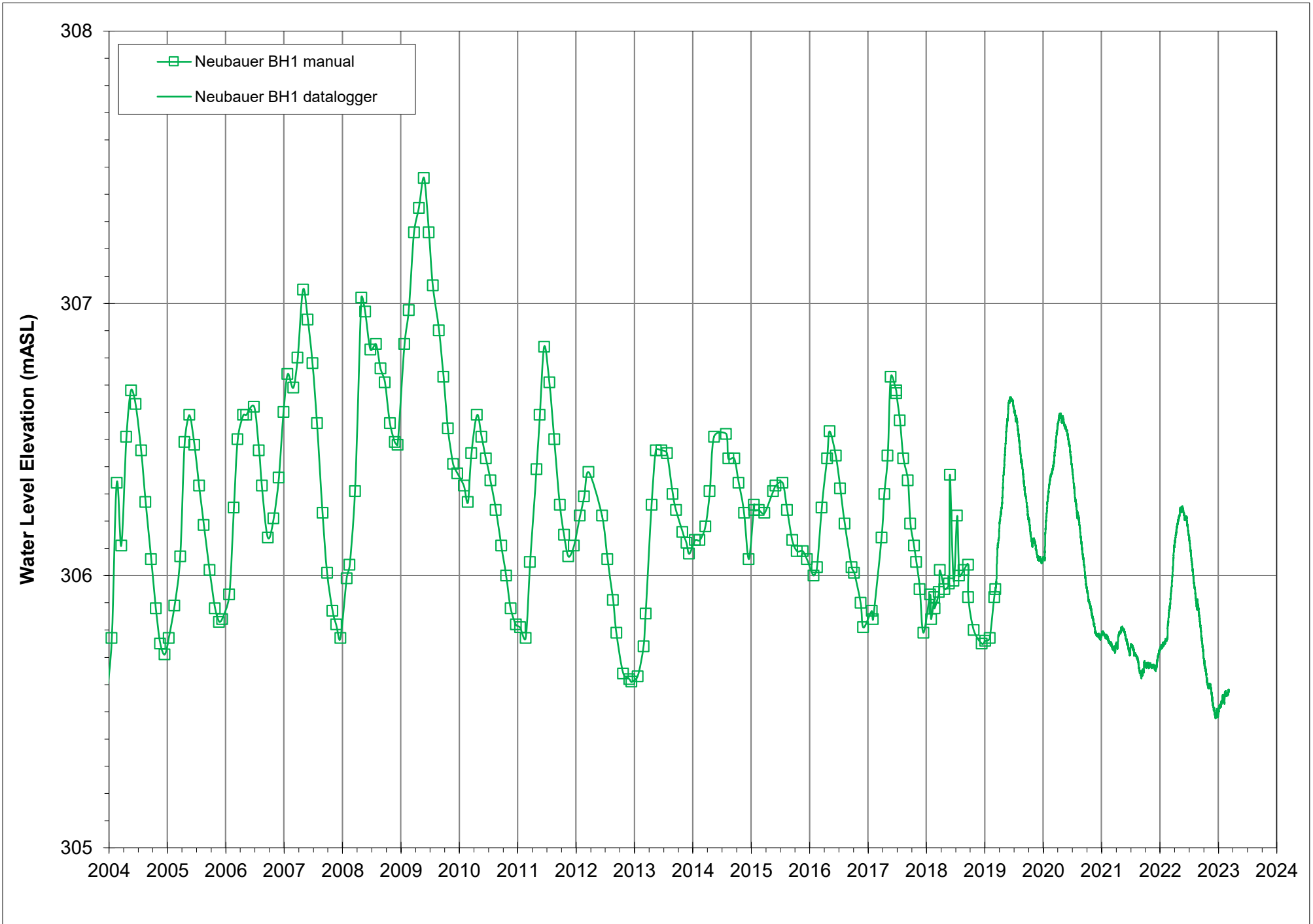
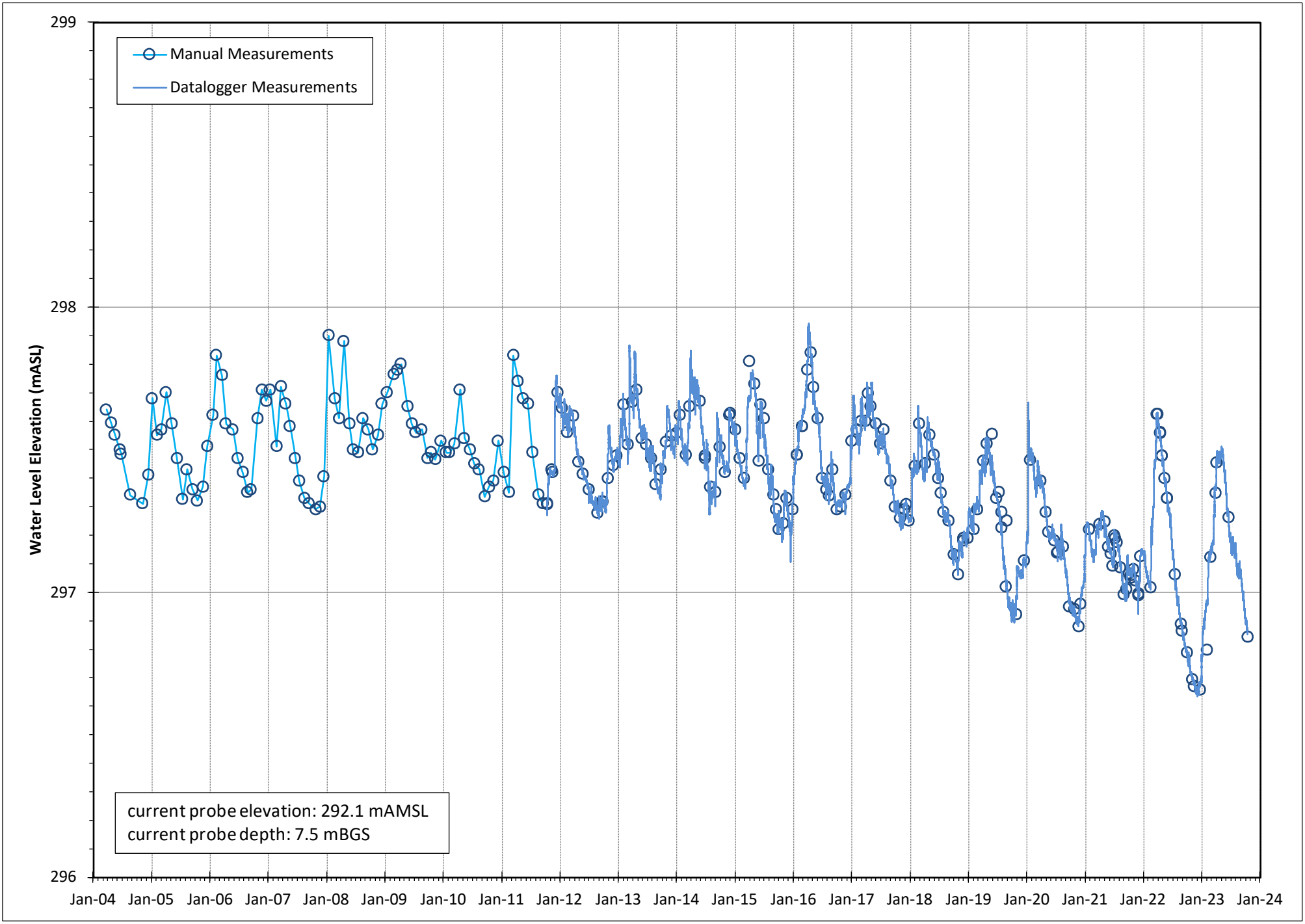
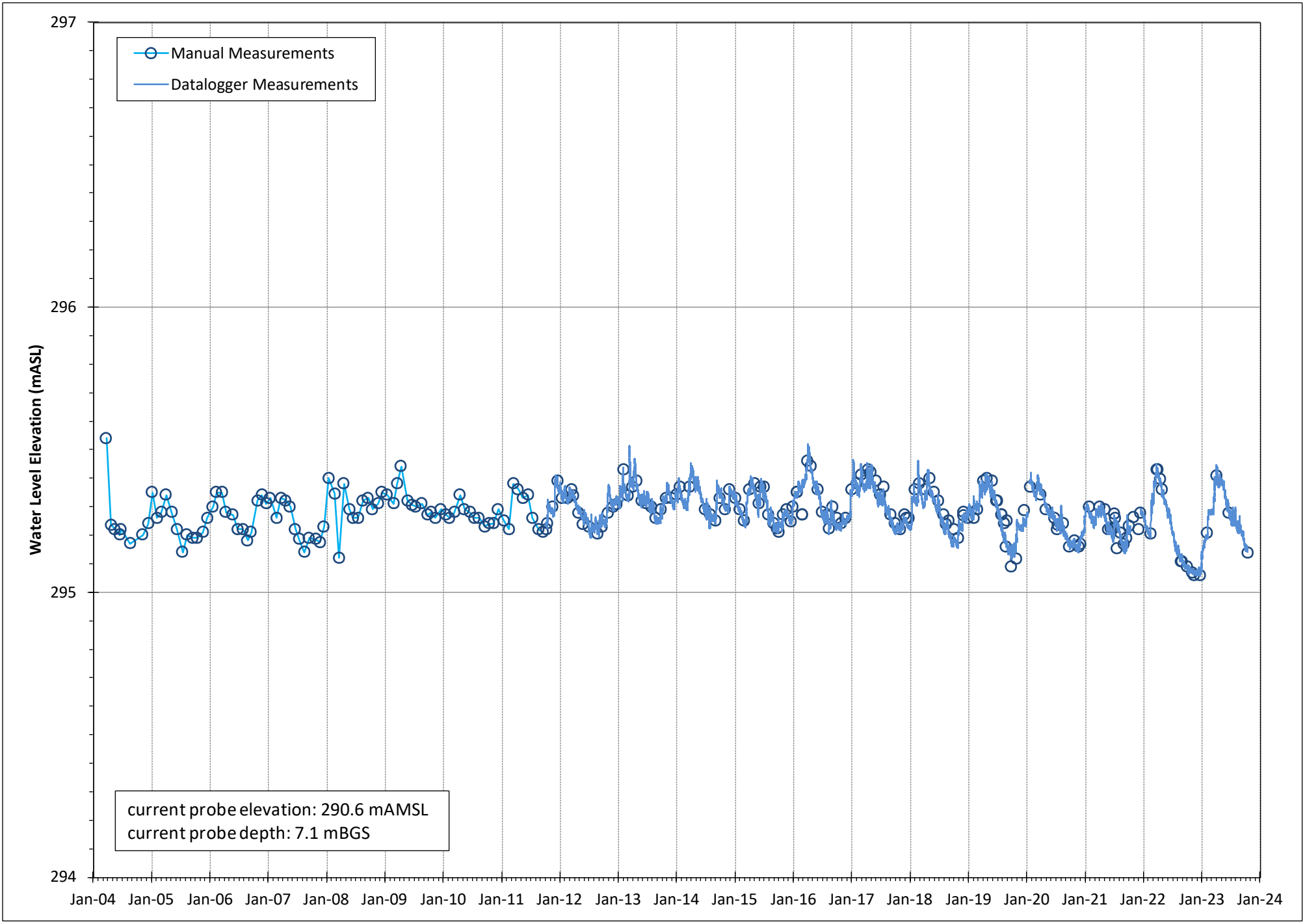
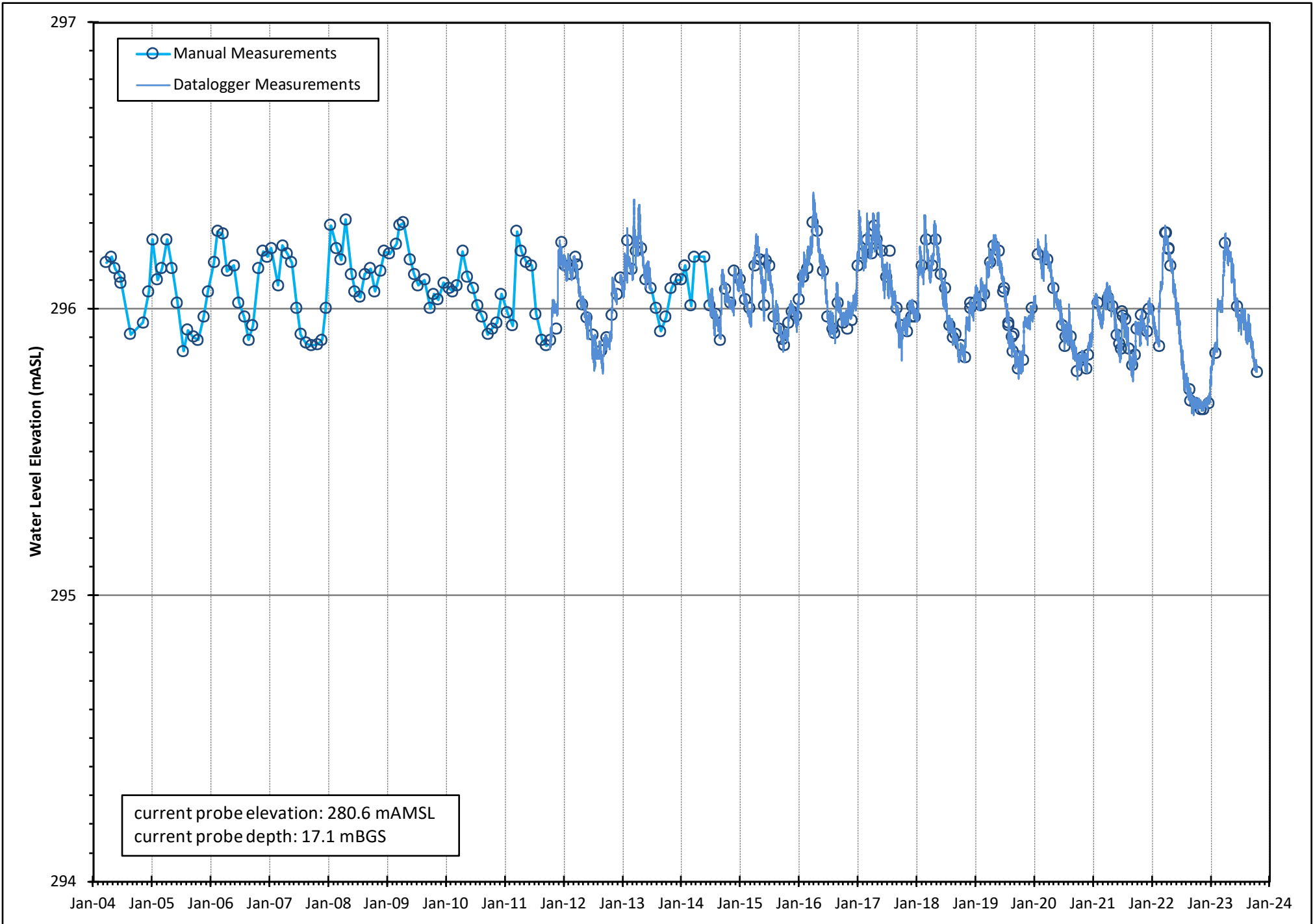


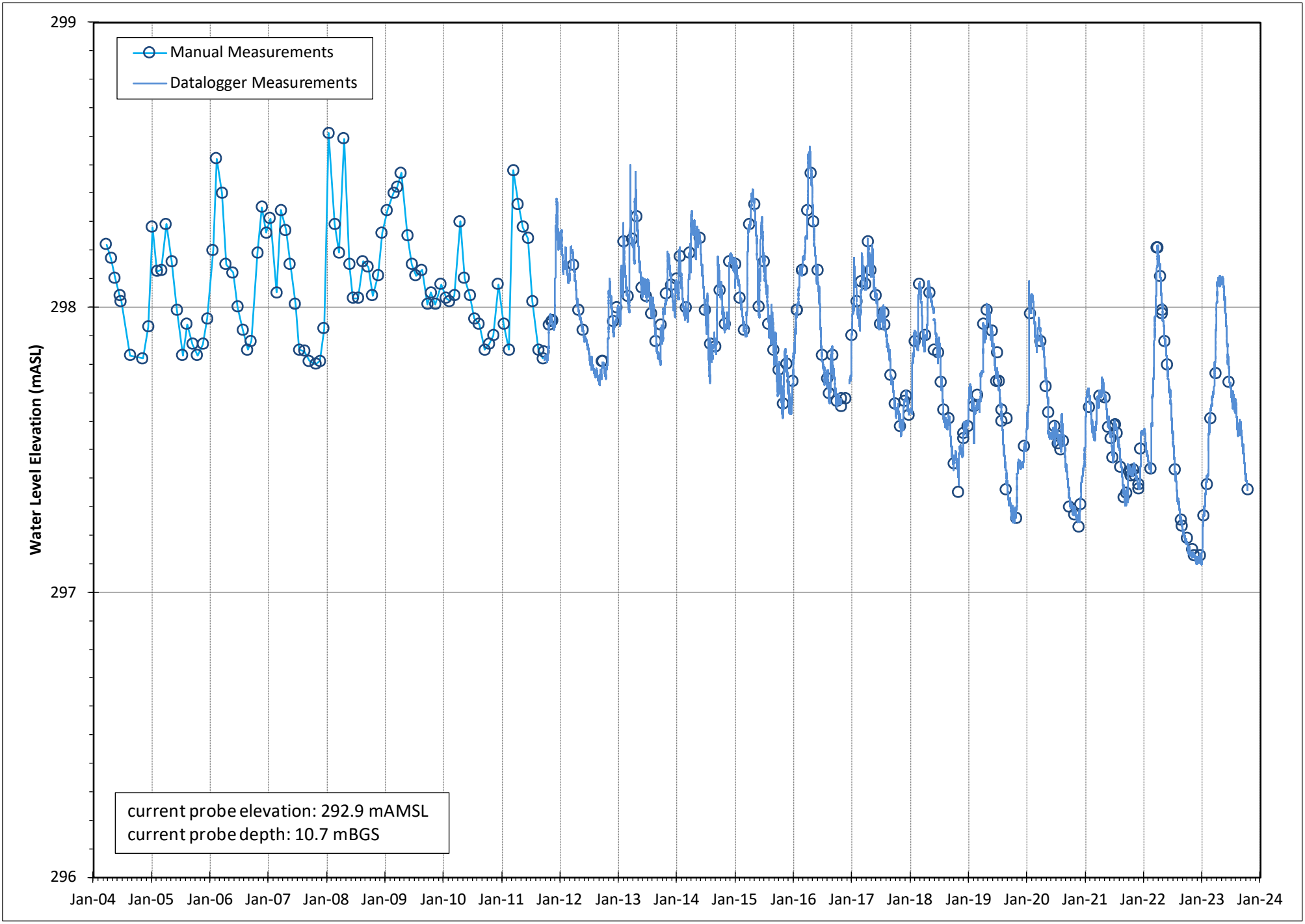
Figure 2: Historical Water Level Elevation Hydrograph

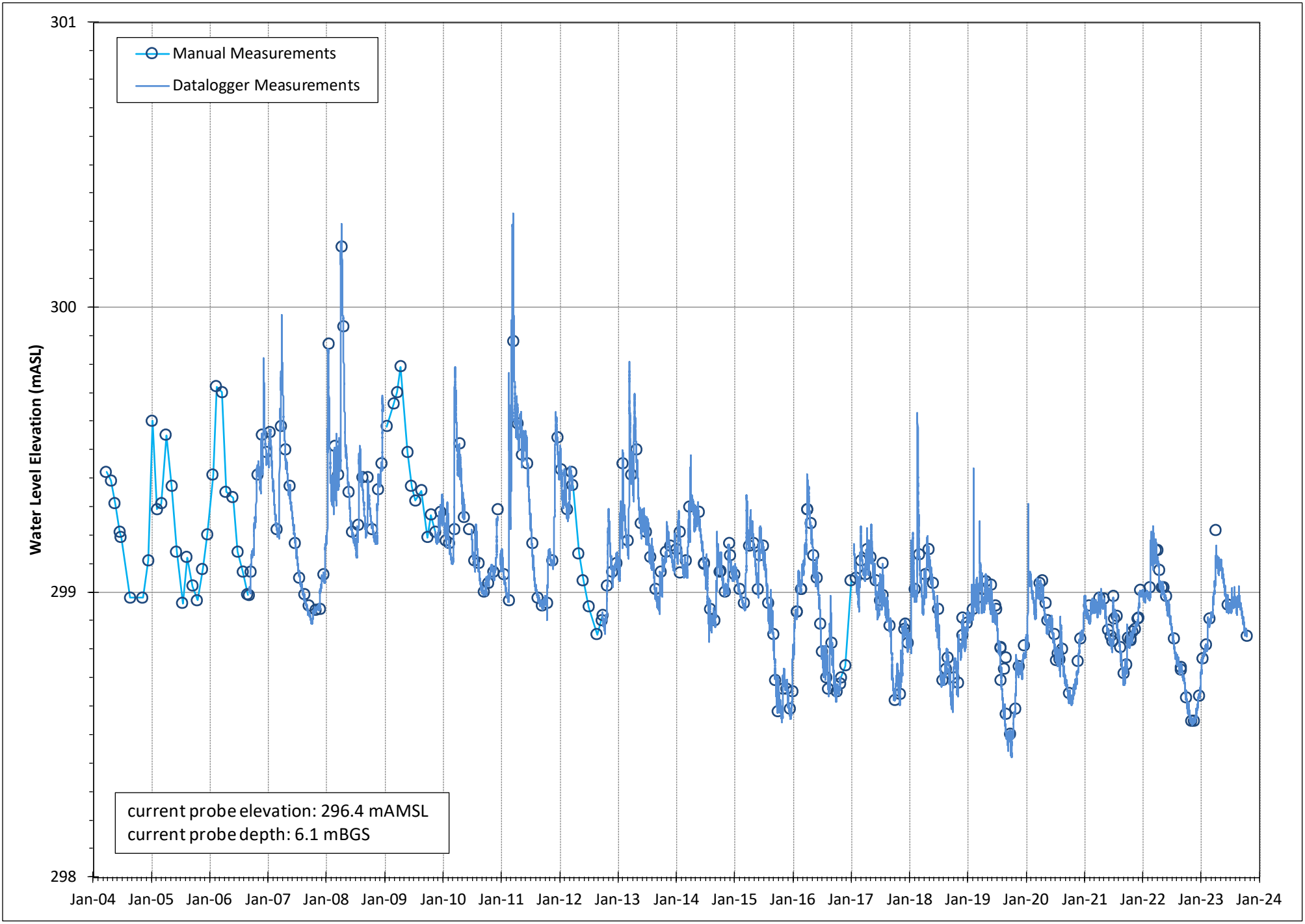
Appendix B
Water Level Monitoring Update

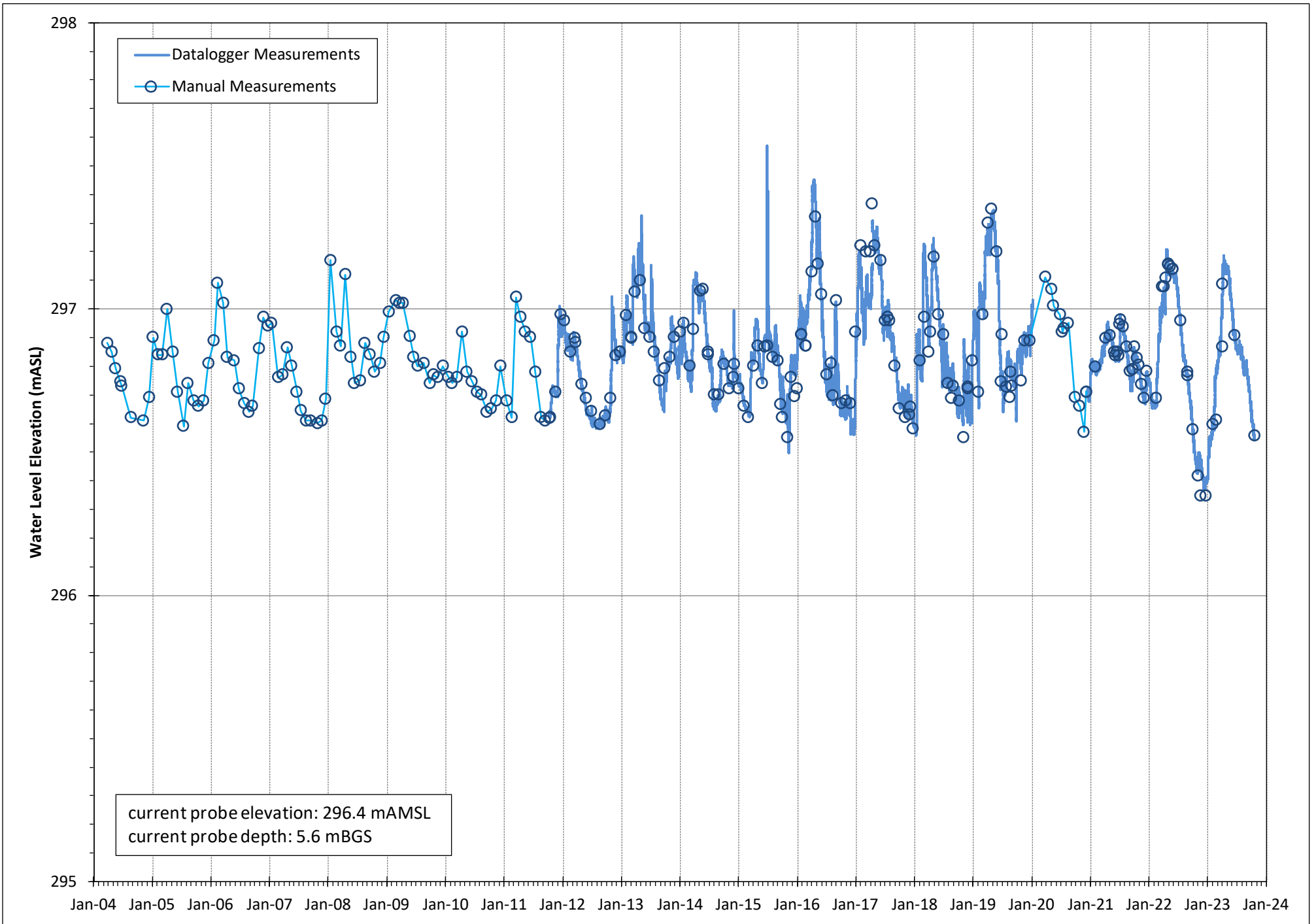


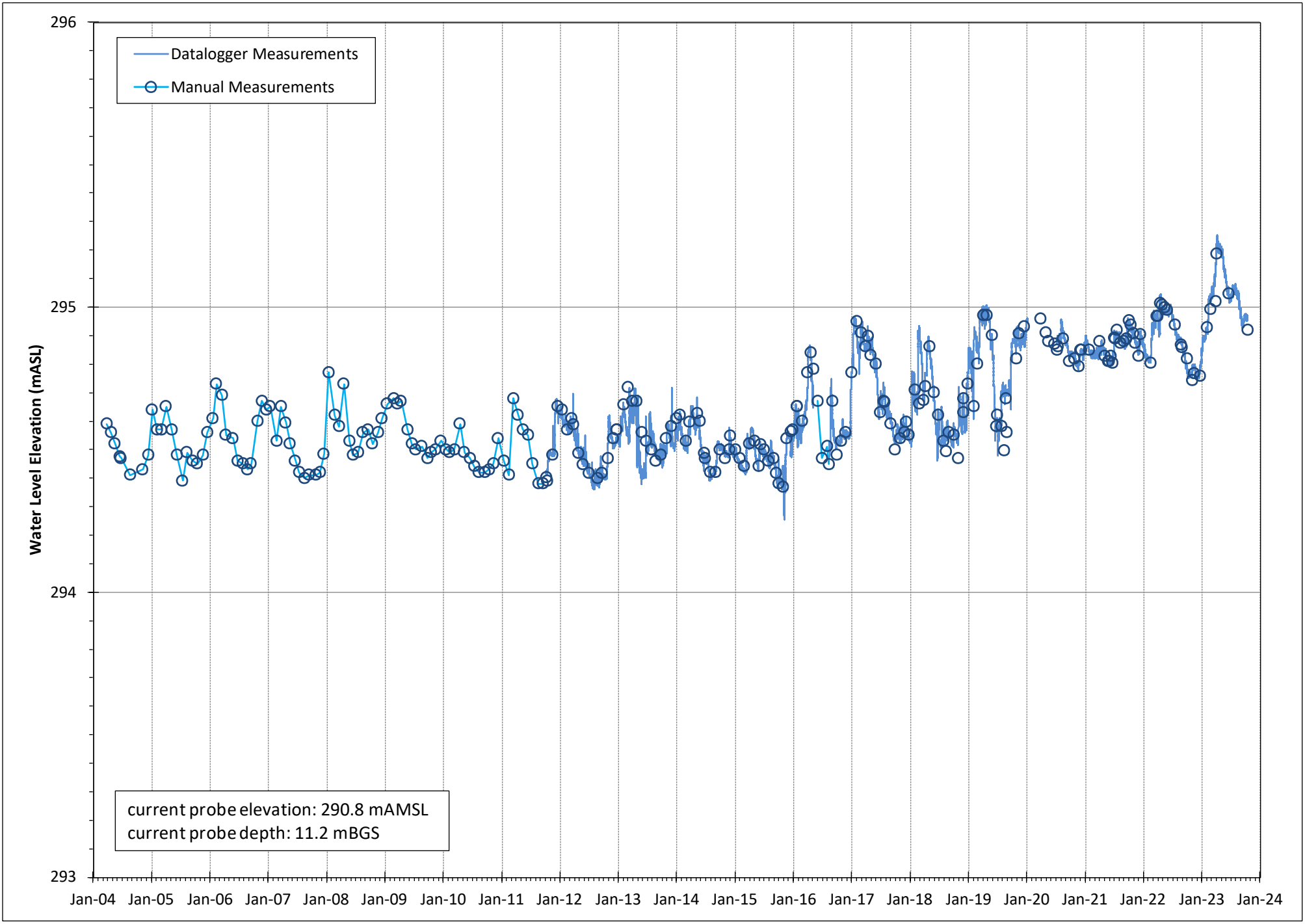


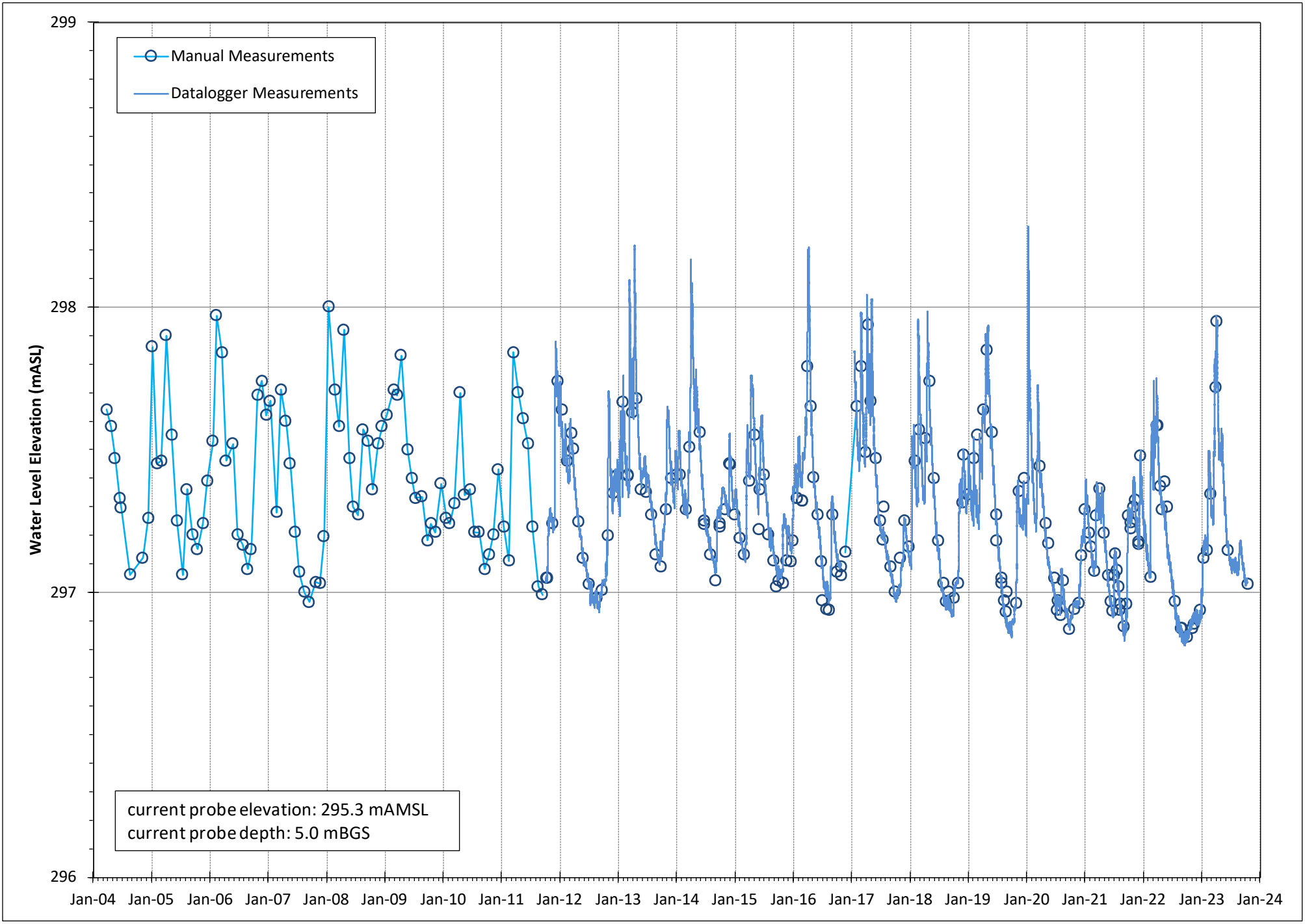


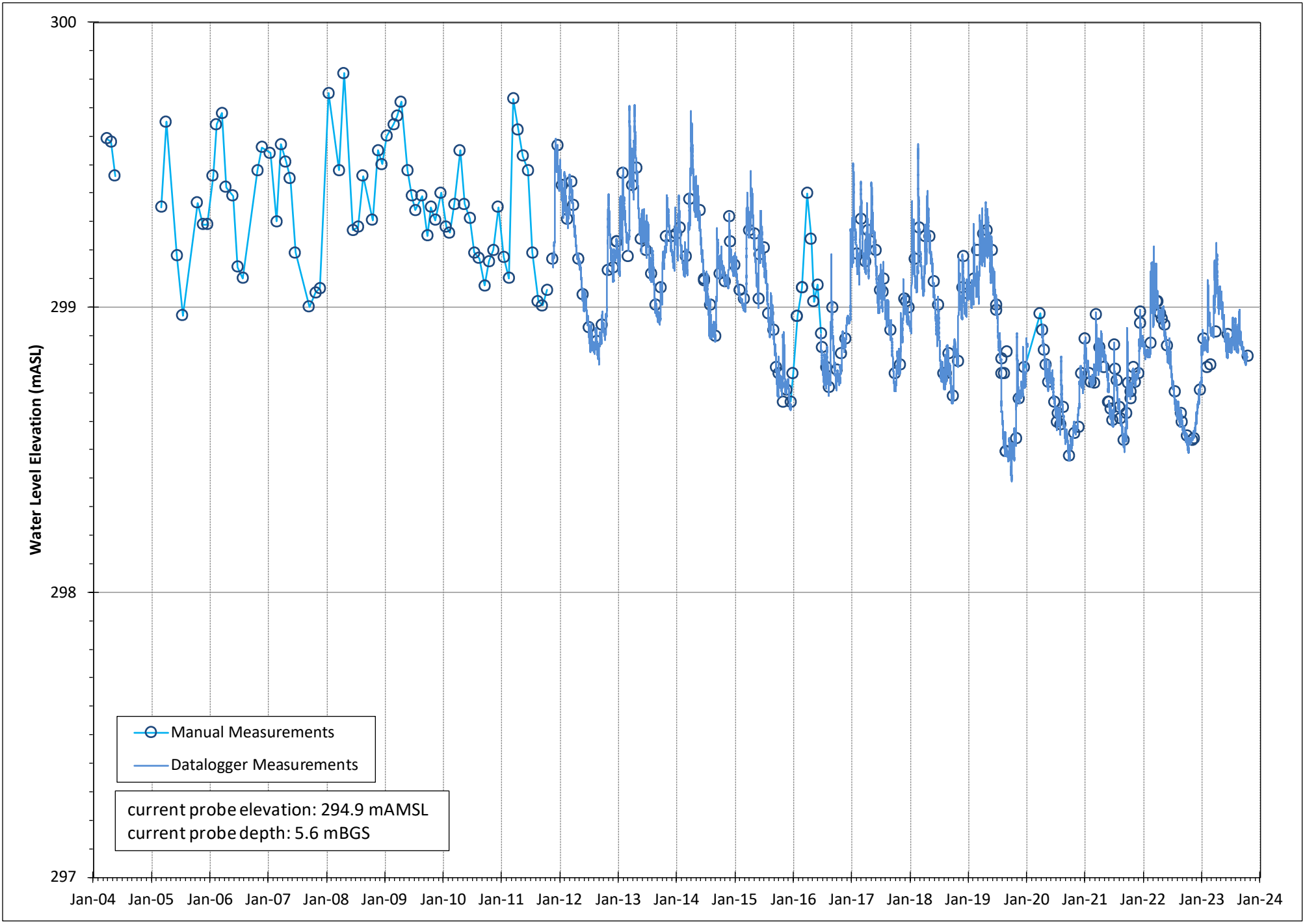


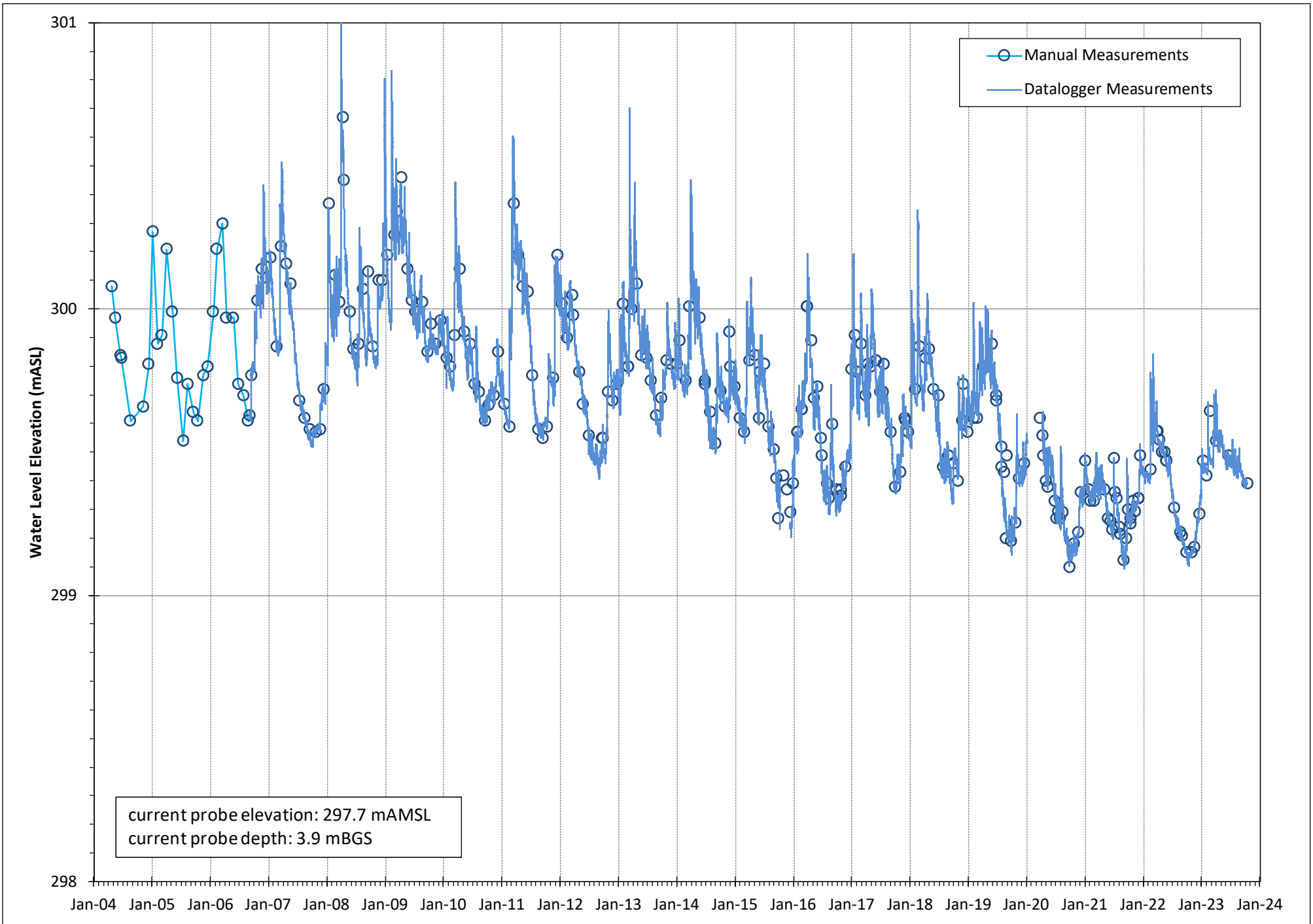


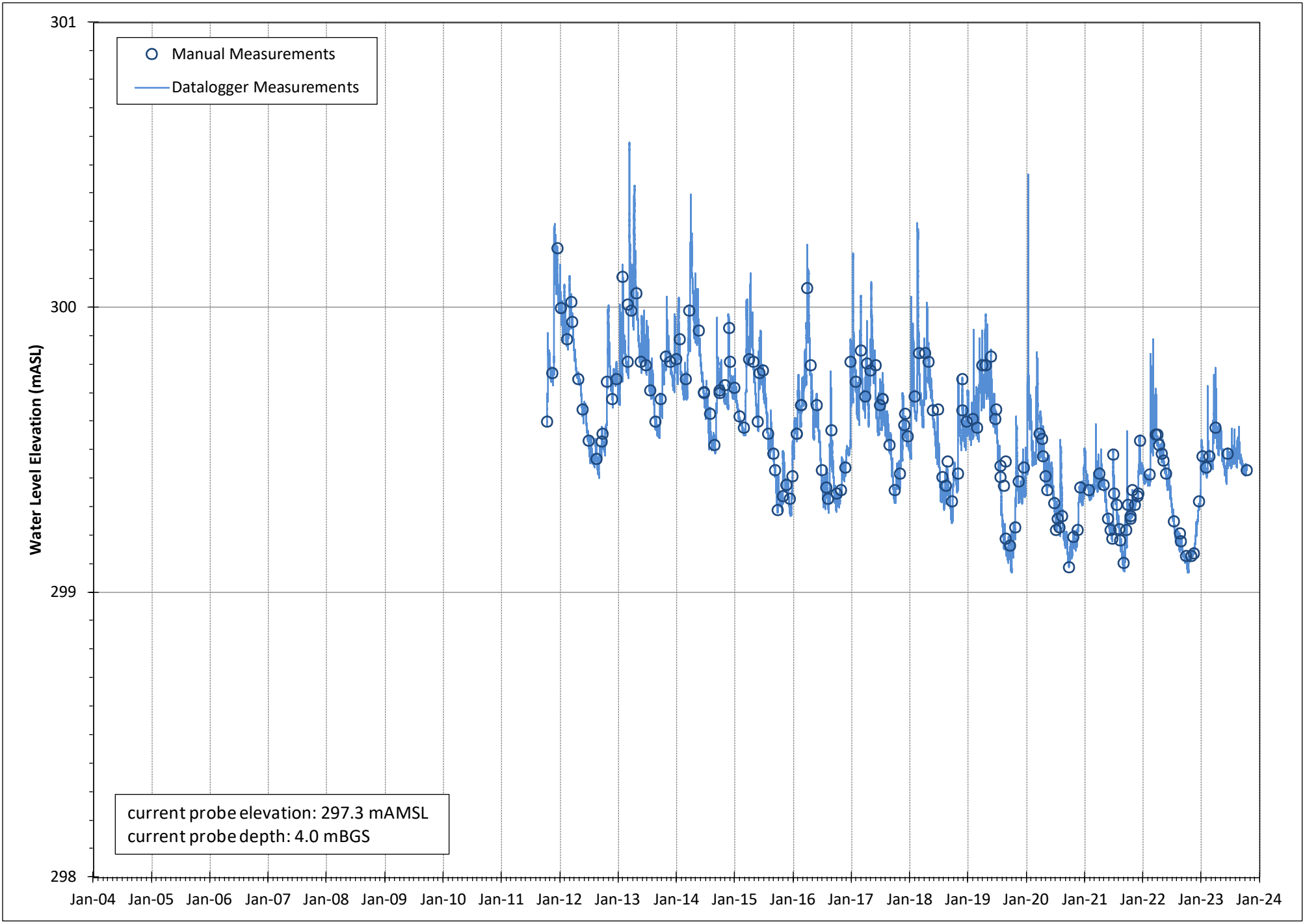


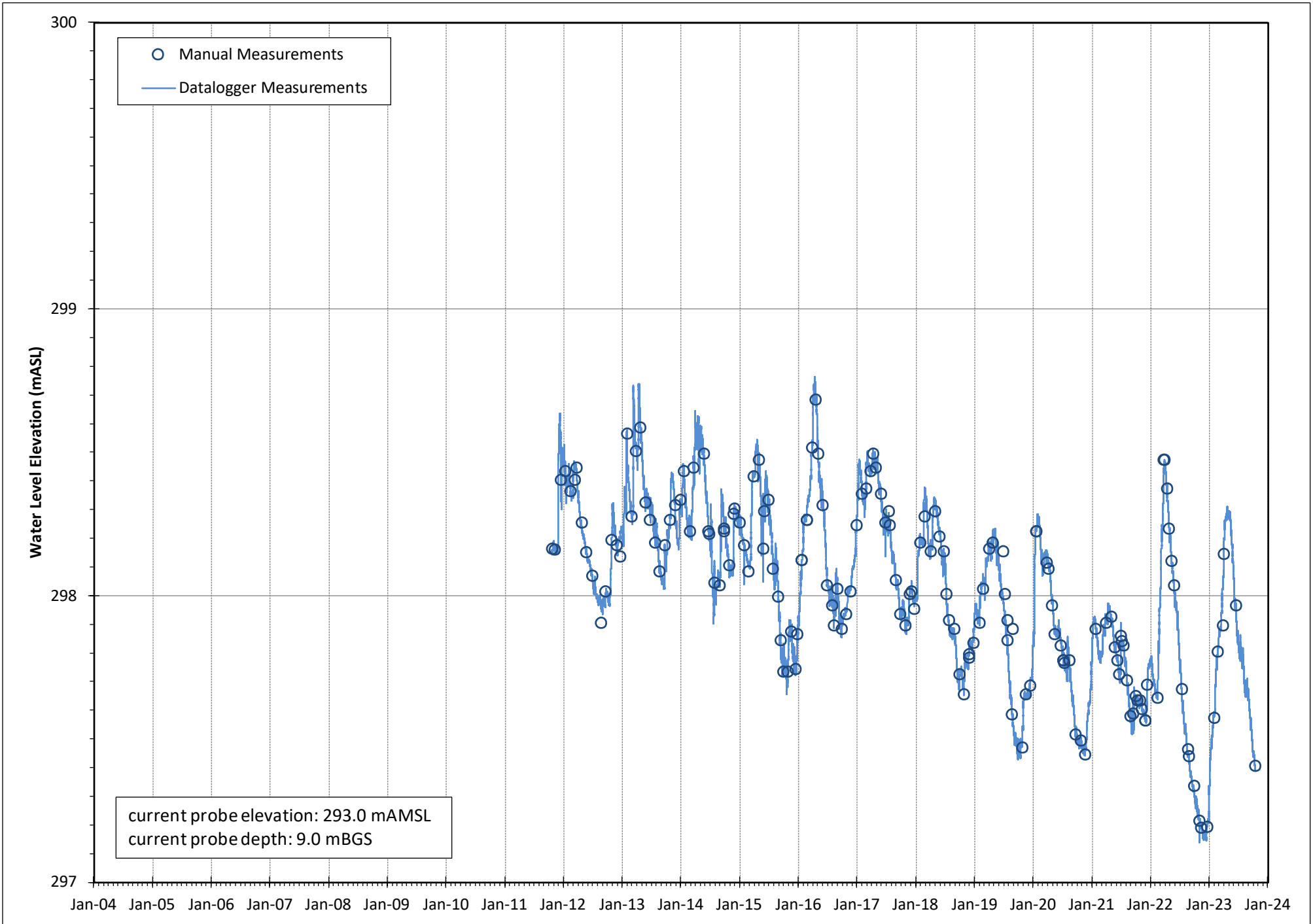


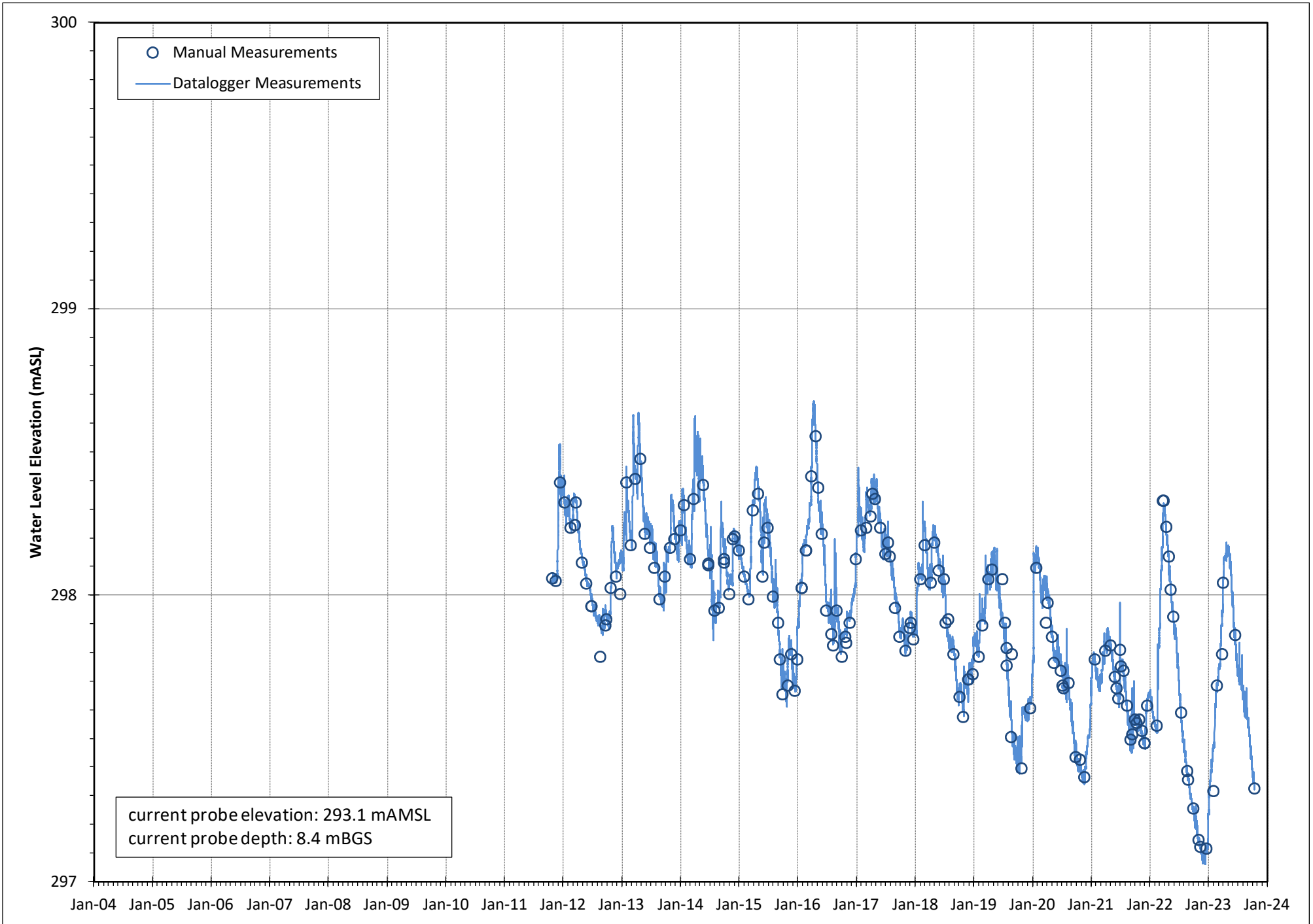




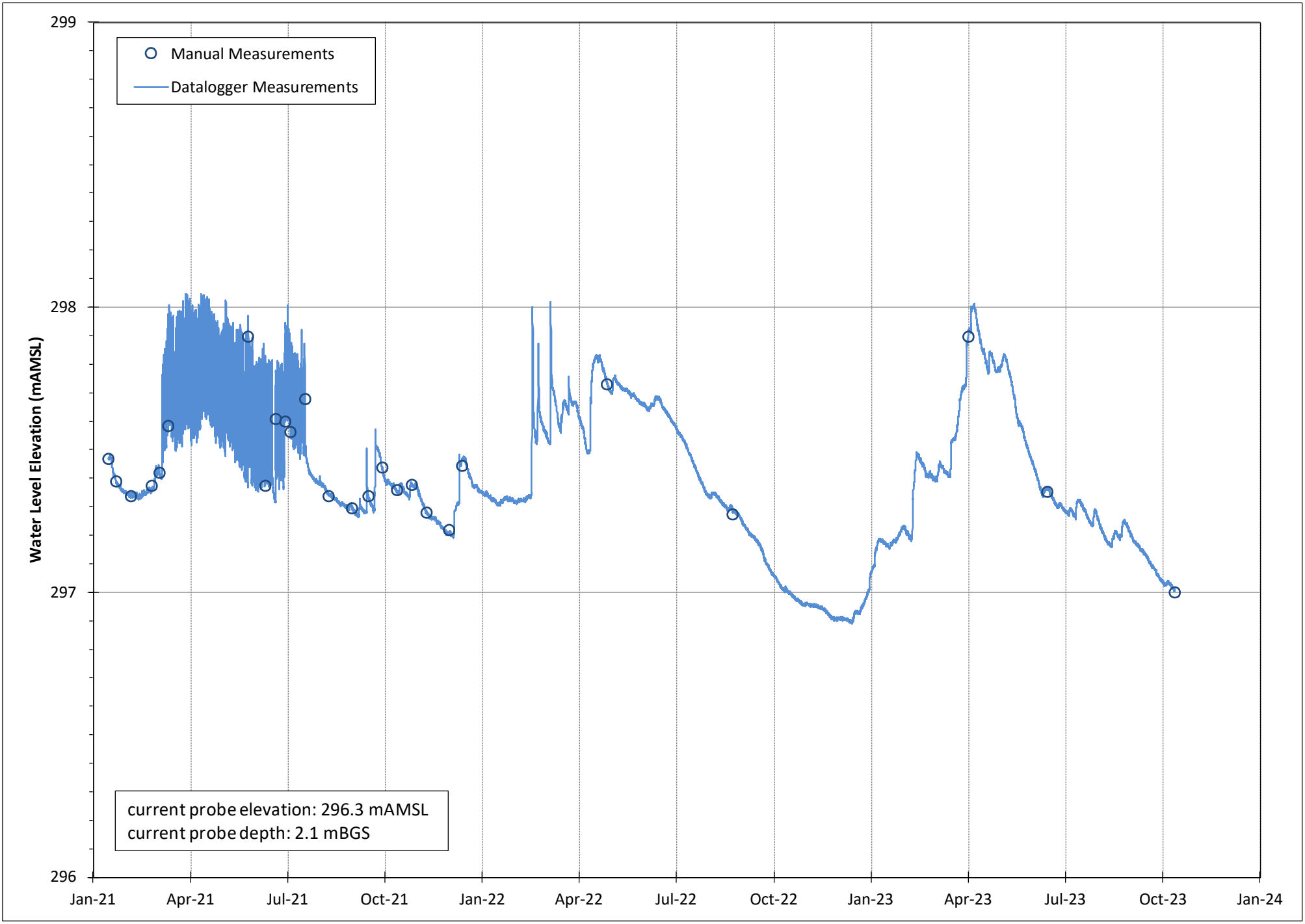




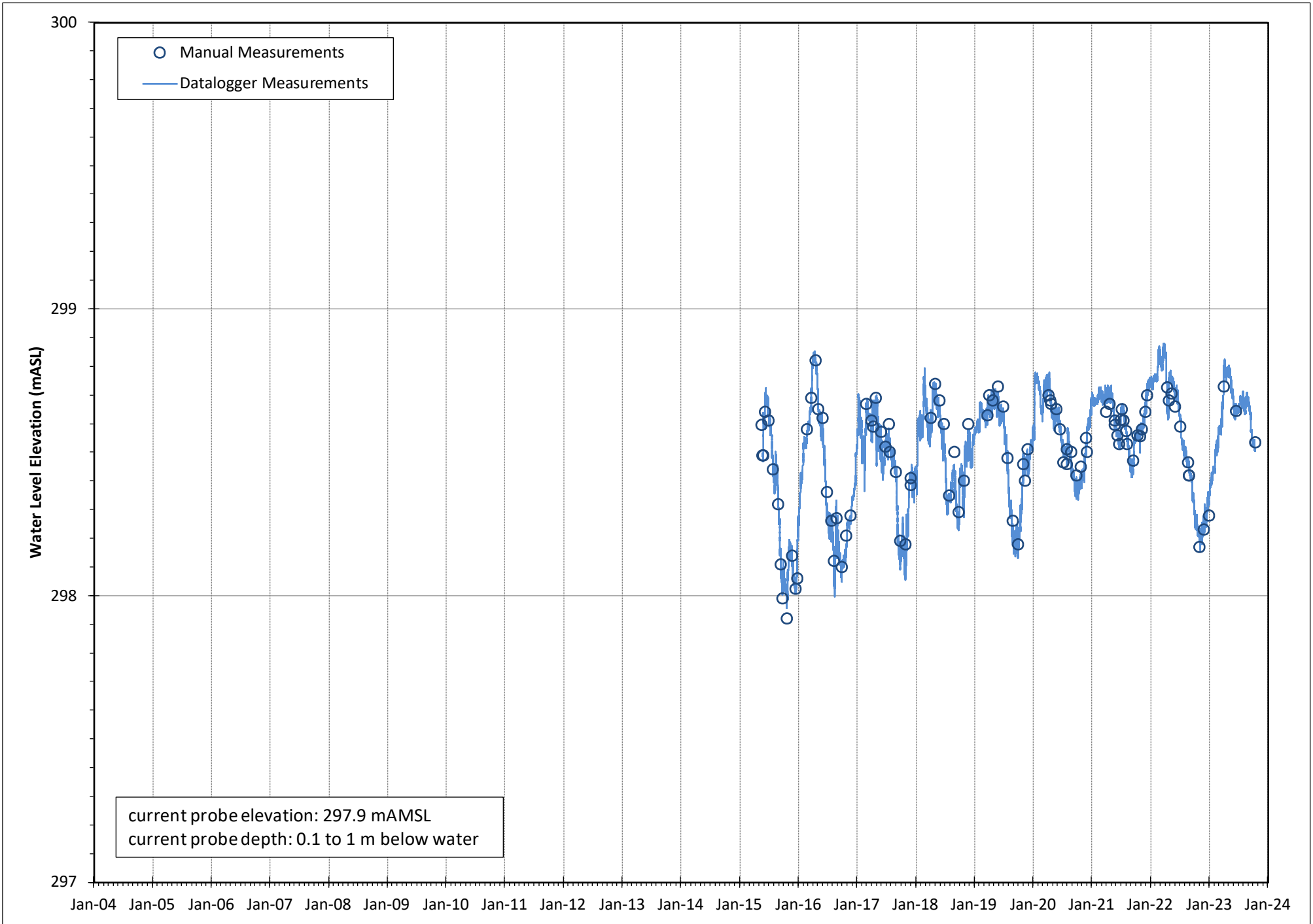




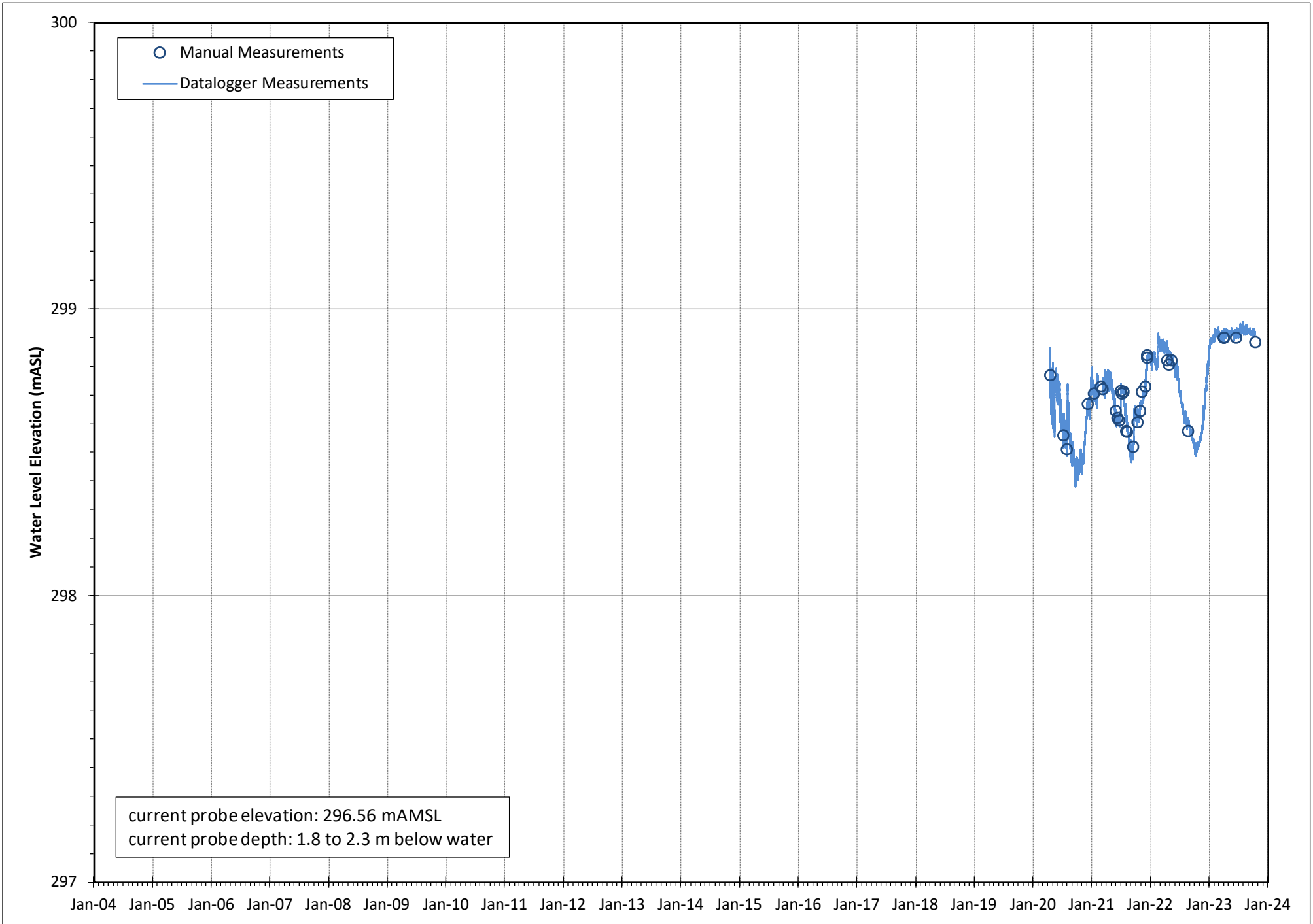
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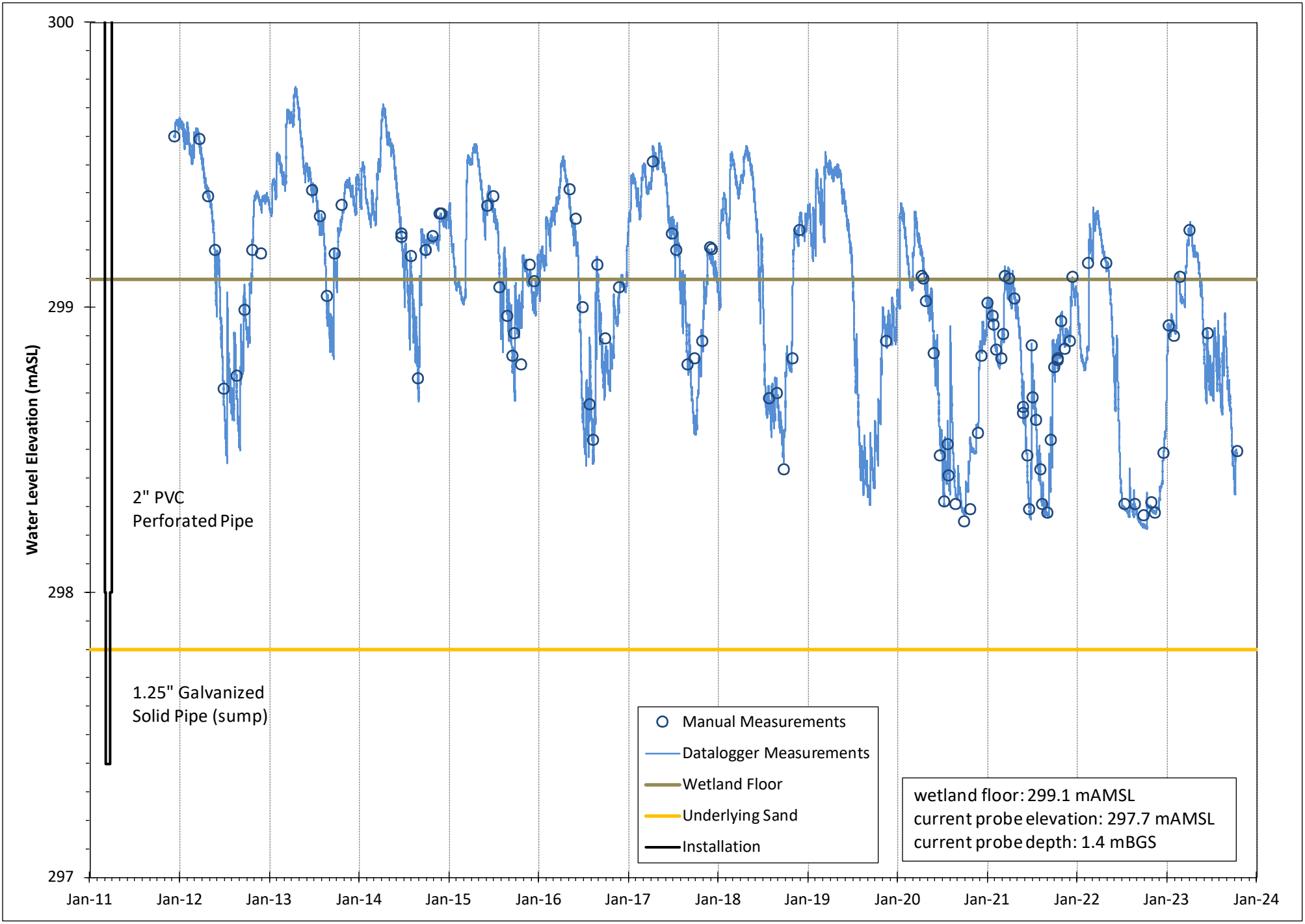


