



Responses to County of Wellington and Township of Puslinch Comments

6678 County Road 34, Township of Puslinch

This document provides the Applicant/GHD's responses to the comments received on March 16, 2021. The comments were received as a follow-up to the January 27, 2021 pre-consultation meeting (minutes provided in Attachment A). The County/Township also suggest that we have an additional meeting to discuss these comments and we understand that the County/Township is determining some dates for that meeting. For convenience, the comments are copied below in italics and the responses follow each comment.

GHD also notes that a number of these comments were discussed in the pre-consultation meeting (see meeting minutes attached) and documentation previously provided to the County/Township. We have prepared these responses prior to our next meeting to reiterate information and provide further documentation to help guide the discussion and continue to focus on next steps to complete the process.

County of Wellington Comment 1

County of Wellington Official Plan The subject property is designated as Secondary Agricultural and Greenlands (Significant Woodlands & Environmentally Sensitive Areas). The property is also identified as being within the Paris Galt Moraine Policy Area, and partially as being within a Sand and Gravel – Primary and Secondary Resource Area.

Relevant Policies that need to be considered/addressed: Section 4.6 Impact Assessment

4.6.2 Planning Impact Assessment

4.6.3 Environmental Impact Assessment

4.6.4 Traffic impact Assessment

Section 4.9 Water Resources

Section 5.5 Greenlands

Section 5.6 Development Control Part 6 Rural System

Section 6.5 Secondary Agricultural Areas

Section 6.6 Mineral Aggregate Areas

Section 11.3 Stormwater Management

Section 11.4 Waste Management

Response 1

We have reviewed the Official Plan and all of the cited policies. We have substantially considered and addressed the policies regarding concerns with environmental impact, water resources, stormwater management and waste management with the work completed in support of the applications filed with the MECP for Air and Noise, Stormwater and Waste Environmental Compliance Approvals (ECAs). The MNR approved Rehabilitation Plan also addresses planning considerations regarding the Mineral Aggregates Act.

With respect to planning policies we want to work with the Township/County to determine the best path forward to allow the specific land use and operations at the Property.

Township of Puslinch Zoning By-law Comment 2

Comment 2a

The property is zoned Agricultural (A) with a site-specific provision (SP13) and Extractive (EXI) with a site-specific special provision (SP63).

Response 2a

The front parcel of the Property is zoned Agricultural (A) with a site-specific provision (SP13). SP13 states that (By-law 36/98) additional uses are an “existing kennel, temporary haul route and landscape berms”.

The A zoned parcel is not used for any active hydrovac operations other than the haul route which is shared with Capital Paving for access to their active pit operations on an adjacent property. For safety reasons to avoid crowding the operations area, there may be occasional storage of unused equipment and parking of empty hydrovac trucks and employee vehicles on the A zoned parcel.

The back parcel of the Property is EXI zoned and the hydrovac operations are on this parcel (see Response to Comment 2c below).

Comment 2b

The use of the property for a vacuum truck operation as described/presented is not permitted by the Township of Puslinch Zoning By-law 023-18.

Response 2b

See Response to Comment 2c. below

Comment 2c

Section 4.29 Uses Prohibited in All Zones also identifies that a “disposal site for waste” is prohibited throughout the Township. “Waste” is defined as: ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, any material whose composition does not comply with the requirements of the Ministry of Environment Standards for Clean Fill, and other such materials as are designated in the regulations of the Environmental Protection Act, R.S.O 1990, c. e. 19.

Response 2c

Section 6 of the Official Plan Polies (Rural System) provides, in part, for:

Secondary agricultural areas of non-prime farmland will be identified. While farming will be the main land use activity in these areas, a broader range of residential, employment and community uses