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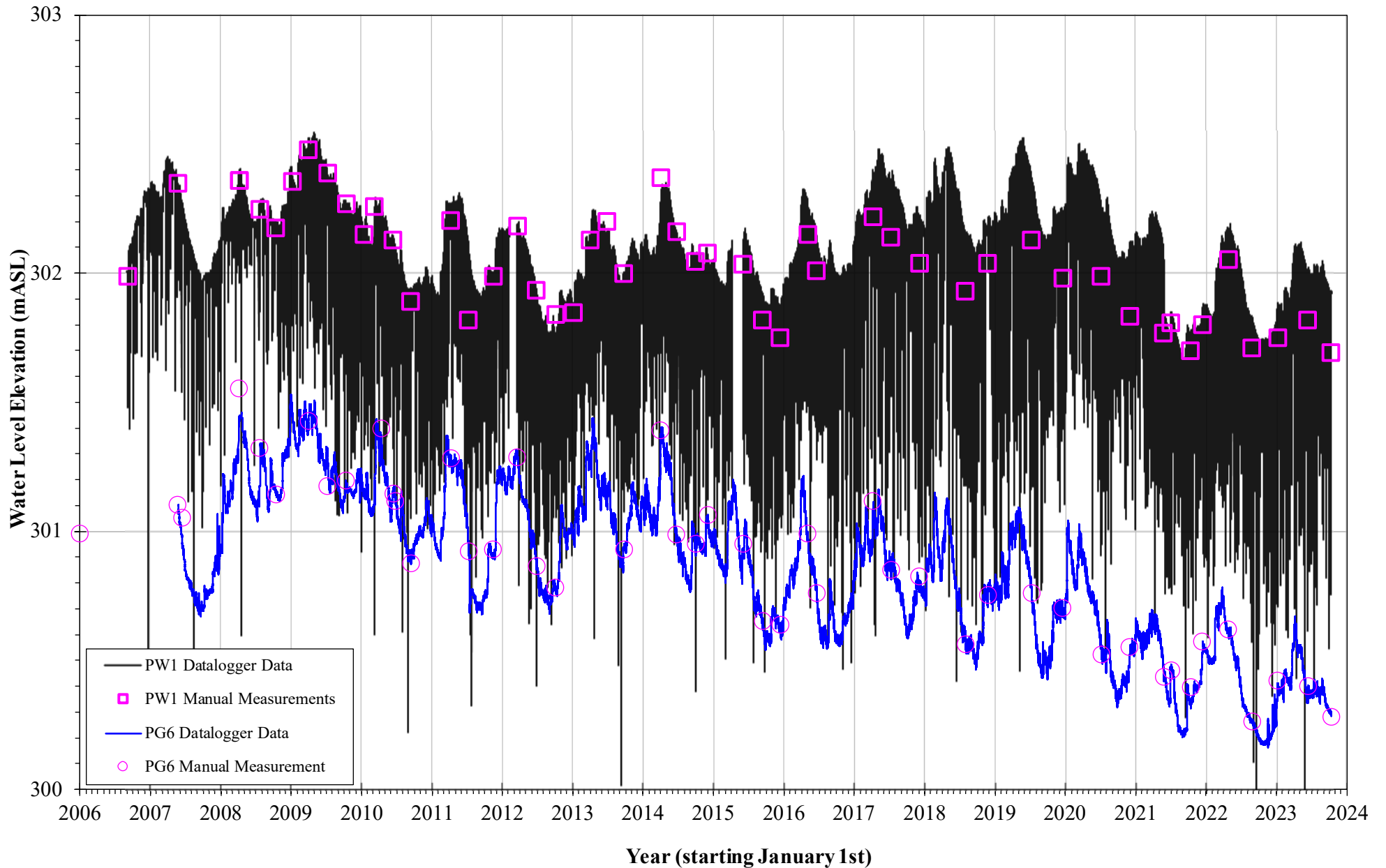


current probe elevation: 297.9 mASL
current probe depth: 0.1 to 1 m below water

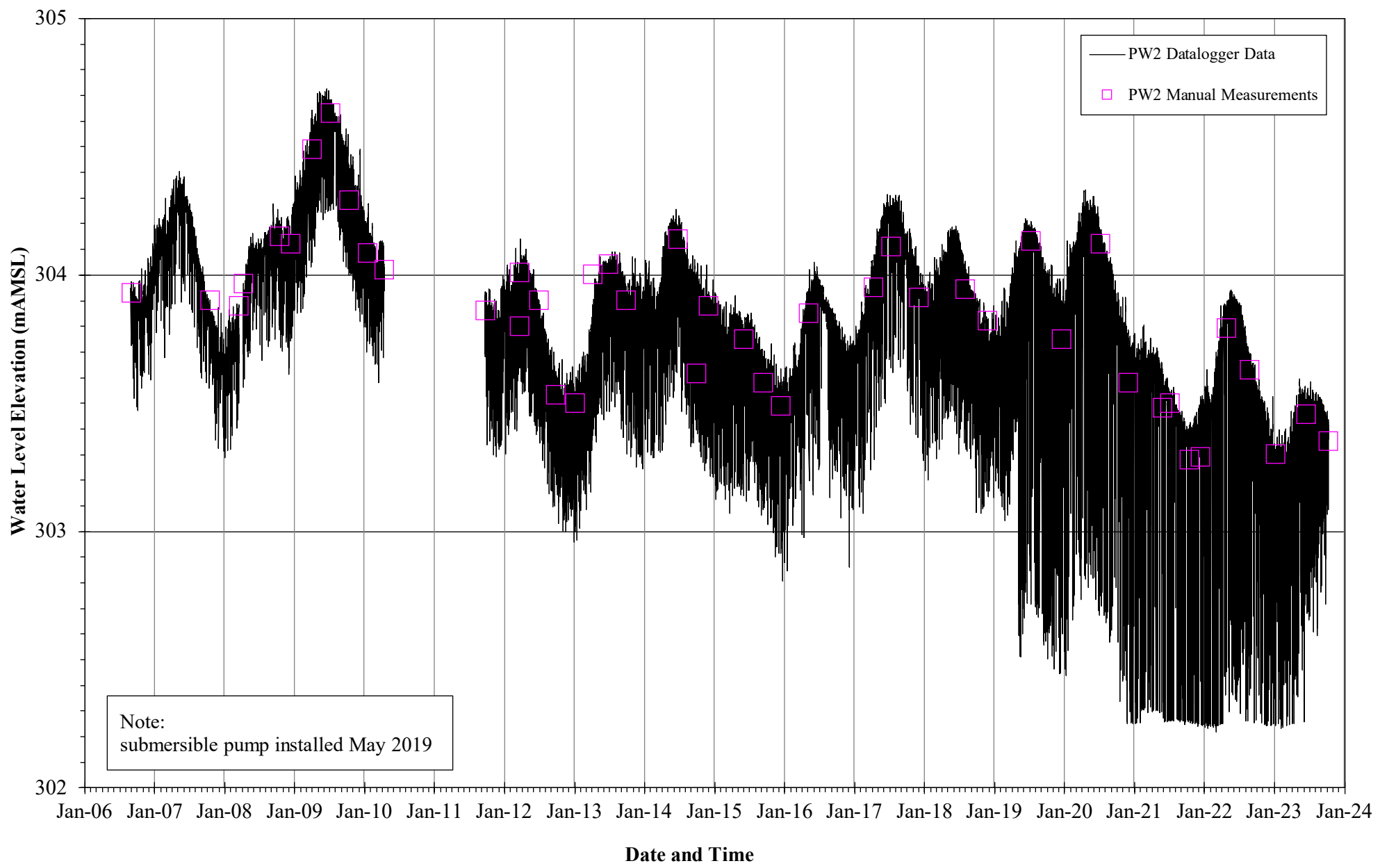




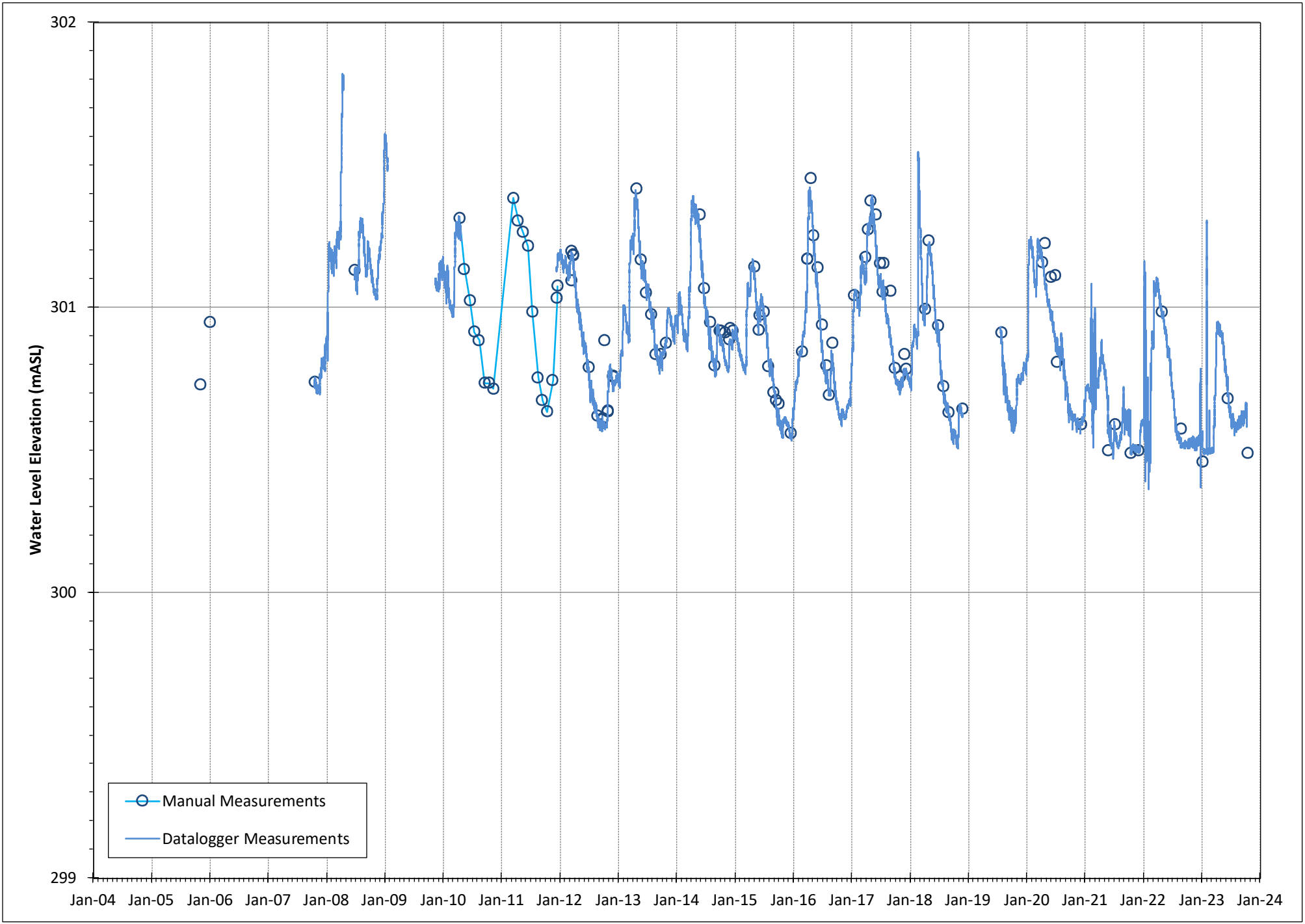
Hydrograph - Private Well PW1 and Pond PG6

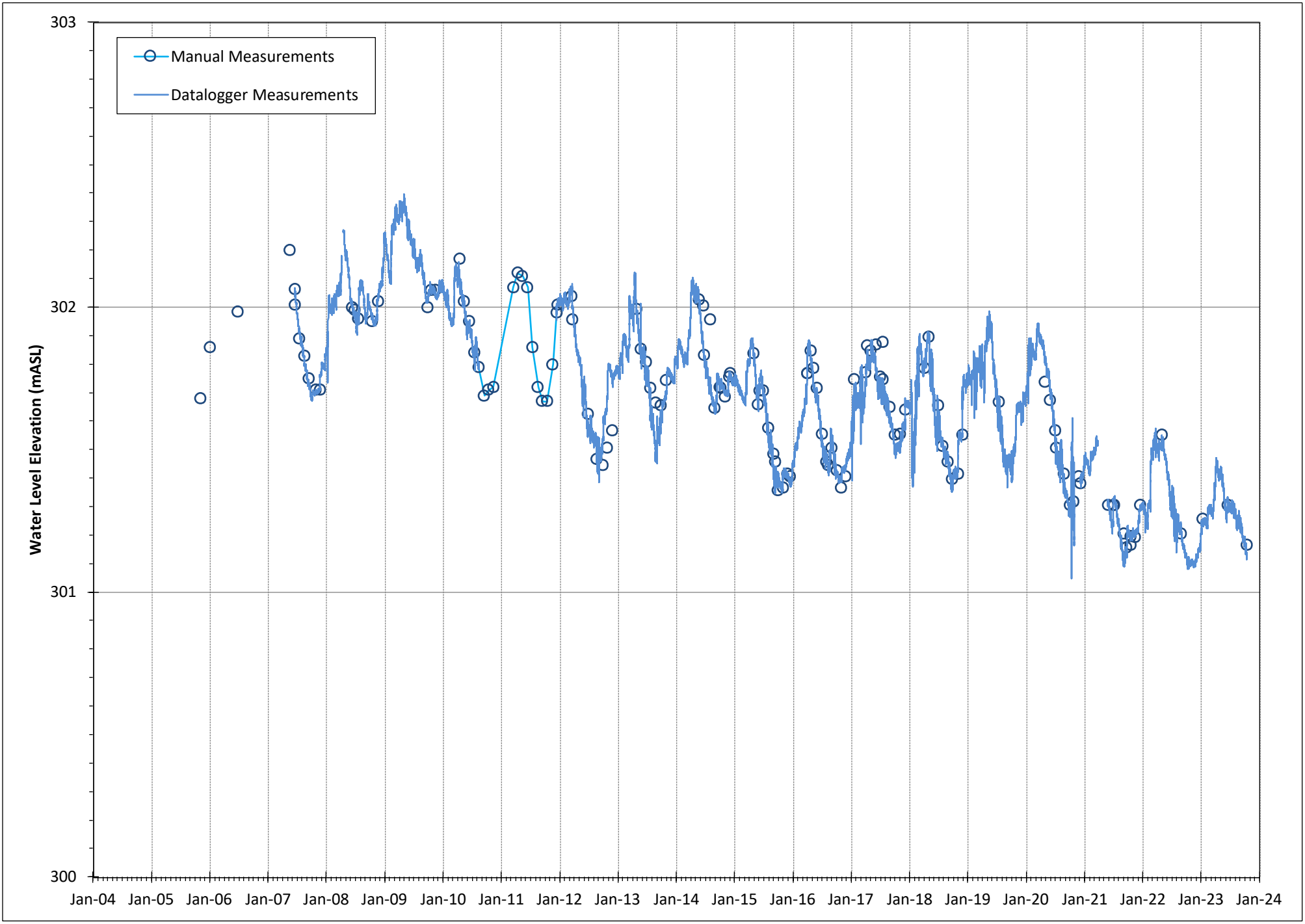


Hydrograph - Private Well PW2

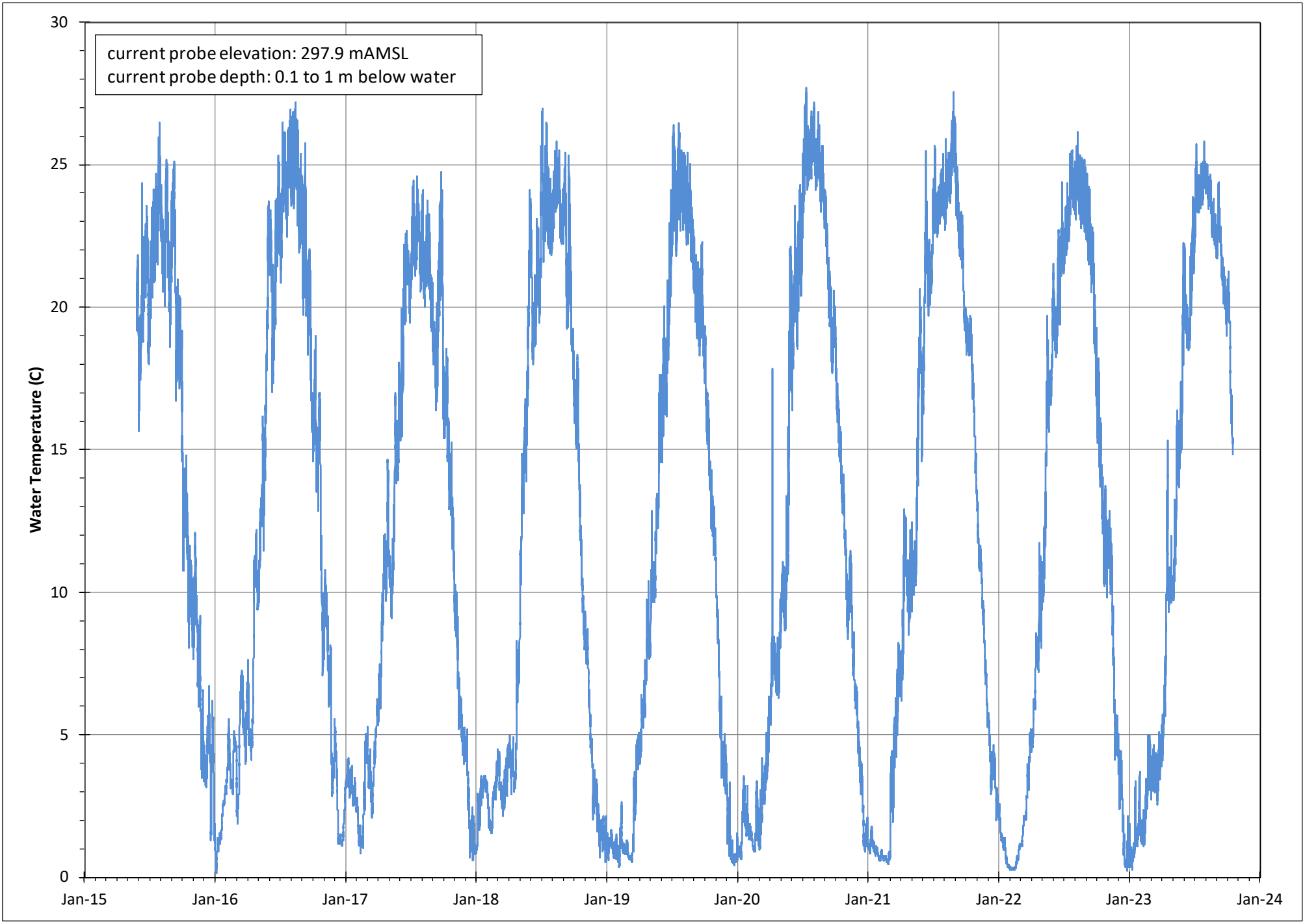


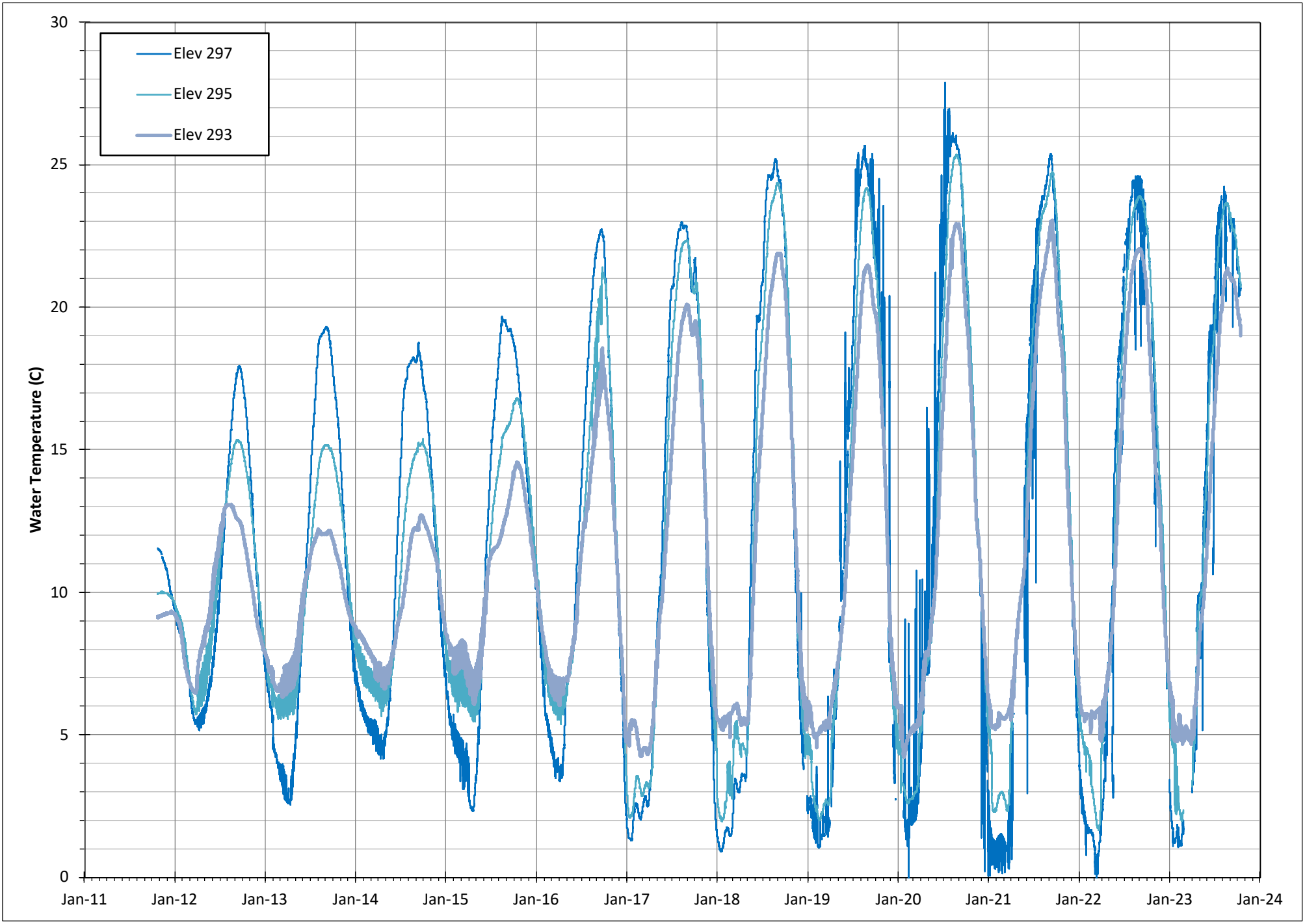
Note:
submersible pump installed May 2019





Appendix C
Temperature Monitoring Update





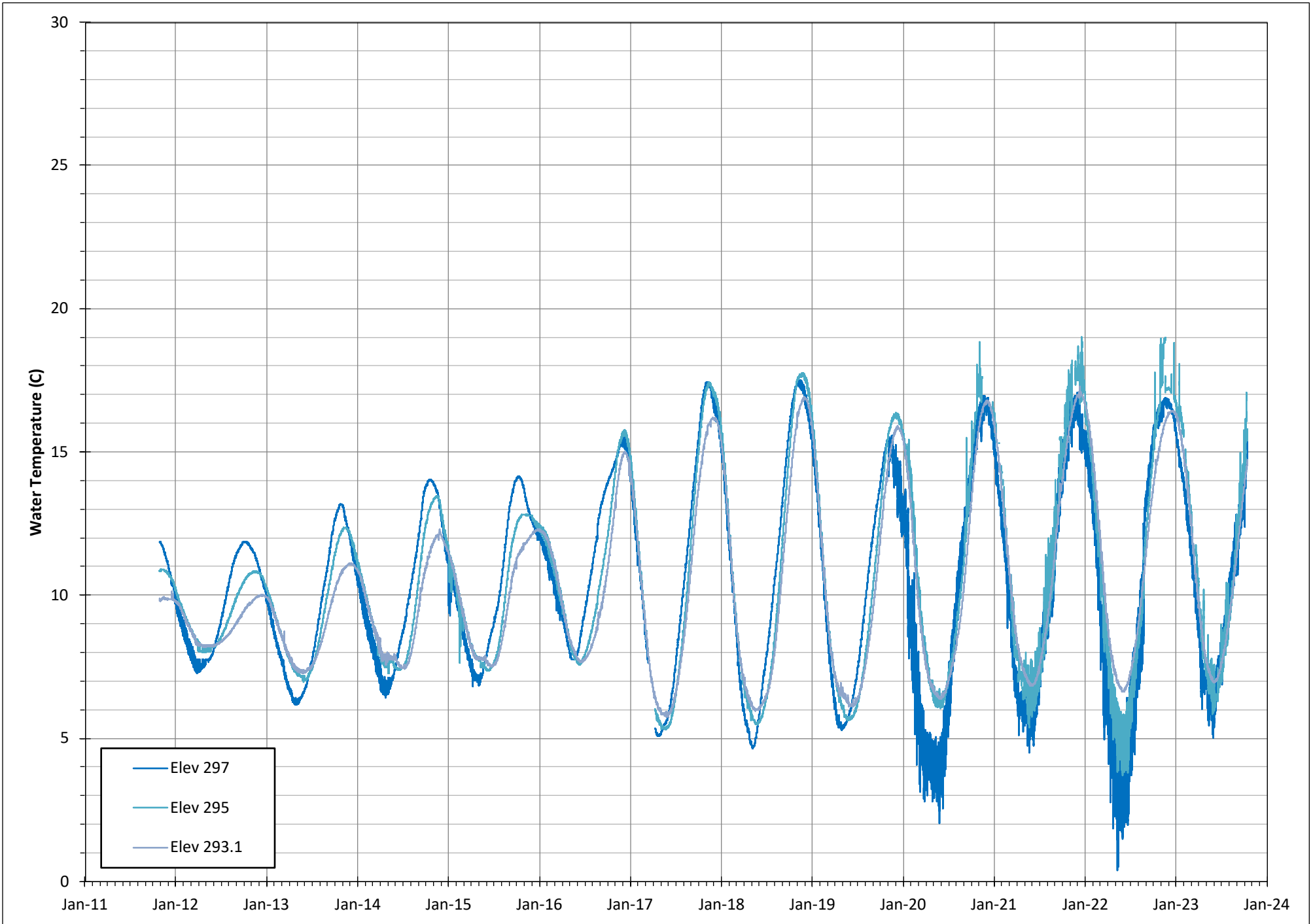


Figure B2: BH17 Groundwater Temperature Plot

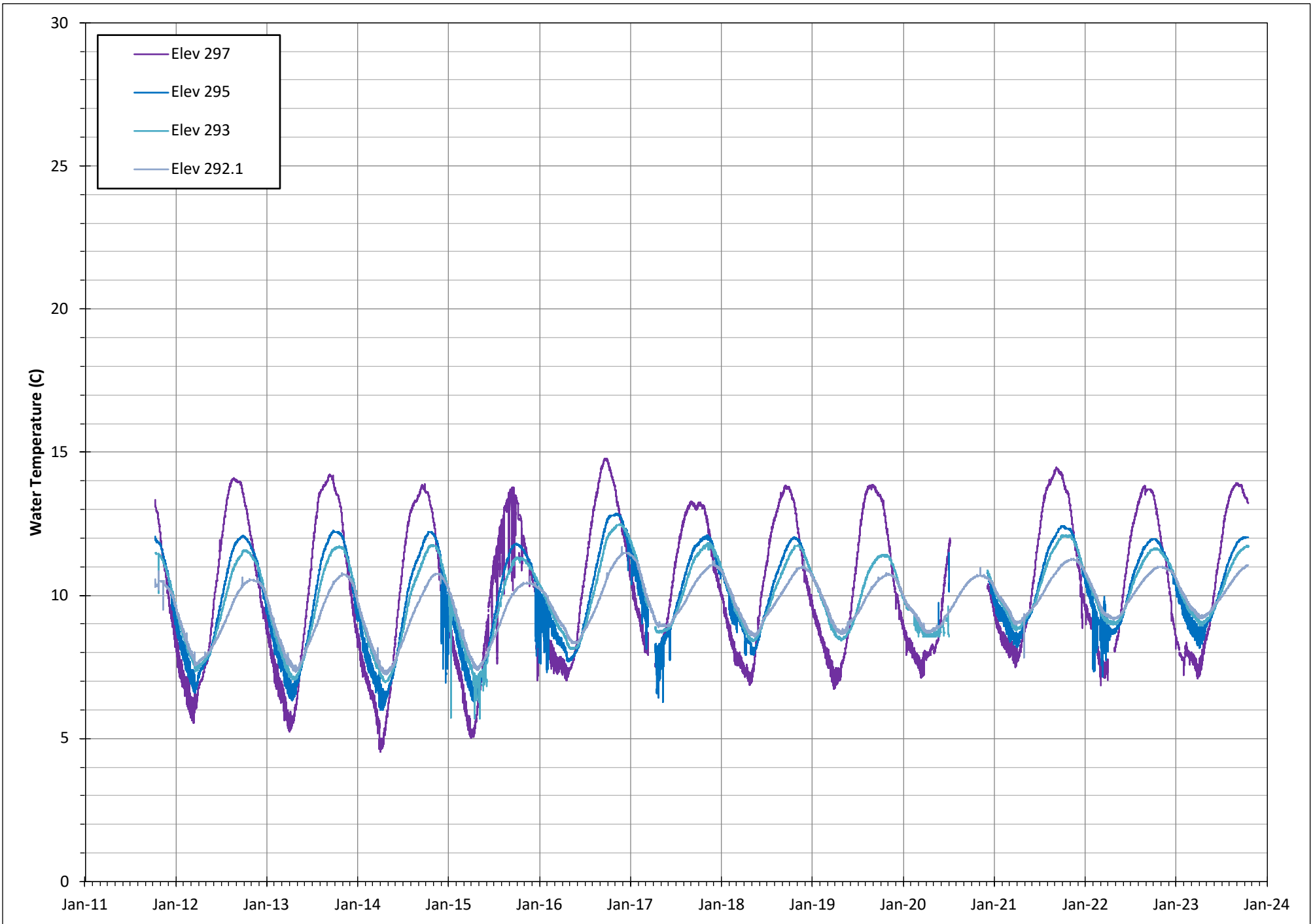
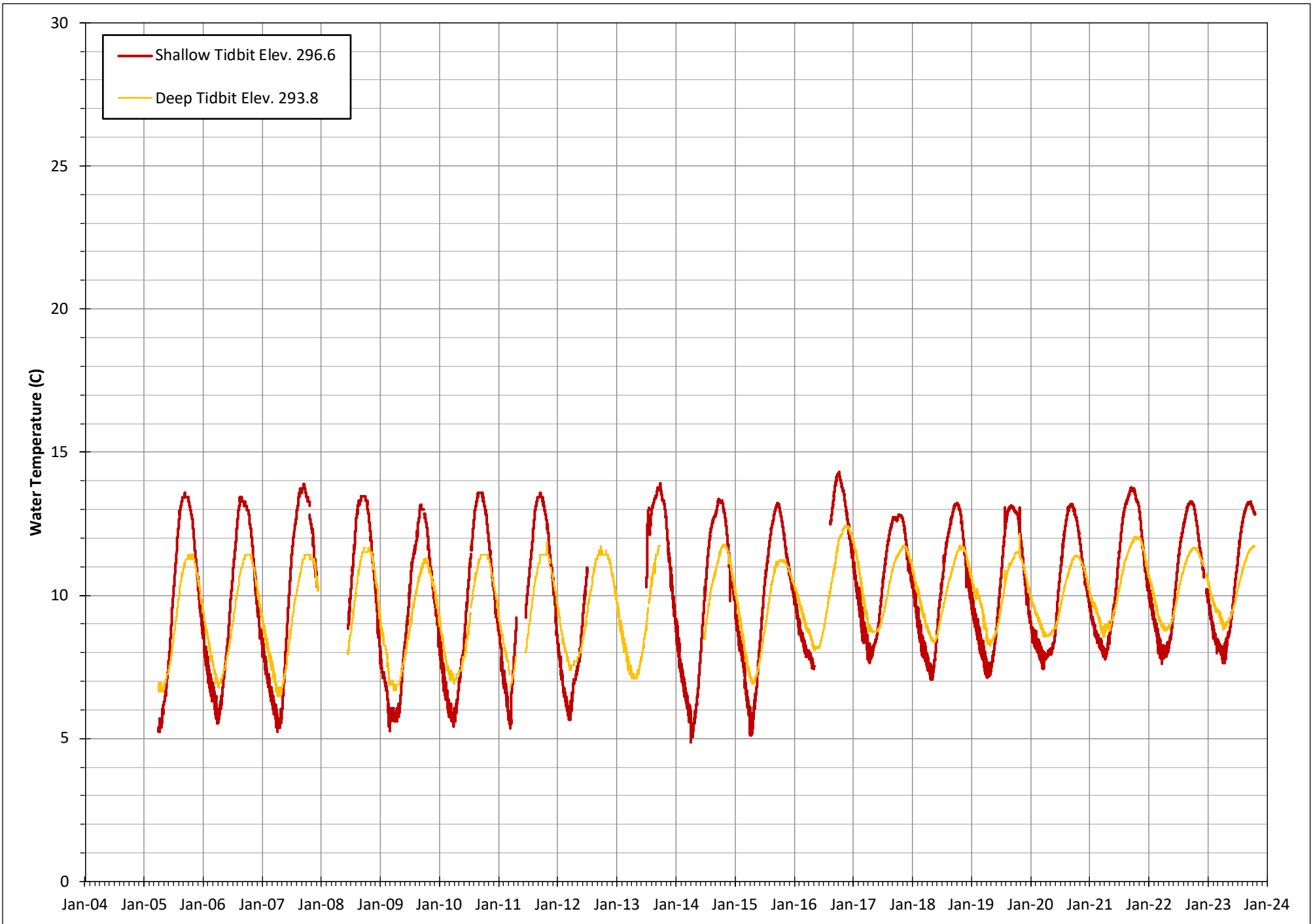


Figure B3: BH1 Groundwater Temperature Plot



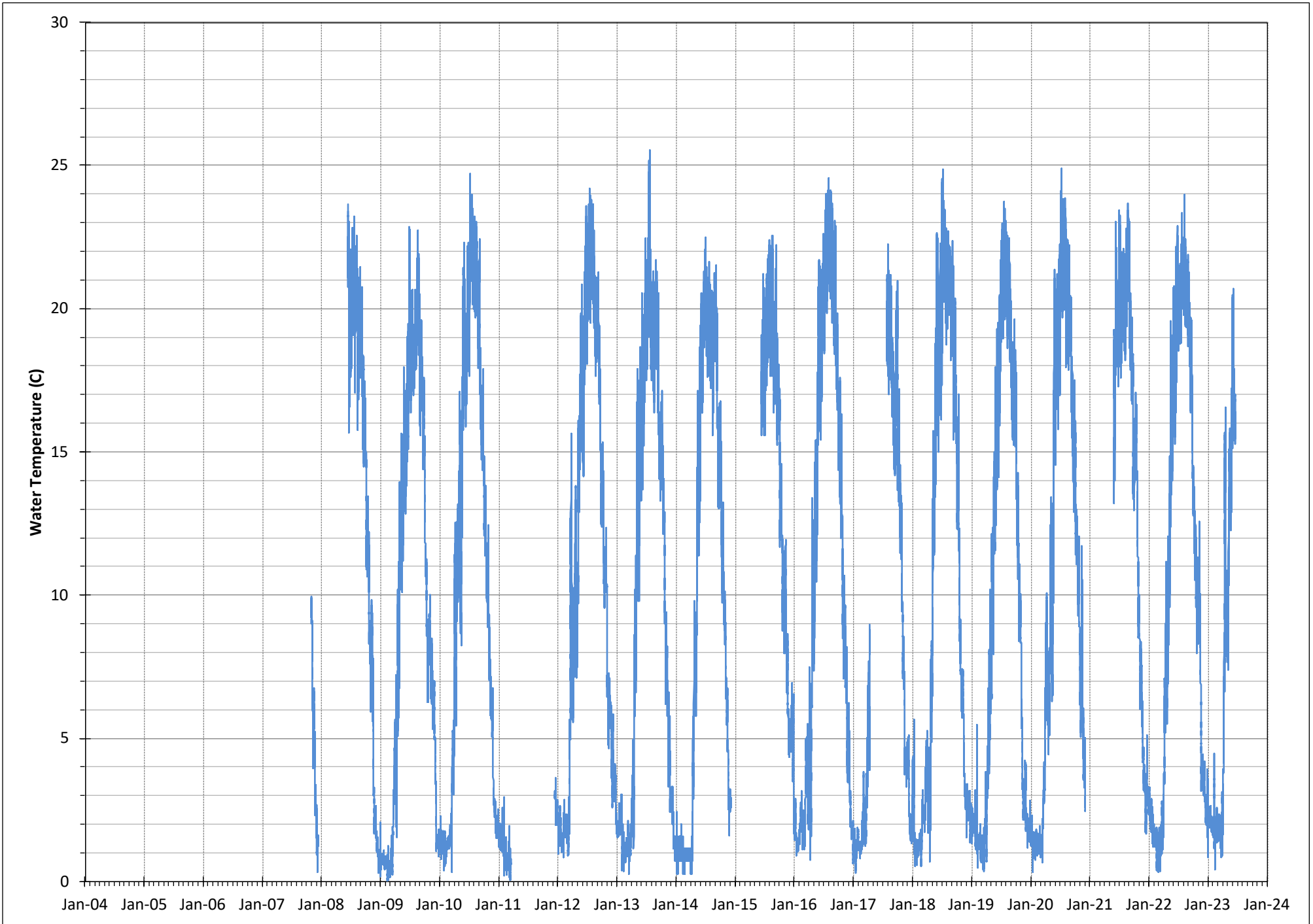


Figure B8: SW1 Temperature Plot

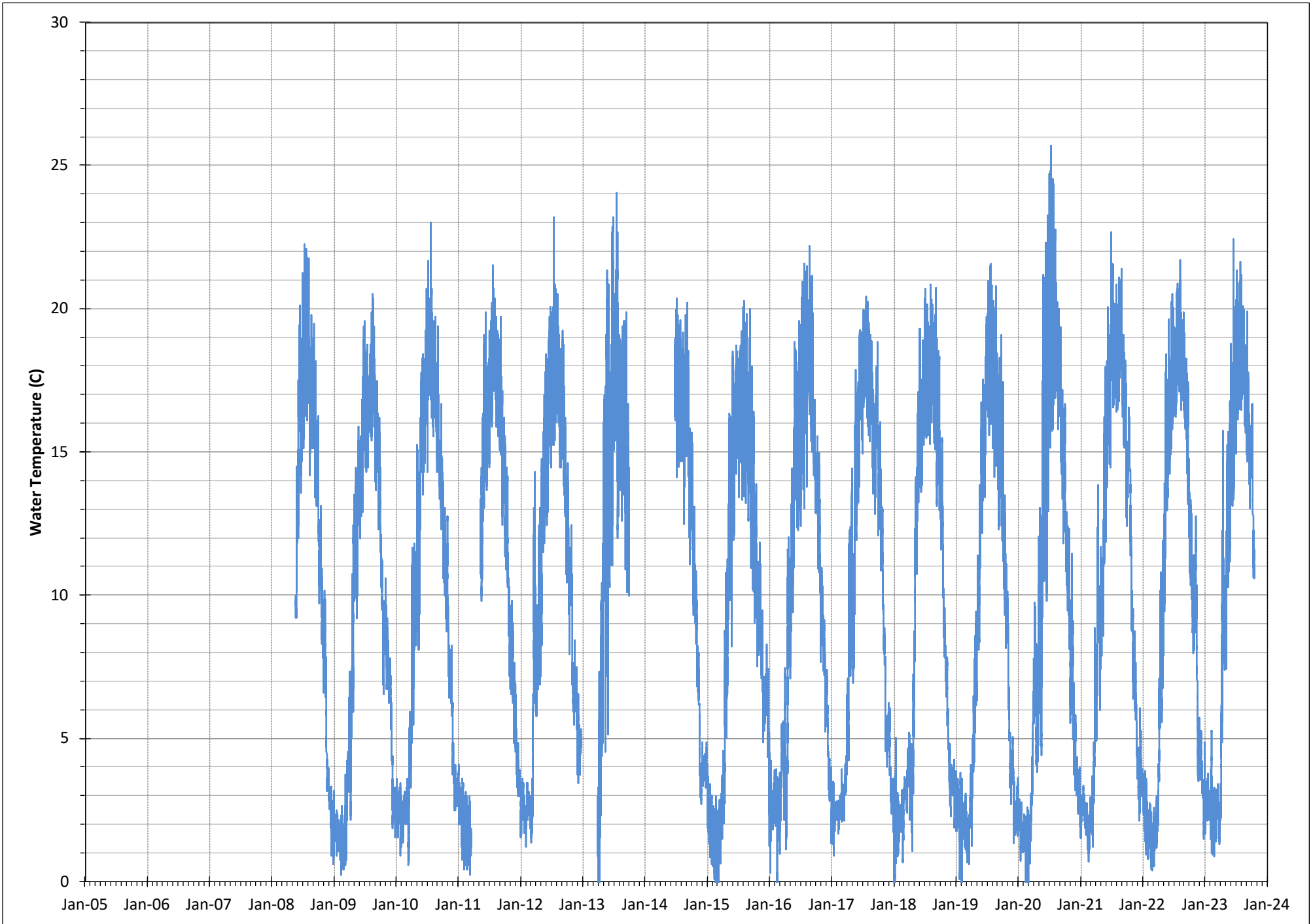
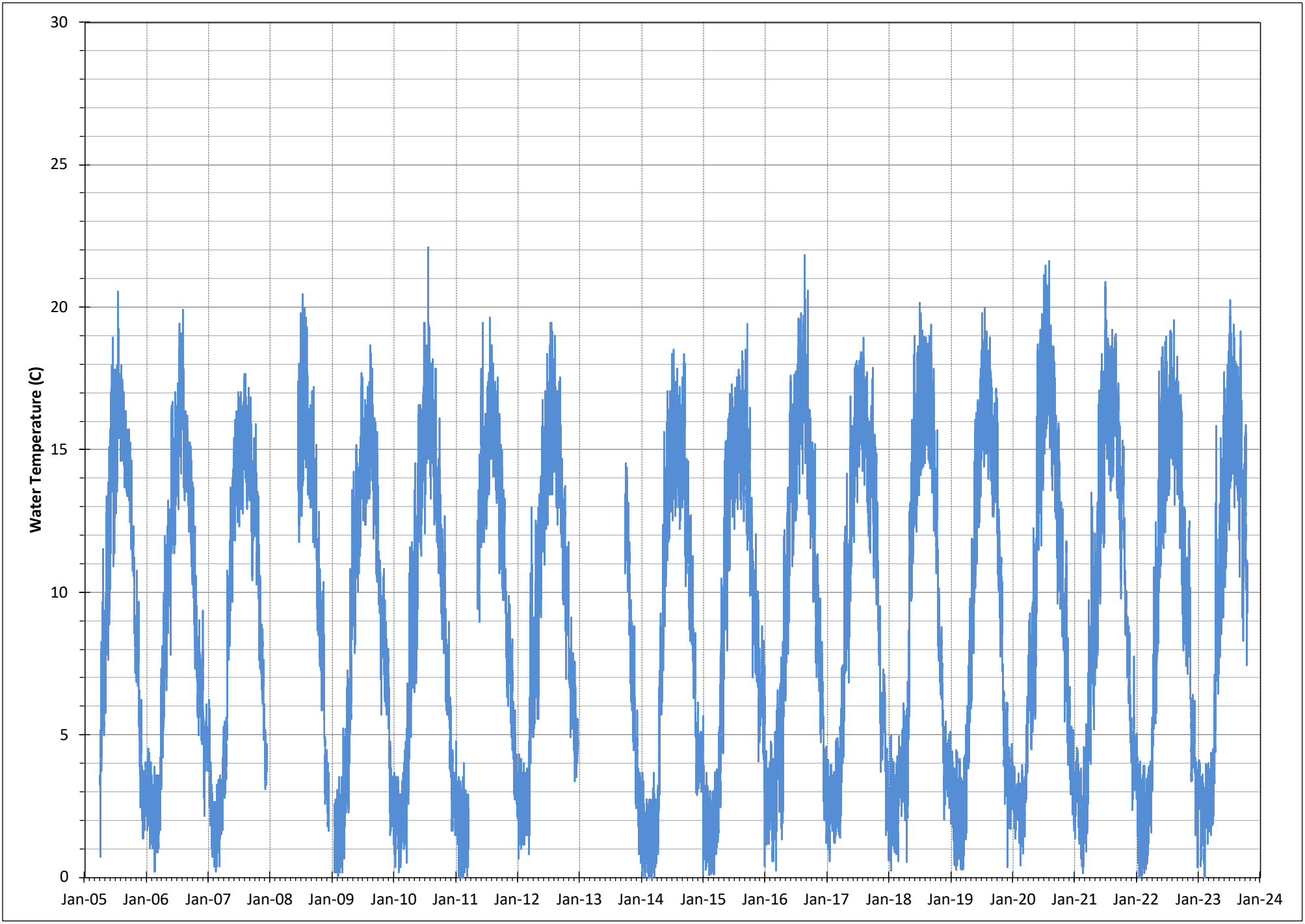


Figure B9: SW2 Temperature Plot



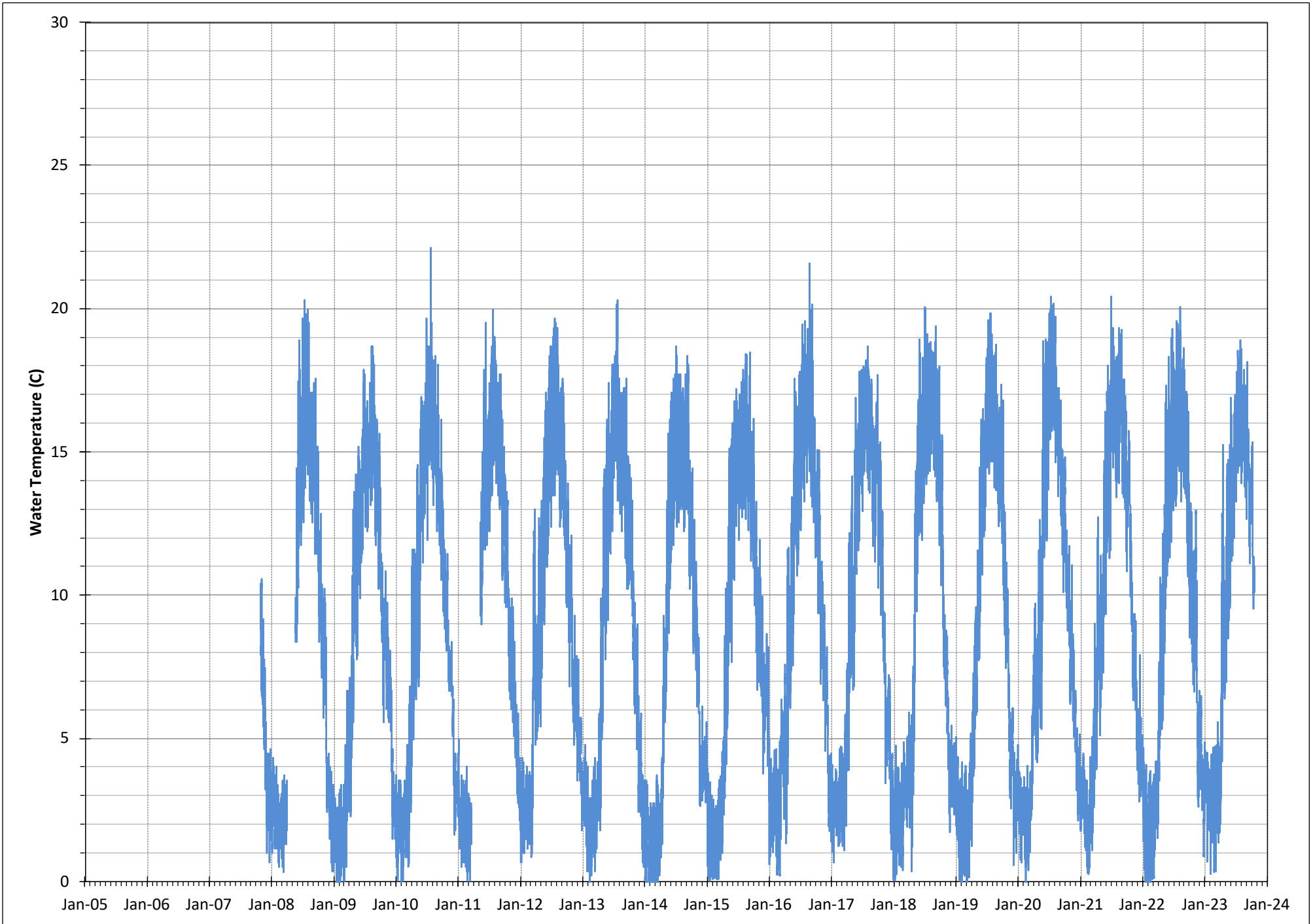


Figure B11: SW4 Temperature Plot

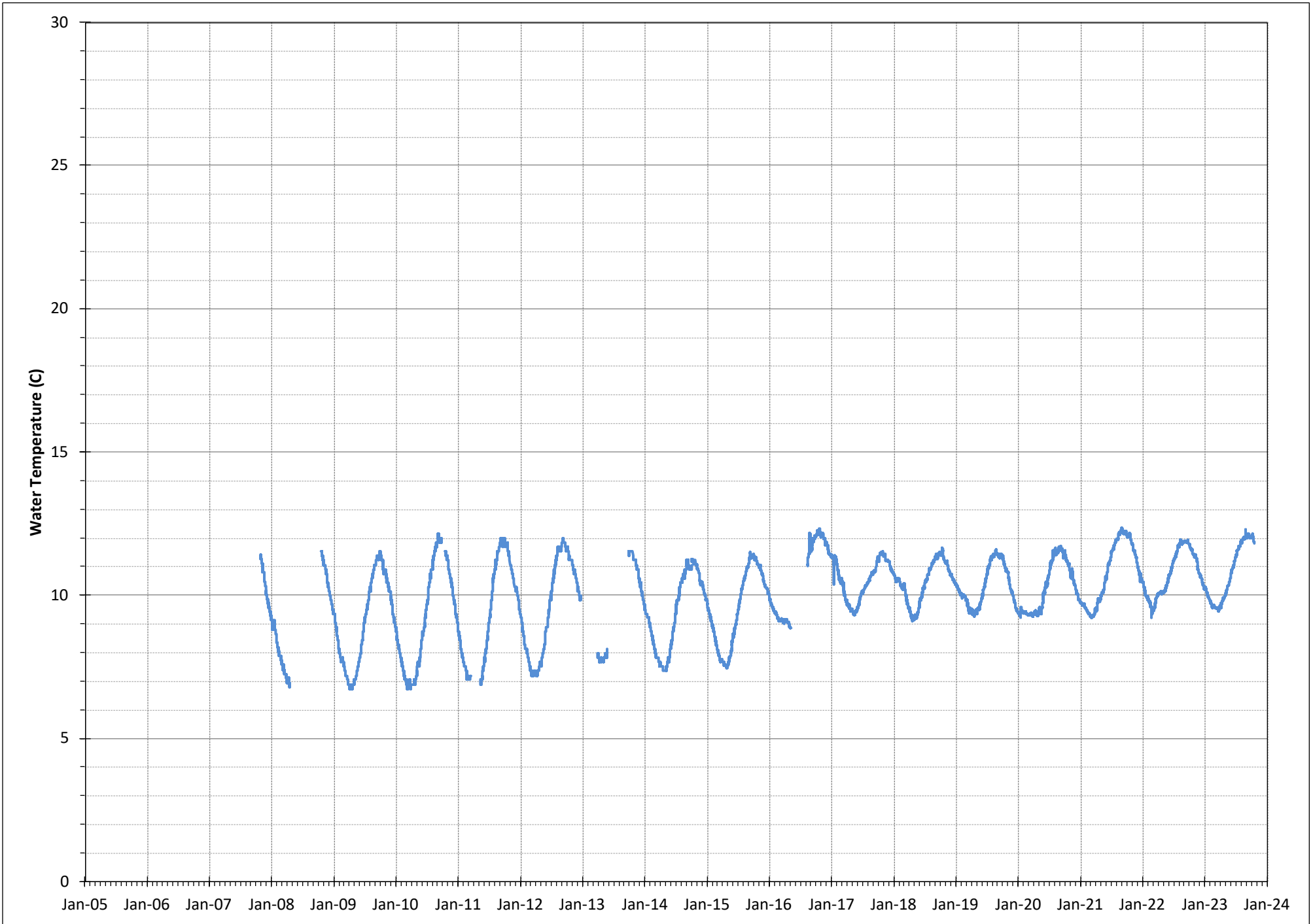


Figure B5: SW5 Temperature Plot

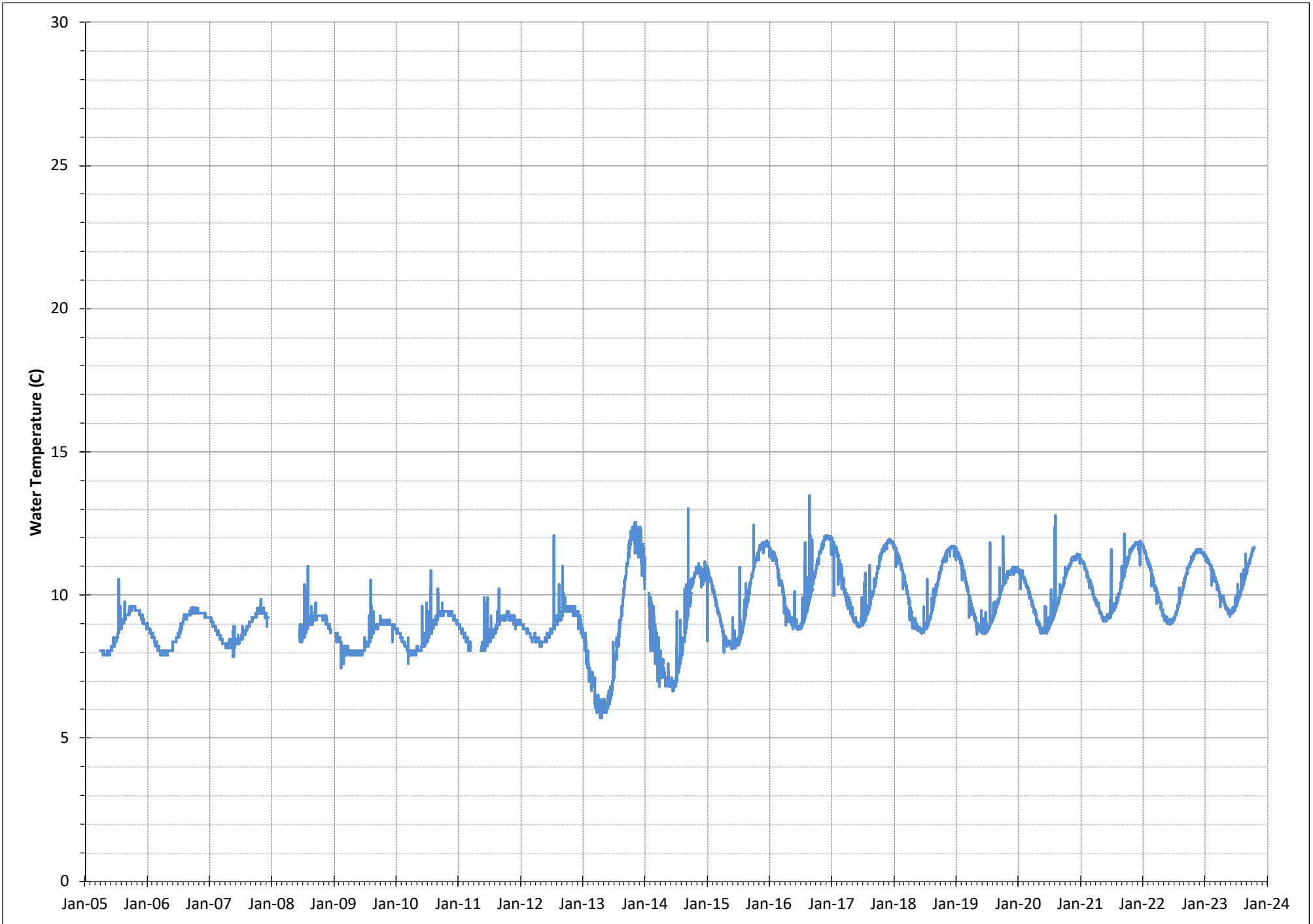
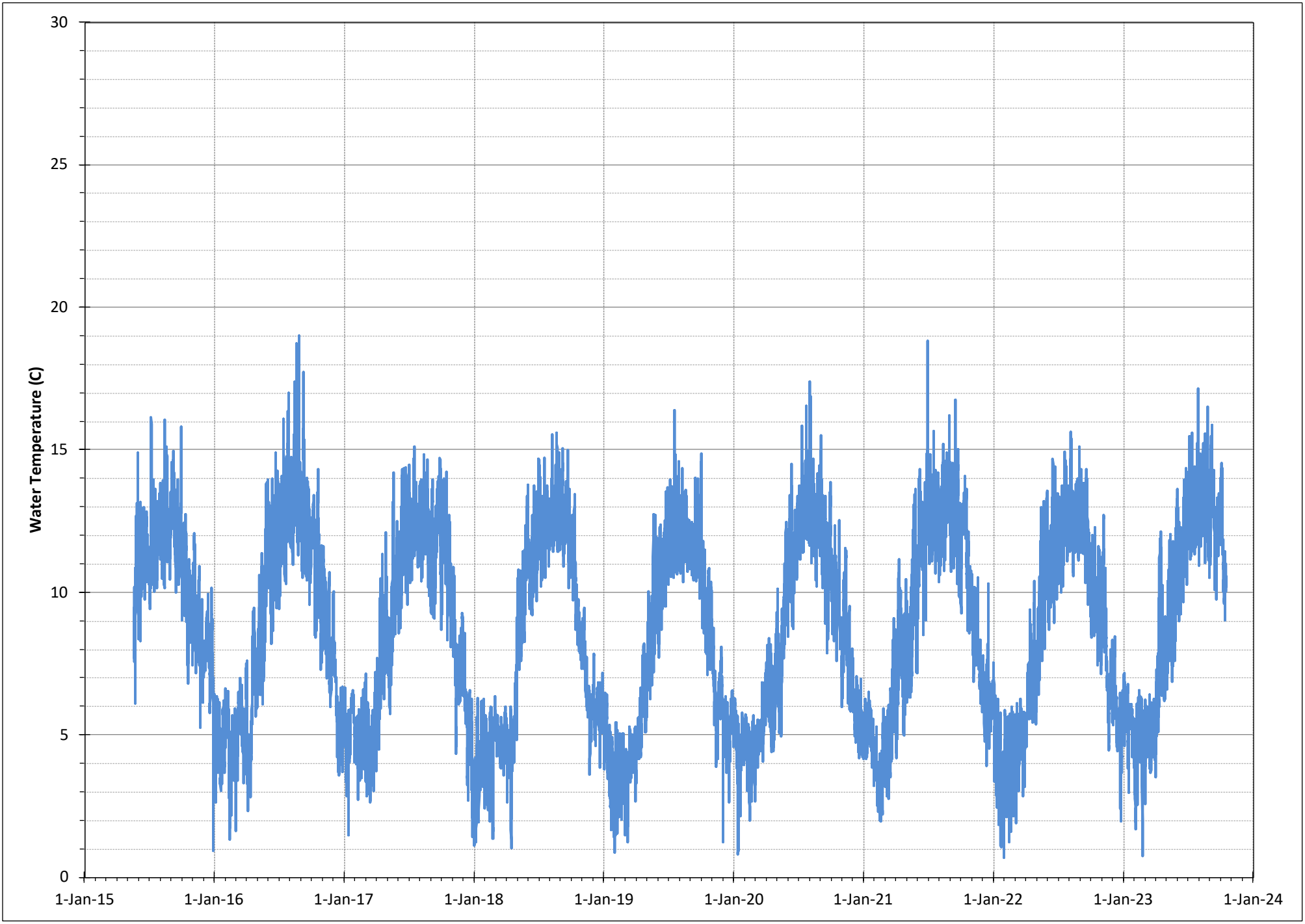
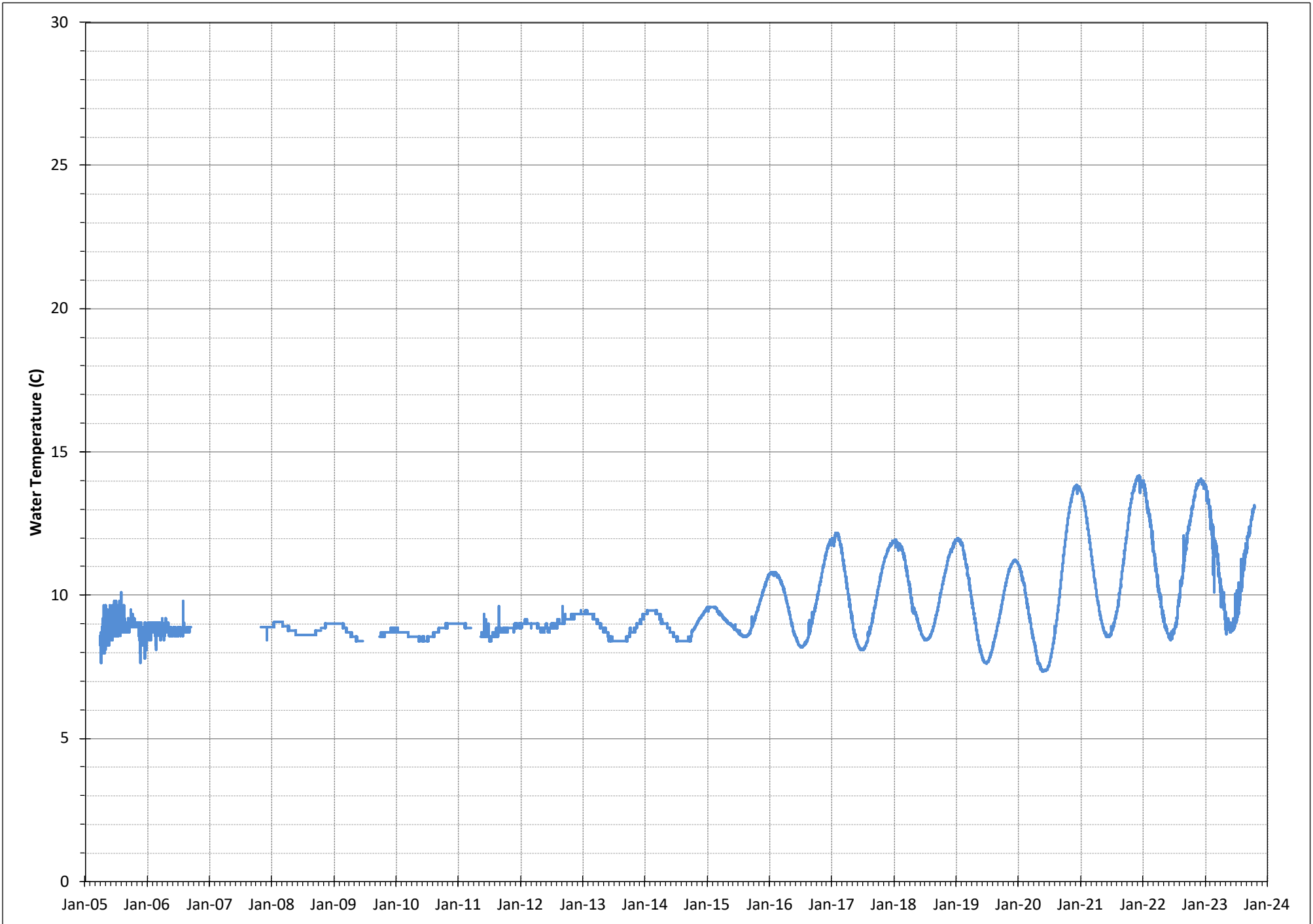
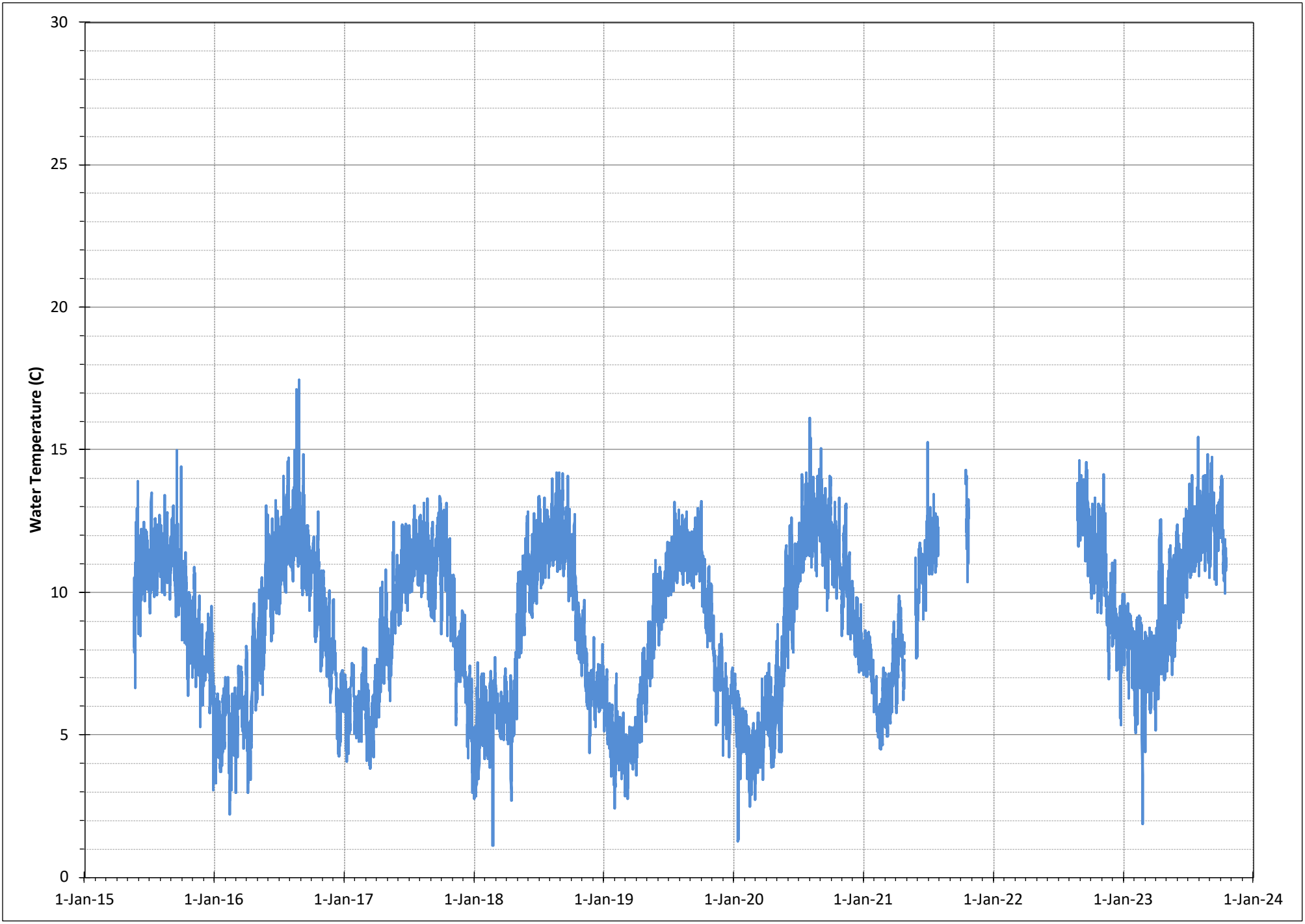
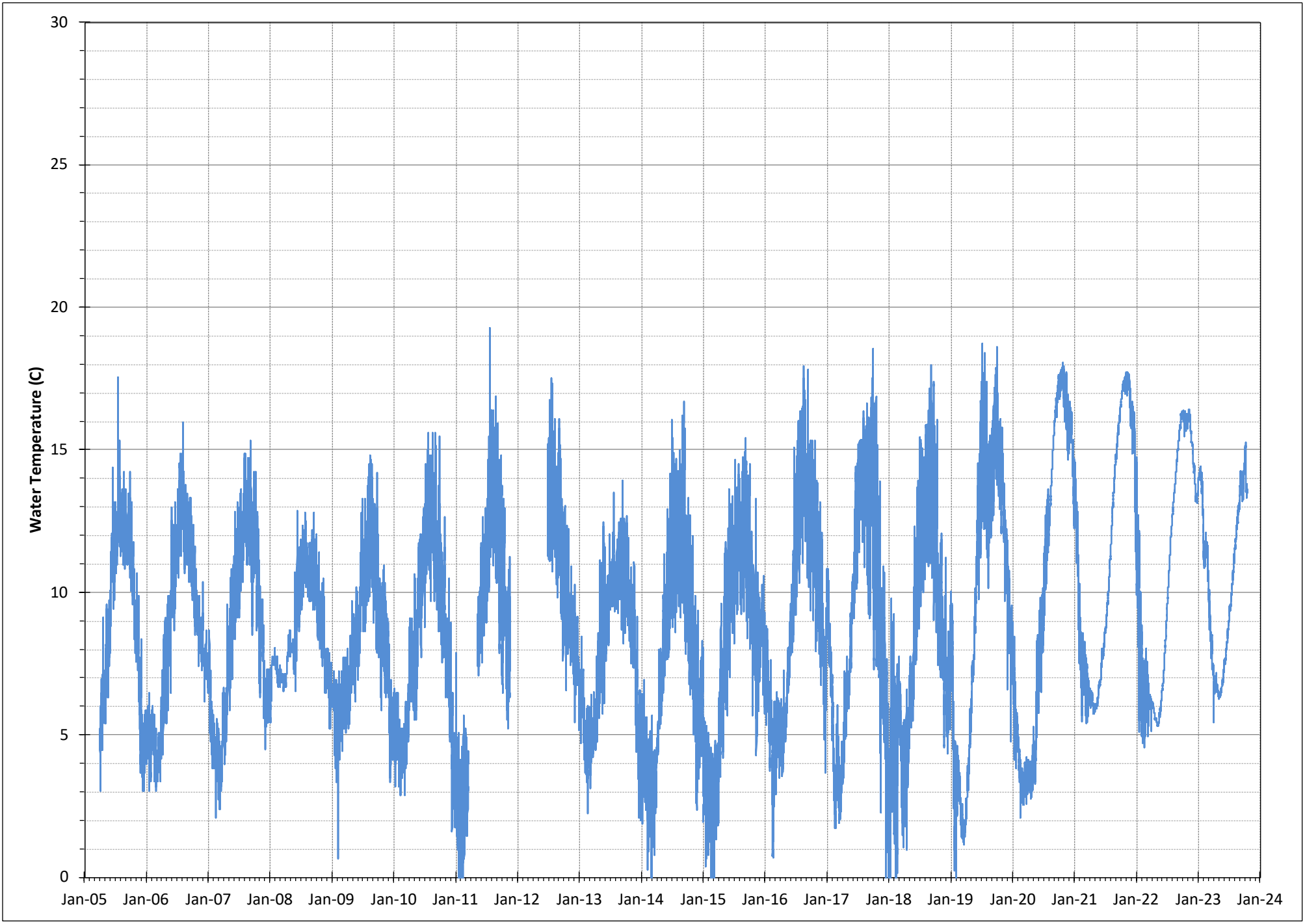


Figure B6: SW6 Temperature Plot









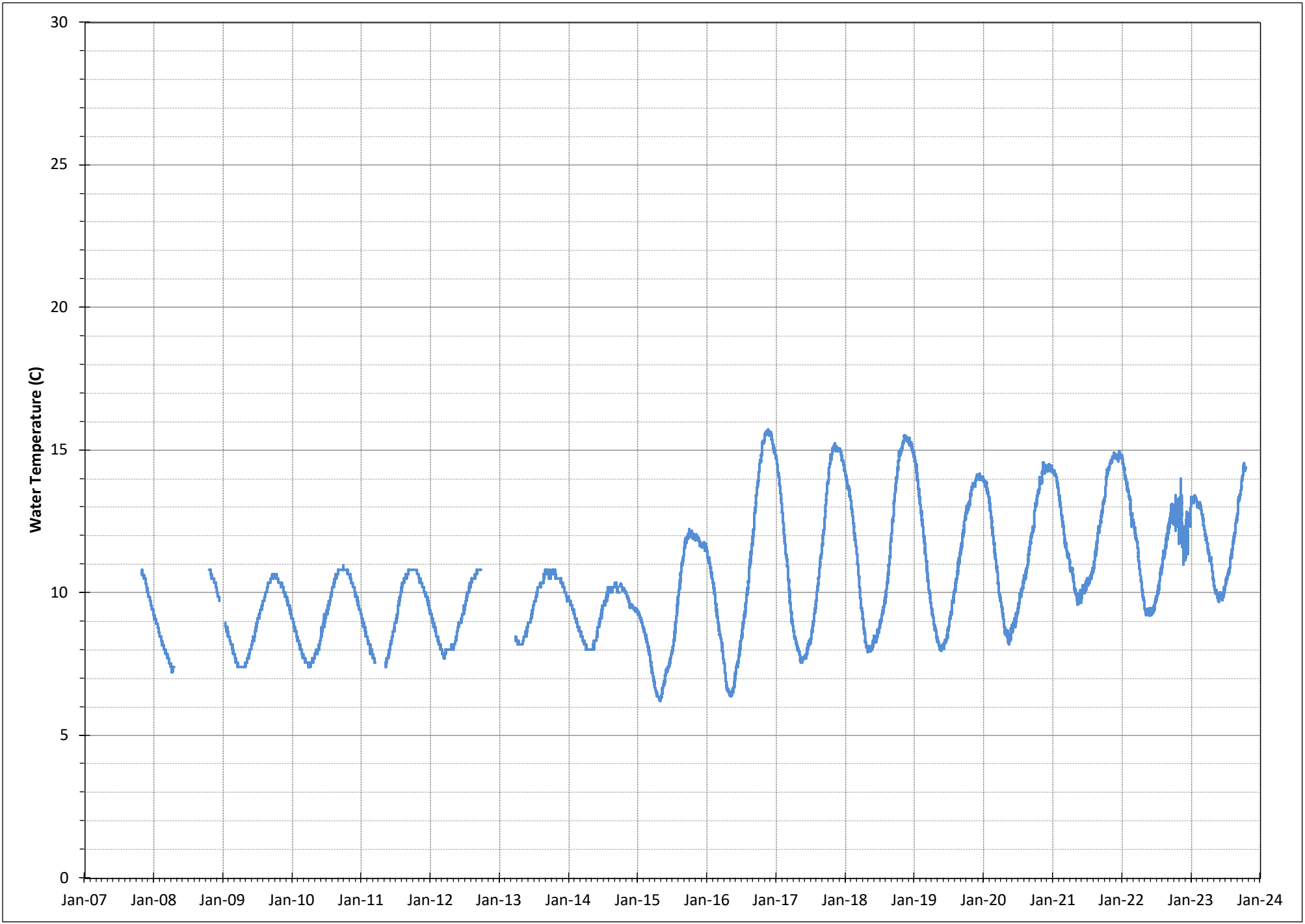


Figure B7: SW12 Temperature Plot



4622 Nassagaweya-Puslinch Townline Moffat Ontario Canada L0P 1J0
Phone: 519.826.0099 fax: 519.826.9099 www.hardenv.com

Groundwater Studies
Geochemistry
Phase I / II
Regional Flow Studies
Contaminant Investigations
OMB Hearings
Water Quality Sampling
Monitoring
Groundwater Protection
Studies
Groundwater Modelling
Groundwater Mapping

Our File: 0521

November 30, 2023

Township of Puslinch
7404 Wellington Road 34
Guelph, ON, N1H 6H9

Attention: Courtenay Hoytfox
Acting CAO

Dear Courtenay:

Regarding: 2022 Groundwater Monitoring Report, CBM, Roszell Road Pit

We have received the following document for review:

Roszell Pit – Harden Environmental Review Comments, 2022 Monitoring Report, Groundwater Science Corp, November 1, 2023

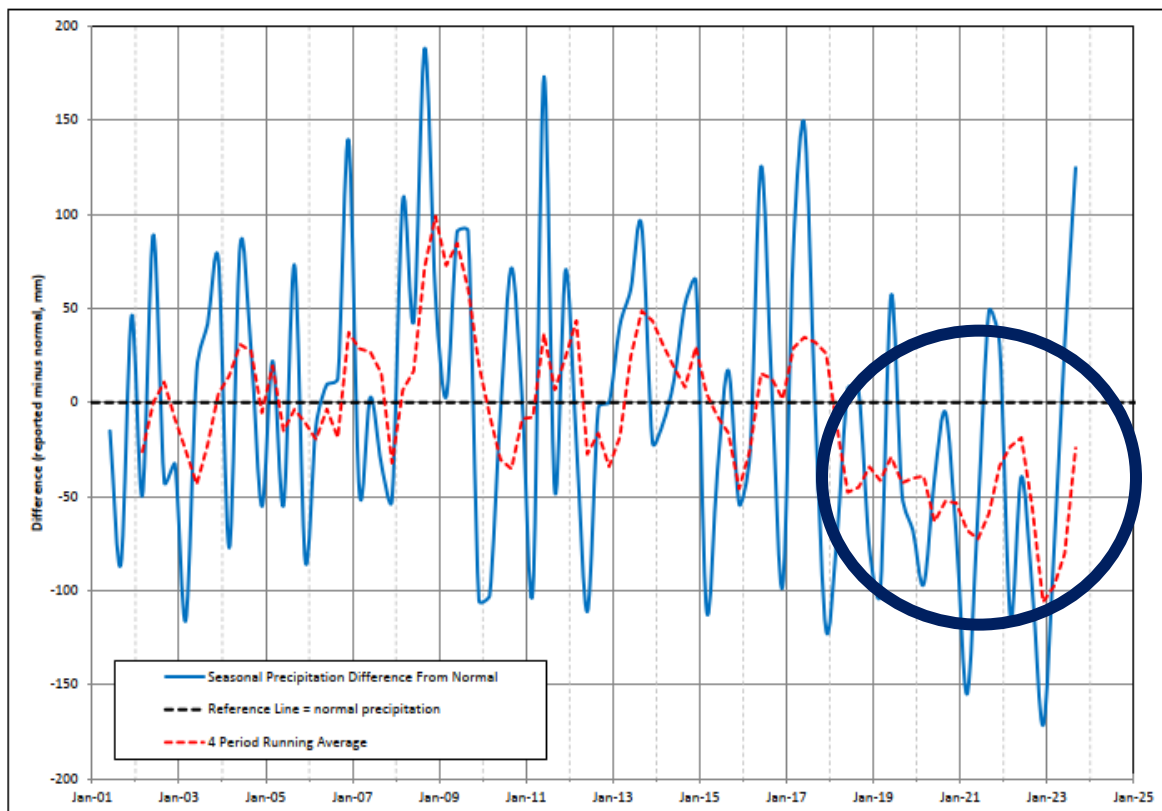
The letter report included updated groundwater and surface water monitoring data up to October 2023. Below-water-table extraction stopped at the end of 2022 and none occurred in 2023. One can expect groundwater levels to be lower when precipitation rates are lower and this correlation is observed at some of the Roszell Pit monitors and not in others.

The four-month average precipitation graph provided by Groundwater Science shows that between 2018 and 2023 there was a deficit of precipitation compared to the precipitation monthly normal.

Groundwater Science provided some examples of water levels from Neubauer Pit that show a precipitation related decline in water levels in 2021 and 2022 whereas our concern is related to a longer term decline in water levels, particularly south and east of the extraction area.

We see from the 2023 data that the water levels in the last lake to be excavated stabilized in 2023 and this tended to stabilize groundwater levels nearby.

Our only recommendation at this time is to demand continued monitoring at the site and compare groundwater levels in ponds and groundwater monitors south of the pit to pre-extraction levels once precipitation levels have normalized.



Sincerely,

Harden Environmental Services Ltd.



Stan Denhoed, M.Sc.,P.Eng.

Senior Hydrogeologist



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Guelph . Ontario
N1H 5N8

519.822.6839

info@aboutdng.com

www.aboutdng.com

URBAN FORESTRY

ARBORIST REPORTS
MANAGEMENT PLANS
TREE PRESERVATION PLANS
TREE RISK ASSESSMENT
GIS TREE INVENTORIES
TREE APPRAISALS
MONITORING

ECOLOGICAL RESTORATION

NATURAL SYSTEMS DESIGN
HABITAT RESTORATION
EDGE MANAGEMENT PLANS
RAVINE STEWARDSHIP PLANS
NATURALIZATION PLANS
INTERPRETIVE DESIGN
MONITORING
CONTRACT ADMINISTRATION

ENVIRONMENTAL STUDIES

SUBWATERSHED STUDIES
ENVIRONMENTAL IMPACT
STATEMENTS
ECOLOGICAL LAND
CLASSIFICATION
WETLAND EVALUATION
VEGETATION ASSESSMENT
BOTANICAL INVENTORIES
WILDLIFE SURVEYS
MONITORING

LANDSCAPE ARCHITECTURE

MASTER PLANNING
RESIDENTIAL COMMUNITIES
COMMERCIAL/INDUSTRIAL
HEALTHCARE AND EDUCATION
STREETSCAPES
PARKS AND OPEN SPACES
TRAIL SYSTEMS
GREEN ROOFS
CONTRACT ADMINISTRATION

EXPERT OPINION

LPAT TESTIMONY
LEGAL PROCEEDINGS
PEER REVIEW
RESEARCH
EDUCATION

November 21, 2023

Our Project #: AA21-049A-013

Sent by email: jbrotherston@puslinch.ca

Justine Brotherston
Deputy Clerk
Township of Puslinch
7404 Wellington Rd 34, Puslinch ON N0B 2J0

**Re: Response to Peer Review by Aboud & Associates Inc. for the Township of Puslinch Regarding the 2022 Ecological and Aquatic Monitoring Report, Roszell Pit, License No. 625189 (Prepared by: Dance Environmental Inc.)
Peer Review – Ecology**

Dear Ms. Brotherston:

Aboud & Associates Inc. has been retained by the Township of Puslinch to review the response provided by Dance Environmental regarding the peer review completed by Aboud in Associates regarding the 2022 Ecological and Aquatic Monitoring Report, as they pertain to the annual monitoring requirements of aggregate extraction within the Roszell road pit. We have reviewed the following document as part of our assessment:

- 2022 Ecological and Aquatic Monitoring Report Roszell Pit, Puslinch Township. ARA Licence No. 625189. Dance Environmental Inc. December 28, 2022.
- 2022 Roszell Road Pit Ecological and Aquatic monitoring report peer review – Ecology (Aboud & Associates inc., February 1, 2023).
- 2018 Ecological and Aquatic Monitoring Report Roszell Pit,
- Puslinch Township. ARA Licence No. 625189. Dance Environmental Inc. December 20, 2018.

Based on our review of the provided information, Aboud & Associates is generally satisfied that the comments have been addressed by the proponent, it is expected that the additional information will be applied to future monitoring reports.

Several comments were not addressed and include the following which should be considered for inclusion going forward:

- Several dominant species listed are at <1% cover in a plot, if new species have filled those areas, they should be included in the dominant taxa list, if it is bare earth, this should be noted.
- A complete plant list should be appended that includes all species present for each plot.
- A review and analysis of the average wetness index for each vegetation plot, including all species observed, compared year to year, to determine any changes to the vegetation composition and wetness index should be included and discussed in the context of potential changes in groundwater level. By the time trees and shrubs are reacting to changes in groundwater availability, it is likely too late for mitigation. Determining the wetness index each year will allow for trends to be observed overtime, not only related to a reduction of wetland plants, but increases in upland plant species.
- While the hydrological report is not submitted until March, it is recommended that the draft information be provided to the ecological consultant to include this preliminary information in their analysis. If this is not possible, an addendum to the ecology report outlining how the hydrogeology information may be impacting the flora and fauna in the study area is recommended.
- The recommendations section should include adaptive mitigation measures to address results of the amphibian and salamander breeding studies. As discussed on site, ideas for creating more amphibian habitat within the quarry lakes should be considered.

In conclusion, our review of the submitted response has addressed most of the concerns with the 2022 monitoring report. We recommend going forward, a comprehensive discussion of the results that reviews and summarizes supplementary studies (e.g., hydrogeological report) in supporting its conclusions. Either through

Ms. Justine Brotherston
Response to Peer Review by Aboud & Associates Inc. for the Township of Puslinch
Regarding the 2022 Ecological and Aquatic Monitoring Report
Peer Review - Ecology

November 21, 2023

AA21-049A-013

review of draft data, or submission of an addendum following the receipt of the hydrogeological data each year.

Please contact the undersigned should you require additional information of the above.

Yours truly,

ABOUD & ASSOCIATES INC.



Cheryl-Anne Ross, B. Sc.
MNRF Certified ELC & OWES
Ecology Lead & Wildlife Ecologist

S:\A+A Projects\2021\Approved\21-049A_Puslinch Peer Review\AA File\21-049A-013 Roszell Ecological monitoring report 2022\Report\AA21-049A-013 Roszell Pit 2022 DE response AA peer review November 20, 2023.docx



Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0
www.puslinch.ca

August 17, 2023

County of Wellington Road Committee
Attention: Councillor Gregg Davidson, Chair
74 Woolwich Street
Guelph ON N1H 3T9

Dear Councillor Davidson,

At the December 7, 2022, Regular Meeting of Council, staff were directed to approach the County of Wellington ("County") to request a cost sharing agreement for the maintenance of the Kerr Crescent Storm Water Management (SWM) Facility:

Resolution No. 2022-394:

That Council direct staff to approach the County of Wellington requesting that a cost sharing agreement for the maintenance of the Kerr Crescent storm water management facility be established between the County and the Township; and That Council direct staff to forward this correspondence to the County Roads Committee for review and response. CARRIED

Kerr Crescent Storm Water Management Pond

The Kerr Crescent SWM facility was constructed as part of an industrial/commercial development initiated in the 1970s and 1980s. With 21 industrial/commercial parcels, the Kerr Industrial Park is fully occupied. Approximately 1.03 acres is retained by the Township to house the SWM assets. There are no residential properties serviced by the Kerr SWM Pond.

While minor maintenance work has been anticipated and planned by the Township, recent inspections have identified that immediate repair is required due to pond silt contamination which has tripled the cost estimates associated with the project. The project has been included in the Township's capital budget and forecast at an estimated cost of \$600,000. At Council's direction, the project is on hold while alternate funding opportunities are researched.



Benefits of Kerr Industrial Park & Cost Sharing Request

The Township presents the following information as a formal request that the County consider a cost-share agreement for the ongoing maintenance of this important asset:

1. Unlike SWM facilities that service residential developments, there are likely to be increased water quality and contamination issues attributable to industrial/commercial activities in the Kerr Industrial Park. This results in increased maintenance costs (i.e., removing contaminated silt).
2. The estimated maintenance cost of the Kerr Crescent SWM facility is \$600,000.
3. The total 2023 property taxes levied to the 21 properties benefiting from the SWM facility is \$969,855.
Of this, the Township only receives \$134,692, or 14% of the total. The County receives a significantly higher proportion of taxes levied of \$483,109 or 50% of the total taxes levied.

Of the total property taxes not redistributed to the province for education purposes, 22% is retained by the Township and 78% by the County.

4. The County has retained this significantly higher proportion of property taxes levied on an annual basis since the SWM facility's construction from 1988 to present.
5. Using the 2023 property taxes levied as a basis, it will take the Township 4.5 years to levy taxes sufficient to maintain the SWM facility for the benefitting properties. This means that all Township ratepayers are contributing, in some way, to the maintenance of the Kerr Crescent SWM facility maintenance.
6. The Kerr Industrial Park is one of the largest industrial park areas in the County. In fact, the Township's industrial land inventory represents a significant percentage of the overall County inventory.

The ongoing maintenance of this SWM facility asset is an important aspect of retaining a strong industrial base and keeping the Kerr Industrial Park attractive to investors.



The Township respectfully requests that the County Roads Committee consider this request to cost-share the ongoing maintenance of the Kerr Crescent SWM facility and recommend that Council support a sharing agreement at a rate of 50%, with the current project estimates amounting to approximately \$300,000.

For further discussion and information, please do not hesitate to contact the undersigned.

Regards,

A handwritten signature in black ink that reads "CHoytfox". The signature is written in a cursive style with a large, prominent "C" at the beginning.

Courtenay Hoytfox
Municipal Clerk
Township of Puslinch



Hon. Ted Arnott, MPP
181 St. Andrew St. East
2nd Floor, Fergus
ON N1M 1P9

VIA EMAIL:

ted.arnottco@pc.ola.org

Hon. Matthew Rae, MPP
55 Lorne Ave. E
Stratford,
ON N5A 6S4

VIA EMAIL:

Matthew.Rae@pc.ola.org

Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0

www.puslinch.ca

May 29, 2023

Hon. Ted Arnott and Hon. Matthew Rae,

The Township of Puslinch Council reviewed in depth, the Office of the Auditor General of Ontario Report titled “Value for Money Audit - Highway Planning and Management” and respectfully request that the government and Ministry of Transportation return to an evidence-based infrastructure funding decision making model for major highway projects.

The Township of Puslinch Council encourages serious consideration for the construction of the Morrison Bypass which has a ranking of “high” priority on the Expansion Prioritization Framework (EPF). The Morrison Bypass has an EPF Score of 650, while 7 of the government priority projects have an average score of 468.

Importance of the Morrison Bypass to Transportation Planning in the Southwest and Greater Golden Horseshoe:

In the mid-1990s the Province of Ontario started to study the feasibility of expanding the Highway 6 corridor, including a Bypass around the community of Morrison in the Township of Puslinch. Since this time, the economic impact of this busy route to the cities of southern Ontario and the growing Port of Huron has ballooned. Over 50% of the soybeans and 70% of the wheat grown in Ontario is shipped via truck over the Highway 6 corridor to the Port of Huron for export to over 50 countries globally. Nearly 50% of the fertilizer utilized by Ontario farmers is offloaded at the Port of Huron and trucked to farmers throughout southwestern Ontario. Agricultural commodities account for nearly 30% of the total volume of shipments within the Port of Huron on an annual basis and are the fastest growing segment of the Port. The Port and associated trucking corridors are anticipated to become increasingly busy in the future. Not only is the Port itself planning for growth, the anticipated population growth in the



southwest and Greater Golden Horseshoe will inevitably increase traffic volume and the mixing large trucks and cars on the Highway 6 corridor.

The pressure on the area serviced by the anticipated Morriston Bypass will exponentially grow. Any delays due to safety or congestion have an enormous impact on business operations, profitability and public safety. This concern was anticipated in the Ministry's development of Transportation Plans throughout the province. In fact, the draft 2020 Southwestern Ontario Transportation Plan specifically references the Highway 6 corridor and the need to construct a bypass around the community of Morriston. Likewise, in the 2022 Transportation Plan for the Greater Golden Horseshoe the Morriston Bypass project is mentioned as a means to achieving the "2051 Vision" which includes fighting gridlock and improving road performance and efficiently moving goods.

Providing a safe and reliable transportation system that connects people and products and large centres with small rural communities is one of the keys to supporting growth in the southwest. As Minister Mulroney stated in the legislature on March 9, 2022, "The Morriston Bypass will make it easier for drivers to travel between Hamilton and Guelph. It will also reduce gridlock on local roads, especially in the communities of Morriston and Aberfoyle. Without strong action now, gridlock on Highway 6 will only get worse..."

Deferral of Morriston Bypass and the Auditor General's Report:

Understanding that there are competing demands for provincial funding of major highway expansion projects, the southwest has been waiting many years for the construction of the Morriston Bypass. The Township was, therefore, concerned with findings in the recent Auditor General's "Value-for-Money Audit – Highway Planning & Management Report", where the Township learned that the Morriston Bypass project received approval from the Treasury Board, only to be deferred (in 2019).

The Auditor's report states that the Ministry, at the direction of the Minister's Office, requested that the Treasury Board approve the addition of four (4) highway projects to the 2019 Infrastructure Plan. These projects were not recommended by technical and engineering staff and were not ranked "high" on the Ministry's Expansion Prioritization Framework (EPF) and priority ranking. Additionally, the 2021/22 Ministry's Infrastructure Plan included yet another three (3) not previously ranked government priority projects in addition to the Highway 413 GTA West project. To accommodate these eight (8) new projects in the budget, the Ministry



proposed deferring six (6) projects approved for construction and seven (7) projects approved for planning & design work.

According to the Auditor General's analysis, "unless the Board provides additional funding, the Ministry will not have sufficient funding to accommodate" the government priority projects plus those previously ranked and recommended by subject matter experts.

In a November 2022 interview with the Canadian Press, a spokesperson for Minister Mulroneu stated, "that while some projects may have been "deferred," they were all subsequently approved for completion, except a few that "remain on the table for completion in the future." The Auditor's report indicates that while some of the deferred projects have since received partial funding as part of the 10-Year Infrastructure Plan (including the Morriston Bypass - Planning/Design work), we understand that moving to the construction phase remains unfunded.

Conclusion:

The Township of Puslinch Council respectfully request that the government and Ministry of Transportation return to an evidence-based infrastructure funding decision making model for major highway projects. We encourage serious consideration for the construction of the Morriston Bypass and that all other deferred highway projects listed in the Auditor General's report proceed as initially planned

Yours very truly,

James Seeley
Mayor of Puslinch
Wellington County Councillor
Chair of Wellington County Planning Committee
Chair of Top Aggregate Producing Municipalities of Ontario
Wellington County Administration Finance and Human Resource committee member
Accessibility Advisory Committee member



Enclosures:

Office of the Auditor General of Ontario - Value for Money Audit: Highway Planning and Management, dated November 2022

CC:

Hon. Lisa Thompson, Minister of Agriculture minister.omafra@ontario.ca

Hon. Caroline Mulroney, Minister of Transportation Caroline.Mulroney@pc.ola.org

Office of the Auditor General of Ontario comments@auditor.on.ca

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City of Guelph Clerks Office clerks@guelph.ca

Warden Andy Lenox, County of Wellington andyl@wellington.ca

Jennifer Adams, County of Wellington Clerk jennifera@wellington.ca

Mayor Andrea Horwath, City of Hamilton mayor@hamilton.ca

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TOWNSHIP OF
PUSLINCH
EST. 1850

Township Site Alteration and Road Activity By-laws

December 20, 2023



Background

□ The Township's existing Site Alteration By-law has been in place since 2012 and has had a number of amendments summarized as follows:

- 2015-011 Requiring Public Notice for applications that exceed 1000m³;
- 2015-045 Temporarily cease accepting applications that exceed 1000m³;
- 2015-049 Clarifying that applications associated with a development application shall not exceed 10,000m³;
- 2021-020 Consolidating and clarifying the various amendments; and
- 2022-001 Amending the penalty section and short form wording.

Background

- ❑ Council directed staff to commence a review of the existing Site Alteration By-law in June 2020. Staff, in collaboration with the Township solicitor, prepared a number of drafts incorporating Council's feedback at the following meetings:
 - ❑ March 3, 2021
 - ❑ August 11, 2021
 - ❑ November 24, 2021
 - ❑ December 15, 2021
 - ❑ January 13, 2022

- ❑ There have been a number of changes to Provincial Regulations and specifically 406/19: On-site and Excess Soil Management. It has taken a significant amount of time to understand the potential impacts to the municipality and to appropriately incorporate provisions into the Site Alteration By-law.

Summary of Council Comments

- Staff to review the definition of clean fill to make it more understandable for the reader.
- Refine the definition of “Owner” to mean the registered owner of the property.
- Refine definitions to include Source Sites such as aggregate operations and include the required documentation for testing.

The proposed by-law aligns the definitions with the applicable Provincial Regulations. This will ensure consistency and limit amendments to the Township By-law should the Province make further changes.

Summary of Council Comments

- Consider types of alteration permits based on the size of the project and/or the potential for the size of the project to be subject to the amount of fill importation.
- Consider increasing the project area threshold from 0.5 hectares to 1 hectares.
- Incorporate scalable securities including for permits under 1000m³.
- Consider when a public notice is required and when a public meeting is required and when a permit can be issued without public notification.
- Clarify the requirements related to Normal Farm Practices.

The proposed By-law includes 6 permit types with escalating application requirements and public engagement. The permit types consider the project area and include scalable securities.

Summary of Council Comments

- Refine the application and load tracking process to be in line with the Provincial regulations and ensure the owner is responsible for the quality of fill and damage that may be caused.
- Address the use of liquid soil.

The proposed By-law aligns with Provincial regulations and includes a Presumption section which places the responsibility for the project on the property owner. Each application type outlines the responsibility of the permit holder to ensure the quality of fill and all other aspects of the permit are adhered to. In addition, the Township will utilize its own form of tracking through its Active Application Mapping tool. This map will track all approved building permits and site alteration permits and will be available to the public.

Active Application Mapping

Active Minor Variance Applications >

Active Zoning By-law Amendment Applications >

The map displays the Guelph area with several orange pins indicating active applications. A search bar at the top right of the map interface contains the text 'Place or Address'. A blue arrow points from the information panel on the right to a specific pin located on Wellington Road 34, near the Puslinch area.

D14-AUD

Part of Lots 17, 18 and 19, Concession 8

Zoning By-law Amendment

<https://puslinch.ca/active-zoning-by-law-amendment-applications/>

The applicant is requesting to amend the the Township's Comprehensive Zoning By-law #23-2018, as amended, to rezone the subject lands from Agricultural (A) Zone to a specified zone category (Rural Settlement Residential Zone (RSR) to establish a zone regulations specific to the proposed development.

🔍 Zoom to

Summary of Council Comments

- ❑ Consider separate application requirements for ‘small scale projects’ and include a schedule for scalable projects (sample projects and the documentation required).
- ❑ Re-order the by-law to include exemptions at the beginning of the bylaw.

The proposed By-law includes a list of exempted projects as well as a Minor Permit Application for small scale projects (6 permit types total). The order of the By-law has been adjusted to list exemptions near the beginning. Staff will build out an application form through CloudPermit that will assist applicants in determining the correct application type for their project.

Summary of Council Comments

- Consider a renewal process rather than an extension.

The proposed By-law includes a Renewal provision under Section 6. In addition, section 6 includes the list of provisions below, aimed at ensuring the project is completed in accordance with the permit conditions:

- Abandoned Application
- Expiry (after one year)
- Transfer of Permits
- Revocation of a Permit

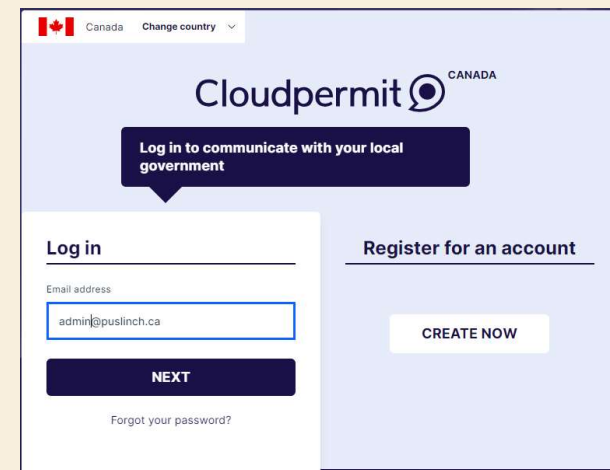
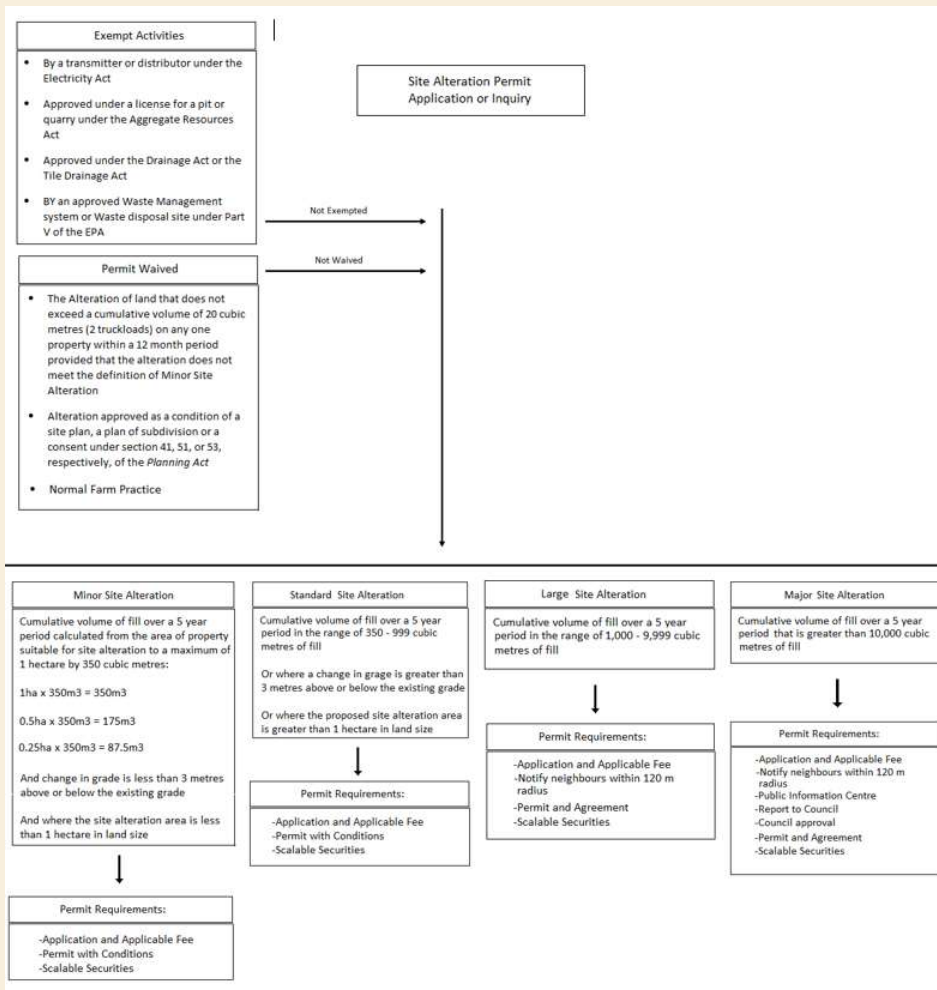
- Amendment to a Permit
- Renewal of a Permit
- Closure of a Permit

Summary of Council Comments

Develop visuals for the user guide.

Staff are in the process of developing a user guide and online form through CloudPermit. All applications will be process through CloudPermit by the newly established Building Services Technician position.

User Guide (flow chart in-progress)



Pre-Consultation

- Staff are in the process of amending the Township's Mandatory Pre-Consultation By-law to include other application types such as Site Alteration Applications.
- As Council is aware, the Pre-Consultation process sets out the expectations for a formal application and may include a detailed review of the project prior to a formal application being accepted.
- The costs associated with the Pre-Consultation process are the responsibility of the applicant.

Methodology

- ❑ A repeal and replace of the existing By-law is required based on the scope of changes, and in order to incorporate the Provincial Regulations.
- ❑ The primary goals of the new by-law are as follows:
 - ❑ Deter illegal activities through education and awareness, and where required, monetary penalties such as ticketing and doubling permits fees where work is done without a permit;
 - ❑ Obtain compliance without escalating to court proceedings;
 - ❑ Improve transparency in respect to the permitting process and engage with the public as appropriate; and
 - ❑ Ensure that the Township does not bear the costs associated with alteration activities by imposing user fees that reflect actual costs incurred by the Township, imposing securities to protect Township infrastructure and the environment, and requiring the applicant to cover all third party costs.

Road Activity By-law

- ❑ The Proposed Road Activity By-law is intended to regulate as follows:
 - ❑ Establish and approve haul routes for various activities within the Township;
 - ❑ Limit activities associated with a haul route permit to specific days/times;
 - ❑ Ensure the Township highways are properly maintained and free from debris such as dust, silt, rock, etc.;
 - ❑ Impose conditions to permits as required;
 - ❑ Ensure that the Township does not bear the costs associated with road activities by imposing user fees that reflect actual costs incurred by the Township, imposing securities to protect Township infrastructure, and requiring the applicant to cover all third party costs; and
 - ❑ Deter illegal activities through education and awareness, and where required, monetary penalties such as ticketing and doubling permits fees where road activity occurs without a permit.

Bylaw Enactment and Monitoring

- ❑ Once enacted by Council, staff intend to monitor both By-laws over the period of one (1) year to determine any adjustments that are required based on the administration of the By-laws.
- ❑ The review and amendment process is reiterative and will take place on an on-going basis similar to the monitoring of other regulatory By-laws.
- ❑ Staff will monitor any future changes to Provincial Regulations and report to Council as required.

Engagement Opportunities

- CloudPermit application form;
- Dedicated Township Webpage with visuals and user guide;
- Social Media engagement;
- Online mapping tool;
- Pre-Consultation meetings;
- Circulation to neighbours where required by permit type;
- Public Information Meeting where required by permit type; and
- Advising regulatory agencies of the Township By-law and processes (County, CAs, etc.).

Timeline

- ❑ First reading: December 20, 2023
- ❑ Second reading: January 10, 2024 (incorporating Council feedback from December 20, 2023 meeting)
- ❑ Third reading and enactment: February 7, 2024 (incorporating any final feedback)

Questions and Feedback

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 2023-057

A By-law to prohibit and regulate the alteration of property and movement of fill within the Township of Puslinch (Site Alteration By-law) and a By-law to repeal By-laws 2012-31, 2015-11, 2015-45, 2015-49, 2021-01, and 2021-20.

WHEREAS Section 142 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (hereafter referred to as the *Municipal Act*) provides that, the Corporation of the Township of Puslinch (the "Township") may pass a by-law prohibiting or regulating the alteration of property through the movement, placing, or dumping of fill, and/or the alteration of the grade of land;

AND WHEREAS Section 142 (2) (d) and (e) of the *Municipal Act* further provides that the Township may require that a permit be obtained for the placing or dumping of fill, or the alteration of the grade of land, and may impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of fill and/or the alteration of the grade of land;

AND WHEREAS Section 436 of the *Municipal Act* authorizes the Township to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out inspection to determine whether or not an order or condition is being complied with and require the production of documents and information as well as the collection of samples;

AND WHEREAS Sections 8, 9 and 11 of the *Municipal Act* permit the Township to pass by-laws necessary or desirable for municipal purposes, and paragraphs 5, 6 and 8 of Subsection 11 (2) authorize by-laws respecting the economic, social, and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 23.2 of the *Municipal Act* authorizes the Township to delegate its powers to an officer, employee, or agent of a municipality;

AND WHEREAS Subsection 444(1) of the *Municipal Act* permits the Township, if satisfied that a contravention of a by-law of the Township passed under the *Municipal Act*, has occurred, to make an order requiring the person who contravened the by-law or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity;

AND WHEREAS Subsection 446 of the *Municipal Act* gives the Township the authority to direct or require a person to do a matter or, thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense. For these purposes, the Township may enter upon land at any reasonable time. The Township may recover the costs of doing a matter or, thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS Section 425 of the *Municipal Act* permits the Township to pass by-laws providing that any person who contravenes any by-law the Township passed under the *Municipal Act*, is guilty of an offence;

AND WHEREAS Section 426 (4) of the *Municipal Act* deems that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the Act is guilty of an offence;

AND WHEREAS the Council of the Township deems it to be in the public interest to pass this By-law to regulate the alteration of property through the movement, placing, or dumping of fill, and/or the alteration of the grade of land within the Township to ensure that:

- a) Groundwater and surface water quality is maintained;
- b) Drainage patterns, water courses and water bodies are protected;
- c) Natural heritage features, landforms and archeological resources are protected;
- d) Adverse Effects are minimized;
- e) Impacts to the Township's roads, Highways and infrastructure are minimized;

- f) Disturbances and nuisance impacts to residents and businesses are minimized; and
- g) Costs and liabilities are borne by owners and persons who undertake Site Alteration within the Township;

NOW THEREFORE the Council of the Township hereby enacts as follows:

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1. GENERAL

1.1 Short Title

- (a) This By-law may be referred to as the "Site Alteration By-law".

1.2 Administration

- (a) This By-law applies to all Property in the geographical area within the Township, save and except any Property owned by the Township.
- (b) The Chief Building Official in consultation with the Municipal Clerk shall be responsible for the administration of this By-law.

1.3 Delegated Authority

- (a) The Chief Building Official and/or Municipal Clerk is authorized and has the delegated authority to:
- (i) Approve, exempt/waive, issue, revoke, extend, renew, amend, or close a Permit and/or grant approvals of Site Alteration and impose Conditions for continuing to hold a Permit depending on the Site Alteration in addition to the requirements under this By-law;
 - (ii) Determine when a Public Information Centre or a Meeting of Council is required or not required;
 - (iii) Determine and deem an Application as abandoned, expired, or closed;
 - (iv) Approve and coordinate any Site Restoration or Site Remediation works;
 - (v) Approve amendments to Site Alteration and Fill Management Plans;
 - (vi) Approve and amend Application forms and Guidelines;
 - (vii) Establish appropriate requirements;
 - (viii) Ensure compliance with section 3.8 of this By-law, including requiring appropriate testing and documentation;

- (ix) Appoint a peer review consultant or other engineering, scientific and technical experts to fulfill the role or duties of an Inspector for purposes of this By-law;
- (x) Require or exempt certain works from provisions of this By-law, as permitted in this By-law; and
- (xi) Authorize and/or hire such agents, contractors, and other Persons to perform the work, as required.

1.4 Conflict

- (a) Where there is a conflict between a provision of this By-law and a provision of any other Township by-law, the provision that establishes the highest standards to protect the health and safety of the public and natural environment shall apply. No agreement shall be deemed to provide an exemption from the requirements of this By-law unless this By-law authorizes such exemption, and the agreement specifically provides for it.

1.5 Severability

- (a) If a court of competent jurisdiction declares any section, or any part of any section, of this By-law to be invalid, or to be of no force or effect, it is the intention of the Township that every other provision of this By-law be applied and enforced in accordance with its terms to the extent possible according to law.

1.6 Compliance with Other Laws

- (a) This By-law, and the provisions contained within, are intended to be complimentary to federal and provincial statutes and regulations, and to other by-laws passed by the Council. If any other applicable law requires a higher standard than this By-law requires, the higher standard shall apply.
- (b) By-laws, statutes, regulations, and guidelines referenced in this By-law, including in Schedule A, include any amendments, replacements, or updates to those by-laws, statutes, regulations, and guidelines.

2. DEFINITIONS

2.1 Definitions in this By-law:

- (a) "Adverse Effect" shall have the same meaning as in the *Environmental Protection Act*, R.S.O. 1990, c. E.19 and means one or more of:
 - (i) Impairment of the quality of the natural environment for any use that can be made of it;
 - (ii) Injury or damage to Property or to plant or animal life;
 - (iii) Harm or material discomfort to any person;
 - (iv) An adverse effect on the health of any person;
 - (v) Impairment of the safety of any person;
 - (vi) Rendering any Property or plant or animal life unfit for human use;
 - (vii) Loss of enjoyment of normal use of Property; and
 - (viii) Interference with the normal conduct of business.
- (b) "Aggregate" has the same meaning as in the *Aggregate Resources Act*, R.S.O. 1990, c.A.8, as amended ("*Aggregate Resources Act*").
- (c) "Applicant" means the Owner of a Property and includes a Person authorized in writing to act on behalf of the Owner of a Property to apply for a Permit.
- (d) "Application" means a written submission to request or amend a Permit, in a form prescribed by the Township.
- (e) "Artificial Turf" means any surface synthetic fibers made to resemble turf or other grass-like surface and used as a surface cover.
- (f) "Asphalt" means a mixture of dark bituminous pitch with sand or gravel, used for surfacing roads, driveways and paths, which may include, without limitation, loose or recycled material or a contiguous surface.

- (g) "Beneficial Reuse Assessment Tool" has the same meaning as in Ontario Regulation 406/19.
- (h) "Body of Water" means a permanent stream, river or similar watercourse or a pond or lake, but does not include a pond constructed on the property for the purpose of controlling surface water drainage.
- (i) "Chief Building Official" means the Chief Building Official appointed by the Council or his/her designate.
- (j) "Compost" means a mixture of various decaying organic substances, such as dead leaves or manure, used for fertilizing soil.
- (k) "Conservation Authority" includes the Grand River Conservation Authority, Hamilton Conservation Authority, and Halton Conservation Authority.
- (l) "Council" means the Council of the Township.
- (m) "Condition(s)" means the mandatory performance requirements outlined in a Permit or Order and may include the requirement for monetary deposits or Security(s) in connection with the Application.
- (n) "Contaminant" means any solid, liquid, gas, odor, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an Adverse Effect.
- (o) "Control Plan" means documentation described in Schedule "B" required to be submitted as part of any Application for a Permit under this By-law.
- (p) "Designated Official" means the Chief Building Official, Municipal Clerk, or their designates.
- (q) "Drainage" means the movement of surface water toward a place of disposal, whether by way of the natural characteristics of the ground surface or by artificial means.
- (r) "Dump" means the placing or depositing of Fill in a location other than where the Fill was obtained from or the movement and placing or depositing of Fill from one location on a property to another location on the same property or to a separate property, and "Dumping" has the corresponding meaning.
- (s) "Erosion" means the detachment and movement of Soil, sediment, rock fragments or the like by forces such as but not limited to water, wind, ice, or gravity.
- (t) "Erosion and Dust Control" means measures to control Erosion and dust generated as part of the Site Alteration to the satisfaction of the Township.
- (u) "Excess Soil" has the same meaning as in Ontario Regulation 406/19.
- (v) "Excess Soil Quality Standards" means Part II of the Rules for Soil Management and Excess Soil Quality Standards, as amended, and adopted by reference in Ontario Regulation 406/19.
- (w) "Fill" means any type of material that can be removed from (cut) or placed on (in-fill) land and may include, but is not limited to Soil, Excess Soil., Liquid Soil, Rock, Sod, Compost, Aggregate and Topsoil.
- (x) "Final Surface Material" includes, but is not limited to, concrete, brick, patio pavers (natural or manufactured), block, Asphalt, Artificial Turf that are free of Contaminants, and does not include Fill.
- (y) "Grade" means the elevation of the ground surface and shall be more particularly defined as follows:
 - (i) "Existing Grade" means the elevation of the existing ground surface prior to any Site Alteration and Movement of Fill, including the natural Grade prior to human activities or the Grade previously legally established such as a former approved Grade;
 - (ii) "Finished Grade" means the approved (final) elevation of the ground surface of lands upon which Fill has been Placed or Dumped, the Grade altered, or Topsoil removed, in accordance with this By-law including the Final Surface Material;

- (iii) "Unapproved Grade" means the elevation of the ground surface that is not an Existing Grade or Finished Grade.
- (z) "Guidelines" means the Application requirements, information, documentation and material, including Conditions requirements for a Permit, to be used for the purpose of administrating this By-law. Without limiting the generality of the foregoing, the Guidelines may require the posting of deposits and/or Security(s) in connection with the Application.
- (aa) "Highway" means a common and public highway and includes a street, bridge or other structure forming part of a highway over or across which a highway passes and includes the whole of a road allowance under the jurisdiction of the Township.
- (bb) "Inspector" means any person designated by this or any other By-law of the Township as an Inspector or agent of the Township or any persons appointed for the purposes of enforcing this By-law, and includes the Chief Building Official, Building Inspectors, and By-law Enforcement Officers.
- (cc) "Liquid Soil" has the same meaning as in Ontario Regulation 406/19.
- (dd) "MECP" means the Ontario Ministry of the Environment, Conservation and Parks, as may be renamed from time to time.
- (ee) "Movement of Fill" means any non-natural transfer of Fill from one location to another of any distance.
- (ff) "Municipal Clerk" means the Township's clerk appointed by the Council or their designate.
- (gg) "Normal Farm Practice" means a practice that:
 - (i) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or
 - (ii) makes use of innovative technology in a manner consistent with proper advanced farm management practices.
- (hh) "Normal Farm Practice Waiver" means a permit waiver authorized by the Designated Official in accordance with Section 5.2 of this By-law.
- (ii) "Officer" means any Person designated by by-law of the Township to enforce this By-law.
- (jj) "*Ontario Regulation 153/04*" means Ontario Regulation 153/04 (Records of Site Condition — Part XV.1 of the Environmental Protection Act), as amended, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended ("*Environmental Protection Act*").
- (kk) "*Ontario Regulation 406/19*" means Ontario Regulation 406/19 (On Site and Excess Soil Management), as amended, made under the *Environmental Protection Act*.
- (ll) "Owner" means the registered Owner(s) of the Property.
- (mm) "Permit" means a formal authorization issued by the Township under this By-law.
- (nn) "Person" includes individuals, firms, sole proprietorships, partnerships, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law.
- (oo) "Project" has the same meaning as in Ontario Regulation 406/19.
- (pp) "Project Area" has the same meaning as in Ontario Regulation 406/19.
- (qq) "Property" means land including all buildings and structures on the land.
- (rr) "Ponding" means the accumulation of surface water in an area not having Drainage therefrom where the lack of Drainage is caused by the Placing or Dumping of Fill, altering of Grade, or removing of Topsoil.

- (ss) "Proposed Grade" means the proposed elevation of the ground surface of land upon which Fill is proposed to be Placed or Dumped, the Grade altered, or the Topsoil removed.
- (tt) "Public Information Meeting" means an open meeting to which all members of the public are invited, for the purpose of informing the public and receiving comments regarding a proposed Site Alteration.
- (uu) "Qualified Person" means a person who meets the qualifications as set out in Section 5 or 6 of Ontario Regulation 153/04.
- (vv) "Quality Assurance/Quality Control Program" means a program that is designed to meet the requirements of quality assurance and quality control program under Ontario Regulation 153/04.
- (ww) "*Regulation 347*" means Regulation 347 of the Revised Regulations of Ontario, 1990 (General — Waste Management), as amended, made under the *Environmental Protection Act*.
- (xx) "Retaining Wall" means a wall designed to contain and support Fill, which has a Finished Grade higher than that of adjacent lands.
- (yy) "Rock" has the same meaning as in Ontario Regulation 406/19.
- (zz) "RPRA" means the Ontario Resource Productivity and Recovery Authority.
- (aaa) "Sampling and Analysis Plan" means a plan that is designed to meet the requirements of a sampling and analysis plan under Ontario Regulation 153/04 or Ontario Regulation 406/19.
- (bbb) "Security" means funds held by the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law, to secure the performance of the Owner's obligations under this By-law and any Permit; any additional costs associated with or as a result of the Site Alteration including but not limited to Site Restoration or Site Remediation, completion of the project, deficiencies, damage to the Township roads, etc. shall be deducted from the security; further costs associated with the alteration, if incurred by the Township, shall be invoiced to the Property Owner and may be added to the tax roll and collected in the same manner as taxes on the Property.
- (ccc) "Site" means a parcel or parcels of land altered or proposed to be altered by means of a Site Alteration.
- (ddd) "Site Alteration" means any alteration to the existing Grade of land through the removal (cut), placement (filling) or movement (relocation) of Fill.
- (eee) "Site Alteration - Large" or "Large Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 1,000 cubic metres to 9,999 cubic metres of Fill, (ii) where a change in Grade is proposed to be greater than 3 metres above or below the Existing Grade, or (iii) where the proposed Site Alteration area is greater than 1 hectare in land size. The approval of a Permit and execution of an agreement with the Township is required for a Large Site Alteration.
- (fff) "Site Alteration - Major" or "Major Site Alteration" means the alteration of land based on a cumulative volume of fill over a five (5)-year period per property that is greater than 10,000 cubic metres of fill. Council is the approval authority for all Major Site Alteration Permits and agreements.
- (ggg) "Site Alteration - Minor" or "Minor Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property, calculated from the area of property suitable for Site Alteration (the Property area excluding buildings, structures, and fixed features) up to a maximum of 350 cubic metres, (ii) where a change in Grade is proposed to be less than 3 metres above or below the Existing Grade, (iii) where the proposed Site Alteration area is less than 1 hectare in land size, (iv) is setback a minimum of 30 metres from all property boundaries watercourses and drainage swales, (v) does not change or impact any natural drainage patterns, (vi) does not require a retaining wall, (vii) does not have slopes steeper than 3:1, and (viii) is not within an area regulated by the Conservation Authority. A Permit and execution of an agreement with the Township is required for a Minor Site Alteration.

- (hhh) "Site Alteration - Standard" or "Standard Site Alteration" means the alteration of land where the requirement for a permit is based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 350 cubic metres to 999 cubic metres of fill, (ii) where a change in Grade is proposed to be less than 3 metres above or below the Existing Grade, and (iii) where the proposed Site Alteration area is less than 1 hectare in land size. A Permit and execution of an agreement with the Township is required for a Standard Site Alteration.
- (iii) "Site Alteration and Fill Management Plan" means a document prepared by, or on behalf of an Owner in accordance with the Guidelines detailing such things as current Site conditions, methodology, Existing Grade, Finished Grade, and impact mitigation measures.
- (jjj) "Site Restoration" or "Site Remediation" means the treatment of land that has been affected by Site Alteration so that the use or condition of the land is restored to its pre-Site Alteration condition.
- (kkk) "Sod" means the upper stratum of soil bound by grass and plant roots into a thick mat (turf).
- (lll) "Soil" has the same meaning as in Ontario Regulation 406/19
- (mmm) "Source Site" means the property or properties from which the Fill originated and includes a "project area" as defined in Ontario Regulation 406/19.
- (nnn) "Swale" means a shallow depression in the ground sloping to a place of disposal of surface water or providing a method of Drainage.
- (ooo) "Topsoil" has the same meaning as in the *Municipal Act*.
- (ppp) "Tree" means any species of woody perennial plant including its root system which has reached or can reach a height of at least 4.5 metres at physiological maturity, provided that where multiple stems grow from the same root system, the number of trees shall be the number of stems with discrete, apical tips.
- (qqq) "Truckload" means 10 cubic metres of Fill.
- (rrr) "Vegetation" includes any woody plant or contiguous cluster of plants, including shrubs, hedgerows, and Trees.
- (sss) "Watercourse" means a natural or constructed channel or Swale in which water flows, either continuously or intermittently with some degree of regularity.
- (ttt) "Zoning By-law" means the Township's Comprehensive Zoning By-law, as applicable and amended from time to time.

3. PROHIBITIONS AND GENERAL PROVISIONS

3.1 Prohibitions in this By-law:

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration on any Property within the Township without first obtaining approval in accordance with this By-law, unless otherwise exempt as set forth in this By-law.
- (b) No Person shall have, or allow to remain, Fill on that Person's Property that is not approved through a Permit, whether or not the Fill was placed there while the Person was the Owner of the Property.
- (c) Every person who contravenes any provision of this By-law is guilty of an offence.

3.2 Responsibility for Other Obligations

- (a) Compliance with this By-law does not relieve the Owner from any responsibility to obtain all other approvals as required from any other government or authority, or compliance with any other applicable law.

3.3 Trees

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that could injure or destroy a Tree except in accordance with the County of Wellington Conservation and Sustainable Use of Woodlands By-law.

3.4 Groundwater

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that may adversely affect the quality or quantity of any surface water or groundwater however it may exist including all water used for or available as a source of water for agriculture or human consumption.

3.5 Drainage / Watercourse

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that could adversely affect any Watercourse or Drainage on any Property without prior approval in accordance with this By-law including approval from any other applicable government or authority, or compliance with any other applicable law.

3.6 Unapproved Grade

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that will result in an Unapproved Grade.

3.7 Adverse Effect

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that will, or can be reasonably expected to, result in an Adverse Effect.

3.8 Applicable Laws and Plans

- (a) No Person shall conduct, undertake, cause, permit or carry out Site Alteration unless it complies with:
 - (i) This By-law;
 - (i) The Township Zoning By-law;
 - (ii) The Township Noise By-law;
 - (iii) The Township Property Standards By-law;
 - (iv) The Township Road Activity By-law;
 - (v) The *Greenbelt Plan*;
 - (vi) The requirements of a Conservation Authority with jurisdiction; and
 - (vii) All other applicable statutes, regulations, policies, and by-laws, including but not limited to Ontario Regulation 406/19, Regulation 347 and the Rules for Soil Management and Excess Soil Quality Standards.

3.9 False Information

- (a) No person shall submit or cause or permit an application for a Permit to be submitted to the Township that is misleading or contains false information. Where it is revealed that the application for a Permit contained misleading or false information, the Designated Official may revoke the said Permit and all work, which was the subject of the revoked Permit, shall immediately cease.

4. EXEMPTIONS

4.1 Exemptions in this By-law:

- (a) Notwithstanding Section 3 of this By-law, this By-law does not apply to:
 - (i) Activities or matters undertaken by the Township, the County of Wellington, a Conservation Authority, the provincial government, or the federal government;
 - (ii) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002, as a condition to the approval of a site plan, a plan of subdivision or consent under section 41, 51 or 53, respectively, of the *Planning Act*, R.S.O. 1990, c. P.13, as amended ("*Planning Act*") or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;

- (iii) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002, as a condition to a development permit authorized by regulation made under section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under that regulation;
- (iv) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, S.O. 1998, c. 15, Sched. A, as amended, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
- (v) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;
- (vi) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land;
- (vii) That has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and
 - i. On which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*.
 - ii. The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act*;
- (viii) The removal of Topsoil as an incidental part of a normal Agricultural practice including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products except for the removal of Topsoil for sale, exchange, or other disposition;
- (ix) The use, operation, establishment, alteration, enlargement, or extension of a Waste Management System or Waste Disposal Site within the meaning of Part V of the *Environmental Protection Act, R.S.O. 1990, c.E.19*, as amended;
- (x) The construction, extension, alteration, maintenance, or operation of works under Section 26 of the *Public Transportation and Highway Improvement Act, R.S.O. 1990, c.P.50*, as amended.

5. APPLICATION REQUIREMENTS

5.1 Exception Waiver

- (a) A Site Alteration Exception Waiver may be applied for where:
 - (i) Another legal instrument of the Township, such as a Planning approval, a building permit, a pool permit, or legal agreement with the Township includes a provision specifically waiving the requirement for a Permit, including:
 - i. A grading plan or site plan, approved by the Chief Building Official, associated with the construction of a building, accessory structure, addition and/or pool;
 - ii. Any Filling of an excavation to the elevation of Existing Grade following the demolition or removal of a Building for which a demolition permit has been issued by the Chief Building Official of the Township, or for which no demolition permit is required under the *Building Code Act, R.S.O. 1992, c. 23*;
 - (ii) The Site Alteration of land does not exceed a cumulative volume of 20 cubic metres (2 Truckloads) on any one property within a 12-month period and provided that the alteration does not meet the definition of Minor Site Alteration and provided that it meets all other provisions of this By-law and may include the following:
 - iii. placing of Topsoil on gardens, lawns or other grassed areas;

- iv. cultivation or tilling of garden beds;
 - v. excavation of Fill having no significant impact on trees, ground cover, Vegetation, watercourses, or stormwater swales and not altering or creating a slope at greater than 8%;
 - vi. minor landscaping works which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties; and
 - vii. minor grading or regrading or paving of legal and approved parking areas or driveways which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties.
- (b) Application Requirements for a Site Alteration Exception Waiver:
- (i) A complete Site Alteration Exception Waiver Application must be submitted to the Township using the prescribed form, as amended from time to time;
 - (ii) No application fee is required; however, the Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iii) Sufficient documentation, to the satisfaction of the Designated Official, must be submitted to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (iv) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official which may include:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law; and
 - iii. Source Site confirmation;
 - (v) All required permits or approvals by any external agency having jurisdiction are required in order for a Site Alteration Exception Waiver to be issued, including but not limited to the Conservation Authority, Wellington Source Water Protection, and the County of Wellington.
- (c) Approval/Refusal Process for a Site Alteration Exception Waiver:
- (i) All Site Alteration Exception Waiver applications are subject to a staff review and comment period. Conditions not described in this By-law may form part of the Waiver;
 - (ii) The Site Alteration Exception Waiver shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

5.2 Normal Farm Practice Waiver

- (a) A Normal Farm Practice Waiver may be applied for where:
- (i) The Site Alteration is deemed to be a Normal Farm Practice in accordance with the Ministry of Agriculture, Food and Rural Affairs and to the satisfaction of the Designated Official;
 - (ii) All disputes will follow the Farm Practices Conflict Resolution Process as prescribed by the Ministry of Agriculture, Food and Rural Affairs.
- (b) Application Requirements for a Normal Farm Practice Waiver:
- (i) A complete Normal Farm Practice Site Alteration Waiver Application must be submitted to the Township using the prescribed form, as amended from time to time;

- (ii) No application fee is required; however, the Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iii) A justification report prepared by a qualified person must be submitted demonstrating that the Site Alteration is considered a Normal Farm Practice in accordance with the Ministry of Agriculture, Food and Rural Affairs and to the satisfaction of the Designated Official;
 - (iv) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
 - (v) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (vi) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
 - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - iv. Documentation setting out the evaluation of the Fill sample results;
 - v. Quality Control/Quality Assurance Program; and
 - vi. Source Site confirmation;
 - (vii) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
 - (viii) All required permits or approvals by any external agency having jurisdiction are required in order for a Normal Farm Practice Site Alteration Waiver to be issued, including but not limited to the Conservation Authority, Wellington Source Water Protection, and the County of Wellington;
 - (ix) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
 - (x) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur, at a minimum:
 - i. Between the hours of 7:00 p.m. and 7:00 a.m.;
 - ii. During any period in which a wind warning has been issued by Environment Canada;
 - iii. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - iv. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Normal Farm Practice Waiver:
- (i) All Normal Farm Practice Site Alteration Waiver applications are subject to a staff review and comment period. Conditions not described in this By-law may form part of the Waiver;

- (ii) The Normal Farm Practice Site Alteration Waiver shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.
- (iii) All Normal Farm Practice Waivers are subject to a staff review and comment period, which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;

5.3 Minor Site Alteration Permit Requirements

- (a) A Minor Site Alteration Permit Application may be applied for where:
 - (i) The cumulative volume of Fill over a five (5)-year period per property, does not exceed the maximum of 350 cubic metres (35 Truckloads) subject to the area suitable for alteration;
 - (ii) The maximum volume of Fill is calculated by the area of the property suitable for alteration (the Property area excluding buildings, structures, environmental features, and fixed features to a maximum of 1 hectare) multiplied by the maximum permitted amount of Fill (350 cubic metres). Example:
 - 1ha suitable area x 350m³ = 350m³
 - OR
 - 0.4ha suitable area x 350m³ = 140m³
 - (iii) A change in Grade is proposed to be less than 3 metres above or below the Existing Grade;
 - (iv) The proposed Site Alteration area is less than 1 hectare in land size;
 - (v) The Site Alteration is setback a minimum of 30 metres from all property boundaries watercourses and drainage swales;
 - (vi) The Site Alteration does not change or impact any natural drainage patterns;
 - (vii) The Site Alteration does not require a retaining wall;
 - (viii) The Site Alteration does not have slopes steeper than 3:1;
 - (ix) The Site Alteration is not within an area regulated by the Conservation Authority; and
 - (x) The Site Alteration of land does not meet the definition of Standard Site Alteration, provided that it meets all other provisions of this By-law.
- (b) Application Requirements for Minor Site Alteration Permit:
 - (i) A complete Standard Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
 - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
 - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iv) Submission of sufficient documentation, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;

- iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - vii. Documentation setting out the evaluation of the Fill sample results;
 - iv. Quality Control/Quality Assurance Program; and
 - v. Source Site confirmation;
- (vi) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
 - (vii) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
 - (viii) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
 - (ix) Additional conditions may be included in the Permit as determined by the Designated Official;
 - (x) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
 - (xi) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
 - (xii) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
 - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
 - ii. Anytime on a Saturday, Sunday or Statutory Holiday;
 - iii. During any period in which a wind warning has been issued by Environment Canada;
 - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Minor Site Alteration Permit:
- (i) All Minor Site Alteration Applications are subject to a staff review and comment period, which may form part of the Site Alteration Permit and may include conditions not described in this By-law;
 - (ii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
 - (iii) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

5.4 Standard Site Alteration Permit Requirements

- (a) A Standard Site Alteration Permit Application may be applied for where:
 - (i) The cumulative volume of Fill over a five (5) year period per property, does not exceed the maximum of 1000 cubic metres (100 Truckloads);
 - (ii) A change in Grade is proposed to be less than 3 metres above or below the Existing Grade;

- (iii) The proposed Site Alteration area is less than 1 hectare in land size; and
 - (iv) The Site Alteration of land does not meet the definition of Large Site Alteration, provided that it meets all other provisions of this By-law.
- (b) Application Requirements for a Standard Site Alteration Permit:
- (i) A complete Standard Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
 - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
 - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iv) Sufficient documentation, to the satisfaction of the Designated Official, must be submitted to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
 - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - iv. Documentation setting out the evaluation of the Fill sample results;
 - v. Quality Control/Quality Assurance Program; and
 - vi. Source Site confirmation;
 - (vi) A Control Plan completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
 - (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's Beneficial Reuse Assessment Tool (BRAT), a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
 - (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
 - (ix) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
 - (x) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
 - (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
 - (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
 - (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;

- (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
 - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
 - ii. Anytime on a Saturday, Sunday or Statutory Holiday;
 - iii. During any period in which a wind warning has been issued by Environment Canada;
 - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Standard Site Alteration Permit:
 - (i) All Standard Site Alteration Applications are subject to a staff review and comment period, which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
 - (ii) A legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
 - (iii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
 - (iv) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

5.5 Large Site Alteration Permit Requirements

- (a) A Large Site Alteration Permit Application may be applied for where:
 - (i) The cumulative volume of Fill over a five (5) year period per property, does not exceed the maximum of 10,000 cubic metres (1000 Truckloads); or
 - (ii) A change in Grade is proposed to be greater than 3 metres above or below the Existing Grade; or
 - (iii) The proposed Site Alteration area is greater than 1 hectare in land size; and
 - (iv) The Site Alteration of land does not meet the definition of Major Site Alteration provided that it meets all other provisions of this By-law.
- (b) Application Requirements for a Large Site Alteration Permit:
 - (i) A complete Large Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
 - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
 - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iv) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;

- ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
 - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - iv. Documentation setting out the evaluation of the Fill sample results;
 - v. Quality Control/Quality Assurance Program; and
 - vi. Source Site confirmation;
- (vi) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
- (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's BRAT, a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
- (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
- (ix) A Site Alteration and Fill Management Plan prepared by a Qualified Person;
- (x) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
- (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
- (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
- (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or for the removal of Fill from the Property;
- (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
- i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
 - ii. Anytime on a Saturday, Sunday, or Statutory Holiday;
 - iii. During any period in which a wind warning has been issued by Environment Canada;
 - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Large Site Alteration Permit:
- (i) Once a complete application has been received, all property owners within a 120-metre radius of the subject property shall be notified of the details of the project;
 - (ii) All Large Site Alteration Applications are subject to a 30-day comment period commencing when neighbour notification takes place;

- (iii) All Large Site Alteration Applications are subject to a staff review of public comments received which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
- (iv) A legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
- (v) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
- (vi) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website;
- (vii) The Township CAO may request that certain Large Site Alteration Applications be considered by the Council prior to final approval.

5.6 Major Site Alteration Permit Requirements

- (a) A Major Site Alteration Permit Application may be applied for where:
 - (i) The cumulative volume of Fill over a five (5) year period per property, exceeds 10,000 cubic metres (1000 Truckloads).
- (b) Application Requirements for a Large Site Alteration Permit:
 - (i) A complete Major Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
 - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
 - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iv) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
 - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - iv. Documentation setting out the evaluation of the Fill sample results;
 - v. Quality Control/Quality Assurance Program; and
 - vi. Source Site confirmation;
 - (vi) A Control Plan completed per Schedule B;
 - (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's BRAT, a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
 - (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;

- (ix) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
 - (x) Confirmation from the Owner and Qualified Person that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
 - (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
 - (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
 - (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill or for the removal of Fill from the Property;
 - (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
 - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
 - ii. Anytime on a Saturday, Sunday, or Statutory Holiday;
 - iii. During any period in which a wind warning has been issued by Environment Canada;
 - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Large Site Alteration Permit:
- (i) Once a complete application has been received, a Public Information Meeting shall be scheduled;
 - (ii) All property owners within a 120-metre radius of the subject property shall be notified of the details of the project and notified of the scheduled Public Information Meeting;
 - (iii) Council approval is required for all Major Site Alteration Applications;
 - (iv) All Major Site Alteration Applications are subject to a 30-day comment period commencing when neighbour notification takes place;
 - (v) All Major Site Alteration Applications are subject to a staff review of public comments received which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
 - (vi) Subject to Council approval, a legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
 - (vii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
 - (viii) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website;
 - (ix) A Permit may be refused when the requirements of this By-law have not been met. Where the Designated Official/Council refuses to issue a Site Alteration Permit, the applicant shall be informed in writing of the refusal. The Application may be reconsidered, if additional information or documentation required by the Designated Official is submitted by the applicant.

6. ABANDONMENT, EXPIRY, RENEWAL, TRANSFER, REVOCATION, AMENDMENT AND CLOSURE OF PERMITS

6.1 Abandoned Application

- (a) An Application for a Permit will be deemed abandoned and the Application and respective file will be closed, where a period of twelve (12) months has elapsed during which:
 - (i) The Person applying for a Permit has not provided all information, documents, fees and deposits as required by the Designated Official including any new submissions that may be required;
 - (ii) The Application has been placed on hold or in abeyance; or
 - (iii) The Application has not seen meaningful progress through submissions towards the issuance of a Permit.

6.2 Expiry

- (a) A Permit for all types of Site Alteration will be issued for a period of one year and expires on the date set out in the Permit unless otherwise specified as a condition of the Permit.
- (b) Every Owner shall satisfy all Conditions of the Permit, even if the Permit is expired, and shall also provide the Township with the following at the discretion of the Designated Official:
 - (i) A letter of acknowledgment of the filing of a Record of Site Condition (in accordance with Ontario Regulation 153/04, as amended);
 - (ii) A completed final topographic survey confirming the Approved Grade; and
 - (iii) Proof of completion of all Permit Conditions.

6.3 Transfer

- (a) If title to the Property for which a Permit has been issued is transferred while the Permit is in effect, the Permit shall be automatically revoked unless the new Owner, prior to the time of the transfer, provides the Township with an undertaking, to the satisfaction of the Director, to comply with all Conditions under which the Permit was issued.

6.4 Revocation

- (a) The Designated Official may at any time and without notice revoke a Permit for any of the following reasons:
 - (i) It was obtained based on mistaken, false or incorrect information;
 - (ii) It was issued in error;
 - (iii) The Property Owner and/or Permit holder requests in writing that it be revoked;
 - (iv) The Permit holder has failed to comply with any of the Conditions of the Permit; or
 - (v) The Permit holder is unwilling or unable to comply with the Conditions of an Order.

6.5 Amendment

- (a) An Applicant or Owner may submit a request to the Designated Official for an amendment to a Permit based on proposed changes to the details of the initial Application as reflected in the Conditions.

6.6 Renewal

- (a) An Applicant or Owner may submit a request to the Designated Official for a renewal of a Permit if the only change from the initial Application and Conditions is the timeline and expiry date.

6.7 Closure

- (a) A Permit is considered closed when all the Conditions and Orders related to the Permit have been fulfilled to the satisfaction of the Designated Official, at which time all unexpended deposits and securities held by the Township shall be released to the Applicant unless an agreement specifies otherwise.

7. ENFORCEMENT

7.1 Inspectors and Designated Official

- (a) This By-law may be enforced by Inspectors and/or the Designated Official. Without limiting/restricting any other power, duty or function granted by this By-law, Inspectors and/or the Designated Official may: give direction, issue an Order to discontinue or to perform work and further give verbal or written direction and may enter Property and/or carry out and direct whatever inspections, are reasonably required to determine compliance with this By-law.
- (b) An Inspector and/or the Designated Official may issue an Order under this By-law to any Person believed to be contravening or have contravened any provision of this By-law.
- (c) An Order may include but is not limited to:
 - (i) Immediately desist from the activity constituting or contributing to such contravention; and
 - (ii) Take immediate action to mitigate and/or remediate the impacts of the activity.

7.2 Entry and Inspection

- (a) Inspectors and the Designated Official may, at any reasonable time:
 - (i) Enter and inspect Property to determine compliance with the provisions of this By-law, or any Condition of a Permit, or Order issued under this By-law. This power of entry does not allow entry into any dwelling;
 - (ii) Enter the Property to collect information, take photographs, videos, measurements, readings and samples (air, surface water, groundwater, soil, materials, etc.);
 - (iii) Require the production of copies of reports, manifests or other documentation for the purposes of auditing any Site Alteration or compliance with the Conditions of a Permit, agreement or Order; and
 - (iv) Require the production of documents for inspection or things relevant to the inspection, inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts.

7.3 Duty to Identify

- (a) Where an Inspector has reasonable grounds to believe that an offence has been committed by a Person, the Inspector may require the name, address, and proof of identity of that Person, and the Person shall supply the required information.

7.4 Obstruction

- (a) No Person shall hinder or obstruct or attempt to obstruct the Designated Official Inspector, or person in the discharge of duties under this By-law as required by the Designated Official or Inspector in order to bring a Property into compliance with this By-law or an Order issued under this By-law.
- (b) No person shall provide false information in any statement, whether orally, in writing or otherwise, made to an Inspector or the Designated Official.
- (c) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Inspector or Designated Official who is exercising a power or performing a duty under this By-law.

7.5 Obey Order

- (a) No Person shall fail to obey an Order issued under this By-law.

7.6 Presumption

- (a) Where any Site Alteration occurs, is undertaken, caused, or permitted on any Property, the Owner of the Property is presumed to have undertaken, caused, or permitted the Site Alteration to occur, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

8. ORDERS

8.1 Contravention

- (a) If an Inspector or the Designated Official is satisfied that a person has undertaken, caused, permitted, allowed, or performed a Site Alteration in contravention of the provisions of this By-law, the Conditions of a Permit, and/or an agreement pursuant to this By-law, the Inspector may issue an Order requiring work to be done to correct the contravention.
- (b) Orders issued shall contain the municipal address and/or the legal description of the Property, and shall set out:
- (i) Reasonable particulars of the contravention, the work to be done, any work or action required to cease or be undertaken to rectify the contravention, and the period within which there must be compliance with the Order; and
 - (ii) Notification that if the work or action is not done, or ceased, as the case may be, in compliance with the Order within the period specified, the Township may have the work done at the expense of the Owner and seek penalties as set out in this By-law.

8.2 Order Served

- (a) Orders issued by an Inspector under this By-law shall be served as follows:
- (i) Personally, or by prepaid registered mail to the last known address of the Owner, the Permit holder and any other Person to whom the Order is issued; or
 - (ii) If the Township is unable to effect service on the Owner, a placard containing the terms of the Order may be placed in a conspicuous place on the Property and the placing of the placard shall be deemed to be service of the Order.

8.3 Order Deemed to be Served

- (a) If an Order is served on a Person by registered mail, it shall be deemed to have been served on the Person on the fifth (5th) day after the mailing of the order, which deemed service may be rebutted by the Person proving, on a balance of probabilities, that they did not receive the Order.
- (b) An Order may also be issued to a new Owner in any case where ownership of the Property has changed but the offence continues or remains.

9. WORK DONE BY THE TOWNSHIP

9.1 Remedial Action

- (a) If the Conditions of an Order made under this By-law are not complied with within the period specified in the Order, in addition to all other remedies it may have, the Township may undertake any activity to fulfill any of the Conditions of a Permit or Order at the Owner's expense and may enter upon Property at any reasonable time for this purpose.

10. PENALTY AND OFFENCE

10.1 Offence

- (a) Every Person who contravenes: (i) any provision of this By-law, (ii) a Condition of a Permit issued under this By-Law, and/or (iii) an Order issued under this By-law, is guilty of an offence and upon conviction is liable to the penalties provided for in this By-law and provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

- (b) If an Order has been issued under this By-law, and the Order has not been complied with, the contravention of the Order shall be deemed to be a continuing offence for each day or part of a day that the Order is not complied with.

10.2 Penalties

- (a) Every Person who is guilty of a non-continuing offence under this By-law shall be subject to the following penalties:
- (i) Upon a first conviction under this By-law, to a fine of not less than \$500 and not more than \$50,000 per offence;
 - (ii) Upon a second or subsequent conviction under this By-law, to a fine of not less than \$500 and not more than \$100,000 per offence;
- (b) Every Person who is guilty of a continuing offence under this By-law shall upon conviction be subject to a fine of not less than \$500 and not more than \$10,000 for each day or part of a day that the offence continues up to a maximum of \$100,000 per continuing offence.
- (c) When a Person has been convicted of an offence under this By-law, the Ontario Court of Justice or any Court of competent jurisdiction thereafter may, in addition to any other penalty or remedy imposed on the Person convicted, make an Order:
- (i) prohibiting the continuation or repetition of the offence by the Person convicted; and/or
 - (ii) requiring the Person convicted to remove material from, repair or rehabilitate, at the convicted Person's expense, a property or undertaking to achieve compliance with this By-law within such reasonable time as the Court orders.
- (a) The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.

11. TRANSITION PROVISION

- (a) Notwithstanding the repeal of By-law 2012-31 and all amendments thereto, that by-law shall continue to apply to any acts, omissions, or occurrences, and to any offences that took place prior to the enactment of this By-law.

12. EFFECTIVE DATES & REPEAL OF PREDECESSOR BY-LAW

- (a) This By-law Repeals By-laws 2012-31, 2015-11, 2015-45, 2015-49, 2021-01, and 2021-20.
- (b) This By-law shall come into force and effect upon its passage, at which time By-law 2012-31, and all amendments thereto shall hereby be repealed.

READ a FIRST time this 20 day of DECEMBER, 2023

READ a SECOND time this 10 day of JANUARY, 2023

READ a THIRD time and FINALLY PASSED this 7 day of FEBRUARY, 2024.

James Seeley, Mayor

Courtenay Hoytfox, Clerk

DRAFT

SCHEDULE “A”**REFERENCES
REGULATIONS, STANDARDS AND GUIDELINES**

1. Environmental Protection Act, R.S.O. 1990, c. E.19 - <https://www.ontario.ca/laws/statute/90e19>
2. Ontario Ministry of the Environment, Conservation and Parks, Management of Excess Soil – A Guide for Best Management Practices - <https://www.ontario.ca/page/management-excess-soil-guide-best-management-practices>
3. Ontario Ministry of the Environment, Conservation and Parks, Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act (July 1, 2011) - <https://www.ontario.ca/page/soil-ground-water-and-sediment-standards-use-under-part-xv1-environmental-protection-act>
4. Ontario Regulation 153/04: Record of Site Condition - <https://www.ontario.ca/laws/regulation/040153>
5. Regulation 347: General – Waste Management - <https://www.ontario.ca/laws/regulation/900347>
6. Ontario Regulation 406/19: On-site and Excess Soil Management - <https://www.ontario.ca/laws/regulation/190406#BK5>
7. Ontario Ministry of the Environment, Conservation and Parks Rules for Soil Management and Excess Soil Quality Standards - <https://www.ontario.ca/page/rules-soil-management-and-excess-soil-quality-standards>
8. Ontario Ministry of the Environment, Conservation and Parks Excess Soil Beneficial Reuse Assessment Tool (BRAT) - <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fprod-environmental-registry.s3.amazonaws.com%2F2020-12%2FBeneficial%2520Reuse%2520Assessment%2520Tool%20BRAT%2520%2528Dated%252008%2520Dec%25202020%2529%20.xlsx&wdOrigin=BROWSELINK>
9. Ontario Water Resources Act, R.S.O. 1990, c. O.40 – <https://www.ontario.ca/laws/statute/90o40>
10. Ontario Provincial Water Quality Objectives - <https://www.ontario.ca/page/water-management-policies-guidelines-provincial-water-quality-objectives>
11. Aggregate Resources Act R.S.O. 1990, c.A.8, - <https://www.ontario.ca/laws/statute/90a08>
12. Invasive Species Act, 2015, S.O.2015, c.22 - <https://www.ontario.ca/laws/statute/15i22>
13. Endangered Species Act, 2007, S.O. 2007, c. 6 <https://www.ontario.ca/laws/statute/07e06>
14. Clean Water Act, 2006, S.O. 2006, c. 22 <https://www.ontario.ca/laws/statute/06c22>
15. Municipal Act, 2001, S.O. 2001, c. 25 <https://www.ontario.ca/laws/statute/01m25>

SCHEDULE "B"
CONTROL PLANS

1. A control plan(s) required to be submitted as part of any Application for a Permit pursuant to this By-law shall include, among other things, the following:
 - (a) a key map showing the location of the Site;
 - (b) the Global Positioning System (GPS) coordinates of the centroid of the Site in terms of easting and northing;
 - (c) the Site boundaries and number of hectares of the Site;
 - (d) the use of the Site and the location and use of the buildings and other structures adjacent to the Site;
 - (e) the location, dimensions and use of existing and proposed buildings and other structures existing or proposed to be erected on the Site;
 - (f) the location of lakes, streams, wetlands, channels, ditches, other watercourses and other bodies of water on the Site and within thirty (30) metres beyond the Site boundary;
 - (g) the location of the predominant Soil types;
 - (h) the location size, species, and condition of all Trees as define in this By-law, including their dripline, and the composite dripline of all other Vegetation;
 - (i) the location of driveways on the lands and all easements and rights-of-way over, under, across or through the Site;
 - (j) the location and dimensions of any existing and proposed stormwater Drainage systems and natural Drainage patterns on the Site and within thirty (30) metres of the Site boundaries;
 - (k) the location and dimensions of utilities, structures, roads, rights-of-ways, easements, highways, and paving;
 - (l) the existing Site topography at a contour interval not to exceed 0.5 metres and to extend a minimum of thirty (30) metres beyond the Site boundaries;
 - (m) the Proposed Grade(s) and Drainage system(s) to be used upon completion of the work which is the subject of the Permit;
 - (n) the location and dimensions of all proposed work which is the subject of the Application for a Permit;
 - (o) the location and dimensions of all proposed temporary Topsoil or Fill stockpiles;
 - (p) the location, dimensions, design details and specifications of all work which is the subject of the Application including all Site Erosion and Dust Control measures or Retaining Walls necessary to meet the requirements of this By-law and the estimated cost of the same;
 - (q) a schedule of the anticipated starting and completion dates of all proposed work which is the subject of the Application for a Permit;
 - (r) a list of the type of equipment and machinery that will be used during the Site Alteration process including the expected days and times of operation in accordance with this By-law;
 - (s) provisions for the maintenance of construction Site Erosion and Dust Control measures during construction and after, as required;
 - (t) typical notes on the final rehabilitation plan to indicate the final ground cover materials, type and size of Vegetation to be planted, depth of Topsoil, Tree removals or Tree protection measures;
 - (u) proposed Site access location(s) and haul route(s) to and within the Site;

- (v) a description of the quality and source of the proposed Fill with confirmation that the Fill meets the applicable Excess Soil Quality Standards for the Site;
 - (i) if Site-specific standards for Soil quality acceptance have been developed using the MECP's Excess Soil Beneficial Reuse Assessment Tool (BRAT), a copy of the BRAT model input and output and a signed statement by the Qualified Person preparing the BRAT model;
 - (ii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
 - (w) a Sampling and Analysis Plan for the source of the proposed Fill;
 - (x) a Quality Assurance/Quality Control Program;
 - (y) the scale of drawings, either 1:500 or 1:1000;
 - (z) operational procedures manual;
 - (aa) for Site to receive greater than 10,000m³, and where required by the provisions of Ontario Regulation 406/19, as amended, file a notice on the Excess Soil Registry operated by RPRA; and
 - (bb) all other information as deemed necessary or required by the Designated Official.
2. Where a permit from the County of Wellington or the Township is required to use any portion of the proposed haul route, the issuance of, and conformity with such permit(s) shall be deemed to be a condition of the issuance of the Permit under this By-law.
 3. It shall be the responsibility of the Owner to ensure that all Fill which is Placed or Dumped under this By-law shall conform with, and meet the requirements of this By-law and all conditions of the Permit. At any time during the term of the Permit, an Inspector or the Designated Official may require evidence of such conformity, including without limiting the generality of the foregoing a requirement that the Permit Holder provide evidence to the satisfaction of the Designated Official that each Truckload complies with the requirements of this By-law.
 4. Every control plan accompanying an Application for a Permit under this By-law must be stamped by a Qualified Person approved by the Designated Official.
 5. Notwithstanding any other provisions of this By-law, the Designated Official may waive the requirement for a Control Plan or any part thereof, after taking into consideration the proposed works, the anticipated impact on the Site and the surrounding environment.

SCHEDULE "C"**DETERMINATION OF FEES AND FINANCIAL SECURITY**

Type of Revenue/User	Unit/Descr	2023 Rate (No Tax)	Comments
Site Alteration Exception Waiver*	N/A	N/A	Subject to recovery of all actual third party costs.
Site Alteration Normal Farm Practices Waiver*	N/A	N/A	Subject to recovery of all actual third party costs. May be required to provide a Security Deposit at the discretion of the Designated Official.
Site Alteration Permit Application Fee – Minor*	Administrative Fee	\$1,000	Non-refundable and due at the application submission for the coordination and administration of an application. Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Minor**	Security Deposit	\$3,000	Due prior to permit issuance.
Site Alteration Permit Application – Standard*	Administrative Fee	\$2,000	Non-refundable and due at the application submission for the coordination and administration of an application. Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Standard**	Security Deposit	\$5,000	Due prior to permit issuance.
Site Alteration Permit Application – Large*	Administrative Fee	\$3,500	Non-refundable and due at the application submission for the coordination and administration of an application. Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Large**	Security Deposit	\$10,000	Due prior to permit issuance.
Site Alteration Permit Application – Major*	Administrative Fee	\$5,000	Non-refundable and due at the application submission for the coordination and administration of an application. Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Major**	Security Deposit	To be Determined by the Designated Official	Due prior to permit issuance.
Site Alteration Permit Service Fee	Per cubic metre	\$0.24 per cubic metre	Applicable for Minor, Standard, Large, and Major applications.
Violation Fees***	N/A	N/A	Double all application fees.
Inspector Attendance at a property as a result of a verified violation	Per site attendance	\$150	Per site attendance by the Inspector as a result of a verified violation
Permit Renewal Fee	N/A	N/A	50% of the original application fees.

*The Applicant is responsible for actual third party costs incurred by the Township for processing the application.

** Security Deposit funds are held by the Township and will be returned to the applicant upon fulfilment of all Permit Conditions. Securities may be drawn upon at the direction of the Designated Official, where necessary, to ensure compliance with the conditions of the permit. This includes any costs incurred by the Township related to enforcement of the permit conditions or the Site Alteration By-law. If the funds are drawn upon, the applicant is required to top of the funds to the amount determined in Schedule "B" or as determined by the Designated Official.

*** The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.

DRAFT

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW 2023-058

A by-law to regulate Road Activity.

WHEREAS Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, (“the Act”) provides the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to ensure them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS Section 9 of the Act, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS Section 11(3) 1 of the Act, provides that a municipality may pass by-laws within the following sphere of jurisdiction: Highways, including parking and traffic on Highways;

AND WHEREAS Section 23.2 (1)(c) and 23.2(5)1 of the Act authorizes a municipality to delegate its powers and duties to an individual who is an officer, employee or agent of the municipality to close a Highway temporarily;

AND WHEREAS Section 127 of the Act provides that a municipality may require the owner or occupant of land to clean and clear the land, clear refuse or debris from the land, prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land and to define “refuse”;

AND WHEREAS Section 128 of the Act provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Section 444 of the Act, provides that a municipality may make an order to require a person to discontinue contravening a by-law and to do the work required to correct the contravention;

AND WHEREAS Section 446 of the Act, provides that a municipality may proceed to do things at a person’s expense which that person is otherwise required to do under a by-law, but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

WHEREAS Section 425 of the Act, permits a municipality to pass by-laws providing that any person who contravenes any by-law the municipality passed under the Act, is guilty of an offence; and

WHEREAS Section 426 (4) of the Act deems that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the Act is guilty of an offence;

NOW THEREFORE, the Council of the Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

PART 1 – TITLE, INTERPRETATION AND SEVERABILITY

1. This By-law may be referred to as the “**Road Activity By-law**”.
2. Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in Part 2 of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
3. Wherever a word defined in Part 2 of this By-law is used in the form of a noun, verb, adverb, or adjective, it shall be interpreted as having a corresponding defined meaning even if it is in ordinary case.
4. All words importing the singular shall include the plural, and words imparting the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law requires otherwise.
5. Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
6. This By-law applies to all Properties and Highways within the Township.
7. If a court of competent jurisdiction declares any provision or part of a provision of this By-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

PART 2 – DEFINITIONS

8. For the purpose of this By-law:

“Applicable Law” means all federal, provincial and municipal by-laws, rules, regulations, orders, approvals, permits, standards and all other governmental requirements applicable to any activity on or occupancy of a Highway;

“Applicant” means the Owner of a Property and includes a Person authorized in writing to act on behalf of the Owner of a Property to apply for a Permit;

"Application" means a written submission to request or amend a Haul Route Permit, in a form prescribed by the Township;

"Boulevard" means that portion of every road allowance which is not used as a Sidewalk, driveway, traveled roadway or shoulder including any area where grass is growing or is seeded, or where an earth surface exists;

"By-law" means this by-law;

"Condition(s)" means the mandatory performance requirements outlined in a Permit or Order and may include the requirement for monetary deposits or Security(s) in connection with the Application;

"Director of Public Works" means the Director of the Township of Puslinch Public Works Department, or authorized representative;

"Fill" means any type of material that can be removed from (cut) or placed on (in-fill) land and may include, but is not limited to Soil, Excess Soil., Liquid Soil, Rock, Sod, Compost, Aggregate and Topsoil.

"Haul Route" means a route designated or approved by the Township for the purposes of ingress or egress to a Site Alteration as a condition of the Permit;

"Haul Route Permit" means a permit issued by the Township pursuant to the provisions of this By-law.

"Highway" " means a common and public highway and includes a street, bridge or other structure forming part of a highway over or across which a highway passes and includes the whole of a road allowance under the jurisdiction of the Township;

"Occupant" means the lessee, tenant, mortgagee in possession or any other Person who appears to have care and control of the Property;

"Officer" means a Person designated by the Township to enforce this By-law;

"Owner" means the registered Owner(s) of the Property;

"Performance Security" means a financial guarantee or assurance provided by an Applicant and/or Permit Holder to the Township.

"Person" includes individuals, firms, sole proprietorships, partnerships, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law;

"Property" means lands including all buildings and structures on the land;

“Roadway” means that part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder or where a Highway includes two or more separate roadways, the term “Roadway” refers to any one roadway separately and not to all of the roadway collectively;

“Refuse” means waste, garbage, litter, rubbish, debris, material, refuse, and any other discarded or abandoned commodities of any kind whatsoever;

“Sidewalk” means that part of a Highway set aside by the Township for the use of pedestrians;

“Site Alteration” means any alteration to the existing grade of land through the removal (cut), placement (filling) or movement (relocation) of Fill;

“Snow Plow Driveway Marker” means a temporary, non-illuminated indicator or guide inserted with a vertical orientation into the ground on private Property or Township right of way that serves to mark the edge of a driveway for a licenced snow plow contractor;

“Township” means the Corporation of the Township of Puslinch or lands within the geographic limits of the Corporation of the Township of Puslinch, as the context requires;

“Vehicle” means a motor vehicle, trailer, traction engine, farm tractor, road building equipment, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or street car.

PART 3 – PROHIBITIONS

9. Any Person that is subject to this By-law is guilty of an offence, if that person
- a. Permits oils, chemicals or substances to be deposited or spilled on a Highway including such substances deposited as a result of car maintenance activities, car rust prevention measures and the spillage of rust protecting substances and the general spillage of substances from vehicles;
 - b. Throws, pushes, plows, dumps or otherwise deposits snow or ice on a Highway;
 - c. Deposits, drops, scatters, stores, spills or throws any Refuse, filth, earth, ashes, manure, leaves, or garbage except as permitted in any Township by-law and except as allowed in the most current County of Wellington Waste By-law, or any amendment or re-enactment thereof, paper, hand bill, advertisement, or any vegetable matter, stone, lime, sand, tin, wood, the carcass of any dead animal, fish or fowl, in or upon a Highway;
 - d. Encumbers or damages a Highway by animals, Vehicles or other means;

- e. Permits or allows any Refuse, paper, hand bill, advertisement or any container, whether made of plastic, cardboard or paper, to be blown from private Property onto a Highway;
- f. Obstructs a drain, gutter or water course along or upon a Highway;
- g. Walks upon, rides, drives, or loads an animal, or moves, drives, runs or propels a vehicle upon, over or across a newly constructed Sidewalk or pavement before it has been opened for use by the public;
- h. Throws, piles, stores or causes any Refuse, material to be thrown or piled upon a Highway, except for the purpose of having it immediately delivered upon adjacent premises, nor shall any Person saw or split any cordwood or firewood upon a Highway or being the Owner of cordwood, firewood or topsoil shall be deposited on any Highway, or permit it to remain thereon for a longer time than is necessary for its immediate removal to the premises adjacent thereto;
- i. Places or exposes, or causes any merchandise or articles of any kind, to be placed or exposed upon a Highway or outside of a building so that the same shall project over any part of the Highway;
- j. Moves, or cause to be moved, a Vehicle equipped with cleats, flanges, or tracks on its wheels, or rollers, or any of them, on or along the traveled portion of the Highway, except by means of a float, trailer, or other similar device, providing that a Vehicle is so equipped including a Vehicle for the digging and backfilling of trenched, may be moved directly across the traveled portion of the Highway, if a preventative mat has first been laid on the surface of the portion of the Highway to be crossed, provided however that this paragraph shall not be applied when a Vehicle is operating with the written permission of the Director of Public Works;
- k. Removes a barricade or notice or enters upon or uses a Highway temporarily closed under the provisions of this or any Township by-law;
- l. Removes or moves a barricade, sign or light placed around any construction on a Highway;
- m. Allows any part of a tree, shrub, sapling, hedge or any other plant to extend over or upon any Highway, so as to interfere, with, impede or endanger Persons using the Highway.
- n. Breaks, digs up, destroys or damages the sod or grass of a boulevard, or a fence, or railing erected and maintained for the protection of the boulevard;

- o. Erects a fence, constructs a wall or plants a hedge, in, over, or upon a Highway.
- p. Pulls down, destroys, or in any way interferes with, any municipal structure, including but not limited to, any post, surveyor's mark, bench mark, traffic sign, Highway name sign, sign board, regulatory sign, traffic signal, traffic cone, or any other traffic control device, affixed, or placed upon a Highway;
- q. Permits any flood light to directly or indirectly illuminate a Highway without the written approval of the Director of Public Works;
- r. Hauls earth, sand, stone, or other substances on a Highway, loads their Vehicle or drives the same as to permit or cause the contents thereof to fall, spill or be deposited on a Highway;
- s. Brings a Vehicle or permits it to be brought upon a Highway with mud, clay, lime and similar material, or any fertilizer or manure attached to the wheels, which is likely if not removed, to cause an obstruction or dangerous condition or nuisance on a Highway or cause damage to the surface of the Highway;
- t. While hauling earth, sand, stone, or other substance, loads or drives their Vehicle so as to permit damage to a Highway;
- u. Fails to obtain a Haul Route Permit;
- v. While undertaking Highway activity associated with a Haul Route Permit, performs work outside of hours of 8:30am to 5:00pm Monday-Friday, or performs work on a weekend or statutory holiday;
- w. Fails to maintain an approved Haul Route in a good state of repair in accordance with the Haul Route Permit.

PART 4 – HAUL ROUTE

Permit Required

- 10. No Person shall undertake, or permit to be undertaken, the movement of Fill in connection with any activity regulated by the most current Site Alteration By-law using any Township Highway, without a Haul Route Permit.
- 11. All Highway activity associated with the approved Haul Route Permit shall comply with the Highway Traffic Act, and its regulations.

Application — Minimum Requirements

12. Every Application shall be completed and submitted on forms prescribed by the Township;
13. Every Application shall include:
 - a. A map showing the proposed Haul Route indicating any barricades or signs; and
 - b. A copy of the most current Site Alteration Application; and
 - c. The date(s) and time(s) that the Haul Route will be utilized; and
 - d. The prescribed fee as listed in the Township User Fees and Charges By-law, described in Section 14;
 - e. A Security Deposit described in Section 15;
 - f. Proof of Insurance described in Section 16;
 - g. Any other information or documentation that the Township deems necessary;

Fees

14. The Applicant shall:
 - a. Pay a Permit Application Fee in accordance with Schedule "B" to this By-law; and
 - b. Where road activities occur in the absence of Township approval, violation fees shall be charged amounting in double all application fees.

Security Deposit

15. The Applicant shall provide the Township with securities in the amount to be determined by the Director of Public Works, in the form of cash or an irrevocable Letter of Credit on terms satisfactory to the Township ('Performance Security'). If the Performance Security is less than the amount determined by the Director of Public Works, at any point in time during the Haul Route Permit period, the Permit Holder shall be required to replenish forthwith.

Proof of Insurance and Indemnification

16. The Applicant shall maintain liability insurance in the minimum amount of \$5,000,000, naming the Township as an additional insured. Such policy shall include a cross-liability provision and 30 days' written notice to the Township prior to cancellation.
17. The Applicant shall indemnify the Township against any claims/action arising out the Highway activity (collisions, vehicle damage or accidents as a result of uncleared debris, lack of maintenance/repair, etc.)

Conditions of Haul Route Permit

18. In addition to any other Conditions that the Director of Public Works may deem appropriate, all Highway activity associated with the Haul Rout Permit shall be subject to the following conditions:

- a. The Permit Holder shall comply with all Applicable Laws.
- b. Highway activity associated with a Haul Route Permit shall only occur during the hours of 8:30am to 5:00pm Monday-Friday excluding weekends and statutory holidays.
- c. The approved Haul Route shall at all times be maintained by the Permit Holder in a dust/silt/mud/rock free condition, to the satisfaction of the Director of Public Works.
- d. The Permit Holder shall ensure that a street-sweeper or equivalent is utilized on a daily basis to clean the Haul Route of any tracked debris and shall regularly monitor for any larger foreign objects.
- e. The Permit Holder shall be required to maintain the Haul Route in a good state of repair, free from ruts/potholes, etc., to the satisfaction of the Director of Public Works,
- f. The Permit Holder shall be responsible for the cost associated to undertake such repairs/maintenance as the Director of Public Works may direct, within such time frame as the Township may specify, acting reasonably.
- g. The Applicant shall provide the Township with a 24/7 accessible phone number where Township staff can directly reach the Applicant to address any Highway activity concerns.

PART 5 – EXEMPTIONS

19. The Director of Public Works may grant an exemption to any Person from any provision of this By-law and impose conditions for such exemption as may be considered reasonable and necessary provided such exemption does not interfere with the general integrity of this By-law.
20. The provisions of subsection 19 shall not apply to an employee or an agent of the Township who is engaged in moving snow or ice. An exemption is not required by a Person undertaking any works on behalf of the Township or for closures ordered by the Director of Public Works.
21. The provisions of subsection 19 shall not apply to any Person putting sand or salt on the icy portions of a Highway to reduce the danger of pedestrians falling or to enable a Vehicle to use a Roadway.
22. The provisions of subsection 19 shall not apply to the placement of a snow plow driveway marker.

PART 6 – ADMINISTRATION AND AUTHORITY

23. The cleaning and repair of all Highways shall be performed under the direction of the Director of Public Works.
24. The Director of Public Works may temporarily close to traffic any Highway by reason of any work or improvement being carried out thereon or by reason of the condition thereof and the Director of Public Works may cause to be erected or kept thereon, any barricade or notice warning the public that the Highway is closed to traffic and no Person shall enter upon or use a Highway so temporarily closed.
25. The Director of Public Works shall be responsible for the administration of PART 4 – Haul Route.
26. The Director of Public Works is authorized and has delegated authority to receive, consider and approve any Application for a Haul Route, including any Conditions, and exempt/waive, issue, extend, renew, amend, a Haul Route Permit.
27. The Director of Public Works is authorized and has delegated authority to revoke a Haul Route Permit at any time without prior notice to the Permit Holder if:
 - a. It was issued in error or as a result of false, mistaken, incorrect or misleading information in the Application;
 - b. There are reasonable grounds to believe that the continuation of the Highway activity poses an unacceptable risk to the health and safety of any Person or damage to property; or
 - c. The Permit Holder is not in compliance with any Haul Route Permit Condition.

PART 7 – RECOVERY OF COSTS

28. Where an Order is not complied with, the Director of Public Works will do the work or arrange for the work to be done
29. The Township may recover all costs associated with doing the work, including administrative fees, by action or it may collect them in a like manner as municipal taxes.
30. Failure to pay any invoice associated with Haul Route repair or housekeeping maintenance within 30 days, the costs may be drawn from Securities held by the Township and/or collected in a like manner as municipal taxes.

31. The Township has priority lien status in accordance with section 1(3) of the Act on the Property for the amount spent to do the work (and administrative fees).

PART 8 - ORDERS

32. If an Officer determines that a Property or Person or Permit Holder is not in compliance with any of the standards or requirements of this By-law, the Officer may issue an order requiring a Person or Permit Holder to comply with standards or requirements of this By-law and to discontinue an activity or action prohibited by this By-law.
33. Every Person who fails to comply with an order made under Section 32 is guilty of an offence.

PART 9 – SERVICE OF DOCUMENTS

34. Service of any document, including an order, under this By-law shall be given in writing by registered mail and will be deemed served on the 5th day after a copy is mailed to the Permit Holder or Person's last known address.
35. In addition, service of any document may be given in any of the following ways and is effective:
 - a. When a copy is delivered to the Permit Holder or Person to whom it is addressed;
 - b. By email to the last known email address of the Permit Holder or Person to whom service is required to be made.
36. Where service is unable to be done under subsections 35 (a) or (b), notice may be given by placing a placard containing the terms of the document or order in a conspicuous place on the Property to which the document or order relates and shall be deemed to be sufficient service on the Permit Holder or Person..

PART 10 - Enforcement and Penalty Provisions

37. The enforcement of this By-law shall be conducted by an Officer.
38. (1) Every Person who contravenes any provision of this By-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the Provincial Offences Act, R.S.O. 1990, c.P.33, as it may be amended from time to time.

(2) In addition to subsection 38(1), any Person who is charged with an offence under this by-law in accordance with Part III of the Provincial Offences Act and is found guilty of the offence, is liable, in addition to any other penalties:

- a. On a first offence, to a fine not less than \$500.00 and not more than \$50,000.00; and
 - b. On a second offence and each subsequent offence, to a fine not less than \$1000.00 and not more than \$100,000.00.
39. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.
40. Every Person who is alleged to have contravened any of the provisions of this By-law shall identify themselves to an Officer upon request, failure to do so shall be deemed to have hindered or obstructed an Officer in the execution of his or her duties.
41. Upon conviction, any penalty imposed under this By-law may be collected under the authority of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.
42. If a Person is convicted of an offence under this By-law, the court in which the conviction has been entered and any court of competent jurisdiction may, in addition to any other remedy and to any penalty imposed, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

PART 11 - SCHEDULES

43. Schedule "A" (Short Form Wording and Set Fines) attached hereto do not form part of this By-law.

PART 12 – EFFECTIVE DATE

44. This by-law shall come into effect on ENTER DATE.

READ a FIRST time this 20 day of DECEMBER, 2023

READ a SECOND time this 10 day of JANUARY, 2023

READ a THIRD time and FINALLY PASSED this 7 day of FEBRUARY, 2024.

James Seeley, Mayor

Courtenay Hoytfox, Clerk

DRAFT

**SCHEDULE "A" TO BY-LAW xx
TOWNSHIP OF PUSLINCH
PART 1 PROVINCIAL OFFENCES ACT – BY-LAW xx: ROAD ACTIVITY BY-LAW
Being a by-law to regulate Road Activity**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provisions Creating or Defining Offence	COLUMN 3 Set Fine
PROHIBITIONS			
1	Permits oils, chemicals or substances to be deposited or spilled on a Highway	9.a.	\$300.00
2	Deposits snow or ice on a Highway	9.b.	\$300.00
3	Deposits Refuse on a Highway	9.c.	\$300.00
4	Encumbers or damages a Highway	9.d.	\$500.00
5	Permits or allows refuse to be blown from private property onto a Highway	9.e.	\$300.00
6	Obstructs a drain, gutter or water course along or upon a Highway	9.f.	\$300.00
7	Walks upon, rides, drives, loads, runs or propels any animal or vehicle on a newly constructed Sidewalk or pavement before it is open for use by the public.	9.g.	\$200.00
8	Cause any Refuse material to be thrown or piled on a Highway, saw or split firewood upon a Highway, or permit it to remain longer than necessary.	9.h.	\$300.00
9	Place any merchandise or article upon a Highway or outside a building so that the same projects over any part of the Highway	9.i.	\$300.00
10	Move a Vehicle with cleats, flanges, tracks or rollers along the traveled portion of the Highway	9.j.	\$500.00
11	Remove a barricade or notice, or enter upon a Highway that is temporarily closed	9.k.	\$500.00
12	Remove a barricade, sign or light placed around any excavation on a Highway	9.l.	\$500.00
13	Allow a trees, shrub, sapling, hedge or any other plant to extend	9.m.	\$300.00

	over or upon a Highway		
14	Breaks, digs up, destroy or damage the sod or grass of a boulevard, fence or railing erected to protect the boulevard	9.n.	\$300.00
15	Erect a fence or wall or plant a hedge upon a Highway	9.o.	\$300.00
16	Interfere with any municipal structure affixed or placed upon a Highway	9.p.	\$500.00
17	Permit any flood light to illuminate the Highway	9.q.	\$200.00
18	Haul earth, sand, stone, or other substance upon a Highway, load a vehicle or drive a vehicle as to permit the contents to fall or spill on the Highway	9.r.	\$500.00
19	Bring a Vehicle upon a Highway with mud, clay, lime, fertilizer, manure attached to the wheels on a Highway	9.s.	\$500.00
20	While hauling earth, sand, stone or other substance, loads or drives so as to damage a Highway	9.t.	\$500.00
21	Owner fails to obtain a Haul Route Permit	9.u.	\$700.00
22	Applicant/Permit Holder fails to maintain a Haul Route in a good state of repair	9.v.	\$700.00
23	Applicant/Permit Holder performs activity associated with a Haul Route Permit outside of the hours of 8:30am-5:00pm, Monday-Friday, or on a statutory holiday	9.w.	\$700.00
ORDERS			
24	Failure to comply with an order issued under Section 32	33.	\$700.00
ENFORCEMENT AND PENALTY PROVISIONS			
25	Hinder or obstruct, or attempt to hinder or obstruct an Officer	93.	\$900.00

NOTE:

The general penalty provision for the offences indicated above is Section 38 of By-law XX, a certified copy of which has been filed.



REPORT ADM-2023-080

TO: Mayor and Members of Council

PREPARED BY: Laura Emery, Communications and Committee Coordinator

PRESENTED BY: Laura Emery, Communications and Committee Coordinator

MEETING DATE: December 20, 2023

SUBJECT: Annual Township Communications and Engagement Report

RECOMMENDATION

That Report ADM-2023-008 entitled Annual Township Communications Report be received for information.

Purpose

The purpose of this report is to inform Council of the impacts related to the Township's approved external advertisement initiatives, social media accounts, engagement initiatives and website traffic.

Background

The Clerks Department is responsible for the coordination of the Township's communications, social media, engagement platforms and website. Staff track the Township's analytics (such as "likes", new followers, reach of our advertisements, page views etc.) on puslinch.ca, engagepuslinch.ca, Facebook and Twitter to review the impacts of communicating through various channels.

Website

The Township's website remains our primary and predominant internet presence. The top three ways visitors come to the website is through organic search (such as googling "Puslinch"), using a direct link, and through social media. From January to November of 2023, there has been a 46% increase in traffic to the website from social media platforms. Visits from social media to the Township's website primarily come from Facebook and LinkedIn. In 2023, there was a slight decrease of 3% in visits to the Township's website. This is likely because 2022 was an election year where the Township would expect to see higher website traffic.

Facebook

The Township's Facebook page has 224 likes and 339 followers. This is an 85% increase in likes and a 123% increase in followers since staff last reported to Council on the Township's social media program (December 2022). This increase is likely due to the Township purchasing advertisements on Facebook.

The reach of posts from the Township's Facebook page varies depending on if a post is organic or if it is "Boosted" into an advertisement that has a cost associated with it. Organic refers to an every-day, free of cost, social media post that the Township makes. For instance, an organic post may be a simple message advising the public of an up-coming Council Meeting. A typical organic post has 30 to 100 impressions. Impressions count the number of times a piece of content was on a user's screen.

An example of a boosted post could be highlighting the opportunity for the public to comment on Township initiatives on EngagePuslinch.ca or advertising employment opportunities with the Township. In 2023, there were ten (10) boosted Facebook posts (\$20.00 each), and each post's audience ranged from 1,417 to 3,338 views. During the periods where an advertisement was running, the Township's Facebook page saw an increase in reach as well as likes and follows to the page. For example in October, a month a Facebook boost was used, the Township's page likes grew by 7.8%. Whereas in November when a post was not boosted, the Township's page likes grew by 1.6%. As the Township's Facebook page grows, the organic reach will increase slightly as well. As the cost for advertisements on Facebook is low and targeted to a specific geographic audience, staff will continue to boost posts as appropriate. This cost is included in the annual budget and monitored by staff.

"X" (Twitter)

The Township's Corporate X page has 203 followers. This is an increase of 53% since the last time staff reported to Council (December 2022). The Puslinch Fire and Rescue Service page now has 467 followers, an increase of 27%. The Township continues to see organic growth on both of these pages. Staff are monitoring changes to the X platform as a decrease in engagement has been seen since July 2023 when Twitter rebranded to X.

EngagePuslinch

The Township ran six (6) engagement projects in 2023. Two (2) of these projects were for informational purposes and four (4) were engagement opportunities such as a survey. These projects include annual engagement opportunities such as the proposed user fees and charges

survey and a grant application program. In addition to the annual engagements, the Township ran the following engagement projects for feedback on specific initiatives:

- Roads Management Plan – Survey regarding maintaining and operating the Township’s road network; and
- 2024 Public Works, Parks and Facilities Level of Service – Survey regarding service levels as part of the budget process.

Across of all of these projects, the Township received 732 EngagePuslinch visitors and 104 responses to various projects. When comparing the 2024 and 2023 User Fees and Charges survey, the 2024 survey received 127 visits and 39 submissions compared to 2023 survey which had 110 visits and 24 submissions, an increase in 15% in visitors and 63% in responses.

Staff continue to monitor the Township’s communication platforms for opportunities to increase its engagement with the community.

Financial Implications

None

Applicable Legislation and Requirements

None

Attachments

None

Respectfully submitted,

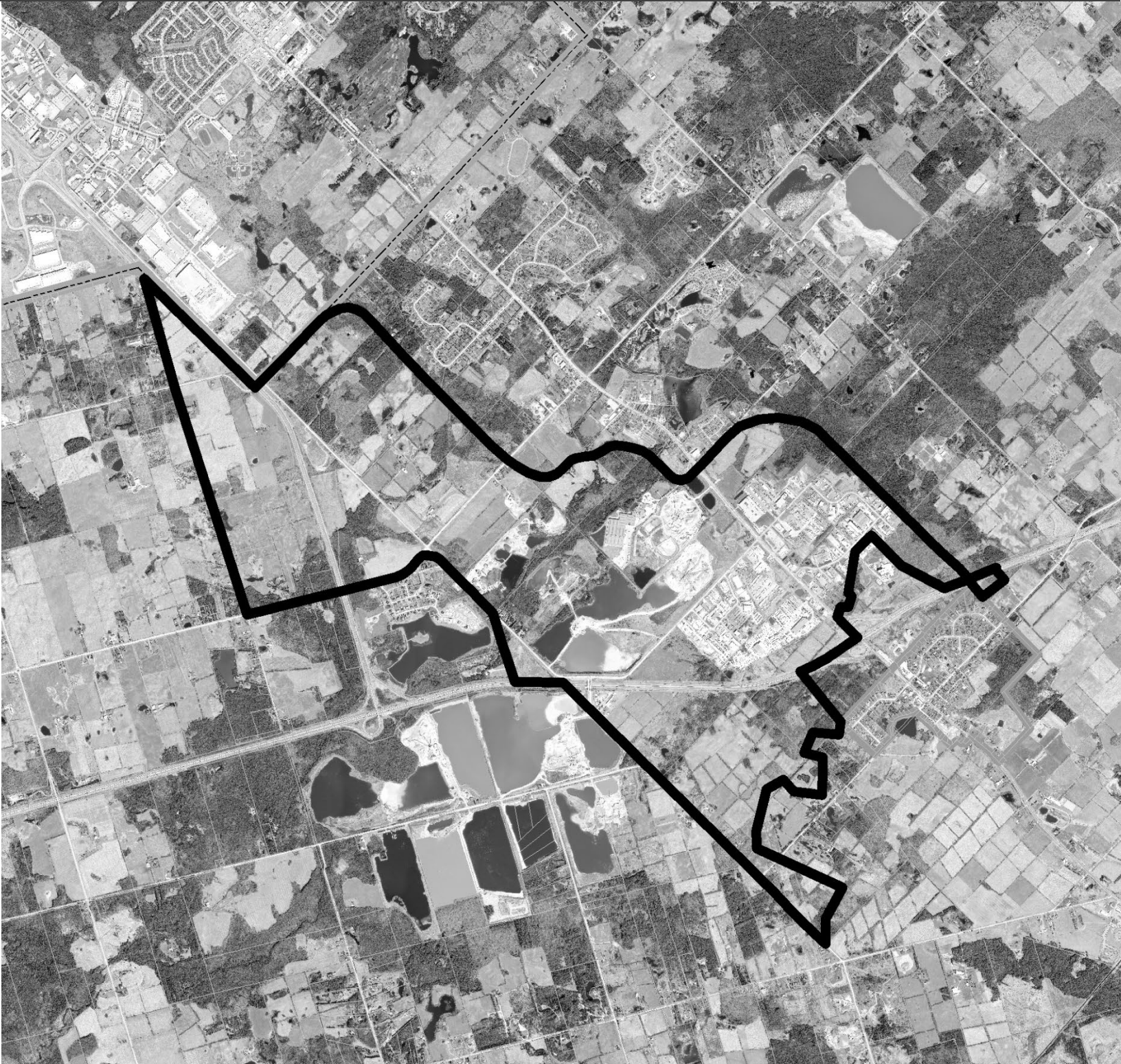
Reviewed by:

**Laura Emery,
Communications and Committee
Coordinator**

**Justine Brotherston,
Interim Municipal Clerk**

Puslinch by Design

EMPLOYMENT LAND STUDY



Scope of Work

Prepared by the County of Wellington, DRAFT December 20, 2023

Puslinch by Design

Employment Land Study

DRAFT SCOPE OF WORK

1 Background

Rural communities like Puslinch deserve the opportunity to prosper and thrive. Maintaining the right amount and type of employment lands in the right location is vital to the economic competitiveness of Puslinch and Wellington County as a whole. This cannot be accomplished with a one-size-fits-all solution or on an ad-hoc basis. The Township of Puslinch needs a plan.

The Township and County have an established track record of working together in the past by developing Puslinch Design Guidelines, the Highway 6 Streetscape Strategy (Morrison), and a Community Safety Zone Designation (Morrison). More recently, the County funded an analysis of rural employment land need by Watson & Associates Land Economists as part of the Official Plan Review. Watson’s analysis determined that Puslinch needs a minimum of 30 ha of additional industrial designated land.

Recognizing this need and the complex policy environment, the County consulted with the Province to find a way to develop a roadmap for employment growth in Puslinch. This led to the creation of a new policy in the County Official Plan for a “Regionally Significant Economic Development Study Area” in Puslinch. The boundary for the Study recognizes the strategic importance of lands near the Highway 401 and Highway 6 corridors.

The Township is ready to initiate the Study, but first needs to work with the County to prepare detailed terms of reference. The Study is required to incorporate a transportation analysis, a servicing strategy, an agricultural and environmental review. Subject to Council approvals, the County and Township both have budget set aside to share the cost of the Study. The County will also partner with the Township through formal and informal means to pool limited staff resources.

This Scope of Work document has been prepared by the County to seek feedback from Puslinch Council and staff to:

- Create a shared understanding of the project;
- Use as a basis for Township and County staff to prepare and issue the terms of reference for the Study; and
- Avoid future changes that might delay Study completion or increase Study costs.

The Study will commence in early 2024.

2 Policy Framework

A number of policies provide direction for the preparation of this planning study.

Growth Plan for the Greater Golden Horseshoe

The Province of Ontario's Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides specific direction for the identification and protection of employment lands. The Growth Plan encourages municipalities to designate and preserve lands "...located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities." However, this policy applies to lands within settlement areas. Different policy approaches will need to be considered to support needed rural employment growth in Puslinch.

Provincial Policy/Planning Statement

The Province has released a draft Provincial Planning Statement (to replace the Provincial Policy Statement) which does not carry forward many of the more restrictive policies from Growth Plan. The Study will need to consider the current/new policy framework.

County of Wellington Official Plan

The County of Wellington Official Plan serves as the local plan for the Township of Puslinch and applies to the Study. The Official Plan also includes a "Local Planning Policy" section for individual municipalities to develop policies that reflect local differences or preferences, where appropriate. The following local policies, in particular, will need to be reviewed as part of the Study:

- Wellington Road 46/Brock Road (9.8.1)
- Puslinch Industrial Policy (9.8.3)
- Regionally Significant Economic Development Study Area (9.8.4)
- Puslinch Economic Development Area (9.8.6, PA7-1)

The Study should make recommendations about any necessary changes to existing policies and/or creation of new policies.

3 County of Wellington Official Plan Review

The County has been completing a municipal comprehensive review (MCR) as required by the Growth Plan as part of the Official Plan Review. The Phase 2 MCR Report identified the shortfall of Rural Employment Area lands in Puslinch. This Study is being undertaken as part of Rural Phase 3B of the MCR.

4 Puslinch Design Guidelines

Puslinch Design Guidelines published in 2010 apply to commercial, industrial and institutional development and redevelopment proposals throughout the Township to:

- Develop an enhanced streetscape along Brock Road (Wellington Road 46), Highway 6 N (Hanlon Expressway) and Highway 6 S (Morrison);
- Improve the quality of site and building design; and
- Protect what makes Puslinch unique.

The Design Guidelines are meant to be a living document which can be revised at Council's discretion to respond to changing needs. The Study should recommend changes to the design guidelines such as any additional geographic priority areas and new/enhanced approaches.

5 Study Name

Early feedback on the current study name (Regionally Significant Economic Development Study Area) is that it is complicated, too long and difficult to understand. We are suggesting that it be renamed to "Puslinch by Design: Employment Lands Study" to represent the following:

- **Puslinch by Design:** the study will result in a made-in-Puslinch plan, based on local feedback and will address design elements (e.g. rural character, compatibility, buffering, transitions, sustainability, built-form).
- **Employment Lands Study (ELS):** the study will focus on identifying new employment lands such as light industrial, manufacturing and warehousing uses that do not produce noxious emissions and that do not require outside storage ("prestige" type of industrial land) and those which need outside storage and possibly produce noise, odour or other emissions that are not compatible with other uses ("general" type of industrial land). Only "dry" industrial uses are permitted by the Official Plan and Zoning By-law.

The Township may also wish to choose another name.

6 Refined Study Boundary

The Official Plan policy which establishes the Study allows for minor refinements to be made to the limits of the Study Area before it begins and without amendment to the Official Plan. Such refinements are shown as Figure 1.

There are two areas which have been added:

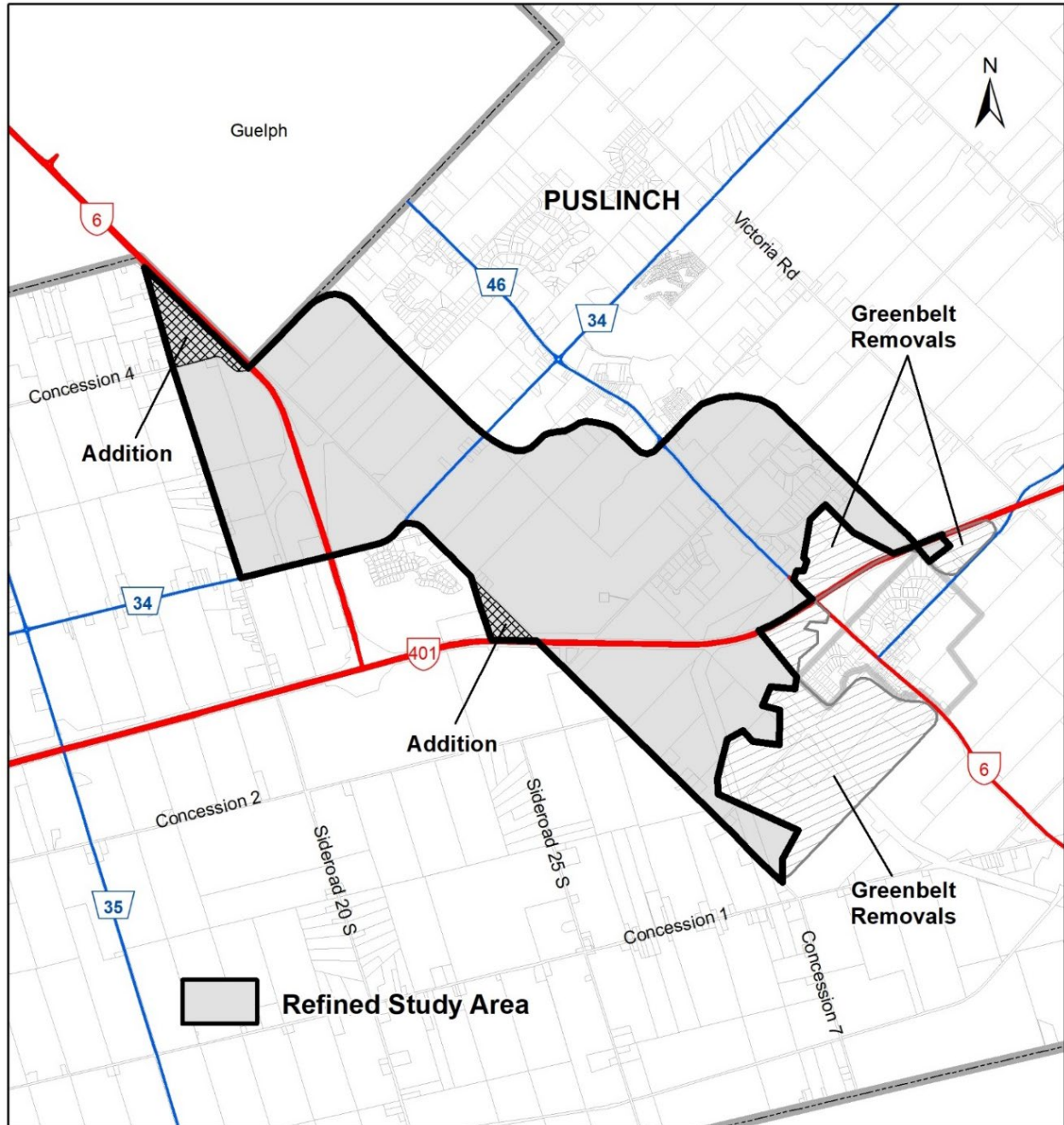
- Northeast corner of Concession 4 and Sideroad 20 N (Estill), and

- North side of Hwy 401, east side of Sideroad 25 and west side of Concession 7 (Farhi)

Removals at the southern limit generally follow the Greenbelt Plan boundary, which is consistent with Provincial modifications to OPA 119 and recent legislation.

Other minor boundary adjustments may be considered by Council prior to finalization of this document.

Figure 1 Refined Study Area



7 Purpose of Study

The purpose of this Study is to develop:

1. land use options for a minimum of 30 ha of new employment growth within the Study Area (mainly industrial, but some associated/ancillary commercial uses);
2. a preferred land use concept; and
3. a local development framework including Official Plan land use designations, policies and design guidance for the employment lands.

8 Goals

Three key goals have been developed to guide the preparation of the Study.

A Made-in-Puslinch Approach

The Study should address the Township's need for a diverse employment area. Existing industrial uses, in-effect zoning/land use designations and in-progress development applications should factor into this review. Appropriate locations within the Study Area should be identified to accommodate a variety of industrial development (both prestige and general industrial types), with a range of parcel sizes and suitable road access.

Leverage Improvements to Highways 6 and 401

The Ministry of Transportation continues to make progress with improvements to Highways 6 and 401. The new Hanlon Expressway interchange and connecting roads have the potential to improve the viability of designated rural employment lands and unlock potential locations for new lands. The Township has been meeting with Ministry staff to confirm access to adjoining and nearby lands. Written confirmation of the Ministry's position will be shared with the project consultants so that it may be incorporated into their analysis.

High Quality and Sustainable Design

The appearance of employment areas should be attractive as they are the places where major investors in the Township may choose to locate. They are also a permanent addition to the landscape which should be located and designed to:

- be compatible with the surrounding area,
- help maintain the rural character of the area,
- provide enhanced buffering, screening and landscaping as needed, and
- encourage a higher level of building and site design, where appropriate.

Design of sites and buildings that also pay close attention to water, energy and land efficiency are more environmentally sustainable. The Study should deliver simple but effective approaches to meet these and other design objectives within the local context.

9 Areas of Focus for Technical Work

This Study will need to consider optimal new locations for employment growth based on applicable policies and within the context of the following:

<p>Planning and Design</p>	<ul style="list-style-type: none"> • land use compatibility • adequate separation of sensitive uses and new employment uses • appropriate mitigation measures / buffers (including specific design elements and other measures) • protection of cultural heritage and mineral aggregate resources • identification of future studies to be required at development stage for new areas of employment growth
<p>Transportation</p>	<ul style="list-style-type: none"> • an assessment of current and future traffic conditions, including the need for future road improvements • implications of new locations for employment growth on transportation network and potential mitigation measures • options to eliminate the need for/or reduce costs of new transportation infrastructure
<p>Servicing</p>	<ul style="list-style-type: none"> • permissions for “dry” industrial and commercial uses (those uses which do not use significant amounts of water in their operations and which do not produce significant amounts of effluent, consistent with rural servicing levels which rely on private water and sewage systems) • other potential servicing options
<p>Agriculture</p>	<ul style="list-style-type: none"> • a review of agricultural policy, agricultural land use, agricultural investment, agricultural fragmentation and Minimum Distance Separation (MDS 1) calculations to determine level of impact and potential mitigation measures • review applicable to agricultural activities within and surrounding the Study Area
<p>Environment</p>	<ul style="list-style-type: none"> • a review of the designated Greenlands System of the Official Plan (which is a composite of many natural heritage features, flood prone areas and hazardous lands) to ensure that features and functions will be maintained or enhanced • a review to ensure that the requirements of the Grand River Source Protection Plan would be met • protection of Paris and Galt Moraine processes and features (see OP Policy 4.9.7)

10 Phasing

The Study will be undertaken in five phases as follows:

- Phase 1 Project Initiation
- Phase 2 Existing Conditions
- Phase 3 Detailed Planning Study
- Phase 4 Land Use Options
- Phase 5 Preferred Land Use Plan
- Phase 6 Recommended local development framework
(Official Plan land use designations and policies, design guidance and future development application studies)

11 Consultation

The consultants will be responsible for designing a program for consultation and community engagement which includes the following:

- Township Council
- Steering Committee (Township and County staff)
- Grand River Conservation Authority
- Provincial staff
- City of Guelph
- A strategy for engaging with community members and other stakeholders, including a minimum of two public information sessions

12 Project Timeline

This project has a target completion date of the fourth quarter of 2024.

13 Reference Documents

Several documents are available to help support the completion of the policy review and technical review:

Township

1. Municipal Development Standards (2019)
2. Puslinch Design Guidelines (2010)
3. Puslinch Zoning By-law (May 2021 consolidation)
4. Roads Management Plan (2022)

County

5. County of Wellington Official Plan (September 2023 consolidation)
6. Phase 1 MCR Report: Urban Structure and Growth Allocations Final Report (June 16, 2021 as amended January 31, 2022)
7. Phase 2 MCR Report: Land Needs Assessment (August 29, 2022)
8. Wellington County Active Transportation Plan (September 2012)
9. Wellington County Employment Land Inventory
10. Wellington County ROAD Master Action Plan (December 2021)

Province

11. Provincial Policy Statement (2020)
12. Draft Provincial Planning Statement (2023)
13. A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2020)
14. Minimum Distance Separation (MDS) Document (2016)
15. MTO Class Environmental Assessment (EA) for improvements to Highway 6 and Highway 401 in the Township of Puslinch, Wellington County, and the City of Hamilton
16. Highway 6 (Hanlon Expressway) and Highway 401 Improvements from Hamilton North limits to Guelph south limits
17. Highway 6 Midblock Interchange – Concession Road 4 Closure (November 15, 2023 MTO correspondence)

**Compliance Assessment Report
Aggregate Resources Act
(Licences and Permits)**

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the [Ministry of Natural Resources and Forestry \(MNRF\) District Office](#).
- The assessment must be conducted between April 1 and September 15 and submitted online using the [Natural Resources Information Portal](#), with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5465	2023/09/08
Licensee/Permittee Name *	
Capital Paving Inc.	
Location of Licence/Permit: Municipality (local and upper tiers)	
Concession 7, Lot 22 - Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Lourenco	George	
Telephone Number *	Email *	
519-822-4511 Extension 219	glourenco@capitalpaving.on.ca	

Address

Unit Number	Street Number *	Street Name *	PO Box
	4459	Concession 7	815
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Guelph	CA-Canada	ON-Ontario	N1H 6L8

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person _____

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

Yes If yes, you must complete **sections C and D**

No If no, you can complete **section B** only

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted?	MNRF Signature
<input type="checkbox"/> Yes <input type="checkbox"/> No	

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Site is gated with electronic security controlled access
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign on front gate
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Site is fenced with exception of southern boundary along Mill Creek as per site plan relief of compliance note
C4	Prohibit Unauthorized Entry (for permits only)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan. No additional stripping has occurred for a number of years
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan. Below water licence allows for additional below water excavation in the southwest corner of the site
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan and within height requirements
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan. No excavation face exists at present. No excavation has occurred for a number of years.
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No crushing equipment onsite. Crushing is done via mobile crushing contractors on an as needed basis
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap removed periodically
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No fuel storage within the licenced area. Fuel is stored in the industrial zoned area.
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per plan

	Item	In Compliance? *			Comments
		Yes	No	N/A	
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Internal roads watered when necessary
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Asphalt and Concrete plant located within the Industrial zoned portion of the property. Not within licenced area.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No buildings within licenced area of property.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Concrete, asphalt and imported aggregate being used to manufacture recycled road building materials

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Some progressive rehabilitation completed such as final lake to remain post extraction as well as backfilling portions of the middle of the property back to the final rehabilitated grade elevation
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per plan
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per plan
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per plan

	Item	In Compliance *			Comments
		Yes	No	N/A	
D5	Disturbed Hectareage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation:</p> <p>No specific phasing outlined on Site Plans, however, Area A defined on the operations plan is the last remaining area to be extracted from this site. At present, the area has not been stripped or excavated and remains undisturbed.</p>

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

	Item	
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year :	0.00
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) :	10.80
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year :	0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) :	7.09
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p><input type="checkbox"/> backfilling slopes/pit floor</p> <p><input type="checkbox"/> rough grading</p> <p><input type="checkbox"/> cultivating</p> <p><input type="checkbox"/> aerating/reducing compaction</p> <p><input type="checkbox"/> re-spreading topsoil/overburden</p> <p><input type="checkbox"/> seeding/tree planting</p> <p><input type="checkbox"/> other specify activity: _____</p>	<p>Comments</p> <p>No activities occurred in the previous calendar year</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p><input type="checkbox"/> agricultural (e.g. field crops, pasture)</p> <p><input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar)</p> <p><input type="checkbox"/> recreational (e.g. park, golf course, sports facility)</p> <p><input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture)</p> <p><input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes)</p>	<p>Comments</p> <p>See above. No progressive rehabilitation occurred in the previous calendar year.</p>

Item	
<input type="checkbox"/>	general rehabilitation (e.g. meeting minimum requirements) type

General Comments

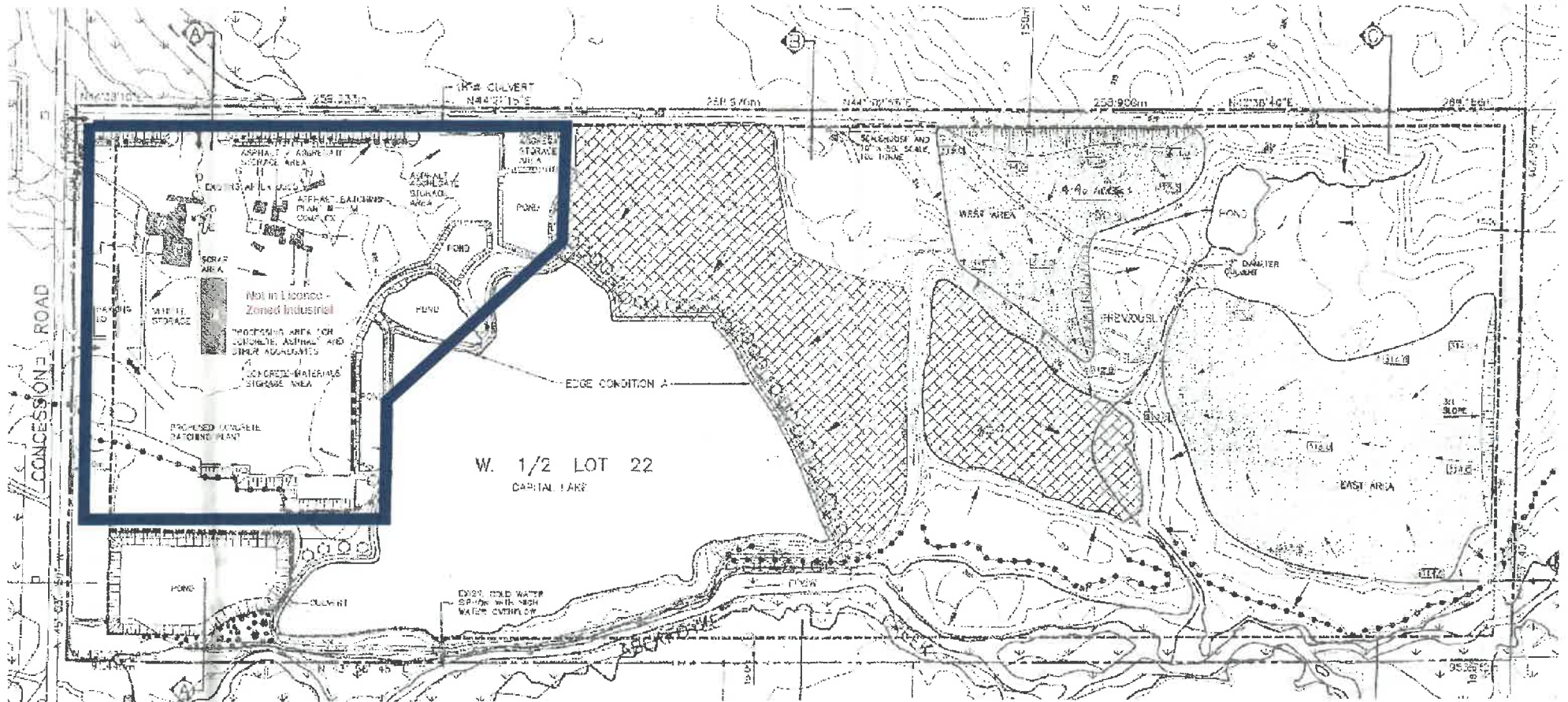
1. Permit to take water was re-newed for site (#5832-CLQPNV) for washing, dust control, asphalt plant, concrete plant and offices with water takings reported annually to the MECP. Permit issued in December 2022 for a period of 10 years.
2. No extraction from the site occurred in 2023.
3. 6.99 acres is under the Conservation Land Tax Incentive Program,
4. 15.96 acres is not in the licence and zoned industrial which includes the asphalt and concrete plants, scalehouse and head office building.
5. Site continues to remain in a similar condition as it has over a number of years.



CAPITAL PAVING INC. - PIT 1



COMPLIANCE ASSESSMENT SKETCH - 2023



■ Area zoned Industrial in 2008, Not within Licence boundary. (15.96 acres)

No changes to site as per previous years CARS reports

Not to scale

JAMES DICK CONSTRUCTION LIMITED

MAIL: P.O. Box 470, Bolton, Ontario. L7E 5T4
COURIER: 14442 Regional Road 50, Bolton, Ontario. L7E 3E2
TELEPHONE: (905) 857-3500 FAX: (905) 857-4833



September 30, 2023

Township of Puslinch Office
7404 Wellington Road 34
Puslinch, Ontario N0B 2J0

Attention: Glenn Schwendinger, Municipal Clerk

Re: Licensee's Compliance Assessment Reports

2023 – License Number 5482

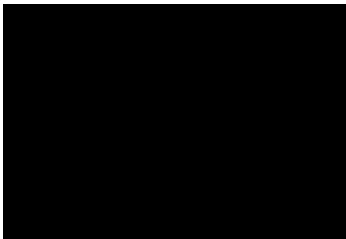
In accordance with the Aggregate Resource Act, we are obliged to file the Compliance Assessment Reports with every Township, Municipality, and the Ministry of Natural Resources.

I am therefore pleased to enclose this report for License number 5482.

Should you require any further information, please do not hesitate to call me.

Sincerely,

JAMES DICK CONSTRUCTION LIMITED



Gregory C. Sweetnam, B.Sc.
gcs/kh
Encl.

**Compliance Assessment Report
Aggregate Resources Act
(Licences and Permits)
(August 2020)**

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
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- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number * 5482	Date Assessment Conducted (yyyy/mm/dd) * 2023/08/30
Licensee/Permittee Name * Glenchristie Company Limited	
Location of Licence/Permit: Municipality (local and upper tiers) Wellington County	
Geographic Township (if applicable) Guelph-Eramosa	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name * Sweetnam	First Name * Greg	Middle Initial C
Telephone Number * 905-857-3500	Extension 250	Email * gsweetnam@jamesdick.com

Address

Unit Number	Street Number * 14442	Street Name * Regional Road 50	PO Box 470
City/Town * Bolton	Country * Canada	Province/State * ON	Postal Code/Zip Code * L7E5T4

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		entrance gates at Hwy 24
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	signed at entrance
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Fencing needs replacement along rail line and near entrance
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		quarry is not seen from outside
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripping in Phase B
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		currently extracting dolostone approximately 20 feet deep in phase A
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		in phase A near plant
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		extraction of dolostone in phase A some overburden extraction in phase 2
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		in phase A
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		water truck
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		scalehouse power combination of solar and generator
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site None

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	blast contractor monitors all blasts
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectarage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: phase A and B are active

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 1.91
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 13.91
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 20.44
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments n/a</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments n/a</p>

General Comments

Working through sand and gravel in Phase B to access limestone

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C3 - Replace fencing along rail line as indicated	Replace 114m of fencing along rail line as indicated and at entrance	2023/12/27

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person 

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

Glen Christie Quarry Lic. No. 5482



Replace fencing

62.4 Ha Stripping 2023

1.20 Ha Stripping 2023

Return fence to be replaced

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5483	2023/08/16
Licensee/Permittee Name *	
Dufferin Aggregates, a division of CRH Canada Group Inc.	
Location of Licence/Permit: Municipality (local and upper tiers)	
County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	
23,24 - Concession 7	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Fernandez	Llewellyn	O
Telephone Number *	Email *	
226-979-4569 Extension	llewellyn.fernandez@ca.crh.com	

Address

Unit Number	Street Number *	Street Name *	PO Box
FLR 4	2300	Steeles Ave West	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Concord	Canada	Ontario	L4K 5X6

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Entrance/Exit located on the north side. Access is restricted to gates, which are open during operating hours
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signage at Entrance/Exit on the north side. Includes includes company information, contact information, emergency information & license number.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Licensed boundaries are marked with wire fencing and signs
C4	Prohibit Unauthorized Entry (for permits only)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	"No Trespassing" signs are placed at the gate and wire fencing along the site perimeter
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Site is screened by tree cover along the north west side per site plans
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No stripping on site
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No topsoil stockpiles on site
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No overburden stockpiles on site
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No tree/stump removal occurred
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Max depth of extraction estimated to be 303m asi
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Product stockpiles are marked per the site plan.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Processing Equipment location can be found in the operational plan (see Note G)
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap is stored in the designated area as per the operation plan (see Note I) and removed regularly
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Fuel is stored in the designated area as per the operation plan (see Note H)
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Operation Hours: 6am to 12am Mon - Sun

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Paved road at the entrance/exit. Well maintained gravel internal roads, controlled with traffic signage
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Internal roads and entrances are treated for dust with water and periodically using calcium chloride. Entrance is swept regularly.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Aggregates processing plant located as per site plan. Redimix Concrete plant on site not in use
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Building locations are marked per site plan.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Blend Sand and unprocessed pit material

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Submitted monthly and annually as required to MNRF, MOECCP, GRCA, and Township of Puslinch
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Progressive rehabilitation ongoing as per rehabilitation plan
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	sloped pond faces are rehabilitated as per the rehabilitation plan. Silt pond slopes will be finalized once silt pond is filled completely
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation grades and elevations are constructed as per the rehabilitation plan

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All rehabilitated areas have been vegetated as per the rehabilitation plan
D5	Disturbed Hectarage Minimized	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All disturbed hectarage is required to conduct operations
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation:

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 33.56
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 3.39
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 5.76
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input checked="" type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input checked="" type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input checked="" type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C4 Prohibit Unauthorized Entry	Installed 10 "No Trespassing signs" across the wire fencing located near the entrance/exit	2023/06/02

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

Accepted?

Yes

No

MNRF Signature

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5497	2023/04/20
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 25 & 26, Concession 2, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Brown	Samantha	
Telephone Number *	Extension	Email *
905-294-8282		samantha@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main Street	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	Canada	Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer “no” to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates at the entrance/exit along the south boundary (Concession 2 Road) are locked or can be closed and locked.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required signs have been installed by the entrance/exit of the pit (A2 – Concession 2 Road) and on the east boundary of the adjacent pit. Signs are maintained.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Boundaries are demarcated with fences and signs, except for boundaries shared with the adjacent CBM pits to the northeast and east which are demarcated with marker posts and stakes. Repairs made in 2023 as required.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licence
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing berms with trees screens along boundaries, existing vegetation and topography screen the pit from the adjacent land uses (see notes #7 and #8).
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripped topsoil and overburden has been stored in berms and stockpiles on site and used for rehabilitation of slopes.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil is stored in the vegetated berms and stockpiles on site.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established stockpiles are vegetated.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stumps and logs may remain on site for use in future rehabilitation and final underwater rehabilitation.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The setbacks are maintained as shown on the site plans.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth allowed – 295 m asl Lowest floor elevation +/- 295 m
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Product stockpiles currently located on the pit floor generally greater than 30 metres from the boundaries (see site plan overrides on page 1 of site plans).
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Future extraction limited to mainly below the water table (see page 2, note #9 on site plans). Pit faces in the site varied from 2-6 metres in height.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are loaders and trucks(see page 2 on site plans, note #9 on site plans). Rock trucks are hauling aggregate from Lanci pit into site for processing.
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap is kept to a minimum (see page 2, note#13). Scrap removal is on an ongoing basis in 2023.
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Fuel is currently stored on the adjacent site (see page 2, note #12).
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No restrictions on the licence or site plan.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plans. Internal roads to be developed as required.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Main haul road is paved. MECP approved dust suppressant (water) is applied on internal haul road, as required (see page 2, note #15 on site plans).
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Processing and wash plant currently operating in south eastern part of the site (see page 2, note #9 and phasing diagrams).
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing house/office and adjacent scale house are shown on the site plan. Set of scales installed in the northeast part of the site as shown on approved site plans.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Aggregate, concrete, asphalt,

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pit
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Groundwater monitoring program added to amended site plans of 2004, submitted as required.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements None Required

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Permit to Take Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Approval obtained from MOE for PTTW no. 01-P-2230.
C27	Spills Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Corporate policy in place as part of EMS.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		A small area 24 m x 12 m was previously sloped and seeded at the northeast corner of the site as part of the McNally East shoreline rehabilitation completed in 2012/13. Rehabilitation work has been done along the shorelines of the larger pond. Approximately 610 metres of slopes along the west and north boundaries were rehabilitated. Silt pond rehabilitation has occurred in 2022.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	North and south shoreline faces sloped.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As shown on site plan.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The rehabilitated areas are vegetated. A variety of trees and shrubs were planted on the northern peninsula in 2003 which was re-graded to lessen the steep slopes and seeded.
D5	Disturbed Hectareage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Progressive rehabilitation occurs as areas are depleted.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Phase D - Extraction above and below the water table has proceeded into Areas 1, 3, and 4 as shown on the site plans. The majority of Area 1 remains for the plant site and stockpiling area.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) : 45.00
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 9.42

Item No.	Item
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Site plan amendment submitted to MNRF for MTO expropriated lands along Hwy. 401. MNRF NOI dated September 23, 2022 - Scrap & Boundary demarcation items complete. Other items are addressed in response to inspection reports dated Nov. 24, 2022 and site plan amendment submitted February 2023. Inquiry on status of SPA review submitted May 31, 2023.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
<p>Example: C3 Site Boundary Demarcation</p>	<p>Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary</p>	<p>2020/12/27</p>
<p>Progressive Rehabilitation</p>	<p>Complete rehabilitation along west boundary. An extension was requested from MNRF.</p>	<p>2024/09/30</p>

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

Compliance Assessment Report *Aggregate Resources Act* (Licences and Permits) (August 2020)

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the [Ministry of Natural Resources and Forestry \(MNRF\) District Office](#).
- The assessment must be conducted between April 1 and September 15 and submitted online using the [Natural Resources Information Portal](#), with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *

5514

Date Assessment Conducted (yyyy/mm/dd) *

2023/04/12

Licensee/Permittee Name *

Lafarge Canada Inc.

Location of Licence/Permit: Municipality (local and upper tiers)

Part Lots 4-9, Concession 1,2,3, 5, 6, Township of Puslinch and Guelph-Eramosa, Wellington County

Geographic Township (if applicable)

Guelph and Puslinch

UTM: (if the permit or licence is in an Unorganized Territory)

Reviewer Contact Information

Last Name *

Brown

First Name *

Samantha

Middle Initial

Telephone Number *

905-294-8282

Extension 107

Email *

samantha@harringtonmcavan.com

Address

Unit Number

102

Street Number *

41

Street Name *

Main Street

PO Box

City/Town *

Unionville

Country *

CA - Canada

Province/State *

ON-Ontario

Postal Code/Zip Code *

L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

Yes If **yes**, you must complete **sections C and D**

No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates are either closed or can be closed and locked. Main gates are located at entrance/exit along the north boundary (Highway #24).
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required sign located by the main gates at pit entrance/exit (former Highway #24). Sign is maintained.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Boundaries are fenced and signed, demarcated with painted marker posts & signs or the remains of fences. Repairs made as required in 2023.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licence.
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing berms and vegetation screen the pit from the adjacent land uses as shown on the site plans (see page 2, note #8 on plans).
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil and overburden has been stripped and stored separately in berms and stockpiles on site and are available for rehabilitation of the site.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil is stored in berms and stockpiles on site (see site plans for locations).
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established berms and stockpiles are well vegetated.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stumps and logs may remain on site for future rehabilitation and final underwater rehabilitation.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Extraction setbacks are maintained as shown on the site plans.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum allowed is 280 m asl. Lowest floor elevation is 296 m asl.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Product stockpiles are located on the pit floor greater than 30 metres from the licensed boundaries of the site (see page 2, note #9 on site plans).
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Face heights have varied from approximately 6-8 metres. No extraction of bedrock has occurred to date as permitted by the licence and site plans (refer to site plans).

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Portable plant located on the east pit floor. There are loaders, trucks, excavator, etc. operating on site (see page 2, note #9 on the site plans).
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap is collected and stored in the processing area on site. Scrap removal was ongoing in 2023 (see page 2, note #12 on site plans).
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Fuel is currently stored in above ground tanks in the processing area on site (see page 3, note #11).
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No restrictions on licence or site plans.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plans. Internal roads developed as required.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Haul road into the site is paved. MECP approved dust suppressant applied on other internal haul roads, as required.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are asphalt, redi-mix and portable processing plants on site. Processing is permitted on site (see page 2, note #9 on site plans).
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		See site plans for buildings on site. The office/scale house and redi-mix plant are shown on the approved site plans.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Off-site materials have been brought into the site for rehabilitation purposes (see page 2, amended note #9). Licensee to ensure only clean inert fill is used for rehabilitation. Asphalt, concrete, construction materials imported for recycling.

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Operated currently as a pit.
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not required. Monitoring wells have been installed at various locations on the licence.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements None required.

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Permit to Take Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Washing is permitted on site (see page 2, note #9 on site plans) and will be required for washing of aggregates.
C27	Noise mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Acoustic berms were constructed along the setback areas to mitigate noise on site and visually screen the site from the surrounding lands (see page 2, note #8).
C28	Tonnage limit	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Class "A" licence - 2,000,000 tonnes annually.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Area 4 pond area is well vegetated and provides wildlife habitat. Southern part of Area 4 is actively being farmed.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sloping of pit faces have occurred in various parts of the site (see sketch). The area east of Stonehenge was sloped in 2007/08 (+/- 2.3 ha) and is vegetated.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As shown on the site plans with some minor variations on the pit floor.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitated areas are well vegetated.
D5	Disturbed Hectareage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Progressive rehabilitation occurs as areas are depleted.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Phase D - Extraction has previously proceeded north in Area 3 as shown on the site plans.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) : 79.20
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 37.30

Item No.	Item
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
<p>Example: C3 Site Boundary Demarcation</p>	<p>Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary</p>	<p>2020/12/27</p>

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

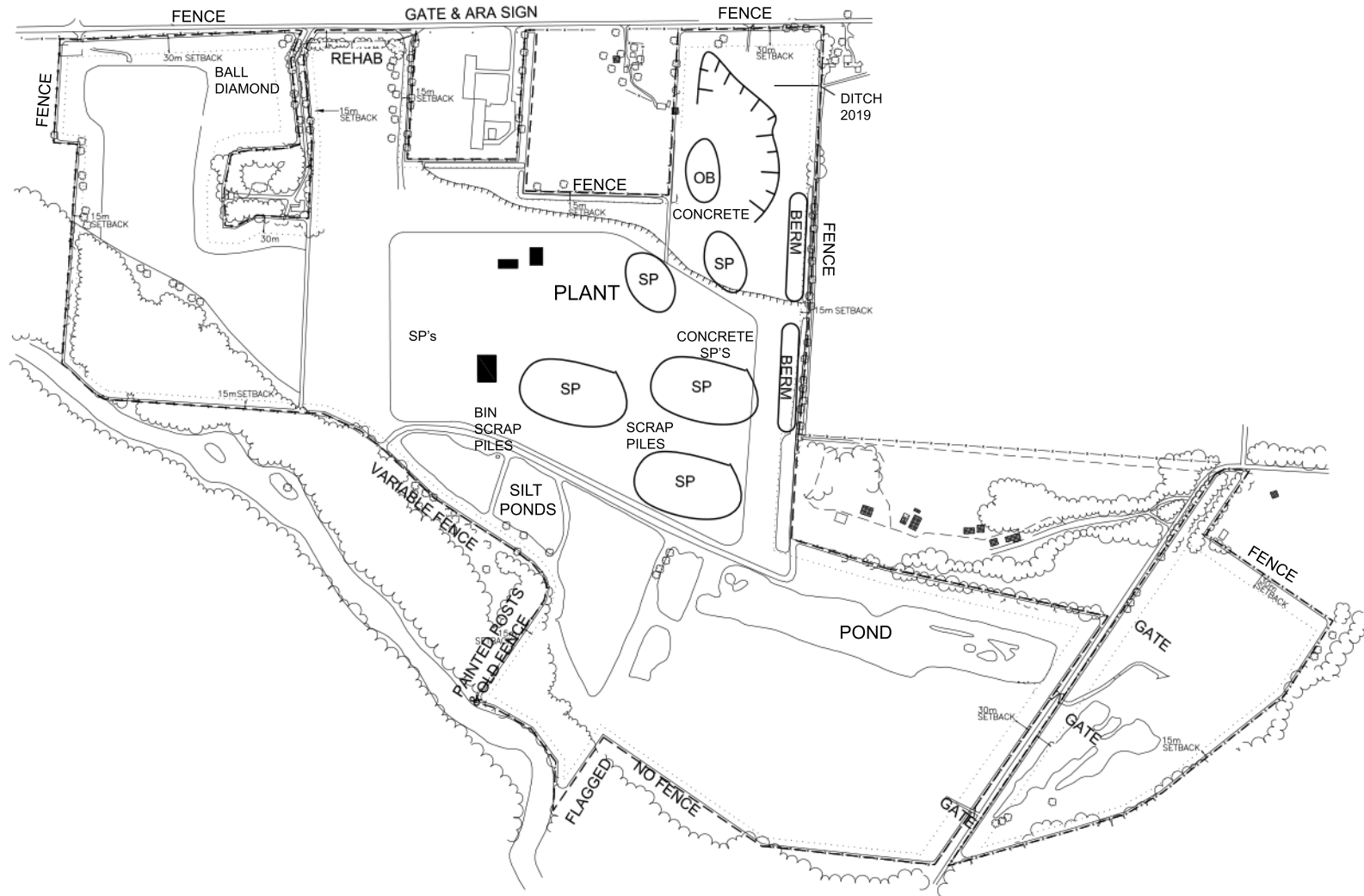
Signature of licensee/permittee or authorized person _____



Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

Lafarge Canada Inc.
Guelph Plant Licence No. 5514
Assessment Date: April 12, 2023



The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5520	2023/04/20
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part lot 24 & 25, Concession 7, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Brown	Samantha	
Telephone Number *	Email *	
905-294-8282 Extension	samantha@harringtonmcavan.com	

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main Street	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	Canada	Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer “no” to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates along the licensed boundaries are either closed or can be closed and locked.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required signs have been installed by the entrance/exits of the pit (A2 – Concession 7 and McLean Roads). Signs are maintained.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated All boundaries are demarcated with fences, signs and/or marker posts. Steel posts with signs installed along boundaries shared with adjacent Dufferin pit. The road boundaries are presently fenced. New fence installed along north east corner of south part of licence in 2020 and at main entrance in 2022. Repairs made as required in 2023.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licence
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing berms and tree screens along the road boundaries of the pit visually screen the pit from the adjacent land uses.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripped topsoil and overburden has been stored in berms and stockpiles on site and used for rehabilitation of the side slopes.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil is stored in the vegetated berms on site.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established berms and stockpiles are vegetated.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stumps and logs may remain on site for future progressive rehabilitation and final underwater rehabilitation.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The setbacks are maintained as shown on the site plans. See site plan overrides for common boundaries.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth allowed – 295 m asl Lowest floor elevation +/- 295 m
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Product stockpiles currently located on the pit floor greater than 30 metres from the boundaries, except as noted in the site plan overrides, site plan amendment Sept.22, 2017.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No above water faces currently. Extraction has occurred below the water table. Extraction below the water table is permitted up to a maximum depth of 12 m (see page 2, note #10 on site plans).
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are loaders and various trucks operating on site (see page 2, note #9 on site plans).
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap is generally located in the designated areas shown on the site plans (see page 2, note #9 on plans). Scrap is removed on an ongoing basis in 2023.
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Fuel is currently stored adjacent to building #18 (see page 2, note #15) and building #12 in approved above ground fuel tanks
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No restrictions on the licence or site plan.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plans, with slight modifications. Internal roads to be developed as required.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Parts of the main haul road are paved. MECP approved dust suppressant (water) is applied on internal haul roads, as required.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		A portable processing plant is operational at the east end of the site. The site is used as a processing and stockpiling operation.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The existing buildings in the licensed area are as shown on the site plan.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Off-site materials can be brought into the site for rehabilitation and recycling/blending purposes (see page 2, note #17). Concrete, Asphalt

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pit
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None required
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements None Required

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?	Comments
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Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
		Yes	No	N/A	
C26	Noise Mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Berms have been constructed in setback areas adjacent to the roads. The portable plant and equipment are operating on the pit floor for noise attenuation.
C27	Permit to Take Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Extraction below the water table and a wash plant are permitted on site (see page 2, notes #9 and #10). Approval obtained from MECP for PTTW no. 01-P-2231 (amended in 2007)
C28	Spills Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Corporate policy in place as part of EMS.
C29	Tonnage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Class "A" licence – no tonnage limit

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit faces surrounding many of the pond shorelines have been rehabilitated and have a variety of trees and shrubs growing on them. A variety of aquatic habitats have been developed in the ponds and shoreline areas (ie. Shallow and deep water areas) as noted on the rehabilitation plan of the site plans. Progressive rehabilitation has occurred in the majority of the three separate parcels that make up the licence. Section of west shoreline has been rehabilitated (2014).
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	About 240 m of the north face has been sloped and seeded (2012). Faces around ponds sloped and seeded. The southeast shoreline of the pond on the south side of 401 has been stabilized. Slope to the west of the Schneider's sign was rehabilitated (+/- 1.5 ha) and northern slope (+/- 0.4 ha) adjacent to Coburn pit was done in 2012/13.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As shown on the site plan. Final grading work ongoing for parcel on the west side of Concession 7 and north of the 401.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The slopes are well vegetated eg. adjacent to the Schneider's billboard. A variety of tree species such as maple, pine, ash, cedar and spruce were planted and/or are naturally regenerating on the slopes.
D5	Disturbed Hectareage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No restrictions on site plan.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Operating in Phase D, rehabilitation and below water extraction in Area 3, processing and stockpiling in Area 1.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 17.60
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 67.50
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Site plan amendment approved for MTO expropriated lands along Hwy 401.
MNRF NOI dated September 23, 2022 - Scrap removed and marker posts installed. Other items are addressed in response to inspection reports dated Nov. 24, 2022 and SPA submitted Feb. 2023. Inquiry on status of SPAs submitted May 2023.

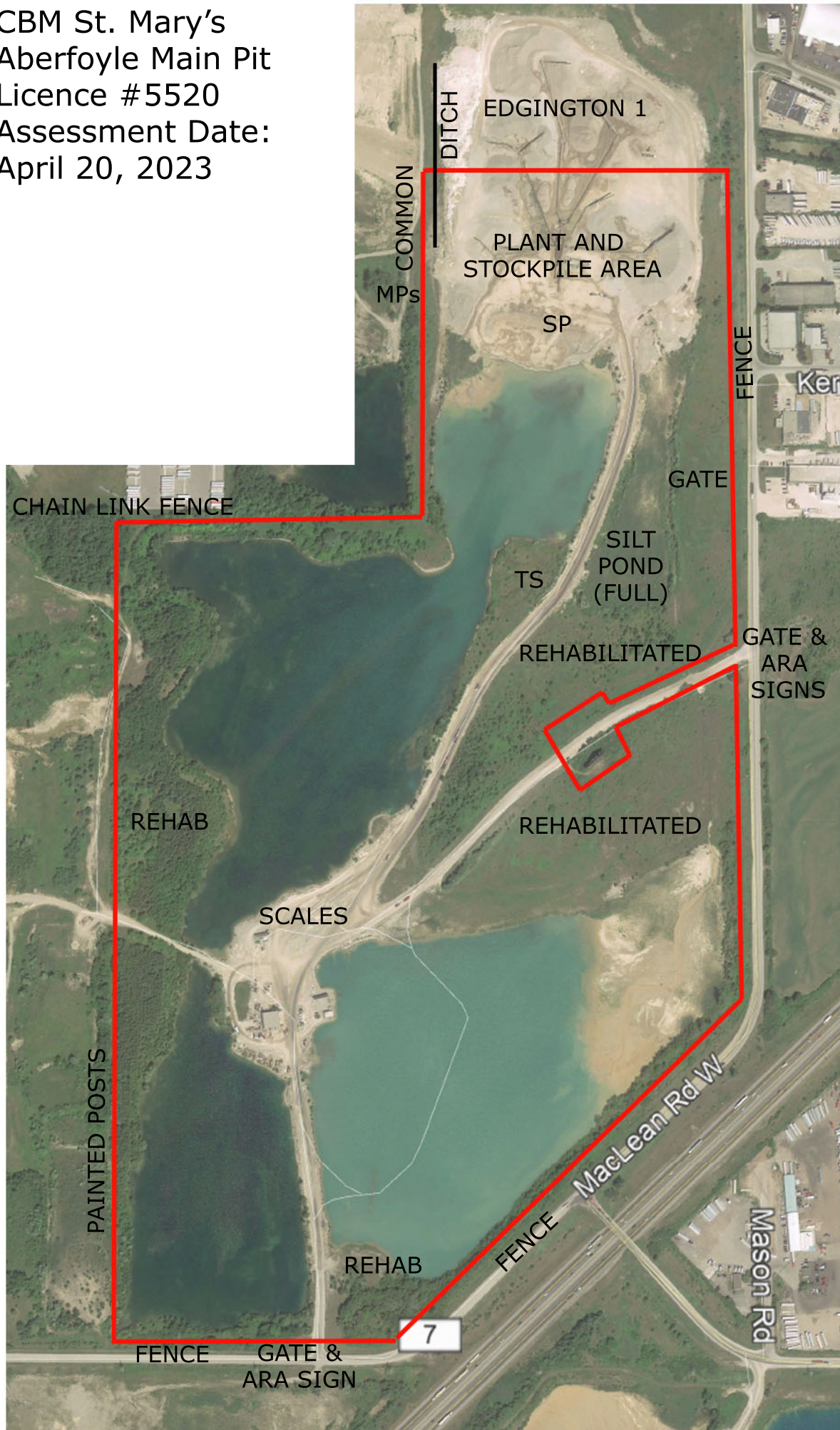
Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only	
Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

CBM St. Mary's
Aberfoyle Main Pit
Licence #5520
Assessment Date:
April 20, 2023



CBM St. Mary's
Aberfoyle Pit - South Area
Licence 5520
Assessment Date: April 20, 2023



Compliance Assessment Report *Aggregate Resources Act* (Licences and Permits) (August 2020)

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5563	2023/04/20
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 23, Concession 7, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Brown	Samantha	
Telephone Number *	Extension	Email *
905-294-8282	107	samantha@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main Street	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	Canada	Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Access is through the adjacent Aberfoyle pit operated by CBM.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required signs have been installed by the entrance/exits of the main Aberfoyle pit (A2 – McLean Road and Conc. 7) and are maintained.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Boundaries are demarcated with fences, signs and/or painted marker posts. Chain link fence along east boundary maintained by adjacent property owner.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licence
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing trees and side slopes of silt ponds screen the pit from the adjacent lands (see sketch).
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripped topsoil and overburden has been stored in berms and stockpiles or used for rehabilitation of slopes.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil is stored in the vegetated stockpiles on site (see page 2 of site plans, note #7).
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established stockpiles are vegetated.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Logs and stump may remain on site for use in underwater rehabilitation.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The setbacks are maintained as shown on the site plans.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth allowed – 295 m asl, Lowest floor elevation +/- 310 m.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stockpiles on site are kept 30m from boundaries.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit faces are 3-5m in height (see page 2 of site plans, note #9).
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Portable plant on site (see page 2 of site plans, note #9).
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap was removed from site on an ongoing basis in 2023 and moved to the designated area in the main Aberfoyle pit (see page 2, note #16). Burn pile located along east side.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No fuel currently stored on site (see page 2, note #15).
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No restrictions on licence or site plans.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plans, with some slight modification. Internal roads to be developed as required.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		MECP approved dust suppressant to be applied to the internal roads, as required.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Portable plant currently located on the site (see page 2 of site plans, note #9).
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no buildings in the licensed area as shown on the site plan.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Concrete, asphalt. Off-site materials were brought into the northern part of the site for rehabilitation purposes in 2008 (see page 2, note #17).

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pit
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None required
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements None required

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Noise Mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is a large setback for the environmental protection area between the pit and the houses on the properties at the northwest corner of the site.
C27	Tonnage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Class "A" licence – 454,000 tonnes annually
C28	Spills Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Corporate policy in place as part of EMS.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Rehabilitation around ponds is ongoing and in north end has been completed.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pit faces in the south-central part of the site have been sloped, as shown on the site plans. About 150 m of the northern pit faces were backfilled, sloped and seeded in 2003. The remaining 225 m were sloped 2006/07. Disturbed area along south boundary has been graded and seeded (2012/13), sloping around ponds is ongoing. 1.5 ha in north end graded in 2022.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As shown on the site plan.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The rehabilitated side slopes and pit floor are well vegetated. A variety of trees and shrubs were planted within the rehabilitated areas and the west setback area.
D5	Disturbed Hectarage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No restrictions on site plan.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Operating in phase 3, below and above water extraction.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 0.20
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 11.60
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 8.40

Item No.	Item
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input checked="" type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input checked="" type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

[Major amendment submitted to update rehabilitation plan.](#)

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
<p>Example: C3 Site Boundary Demarcation</p>	<p>Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary</p>	<p>2020/12/27</p>

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5609	2023/08/16
Licensee/Permittee Name *	
Dufferin Aggregates, a division of CRH Canada Group Inc.	
Location of Licence/Permit: Municipality (local and upper tiers)	
County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	
22,23 - Concession 9	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Fernandez	Llewellyn	O
Telephone Number *	Email *	
226-979-4569 Extension	llewellyn.fernandez@ca.crh.com	

Address

Unit Number	Street Number *	Street Name *	PO Box
FLR 4	2300	Steeles Ave West	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Concord	Canada	Ontario	L4K 5X6

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Entrance/Exit located on the south side. Access is restricted to gates, which are open during operating hours
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signage at Entrance/Exit on the south side. Includes company information, contact information, emergency information & license number.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Licensed boundaries are marked with wood fencing and signs
C4	Prohibit Unauthorized Entry (for permits only)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	"No Trespassing" signs are placed at the gate and wire fencing along the site perimeter
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Site is screened by trees along the North, East and South boundary
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripping is completed to expose gravel as required
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil piles are seeded and vegetated
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Overburden stockpiles are located on the south west side of the site
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No tree/stump removal occurred
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Max depth of extraction estimated to be 8-14m below the water table
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Underwater extracted material stockpiles are located along the shore of the pond
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Above water material is mined in lifts less than 7.5m
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No processing equipment on site
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap is stored in the designated area as per the operational plan (see note H) and removed regularly
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Fuel is stored in the designated area as per the operational plan (see Note G)
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Paved road at the entrance/exit. Well maintained gravel internal roads, controlled with traffic signage
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Internal roads and entrances are treated for dust with water and periodically using calcium chloride. Entrance is swept regularly.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No plants on site
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No buildings on site
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Indicate any materials that you are importing to the site

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ground water monitoring is conducted monthly as per the operational plan
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Extracted Tonnage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum Yearly Extraction Limit is 1,000,000 tonnes

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Progressive rehabilitation ongoing as per rehabilitation plan
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sloped faces rehabilitated as per the rehabilitation plan.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation grades and elevations are constructed as per the rehabilitation plans

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectarage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Progressively expanding footprints of open bodies of water as per site plans & final rehabilitation plans
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Current extraction & progressive rehabilitation is occurring in Phase 4

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 71.10
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 4.41
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 37.47
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input checked="" type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input checked="" type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C4 Prohibit Unauthorized Entry	Installed 5 "No Trespassing signs" across the wire & wood fencing located near the entrance/exit	2023/06/02

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

Accepted?

Yes

No

MNRF Signature

ROBERT GIBSON CONSULTING SERVICES INC.

15 IDLEWOOD DRIVE
KITCHENER, ONTARIO
N2A 1H9

Phone (519) 894-0273
Fax (519) 894-9526
Email gibsonr@rogers.com

September 27, 2023

Ministry of Natural Resources and Forestry
Aylmer-Guelph District Office
1 Stone Road W., 1st Floor
Guelph, Ontario
N1G 4Y2

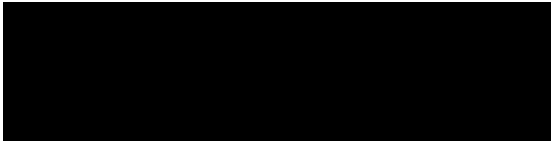
Attention: IRM Technical Specialist

SUBJECT: Annual Compliance Assessment Report for 2023
Licence # 5654 (Martini Pit)
North ½ Lot 4, Concession 4
Township of Puslinch
Licensee: TGL Ltd.

Enclosed is the Compliance Assessment Report for the gravel pit licensed to TGL Ltd. at the above noted location. Copies of the report have been filed with the Township of Puslinch and the County of Wellington as required under the Aggregate Resources Act.

If you have any questions regarding the report, please contact me at my office.

Yours truly,



Robert J. Gibson

Encl.

cc: Jamie Dunn, TGL Ltd.
Township of Puslinch
County of Wellington

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5610	2023/09/08
Licensee/Permittee Name *	
TGL LTD.	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lots 4 & 5, Concession 5, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial	
Gibson	Robert		
Telephone Number *	Email *		
519-894-8713	gibsonr@rogers.com		
Extension			
Address			
Unit Number	Street Number *	Street Name *	PO Box
	15	Idlewood Drive	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Kitchener	CA-Canada	ON-Ontario	N2A 1H9

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person _____



Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If yes, you must complete sections C and D
- No If no, you can complete section B only

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
2023/09/29	2023/10/12
Accepted?	MNRE Signature
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

	Item	In Compliance? *			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gate providing access to the pit in conjunction with the adjacent Martini pit is locked to restrict inadvertent public access.
B2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Common sign with the adjacent Martini pit. Identification #5610 is very faded and almost illegible. Need to be replaced.
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated Post and wire fencing along County Road 32 is in poor condition in several locations. Licensed boundary is well defined and site is completely rehabilitated.
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Screening is not required as site is rehabilitated with productive farm crops.
B6	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No scrap was observed on site at time of the inspection.
B7	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit faces have been sloped/leveled as required for the rehabilitation of the pit.
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Site is rehabilitated to an agricultural after use with excellent results.

General Comments

PHILIPS PIT

It is recommended that a new identification sign with both Martini pit (ID#5654) and the Philips pit ID#5610 numbers be placed on or near the gate that is located at the common entrance to both properties.

To ensure compliance, perimeter fencing and/or markers approved by MNRF, and boundary setbacks are the responsibility of the licensee and maintained by the licensee.

Compliance Assessment Report *Aggregate Resources Act* (Licences and Permits) (August 2020)

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5631	2023/04/20
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 25, Concession 7, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Brown	Samantha	
Telephone Number *	Extension	Email *
905-294-8282	107	samantha@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main Street	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	Canada	Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer “no” to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates are not required. Access is through the adjacent Aberfoyle pit also operated by CBM.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required signs have been installed by the entrance/exits of pit (A2 – McLean Road and Conc. 7) and are maintained.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated All boundaries are demarcated with 1.2 m high fence, signs or painted marker posts. Repairs made as required in 2023.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licence
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing berm along the south boundary adjacent to McLean Road (see sketch).
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripped topsoil and overburden has been stored in berms and/or stockpiles or used for rehabilitation of slopes.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil is stored in the vegetated berm on site (see page 2, note #7 on site plans).
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established stockpiles are vegetated.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stumps and logs may remain on site for future progressive and final underwater rehabilitation (see page 2, note# 16).
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The rehabilitated side slope completed along the south boundary is within the 30 m setback area. Setbacks are maintained per site plan.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth allowed – 312.5 m asl Lowest floor elevation +/- 313 m
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Site plan amendment approved Oct. 2017 to allow product stockpiles to be located within 30 m from the west boundary.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit faces in the site have been graded and/or sloped (see page 2, note #7 on site plans).
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Loaders operating on site (see page 2, note #9 on site plans).

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap removed on an ongoing basis in 2023. Scrap is moved to the designated area in the main Aberfoyle pit as shown on the site plan (see page 2, note #16).
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No fuel currently stored on site (see page 2, note #15).
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No restrictions on licence or site plans.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No conditions on licence or site plan. Currently as shown on the site plan.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No conditions on the site plan. MECP approved dust suppressant (calcium chloride or water) applied on internal haul road, as required.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No plant currently located on the site (see page 2, note #9 on site plans).
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no buildings in the licensed area as shown on the site plan.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Off-site materials can be brought into the site (see page 2, note #17). Asphalt, concrete

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pit
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None required
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements None required

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Spills Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Corporate policy in place as part of EMS.
C27	Tonnage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Class "A" licence – 1,000,000 tonnes annually
C28	Noise Mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Berm has been constructed in setback area adjacent to McLean Road.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit faces along the north, south, west boundary have been rehabilitated. Area in southeast corner of site was re-graded and seeded.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pit faces along the north, south, west boundary have been rehabilitated. Area in southeast corner of site was re-graded and seeded.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pit faces along the north, south, west boundary have been sloped per site plan.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Berm and the rehabilitated side slopes are well vegetated. Pit floor has been graded for stockpiles.
D5	Disturbed Hectareage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Progressive rehabilitation has occurred where areas depleted.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Operating in Phase 1, processing and stockpiles.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) : 5.49
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 2.30
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>

Item No.	Item
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) </p> <p> <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) </p> <p> <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

CBM St. Mary's
Edgington 1 Pit
Licence No. 5631
Assessment Date: April 20, 2023



ROBERT GIBSON CONSULTING SERVICES INC.

15 IDLEWOOD DRIVE
KITCHENER, ONTARIO
N2A 1H9

Phone (519) 894-0273
Fax (519) 894-9526
Email gibsonr@rogers.com

September 27, 2023

Ministry of Natural Resources and Forestry
Aylmer-Guelph District Office
1 Stone Road W., 1st Floor
Guelph, Ontario
N1G 4Y2

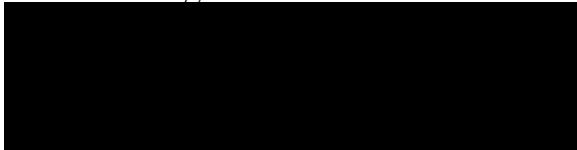
Attention: IRM Technical Specialist

SUBJECT: Annual Compliance Assessment Report for 2023
Licence # 5654 (Martini Pit)
North ½ Lot 4, Concession 4
Township of Puslinch
Licensee: TGL Ltd.

Enclosed is the Compliance Assessment Report for the gravel pit licensed to TGL Ltd. at the above noted location. Copies of the report have been filed with the Township of Puslinch and the County of Wellington as required under the Aggregate Resources Act.

If you have any questions regarding the report, please contact me at my office.

Yours truly,



Robert J. Gibson

Encl.

cc: Jamie Dunn, TGL Ltd.
Township of Puslinch
County of Wellington

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5654	2023/09/08
Licensee/Permittee Name *	
TGL LTD.	
Location of Licence/Permit: Municipality (local and upper tiers)	
N1/2 Lot 4, Concession 4, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial	
Gibson	Robert		
Telephone Number *	Extension	Email *	
519-894-8713		gibsonr@rogers.com	
Address			
Unit Number	Street Number *	Street Name *	PO Box
	15	Idlewood Drive	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Kitchener	CA-Canada	ON-Ontario	N2A 1H9

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person



Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If yes, you must complete sections C and D
- No If no, you can complete section B only

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
2023/09/29	2023/10/12
Accepted?	MNRF Signature
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

	Item	In Compliance? *			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Public access to the pit in conjunction with the adjacent Philips pit is restricted by a locked gate.
B2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Identification sign is erected but is showing significant weathering damage. Licensee should consider replacement.
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated Post and wire fencing and natural hedgerows provide boundary locations.
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Majority of berms/stockpiles of soil have been removed and used for rehabilitation purposes, Screening of the pit is unnecessary as pit is mainly depleted and in a rehabilitated condition.
B6	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No scrap was observed at the time of inspection. Old scales and derelict scale house remain on site.
B7	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No excavation faces are on site as the pit faces have been removed as part of rehabilitation.
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Majority of site is rehabilitated to a very good agricultural use which is actively cropped.

General Comments

MARTINI PIT

No aggregate related activities occurring on site as majority of site is currently in farm crop use.

To ensure compliance, perimeter fencing and/or markers approved by MNRF, and boundary setbacks are the responsibility of the licensee and maintained by the licensee.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5709	2023/09/15
Licensee/Permittee Name *	
Arkell Ridge Development Ltd.	
Location of Licence/Permit: Municipality (local and upper tiers)	
Puslinch and Wellington County	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	
43.54284N, 80.18486	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Stovel	Rob	
Telephone Number *	Extension	Email *
519-766-8042		stovel.associates@outlook.com

Address

Unit Number	Street Number *	Street Name *	PO Box
	651	Orangeville Road	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Fergus	Canada	ON	N1M 1T9

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Public access is controlled by a locked gate at shared entrance with Licence 15338.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site Identification signage was present, located at site entrance/exit at County Rd. 41
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Re-stake and repair fencing along southern boundary.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit is effectively screened from public view by the surrounding topography and woodlands.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil and overburden were stripped and placed in separate stockpiles at time of original stripping. Topsoil stockpiles are well vegetated.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		A site plan override is approved to allow for the removal of the common boundary with the licensee's adjacent pit ID#15338.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As noted on site plan: Lowest Floor Elevation (+/- 317m)
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Sloping of pit faces is ongoing.
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No special restrictions relating to on site equipment.
C15	Scrap Storage	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Scrap to be removed on a regular basis.
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Dust suppressants are used if necessary.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No asphalt/concrete plants onsite.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Weigh scales and office building are located on site.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Asphalt piles to be removed.

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water monitoring wells have been installed.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Majority of pit faces have been sloped and vegetated
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pit floor is graded to meet final rehabilitation conditions.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Side slopes are vegetated with self sustaining growth

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D5	Disturbed Hectarage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation:

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 8.50
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 3.50
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Site plan is currently being amended to update building on site and portable bin storage (subject to MNRF approval). Asphalt is not permitted to be imported to the site. Test pits on the floor that need to be back-filled.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C22 - Importation of Material	Asphalt piles to be removed.	2023/12/15
C15 - Scrap Storage	Scrap to be removed on a regular basis.	2023/12/15
C3 - Site Boundary Demarcation	Re-stake and repair fencing along southern boundary.	2023/12/15

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person _____

Ministry Office Use Only

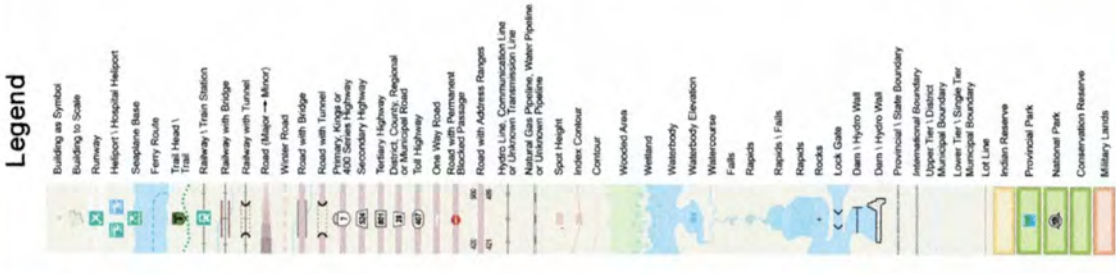
Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

Accepted?

Yes No

MNRF Signature



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Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5710	2023/09/04
Licensee/Permittee Name *	
Cox Construction Limited	
Location of Licence/Permit: Municipality (local and upper tiers)	
Puslinch and Wellington County	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	
43.47654N, 80.25053W	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Stovel	Rob	
Telephone Number *	Email *	
519-766-8042 Extension	stovel.associates@outlook.com	

Address

Unit Number	Street Number *	Street Name *	PO Box
	651	Orangeville Road	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Fergus	Canada	ON	N1M 1T9

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Front Gates were locked at time of visit. Gate was open to east side of pit on Sideroad 10.
C2	Signage for Site Identification	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sign is on Eastern side of Sideroad 10 along Laird road.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated North/West limits to be re-staked. Fence repairs needed along Forestell and Laird Roads.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Extraction permitted below water table. Lowest floor elevation +/- 318 (m)
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C15	Scrap Storage	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Scrap to be collected and removed.
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Fuel tank is located in designated area.
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Asphalt Plant is established west of Sideroad 10.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Asphalt and Concrete to be collected and stored in the designated area.

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectareage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Stage Three. Progressive rehabilitation is occurring in stage 1 in South East corner of site.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year: 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7): 75.00
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year: 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9): 50.00
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments N/A.</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments N/A</p>

General Comments

Site has been largely extracted and will be undergoing progressive rehabilitation.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C3 Site Boundary Demarcation	North/West limits to be re-staked. Fence repairs needed along Forestell and Laird Roads.	2023/12/15
C15 Scrap Storage	Scrap to be collected and removed.	2023/12/15
C22 Importation of Material	Asphalt and Concrete to be collected and stored in the designated area.	2023/12/15
C1 Entrance/Exit and Gates	Gate to be locked on east side of pit on Sideroad 10.	2023/12/15

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person _____

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

2023/09/25

Accepted?

MNRF Signature

Yes No

Puslinch Pit - 5710 (2023)



Legend

- Building as Symbol
- Building to Scale
- Roadway - Highway
- Highway - Major Highway
- Scenic Base
- Ferry Route
- Trail
- Highway - Main Highway
- Stakey with Turner
- Roadway with Turner
- Road Major - Minor
- Water Road
- Road with Bridge
- Road with Tunnel
- Primary Road or
- Secondary Highway
- Tertiary Highway
- County Highway
- County Road
- One Way Road
- Road with Turnaround
- Road with Turnaround
- Road with Address Range
- Utility - Gas, Sewer, Water, or
- Natural Gas Pipeline - Water Pipeline
- or Unknown Pipeline
- Spot Height
- Water Contour
- Contour
- Wooded Area
- Wetland
- Wetland
- Waterbody Elevation
- Waterbody
- Rapids
- Rapids
- Rapids Falls
- Rocks
- Rocks
- Lock Gate
- Dam - High Wall
- Dam - Hoop Wall
- International State Boundary
- Upper Tier - District
- Municipal Boundary
- Lower Tier - Single Tier
- Municipal Boundary
- Lot Line
- Indian Reserve
- Historical Park
- National Park
- Conservation Reserve
- Water Land

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0 0.3 km

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The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5737	2023/06/01
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 22, Concession 1, Township of Puslinch, Wellington County	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Janssen	Bernie	
Telephone Number *	Email *	
519-773-6830 Extension	bernie@harringtonmcavan.com	

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	CA-Canada	ON-Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates located at entrance/exits along the north boundary are closed.
B2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign installed and maintained at the entrance/exit along the north boundary at Concession 2 Road.
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated The north boundary is fenced. The east boundary is demarcated with section of fence (south), remains of a fence and marker posts. SW corner is demarcated with marker post.
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing trees along the north boundary of the site screen the pit from Concession 2 Road.
B6	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Containers associated with the fish hatchery located within 30 m of the pond. Refer to MNR report dated August 9, 2022.
B7	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		All faces have been rehabilitated.
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B9	Other Monitoring Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements Limnoterra monitoring reports (post extraction) were previously submitted into MNR and the Township for their review.
B10	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Rehabilitation of the pond and shorelines were previously completed.

General Comments

Site is presently inactive for extraction. Fish runs operated at the north end of the pond. A site plan amendment approval was completed in 2022 to address the fish hatchery operations within the licence and the surrendered lands and other house keeping items identified by MNRF.

B6 - Scrap identified in 2022 was cleaned up (see 2022 CAR and MNRF report).

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
C2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
C6	Stripping	<input type="checkbox"/>	<input type="checkbox"/>		
C7	Topsoil Stockpiles	<input type="checkbox"/>	<input type="checkbox"/>		
C8	Overburden Stockpiles	<input type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input type="checkbox"/>	<input type="checkbox"/>		
C11	Depth of Extraction	<input type="checkbox"/>	<input type="checkbox"/>		
C12	Aggregate Stockpiles	<input type="checkbox"/>	<input type="checkbox"/>		
C13	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
C14	Processing Equipment (e.g. crushing equipment)	<input type="checkbox"/>	<input type="checkbox"/>		
C15	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
C16	Fuel Storage	<input type="checkbox"/>	<input type="checkbox"/>		
C17	Hours of Operation	<input type="checkbox"/>	<input type="checkbox"/>		
C18	Internal Haul Routes	<input type="checkbox"/>	<input type="checkbox"/>		
C19	Dust Suppression Measures	<input type="checkbox"/>	<input type="checkbox"/>		

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C20	Asphalt/Concrete Plants or other Plants	<input type="checkbox"/>	<input type="checkbox"/>		
C21	Buildings and other structures (e.g. scalehouse)	<input type="checkbox"/>	<input type="checkbox"/>		
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		
D2	Sloping of Faces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Grades/Contours and/or Elevations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectareage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
D6	Phasing/Sequencing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation:

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year :
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) :
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year :
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) :
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only	
Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

**Compliance Assessment Report
Aggregate Resources Act
(Licences and Permits)
(August 2020)**

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
5738	2023/08/31
Licensee/Permittee Name *	
University of Guelph	
Location of Licence/Permit: Municipality (local and upper tiers)	
County of Wellington	
Geographic Township (if applicable)	
Puslinch Township	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Michalicka	Peter	
Telephone Number *	Email *	
289-971-5747 Extension	peter.michalicha@ca.crh.com	

Address

Unit Number	Street Number *	Street Name *	PO Box
	7108	Concession 2	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Puslinch	Canada	Ontario	N3C 2V4

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Access to site is through Phase 5 (south) and Phase 2 (north). Access is restricted by locked gates.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign posted at Phase 5 gate includes company information, 911 address, contact information, & license number. South entrance has signage indicating license number
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Licensed boundaries are marked with wire fencing and signs or posts with signs
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Site is well screened by vegetated berms and tree cover as per site plans
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripping of Phase 2 commenced in May 2023 and is ongoing to build the 3:1 rehab slope as per rehabilitation plan.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil piles are seeded and vegetated following shaping.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Overburden shaping and seeding ongoing in Phase 2.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No tree clearing/stump removal occurring.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks are maintained and follow requirements as defined in site plans.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Below water extraction currently occurring in Phase 6. Approximate maximum depth estimated to be 25ft. Below water extraction occurring in Phase 2. Approximate maximum depth estimated to be 30ft. Below water extraction occurring in NE corner of Phase 5. Approximate maximum depth estimated to be 20ft.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stockpiles are located in the area shown on the site plan. Specialty product(s) currently stockpiled further south near the main entrance
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No above water excavation occurred in 2023.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Processing plant is located as per the operational plan (Note 4)
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap is stored in the designated area as per the site plan and removed regularly (Note 21)
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Fuel is stored in the designated area as per the site plan (Note 22)
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Operations: 7am to 7pm Mon - Fri, 7am to noon Sat. Shipping: 6am to 7pm Mon to Fri, 7am to noon Sat
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Internal roads are well maintained and controlled with traffic signs
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Internal roads and entrances are treated for dust with water and liquid or flake calcium chloride. Entrance is swept regularly
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Only aggregate processing plant onsite - no asphalt or concrete plants.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Buildings are located as per the site plans
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site 1. Fine sand imported from other gravel pits to blend for quality reasons. 2. Raw feed imported as per production requirements.

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Submitted monthly and annually as required to MNR, MOECCP, GRCA, and Township of Puslinch
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements Noise monitoring completed biannually

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Tonnages	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum annual limit of 2,000,000 tonnes

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Progressive rehabilitation ongoing as per site plans
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pond faces are sloped and rehabilitated as per the site plan. Silt pond slopes will be finalized once silt pond is fully extracted.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation grades and elevations are constructed as per the site plans.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All fully rehabilitated areas have been vegetated as per the site plans.
D5	Disturbed Hectareage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Progressively expanding footprints of open bodies of water as per site plans & final rehab plans.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Current progressive rehabilitation is occurring in Phase 2 and Phase 6.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) : 30.19
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 4.94
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 108.64
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input checked="" type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input checked="" type="checkbox"/> re-spreading topsoil/overburden <input checked="" type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments Final rehabilitation occurring in Phase 6 and Phase 2 - rough grading, seeding/tree planting, etc.</p>

Item No.	Item
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input checked="" type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) </p> <p> <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input checked="" type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) </p> <p> <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C3 Site Boundary Demarcation	"No Trespassing" signs along property boundary posted along Concession 2	2023/05/07

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only	
Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

Compliance Assessment Report *Aggregate Resources Act* (Licences and Permits) (August 2020)

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the [Ministry of Natural Resources and Forestry \(MNRF\) District Office](#).
- The assessment must be conducted between April 1 and September 15 and submitted online using the [Natural Resources Information Portal](#), with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
10671	2023/06/01
Licensee/Permittee Name *	
(Warren Bitulithic Limited) The Warren Paving & Materials Group Limited a sub of Lafarge Canada Inc.	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 23, Concession 1, Township of Puslinch, Wellington County	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Janssen	Bernie	
Telephone Number *	Extension	Email *
519-773-6830		bernie@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	CA-Canada	ON-Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates installed and maintained at pit entrance/exit and can closed and locked.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign installed and maintained at pit entrance/exit.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Fencing maintained along the north, south and south part of the west boundaries. Marker posts demarcate the shared west and east boundaries. See general comments.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing berm and trees along the north boundary screen the pit from the surrounding lands.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripped soil has been used for rehabilitation of the side slopes in the pit.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil was stored in vegetated berms on site.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established berms are well vegetated.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks are maintained as per the approved site plans.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth of extraction allowed is +/- 301 m asl as shown on the site plans. Extraction below water table is permitted.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stockpiles have been removed from the pit.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		All faces have been sloped.
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no processing equipment on site (see page 2 of site plans, notes #3, 8, 9, 10 and 15).
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Minimal scrap stored on-site and removed on an ongoing basis (see page 2, note #12 of site plan).
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No fuel stored on-site (see page 2, note #13 of site plan).

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		6:00 am to 6:00 pm weekdays and between 7:00 am and noon on Saturdays. Complies with local by-laws.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plan.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As required. Haul road at pit entrance is paved.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no plants located in the pit.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no existing buildings in the pit.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Clean inert fill can be imported for rehabilitation purposes (see note #14 on page 2 of the site plans).

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licensed pit.
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Monitoring ongoing and reports are submitted into MNRF and MECF.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements Noise monitoring has not been required the past three years because no active extraction on-site.

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Tonnage Condition	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Annual tonnage limit of 1,200,000 tonnes.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Rehabilitation was completed along the shorelines of the pond.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All faces have been sloped.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per the site plans.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitated areas are well vegetated with a variety of grasses.
D5	Disturbed Hectarage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site is located outside of the Greenbelt Plan.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Extraction and rehabilitation have been completed.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 10.80
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 13.90
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input checked="" type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments Slopes were previously seeded and bare area re-seeded. The southern part of the east 15 m setback area has greened up since 2022.</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments Refer to approved site plans.</p>

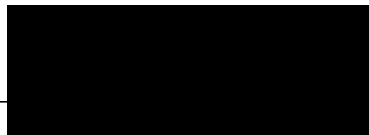
General Comments

C3 - Fencing repairs completed for sections on the perimeter damaged by fallen trees.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person _____



Ministry Office Use Only

Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

Accepted?

Yes

No

MNRF Signature

Warren Bitulithic
MACMILLAN PIT
ID 10671

Scale: 1:5300±

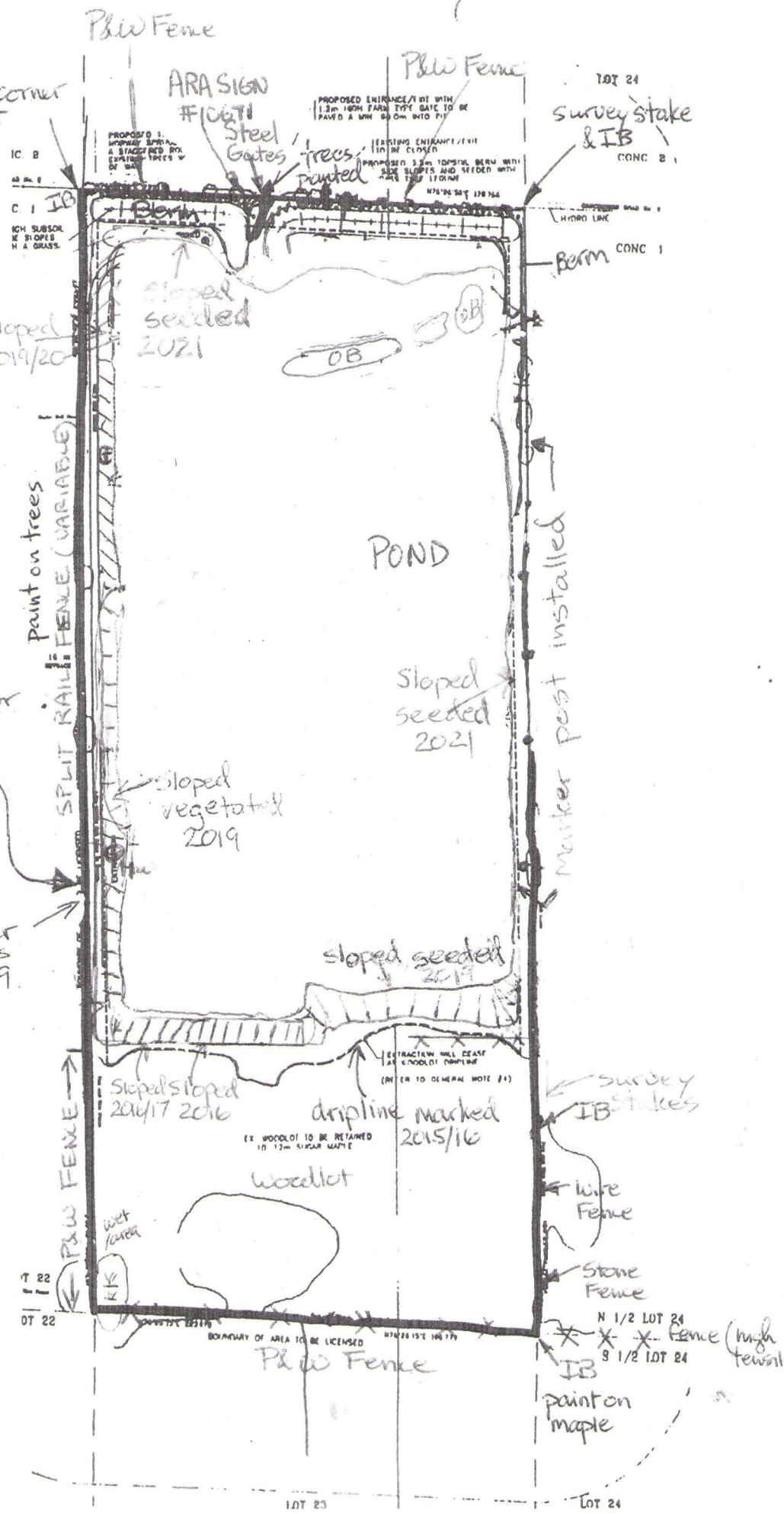
Assessment Date:

June 1/23



see site plans for
Fence variances
Setback
on this
mutual boundary

marker
posts
2019



Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
15338	2023/09/15
Licensee/Permittee Name *	
Arkell Ridge Development Ltd.	
Location of Licence/Permit: Municipality (local and upper tiers)	
Puslinch and Wellington County	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	
43.54327N, 80.17839W	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Stovel	Rob	
Telephone Number *	Extension	Email *
519-766-8042		stovel.associates@outlook.com

Address

Unit Number	Street Number *	Street Name *	PO Box
	651	Orangeville Road	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Fergus	Canada	ON	N1M 1T9

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Public access is controlled by a locked gate at shared entrance with Licence 5709.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site Identification signage was present. (located at site entrance/exit at CR 41)
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Licenced boundary along north limit to be re-staked.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit is effectively screened from public view by berming and tree screen along County Road 41 and adjacent woodlands.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Overburden and topsoil have been stripped and piled separately.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		A MNRF approved site plan override allows for the removal of the common boundary with the adjacent pit. The easterly 30m setback adjacent to CR 41 has been reduced to 15m.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Lowest floor elevation (+/- 317) complies with site plan.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		East boundary has been partially backfilled.
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No processing equipment on site at time of site visit.
C15	Scrap Storage	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Scrap to be collected and removed from the site on a regular basis.
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No special restrictions relating to the internal haul road system.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No asphalt or concrete plants on site.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No structures/buildings are located within the pit.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Concrete, aggregate, and stone may be imported for recycling purposes and re-sale.

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Monitoring Wells have been installed.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Final grading, contouring and pit floor elevations are established subject to bedrock formation in portion of the pit.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectarge Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation:

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarge – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectarge – Number of hectares disturbed in total (including amount in D7) : 5.50
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 3.00
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments N/A.</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments N/A.</p>

General Comments

N/A.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C3 Site Boundary Demarcation	Licenced boundary along north limit to be re-staked.	2023/12/15
C15 Scrap Storage	Scrap to be collected and removed from the site on a regular basis.	2023/12/15

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person _____



Ministry Office Use Only

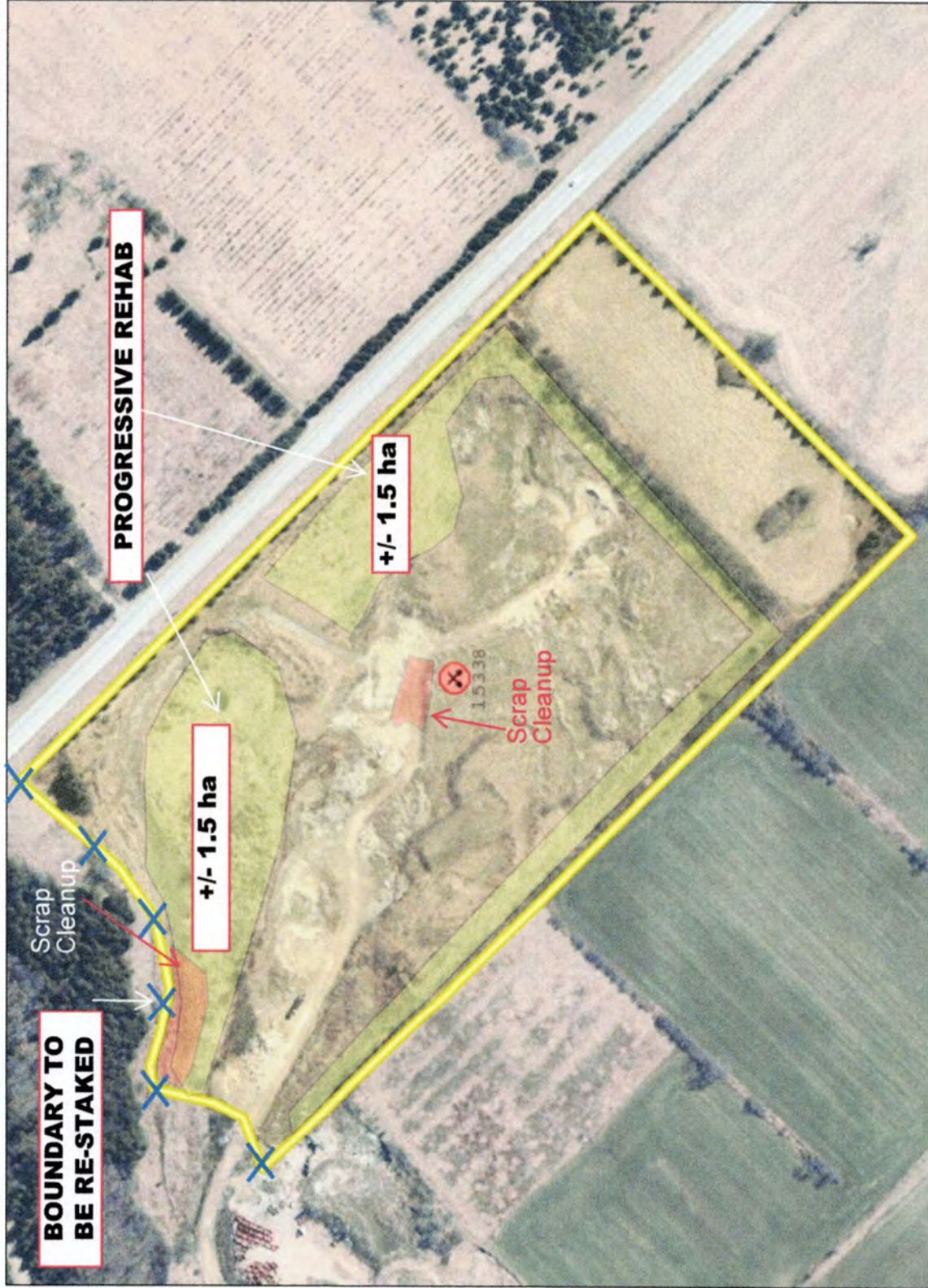
Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

Accepted?

MNRF Signature

 Yes No



Legend

Building as Symbol	Building to Scale	Runway	Helipoint 1 Hospital Helipoint
Sloped Area	Ferry Route	Trail (Head 1)	Trail
Railway 1 Train Station	Railway with Bridge	Railway with Tunnel	Water Road
Road (Major → Minor)	Road with Bridge	Road with Tunnel	Primary, Kings or 400 Series Highway
Secondary Highway	Tertiary Highway	Direct, County, Regional or Municipal Road	Toll Highway
One Way Road	Overpass	Overpass with Street	Overpass
Road with Address Ranges	Highway Line, Communication Line or Utility Line	Natural Gas Pipeline, Water Pipeline or Unknown Pipeline	Spot Height
Index Contour	Contour	Wooded Area	Wetland
Waterbody	Waterbody Elevation	Watercourse	Falls
Rapids 1 Falls	Rapids	Rapids	Rocks
Lock Gate	Dam 1 Hydro Wall	Dam 1 Hydro Wall	Provincial 1 State Boundary
International Boundary	Upper Tier 1 District	Lower Tier 1 Survey for Municipal Boundary	Lot Line
Indian Reserve	Provincial Park	National Park	Conservation Reserve
Military Lands			

0 0.1 km



Projection: Web Mercator

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The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
17600	2023/07/07
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 26, Concession 1, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Janssen	Bernie	
Telephone Number *	Extension	Email *
519-773-6830		bernie@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	CA-Canada	ON-Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates installed and maintained at main entrance/exit along Concession 2 Road and can closed and locked. See general comments.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign installed and maintained at main pit entrance/exit.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Fencing maintained along the north, south and west boundaries. Marker posts demarcate the shared east boundary. See general comments. Minor repairs completed for perimeter fencing in 2022/23.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit is screened by a combination of berms and coniferous tree screens along the perimeter.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established berms are well vegetated.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stored in vegetated berms on site.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Overburden has been used for rehabilitation of the south and southeast slopes.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks are maintained as per the approved site plans.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth of extraction allowed is +/- 299 m asl. Below water extraction is allowed in the licence.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no stockpiles in the pit.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The above water faces vary from 4 to 9 m in height (see page 2, note #11 on site plans).
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no processing equipment on-site (see page 2, note #11 on site plans).
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Minimal scrap stored in pit and removed on an ongoing basis in 2023 (see page 2, note #20 on site plans).
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no fuel stored on-site (see notes #19 on page 2 of site plans).

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No restrictions on licence or site plans.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plan. Haul road at pit entrance/exit has been paved for a distance of 40 m in 2022.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As required (see note #21 on page 2 of the site plans).
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no plants on-site.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no buildings in the pit.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Importation of clean fill is permitted into the pit (see note #17, on page 2 of site plans).

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licensed pit.
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Annual groundwater monitoring report submitted into MNRF and Township (see licence conditions #5 and #6).
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements Acoustical audit was completed for the pit in 2022 (see conditions 3 & 4 on Schedule A of licence).

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Tonnage Condition	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Annual tonnage limit of 500,000 tonnes.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input type="checkbox"/>	<input checked="" type="checkbox"/>		The southern faces have been previously rehabilitated.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sloping work completed along the northern, southern and southern part of the east boundaries. See general comments.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per site plans.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Southern slopes are vegetated. Trees that do not survive will be replanted as per the site plan notes.
D5	Disturbed Hectareage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site is outside the Greenbelt Plan.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Above and below water extraction nearing completion in Areas 1 and 2.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) : 23.50
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 10.10
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input checked="" type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p> <p>On-site overburden used to rehabilitation pond shorelines and land separating the two ponds.</p>

Item No.	Item
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input checked="" type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) </p> <p> <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input checked="" type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) </p> <p> <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments As per the site plans.</p>

General Comments

Sign maintained at main entrance/exit advising truck drivers of school buses using Concession Road 2 as required on site plans.

C1 and C3 - A housekeeping, minor site plan amendment was missed to co-ordinate with the amendment approved for the adjacent Neubauer pit. Site plan amendment request submitted into MNRF to co-ordinate with the adjacent Neubauer pit licence for site plan amendments completed in 2020 (Neubauer) and 2018 for this licence for removal of fencing requirement along the common boundary and non-gated entrance/exit along shared boundary.

D2 - West pit faces have not been rehabilitated at this time because of potential co-ordinated rehabilitation plan for the Aberfoyle area (big lake project). Refer to MNRF report of September 22, 2022. Extension requested from MNRF to complete this work by September 30, 2024.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
D1 - Progressive Rehabilitation	An extension until September 30, 2024 has been requested from MNRF to complete the sloping work along the west boundary as directed by MNRF in their September 2022 report (see sketch). MNRF has not provided a response to date.	2023/09/30

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only

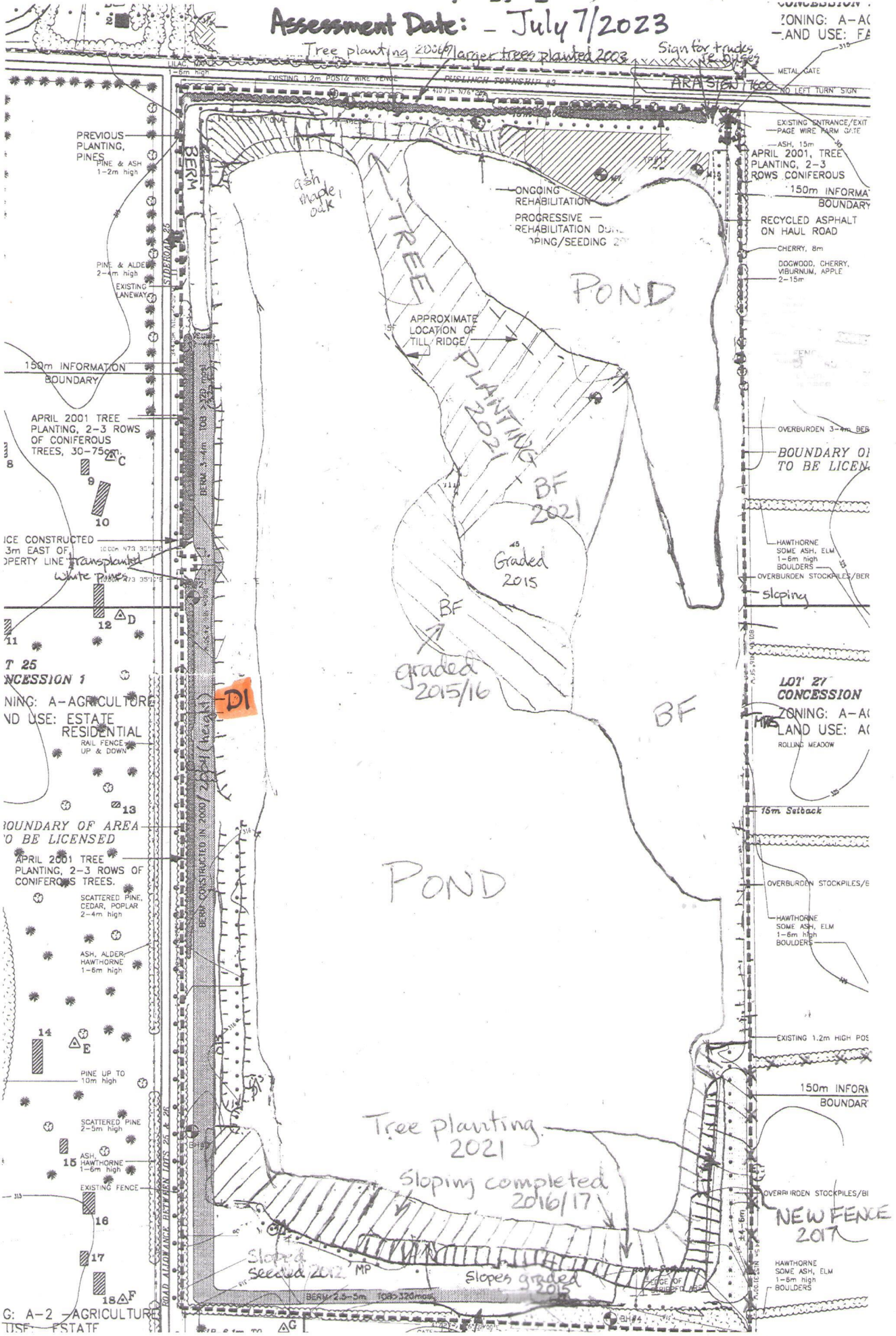
Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNR Signature

scale 1:3700

CBM (Puslinch Quality Aggregates) Licence 17600

Assessment Date: - July 7/2023

ZONING: A-AC
LAND USE: FA



G: A-2 - AGRICULTURE
LAND USE: ESTATE

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the [Ministry of Natural Resources and Forestry \(MNR\) District Office](#).
- The assessment must be conducted between April 1 and September 15 and submitted online using the [Natural Resources Information Portal](#), with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNR District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNR discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNR's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNR by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
20085	2023/09/08
Licensee/Permittee Name *	
Capital Paving Inc.	
Location of Licence/Permit: Municipality (local and upper tiers)	
Concession 3, Lots 7 & 8 - Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Lourenco	George	
Telephone Number *	Email *	
519-822-4511 Extension 219	glourenco@capitalpaving.on.ca	

Address

Unit Number	Street Number *	Street Name *	PO Box
	4459	Concession 7	815
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Guelph	CA-Canada	ON-Ontario	N1H 6L8

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person 

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted?	MNRF Signature
<input type="checkbox"/> Yes <input type="checkbox"/> No	

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Two gates along internal haul road installed to prevent unauthorized vehicular access
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign at front entrance on Wellington Rd. 34
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Farm Fence
C4	Prohibit Unauthorized Entry (for permits only)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		All areas of the pit has been stripped. No more stripping to occur at this site.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans. To be used for final rehabilitation.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans. To be used for final rehabilitation.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		All trees to be removed as per site plans has been completed and removed from site
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans. Apart from the small area containing the remaining aggregate deposit, depth of extraction has been reached in all areas.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		In designated area as per site plans. In processing area.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans. Excavation occurring underneath where the processing plant was located.
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Crushing and wash plant equipment has been removed from site. No more washing occurring at the pit.
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Removed as required
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans. Currently no fuel stored on site.
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per site plans

	Item	In Compliance? *			Comments
		Yes	No	N/A	
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Water trucks dispatched as required
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No plants on site
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scalehouse is only building located on site
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Clean fill passing Table 1:Agriculture being imported to facilitate rehabilitation in some areas.

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No blasting. Sand and Gravel Pit
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Regular water monitoring is ongoing with reports sent to the Township of Puslinch, NDMNRF and MECP every year by March 31st.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements No other monitoring required.

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Annual Tonnage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Licence annual tonnage limit of 1,000,000 tonnes/year

Section D: Phasing and Rehabilitation

	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Progressive rehabilitation occurring as per site plans. No rehabilitation occurred in 2023
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Slopes at 3:1 or greater
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per site plans
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per site plans
D5	Disturbed Hectareage Minimized				No Maximum Disturbed Area requirements for this site, however, over 60% of the site has been rehabilitated to

	Item	In Compliance *			Comments
		Yes	No	N/A	
				<input checked="" type="checkbox"/>	agriculture, reforestation and wetlands.
D6	Phasing/Sequencing	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation:</p> <p>Areas 1,2 & 5 are completely rehabilitated and Area 4 is approximately 90% rehabilitated. Currently excavating material in Area 3 that is underneath the dismantled processing plant. Some rehabilitation has occurred in the southwest portion of Area 3 and will continue progressive rehabilitation of Area 3 northward. No rehabilitation occurred in 2023.</p>

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.




	Item	
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year :	0.00
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) :	29.31
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year :	0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) :	55.87
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p><input type="checkbox"/> backfilling slopes/pit floor</p> <p><input type="checkbox"/> rough grading</p> <p><input type="checkbox"/> cultivating</p> <p><input type="checkbox"/> aerating/reducing compaction</p> <p><input type="checkbox"/> re-spreading topsoil/overburden</p> <p><input type="checkbox"/> seeding/tree planting</p> <p><input type="checkbox"/> other specify activity: _____</p>	<p>Comments</p> <p>No work completed during the calendar year.</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p><input checked="" type="checkbox"/> agricultural (e.g. field crops, pasture)</p> <p><input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar)</p> <p><input type="checkbox"/> recreational (e.g. park, golf course, sports facility)</p> <p><input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture)</p> <p><input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes)</p>	<p>Comments</p> <p>No rehabilitation occurred in 2022-23, however, remaining areas to be rehabilitated will be back to agricultural uses once all aggregate has been extracted.</p> <p>A significant portion of this licence has already had final rehabilitation completed.</p>

	Item
	<input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type

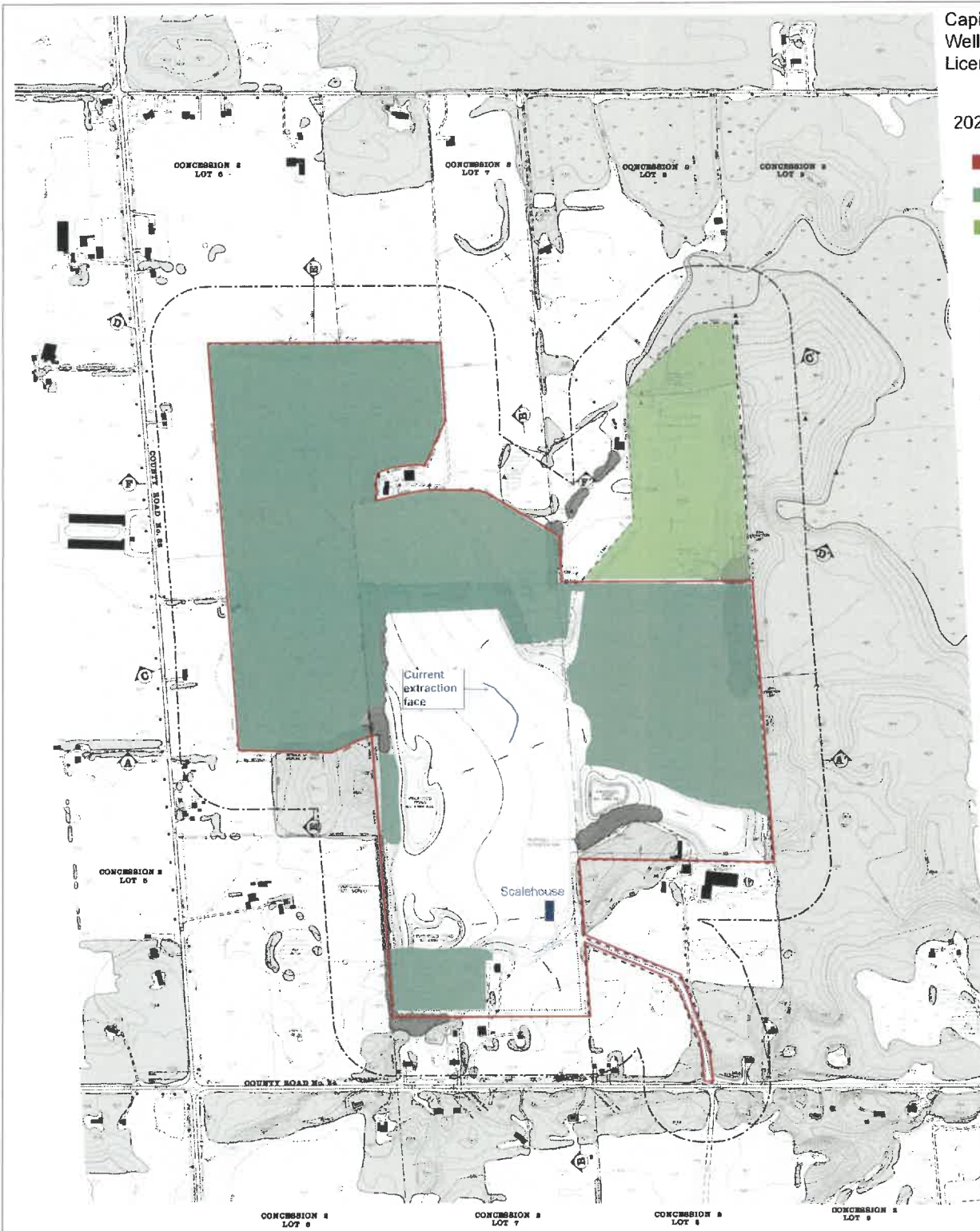
General Comments

1. Ongoing water monitoring with reports submitted annually to the MNR, MECP and Township of Puslinch
2. Crushing and Washing plants were removed and washing is no longer occurring at the site. The wash plant well was decommissioned by a licensed well contractor in 2020.
3. Remaining equipment will be utilized at another location in the future.
4. Rehabilitated areas are under active agricultural production with rotation of various crops.
5. About 60% of the licenced area has been completely rehabilitated as per site plans.
6. All below water excavation was completed since 2006. Remaining excavation to be above water in remaining areas where the processing plant and stockpiles were located.
7. Capital received a re-newed Permit to Take Water from the MECP in December 2022 under the permit number 0351-CLVLEP.
8. Since the removal of the processing equipment in 2020, the pit has been operating intermittently on an as needed basis until remaining reserve is depleted.

2023 Compliance Assessment Report Sketch

-  Licence Boundary
-  Progressive Rehabilitation to date
-  Previous Rehabilitation (Licence Portion Surrendered)

Total Rehabilitation to date = +/- 55.87 Hectares
Agricultural Fields = 47.26 Hectares
Reforestation = 3.06 Hectares
Wetlands = 1.83 Hectares
Planted Slopes = 3.72 Hectares



Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
20212	2023/09/04

Licence/Permittee Name *
Cox Construction Limited

Location of Licence/Permit: Municipality (local and upper tiers)
Puslinch, Wellington County

Geographic Township (if applicable)
Puslinch

UTM: (if the permit or licence is in an Unorganized Territory)
43.47417N, 80.26406W

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Stovel	Rob	

Telephone Number *	Extension	Email *
519-766-8042		stovel.associates@outlook.com

Address

Unit Number	Street Number *	Street Name *	PO Box
	651	Orangeville Road	

City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Fergus	Canada	ON	N1M 1T9

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

Yes If yes, you must complete sections C and D

No If no, you can complete section B only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates were locked at time of visit.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated The east limit to be re-staked in Lot 9. Fencing is not required abutting other pits owned by Cox. Repair fence on Laird and Forestell Roads.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Berms will be required along western limits of Phase 1.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks between licences operated by Cox Construction will be removed.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No buildings on site.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site No material appears to have been imported to the site.

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectareage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: In Phase One. Beginning stages of opening pit.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 1.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 4.00
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 0.00
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments N/A</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments N/A</p>

General Comments

Woodlot North of Forestell has been partially cleared. Area south of Woodlot (North Forestell Road) has been stripped. Area below Forestell Road has not been opened. No progressive rehabilitation has occurred.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C3 Site Boundary Demarcation	The east limit to be re-staked in Lot 9. Repair fence on Laird and Forestell road.	2023/12/15

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person



Ministry Office Use Only

Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

Accepted?

Yes No

MNRF Signature



Projection: Web Mercator



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Legend

-  Building as Service
-  Building to Scale
-  Runway
-  Airport - Regional/International
-  Seasonal Base
-  Ferry Route
-  Trail Head
-  Runway - Inter-System
-  Runway with Bridge
-  Runway with Tunnel
-  Road (Single - Arrow)
-  Water Road
-  Road with Bridge
-  Road with Tunnel
-  Primary Highway
-  Secondary Highway
-  Tertiary Highway
-  Road with Address Ranges
-  Road with Permitted
-  Road with Passage
-  Road with Address Ranges
-  Hydro Line (Communication Line or Unlabeled Transmission Line)
-  Natural Gas Pipeline
-  Water Pipeline
-  Oil Pipeline
-  Gas Pipeline
-  Scott Height
-  Under Construction
-  Contour
-  Wooded Area
-  Wetland
-  Waterbody
-  Waterbody - Elevation
-  Watercourse
-  Fall
-  Rapids
-  Rapids - Falls
-  Rapids
-  Rapids - Falls
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The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
129817	2023/04/26
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lots 14 & 15, Concession 4, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Janssen	Bernie	
Telephone Number *	Extension	Email *
519-773-6830		bernie@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	CA-Canada	ON-Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates installed and maintained at main entrance/exit and can closed and locked.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign installed and maintained at main pit entrance/exit.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Fencing maintained on south and sections of the north and east boundaries. Marker posts installed on sections of the unfenced boundaries.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit is screened by a combination of berms and tree screens. Dead trees in tree screen to be replanted as per site plan notes.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripped topsoil has been used for perimeter berm construction.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Berms are well vegetated.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established berms are well vegetated. Berms recently constructed will be shaped and seeded upon completion.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Trees and stumps can be used for enhanced rehabilitation of the pond as shown on the site plans.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks have been maintained as per the approved site plans.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth of extraction allowed is +/- 319 m asl. Below water extraction is allowed in the licence.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stockpiles located on the southern pit floor.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The above water faces vary from 2 to 5 m in height.
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no processing equipment on-site.
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Minimal pit scrap stored on-site and removed on an ongoing basis in 2022, as required. Removal of non-pit scrap associated with the buildings in Area 4 being removed in 2022/23.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Fuel stored in Area 1 on-site (See ops note #16 on page 2 of site plans).
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		6:00 am - 7 pm, Monday to Saturday (see note #18 on page 2 of the site plans).
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plan.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As required.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no asphalt or concrete plants on-site.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Buildings are located as shown on the site plans. Buildings in Area 4 have been removed prior to extraction.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site No materials imported into the pit. Importation of clean fill is permitted (see rehab note #13).

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licensed pit.
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements Natural heritage monitoring report. Setbacks from northern natural heritage feature have been demarcated with highly visible 1.2 m high posts.

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Tonnage Condition	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Annual tonnage limit of 750,000 tonnes.
C27	Noise mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Refer to technical recommendations on page 3 of site plans. Acoustic berms A, B, C1 and C2 constructed as per site plans.
C28	Planting plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Refer to note #9 on page 2 of site plans and planting plan on page 6 of the site plans.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit was opened in 2018. Rehabilitation of faces and floor has commenced in Area 2.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Faces will be sloped as the extraction limits are reached.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tree planting has taken place within the east and north setback areas as shown on site plans.
D5	Disturbed Hectareage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site is located outside of the Greenbelt Plan.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Extraction below water being completed in Areas 2 and 3. Stripping and extraction proceeding in Area 4.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year : 4.20
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) : 37.60
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 0.00
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input checked="" type="checkbox"/> backfilling slopes/pit floor <input checked="" type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments Backfilling and grading with on-site overburden has commenced in Area 2 to the west of the farm buildings.</p>

Item No.	Item
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input checked="" type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) </p> <p> <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input checked="" type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) </p> <p> <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p> <p>Area to the wests of the farm buildings will be rehabilitated as shown on page 5 of the site plans.</p>

General Comments

Sign advising drivers to use designated haul road - Laird Road.

C3 - Boundary agreement reached with adjacent licensee for shared west boundary. Repairs completed on licensed perimeter in 2022/23.

C25 - Silt fence constructed on north side of Berm D prior to construction of berm.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

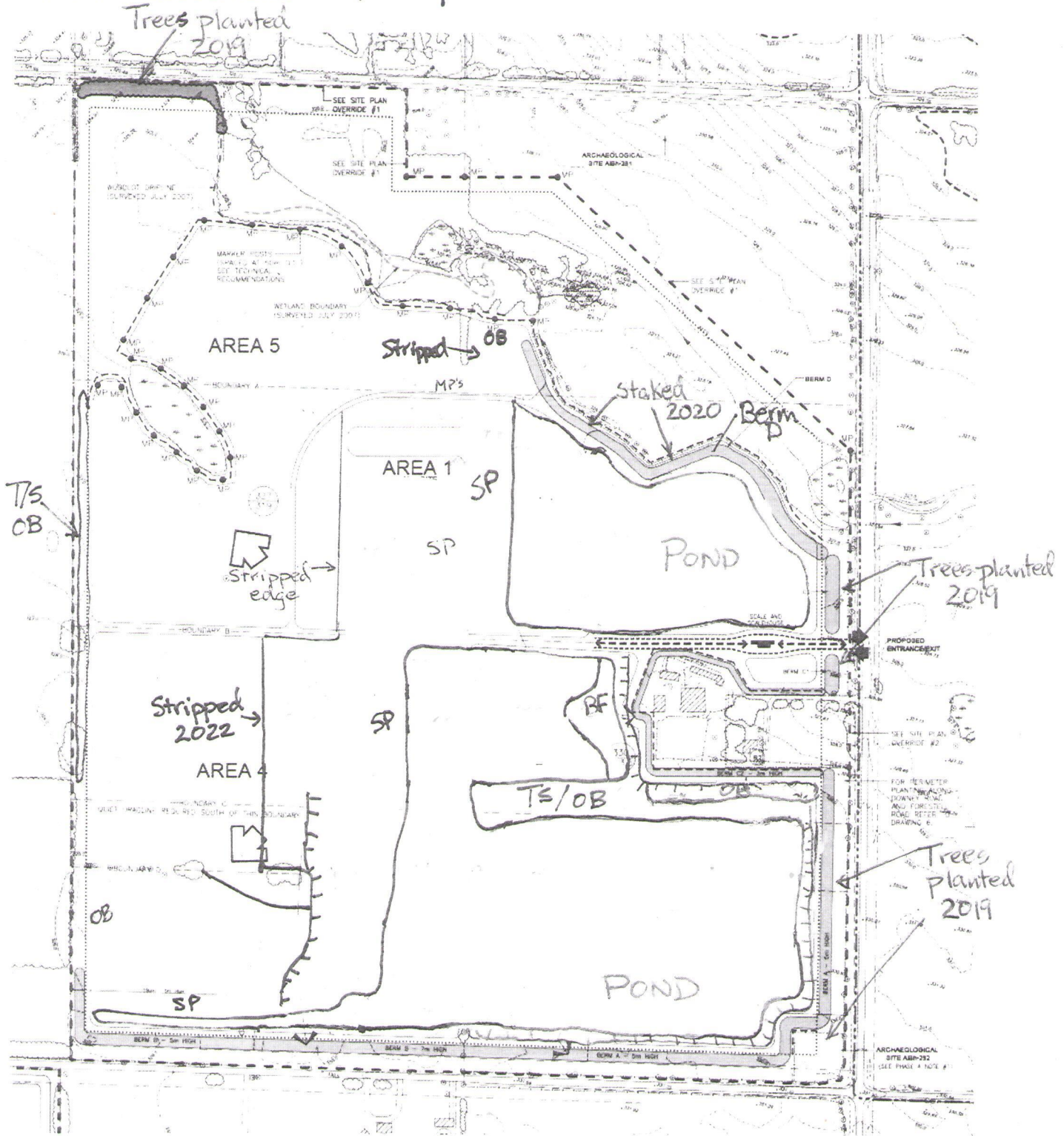
I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only	
Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

Mast-Snyder Pit
Licence No. 129817
Date of Assessment:

April 26/2023



1:5600

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
624864	2023/04/20
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 27, Concession 2, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Brown	Samantha	
Telephone Number *	Extension	Email *
905-294-8282	107	samantha@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main Street	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	Canada	Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates are closed and locked and are located at entrance/exits along Concession 2A and Concession 7. Main entrance/exit of adjacent pit for access to this site.
B2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required sign has been installed at the main gates at adjacent entrance/exit of pit (Concession 7) and is maintained.
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated All boundaries are either fenced and/or demarcated with marker posts and stakes. Fencing maintained along the east and south boundaries as shown on phase A on page 2 of the site plans. Repairs completed as required.
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licence
B5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Berm remains along Concession 2A road boundary of site. The other perimeter berms have been used for rehabilitation of side slopes.
B6	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap is removed or disposed of on an ongoing basis (see page 2, note#20).
B7	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No pit faces currently on site (see page 2, note #11 on site plans).
B8	Water Monitoring Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to groundwater monitoring program found under Technical Recommendations on page 3 of the site plans.
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements None required.
B10	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Rehabilitation of east, north and south shorelines was completed in 2012. All slopes have been seeded and are well vegetated. Trees planted on south and east slopes. Enhanced rehabilitation may be completed along the east shoreline of the pond.

General Comments

MNRF NOI September 23, 2022 - Scrap , Stockpile - complete. Other items addressed via response to inspection submitted October 2022. Site plan amendment submitted February 2023 to update rehabilitation plan to reflect changes to adjacent licenses.

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
C2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
C6	Stripping	<input type="checkbox"/>	<input type="checkbox"/>		
C7	Topsoil Stockpiles	<input type="checkbox"/>	<input type="checkbox"/>		
C8	Overburden Stockpiles	<input type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input type="checkbox"/>	<input type="checkbox"/>		
C11	Depth of Extraction	<input type="checkbox"/>	<input type="checkbox"/>		
C12	Aggregate Stockpiles	<input type="checkbox"/>	<input type="checkbox"/>		
C13	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
C14	Processing Equipment (e.g. crushing equipment)	<input type="checkbox"/>	<input type="checkbox"/>		
C15	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
C16	Fuel Storage	<input type="checkbox"/>	<input type="checkbox"/>		
C17	Hours of Operation	<input type="checkbox"/>	<input type="checkbox"/>		
C18	Internal Haul Routes	<input type="checkbox"/>	<input type="checkbox"/>		
C19	Dust Suppression Measures	<input type="checkbox"/>	<input type="checkbox"/>		

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C20	Asphalt/Concrete Plants or other Plants	<input type="checkbox"/>	<input type="checkbox"/>		
C21	Buildings and other structures (e.g. scalehouse)	<input type="checkbox"/>	<input type="checkbox"/>		
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		
D2	Sloping of Faces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Grades/Contours and/or Elevations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectareage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
D6	Phasing/Sequencing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation:

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year :
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) :
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year :
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) :
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only	
Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

CBM McNALLY EAST
LICENCE 624864
ASSESSMENT DATE:
April 20, 2023



Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
624889	2023/09/04
Licensee/Permittee Name *	
Cox Construction Limited	
Location of Licence/Permit: Municipality (local and upper tiers)	
Puslinch, Wellington County	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	
43.47780N, 80.23850W	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Stovel	Rob	
Telephone Number *	Email *	
519-766-8042 Extension	stovel.associates@outlook.com	

Address

Unit Number	Street Number *	Street Name *	PO Box
	651	Orangeville Road	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Fergus	Canada	ON	N1M 1T9

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If yes, you must complete sections C and D
- No If no, you can complete section B only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gate was locked at time of visit.
C2	Signage for Site Identification	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sign to include proper licence #.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Common boundaries between licences to be staked for easy identification.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Lowest floor elevation +/- 326.5 (m).
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C15	Scrap Storage	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Concrete to be removed from site.
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No fuel storage on site.
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C24	Water Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input type="checkbox"/>	<input type="checkbox"/>		

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Additional Tree Planting needed on Eastern Limits.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectareage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation:

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 7.00
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 5.50
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input checked="" type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments N/A.</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments N/A.</p>

General Comments

Licence limits next to 5710 and northern pit expansion to be staked. Berms still in place. Licence appears to have been exhausted of aggregate. A few stockpiles remain on this licence. Concrete to be removed from site.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C2 Signage for Site Identification	Sign to include proper licence #.	2023/12/15
C3 Site Boundary Demarcation	Common boundaries between licences to be staked for easy identification.	2023/12/15
D1 Progressive Rehabilitation	Additional Tree Planting needed on Eastern Limits.	2023/12/15
C15 Scrap Storage	Concrete to be removed from site.	2023/12/15

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person _____



Ministry Office Use Only

Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

Accepted?

MNRF Signature

Yes No

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
625189	2023/04/26
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lots 1 & 2, Concession 3 & 4, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Janssen	Bernie	
Telephone Number *	Extension	Email *
519-773-6830		bernie@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	CA-Canada	ON-Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates installed and maintained at main entrance/exit and can closed and locked.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign installed and maintained at main pit entrance/exit.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Fencing maintained and encloses the entire extraction area as shown on the site plans. Marker posts demarcate the western section of the unfenced south boundary, west end. Minor repairs completed in 2023.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit is screened by a combination of berms and tree screens. Dead trees in screens are replanted.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripped topsoil has been used for perimeter berm construction and rehabilitation.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Berms are well vegetated.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established berms are well vegetated.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Trees have been cleared away from any active faces.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks have been maintained as per the approved site plans. Blue marker posts demarcate below water extraction limits.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth of extraction allowed is +/- 288 m asl. Below water extraction is allowed in the licence.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stockpiles located on the pit floor.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The above water faces vary from 3 to 4 m in height.
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no processing equipment on-site.
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Minimal scrap stored on-site and removed on an ongoing basis in 2022/23.
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No fuel stored on-site.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Loading and shipping - 6:00 -19:00, Mondays to Fridays, Extraction 7:00 -19:00, Monday to Fridays.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plan.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As required.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no plants on-site.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Buildings are located as shown on the site plans.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site No materials imported into the pit..

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licensed pit.
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ongoing groundwater monitoring is taken place. Report from 2022 dated March 2023.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements Natural heritage monitoring report.

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26		<input checked="" type="checkbox"/>	<input type="checkbox"/>		Annual tonnage limit of 750,000 tonnes.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The western faces have been previously rehabilitated.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Over 490 m of the west faces have been previously sloped.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per site plans.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tree planting has taken place within the west setback area, the southern extraction limit and within the east setback area.
D5	Disturbed Hectarage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site is outside of the Greenbelt Plan.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Extraction below water has previously occurred in the three ponds.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7) : 29.20
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 1.00
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p>

General Comments

Sign advising drivers of school buses using roads as required in operational note #22 is maintained at main pit entrance/exit. Pit truck traffic uses internal road east to County Road 32 when pit is active. Site is not active during the compliance assessment in 2023.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)

Review Date (yyyy/mm/dd)

Accepted?

Yes

No

MNRF Signature

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
624952	2023/07/07
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 27, Concession 1, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Janssen	Bernie	
Telephone Number *	Extension	Email *
519-773-6830		bernie@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	CA-Canada	ON-Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates installed and maintained at main entrance/exit along Concession 2 Road and can closed and locked.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign installed and maintained at main pit entrance/exit.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Fencing maintained along the north, south and east boundaries. Marker posts demarcate the shared west boundary. Minor repairs completed on perimeter in 2023.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit is screened by a combination of berms and coniferous tree screens along the perimeter.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Established berms are well vegetated.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Perimeter berms have been used for rehabilitation of the north faces.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Overburden has been used for rehabilitation of the west slopes.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Trees have been cleared away from any active faces.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks are maintained as per the approved site plans. East and south setbacks have been staked in 2023. See General comments.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth of extraction allowed is +/- 293.5 m asl. Below water extraction is allowed in the licence.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no stockpiles in the pit.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The above water faces vary from 4 to 8 m in height (see page 2, note #11 on site plans).
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no processing equipment on-site (see page 2, note #11 on site plans).
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Minimal scrap stored in pit and removed on an ongoing basis in 2022/23 (see page 2, note #20 on site plans).
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no fuel stored on-site (see notes #11 and #16 on page 2 of site plans).

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		6:00 -19:00, Monday to Friday (see page 2, note #21 on site plans). Any extension to these hours requires approval from the Township.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plan. Main entrance/exit was paved in the fall of 2022 (refer to MNRF report of September 23, 2022).
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As required (see note #12 on page 2 of the site plans).
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no plants on-site.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Houses are shown on the site plans. See General comments.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site Importation of clean fill is permitted into the pit (see rehab note #13 on site plans).

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licensed pit.
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements Acoustical audit was completed when the pit was operational (see operational note #21 on site plans). Tree monitoring started in 2010 as per operational note #26.

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Tonnage Condition	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Annual tonnage limit of 1,000,000 tonnes.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input type="checkbox"/>	<input checked="" type="checkbox"/>		The western faces have been previously rehabilitated. Northern faces have been rehabilitated.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	West faces have been previously sloped. sloping of north faces has been completed.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per site plans.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Western slopes are vegetated. Trees have been planted on the rehabilitated north faces.
D5	Disturbed Hectareage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site is located outside of the Greenbelt Plan.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Above and below water extraction nearing completion in Areas 1 and 2. There is material available along the western part of the south boundary where a 0 m setback has been approved by MNR in 2023.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year : 0.00
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) : 18.70
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 1.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 2.00
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input checked="" type="checkbox"/> backfilling slopes/pit floor <input checked="" type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input checked="" type="checkbox"/> re-spreading topsoil/overburden <input checked="" type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p> <p>Backfilling, sloping, spreading of topsoil and tree planting completed of the northern pit faces.</p>

Item No.	Item
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) </p> <p> <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input checked="" type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) </p> <p> <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input checked="" type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments Refer to site plans.</p>

General Comments

Sign maintained at main entrance/exit advising truck drivers of school buses using Concession Road 2 as required in operational note #25 on site plans. Site plan amendment approved by MNRF in March 2023 to show the aquaculture use in pond and setback reduction along the western part of the south boundary.

D2 - East pit faces have not been rehabilitated at this time because of potential co-ordinated rehabilitation plan for the Aberfoyle area (big lake project). Refer to MNRF report of September 22, 2022. Extension requested from MNRF to complete this work by September 30, 2024.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
D1 - Progressive Rehabilitation	An extension until September 30, 2024 has been requested from MNRF to complete the sloping work along the east and south boundaries as directed by MNRF in their September 2022 report (see sketch). MNRF has not provided a response to date.	2023/09/30

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

Trees planted
2023
Beim
NEW ENTRANCE
EXIT (GATED)
624952
AREA SIGN
TRUCK SIGN
Trees planted



CBM Lanci Pit
Ref # 624952
Date: July 7/2023
1.4800

The *Aggregate Resources Act* requires all licence and permit holders to submit an annual Compliance Assessment Report to the ministry and municipalities. Regular assessment of compliance helps the licensee or permittee to stay familiar with what activities are permitted on their site. Enhanced compliance action will not be taken before the established deadline date for any contraventions disclosed in the report. All information in this report is available for public review.

Instructions

- To complete this report, compare your on-site conditions to your approved site plan, your licence/permit conditions, the *Aggregate Resources Act* (ARA) and regulation (O.Reg. 244/97). Unless otherwise identified on the site plan, the operating requirements specified in section 0.13 of the regulation will apply to this site. If you have any questions about how to conduct the assessment or fill out the report, contact the Ministry of Natural Resources and Forestry (MNRF) District Office.
- The assessment must be conducted between April 1 and September 15 and submitted online using the Natural Resources Information Portal, with a copy to the clerk of the applicable local or upper-tier municipality where the site is located, no later than September 30. If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. Submit the form by mail to the MNRF District Office where the site is located, if web access is unavailable.
- A sketch must be included with this report documenting where remedial action is required.
- A sketch must also be included showing areas where progressive rehabilitation has been performed in the previous calendar year.
- If your report to the MNRF discloses one or more contraventions of the ARA, the regulation, the site plan or the conditions of the licence or permit, then you must immediately stop doing anything that forms part of the contravention and take such steps as may be necessary to remedy the contravention within 90 days of submitting the report.
- In order to extend the 90-day remedial action deadline, you must obtain the MNRF's approval prior to filing the report.
- A licence/permit will be deemed automatically suspended under subsections 15.1(6) or 40.1(6) if this report is not submitted to the MNRF by September 30th or if remedial measures are not taken.
- Pursuant to subsection 57(5) of the ARA, it is an offence to furnish false or misleading information in a report.

Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
625284	2023/07/07
Licensee/Permittee Name *	
St. Marys Cement Inc. (Canada)	
Location of Licence/Permit: Municipality (local and upper tiers)	
Part Lot 27, Concession 1, Township of Puslinch, County of Wellington	
Geographic Township (if applicable)	
Puslinch	
UTM: (if the permit or licence is in an Unorganized Territory)	

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Janssen	Bernie	
Telephone Number *	Extension	Email *
519-773-6830		bernie@harringtonmcavan.com

Address

Unit Number	Street Number *	Street Name *	PO Box
102	41	Main	
City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Unionville	CA-Canada	ON-Ontario	L3R 2E5

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Gates installed and maintained at pit entrance/exit of adjacent licence no 17600 and can closed and locked.
C2	Signage for Site Identification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sign installed and maintained at pit entrance/exit of licence no 17600.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Fencing maintained and encloses the extraction area except along the west boundary as shown on the site plans. Marker posts demarcate the west boundary shared with licence no 17600. See general comments.
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Pit is screened by a combination of berms and coniferous tree screens along the perimeter.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripped soil has been used for perimeter berm construction.
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Acoustic berm A and screening berm are well vegetated.
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Berms are well vegetated.
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Trees within 5 m of active faces have been removed.
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks are maintained as per the approved site plans.
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum depth of extraction allowed is +/- 289 m asl. Below water extraction is allowed in the licence.
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stockpiles were located on the pit floor.
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The above water faces are less than 8 m in height (see page 2, note #7 on site plans). Dozer is used to push down faces and/or an excavator used to meet ministry regulations for heights.
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no processing equipment on-site. Majority of aggregate is hauled off-site for processing (see operational plan on site plans).

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Minimal scrap stored in pit and removed on an ongoing basis in 2022/23. Minor amount of non-pit scrap associated with the former buildings has been removed. Refer to MNRF report of Sept 22, 2022.
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There is no fuel stored on-site.
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Loading and shipping - 6:00 -19:00, Mondays to Fridays (see page 2, note #19 on site plans). Any extension to these hours requires approval from the Township.
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As shown on the site plan.
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As required.
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		There are no asphalt or concrete plants on-site.
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		All buildings have been removed. Refer to MNRF report of Sept 22, 2023 re small wooden shed.
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site No materials presently imported into the pit. Importation of clean fill is permitted into the pit (see rehab note #6 and note #29, on page 2 of site plans).

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licensed pit.
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Annual groundwater monitoring report submitted into MNRF and Township as per technical recommendations.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements Refer to dust management notes on site plans.

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Tonnage Condition	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Annual tonnage limit of 750,000 tonnes.
C27	Noise mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Refer to technical recommendations on page 3 of site plans.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C28	ANSI demarcation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Marker posts demarcate the 5 m setback from provincially significant ANSI.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Progressive rehabilitation of north face in Area 1 has commenced.
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Extraction commenced on-site in 2017/18. Backfilling of northern face in Area 1 has occurred.
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per site plans.
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Trees planted within the eastern setback areas are doing well (refer to MNRF report of Sept 2022). Trees planted in northern 30 m setback in 2021/22.
D5	Disturbed Hectareage Minimized	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site is outside of Greenbelt Plan.
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Above and below water extraction occurring in Area 1. The northern part of Area 2 has been stripped and material used for progressive rehabilitation of the north face in Area 1,

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectareage – Number of hectares disturbed in the previous calendar year : 3.25
D8	Disturbed Hectareage – Number of hectares disturbed in total (including amount in D7) : 18.45
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year : 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9) : 0.00

Item No.	Item
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p> <input checked="" type="checkbox"/> backfilling slopes/pit floor <input checked="" type="checkbox"/> rough grading <input type="checkbox"/> cultivating <input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting <input type="checkbox"/> other specify activity: _____ </p> <p>Comments</p> <p>Partially backfilling of the north face in Area 1 has been completed using on-site overburden from Area 2.</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p> <input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar) <input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input checked="" type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture) <input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input checked="" type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type </p> <p>Comments</p> <p>Refer to approved site plans.</p>

General Comments

C3 - Minor fencing repairs completed in 2023, where required.
Sign maintained at main entrance/exit advising drivers of school buses using Concession Road 2 as required on site plans. Items listed in MNRF September 22, 2022 report have been completed and/or addressed in the requested site plan amendment submitted into MNRF.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27

Item No. and Item *	Remedial Action Required *	Deadline Date (yyyy/mm/dd) *

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

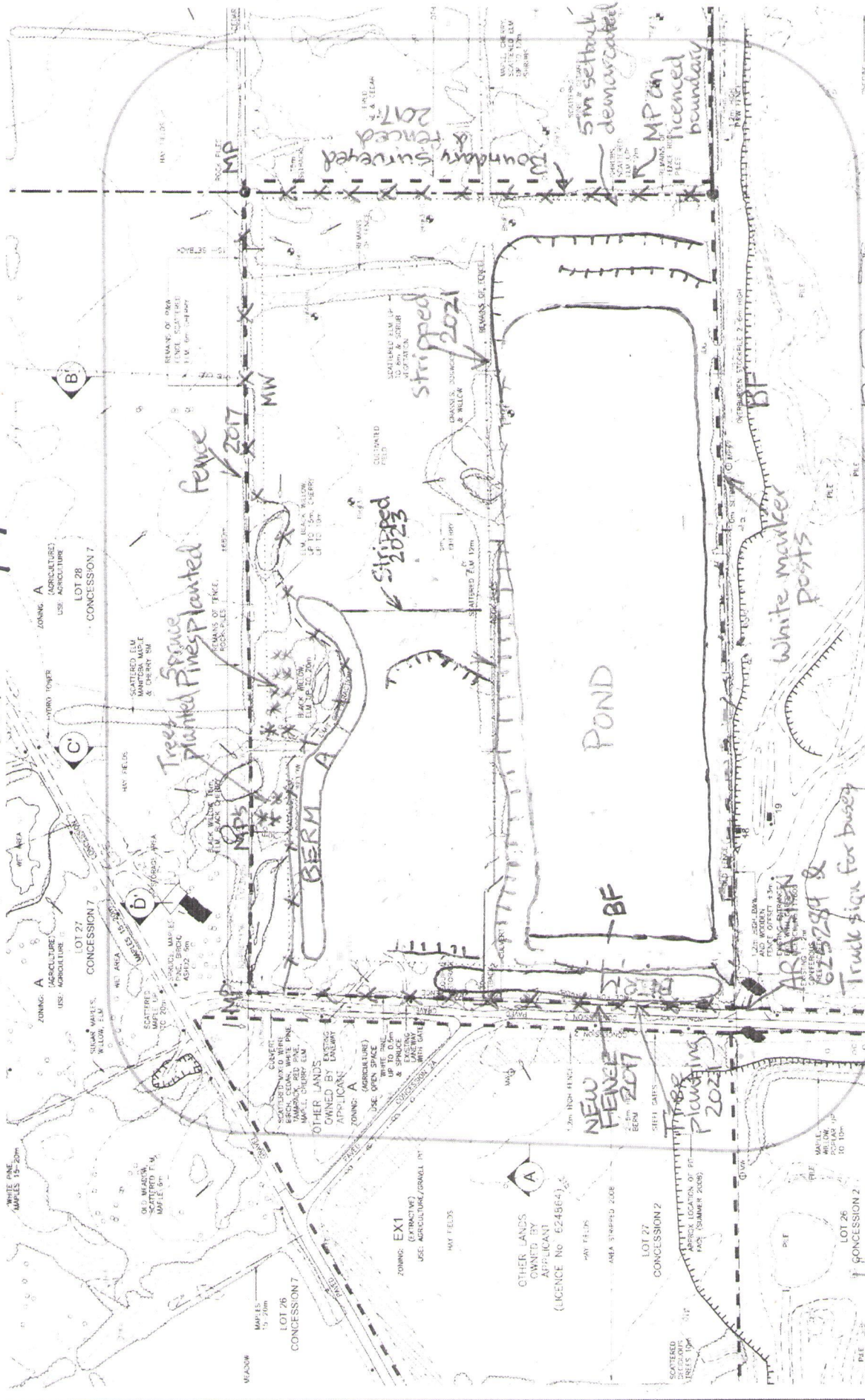
Signature of licensee/permittee or authorized person

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature

CBM Newbauer Pit
 License no. 625284
 Date: July 7/2023

Scale 1:4700



Fields marked with an asterisk (*) are mandatory.

Section A: Background Information

Licence/Permit ID Number *	Date Assessment Conducted (yyyy/mm/dd) *
625710	2023/08/29

Licencee/Permittee Name *
Cox Construction Limited

Location of Licence/Permit: Municipality (local and upper tiers)
Puslinch, Wellington County

Geographic Township (if applicable)
Puslinch

UTM: (if the permit or licence is in an Unorganized Territory)
43.48366N, 80.24283W

Reviewer Contact Information

Last Name *	First Name *	Middle Initial
Stovel	Rob	

Telephone Number *	Extension	Email *
519-766-8042		stovel.associates@outlook.com

Address

Unit Number	Street Number *	Street Name *	PO Box
	651	Orangeville Road	

City/Town *	Country *	Province/State *	Postal Code/Zip Code *
Fergus	Canada	ON	N1M 1T9

Has there been any activity on the site this year or the 2 previous calendar years (e.g. extraction, movement of aggregate, rehabilitation, site preparation)? *

- Yes If **yes**, you must complete **sections C and D**
- No If **no**, you can complete **section B** only and provide your signature at the end of the report

Section B: Inactive Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
B1	Entrance/Exit and Gates	<input type="checkbox"/>	<input type="checkbox"/>		
B2	Signage for Site Identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input type="checkbox"/>		Indicate how boundaries have been demarcated
B4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Site Screening	<input type="checkbox"/>	<input type="checkbox"/>		
B6	Scrap Storage	<input type="checkbox"/>	<input type="checkbox"/>		
B7	Excavation Faces	<input type="checkbox"/>	<input type="checkbox"/>		
B8	Water Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Other Monitoring Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Specify any other monitoring requirements
B10	Progressive Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>		

General Comments

Item No. and Item	Remedial Action Required	Deadline Date (yyyy/mm/dd)
Example: B3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary.	2020/12/27

Section C: Active Sites

Indicate whether you are in compliance with the following conditions on your site plan, licence or permit, regulation (O.Reg. 244/97) and the *Aggregate Resources Act* (ARA). If you answer "no" to any of the following conditions, you must specify the Remedial Action that is required and the Deadline Date.

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
Site Identification					
C1	Entrance/Exit and Gates	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C2	Signage for Site Identification	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sign to be repaired.
C3	Site Boundary Demarcation (e.g. fencing, stakes, blazing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Indicate how boundaries have been demarcated Stake limits along the south and west portion of pit. Stake limits with existing St. Marys Cement Pit (Mast Pit).
C4	Prohibit Unauthorized Entry (for permits only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Site Preparation					
C5	Site Screening	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Berm established next to Laird Road.
C6	Stripping	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C7	Topsoil Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C8	Overburden Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C9	Tree/Stump Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Operational Details					
C10	Setbacks	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C11	Depth of Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C12	Aggregate Stockpiles	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C13	Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C14	Processing Equipment (e.g. crushing equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C15	Scrap Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C16	Fuel Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C17	Hours of Operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C18	Internal Haul Routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
C19	Dust Suppression Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C20	Asphalt/Concrete Plants or other Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C21	Buildings and other structures (e.g. scalehouse)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
C22	Importation of Material (e.g. for rehabilitation, blending, or recycling)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indicate any materials that you are importing to the site

Monitoring and Mitigation

C23	Blast Monitoring: Quarries only	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C24	Water Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Groundwater Science is completing required monitoring.
C25	Other Monitoring Program (e.g. dust, adaptive management plan, natural heritage monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Specify any other monitoring requirements

Other Conditions (Add description as needed)

- that are indicated on the licence or permit (i.e. prescribed conditions for licences or permits issued between June 27, 1997 and March 31, 2021)
- that apply as noted in section 0.12 of the regulation
- any other conditions indicated on the licence, permit or site plan

Item No.	Item	In Compliance?			Comments
		Yes	No	N/A	
C26	Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Silt fence was established along eastern limits of pit to ensure silt does not transport off site from berms.

Section D: Phasing and Rehabilitation

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D1	Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
D2	Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Grades/Contours and/or Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Disturbed Hectareage Minimized	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Item	In Compliance? *			Comments
		Yes	No	N/A	
D6	Phasing/Sequencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If operational phasing or sequencing is described on your site plan, please indicate what phase(s) you are in for extraction, progressive rehabilitation and final rehabilitation is/are currently under extraction and which phase(s) is/are undergoing rehabilitation: Site preparation activities are occurring.

Rehabilitation Information

For D7 – D12, provide information based on the previous calendar year.

Item No.	Item
D7	Disturbed Hectarage – Number of hectares disturbed in the previous calendar year: 0.00
D8	Disturbed Hectarage – Number of hectares disturbed in total (including amount in D7): 2.00
D9	Progressive Rehabilitation – Number of hectares rehabilitated in the previous calendar year: 0.00
D10	Progressive Rehabilitation – Number of hectares rehabilitated in total (including amount in D9): 0.00
D11	<p>Check all activities that you have completed in the previous calendar year:</p> <p><input type="checkbox"/> backfilling slopes/pit floor <input type="checkbox"/> rough grading <input type="checkbox"/> cultivating</p> <p><input type="checkbox"/> aerating/reducing compaction <input type="checkbox"/> re-spreading topsoil/overburden <input type="checkbox"/> seeding/tree planting</p> <p><input type="checkbox"/> other specify activity: _____</p> <p>Comments N/A.</p>
D12	<p>Indicate the intended end use of the area that was rehabilitated in the previous calendar year (select all that apply):</p> <p><input type="checkbox"/> agricultural (e.g. field crops, pasture) <input type="checkbox"/> natural (e.g. woodland/forest, meadow, prairie, alvar)</p> <p><input type="checkbox"/> recreational (e.g. park, golf course, sports facility) <input type="checkbox"/> water (e.g. open pond, wetland, watercourse, aquaculture)</p> <p><input type="checkbox"/> open (e.g. exposed aggregate for residential, commercial or industrial purposes) <input type="checkbox"/> general rehabilitation (e.g. meeting minimum requirements) type</p> <p>Comments N/A.</p>

General Comments

Pit is in preparation stages. Berm has been established on Laird Road. Staking of licence limits is required.

Item No. and Item *	Remedial Action Required*	Deadline Date (yyyy/mm/dd) *
Example: C3 Site Boundary Demarcation	Reinstall a 60 m section of 1.2 m tall fencing along the north part of the west boundary	2020/12/27
C3 Site Boundary Demarcation	Stake limits along the south and west portion of pit. Stake limits with existing St. Marys Cement Pit (Mast Pit).	2023/12/15
C2 Signage for Site Identification	Sign to be repaired.	2023/12/15

I certify that the information provided in this report is true to the best of my knowledge and acknowledge that it is an offence under subsection 57(5) of the *Aggregate Resources Act* to furnish false or misleading information in a report.

Signature of licensee/permittee or authorized person _____  _____

Ministry Office Use Only

Receipt Date (yyyy/mm/dd)	Review Date (yyyy/mm/dd)
Accepted? <input type="checkbox"/> Yes <input type="checkbox"/> No	MNRF Signature



0 0.1 km

Projection: Web Mercator 

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Legend

-  Building as Symbol
-  Building to State
-  Railway
-  AIRPORT - Federal Airport
-  Seasonal Base
-  Ferry Route
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Justine Brotherston

To: Green, Christine; Courtenay Hoytfox
Cc: Bamforth, Peter; Karki, Suvash; Sarah.Jewell@ontario.ca; Jackson, Geoff (CRH Canada Group Inc.)
Subject: RE: H6 Hanlon Midblock interchange - Comments on the Design

From: Green, Christine <Christine.Green@wsp.com>

Sent: Monday, November 20, 2023 4:33 PM

To: Justine Brotherston <jbrotherston@puslinch.ca>; Courtenay Hoytfox <choytfox@puslinch.ca>

Cc: Bamforth, Peter <Peter.Bamforth@wsp.com>; Karki, Suvash <Suvash.Karki@wsp.com>; Sarah.Jewell@ontario.ca; Jackson, Geoff (CRH Canada Group Inc.) <g.jackson@ca.crh.com>

Subject: RE: H6 Hanlon Midblock interchange - Comments on the Design

Hello Justine,

We have received the comments from the Township of Puslinch's Council meeting held on September 27, 2023. The comments identified the Township's concerns regarding potential impacts to nearby property owners and the travelling public, as well as public notification during the construction of the Highway 6 / Hanlon Expressway Midblock Interchange project.

In response to Council's comments and concerns, the Project Team would like to note the following:

- Property entranceways along Concession Road 7 and Wellington Road 34 will be maintained to the fullest extent possible during construction. Notice will be provided in advance to residents when work is required to be completed that would restrict access to their property entrance.
- A project website (www.highway6midblock.ca) was developed at project initiation as an effective tool to share information with stakeholders and Indigenous communities, and to obtain feedback from the public. During construction the project website will be updated frequently to include up-to-date information on the project schedule, daily traffic restrictions and/or detour routes and construction progress updates. Any planned closures and detour routes are posted on www.Ontario.ca/511, as well as on the Project Website at <https://highway6midblock.ca/daily-traffic-restrictions-detour-routes/>. The project website is updated on a weekly basis to identify any scheduled closures and provide general summaries of construction operations taking place and impacts to travelling public and local property owners (<https://highway6midblock.ca/construction-progress-updates/>). The website also includes a comment submission form which allows members of the public to submit comments/concerns during construction (<https://highway6midblock.ca/contact-us/>).
- The public will be notified of construction updates and any possible road closures and detour routes through the use of newspaper advertisements, direct letter/emails to surrounding property owners, weekly updates on the project website, and/or mobile signage placed along the roadways.
- The proposed construction schedule described below can be used by the Township of Puslinch to create a plain language document for the public. Please note, the schedule is subject to change:
 - Spring 2024 – Fall 2024: the proposed roundabout at Wellington Road 34 and Concession Road 7, as well as the Concession Road 7 improvements, will be constructed. Concession Road 7 will be closed for the duration of the realignment and reconstruction to through traffic. Traffic will be detoured onto Highway 6 / Hanlon Expressway between Wellington Road 34 and Maltby Road.
 - When the Midblock Interchange and Concession Road 7 can be open to traffic, Highway 6 / Hanlon Expressway and Wellington Road 34 intersection will be closed for the construction of the new bridge over the Hanlon for Wellington Road 34. To access Wellington Road 34 and/or Concession Road 7, traffic will travel through the Highway 6 / Hanlon Expressway Midblock Interchange.

Thank you,

Christine G. (Sent on behalf of the Highway 6/Hanlon Expressway - Midblock Interchange Project Team)



Christine Green

Environmental Planner

She / Her

T+ 1 905-441-3453

WSP Canada Inc.
25 York Street, Suite 700
Toronto, Ontario
Canada
wsp.com

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Highway 6 Construction Between Maltby Road and WR34

Questions/Concerns

What is the planned sequence of the construction?

The interchange bridge and ramps are currently under construction. Generally, the reconstruction of CR7 is planned for construction and completion by the end of 2024 and the WR34 bridge is planned for construction and completion in 2025. It is likely that the interchange and ramps will open when the reconstruction of CR7 is complete and that the Maltby Road and WR34 intersections with Highway 6 will be closed at that time.

When will County assume CR7?

The timing of transfer is uncertain right now. The most likely scenario is that the road gets transferred when the reconstruction is completed. There was a staff report to Council on May 9, 2023 summarizing the planned changes in the road network. An agreement is being developed between the Township, the County and the MTO related to the reconstruction and transfer of the road, but it has not been finalized.

Will access to Heritage Lakes and 7088 WR34 be maintained during construction?

There will be times during the construction of the WR 34 bridge when WR 34 will need to be closed. At those times, local access to Heritage Lakes and 7088 WR34 will be maintained with the exception of when works need to take place right at the road connections; in these cases, the impacted homeowners will be given advanced notice and the closures should not last more than a couple of hours.

How will Heritage Lakes and 7088 WR34 be impacted by the new bridge design?

The grade of WR 34 will be generally unchanged at the intersection with Heritage Lake Drive, so there will be little impact at that intersection of the new bridge on WR34 over Highway 6. At the driveway connection from 7088 WR34, the grade of the road will be raised by just under one metre. MTO staff are looking at options to modify the driveway with the homeowner. It is anticipated that the driveway will generally remain in the same location, but be raised to meet the new grade.

What is the planned diversion when WR34 is closed and how might it impact on Township Roads?

The new midblock road serving the new interchange will be complete before WR34 is closed at Highway 6. In addition, CR7 will be reconstructed between WR34 and Maltby Road. The planned diversion for the WR34 construction includes a loop around the construction to the north that makes use of the midblock road and reconstructed CR7. The diversion is less than 1.5 km in length and was the subject of an Emergency Services Review conducted by MTO. The diversion will have high capacity for the through traffic that will be diverted from WR34 because the roads are new and/or reconstructed. CR7 carries low traffic volumes today.

The closest and most likely to be impacted Township road is CR2 located about 2 km to the south. There may be some minimal increases in traffic on CR2, however, in the area of CR2/CR7 and McLean Road, there is a lot of aggregate related trucks and activity, so the area is undesirable for commuter traffic. In addition, a diversion via CR2 is likely to be longer than the 1.5 km planned diversion for many people.

Remaining Considerations

Township Council continues to have concerns about the importance of maintaining access to the properties that are located adjacent to the ongoing construction on CR7 and WR34. In addition, Council has indicated that ongoing communication about closures and diversions is critical as the construction continues. It would be appropriate for Council to forward comments to MTO through the Clerk asking that they ensure that property access is maintained to the fullest extent possible and that good communication be maintained with impacted property owners and the travelling public about the planned closures and diversions in order to manage expectations during construction.

Additional Comments from Township Council September 27, 2023 Council Meeting

Township Council requests that the MTO provide the Township with an up to date construction schedule to enable staff to prepare a plain language document to be shared with the public. Further, Township Council requests that the MTO seek opportunities for additional communication with the public where possible and provide the communications to the Township. Finally, Township Council requests that the MTO be receptive to requests from the Township for the MTO to install mobile custom signage when requested to support increased communication to the public throughout construction.



TECHNICAL MEMORANDUM

DATE December 7, 2023

Project No. 20449101

TO Andreeanne Simard
Blue Triton Brands

CC John Piersol

FROM Greg Padusenko, Chris Neville

EMAIL gregory.padusenko@wsp.com

RESPONSE TO COMMENTS FROM HARDEN ENVIRONMENTAL REVIEW OF THE BLUE TRITON BRANDS ABERFOYLE SITE 2022 ANNUAL MONITORING REPORT

1.0 INTRODUCTION

Per the request of Blue Triton Brands (BTB) we have prepared the following responses to the review comments that Harden Environmental Services Ltd. (Harden) has submitted to the Township of Puslinch (Township) on the 2022 Annual Monitoring Report for the BTB Aberfoyle Site (Harden, September 14, 2023). In this memorandum we have provided a response to the comments and the recommendations provided by Harden.

We note that the sustainability of the water resources in the Aberfoyle area is of critical concern to BTB. To be considered sustainable, pumping from TW3-80 must be shown to “maintain ecological, environmental, and hydrogeological integrity” (American Society of Civil Engineers, 1998). All of the lines of evidence from the 2022 monitoring data confirm that the BTB water takings at Aberfoyle are sustainable.

2.0 GENERAL RESPONSE TO COMMENTS

The following must be considered when reviewing the monitoring data and annual reporting.

- 1) The Ministry of the Environment Conservation and Parks (MECP) is the regulating agency for the BTB water taking. The MECP had a very extensive review and consultation period prior to renewing the BTB Permit to Take Water (PTTW).
- 2) After the predecessor operator of the Aberfoyle facility, Nestlé Waters Canada, applied for a renewal of its PTTW, extensive additional requirements including new detailed studies were mandated for the renewal of the PTTW. Nestlé met all of the additional requirements and submitted extensive documentation of the studies, which was made publicly available for public comment (Golder and others, 2020).
- 3) At all times in 2022, BTB has met the terms of its Aberfoyle PTTW.
- 4) Long-term collection of data from an extensive monitoring network have confirmed consistently that BTB’s water takings have never had adverse effects on the groundwater and surface water systems in the Puslinch area. The monitoring data are reviewed by the MECP and various stakeholders. The finding of no adverse impacts has been confirmed by a province-wide assessment of the impacts of water takings (BluMetric, 2020).

Water level data have been collected since 2001 with more detailed information collected since 2008 and reviewed by the MECP and various stakeholders under the terms of the PTTW (current 3133 C5BUH9). The findings have continually showed that no adverse impacts have occurred to Aberfoyle Creek, Mill Creek, the associated wetlands, private wells, and other local water users.

We note that several comments provided by Harden on the BTB Aberfoyle Site 2022 Annual Monitoring Report are identical to the comments received from Harden regarding their review of the 2021 Annual Monitoring Report. Formal responses to these Harden review comments and recommendations were prepared for BTB (WSP Golder, 2022). Where appropriate, these responses have been repeated.

3.0 RESPONSE TO COMMENTS FROM HARDEN

The BTB responses to comments are presented in the order they are provided in the Harden Environmental letter report of September 14, 2023.

Comment 1.

Approximately 673 million liters of water was taken from well TW3-80 in 2022 (WSP Section 4.1). The annual taking is greater than in 2019, 2020 and 2021, and also exceeds the annual average taking of 667 million litres since 2002.

Response

The total volume of water taken in 2022 from TW3-80 was 672,615,929 litres, approximately 51% of the permitted annual volume assuming continuous well operation. Since 2002, the groundwater taking has ranged from approximately 43% to 67% of the permitted taking. It should be noted that the annual average taking from 2002 through 2022 is 687 million litres and not 667 million litres. As such, the water taking in 2022 is within the historical range and below the annual average.

It is also important to note that the MECP established the limit on the maximum permitted takings on the basis of a comprehensive long-term test of the aquifer conducted between August and October 2010 (40-day test at 2,460 L/min). The testing confirmed that pumping up to the maximum permitted takings would not cause unacceptable impacts to the aquifer, to Mill Creek and its tributaries or to neighboring groundwater takers.

Comment 2.

WSP stated in Section 4.1 that “Blue Triton committed to limit water takings to 90% of their monthly maximum permitted volume during the Level 1 Condition and 80% of their monthly maximum permitted volume during the Level 2 Condition” during a Level 1 or Level 2 Low Water Condition issued by the Grand River Low Water Response Team. A Level 1 Low Water Condition was declared on June 29, 2022 and was upgraded to a Level 2 Low Water Condition on July 21, 2022. No reduction in water taking by Blue Triton occurred in response to either Low Water Condition, as they were already pumping below 80% of their monthly maximum permitted volume. From a compliance standpoint there is no violation. However, this response is problematic as it translates to no response from this commercial water bottling operator, while other water takers in the community (municipal, agricultural, aggregate and golf course), most of which are water takings that are returned to the environment rather than removed from the watershed, have mitigative measures to adhere to under the same Low Water Conditions (see Attachment 1). Responses to Low Water Conditions must be made by all water users in the community to be effective.

Response

As per Condition 3.3 of the PTTW, a Low Water Response Plan has been prepared and is followed when a Low Water Advisory is in effect. Comprehensive, long-term monitoring at the BTB facility has demonstrated that BTB's takings do not cause either direct or immediate changes in the flow in nearby streams, neither Mill Creek nor its tributaries (i.e., pumping from the deep bedrock influences the deep bedrock groundwater levels, and not the shallow surface water levels or flows in Aberfoyle Creek adjacent to the BTB property).

Although there is no direct correlation between pumping from the deep bedrock aquifer and drought conditions, as indicated above, BTB has established a Low Water Response Plan that has been approved by the MECP, to be undertaken should a Low Water Advisory be declared. The plan includes increased monitoring at MW2-07, and that if water levels fall below historical levels additional investigations will commence. Water levels in the Lower Bedrock Aquifer declined below the trigger level for less than one day during the 2022 Low Water Condition and at that time the pumping rate was reduced. Water levels in the Upper Bedrock Aquifer and overburden did not decline below the trigger levels. The BTB monitoring wells are equipped with continuous data recorders. It should be noted that BTB tracks water levels at all of its monitoring locations closely during the Low Water Advisory and pumping rates at the factory are adjusted, and have been adjusted, as needed during this time based on aquifer conditions.

We note that there have been no significant effects observed on Aberfoyle Creek adjacent to the site since 2008 (when continuous monitoring began), which included nine Low Water Advisories between 2008 and 2023. Should the investigation indicate that the water taking is impacting the shallow surface water features during drought conditions then there will be a reduction in BTB water taking.

Harden indicates that other water takers in the community have mitigative measures to adhere to under the same Low Water Conditions. Based on our call with the Township and Harden on December 5, 2023, we understand that the Township does not have access to the water consumption of other users in the area and does not believe any other users are voluntarily restricting their water use during low water conditions. For the program to be effective, the water users that obtain water from surface water sources or shallow aquifer sources, must abide by the voluntary reductions during the Low Water Advisories. Unfortunately BTB does not have the additional capacity to store water during periods of lower water takings. As such, BTB relies on its Low Water Response Plan to take mitigative measures if necessary. In addition, BTB has lowered its instantaneous pumping rate as included in the "Suggested Actions in Response to Low Water for Major Water Use Sectors".

Comment 3.

Blue Triton and TW3-80 are within a Water Quantity Protection Zone (WHPA-Q) with a significant risk level to municipal water takings. WSP indicated in Section 2.5 that Matrix Solutions had determined "TW3-80 was not found to interfere with the municipal wells' ability to supply water. TW3-80 was estimated to be responsible for 0.1 m (1%) of the drawdown at the closest municipal well (Burke Well located approximately 7 km north-northeast of TW3-80." Matrix solutions also modelled predicted changes in water levels under increased pumping up to the maximum PTTW taking of 3,600,000 L/day from Blue Triton and determined that additional drawdown at the Burke well would be approximately 0.02 m, which was interpreted as negligible.

Harden stresses that the Burke Well is 7 km away from TW3-80 and the drawdown effects on local water supplies and surface water features in Puslinch Township, in closer proximity to TW3-80, have not been discussed as part of this assessment.

Response

We note that the information included in the Source Water Protection section of the report is included to provide background information for the potential interference with municipal water supplies and not local water supplies. The Clean Water Act (2006) was formed to protect existing and future sources of drinking water.

When considering the designation of the risk level assigned to the WHPA-Q for the City of Guelph, it is important to note why a “significant” risk level was assigned. Referring to the Guelph and Guelph/Eramosa Tier 3 Water Budget Study, the “significant” risk level was assigned because “The City’s Queensdale municipal well is predicted to not be able to meet future needs under normal climate conditions and during prolonged drought.”¹ The Queensdale municipal well is located approximately 12 km northwest of TW3-80. The analyses conducted for the Tier 3 study did not determine that pumping from the BTB Aberfoyle well (TW3-80) poses a risk to municipal groundwater supplies.

With respect to local water supplies and surface water features in close proximity to TW3-80, the extensive record of data has continued to confirm that pumping from TW3-80 has not had any unacceptable impacts on water resources. The data are presented in Section 4 of the report and graphically on the hydrographs included in the appendices.

Comment 4.

WSP noted in Section 3.1.2 that “some private wells are open across multiple bedrock units (for example private wells with a finished depth in the Lower Bedrock Aquifer are typically open across the Upper and Lower Bedrock Aquifers) these wells may represent a potential pathway for contaminants in the shallow groundwater system to move into the deeper strata. Monitoring of these private wells is no longer required under PTTW3133-C5BUH9.” The downward gradient induced by water takings from the lower aquifer by Blue Triton may cause downward movement of contaminants from the upper bedrock aquifer to the lower bedrock aquifer through local private multiple aquifer penetrating wells. In our opinion, this constant induced downward gradient represents a water quality threat to the lower aquifer and a water quantity threat to the upper aquifer. In our opinion, in the absence of the depressurization caused by Blue Triton, the volume of downward movement of groundwater would be negligible or caused only during pumping of the private wells, with the water takings captured by the pump rather than drawn into the lower aquifer. It is our opinion that efforts to identify these wells and evaluate their impact on the quality of the lower aquifer within the sphere of influence of the Blue Triton well should be undertaken by Blue Triton.

Response

The quality of the water pumped from TW3-80 is of great importance for BTB, and to the knowledge of BTB there have been no documented cases of deteriorating water quality in the surrounding private wells.

BTB is committed to reducing the impacts of multi aquifer penetrating wells by ensuring that neither its production well nor any of its monitoring wells are open across multiple aquifers. It is important to note that BTB is not able to either investigate private wells nor alter them in any way. It is the responsibility of the MECP to mandate the monitoring and reporting of water quality by the Township of Puslinch, Wellington County, the City of Guelph, and

¹ <https://www.sourcewater.ca/en/source-protection-areas/Guelph-and-Guelph-Eramosa-Tier-3.aspx#gsc.tab=0>

the Region of Waterloo. The Ontario Source Water Protection Program has been designed and implemented specifically to assess water quality, and to identify and mitigate potential threats to water quality.

As Harden indicates, a private well water quality investigation across the Township may be warranted; however, BTB can only do its part with the wells they own. It is our understanding that Harden was going to conduct a survey of the wells in the Township. We have been informed during the December 5 meeting with the Township and Harden, that a plan is being put in place for Harden to begin investigation of these wells.

The following provides some additional insight into the potential for contaminants to move from the shallow groundwater system into deeper strata. On a regional scale, there is a Middle Bedrock Aquitard that separates the shallow groundwater system (sediments and Upper Bedrock Aquifer) from the Lower Bedrock Aquifer from which TW3-80 obtains its supplies. The Middle Bedrock Aquitard acts as a protective barrier between the shallow and deeper systems. However, as Harden indicates, there are some private wells that are open across the Upper and Lower Bedrock Aquifers that may create a conduit between the two. The influence of these wells on the regional groundwater system are unknown. To aid in the assessment the spatial variations of the vertical hydraulic gradient should be considered. There is a potential for a component of the groundwater flow to be vertically downwards close to TW3-80. However, moving away from TW3-80, the gradient is either neutral or negative (upward groundwater flow). The potential for upward flow is evident at MW8-08 (Figure D41) and MW15-12 (Figure D44). The hydraulic gradient is close to neutral at MW16-12 (Figure D45), MW17-12 (Figure D46) and MW18-12 (Figure D47). As such, the area of the downward vertical gradient is localized.

Again, it should be noted that BTB cannot control land uses off its property; however, it is important to note that BTB is an excellent steward of its facility. In addition to constructing their wells so they are not open across multiple aquifers, the stewardship includes limiting the application of road salt and complete avoidance of the application of pesticides and herbicides on their property.

Under the intent of source water protection, the goal should be to eliminate or reduce the source of contamination. In this case, if the source of potential contamination is road salt, then the public should be made aware of best management practices for road salt and in extreme cases the Township could investigate the potential for strict enforcement of salt use including the spreading of salt on roads.

Further information is provided in the response to Recommendation 3.

Comment 5.

WSP indicated in Section 4.3.3 that “surface water flow at SW1 and SW2 was not measurably affected by pumping.” While we agree that the measurements were not able to detect flow changes, we did notice a change in hydraulic gradient from upwards to downwards along a greater reach of Aberfoyle Creek during 2022. In addition, the monitoring conducted for Mill Creek Aggregates found reversals of hydraulic gradients into Mill Creek in the reach between Blue Triton property and the Hanlon Expressway.

Response

Harden Environmental agrees that it is not possible to detect changes in flow between stations SW1 and SW2. This is consistent with the conclusion in Section 4.3.3 of the 2022 Annual Report that “surface water flow at SW1 and SW2 was not measurably affected by pumping.”

In general, the gradients and trends in the gradients in 2022 are similar to previous years. The trend of the gradients at certain locations (MP6, MP12, MP17, MP18) continued to decline or stabilize in the fall compared to

previous years when the gradient would usually increase. This trend does not correlate with the pumping at TW3-80 but does seem to correlate with the recharge trend. Due to the below normal precipitation throughout 2022 and the potential for increased evapotranspiration due to above-average temperatures, the shallow water levels declined through the summer with less recovery in the fall compared to previous years (hence the Low Water Advisory). As the water levels in the aquifer diminish, the gradient between the creek and shallow aquifer can increase and potentially reverse in some cases. The monitoring data in 2023 will be analyzed to assess whether conditions have returned to “normal” (to be provided in the 2023 Annual Report).

Comment 6.

WSP concluded in Section 5.0 that “No irreversible impacts have been observed due to pumping of the aquifer or deterioration of groundwater quantity or quality on neighbouring properties.” However, while Blue Triton does monitor two nearby private wells for water levels, no monitoring data on water quality is provided, either for onsite wells or neighbouring properties, as part of their monitoring report. In our opinion, the absence of regular water quality reporting as part of the ongoing monitoring program is important given the threat of contaminant migration into the Lower Bedrock Aquifer due to the constant induced downward gradient from pumping. We would like to see water quality monitoring added to the monitoring program in future, especially to monitor trends in the Upper and Lower Bedrock Aquifer units given the potential downward movement of contaminants under constant induced downward gradient conditions. The regular groundwater quality monitoring done by the Township of Puslinch confirms that salt contamination of the shallow aquifer located along the County Road 34 corridor is increasing. It is likely that similar contamination is occurring along the Brock Road corridor.

Response

The PTTW for TW3-80 does not mandate monitoring of water quality at private wells nor the production well. However, as a provider of a food-grade product, BTB is required to ensure that the water it bottles meets all human health criteria. The regular groundwater quality monitoring conducted for the Township of Puslinch is the appropriate approach for tracking changes in water quality in the shallow aquifer.

It should be noted that while monitoring at private wells has been removed from the PTTW, the monitoring at these locations has been replaced by monitoring at dedicated monitoring wells installed by the University of Guelph MG360 Group.

Comment 7.

Groundwater levels respond to both water takings and annual recharge. As noted in Section 3.4, drought conditions persisted through most of 2022 and annual precipitation was 682 mm, with an estimated annual recharge of 85 mm, which is the lowest in the 15-year analysis period. WSP indicated in Section 4.2.2 that water levels were observed below historical ranges in some local wells, but that 2022 water levels within the lower bedrock aquifer were generally similar to those observed in 2018, when the annual pumping rate was similar. However, Harden observed that lower bedrock water levels on the hydrographs recovered in late 2018, while 2022 showed a marked reduction in water levels in the second half of 2022 that did not recover by the end of the year. Pumping rates in the latter half of 2022 are also higher than in some previous years (e.g., 2018, 2019, 2020), which may have exacerbated the effects of drought conditions on water levels. WSP should look at these reduced water levels closely in 2023 to see if they rebound as drought conditions cease.

Response

The influence of pumping rate on the water levels is evident in the Lower Bedrock Aquifer. While the overall rates and water levels in 2018 and 2022 are similar, there are differences due to monthly pumping, as Harden has suggested. In the latter part of 2018 the overall pumping was reduced and the water levels in the lower bedrock aquifer increased. In the latter part of 2022 the pumping volumes varied and the water levels decreased with increased pumping and vice versa. This confirms that the changes in water levels in the Lower Bedrock Aquifer at the BTB facility are influenced primarily by pumping at TW3-80. BTB keeps a close watch on the water level data that are collected at its monitoring wells. BTB concurs with the suggestion to check whether water levels in 2023 have rebounded following the cessation of drought conditions or changes to pumping rates.

Comment 8.

TW1-93 – the water level in this overburden well is consistently recorded as being less than Mill Creek elevations. This suggests a loss of water from Mill Creek to the overburden aquifer in this area contrary to nearby MP14S/D that shows an upward gradient. We recommend that the elevation of this monitor be verified, and an explanation of this condition be provided.

Response

The current data indicate that there is local discharge in the creek (as shown at MP14S/D) with an overall downward flow from the overburden to the bedrock. It should be noted that TW1-93 is not located along the creek and is further downgradient from MP14S/D. As such, a vertical gradient can not be assessed comparing the data directly from TW1-93 and MP14S/D. Based on the Potentiometric Surface of Overburden mapping (Figure 4.5), the estimated water table at the MP14S/D location is approximately 311 masl. For comparison, the shallow water levels at MP14S/D on Figure 4.6 (Surface Water Elevations) is 311.2 masl, or similar. TW1-93 is located further downgradient and has a water level of 309.5 masl as shown on Figure 4.5 (Potentiometric Surface of Overburden). When comparing the two locations, this shows that groundwater flow is in a southerly direction.

In response to the comment, BTB has checked the difference in height between the two monitors at MP14S/D and they are similar to when the mini-piezometers were surveyed. BTB also checked the elevation of TW1-93 against the GRCA topographic mapping and the elevations are similar.

Comment 9.

Other than for TW3-80, only five years of data is presented on the hydrographs despite there being data available to at least 2006. We recommend that long- term hydrographs for representative monitors in each aquifer unit (overburden, upper bedrock and lower bedrock) be included in the annual report. This will provide an ability for the residents of Puslinch Township to evaluate long term trends in groundwater levels.

Response

Since the collection of water levels in the BTB monitoring wells is essentially continuous, the full extents of the data records are now very substantial. Preparing plots of the complete records of water levels extending back to the start of data collection would quickly become onerous. The hydrographs are presented for five-year intervals at the request of the MECP (note the MECP also requires 1 year hydrographs for the surface water monitoring so that a more detailed analysis related to precipitation / infiltration and snow melt effects can be examined). In our opinion, this provides a sufficient impression of the trend in recent years. The objective of the “Annual” monitoring report is to summarize the current conditions. Since the Aberfoyle Annual Monitoring Report is publicly available,

interested readers can make visual comparisons from year to year. A long-term hydrograph of average water levels is presented in the annual report for TW3-80 (Figure D1b) to provide a general analysis of the long-term water level response pumping. Long term hydrographs were also presented in the technical study submitted as part of the PTTW renewal application also found on the BTB website. We anticipate that these will be updated during the next renewal application.

Comment 10.

We have attached a figure showing the longer-term hydrograph for MP14S/D. It is clear that there is a trend towards greater upward groundwater movement (from deep to shallow) beneath Mill Creek. This is a welcome observation for which there is no explanation in the monitoring report. Does Blue Triton have local knowledge as to why hydraulic gradients are increasing at MP14S/D?

Response

As indicated in the comment, upward flow at MP14S/D is a positive thing. Prior to 2017 the water level in the deep monitor was slightly higher than the water level in the shallow monitor indicating there is a negative gradient (upward flow). After 2017, the difference between the water level in the deep and shallow monitor has been greater and the negative gradient has increased (i.e., more upward flow). The hydraulic gradient increased in 2018 and has been relatively similar since that time, except for a slightly reduced gradient during the later part of 2022 when water levels were lower. Based on the data, the change in gradient since 2017 is not due to pumping, however, the cause is unknown at this time. We will continue to track these changes. We also note that the elevation of MP14S/D has been checked and is similar to the previous survey results.

Comment 11.

The long-term hydrograph for MW10C/D is attached. There is an apparent decline in water levels over time. MW10C/D is on the fringe of the area of influence of TW3-80. This trend may be indicative of a slow enlargement of the area of influence of TW3-80 and bears further consideration.

Response

At MW10-09C/D there was a decline in water levels from 2013 to 2015 of approximately 1 m, another decline in the middle of 2020 of just over approximately 0.5 m and a decline of approximately 1 m in 2022. We would expect water levels on the fringe of the area of influence to increase and decrease as the capture zone expands and contracts due to the changes in pumping at TW3-80. However, no recovery in the water levels has been observed when overall pumping at TW3-80 is decreased. Harden may be correct in that this is a slow enlargement of the area of influence, but likely not solely due to the pumping at TW3-80. There have been several new water takings in the area that contribute to the overall water taking including new private wells. The data from this location will continue to be reviewed as part of future assessments. Unfortunately, BTB does not have access to other water user's takings and can not quantify the increase in water taking.

Comment 12.

The 2022 annual monitoring report received by Harden was not stamped/sealed by any of the authors. The use of a professional stamp/seal by a P.Geol. or P.Eng. authenticates geoscience documentation and is expected on a geoscience report of this size. We recommend that the authors review the guidelines on document authentication from Professional Geoscientists Ontario (PGO) and Professional Engineers Ontario (PEO).

Response

We note that the reports have been prepared and reviewed by a P.Geo. and a P.Eng. We will review the guidelines on the use of a professional stamp and include this on the next annual report if required.

4.0 RESPONSE TO RECOMMENDATIONS FROM HARDEN

Recommendation 1.

Request that Blue Triton provide responses to Comments 8, 10 and 11.

Response

BTB has provided the above responses to all of the Harden comments (see above).

Recommendation 2.

Request that Blue Triton participate in a regional analysis of the cumulative impact of water taking from the Lower Aquifer and impact assessment on baseflow to Mill Creek relative to non-pumping conditions.

Response

As part of the renewal of its current PTTW, the predecessor operator of the BTB facility conducted an extensive and comprehensive study of its groundwater takings in a regional context. The study is documented in a formal report submitted to the MECP (Golder and others, 2020). The study included extensive groundwater modelling funded by BTB but conducted entirely independently of BTB. The modelling considered the cumulative impacts of all other major water takings in the area relative to current long-term average conditions, an appropriate baseline for the analyses. Furthermore, the Blue Metric takings were assessed independently and comprehensively in the report on the Ontario Water Quantity Management Framework (BluMetric, 2020).

The baseline adopted for the extensive groundwater modelling conducted to support the application of renewal of the PTTW is current average conditions. This is an appropriate baseline. The consideration of impacts to Mill Creek relative to non-pumping conditions is not feasible as there are no data to characterize conditions prior to the start of pumping in the subwatershed. Non-pumping conditions would have to include conditions not only prior to start of pumping at the BTB facility, but everywhere else in the subwatershed including major aggregate operations immediately surrounding the BTB facility. Non-pumping conditions would also imply conditions prior to the start of these operations. Finally, since the City of Cambridge has major pumping centers close to Mill Creek, conditions would have to be known prior to the start of municipal pumping. In the absence of data to characterize non-pumping conditions, the results of analyses following the Harden Environmental recommendation would be meaningless.

If the Township would like to redo the cumulative impact assessment completed in 2020, then we would recommend it be assessed through a collaboration between the Township and the City of Guelph, which is the custodian of the Tier 3 Groundwater Model. An invitation to participate may also be extended to the Region of Waterloo. The BTB data was provided to the City for incorporation into the model as part of the technical study prepared for the PTTW renewal. Based on the update provided by the Township at the meeting on December 5, 2023, it is our understanding that a working group is being put together to investigate the cumulative impacts as both Guelph and the Region of Waterloo expand. BTB can provide the additional data collected over the past few years for the Township to reassess the cumulative impacts.

Recommendation 3.

Request that Blue Triton assist in the development of a plan to identify multiple aquifer penetrating wells within the TW3-80 area of influence, evaluate the movement of water through the wells and develop a mitigation plan. Greater efforts should be made to minimize the contamination of the lower aquifer given the observed salt contamination increase in this area.

Response

BTB has continued to do its part in this issue. As previously indicated, BTB has committed to making sure that all of their wells do not penetrate multiple aquifers. No wells that are open across multiple aquifers have ever been installed at the BTB facility. BTB cannot be responsible for wells that are not on its property. It is our understanding that the Township is hiring Harden to identifying these multi-aquifer penetrating wells. We would recommend that the Township also conduct a monitoring program to determine the water quality in these wells and whether or not they have been impacted by surface contaminants.

Again, it is important to note that BTB is an excellent steward of its facility. In addition to constructing their wells so they are not open across multiple aquifers, the stewardship includes limiting the application of road salt and complete avoidance of the application of pesticides and herbicides on their property.

As previously indicated, it may be more appropriate and cost-effective to eliminate the source or reduce the source of contamination rather than trying to identify all the wells that breach the aquitard. If the source of potential contamination is road salt, then the public should be made aware of best management practices for road salt and in extreme cases the Township could investigate the potential for strict enforcement of salt use.

Recommendation 4.

The Township of Puslinch should consider a Bylaw prohibiting the construction of multiple aquifer penetrating wells in the areas of influence of the Region of Waterloo municipal wells, the City of Guelph municipal wells and the industrial wells in the Aberfoyle area. All existing multiple aquifer penetrating wells should be identified, evaluated, and retrofitted with liners if found to allow groundwater movement from the upper bedrock aquifers to the lower bedrock aquifers.

Response

BTB supports any prohibitions on the construction of private wells that extend across multiple aquifers.

Jurisdiction for the installation of wells lies with the MECP. BTB cannot be responsible for wells that are not on its property. In particular, BTB cannot be responsible for invasive practices such as abandoning or modifying existing private wells. BTB supports the abandonment of poor drilling practices, however significant consideration should be given as to how this can be implemented. Some questions that arise are:

- If new wells must be constructed within an aquifer and not breach an aquitard then who is responsible for determining where the aquitard is? Is this the responsibility of the drilling contractor?
- If liners are to be installed in existing wells does that allow enough room for a smaller pump to fit in the well and still produce the same amount of water previously supplied to the home?

Based on the discussions with the Township at the meeting on December 5, 2023, it is our understanding that there may be some funding available for upgrades to existing wells that breach multiple aquifers.

5.0 CLOSURE

We trust this meets your requirements at this time. Should you have any comments please do not hesitate to contact Andreanne Simard.

References

BluMetric, 2020: A Summary of the Assessment of Water Resources to Support a Review of Ontario's Water Quantity Management Framework, prepared for the Government of Ontario Ministry of the Environment, Conservation and Parks, May 19, 2020.

Golder Associates Ltd., S.S. Papadopoulos & Associates, Inc., C. Portt & Associates, Beacon Environmental, 2019: Nestlé Waters Canada – Aberfoyle: Technical Study for Permit to Take Water Renewal Application, submitted to the Ministry of the Environment, Conservation and Parks, June 2020.

Harden Environmental Services Ltd., 2023: Blue Triton Brands – Aberfoyle Site: 2022 Annual Monitoring Report Review, submitted to the Township of Puslinch, September 14, 2023.

Matrix Solutions Inc., 2017: City of Guelph and Township of Guelph/Eramosa Tier Three Water Budget and Local Area Risk Assessment, prepared for the Lake Erie Source Protection Region, March 2017.

WSP-Golder, 2022: Response to Harden Environmental Services Ltd. review comments on the Aberfoyle Site 2021 Annual Monitoring Report, technical memorandum prepared for Andreanne Simard, Blue Triton Brands, May 31, 2022.

WSP Canada Inc., 2023: Blue Triton Brands Aberfoyle Site: 2022 Annual Monitoring Report, submitted to Blue Triton Brands, March 2023.

WSP Canada Inc. IN ASSOCIATION WITH S.S. PAPADOPULOS



Greg Padusenko, M.Sc., P.Eng., P.Geo.
Senior Hydrogeologist



Christopher Neville, M.Sc., P.Eng.
Senior Hydrogeologist (S.S. Papadopoulos and Associates, Inc.)

GRP/CN/JH/JAP/rk

Distribution: Andreeanne Simard, Blue Triton Brands

[https://golderassociates.sharepoint.com/sites/139500/project files/6 deliverables/aberfoyle/2022 annual report/comments from harden and response/20449101-001-tm-rev0-response to harden comments on aberfoyle-7dec_23.docx](https://golderassociates.sharepoint.com/sites/139500/project%20files/6%20deliverables/aberfoyle/2022%20annual%20report/comments%20from%20harden%20and%20response/20449101-001-tm-rev0-response%20to%20harden%20comments%20on%20aberfoyle-7dec_23.docx)



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November 2, 2023

RE: Blue Triton Brands – Aberfoyle Site – 2022 Annual Monitoring Report and Peer Review by Harden Environmental

The Township of Puslinch Council, at its meeting held on September 27, 2023, discussed the 2022 Annual Monitoring Report for the Blue Triton Brands Aberfoyle site (WSP Canada Inc., dated March 2023).

Also considered was the Harden Environmental Review of the same, dated September 14, 2023.

Please be advised that Township of Puslinch Council, after considering the aforementioned topic, resolved the following:

Resolution No. 2023-0306: Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That Correspondence item 10.3 regarding the Blue Triton Brands – Aberfoyle Site – 2022 Annual Monitoring Report and Peer Review by Harden Environmental be received for information; and

That Council direct staff to forward Harden’s report to Blue Triton for comment and request for a meeting to discuss next steps relating to the recommendations outlined in the report; and

That Council direct staff to work with Harden Environmental and Source Water Protection and report back to Council regarding a process on implementing the recommendations outlined in the report including costing, detailed scope of work, and identifying other key



stakeholders (i.e., significant water takers in the area, the County of Wellington, and Township of Guelph Eramosa):

- 1) Request that Blue Triton provide responses to Comments 8, 10 and 11.
- 2) Request that Blue Triton participate in a regional analysis of the cumulative impact of water taking from the Lower Aquifer and impact assessment on baseflow to Mill Creek relative to non-pumping conditions.
- 3) Request that Blue Triton assist in the development of a plan to identify multiple aquifer penetrating wells within the TW3-80 area of influence, evaluate the movement of water through the wells and develop a mitigation plan. Greater efforts should be made to minimize the contamination of the lower aquifer given the observed salt contamination increase in this area.
- 4) The Township of Puslinch should consider a Bylaw prohibiting the construction of multiple aquifer penetrating wells in the areas of influence of the Region of Waterloo municipal wells, the City of Guelph municipal wells and the industrial wells in the Aberfoyle area. All existing multiple aquifer penetrating wells should be identified, evaluated, and retrofitted with liners if found to allow groundwater movement from the upper bedrock aquifers to the lower bedrock aquifers.

CARRIED

As per the above resolution, staff will contact the various stakeholders to arrange a meeting in the near future. A copy of the Harten Environmental review is attached to this correspondence.

Sincerely,
Justine Brotherston
Municipal Clerk

CC: Stan Denhoed, President, and Angela M. Mason, Senior Hydrogeologist - Harden Environmental Services Ltd. sdenhoed@hardenv.com

Kyle Davis, Risk Management Official, Wellington Source Water Protection
kdavis@centrewellington.ca



Harden Environmental Services Ltd.
4622 Nassagaweya-Puslinch Townline
Moffat, Ontario, L0P 1J0
Phone: (519) 826-0099 Fax: (519) 826-9099

Hydrogeological Assessment

Geochemistry

Phase I / II ESA

Regional Flow Studies

Contaminant Investigations

OLT Hearings

Water Quality Sampling

Groundwater & Surface Water
Monitoring

Groundwater Protection
Studies

Groundwater Modelling

Groundwater Mapping

Permits to Take Water

Environmental Compliance
Approvals

Designated Substance Surveys

Our File: 0215

September 14, 2023

Township of Puslinch
7404 Wellington Road 34
Puslinch, Ontario N0B 2J0

Attention: Lynne Banks
Development and Legislative Coordinator

Dear Lynne,

**Re: Blue Triton Brands – Aberfoyle Site
2022 Annual Monitoring Report Review**

We have reviewed the 2022 Annual Monitoring Report for the Blue Triton Brands Aberfoyle site (WSP Canada Inc., dated March 2023). We have the following comments regarding hydrogeological aspects of the water taking.

Comments on the 2022 Annual Monitoring Report

1. Approximately 673 million liters of water was taken from well TW3-80 in 2022 (WSP Section 4.1). The annual taking is greater than in 2019, 2020 and 2021, and also exceeds the annual average taking of 667 million litres since 2002.
2. WSP stated in Section 4.1 that “Blue Triton committed to limit water takings to 90% of their monthly maximum permitted volume during the Level 1 Condition and 80% of their monthly maximum permitted volume during the Level 2 Condition” during a Level 1 or Level 2 Low Water Condition issued by the Grand River Low Water Response Team. A Level 1 Low Water Condition was declared on June 29, 2022 and was upgraded to a Level 2 Low Water Condition on July 21, 2022. No reduction in water taking by Blue Triton occurred in response to either Low Water Condition, as they were already pumping

below 80% of their monthly maximum permitted volume. From a compliance standpoint there is no violation. However, this response is problematic as it translates to no response from this commercial water bottling operator, while other water takers in the community (municipal, agricultural, aggregate and golf course), most of which are water takings that are returned to the environment rather than removed from the watershed, have mitigative measures to adhere to under the same Low Water Conditions (see Attachment 1). Responses to Low Water Conditions must be made by all water users in the community to be effective.

3. Blue Triton and TW3-80 are within a Water Quantity Protection Zone (WHPA-Q) with a significant risk level to municipal water takings. WSP indicated in Section 2.5 that Matrix Solutions had determined “TW3-80 was not found to interfere with the municipal wells’ ability to supply water. TW3-80 was estimated to be responsible for 0.1 m (1%) of the drawdown at the closest municipal well (Burke Well located approximately 7 km north-northeast of TW3-80.” Matrix solutions also modelled predicted changes in water levels under increased pumping up to the maximum PTTW taking of 3,600,000 L/day from Blue Triton and determined that additional drawdown at the Burke well would be approximately 0.02 m, which was interpreted as negligible.

Harden stresses that the Burke Well is 7 km away from TW3-80 and the drawdown effects on local water supplies and surface water features in Puslinch Township, in closer proximity to TW3-80, have not been discussed as part of this assessment.

4. WSP noted in Section 3.1.2 that “some private wells are open across multiple bedrock units (for example private wells with a finished depth in the Lower Bedrock Aquifer are typically open across the Upper and Lower Bedrock Aquifers)... these wells may represent a potential pathway for contaminants in the shallow groundwater system to move into the deeper strata. Monitoring of these private wells is no longer required under PTTW3133-C5BUH9.” The downward gradient induced by water takings from the lower aquifer by Blue Triton may cause downward movement of contaminants from the upper bedrock aquifer to the lower bedrock aquifer through local private multiple aquifer penetrating wells. In our opinion, this constant induced downward gradient represents a water quality threat to the lower aquifer and a water quantity threat to the upper aquifer. In our opinion, in the absence of the depressurization caused by Blue Triton, the volume of downward movement of groundwater would be negligible or caused only during pumping of the private wells, with the water takings captured by the pump rather than drawn

into the lower aquifer. It is our opinion that efforts to identify these wells and evaluate their impact on the quality of the lower aquifer within the sphere of influence of the Blue Triton well should be undertaken by Blue Triton.

5. WSP indicated in Section 4.3.3 that “surface water flow at SW1 and SW2 was not measurably affected by pumping.” While we agree that the measurements were not able to detect flow changes, we did notice a change in hydraulic gradient from upwards to downwards along a greater reach of Aberfoyle Creek during 2022. In addition, the monitoring conducted for Mill Creek Aggregates found reversals of hydraulic gradients into Mill Creek in the reach between Blue Triton property and the Hanlon Expressway.
6. WSP concluded in Section 5.0 that “No irreversible impacts have been observed due to pumping of the aquifer or deterioration of groundwater quantity or quality on neighbouring properties.” However, while Blue Triton does monitor two nearby private wells for water levels, no monitoring data on water quality is provided, either for onsite wells or neighbouring properties, as part of their monitoring report. In our opinion, the absence of regular water quality reporting as part of the ongoing monitoring program is important given the threat of contaminant migration into the Lower Bedrock Aquifer due to the constant induced downward gradient from pumping. We would like to see water quality monitoring added to the monitoring program in future, especially to monitor trends in the Upper and Lower Bedrock Aquifer units given the potential downward movement of contaminants under constant induced downward gradient conditions. The regular groundwater quality monitoring done by the Township of Puslinch confirms that salt contamination of the shallow aquifer located along the County Road 34 corridor is increasing. It is likely that similar contamination is occurring along the Brock Road corridor.
7. Groundwater levels respond to both water takings and annual recharge. As noted in Section 3.4, drought conditions persisted through most of 2022 and annual precipitation was 682 mm, with an estimated annual recharge of 85 mm, which is the lowest in the 15-year analysis period. WSP indicated in Section 4.2.2 that water levels were observed below historical ranges in some local wells, but that 2022 water levels within the lower bedrock aquifer were generally similar to those observed in 2018, when the annual pumping rate was similar. However, Harden observed that lower bedrock water levels on the hydrographs recovered in late 2018, while 2022 showed a marked reduction in water levels in the second half of 2022 that did not recover by the end of the year. Pumping rates in the latter half of 2022 are also higher than in some previous years (e.g., 2018, 2019, 2020), which may have exacerbated

the effects of drought conditions on water levels. WSP should look at these reduced water levels closely in 2023 to see if they rebound as drought conditions cease.

8. TW1-93 – the water level in this overburden well is consistently recorded as being less than Mill Creek elevations. This suggests a loss of water from Mill Creek to the overburden aquifer in this area contrary to nearby MP14S/D that shows an upward gradient. We recommend that the elevation of this monitor be verified, and an explanation of this condition be provided.
9. Other than for TW3-80, only five years of data is presented on the hydrographs despite there being data available to at least 2006. We recommend that long-term hydrographs for representative monitors in each aquifer unit (overburden, upper bedrock and lower bedrock) be included in the annual report. This will provide an ability for the residents of Puslinch Township to evaluate long term trends in groundwater levels.
10. We have attached a figure showing the longer-term hydrograph for MP14S/D. It is clear that there is a trend towards greater upward groundwater movement (from deep to shallow) beneath Mill Creek. This is a welcome observation for which there is no explanation in the monitoring report. Does Blue Triton have local knowledge as to why hydraulic gradients are increasing at MP14S/D?
11. The long-term hydrograph for MW10C/D is attached. There is an apparent decline in water levels over time. MW10D/D is on the fringe of the area of influence of TW3-80. This trend may be indicative of a slow enlargement of the area of influence of TW3-80 and bears further consideration.
12. The 2022 annual monitoring report received by Harden was not stamped/sealed by any of the authors. The use of a professional stamp/seal by a P.Geo. or P.Eng. authenticates geoscience documentation and is expected on a geoscience report of this size. We recommend that the authors review the guidelines on document authentication from Professional Geoscientists Ontario (PGO) and Professional Engineers Ontario (PEO).

Summary Comments

The taking of water from TW3-80, other industrial water takings from the deep aquifer beneath Aberfoyle, the water taking by the City of Guelph and the water taking by the Region of Waterloo are reducing the hydrostatic pressure in the lower aquifer, a significant water supply aquifer for the Township of Puslinch. Other than the lowering of water levels in private wells near to the production wells, the regional implications of this reduced pressure is not clearly or obviously manifested in a measurable way such as streamflow in Mill Creek. However, groundwater models indicate that a reduction in baseflow to Mill Creek is one of the outcomes.

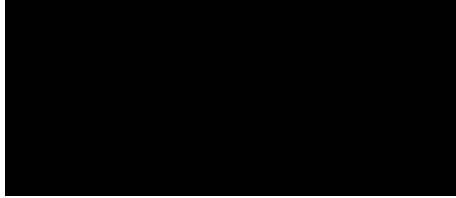
The water quality of the lower aquifer will be diminished by the induced movement of groundwater from upper aquifers. This is particularly likely along the Brock Road corridor through Aberfoyle where significant road salting efforts occur for the busy road and school area.

Our recommendations to the Township of Puslinch are as follows:

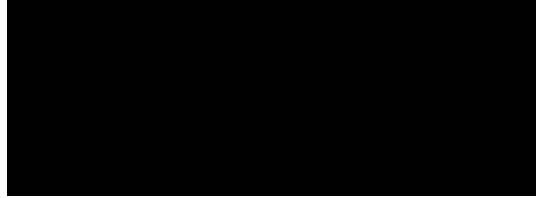
- 1) Request that Blue Triton provide responses to Comments 8, 10 and 11.
- 2) Request that Blue Triton participate in a regional analysis of the cumulative impact of water taking from the Lower Aquifer and impact assessment on baseflow to Mill Creek relative to non-pumping conditions.
- 3) Request that Blue Triton assist in the development of a plan to identify multiple aquifer penetrating wells within the TW3-80 area of influence, evaluate the movement of water through the wells and develop a mitigation plan. Greater efforts should be made to minimize the contamination of the lower aquifer given the observed salt contamination increase in this area.
- 4) The Township of Puslinch should consider a Bylaw prohibiting the construction of multiple aquifer penetrating wells in the areas of influence of the Region of Waterloo municipal wells, the City of Guelph municipal wells and the industrial wells in the Aberfoyle area. All existing multiple aquifer penetrating wells should be identified, evaluated, and retrofitted with liners if found to allow groundwater movement from the upper bedrock aquifers to the lower bedrock aquifers.

Please do not hesitate to contact us in regard to this review.

Harden Environmental Services Ltd.



Angela M. Mason, M.Sc., P.Geo., QP_{ESA}
Senior Hydrogeologist



Stan Denhoed, P.Eng., M.Sc.
President

Attachments:

- 1 – Suggested Actions in Response to Low Water for Major Water Use Sectors
- 2 – Extended hydrographs for MW10C/D-09 and MP14S/D-07

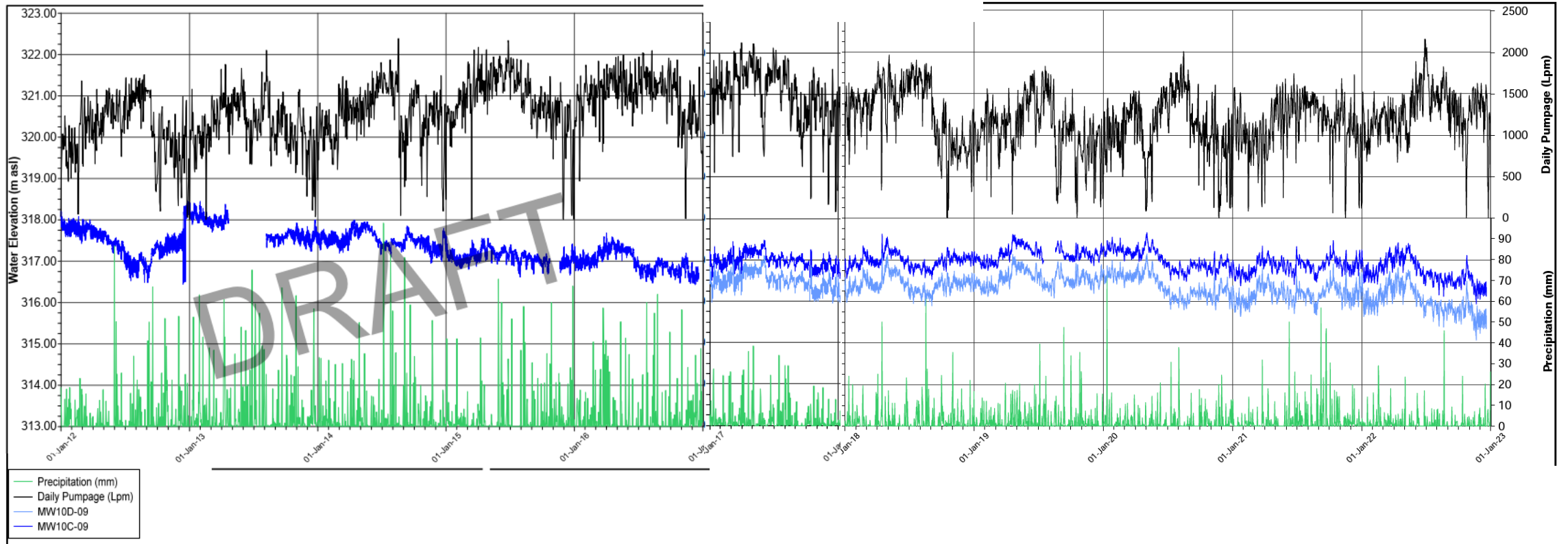
Suggested Actions in Response To Low Water For Major Water Use Sectors

Flow Conditions	Municipal Users	Golf Course Users	Agricultural Users	Aggregate Users
Normal Flows	<ul style="list-style-type: none"> ➤ Use these periods to top up municipal water storage. 	<ul style="list-style-type: none"> ➤ Use these periods to top up the water storage on the course 	<ul style="list-style-type: none"> ➤ Use these periods to top up water storage ponds and soil moisture content. 	<ul style="list-style-type: none"> ➤ Stockpile washed materials to create reserves where practical. ➤ Consider drought contingency options when designing/considering future phases.
Below Normal Flows Level 1 Condition <u>Action target</u> Increase awareness. Reduce water use by 10%.	<ul style="list-style-type: none"> ➤ Actively encourage compliance with outdoor water use by-laws ➤ Reduce water withdrawals for park and public lands irrigation by scheduling withdrawals, use of storage 	<ul style="list-style-type: none"> ➤ Make use of water storage on the course. ➤ Withdraw water more slowly over a longer period of time i.e. reduce pumping rate, ➤ Schedule surface water withdrawals with neighboring golf courses. 	<ul style="list-style-type: none"> ➤ Mobilize a local agricultural water users group. ➤ Withdraw water more slowly over a longer period of time eg. reduce pumping rate. ➤ Schedule surface water withdrawals with neighboring water takers 	<ul style="list-style-type: none"> ➤ Where applicable closely monitor operating levels (eg. pond levels). ➤ Reduce non-essential water use. ➤ Increase surveillance of wash operations to identify and correct any water losses. (eg. leaky pipes) ➤ Withdraw surface water more slowly over a longer period of time i.e. reduce pumping rate.
Critically Low Flows Level 2 Condition <u>Action target</u> Reduce water use by 20%. Reduce surface pumping rate by 50%.	<ul style="list-style-type: none"> ➤ Maintain but minimize municipal supply withdrawals ➤ Enforce outdoor water use by-laws ➤ Implement outdoor water use bans where applicable. ➤ Reduce park and public land irrigation through selective watering, scheduling, storage ➤ Report actions taken to Water Response Team 	<ul style="list-style-type: none"> ➤ Reduce water use on selected portions of the course. ➤ Make use of water storage on the course. ➤ Withdraw water more slowly over a longer period of time - reduce pumping rate. ➤ Schedule surface water withdrawals with neighboring golf courses. ➤ Report actions taken to sector representative 	<ul style="list-style-type: none"> ➤ Eliminate non-essential water use. ➤ Further reduce pumping rate, make use of storage. ➤ Irrigate dusk to dawn only. ➤ Collectively co-ordinate surface water takings with other water takers. ➤ Report actions taken to sector representative 	<ul style="list-style-type: none"> ➤ Eliminate non-essential water use. ➤ Further reduce surface water pumping rate. Make use of water storage on site. ➤ Where practical reduce below water excavations. ➤ Report actions taken to sector representative
Extreme Low Flows Level 3 Condition <u>Action Target</u> Reduce water use greater than 20% Reduce surface pumping greater than 50%.	<ul style="list-style-type: none"> ➤ Reduce municipal groundwater withdrawals to stabilize groundwater levels. ➤ Reduce municipal surface water withdrawals to stabilize surface water flows. ➤ Eliminate non-essential water use 	<ul style="list-style-type: none"> ➤ Reduce water use by selected irrigation only. ➤ Stop surface water withdrawals. Rely on storage. ➤ Reduce groundwater withdrawals to stabilize groundwater levels. 	<ul style="list-style-type: none"> ➤ Reduce water use by selected irrigation only. ➤ Implement all feasible measures to reduce stress to streams and groundwater aquifers. 	<ul style="list-style-type: none"> ➤ Further optimize wash water operations as much as practically possible. ➤ Where possible cease surface water withdrawals and use stored water. ➤ Where possible further reduce below water table extraction.
Declared Level 3	<ul style="list-style-type: none"> ➤ Ministry's Discretion to Impose Water Restrictions 	<ul style="list-style-type: none"> ➤ Ministry's Discretion to Impose Water Restrictions 	<ul style="list-style-type: none"> ➤ Ministry's Discretion to Impose Water Restrictions 	<ul style="list-style-type: none"> ➤ Ministry's Discretion to Impose Water Restrictions

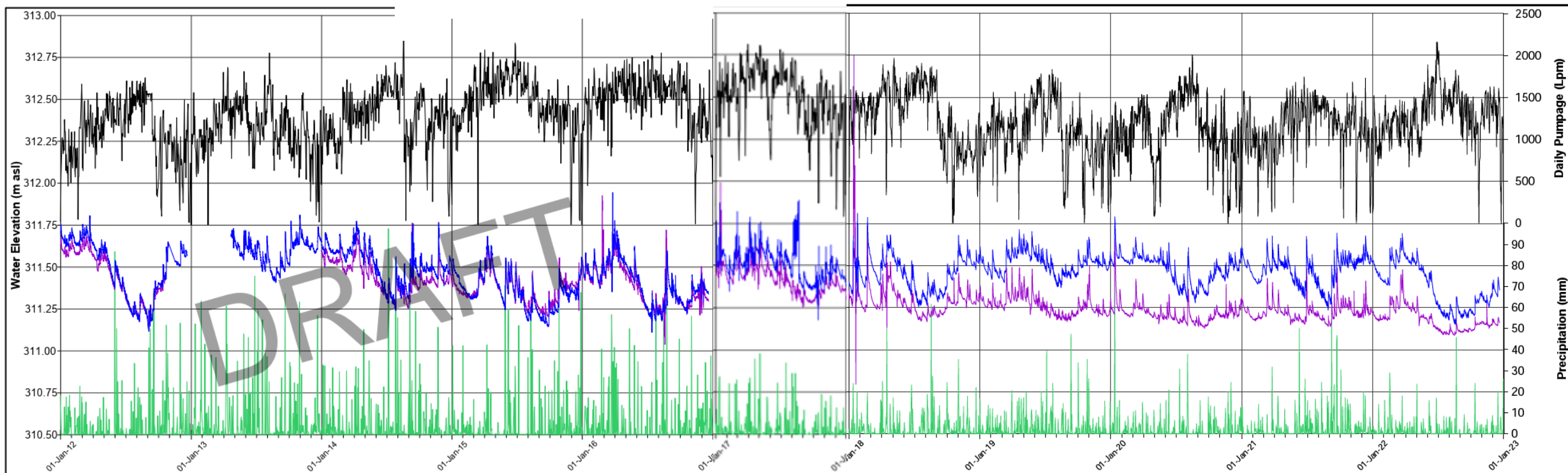
Notes

1. The above listed actions are suggestions for voluntary action; an individual's action in response to varying levels of low water will depend on the particular operation or source of water. Each operation is encouraged to develop a Low Water Response Plan particular to its own situation.
2. A particular watershed may progress through the Low Water Levels in response to a number of factors, including streamflow, precipitation and local water use. The local Water Response Team considers all factors when moving between Levels. Actions taken at a specific Level may halt the progression of reduced streamflows.
3. A Level 3 will only be declared when the Provincial Water Directors accept a Water Response Team's recommendation that the local situation cannot be managed through local voluntary action and requires provincial intervention. A Level 3 condition may exist without a Level 3 being declared.

MW10C/D-09 Extended Hydrograph



MP14S/D-07 Extended Hydrograph



- Precipitation (mm)
- Daily Pumpage (Lpm)
- MP14D-07
- MP14S-07



DATE DECEMBER 2016
DESIGN JH

PROJECT NESTLE WATERS CANADA
Town of Aberfoyle, Ontario

TITLE MP14 NEST HYDROGRAPH
2016 ANNUAL MONITORING REPORT

November 30, 2023

Nina Lecic
Deputy Clerk
Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0

Dear Nina Lecic:

**RE: Notice of Study Commencement
Highway 401 from Steeles Avenue in Milton westerly to 1.5 km west of the Halton-Wellington Boundary (GWP 2030-23-00)
Preliminary Design and Class Environmental Assessment Study
Ontario Ministry of Transportation**

The Ontario Ministry of Transportation (MTO) has retained AECOM Canada Ltd. (AECOM) to undertake a Preliminary Design and Class Environmental Assessment Study for improvements to Highway 401 from Steeles Avenue in Milton westerly to 1.5 km west of the Halton-Wellington Boundary. The Project is located within the Town of Milton, Halton Region and the Township of Puslinch, The County of Wellington. The Project's Study Area is shown on the enclosed Notice of Study Commencement.

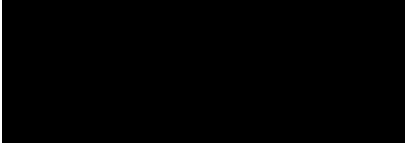
This Study includes the consideration of potential improvements along the Highway 401 corridor to address both existing and long-term transportation and operational needs within the Study Area. Possible improvements that will be investigated as part of this Study include additional capacity expansion, High Occupancy Vehicle (HOV) lanes, and bridge, illumination, drainage, and interchange modifications.

This Project will follow the approved planning process for a Group 'B' project under the MTO *Class Environmental Assessment for Provincial Transportation Facilities* (Class EA, amended 2000). Alternatives will be generated and evaluated based on technical and environmental factors. The Project Team will assess environmental impacts and determine mitigation measures to be carried forward for the subsequent Detail Design phase of the Project. Upon Study completion, a Transportation Environmental Study Report (TESR) will be prepared and available for a 30-day public comment period.

The purpose of this letter is to notify you of the commencement of this Preliminary Design and Class EA Study. If you would like to provide comments, or if you require further information regarding this Project, please visit the Project website at Highway401Milton.ca or contact the Project Team at ProjectTeam@Highway401Milton.ca or via the contact information provided in the enclosed notice.

All information/comments received will be maintained on file for use during the Study and may be included in the Study documentation. Information collected will be used in accordance with the *Freedom of Information and Protection of Privacy Act*. With the exception of personal information, all comments will become part of the public record. If you have any accessibility requirements to participate in this Project, please contact one of the Project team members identified in the enclosed notice.

Sincerely,
AECOM



Tim Sorochinsky, P.Eng.
AECOM Project Manager

- cc. S. Mérey, MTO Senior Project Engineer
- L. Goodman, MTO Senior Environmental Planner
- G. Coy, AECOM Deputy Project Manager
- E. Docherty, AECOM Senior Environmental Planner
- J. DeDecker, AECOM Senior Environmental Planner

Encl. Notice of Study Commencement

**ONTARIO GOVERNMENT NOTICE
NOTICE OF STUDY COMMENCEMENT**

**Highway 401 Improvements from Steeles Avenue in Milton westerly to 1.5km west of the
Halton-Wellington Boundary**

GWP 2030-23-00

PRELIMINARY DESIGN & CLASS ENVIRONMENTAL ASSESSMENT STUDY

THE STUDY

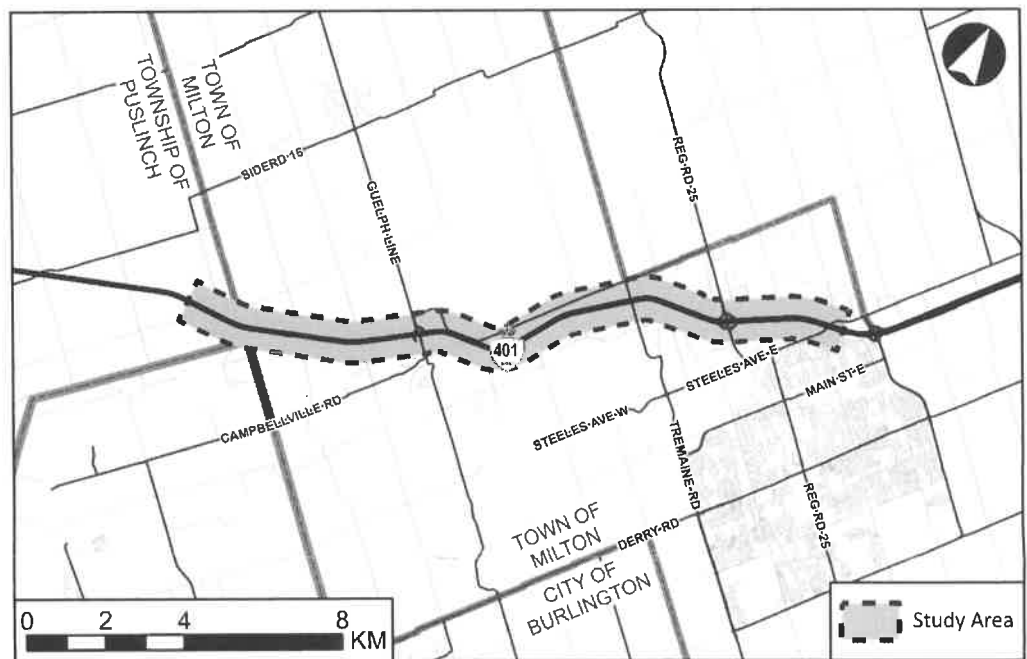
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THE PROCESS

This Project will follow the approved planning process for a Group 'B' project under the MTO *Class Environmental Assessment for Provincial Transportation Facilities* (Class EA, amended 2000).

Alternatives will be generated and evaluated based on technical and environmental factors. The Project Team will assess environmental impacts and determine mitigation measures to be carried forward for the subsequent Detail Design phase of the Project.

Upon Study completion, a Transportation Environmental Study Report (TESR) will be prepared and available for a 30-day public comment period.



HOW TO PARTICIPATE

Two Public Information Centres (PICs) will be held during this Project to provide interested parties with the opportunity to discuss the Project and provide comments to the Project Team. Notifications advising the time of and how to join the PICs and of the availability of the TESR for the comment period will be published in local newspapers, distributed to the Project contact list, and made available on the Project website.

For up-to-date information, or to participate in the Study, please visit the Project website or contact the Project Team directly by e-mail or telephone.

Website: Highway401Milton.ca

Email: ProjectTeam@Highway401Milton.ca

PROJECT TEAM

Sabina Mérey, P. Eng.

Senior Project Engineer, Ministry of Transportation
Project Delivery Section – Peel/Halton
159 Sir William Hearst Avenue, 4th Floor
Toronto, ON M3M 0B7
Tel: 437-788-3186

Tim Sorochinsky, P.Eng.

Consultant Project Manager
AECOM
105 Commerce Valley Drive West, 7th Floor
Markham, ON L3T 7W3
Tel: 905-418-1475

Comments are being collected to assist MTO in meeting the requirements of the *Ontario Environmental Assessment Act*. This material will be maintained on file for use during the Study and may be included in project documentation. Information collected will be used in accordance with the *Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. F.31*. With the exception of personal information, all comments will become part of the public record. If you have any accessibility requirements in order to participate in this project, please contact the Project Team as listed above.



**County of Wellington O.P.P.
Police Services Board Report**

October 2023

Detachment Commander
Inspector Steve Thomas

From the Detachment Commander

Remembrance Day is approaching, and it is a time to remind everyone of the ultimate sacrifice past and current generations have made to secure our freedom and uphold our Democratic values. I encourage everyone to attend a local cenotaph or Remembrance Day event to pay their respects for those who gave everything for the benefit of future generations.

As the weather gets colder and winter draws near, I want to take the opportunity to remind everyone to install those winter tires, keep an eye on the forecast and slow down when the snow arrives. Many winter collisions can be prevented if we ease up on the pedal.

Along with snow, winter brings the Holiday Season, which in turn brings about the yearly Festive Ride Campaign. Wellington County OPP officers will fan out across the County conducting RIDE campaigns to remove drunk drivers from the roadways. Please, if you are attending events and consuming alcohol, have a designated driver, call a cab, or use a ride sharing service. There are so many options available. There is never an excuse for driving while impaired!

As this is the last Police Service Board Report prior to the new year, I want to wish everyone a very safe and happy Holiday Season and a Happy New Year.

Be safe, stay safe and arrive alive!



Inspector Steve Thomas
519-846-5930

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Crime

Crime Unit

Supervisor: Detective Sergeant Jennifer Foley

In October 2023, the Crime Unit investigated a member of the public in illegal possession of a firearm. A Criminal Code search warrant was executed at residence where a firearm and ammunition were located. As a result, an adult male was charged with unauthorized possession of a firearm and careless storage of a firearm.

On October 19, 2023, a Judge and Jury murder trial in Guelph Superior court concluded after 24 days. Kyle GEMIN was found guilty of second-degree murder for the killing of his 74-year-old grandfather in Belwood in 2020. Several members of the OPP testified in the trial contributing to a strong prosecution. Crime Unit investigators who held the roles of Lead Investigator and File Coordinator were in court to support the Crown Attorney for the duration of the trial. Officers assisted with witness preparation, reviewing evidentiary material, and prosecution planning.

The Crime Unit conducts investigations of child abuse in cooperation with Guelph-Wellington Family & Children's Service and other child protection agencies as required. Ensuring the safety of other children in care of accused's persons is always a priority. In October 2023, the Crime Unit charged an adult male for assault against a 5-year-old child.

Community Street Crime Unit

Supervisor: Detective Sergeant Jeff Dudley

CSCU welcomed a new member to the team in October. This member previously completed a temporary assignment with CSCU and conducted several drug and property crime investigations during that time. This member has been a police officer for six years and brings with them a wealth of policing experience from their frontline investigations.

CSCU and CU began an investigation in September for a theft of a large spool of copper wire from a business in North Wellington. Suspects entered the business and stole over \$200,000.00 worth of copper wire. CSCU liaised with other policing partners and were able to identify one of the suspects responsible for the theft. CSCU has charged the suspect and are still attempting to identify the second personal responsible for the theft.

CSCU assisted frontline with a methamphetamine trafficking case in South Wellington. Investigators authored a search warrant to obtain further evidence that will assist in the laying of charges. A female was located with a quantity of methamphetamine valued at \$1200 and drug trafficking paraphernalia. The accused has been charged with several offences including possession for the purpose of trafficking methamphetamine.

CSCU assisted London Police Service with the recovery of four custom stolen trucks from a business in North Wellington. The value of the trucks was estimated to be over \$400,000.00. CSCU continues to work with London Police Service identifying the suspects and laying applicable charges. The vehicles have been returned to the respective owner.

CSCU assisted MCU with a warrant in South Wellington related to weapon offences. A firearm, several hundred rounds of ammunition, a small quantity of cocaine and a bow with arrows were seized as a result. The accused was charged with several offences. Great teamwork by CSCU and CU.

Traffic

Traffic Management Unit

Supervisor: Sergeant Adam McGough

Black Cat Speed Monitoring Devices

	Study Length	Number of Vehicles	Recommended Enhanced Enforcement	Posted Speed Limit	85 th Percentile	Collision History (5 years)
Location	Concession 1, Puslinch <i>Between Townline Rd and Highway 6</i>					
	8 days	24,971	Yes	60	83	84
Location	Wellington Road 19, Centre Wellington <i>At Second Line</i>					
	9 days	10,256	No	80	96	2

Traffic Management Unit members continues to conduct RIDE checks throughout the County. The 2023 Festive RIDE will begin on November 16th, 2023.

During the beginning October, Wellington Traffic Management Unit members participated diligently in Operation Impact, a provincial traffic campaign over the Thanksgiving holiday weekend. 100 charges were laid, including speeding, impaired driving, distracted driving, and others.

Submissions for the 2024 Provincial Tow Program were due October 15th, 2023. Submissions are being screened for the OPP towing program, beginning January 1st, 2024. Further inspections of fleets and impounds will take place in November.

A competition will be held at the beginning of November for a Traffic Management Unit vacancy.

Community Response

Community Response Unit

Supervisor: Sergeant James Mackenzie

The Fair season ended this month with the Erin fall fair on Thanksgiving weekend. This event can bring 10,000 people into the town of Erin. CRU engaged with the planning team and provided foot patrol at the event. Despite the challenges this year with construction zones surrounding the fairgrounds, the weekend went smooth with limited incident. Congratulations to the Erin Agricultural Society for a successful and entertaining event.

The CRU response unit continued support to front line policing while taking part in community events. The Centre Wellington Fire Department put on an open house for our community to attend. This brought Fire, OPP, RCMP, MNR and EMS services together to greet and have conversations of many topics of the services provide by our first responders.

Our School Resiliency Officer is back in full swing since School is back and students are settled in. PC Hickey has partnered with Upper Grand District School Board, John Howard Society and Guelph Police to attend our County's High Schools to educate students on the definition of what a weapon is and what should not be brought to school that could be viewed as a weapon. This conversation with our youth opens many discussions on resolving conflict without violence and keeping our schools safe. This presentation has been provided to Wellington Heights in Mount Forest with positive feedback. PC Hickey will continue to visit our remaining High schools over the next few months.

CSS is looking forward to the up-and-coming parade season and continued community engagement.

IMPACT (Integrated Mobile Police and Crisis Team)

September 2023

Individuals Served	Requests for Service	Live Calls with Police	Calls Diverted from Hospital
50	54	26	92.3%

Auxiliary Unit

Unit Commander: Auxiliary Staff Sergeant J. SWAN

Liaison: Provincial Constable Kyle Draves

The Auxiliary unit participated in a food drive in conjunction with the Centre Wellington Food Bank. The Food Bank reported that 766 donation bags were collected along with a few needed items totaling two van loads; \$1,173.10 worth of cash donations was also collected. This was the 16th Thanksgiving Food Drive the unit has been a part of. Our October training was focused on updating member information for the Auxiliary Program Office and reviewing the training record that all Auxiliary members are expected to maintain. Members participated in numerous patrol shifts throughout the county.

Crime Stoppers

Sarah Bowers-Peter, Program Coordinator CSGW

To start the month off, CSGW was awarded two Crime Stoppers International Awards: one for Best Media – Radio with The Grand at 101 and one for Best Media – Digital with Tivoli Films out of Centre Wellington. The radio award was for a segment of Swap Talk and the digital award was for #HerStory, the animated video we developed for the #HTinWC grant from the Ministry of the Solicitor General last year. We will be announcing these awards soon and sharing our thanks to our partners.

Board members have been engaged with increased requests for CSGW presence at community events. The Board attended the Centre Wellington Fire and Rescue Service Open House in Elora as well as the Seniors Fair in Drayton.

The Wellington County OPP/County of Wellington Online Property Auction started October 19th and concluded October 25th. We can't wait to see how successful this event was.

The Southwest Zone meeting was held in Ingersoll for Crime Stoppers programs from Owen Sound down to Haldimand Norfolk and over to Windsor Essex. At the fall update most programs in the area shows that fundraising and volunteerism are struggles for many programs.

The No Room for Hate initiative announced a one-day workshop on November 18th. (Information below). Feel free to share this information as it is an important message and part of our latest Ministry of the Solicitor General grant addressing Hate Crime in rural communities. This event sparked significant media interest and will hopefully draw a full house.



Safe Communities Wellington County

Safe Communities Wellington County had a very busy month with Safe Communities Day launching in October with 650 students attending the virtual safety day. Students watched videos from Wellington County OPP, GRCA, Guelph Wellington Paramedic Service, Wellington County Emergency Management and many more. Making the day more interactive, professionals from each area participated online to answer questions from the 16 schools registered. The Fire Open House in Elora was fantastic. Safe Communities had the opportunity to speak with several families in the area about preventing injuries and the upcoming National Teen Driver Safety Week. Focusing on the youth voice along with the big three; distracted, aggressive and impaired driving, Safe Communities visited three Wellington County high schools and in partnership with the Wellington County OPP, positive ticketing blitzes were held at two Wellington County High Schools.

Media

Provincial Constable Josh Cunningham

Provincial Constable Jacob Unger


Throughout October the media unit was busy promoting the hard work of the Wellington County OPP as well as engaging with members of the community. We were able to deliver fraud presentations at Station Square in Elora as well as to the Women in Grace in Arthur. PC Unger was able to attend the monthly meeting for the 242 Ross Ferguson Royal Air Cadet meeting in Erin. He spoke about what a career in policing looks like, the importance of physical fitness and they even did some push-ups together. Canine Handler Lusk was also able to attend the meeting and provided an interesting demonstration with one of her dogs. Speaking of dogs, we were able to arrange for a therapy dog to attend the detachments bi-weekly. We have had two visits so far and have had a great response from members. The week of October 15th was National Teen Driver Safety Week and together with Safe Communities, PC Unger was able to attend two local high schools to hand out positive tickets to the teens who were wearing seatbelts and had their cellphones put away.

 **OPP West Region** @OPPWR · Oct 3 ...
Members with the [#WellingtonOPP](#) Community Response Unit and Traffic Management Unit attended a Farm Safety Day event in Alma this past weekend to speak about ATV and bicycle safety. Thank you to Mr. Grose of Husky Farm Equipment for organizing the event and to all who attended! ^JU



 **OPP West Region** @OPPWR · Oct 18 ...
[#WellingtonOPP](#) and Safe Communities are coming to a school near you for National Teen Driver Safety Week to encourage teen drivers to adopt safe driving habits. Everyone wearing a seatbelt got a positive ticket because that's a great start to road safety! [#ntdsw2023](#) ^JU



 **OPP West Region** @OPPWR · Oct 18 ...
[#WellingtonOPP](#) and Canine Handler Lusk were honoured to speak to the 242 Ross Ferguson Air Cadet Squadron in [@TownofErin](#) last night. We did some push-ups, spoke about a career in policing and watched a canine demonstration! Thanks for being so engaged and for having us! ^JU



Court

Supervisor: A/Sergeant Mike DeBoer

The Court Bureau is continuing with the implementation of three new initiatives regarding offender management and bail release. Management and coordination of these programs remains mostly in the development stages however parts of the initiatives are being implemented in progression.

Firearms Bail Compliance Project

This initiative has been implemented by the Court Bureau and qualifying cases are being reported and monitored.

The Offender Management and Apprehension Program (OMAP)

This program is still in the planning and pre-implementation stages at the detachment level.

Intensive Serious Violent Crime Bail Teams

This program has been partially implemented. All bails are being reviewed for inclusion in this program by court bureau staff.

Statistics	June	July	August	September	October	YTD
Number of bails at Detachment	7	13	11	12	13	122
# Arrest Warrants Issued - Endorsed	*	*	*	13	21	350
# Arrest Warrants Issued - Unendorsed	*	*	*	12	9	178
# Arrest Warrants Issued YTD	40	36	35	41	29	317
# Processes Issued	116	111	76	75	127	982
# Processes Served	55	49	5	9	24	415

*Warrants not separated by type until September

Personnel & Acknowledgements

Wellington County OPP Charity Golf Tournament

After a four-year hiatus, the Wellington County OPP Charity Golf Tournament was resurrected in support of “Boots on the Ground-Peer Support for First Responders.”

The tournament was held on September 12th at the Guelph Lakes Golf and Country Club. Approximately 98 golfers participated including Wellington County OPP members, retirees, local paramedics, firefighters, and many members of the community.

In total, \$7,270.00 was raised and presented to Boots on the Ground chairman/founder, Dave MacLennan on Oct 20th.



Special thank you to PC Kirk MacDonald and PC Cheri Rockefeller for organizing the event, the multiple volunteers that assisted the day of the event and to the Staff of the Guelph Lakes Golf and Country Club.

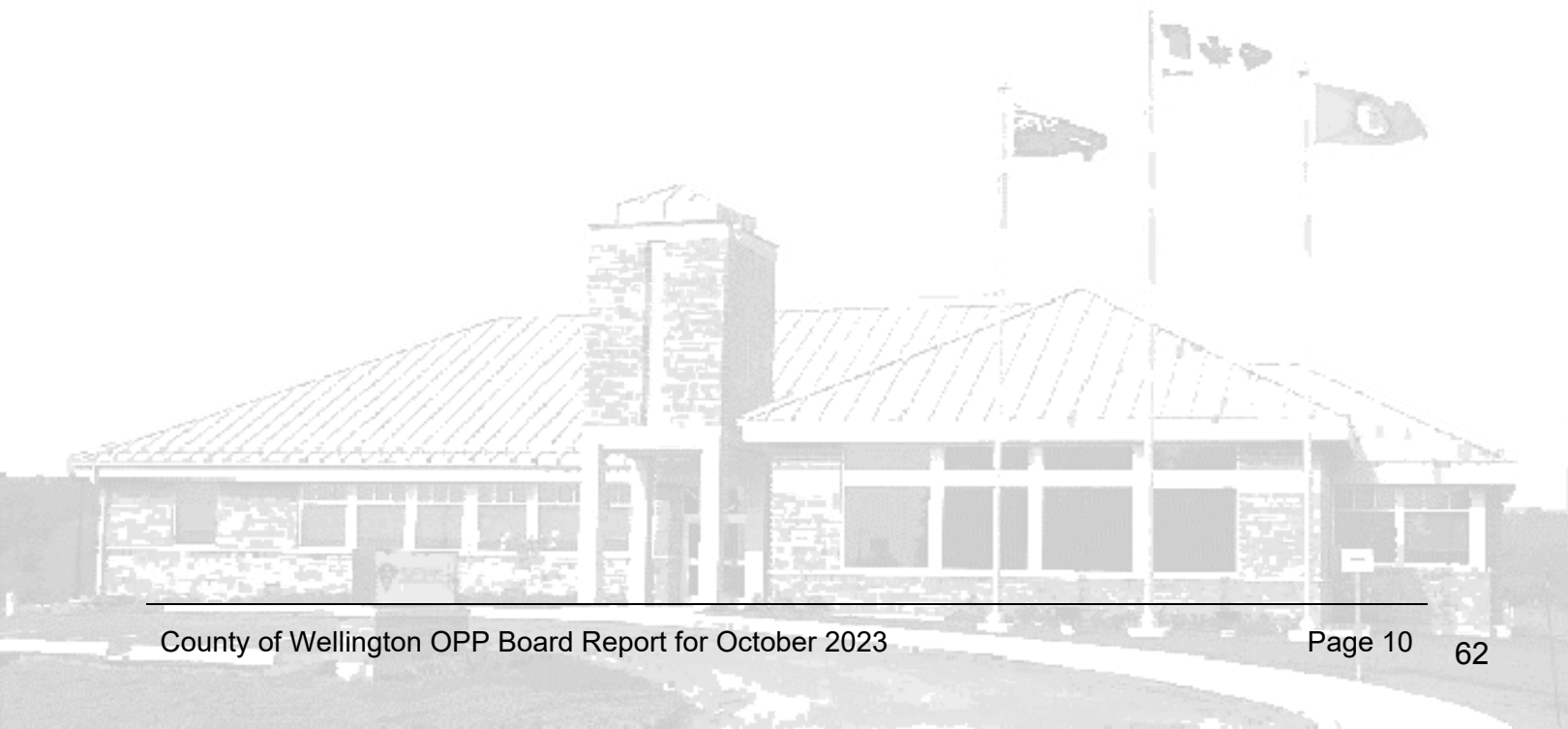


2023 West Region Awards Ceremony

Provincial Constable Tucker Campbell and members of the public Fadya Al-Mamoori and Margaret Eby received Lifesaving and St. John Ambulance Awards.

On September 26th, 2021, a man attended his local pharmacy in Fergus Ontario, and while there, he collapsed. Staff called 911, and Margaret Eby, a customer in the store, went to his aid. She and Fadya Al-Mamoori performed CPR until paramedics and Provincial Constable Campbell arrived on scene.

Provincial Constable Campbell took over CPR and continued as Emergency Medical Services set up and deployed a defibrillator. CPR was continued as the man was transported to hospital. He regained consciousness and was alert and talking to hospital staff when he arrived at the emergency department.



Statistics Summary

Calls for Service

Year to date calls for service appear to have increased 8% over the same period last year with September showing a 6% increase and October currently showing a 24% decrease.

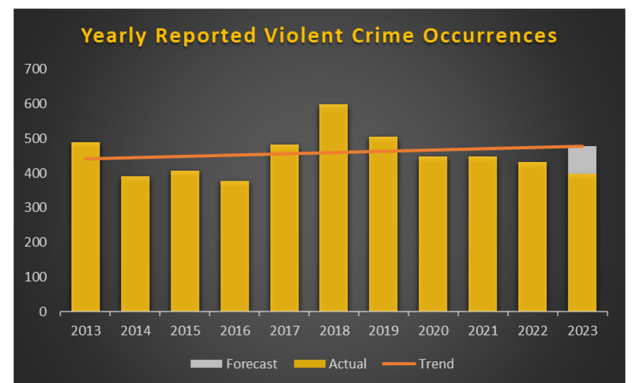
At this time, it remains projected that annual calls for service should decrease slightly over 2022.



Violent Crime

Violent Crime continues to appear that it may trend lower since 2018, however a projected increase in violent crime for over last year is still anticipated.

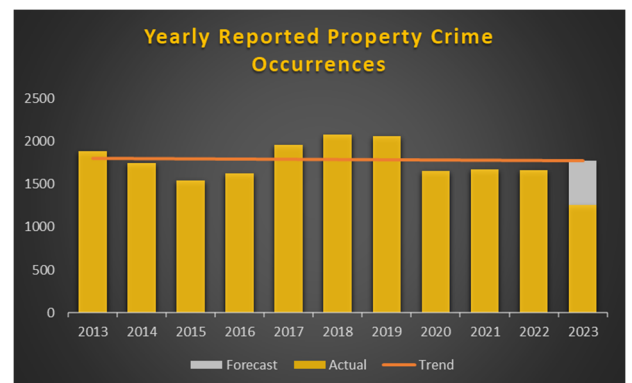
Year to date violent crime has increased 12% over the same period last year with September showing a 9% decrease, and October currently showing a 41% decrease.



Property Crime

Property Crime appears that it may also trend lower since 2018, however a projected increase continues to be anticipated over last year.

Year to date property crime has decreased 12% over the same period last year with September showing a 22% decrease, and October currently showing a 12% decrease.

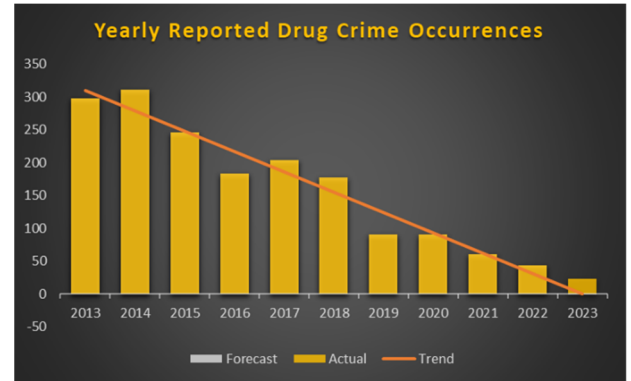


Drug Crime*

Drug Crime continues to trend lower than previous years. The current trend continues to follow 2022 with a decrease in 2023 over 2022 anticipated.

Year to date drug occurrences have decreased by 53% over the same period last year with September showing a 33% decrease, and October currently showing no change over October 2022.

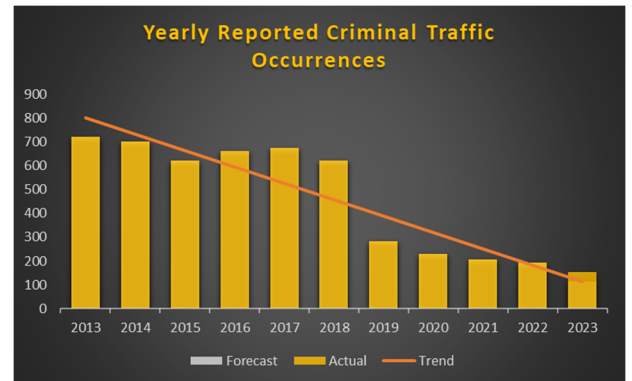
* Note: Recreational use of cannabis was decriminalized on October 17th, 2018



Criminal Traffic Offences

Criminal Traffic occurrences continue to trend lower. The current trend appears to follow the 2022 results and a decrease over 2022 is anticipated.

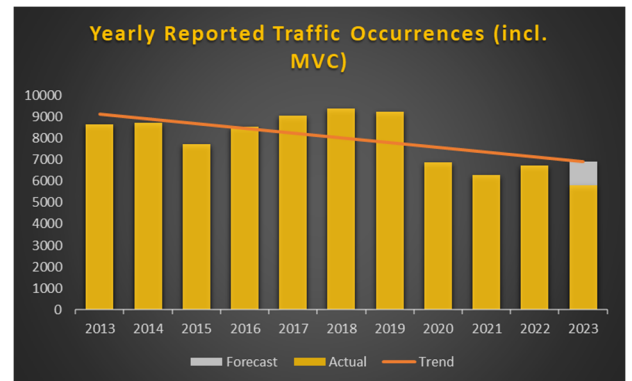
Year to date criminal traffic occurrences have decreased by 7% over the same period last year with September showing an increase of 33% and October currently showing an 52% decrease.



Traffic Related Occurrences

Although reductions were observed in traffic occurrences in previous years an increase in 2022 was realized. An increase is again forecast in 2023.

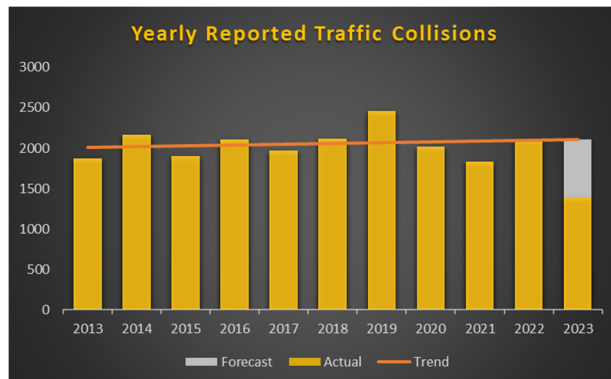
Year to date traffic occurrences have increased 6% over the same period last year with September showing a 5% decrease, and October currently showing a 22% decrease.



Motor Vehicle Collisions

Reductions in vehicle collisions were enjoyed during 2020 and 2021 however an increase in 2022 was observed. It is forecast that collisions will remain at 2022 levels in 2023.

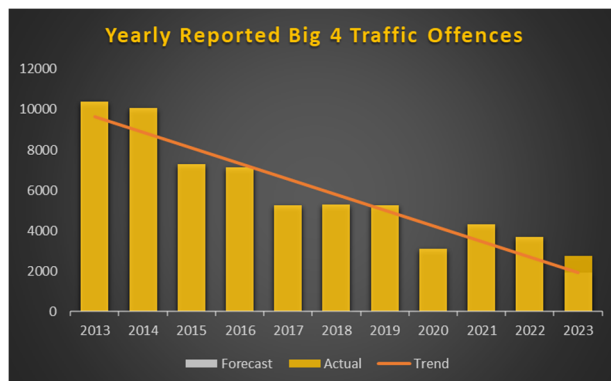
Year to date collisions have decreased 13% over the same period last year with September showing a 9% decrease, and October currently showing a 13% decrease.



Big 4 Traffic *(Impaired Operation – Distracted Driving – Seatbelts – Speeding)*

Statistically, a decrease in Big 4 Traffic Offences is anticipated.

Year to date Big 4 offences have decreased 21% over the same period last year with July showing a 46% decrease, August showing a 3% decrease, and September with a 21% decrease. Data for October 2023 was unavailable at the time of this report.



All statistics, graphs and maps are based upon preliminary information supplied by reporting parties and may not have been verified. Preliminary crime classifications may be changed at a later date based upon additional investigation and the possibility of mechanical or human error. There is no warranty, representation or guarantee as to the content, sequence, accuracy, timeliness, or completeness of any of the data provided herein. The data provided is unreliable for comparison purposes over time, or for any other reason. The Ontario Provincial Police explicitly disclaim any representation or warranty, including, without limitation, any merchantability or fitness for a particular purpose. Further, the Ontario Provincial Police shall assume no liability for any errors, omissions, or inaccuracies in the information provided, regardless of how caused. The Ontario Provincial Police will not be responsible for the use of, or the results obtained from the use of this information. The Ontario Provincial Police shall assume no liability for any decision, action, or deferral by anyone made in reliance of any information or data provided. All data visualizations on maps are considered approximate and attempts to derive specific addresses are prohibited.

Report Summary

October was another busy month for Wellington County OPP. Calls for Service combined with the numerous Fall community events across the County kept everyone quite busy. On top of that the Traffic Management Unit and frontline officers took part in Operation Impact on the Thanksgiving weekend to educate drivers on road safety and lay charges when necessary. Our Crime Unit was kept busy and with numerous investigations and two detectives testifying and assisting the Crown, for nearly the entire month, during the Gemin murder trial. The Community Street Crime Unit was kept consistently busy following leads, drafting warrants, and assisting other Wellington County and neighbouring units with their investigations. All in all, October brought a demanding workload, but Wellington County OPP rose to the occasion and was able to provide security and safety to the citizens Wellington County.

As a final send off before the new year, once again we want to remind everyone that winter is coming. Remember to install your winter tires, slow down, adjust your driving to the weather conditions and give yourself extra time to safely reach your destination. Our actions can save lives!

Wellington County OPP would like to wish everyone a safe holiday season and a happy New Year.



Contacts

In an emergency DIAL 911

You can also call
1 888 310 1122
1 888 310 1133 (TTY)
Anywhere in Ontario, 24-hour toll free

Non-emergency calls

Please call
1 888 310 1122
1 888 310 1133 (TTY)
Anywhere in Ontario, 24-hour toll free

County of Wellington OPP Detachments

Centre Wellington Operations Centre

371 Charles Allan Way,
Fergus, ON N1M 2W3
Non-Emergency 519-846-5930
Fax 519-846-5460

South Wellington Operations Centre

5145 Wellington Road 27,
Rockwood, ON N0B 2K0
Non-Emergency 519-856-1506
Fax 519-846-2327

North Wellington Operations Centre

6725 Wellington Road 109,
Palmerston, ON N0G 2P0
Non-Emergency 519-343-5770
Fax 519-343-5780

OPP General Headquarters

Ontario Provincial Police
General Headquarters
Lincoln M. Alexander Building
777 Memorial Avenue
Orillia, ON
L3V 7V3

General inquiries: 705 329-6111
8:00 am to 4:00 pm, Monday to Friday

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THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 2023-057

A By-law to prohibit and regulate the alteration of property and movement of fill within the Township of Puslinch (Site Alteration By-law) and a By-law to repeal By-laws 2012-31, 2015-11, 2015-45, 2015-49, 2021-01, and 2021-20.

WHEREAS Section 142 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (hereafter referred to as the *Municipal Act*) provides that, the Corporation of the Township of Puslinch (the "Township") may pass a by-law prohibiting or regulating the alteration of property through the movement, placing, or dumping of fill, and/or the alteration of the grade of land;

AND WHEREAS Section 142 (2) (d) and (e) of the *Municipal Act* further provides that the Township may require that a permit be obtained for the placing or dumping of fill, or the alteration of the grade of land, and may impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of fill and/or the alteration of the grade of land;

AND WHEREAS Section 436 of the *Municipal Act* authorizes the Township to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out inspection to determine whether or not an order or condition is being complied with and require the production of documents and information as well as the collection of samples;

AND WHEREAS Sections 8, 9 and 11 of the *Municipal Act* permit the Township to pass by-laws necessary or desirable for municipal purposes, and paragraphs 5, 6 and 8 of Subsection 11 (2) authorize by-laws respecting the economic, social, and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 23.2 of the *Municipal Act* authorizes the Township to delegate its powers to an officer, employee, or agent of a municipality;

AND WHEREAS Subsection 444(1) of the *Municipal Act* permits the Township, if satisfied that a contravention of a by-law of the Township passed under the *Municipal Act*, has occurred, to make an order requiring the person who contravened the by-law or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity;

AND WHEREAS Subsection 446 of the *Municipal Act* gives the Township the authority to direct or require a person to do a matter or, thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense. For these purposes, the Township may enter upon land at any reasonable time. The Township may recover the costs of doing a matter or, thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS Section 425 of the *Municipal Act* permits the Township to pass by-laws providing that any person who contravenes any by-law the Township passed under the *Municipal Act*, is guilty of an offence;

AND WHEREAS Section 426 (4) of the *Municipal Act* deems that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the Act is guilty of an offence;

AND WHEREAS the Council of the Township deems it to be in the public interest to pass this By-law to regulate the alteration of property through the movement, placing, or dumping of fill, and/or the alteration of the grade of land within the Township to ensure that:

- a) Groundwater and surface water quality is maintained;
- b) Drainage patterns, water courses and water bodies are protected;
- c) Natural heritage features, landforms and archeological resources are protected;
- d) Adverse Effects are minimized;
- e) Impacts to the Township's roads, Highways and infrastructure are minimized;

- f) Disturbances and nuisance impacts to residents and businesses are minimized; and
- g) Costs and liabilities are borne by owners and persons who undertake Site Alteration within the Township;

NOW THEREFORE the Council of the Township hereby enacts as follows:

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1. GENERAL

1.1 Short Title

- (a) This By-law may be referred to as the "Site Alteration By-law".

1.2 Administration

- (a) This By-law applies to all Property in the geographical area within the Township, save and except any Property owned by the Township.
- (b) The Chief Building Official in consultation with the Municipal Clerk shall be responsible for the administration of this By-law.

1.3 Delegated Authority

- (a) The Chief Building Official and/or Municipal Clerk is authorized and has the delegated authority to:
- (i) Approve, exempt/waive, issue, revoke, extend, renew, amend, or close a Permit and/or grant approvals of Site Alteration and impose Conditions for continuing to hold a Permit depending on the Site Alteration in addition to the requirements under this By-law;
 - (ii) Determine when a Public Information Centre or a Meeting of Council is required or not required;
 - (iii) Determine and deem an Application as abandoned, expired, or closed;
 - (iv) Approve and coordinate any Site Restoration or Site Remediation works;
 - (v) Approve amendments to Site Alteration and Fill Management Plans;
 - (vi) Approve and amend Application forms and Guidelines;
 - (vii) Establish appropriate requirements;
 - (viii) Ensure compliance with section 3.8 of this By-law, including requiring appropriate testing and documentation;

- (ix) Appoint a peer review consultant or other engineering, scientific and technical experts to fulfill the role or duties of an Inspector for purposes of this By-law;
- (x) Require or exempt certain works from provisions of this By-law, as permitted in this By-law; and
- (xi) Authorize and/or hire such agents, contractors, and other Persons to perform the work, as required.

1.4 Conflict

- (a) Where there is a conflict between a provision of this By-law and a provision of any other Township by-law, the provision that establishes the highest standards to protect the health and safety of the public and natural environment shall apply. No agreement shall be deemed to provide an exemption from the requirements of this By-law unless this By-law authorizes such exemption, and the agreement specifically provides for it.

1.5 Severability

- (a) If a court of competent jurisdiction declares any section, or any part of any section, of this By-law to be invalid, or to be of no force or effect, it is the intention of the Township that every other provision of this By-law be applied and enforced in accordance with its terms to the extent possible according to law.

1.6 Compliance with Other Laws

- (a) This By-law, and the provisions contained within, are intended to be complimentary to federal and provincial statutes and regulations, and to other by-laws passed by the Council. If any other applicable law requires a higher standard than this By-law requires, the higher standard shall apply.
- (b) By-laws, statutes, regulations, and guidelines referenced in this By-law, including in Schedule A, include any amendments, replacements, or updates to those by-laws, statutes, regulations, and guidelines.

2. DEFINITIONS

2.1 Definitions in this By-law:

- (a) "Adverse Effect" shall have the same meaning as in the *Environmental Protection Act*, R.S.O. 1990, c. E.19 and means one or more of:
 - (i) Impairment of the quality of the natural environment for any use that can be made of it;
 - (ii) Injury or damage to Property or to plant or animal life;
 - (iii) Harm or material discomfort to any person;
 - (iv) An adverse effect on the health of any person;
 - (v) Impairment of the safety of any person;
 - (vi) Rendering any Property or plant or animal life unfit for human use;
 - (vii) Loss of enjoyment of normal use of Property; and
 - (viii) Interference with the normal conduct of business.
- (b) "Aggregate" has the same meaning as in the *Aggregate Resources Act*, R.S.O. 1990, c.A.8, as amended ("*Aggregate Resources Act*").
- (c) "Applicant" means the Owner of a Property and includes a Person authorized in writing to act on behalf of the Owner of a Property to apply for a Permit.
- (d) "Application" means a written submission to request or amend a Permit, in a form prescribed by the Township.
- (e) "Artificial Turf" means any surface synthetic fibers made to resemble turf or other grass-like surface and used as a surface cover.
- (f) "Asphalt" means a mixture of dark bituminous pitch with sand or gravel, used for surfacing roads, driveways and paths, which may include, without limitation, loose or recycled material or a contiguous surface.

- (g) "Beneficial Reuse Assessment Tool" has the same meaning as in Ontario Regulation 406/19.
- (h) "Body of Water" means a permanent stream, river or similar watercourse or a pond or lake, but does not include a pond constructed on the property for the purpose of controlling surface water drainage.
- (i) "Chief Building Official" means the Chief Building Official appointed by the Council or his/her designate.
- (j) "Compost" means a mixture of various decaying organic substances, such as dead leaves or manure, used for fertilizing soil.
- (k) "Conservation Authority" includes the Grand River Conservation Authority, Hamilton Conservation Authority, and Halton Conservation Authority.
- (l) "Council" means the Council of the Township.
- (m) "Condition(s)" means the mandatory performance requirements outlined in a Permit or Order and may include the requirement for monetary deposits or Security(s) in connection with the Application.
- (n) "Contaminant" means any solid, liquid, gas, odor, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an Adverse Effect.
- (o) "Control Plan" means documentation described in Schedule "B" required to be submitted as part of any Application for a Permit under this By-law.
- (p) "Designated Official" means the Chief Building Official, Municipal Clerk, or their designates.
- (q) "Drainage" means the movement of surface water toward a place of disposal, whether by way of the natural characteristics of the ground surface or by artificial means.
- (r) "Dump" means the placing or depositing of Fill in a location other than where the Fill was obtained from or the movement and placing or depositing of Fill from one location on a property to another location on the same property or to a separate property, and "Dumping" has the corresponding meaning.
- (s) "Erosion" means the detachment and movement of Soil, sediment, rock fragments or the like by forces such as but not limited to water, wind, ice, or gravity.
- (t) "Erosion and Dust Control" means measures to control Erosion and dust generated as part of the Site Alteration to the satisfaction of the Township.
- (u) "Excess Soil" has the same meaning as in Ontario Regulation 406/19.
- (v) "Excess Soil Quality Standards" means Part II of the Rules for Soil Management and Excess Soil Quality Standards, as amended, and adopted by reference in Ontario Regulation 406/19.
- (w) "Fill" means any type of material that can be removed from (cut) or placed on (in-fill) land and may include, but is not limited to Soil, Excess Soil., Liquid Soil, Rock, Sod, Compost, Aggregate and Topsoil.
- (x) "Final Surface Material" includes, but is not limited to, concrete, brick, patio pavers (natural or manufactured), block, Asphalt, Artificial Turf that are free of Contaminants, and does not include Fill.
- (y) "Grade" means the elevation of the ground surface and shall be more particularly defined as follows:
 - (i) "Existing Grade" means the elevation of the existing ground surface prior to any Site Alteration and Movement of Fill, including the natural Grade prior to human activities or the Grade previously legally established such as a former approved Grade;
 - (ii) "Finished Grade" means the approved (final) elevation of the ground surface of lands upon which Fill has been Placed or Dumped, the Grade altered, or Topsoil removed, in accordance with this By-law including the Final Surface Material;

- (iii) "Unapproved Grade" means the elevation of the ground surface that is not an Existing Grade or Finished Grade.
- (z) "Guidelines" means the Application requirements, information, documentation and material, including Conditions requirements for a Permit, to be used for the purpose of administrating this By-law. Without limiting the generality of the foregoing, the Guidelines may require the posting of deposits and/or Security(s) in connection with the Application.
- (aa) "Highway" means a common and public highway and includes a street, bridge or other structure forming part of a highway over or across which a highway passes and includes the whole of a road allowance under the jurisdiction of the Township.
- (bb) "Inspector" means any person designated by this or any other By-law of the Township as an Inspector or agent of the Township or any persons appointed for the purposes of enforcing this By-law, and includes the Chief Building Official, Building Inspectors, and By-law Enforcement Officers.
- (cc) "Liquid Soil" has the same meaning as in Ontario Regulation 406/19.
- (dd) "MECP" means the Ontario Ministry of the Environment, Conservation and Parks, as may be renamed from time to time.
- (ee) "Movement of Fill" means any non-natural transfer of Fill from one location to another of any distance.
- (ff) "Municipal Clerk" means the Township's clerk appointed by the Council or their designate.
- (gg) "Normal Farm Practice" means a practice that:
 - (i) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or
 - (ii) makes use of innovative technology in a manner consistent with proper advanced farm management practices.
- (hh) "Normal Farm Practice Waiver" means a permit waiver authorized by the Designated Official in accordance with Section 5.2 of this By-law.
- (ii) "Officer" means any Person designated by by-law of the Township to enforce this By-law.
- (jj) "*Ontario Regulation 153/04*" means Ontario Regulation 153/04 (Records of Site Condition — Part XV.1 of the Environmental Protection Act), as amended, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended ("*Environmental Protection Act*").
- (kk) "*Ontario Regulation 406/19*" means Ontario Regulation 406/19 (On Site and Excess Soil Management), as amended, made under the *Environmental Protection Act*.
- (ll) "Owner" means the registered Owner(s) of the Property.
- (mm) "Permit" means a formal authorization issued by the Township under this By-law.
- (nn) "Person" includes individuals, firms, sole proprietorships, partnerships, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law.
- (oo) "Project" has the same meaning as in Ontario Regulation 406/19.
- (pp) "Project Area" has the same meaning as in Ontario Regulation 406/19.
- (qq) "Property" means land including all buildings and structures on the land.
- (rr) "Ponding" means the accumulation of surface water in an area not having Drainage therefrom where the lack of Drainage is caused by the Placing or Dumping of Fill, altering of Grade, or removing of Topsoil.

- (ss) "Proposed Grade" means the proposed elevation of the ground surface of land upon which Fill is proposed to be Placed or Dumped, the Grade altered, or the Topsoil removed.
- (tt) "Public Information Meeting" means an open meeting to which all members of the public are invited, for the purpose of informing the public and receiving comments regarding a proposed Site Alteration.
- (uu) "Qualified Person" means a person who meets the qualifications as set out in Section 5 or 6 of Ontario Regulation 153/04.
- (vv) "Quality Assurance/Quality Control Program" means a program that is designed to meet the requirements of quality assurance and quality control program under Ontario Regulation 153/04.
- (ww) "*Regulation 347*" means Regulation 347 of the Revised Regulations of Ontario, 1990 (General — Waste Management), as amended, made under the *Environmental Protection Act*.
- (xx) "Retaining Wall" means a wall designed to contain and support Fill, which has a Finished Grade higher than that of adjacent lands.
- (yy) "Rock" has the same meaning as in Ontario Regulation 406/19.
- (zz) "RPRA" means the Ontario Resource Productivity and Recovery Authority.
- (aaa) "Sampling and Analysis Plan" means a plan that is designed to meet the requirements of a sampling and analysis plan under Ontario Regulation 153/04 or Ontario Regulation 406/19.
- (bbb) "Security" means funds held by the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law, to secure the performance of the Owner's obligations under this By-law and any Permit; any additional costs associated with or as a result of the Site Alteration including but not limited to Site Restoration or Site Remediation, completion of the project, deficiencies, damage to the Township roads, etc. shall be deducted from the security; further costs associated with the alteration, if incurred by the Township, shall be invoiced to the Property Owner and may be added to the tax roll and collected in the same manner as taxes on the Property.
- (ccc) "Site" means a parcel or parcels of land altered or proposed to be altered by means of a Site Alteration.
- (ddd) "Site Alteration" means any alteration to the existing Grade of land through the removal (cut), placement (filling) or movement (relocation) of Fill.
- (eee) "Site Alteration - Large" or "Large Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 1,000 cubic metres to 9,999 cubic metres of Fill, (ii) where a change in Grade is proposed to be greater than 3 metres above or below the Existing Grade, or (iii) where the proposed Site Alteration area is greater than 1 hectare in land size. The approval of a Permit and execution of an agreement with the Township is required for a Large Site Alteration.
- (fff) "Site Alteration - Major" or "Major Site Alteration" means the alteration of land based on a cumulative volume of fill over a five (5)-year period per property that is greater than 10,000 cubic metres of fill. Council is the approval authority for all Major Site Alteration Permits and agreements.
- (ggg) "Site Alteration - Minor" or "Minor Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property, calculated from the area of property suitable for Site Alteration (the Property area excluding buildings, structures, and fixed features) up to a maximum of 350 cubic metres, (ii) where a change in Grade is proposed to be less than 3 metres above or below the Existing Grade, (iii) where the proposed Site Alteration area is less than 1 hectare in land size, (iv) is setback a minimum of 30 metres from all property boundaries watercourses and drainage swales, (v) does not change or impact any natural drainage patterns, (vi) does not require a retaining wall, (vii) does not have slopes steeper than 3:1, and (viii) is not within an area regulated by the Conservation Authority. A Permit and execution of an agreement with the Township is required for a Minor Site Alteration.

- (hhh) "Site Alteration - Standard" or "Standard Site Alteration" means the alteration of land where the requirement for a permit is based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 350 cubic metres to 999 cubic metres of fill, (ii) where a change in Grade is proposed to be less than 3 metres above or below the Existing Grade, and (iii) where the proposed Site Alteration area is less than 1 hectare in land size. A Permit and execution of an agreement with the Township is required for a Standard Site Alteration.
- (iii) "Site Alteration and Fill Management Plan" means a document prepared by, or on behalf of an Owner in accordance with the Guidelines detailing such things as current Site conditions, methodology, Existing Grade, Finished Grade, and impact mitigation measures.
- (jjj) "Site Restoration" or "Site Remediation" means the treatment of land that has been affected by Site Alteration so that the use or condition of the land is restored to its pre-Site Alteration condition.
- (kkk) "Sod" means the upper stratum of soil bound by grass and plant roots into a thick mat (turf).
- (lll) "Soil" has the same meaning as in Ontario Regulation 406/19
- (mmm) "Source Site" means the property or properties from which the Fill originated and includes a "project area" as defined in Ontario Regulation 406/19.
- (nnn) "Swale" means a shallow depression in the ground sloping to a place of disposal of surface water or providing a method of Drainage.
- (ooo) "Topsoil" has the same meaning as in the *Municipal Act*.
- (ppp) "Tree" means any species of woody perennial plant including its root system which has reached or can reach a height of at least 4.5 metres at physiological maturity, provided that where multiple stems grow from the same root system, the number of trees shall be the number of stems with discrete, apical tips.
- (qqq) "Truckload" means 10 cubic metres of Fill.
- (rrr) "Vegetation" includes any woody plant or contiguous cluster of plants, including shrubs, hedgerows, and Trees.
- (sss) "Watercourse" means a natural or constructed channel or Swale in which water flows, either continuously or intermittently with some degree of regularity.
- (ttt) "Zoning By-law" means the Township's Comprehensive Zoning By-law, as applicable and amended from time to time.

3. PROHIBITIONS AND GENERAL PROVISIONS

3.1 Prohibitions in this By-law:

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration on any Property within the Township without first obtaining approval in accordance with this By-law, unless otherwise exempt as set forth in this By-law.
- (b) No Person shall have, or allow to remain, Fill on that Person's Property that is not approved through a Permit, whether or not the Fill was placed there while the Person was the Owner of the Property.
- (c) Every person who contravenes any provision of this By-law is guilty of an offence.

3.2 Responsibility for Other Obligations

- (a) Compliance with this By-law does not relieve the Owner from any responsibility to obtain all other approvals as required from any other government or authority, or compliance with any other applicable law.

3.3 Trees

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that could injure or destroy a Tree except in accordance with the County of Wellington Conservation and Sustainable Use of Woodlands By-law.

3.4 Groundwater

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that may adversely affect the quality or quantity of any surface water or groundwater however it may exist including all water used for or available as a source of water for agriculture or human consumption.

3.5 Drainage / Watercourse

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that could adversely affect any Watercourse or Drainage on any Property without prior approval in accordance with this By-law including approval from any other applicable government or authority, or compliance with any other applicable law.

3.6 Unapproved Grade

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that will result in an Unapproved Grade.

3.7 Adverse Effect

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that will, or can be reasonably expected to, result in an Adverse Effect.

3.8 Applicable Laws and Plans

- (a) No Person shall conduct, undertake, cause, permit or carry out Site Alteration unless it complies with:
 - (i) This By-law;
 - (i) The Township Zoning By-law;
 - (ii) The Township Noise By-law;
 - (iii) The Township Property Standards By-law;
 - (iv) The Township Road Activity By-law;
 - (v) The *Greenbelt Plan*;
 - (vi) The requirements of a Conservation Authority with jurisdiction; and
 - (vii) All other applicable statutes, regulations, policies, and by-laws, including but not limited to Ontario Regulation 406/19, Regulation 347 and the Rules for Soil Management and Excess Soil Quality Standards.

3.9 False Information

- (a) No person shall submit or cause or permit an application for a Permit to be submitted to the Township that is misleading or contains false information. Where it is revealed that the application for a Permit contained misleading or false information, the Designated Official may revoke the said Permit and all work, which was the subject of the revoked Permit, shall immediately cease.

4. EXEMPTIONS

4.1 Exemptions in this By-law:

- (a) Notwithstanding Section 3 of this By-law, this By-law does not apply to:
 - (i) Activities or matters undertaken by the Township, the County of Wellington, a Conservation Authority, the provincial government, or the federal government;
 - (ii) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002, as a condition to the approval of a site plan, a plan of subdivision or consent under section 41, 51 or 53, respectively, of the *Planning Act*, R.S.O. 1990, c. P.13, as amended ("*Planning Act*") or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;

- (iii) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002, as a condition to a development permit authorized by regulation made under section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under that regulation;
- (iv) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, S.O. 1998, c. 15, Sched. A, as amended, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
- (v) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;
- (vi) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land;
- (vii) That has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and
 - i. On which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*.
 - ii. The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act*;
- (viii) The removal of Topsoil as an incidental part of a normal Agricultural practice including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products except for the removal of Topsoil for sale, exchange, or other disposition;
- (ix) The use, operation, establishment, alteration, enlargement, or extension of a Waste Management System or Waste Disposal Site within the meaning of Part V of the *Environmental Protection Act, R.S.O. 1990, c.E.19*, as amended;
- (x) The construction, extension, alteration, maintenance, or operation of works under Section 26 of the *Public Transportation and Highway Improvement Act, R.S.O. 1990, c.P.50*, as amended.

5. APPLICATION REQUIREMENTS

5.1 Exception Waiver

- (a) A Site Alteration Exception Waiver may be applied for where:
 - (i) Another legal instrument of the Township, such as a Planning approval, a building permit, a pool permit, or legal agreement with the Township includes a provision specifically waiving the requirement for a Permit, including:
 - i. A grading plan or site plan, approved by the Chief Building Official, associated with the construction of a building, accessory structure, addition and/or pool;
 - ii. Any Filling of an excavation to the elevation of Existing Grade following the demolition or removal of a Building for which a demolition permit has been issued by the Chief Building Official of the Township, or for which no demolition permit is required under the *Building Code Act, R.S.O. 1992, c. 23*;
 - (ii) The Site Alteration of land does not exceed a cumulative volume of 20 cubic metres (2 Truckloads) on any one property within a 12-month period and provided that the alteration does not meet the definition of Minor Site Alteration and provided that it meets all other provisions of this By-law and may include the following:
 - iii. placing of Topsoil on gardens, lawns or other grassed areas;

- iv. cultivation or tilling of garden beds;
 - v. excavation of Fill having no significant impact on trees, ground cover, Vegetation, watercourses, or stormwater swales and not altering or creating a slope at greater than 8%;
 - vi. minor landscaping works which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties; and
 - vii. minor grading or regrading or paving of legal and approved parking areas or driveways which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties.
- (b) Application Requirements for a Site Alteration Exception Waiver:
- (i) A complete Site Alteration Exception Waiver Application must be submitted to the Township using the prescribed form, as amended from time to time;
 - (ii) No application fee is required; however, the Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iii) Sufficient documentation, to the satisfaction of the Designated Official, must be submitted to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (iv) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official which may include:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law; and
 - iii. Source Site confirmation;
 - (v) All required permits or approvals by any external agency having jurisdiction are required in order for a Site Alteration Exception Waiver to be issued, including but not limited to the Conservation Authority, Wellington Source Water Protection, and the County of Wellington.
- (c) Approval/Refusal Process for a Site Alteration Exception Waiver:
- (i) All Site Alteration Exception Waiver applications are subject to a staff review and comment period. Conditions not described in this By-law may form part of the Waiver;
 - (ii) The Site Alteration Exception Waiver shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

5.2 Normal Farm Practice Waiver

- (a) A Normal Farm Practice Waiver may be applied for where:
- (i) The Site Alteration is deemed to be a Normal Farm Practice in accordance with the Ministry of Agriculture, Food and Rural Affairs and to the satisfaction of the Designated Official;
 - (ii) All disputes will follow the Farm Practices Conflict Resolution Process as prescribed by the Ministry of Agriculture, Food and Rural Affairs.
- (b) Application Requirements for a Normal Farm Practice Waiver:
- (i) A complete Normal Farm Practice Site Alteration Waiver Application must be submitted to the Township using the prescribed form, as amended from time to time;

- (ii) No application fee is required; however, the Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iii) A justification report prepared by a qualified person must be submitted demonstrating that the Site Alteration is considered a Normal Farm Practice in accordance with the Ministry of Agriculture, Food and Rural Affairs and to the satisfaction of the Designated Official;
 - (iv) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
 - (v) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (vi) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
 - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - iv. Documentation setting out the evaluation of the Fill sample results;
 - v. Quality Control/Quality Assurance Program; and
 - vi. Source Site confirmation;
 - (vii) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
 - (viii) All required permits or approvals by any external agency having jurisdiction are required in order for a Normal Farm Practice Site Alteration Waiver to be issued, including but not limited to the Conservation Authority, Wellington Source Water Protection, and the County of Wellington;
 - (ix) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
 - (x) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur, at a minimum:
 - i. Between the hours of 7:00 p.m. and 7:00 a.m.;
 - ii. During any period in which a wind warning has been issued by Environment Canada;
 - iii. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - iv. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Normal Farm Practice Waiver:
- (i) All Normal Farm Practice Site Alteration Waiver applications are subject to a staff review and comment period. Conditions not described in this By-law may form part of the Waiver;

- (ii) The Normal Farm Practice Site Alteration Waiver shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.
- (iii) All Normal Farm Practice Waivers are subject to a staff review and comment period, which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;

5.3 Minor Site Alteration Permit Requirements

- (a) A Minor Site Alteration Permit Application may be applied for where:
 - (i) The cumulative volume of Fill over a five (5)-year period per property, does not exceed the maximum of 350 cubic metres (35 Truckloads) subject to the area suitable for alteration;
 - (ii) The maximum volume of Fill is calculated by the area of the property suitable for alteration (the Property area excluding buildings, structures, environmental features, and fixed features to a maximum of 1 hectare) multiplied by the maximum permitted amount of Fill (350 cubic metres). Example:
 - 1ha suitable area x 350m³ = 350m³
 - OR
 - 0.4ha suitable area x 350m³ = 140m³
 - (iii) A change in Grade is proposed to be less than 3 metres above or below the Existing Grade;
 - (iv) The proposed Site Alteration area is less than 1 hectare in land size;
 - (v) The Site Alteration is setback a minimum of 30 metres from all property boundaries watercourses and drainage swales;
 - (vi) The Site Alteration does not change or impact any natural drainage patterns;
 - (vii) The Site Alteration does not require a retaining wall;
 - (viii) The Site Alteration does not have slopes steeper than 3:1;
 - (ix) The Site Alteration is not within an area regulated by the Conservation Authority; and
 - (x) The Site Alteration of land does not meet the definition of Standard Site Alteration, provided that it meets all other provisions of this By-law.
- (b) Application Requirements for Minor Site Alteration Permit:
 - (i) A complete Standard Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
 - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
 - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iv) Submission of sufficient documentation, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;

- iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - vii. Documentation setting out the evaluation of the Fill sample results;
 - iv. Quality Control/Quality Assurance Program; and
 - v. Source Site confirmation;
- (vi) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
 - (vii) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
 - (viii) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
 - (ix) Additional conditions may be included in the Permit as determined by the Designated Official;
 - (x) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
 - (xi) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
 - (xii) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
 - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
 - ii. Anytime on a Saturday, Sunday or Statutory Holiday;
 - iii. During any period in which a wind warning has been issued by Environment Canada;
 - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Minor Site Alteration Permit:
- (i) All Minor Site Alteration Applications are subject to a staff review and comment period, which may form part of the Site Alteration Permit and may include conditions not described in this By-law;
 - (ii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
 - (iii) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

5.4 Standard Site Alteration Permit Requirements

- (a) A Standard Site Alteration Permit Application may be applied for where:
 - (i) The cumulative volume of Fill over a five (5) year period per property, does not exceed the maximum of 1000 cubic metres (100 Truckloads);
 - (ii) A change in Grade is proposed to be less than 3 metres above or below the Existing Grade;

- (iii) The proposed Site Alteration area is less than 1 hectare in land size; and
 - (iv) The Site Alteration of land does not meet the definition of Large Site Alteration, provided that it meets all other provisions of this By-law.
- (b) Application Requirements for a Standard Site Alteration Permit:
- (i) A complete Standard Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
 - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
 - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iv) Sufficient documentation, to the satisfaction of the Designated Official, must be submitted to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
 - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - iv. Documentation setting out the evaluation of the Fill sample results;
 - v. Quality Control/Quality Assurance Program; and
 - vi. Source Site confirmation;
 - (vi) A Control Plan completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
 - (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's Beneficial Reuse Assessment Tool (BRAT), a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
 - (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
 - (ix) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
 - (x) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
 - (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
 - (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
 - (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;

- (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
 - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
 - ii. Anytime on a Saturday, Sunday or Statutory Holiday;
 - iii. During any period in which a wind warning has been issued by Environment Canada;
 - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Standard Site Alteration Permit:
 - (i) All Standard Site Alteration Applications are subject to a staff review and comment period, which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
 - (ii) A legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
 - (iii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
 - (iv) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

5.5 Large Site Alteration Permit Requirements

- (a) A Large Site Alteration Permit Application may be applied for where:
 - (i) The cumulative volume of Fill over a five (5) year period per property, does not exceed the maximum of 10,000 cubic metres (1000 Truckloads); or
 - (ii) A change in Grade is proposed to be greater than 3 metres above or below the Existing Grade; or
 - (iii) The proposed Site Alteration area is greater than 1 hectare in land size; and
 - (iv) The Site Alteration of land does not meet the definition of Major Site Alteration provided that it meets all other provisions of this By-law.
- (b) Application Requirements for a Large Site Alteration Permit:
 - (i) A complete Large Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
 - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
 - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iv) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;

- ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
 - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - iv. Documentation setting out the evaluation of the Fill sample results;
 - v. Quality Control/Quality Assurance Program; and
 - vi. Source Site confirmation;
- (vi) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
- (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's BRAT, a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
- (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
- (ix) A Site Alteration and Fill Management Plan prepared by a Qualified Person;
- (x) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
- (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
- (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
- (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or for the removal of Fill from the Property;
- (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
- i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
 - ii. Anytime on a Saturday, Sunday, or Statutory Holiday;
 - iii. During any period in which a wind warning has been issued by Environment Canada;
 - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Large Site Alteration Permit:
- (i) Once a complete application has been received, all property owners within a 120-metre radius of the subject property shall be notified of the details of the project;
 - (ii) All Large Site Alteration Applications are subject to a 30-day comment period commencing when neighbour notification takes place;

- (iii) All Large Site Alteration Applications are subject to a staff review of public comments received which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
- (iv) A legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
- (v) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
- (vi) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website;
- (vii) The Township CAO may request that certain Large Site Alteration Applications be considered by the Council prior to final approval.

5.6 Major Site Alteration Permit Requirements

- (a) A Major Site Alteration Permit Application may be applied for where:
 - (i) The cumulative volume of Fill over a five (5) year period per property, exceeds 10,000 cubic metres (1000 Truckloads).
- (b) Application Requirements for a Large Site Alteration Permit:
 - (i) A complete Major Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
 - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
 - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
 - (iv) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
 - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
 - i. The amount of Fill being imported from off-site in cubic metres;
 - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
 - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
 - iv. Documentation setting out the evaluation of the Fill sample results;
 - v. Quality Control/Quality Assurance Program; and
 - vi. Source Site confirmation;
 - (vi) A Control Plan completed per Schedule B;
 - (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's BRAT, a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
 - (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;

- (ix) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
 - (x) Confirmation from the Owner and Qualified Person that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
 - (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
 - (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
 - (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill or for the removal of Fill from the Property;
 - (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
 - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
 - ii. Anytime on a Saturday, Sunday, or Statutory Holiday;
 - iii. During any period in which a wind warning has been issued by Environment Canada;
 - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
 - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Large Site Alteration Permit:
- (i) Once a complete application has been received, a Public Information Meeting shall be scheduled;
 - (ii) All property owners within a 120-metre radius of the subject property shall be notified of the details of the project and notified of the scheduled Public Information Meeting;
 - (iii) Council approval is required for all Major Site Alteration Applications;
 - (iv) All Major Site Alteration Applications are subject to a 30-day comment period commencing when neighbour notification takes place;
 - (v) All Major Site Alteration Applications are subject to a staff review of public comments received which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
 - (vi) Subject to Council approval, a legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
 - (vii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
 - (viii) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website;
 - (ix) A Permit may be refused when the requirements of this By-law have not been met. Where the Designated Official/Council refuses to issue a Site Alteration Permit, the applicant shall be informed in writing of the refusal. The Application may be reconsidered, if additional information or documentation required by the Designated Official is submitted by the applicant.

6. ABANDONMENT, EXPIRY, RENEWAL, TRANSFER, REVOCATION, AMENDMENT AND CLOSURE OF PERMITS

6.1 Abandoned Application

- (a) An Application for a Permit will be deemed abandoned and the Application and respective file will be closed, where a period of twelve (12) months has elapsed during which:
 - (i) The Person applying for a Permit has not provided all information, documents, fees and deposits as required by the Designated Official including any new submissions that may be required;
 - (ii) The Application has been placed on hold or in abeyance; or
 - (iii) The Application has not seen meaningful progress through submissions towards the issuance of a Permit.

6.2 Expiry

- (a) A Permit for all types of Site Alteration will be issued for a period of one year and expires on the date set out in the Permit unless otherwise specified as a condition of the Permit.
- (b) Every Owner shall satisfy all Conditions of the Permit, even if the Permit is expired, and shall also provide the Township with the following at the discretion of the Designated Official:
 - (i) A letter of acknowledgment of the filing of a Record of Site Condition (in accordance with Ontario Regulation 153/04, as amended);
 - (ii) A completed final topographic survey confirming the Approved Grade; and
 - (iii) Proof of completion of all Permit Conditions.

6.3 Transfer

- (a) If title to the Property for which a Permit has been issued is transferred while the Permit is in effect, the Permit shall be automatically revoked unless the new Owner, prior to the time of the transfer, provides the Township with an undertaking, to the satisfaction of the Director, to comply with all Conditions under which the Permit was issued.

6.4 Revocation

- (a) The Designated Official may at any time and without notice revoke a Permit for any of the following reasons:
 - (i) It was obtained based on mistaken, false or incorrect information;
 - (ii) It was issued in error;
 - (iii) The Property Owner and/or Permit holder requests in writing that it be revoked;
 - (iv) The Permit holder has failed to comply with any of the Conditions of the Permit; or
 - (v) The Permit holder is unwilling or unable to comply with the Conditions of an Order.

6.5 Amendment

- (a) An Applicant or Owner may submit a request to the Designated Official for an amendment to a Permit based on proposed changes to the details of the initial Application as reflected in the Conditions.

6.6 Renewal

- (a) An Applicant or Owner may submit a request to the Designated Official for a renewal of a Permit if the only change from the initial Application and Conditions is the timeline and expiry date.

6.7 Closure

- (a) A Permit is considered closed when all the Conditions and Orders related to the Permit have been fulfilled to the satisfaction of the Designated Official, at which time all unexpended deposits and securities held by the Township shall be released to the Applicant unless an agreement specifies otherwise.

7. ENFORCEMENT

7.1 Inspectors and Designated Official

- (a) This By-law may be enforced by Inspectors and/or the Designated Official. Without limiting/restricting any other power, duty or function granted by this By-law, Inspectors and/or the Designated Official may: give direction, issue an Order to discontinue or to perform work and further give verbal or written direction and may enter Property and/or carry out and direct whatever inspections, are reasonably required to determine compliance with this By-law.
- (b) An Inspector and/or the Designated Official may issue an Order under this By-law to any Person believed to be contravening or have contravened any provision of this By-law.
- (c) An Order may include but is not limited to:
 - (i) Immediately desist from the activity constituting or contributing to such contravention; and
 - (ii) Take immediate action to mitigate and/or remediate the impacts of the activity.

7.2 Entry and Inspection

- (a) Inspectors and the Designated Official may, at any reasonable time:
 - (i) Enter and inspect Property to determine compliance with the provisions of this By-law, or any Condition of a Permit, or Order issued under this By-law. This power of entry does not allow entry into any dwelling;
 - (ii) Enter the Property to collect information, take photographs, videos, measurements, readings and samples (air, surface water, groundwater, soil, materials, etc.);
 - (iii) Require the production of copies of reports, manifests or other documentation for the purposes of auditing any Site Alteration or compliance with the Conditions of a Permit, agreement or Order; and
 - (iv) Require the production of documents for inspection or things relevant to the inspection, inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts.

7.3 Duty to Identify

- (a) Where an Inspector has reasonable grounds to believe that an offence has been committed by a Person, the Inspector may require the name, address, and proof of identity of that Person, and the Person shall supply the required information.

7.4 Obstruction

- (a) No Person shall hinder or obstruct or attempt to obstruct the Designated Official Inspector, or person in the discharge of duties under this By-law as required by the Designated Official or Inspector in order to bring a Property into compliance with this By-law or an Order issued under this By-law.
- (b) No person shall provide false information in any statement, whether orally, in writing or otherwise, made to an Inspector or the Designated Official.
- (c) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Inspector or Designated Official who is exercising a power or performing a duty under this By-law.

7.5 Obey Order

- (a) No Person shall fail to obey an Order issued under this By-law.

7.6 Presumption

- (a) Where any Site Alteration occurs, is undertaken, caused, or permitted on any Property, the Owner of the Property is presumed to have undertaken, caused, or permitted the Site Alteration to occur, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

8. ORDERS

8.1 Contravention

- (a) If an Inspector or the Designated Official is satisfied that a person has undertaken, caused, permitted, allowed, or performed a Site Alteration in contravention of the provisions of this By-law, the Conditions of a Permit, and/or an agreement pursuant to this By-law, the Inspector may issue an Order requiring work to be done to correct the contravention.
- (b) Orders issued shall contain the municipal address and/or the legal description of the Property, and shall set out:
- (i) Reasonable particulars of the contravention, the work to be done, any work or action required to cease or be undertaken to rectify the contravention, and the period within which there must be compliance with the Order; and
 - (ii) Notification that if the work or action is not done, or ceased, as the case may be, in compliance with the Order within the period specified, the Township may have the work done at the expense of the Owner and seek penalties as set out in this By-law.

8.2 Order Served

- (a) Orders issued by an Inspector under this By-law shall be served as follows:
- (i) Personally, or by prepaid registered mail to the last known address of the Owner, the Permit holder and any other Person to whom the Order is issued; or
 - (ii) If the Township is unable to effect service on the Owner, a placard containing the terms of the Order may be placed in a conspicuous place on the Property and the placing of the placard shall be deemed to be service of the Order.

8.3 Order Deemed to be Served

- (a) If an Order is served on a Person by registered mail, it shall be deemed to have been served on the Person on the fifth (5th) day after the mailing of the order, which deemed service may be rebutted by the Person proving, on a balance of probabilities, that they did not receive the Order.
- (b) An Order may also be issued to a new Owner in any case where ownership of the Property has changed but the offence continues or remains.

9. WORK DONE BY THE TOWNSHIP

9.1 Remedial Action

- (a) If the Conditions of an Order made under this By-law are not complied with within the period specified in the Order, in addition to all other remedies it may have, the Township may undertake any activity to fulfill any of the Conditions of a Permit or Order at the Owner's expense and may enter upon Property at any reasonable time for this purpose.

10. PENALTY AND OFFENCE

10.1 Offence

- (a) Every Person who contravenes: (i) any provision of this By-law, (ii) a Condition of a Permit issued under this By-Law, and/or (iii) an Order issued under this By-law, is guilty of an offence and upon conviction is liable to the penalties provided for in this By-law and provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

- (b) If an Order has been issued under this By-law, and the Order has not been complied with, the contravention of the Order shall be deemed to be a continuing offence for each day or part of a day that the Order is not complied with.

10.2 Penalties

- (a) Every Person who is guilty of a non-continuing offence under this By-law shall be subject to the following penalties:
- (i) Upon a first conviction under this By-law, to a fine of not less than \$500 and not more than \$50,000 per offence;
 - (ii) Upon a second or subsequent conviction under this By-law, to a fine of not less than \$500 and not more than \$100,000 per offence;
- (b) Every Person who is guilty of a continuing offence under this By-law shall upon conviction be subject to a fine of not less than \$500 and not more than \$10,000 for each day or part of a day that the offence continues up to a maximum of \$100,000 per continuing offence.
- (c) When a Person has been convicted of an offence under this By-law, the Ontario Court of Justice or any Court of competent jurisdiction thereafter may, in addition to any other penalty or remedy imposed on the Person convicted, make an Order:
- (i) prohibiting the continuation or repetition of the offence by the Person convicted; and/or
 - (ii) requiring the Person convicted to remove material from, repair or rehabilitate, at the convicted Person's expense, a property or undertaking to achieve compliance with this By-law within such reasonable time as the Court orders.
- (a) The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.

11. TRANSITION PROVISION

- (a) Notwithstanding the repeal of By-law 2012-31 and all amendments thereto, that by-law shall continue to apply to any acts, omissions, or occurrences, and to any offences that took place prior to the enactment of this By-law.

12. EFFECTIVE DATES & REPEAL OF PREDECESSOR BY-LAW

- (a) This By-law Repeals By-laws 2012-31, 2015-11, 2015-45, 2015-49, 2021-01, and 2021-20.
- (b) This By-law shall come into force and effect upon its passage, at which time By-law 2012-31, and all amendments thereto shall hereby be repealed.

READ a FIRST time this 20 day of DECEMBER, 2023

READ a SECOND time this 10 day of JANUARY, 2023

READ a THIRD time and FINALLY PASSED this 7 day of FEBRUARY, 2024.

James Seeley, Mayor

Courtenay Hoytfox, Clerk

DRAFT

SCHEDULE “A”

REFERENCES REGULATIONS, STANDARDS AND GUIDELINES

1. Environmental Protection Act, R.S.O. 1990, c. E.19 - <https://www.ontario.ca/laws/statute/90e19>
2. Ontario Ministry of the Environment, Conservation and Parks, Management of Excess Soil – A Guide for Best Management Practices - <https://www.ontario.ca/page/management-excess-soil-guide-best-management-practices>
3. Ontario Ministry of the Environment, Conservation and Parks, Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act (July 1, 2011) - <https://www.ontario.ca/page/soil-ground-water-and-sediment-standards-use-under-part-xv1-environmental-protection-act>
4. Ontario Regulation 153/04: Record of Site Condition - <https://www.ontario.ca/laws/regulation/040153>
5. Regulation 347: General – Waste Management - <https://www.ontario.ca/laws/regulation/900347>
6. Ontario Regulation 406/19: On-site and Excess Soil Management - <https://www.ontario.ca/laws/regulation/190406#BK5>
7. Ontario Ministry of the Environment, Conservation and Parks Rules for Soil Management and Excess Soil Quality Standards - <https://www.ontario.ca/page/rules-soil-management-and-excess-soil-quality-standards>
8. Ontario Ministry of the Environment, Conservation and Parks Excess Soil Beneficial Reuse Assessment Tool (BRAT) - <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fprod-environmental-registry.s3.amazonaws.com%2F2020-12%2FBeneficial%2520Reuse%2520Assessment%2520Tool%20BRAT%2520%2528Dated%252008%2520Dec%25202020%2529%20.xlsx&wdOrigin=BROWSELINK>
9. Ontario Water Resources Act, R.S.O. 1990, c. O.40 – <https://www.ontario.ca/laws/statute/90o40>
10. Ontario Provincial Water Quality Objectives - <https://www.ontario.ca/page/water-management-policies-guidelines-provincial-water-quality-objectives>
11. Aggregate Resources Act R.S.O. 1990, c.A.8, - <https://www.ontario.ca/laws/statute/90a08>
12. Invasive Species Act, 2015, S.O.2015, c.22 - <https://www.ontario.ca/laws/statute/15i22>
13. Endangered Species Act, 2007, S.O. 2007, c. 6 <https://www.ontario.ca/laws/statute/07e06>
14. Clean Water Act, 2006, S.O. 2006, c. 22 <https://www.ontario.ca/laws/statute/06c22>
15. Municipal Act, 2001, S.O. 2001, c. 25 <https://www.ontario.ca/laws/statute/01m25>

SCHEDULE "B"
CONTROL PLANS

1. A control plan(s) required to be submitted as part of any Application for a Permit pursuant to this By-law shall include, among other things, the following:
 - (a) a key map showing the location of the Site;
 - (b) the Global Positioning System (GPS) coordinates of the centroid of the Site in terms of easting and northing;
 - (c) the Site boundaries and number of hectares of the Site;
 - (d) the use of the Site and the location and use of the buildings and other structures adjacent to the Site;
 - (e) the location, dimensions and use of existing and proposed buildings and other structures existing or proposed to be erected on the Site;
 - (f) the location of lakes, streams, wetlands, channels, ditches, other watercourses and other bodies of water on the Site and within thirty (30) metres beyond the Site boundary;
 - (g) the location of the predominant Soil types;
 - (h) the location size, species, and condition of all Trees as define in this By-law, including their dripline, and the composite dripline of all other Vegetation;
 - (i) the location of driveways on the lands and all easements and rights-of-way over, under, across or through the Site;
 - (j) the location and dimensions of any existing and proposed stormwater Drainage systems and natural Drainage patterns on the Site and within thirty (30) metres of the Site boundaries;
 - (k) the location and dimensions of utilities, structures, roads, rights-of-ways, easements, highways, and paving;
 - (l) the existing Site topography at a contour interval not to exceed 0.5 metres and to extend a minimum of thirty (30) metres beyond the Site boundaries;
 - (m) the Proposed Grade(s) and Drainage system(s) to be used upon completion of the work which is the subject of the Permit;
 - (n) the location and dimensions of all proposed work which is the subject of the Application for a Permit;
 - (o) the location and dimensions of all proposed temporary Topsoil or Fill stockpiles;
 - (p) the location, dimensions, design details and specifications of all work which is the subject of the Application including all Site Erosion and Dust Control measures or Retaining Walls necessary to meet the requirements of this By-law and the estimated cost of the same;
 - (q) a schedule of the anticipated starting and completion dates of all proposed work which is the subject of the Application for a Permit;
 - (r) a list of the type of equipment and machinery that will be used during the Site Alteration process including the expected days and times of operation in accordance with this By-law;
 - (s) provisions for the maintenance of construction Site Erosion and Dust Control measures during construction and after, as required;
 - (t) typical notes on the final rehabilitation plan to indicate the final ground cover materials, type and size of Vegetation to be planted, depth of Topsoil, Tree removals or Tree protection measures;
 - (u) proposed Site access location(s) and haul route(s) to and within the Site;

- (v) a description of the quality and source of the proposed Fill with confirmation that the Fill meets the applicable Excess Soil Quality Standards for the Site;
 - (i) if Site-specific standards for Soil quality acceptance have been developed using the MECP's Excess Soil Beneficial Reuse Assessment Tool (BRAT), a copy of the BRAT model input and output and a signed statement by the Qualified Person preparing the BRAT model;
 - (ii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
 - (w) a Sampling and Analysis Plan for the source of the proposed Fill;
 - (x) a Quality Assurance/Quality Control Program;
 - (y) the scale of drawings, either 1:500 or 1:1000;
 - (z) operational procedures manual;
 - (aa) for Site to receive greater than 10,000m³, and where required by the provisions of Ontario Regulation 406/19, as amended, file a notice on the Excess Soil Registry operated by RPRA; and
 - (bb) all other information as deemed necessary or required by the Designated Official.
2. Where a permit from the County of Wellington or the Township is required to use any portion of the proposed haul route, the issuance of, and conformity with such permit(s) shall be deemed to be a condition of the issuance of the Permit under this By-law.
 3. It shall be the responsibility of the Owner to ensure that all Fill which is Placed or Dumped under this By-law shall conform with, and meet the requirements of this By-law and all conditions of the Permit. At any time during the term of the Permit, an Inspector or the Designated Official may require evidence of such conformity, including without limiting the generality of the foregoing a requirement that the Permit Holder provide evidence to the satisfaction of the Designated Official that each Truckload complies with the requirements of this By-law.
 4. Every control plan accompanying an Application for a Permit under this By-law must be stamped by a Qualified Person approved by the Designated Official.
 5. Notwithstanding any other provisions of this By-law, the Designated Official may waive the requirement for a Control Plan or any part thereof, after taking into consideration the proposed works, the anticipated impact on the Site and the surrounding environment.

SCHEDULE "C"

DETERMINATION OF FEES AND FINANCIAL SECURITY

Type of Revenue/User	Unit/Descr	2023 Rate (No Tax)	Comments
Site Alteration Exception Waiver*	N/A	N/A	Subject to recovery of all actual third party costs.
Site Alteration Normal Farm Practices Waiver*	N/A	N/A	Subject to recovery of all actual third party costs. May be required to provide a Security Deposit at the discretion of the Designated Official.
Site Alteration Permit Application Fee – Minor*	Administrative Fee	\$1,000	Non-refundable and due at the application submission for the coordination and administration of an application. Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Minor**	Security Deposit	\$3,000	Due prior to permit issuance.
Site Alteration Permit Application – Standard*	Administrative Fee	\$2,000	Non-refundable and due at the application submission for the coordination and administration of an application. Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Standard**	Security Deposit	\$5,000	Due prior to permit issuance.
Site Alteration Permit Application – Large*	Administrative Fee	\$3,500	Non-refundable and due at the application submission for the coordination and administration of an application. Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Large**	Security Deposit	\$10,000	Due prior to permit issuance.
Site Alteration Permit Application – Major*	Administrative Fee	\$5,000	Non-refundable and due at the application submission for the coordination and administration of an application. Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Major**	Security Deposit	To be Determined by the Designated Official	Due prior to permit issuance.
Site Alteration Permit Service Fee	Per cubic metre	\$0.24 per cubic metre	Applicable for Minor, Standard, Large, and Major applications.
Violation Fees***	N/A	N/A	Double all application fees.
Inspector Attendance at a property as a result of a verified violation	Per site attendance	\$150	Per site attendance by the Inspector as a result of a verified violation
Permit Renewal Fee	N/A	N/A	50% of the original application fees.

*The Applicant is responsible for actual third party costs incurred by the Township for processing the application.

** Security Deposit funds are held by the Township and will be returned to the applicant upon fulfilment of all Permit Conditions. Securities may be drawn upon at the direction of the Designated Official, where necessary, to ensure compliance with the conditions of the permit. This includes any costs incurred by the Township related to enforcement of the permit conditions or the Site Alteration By-law. If the funds are drawn upon, the applicant is required to top of the funds to the amount determined in Schedule "B" or as determined by the Designated Official.

*** The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.

DRAFT

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW 2023-058

A by-law to regulate Road Activity.

WHEREAS Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, (“the Act”) provides the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to ensure them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS Section 9 of the Act, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS Section 11(3) 1 of the Act, provides that a municipality may pass by-laws within the following sphere of jurisdiction: Highways, including parking and traffic on Highways;

AND WHEREAS Section 23.2 (1)(c) and 23.2(5)1 of the Act authorizes a municipality to delegate its powers and duties to an individual who is an officer, employee or agent of the municipality to close a Highway temporarily;

AND WHEREAS Section 127 of the Act provides that a municipality may require the owner or occupant of land to clean and clear the land, clear refuse or debris from the land, prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land and to define “refuse”;

AND WHEREAS Section 128 of the Act provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Section 444 of the Act, provides that a municipality may make an order to require a person to discontinue contravening a by-law and to do the work required to correct the contravention;

AND WHEREAS Section 446 of the Act, provides that a municipality may proceed to do things at a person’s expense which that person is otherwise required to do under a by-law, but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

WHEREAS Section 425 of the Act, permits a municipality to pass by-laws providing that any person who contravenes any by-law the municipality passed under the Act, is guilty of an offence; and

WHEREAS Section 426 (4) of the Act deems that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the Act is guilty of an offence;

NOW THEREFORE, the Council of the Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

PART 1 – TITLE, INTERPRETATION AND SEVERABILITY

1. This By-law may be referred to as the “**Road Activity By-law**”.
2. Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in Part 2 of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
3. Wherever a word defined in Part 2 of this By-law is used in the form of a noun, verb, adverb, or adjective, it shall be interpreted as having a corresponding defined meaning even if it is in ordinary case.
4. All words importing the singular shall include the plural, and words imparting the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law requires otherwise.
5. Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
6. This By-law applies to all Properties and Highways within the Township.
7. If a court of competent jurisdiction declares any provision or part of a provision of this By-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

PART 2 – DEFINITIONS

8. For the purpose of this By-law:

“Applicable Law” means all federal, provincial and municipal by-laws, rules, regulations, orders, approvals, permits, standards and all other governmental requirements applicable to any activity on or occupancy of a Highway;

“Applicant” means the Owner of a Property and includes a Person authorized in writing to act on behalf of the Owner of a Property to apply for a Permit;

"Application" means a written submission to request or amend a Haul Route Permit, in a form prescribed by the Township;

"Boulevard" means that portion of every road allowance which is not used as a Sidewalk, driveway, traveled roadway or shoulder including any area where grass is growing or is seeded, or where an earth surface exists;

"By-law" means this by-law;

"Condition(s)" means the mandatory performance requirements outlined in a Permit or Order and may include the requirement for monetary deposits or Security(s) in connection with the Application;

"Director of Public Works" means the Director of the Township of Puslinch Public Works Department, or authorized representative;

"Fill" means any type of material that can be removed from (cut) or placed on (in-fill) land and may include, but is not limited to Soil, Excess Soil., Liquid Soil, Rock, Sod, Compost, Aggregate and Topsoil.

"Haul Route" means a route designated or approved by the Township for the purposes of ingress or egress to a Site Alteration as a condition of the Permit;

"Haul Route Permit" means a permit issued by the Township pursuant to the provisions of this By-law.

"Highway" " means a common and public highway and includes a street, bridge or other structure forming part of a highway over or across which a highway passes and includes the whole of a road allowance under the jurisdiction of the Township;

"Occupant" means the lessee, tenant, mortgagee in possession or any other Person who appears to have care and control of the Property;

"Officer" means a Person designated by the Township to enforce this By-law;

"Owner" means the registered Owner(s) of the Property;

"Performance Security" means a financial guarantee or assurance provided by an Applicant and/or Permit Holder to the Township.

"Person" includes individuals, firms, sole proprietorships, partnerships, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law;

"Property" means lands including all buildings and structures on the land;

“Roadway” means that part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder or where a Highway includes two or more separate roadways, the term “Roadway” refers to any one roadway separately and not to all of the roadway collectively;

“Refuse” means waste, garbage, litter, rubbish, debris, material, refuse, and any other discarded or abandoned commodities of any kind whatsoever;

“Sidewalk” means that part of a Highway set aside by the Township for the use of pedestrians;

“Site Alteration” means any alteration to the existing grade of land through the removal (cut), placement (filling) or movement (relocation) of Fill;

“Snow Plow Driveway Marker” means a temporary, non-illuminated indicator or guide inserted with a vertical orientation into the ground on private Property or Township right of way that serves to mark the edge of a driveway for a licenced snow plow contractor;

“Township” means the Corporation of the Township of Puslinch or lands within the geographic limits of the Corporation of the Township of Puslinch, as the context requires;

“Vehicle” means a motor vehicle, trailer, traction engine, farm tractor, road building equipment, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or street car.

PART 3 – PROHIBITIONS

9. Any Person that is subject to this By-law is guilty of an offence, if that person
 - a. Permits oils, chemicals or substances to be deposited or spilled on a Highway including such substances deposited as a result of car maintenance activities, car rust prevention measures and the spillage of rust protecting substances and the general spillage of substances from vehicles;
 - b. Throws, pushes, plows, dumps or otherwise deposits snow or ice on a Highway;
 - c. Deposits, drops, scatters, stores, spills or throws any Refuse, filth, earth, ashes, manure, leaves, or garbage except as permitted in any Township by-law and except as allowed in the most current County of Wellington Waste By-law, or any amendment or re-enactment thereof, paper, hand bill, advertisement, or any vegetable matter, stone, lime, sand, tin, wood, the carcass of any dead animal, fish or fowl, in or upon a Highway;
 - d. Encumbers or damages a Highway by animals, Vehicles or other means;

- e. Permits or allows any Refuse, paper, hand bill, advertisement or any container, whether made of plastic, cardboard or paper, to be blown from private Property onto a Highway;
- f. Obstructs a drain, gutter or water course along or upon a Highway;
- g. Walks upon, rides, drives, or loads an animal, or moves, drives, runs or propels a vehicle upon, over or across a newly constructed Sidewalk or pavement before it has been opened for use by the public;
- h. Throws, piles, stores or causes any Refuse, material to be thrown or piled upon a Highway, except for the purpose of having it immediately delivered upon adjacent premises, nor shall any Person saw or split any cordwood or firewood upon a Highway or being the Owner of cordwood, firewood or topsoil shall be deposited on any Highway, or permit it to remain thereon for a longer time than is necessary for its immediate removal to the premises adjacent thereto;
- i. Places or exposes, or causes any merchandise or articles of any kind, to be placed or exposed upon a Highway or outside of a building so that the same shall project over any part of the Highway;
- j. Moves, or cause to be moved, a Vehicle equipped with cleats, flanges, or tracks on its wheels, or rollers, or any of them, on or along the traveled portion of the Highway, except by means of a float, trailer, or other similar device, providing that a Vehicle is so equipped including a Vehicle for the digging and backfilling of trenched, may be moved directly across the traveled portion of the Highway, if a preventative mat has first been laid on the surface of the portion of the Highway to be crossed, provided however that this paragraph shall not be applied when a Vehicle is operating with the written permission of the Director of Public Works;
- k. Removes a barricade or notice or enters upon or uses a Highway temporarily closed under the provisions of this or any Township by-law;
- l. Removes or moves a barricade, sign or light placed around any construction on a Highway;
- m. Allows any part of a tree, shrub, sapling, hedge or any other plant to extend over or upon any Highway, so as to interfere, with, impede or endanger Persons using the Highway.
- n. Breaks, digs up, destroys or damages the sod or grass of a boulevard, or a fence, or railing erected and maintained for the protection of the boulevard;

- o. Erects a fence, constructs a wall or plants a hedge, in, over, or upon a Highway.
- p. Pulls down, destroys, or in any way interferes with, any municipal structure, including but not limited to, any post, surveyor's mark, bench mark, traffic sign, Highway name sign, sign board, regulatory sign, traffic signal, traffic cone, or any other traffic control device, affixed, or placed upon a Highway;
- q. Permits any flood light to directly or indirectly illuminate a Highway without the written approval of the Director of Public Works;
- r. Hauls earth, sand, stone, or other substances on a Highway, loads their Vehicle or drives the same as to permit or cause the contents thereof to fall, spill or be deposited on a Highway;
- s. Brings a Vehicle or permits it to be brought upon a Highway with mud, clay, lime and similar material, or any fertilizer or manure attached to the wheels, which is likely if not removed, to cause an obstruction or dangerous condition or nuisance on a Highway or cause damage to the surface of the Highway;
- t. While hauling earth, sand, stone, or other substance, loads or drives their Vehicle so as to permit damage to a Highway;
- u. Fails to obtain a Haul Route Permit;
- v. While undertaking Highway activity associated with a Haul Route Permit, performs work outside of hours of 8:30am to 5:00pm Monday-Friday, or performs work on a weekend or statutory holiday;
- w. Fails to maintain an approved Haul Route in a good state of repair in accordance with the Haul Route Permit.

PART 4 – HAUL ROUTE

Permit Required

- 10. No Person shall undertake, or permit to be undertaken, the movement of Fill in connection with any activity regulated by the most current Site Alteration By-law using any Township Highway, without a Haul Route Permit.
- 11. All Highway activity associated with the approved Haul Route Permit shall comply with the Highway Traffic Act, and its regulations.

Application — Minimum Requirements

12. Every Application shall be completed and submitted on forms prescribed by the Township;
13. Every Application shall include:
 - a. A map showing the proposed Haul Route indicating any barricades or signs; and
 - b. A copy of the most current Site Alteration Application; and
 - c. The date(s) and time(s) that the Haul Route will be utilized; and
 - d. The prescribed fee as listed in the Township User Fees and Charges By-law, described in Section 14;
 - e. A Security Deposit described in Section 15;
 - f. Proof of Insurance described in Section 16;
 - g. Any other information or documentation that the Township deems necessary;

Fees

14. The Applicant shall:
 - a. Pay a Permit Application Fee in accordance with Schedule "B" to this By-law; and
 - b. Where road activities occur in the absence of Township approval, violation fees shall be charged amounting in double all application fees.

Security Deposit

15. The Applicant shall provide the Township with securities in the amount to be determined by the Director of Public Works, in the form of cash or an irrevocable Letter of Credit on terms satisfactory to the Township ('Performance Security'). If the Performance Security is less than the amount determined by the Director of Public Works, at any point in time during the Haul Route Permit period, the Permit Holder shall be required to replenish forthwith.

Proof of Insurance and Indemnification

16. The Applicant shall maintain liability insurance in the minimum amount of \$5,000,000, naming the Township as an additional insured. Such policy shall include a cross-liability provision and 30 days' written notice to the Township prior to cancellation.
17. The Applicant shall indemnify the Township against any claims/action arising out the Highway activity (collisions, vehicle damage or accidents as a result of uncleared debris, lack of maintenance/repair, etc.)

Conditions of Haul Route Permit

18. In addition to any other Conditions that the Director of Public Works may deem appropriate, all Highway activity associated with the Haul Rout Permit shall be subject to the following conditions:

- a. The Permit Holder shall comply with all Applicable Laws.
- b. Highway activity associated with a Haul Route Permit shall only occur during the hours of 8:30am to 5:00pm Monday-Friday excluding weekends and statutory holidays.
- c. The approved Haul Route shall at all times be maintained by the Permit Holder in a dust/silt/mud/rock free condition, to the satisfaction of the Director of Public Works.
- d. The Permit Holder shall ensure that a street-sweeper or equivalent is utilized on a daily basis to clean the Haul Route of any tracked debris and shall regularly monitor for any larger foreign objects.
- e. The Permit Holder shall be required to maintain the Haul Route in a good state of repair, free from ruts/potholes, etc., to the satisfaction of the Director of Public Works,
- f. The Permit Holder shall be responsible for the cost associated to undertake such repairs/maintenance as the Director of Public Works may direct, within such time frame as the Township may specify, acting reasonably.
- g. The Applicant shall provide the Township with a 24/7 accessible phone number where Township staff can directly reach the Applicant to address any Highway activity concerns.

PART 5 – EXEMPTIONS

19. The Director of Public Works may grant an exemption to any Person from any provision of this By-law and impose conditions for such exemption as may be considered reasonable and necessary provided such exemption does not interfere with the general integrity of this By-law.
20. The provisions of subsection 19 shall not apply to an employee or an agent of the Township who is engaged in moving snow or ice. An exemption is not required by a Person undertaking any works on behalf of the Township or for closures ordered by the Director of Public Works.
21. The provisions of subsection 19 shall not apply to any Person putting sand or salt on the icy portions of a Highway to reduce the danger of pedestrians falling or to enable a Vehicle to use a Roadway.
22. The provisions of subsection 19 shall not apply to the placement of a snow plow driveway marker.

PART 6 – ADMINISTRATION AND AUTHORITY

23. The cleaning and repair of all Highways shall be performed under the direction of the Director of Public Works.
24. The Director of Public Works may temporarily close to traffic any Highway by reason of any work or improvement being carried out thereon or by reason of the condition thereof and the Director of Public Works may cause to be erected or kept thereon, any barricade or notice warning the public that the Highway is closed to traffic and no Person shall enter upon or use a Highway so temporarily closed.
25. The Director of Public Works shall be responsible for the administration of PART 4 – Haul Route.
26. The Director of Public Works is authorized and has delegated authority to receive, consider and approve any Application for a Haul Route, including any Conditions, and exempt/waive, issue, extend, renew, amend, a Haul Route Permit.
27. The Director of Public Works is authorized and has delegated authority to revoke a Haul Route Permit at any time without prior notice to the Permit Holder if:
 - a. It was issued in error or as a result of false, mistaken, incorrect or misleading information in the Application;
 - b. There are reasonable grounds to believe that the continuation of the Highway activity poses an unacceptable risk to the health and safety of any Person or damage to property; or
 - c. The Permit Holder is not in compliance with any Haul Route Permit Condition.

PART 7 – RECOVERY OF COSTS

28. Where an Order is not complied with, the Director of Public Works will do the work or arrange for the work to be done
29. The Township may recover all costs associated with doing the work, including administrative fees, by action or it may collect them in a like manner as municipal taxes.
30. Failure to pay any invoice associated with Haul Route repair or housekeeping maintenance within 30 days, the costs may be drawn from Securities held by the Township and/or collected in a like manner as municipal taxes.

31. The Township has priority lien status in accordance with section 1(3) of the Act on the Property for the amount spent to do the work (and administrative fees).

PART 8 - ORDERS

32. If an Officer determines that a Property or Person or Permit Holder is not in compliance with any of the standards or requirements of this By-law, the Officer may issue an order requiring a Person or Permit Holder to comply with standards or requirements of this By-law and to discontinue an activity or action prohibited by this By-law.
33. Every Person who fails to comply with an order made under Section 32 is guilty of an offence.

PART 9 – SERVICE OF DOCUMENTS

34. Service of any document, including an order, under this By-law shall be given in writing by registered mail and will be deemed served on the 5th day after a copy is mailed to the Permit Holder or Person's last known address.
35. In addition, service of any document may be given in any of the following ways and is effective:
 - a. When a copy is delivered to the Permit Holder or Person to whom it is addressed;
 - b. By email to the last known email address of the Permit Holder or Person to whom service is required to be made.
36. Where service is unable to be done under subsections 35 (a) or (b), notice may be given by placing a placard containing the terms of the document or order in a conspicuous place on the Property to which the document or order relates and shall be deemed to be sufficient service on the Permit Holder or Person..

PART 10 - Enforcement and Penalty Provisions

37. The enforcement of this By-law shall be conducted by an Officer.
38. (1) Every Person who contravenes any provision of this By-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the Provincial Offences Act, R.S.O. 1990, c.P.33, as it may be amended from time to time.

(2) In addition to subsection 38(1), any Person who is charged with an offence under this by-law in accordance with Part III of the Provincial Offences Act and is found guilty of the offence, is liable, in addition to any other penalties:

- a. On a first offence, to a fine not less than \$500.00 and not more than \$50,000.00; and
 - b. On a second offence and each subsequent offence, to a fine not less than \$1000.00 and not more than \$100,000.00.
39. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.
40. Every Person who is alleged to have contravened any of the provisions of this By-law shall identify themselves to an Officer upon request, failure to do so shall be deemed to have hindered or obstructed an Officer in the execution of his or her duties.
41. Upon conviction, any penalty imposed under this By-law may be collected under the authority of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.
42. If a Person is convicted of an offence under this By-law, the court in which the conviction has been entered and any court of competent jurisdiction may, in addition to any other remedy and to any penalty imposed, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

PART 11 - SCHEDULES

43. Schedule "A" (Short Form Wording and Set Fines) attached hereto do not form part of this By-law.

PART 12 – EFFECTIVE DATE

44. This by-law shall come into effect on ENTER DATE.

READ a FIRST time this 20 day of DECEMBER, 2023

READ a SECOND time this 10 day of JANUARY, 2023

READ a THIRD time and FINALLY PASSED this 7 day of FEBRUARY, 2024.

James Seeley, Mayor

Courtenay Hoytfox, Clerk

DRAFT

**SCHEDULE "A" TO BY-LAW xx
TOWNSHIP OF PUSLINCH
PART 1 PROVINCIAL OFFENCES ACT – BY-LAW xx: ROAD ACTIVITY BY-LAW
Being a by-law to regulate Road Activity**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provisions Creating or Defining Offence	COLUMN 3 Set Fine
PROHIBITIONS			
1	Permits oils, chemicals or substances to be deposited or spilled on a Highway	9.a.	\$300.00
2	Deposits snow or ice on a Highway	9.b.	\$300.00
3	Deposits Refuse on a Highway	9.c.	\$300.00
4	Encumbers or damages a Highway	9.d.	\$500.00
5	Permits or allows refuse to be blown from private property onto a Highway	9.e.	\$300.00
6	Obstructs a drain, gutter or water course along or upon a Highway	9.f.	\$300.00
7	Walks upon, rides, drives, loads, runs or propels any animal or vehicle on a newly constructed Sidewalk or pavement before it is open for use by the public.	9.g.	\$200.00
8	Cause any Refuse material to be thrown or piled on a Highway, saw or split firewood upon a Highway, or permit it to remain longer than necessary.	9.h.	\$300.00
9	Place any merchandise or article upon a Highway or outside a building so that the same projects over any part of the Highway	9.i.	\$300.00
10	Move a Vehicle with cleats, flanges, tracks or rollers along the traveled portion of the Highway	9.j.	\$500.00
11	Remove a barricade or notice, or enter upon a Highway that is temporarily closed	9.k.	\$500.00
12	Remove a barricade, sign or light placed around any excavation on a Highway	9.l.	\$500.00
13	Allow a trees, shrub, sapling, hedge or any other plant to extend	9.m.	\$300.00

	over or upon a Highway		
14	Breaks, digs up, destroy or damage the sod or grass of a boulevard, fence or railing erected to protect the boulevard	9.n.	\$300.00
15	Erect a fence or wall or plant a hedge upon a Highway	9.o.	\$300.00
16	Interfere with any municipal structure affixed or placed upon a Highway	9.p.	\$500.00
17	Permit any flood light to illuminate the Highway	9.q.	\$200.00
18	Haul earth, sand, stone, or other substance upon a Highway, load a vehicle or drive a vehicle as to permit the contents to fall or spill on the Highway	9.r.	\$500.00
19	Bring a Vehicle upon a Highway with mud, clay, lime, fertilizer, manure attached to the wheels on a Highway	9.s.	\$500.00
20	While hauling earth, sand, stone or other substance, loads or drives so as to damage a Highway	9.t.	\$500.00
21	Owner fails to obtain a Haul Route Permit	9.u.	\$700.00
22	Applicant/Permit Holder fails to maintain a Haul Route in a good state of repair	9.v.	\$700.00
23	Applicant/Permit Holder performs activity associated with a Haul Route Permit outside of the hours of 8:30am-5:00pm, Monday-Friday, or on a statutory holiday	9.w.	\$700.00
ORDERS			
24	Failure to comply with an order issued under Section 32	33.	\$700.00
ENFORCEMENT AND PENALTY PROVISIONS			
25	Hinder or obstruct, or attempt to hinder or obstruct an Officer	93.	\$900.00

NOTE:

The general penalty provision for the offences indicated above is Section 38 of By-law XX, a certified copy of which has been filed.

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 056-2023

Being a by-law to authorize the entering into a Private Well Interference Complaint Resolution Agreement with Triton Water Canada Holdings, Inc.

WHEREAS the *Municipal Act*, S.O. 2001, c.25 authorizes a municipality to enter into Agreements;

AND WHEREAS the Council for the Corporation of the Township of Puslinch deems it appropriate to enter into a Private Well Interference Complaint Resolution Agreement with Triton Water Canada Holdings, Inc.;

NOW THEREFORE the Corporation of the Township of Puslinch hereby enacts as follows:

1. That the Corporation of the Township of Puslinch enter into a Private Well Interference Complaint Resolution Agreement with Triton Water Canada Holdings, Inc.
2. That the Mayor and Clerk are hereby authorized to execute the necessary documents to enter into a Private Well Interference Complaint Resolution Agreement.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 20th DAY OF DECEMBER 2023.

James Seeley, Mayor

Courtenay Hoytfox, Clerk

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 2023-060

Being a By-Law to appoint a Fire Chief and to repeal By-law Number 2022-029

WHEREAS the Fire Protection and Prevention Act, 1997, S.O. 1997, as amended, provides that the Council may by by-law establish and regulate a Fire Department and appoint a Fire Chief to carry out the several duties and responsibilities thereof;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch enacts as follows:

1. That Brad Churchill is hereby appointed to the position of Interim Fire Chief of the Puslinch Volunteer Fire Department;
2. This by-law repeals by-law number 2022-029; and
3. That this By-law shall come into full force and effect January 1, 2024 and remains in full force and effect until such time that it is repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 20th DAY OF DECEMBER 2023.

James Seeley, Mayor

Courtenay Hoytfox, Clerk

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 059-2023

Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its Council meeting held on DECEMBER 20, 2023.

WHEREAS by Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25* the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Section 5, Subsection (3) of the *Municipal Act*, a municipal power including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Puslinch at its Council meeting held on DECEMBER 20, 2023 be confirmed and adopted by By-law;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch hereby enacts as follows:

- 1) The action of the Council of the Corporation of the Township of Puslinch, in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council at said meeting are hereby adopted and confirmed.
- 2) The Head of Council and proper official of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.
- 3) The Head of Council and the Clerk are hereby authorized and directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and the Clerk authorized and directed to affix the seal of the said Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 20 DAY OF DECEMBER, 2023.

James Seeley, Mayor

Courtenay Hoytfox, Municipal Clerk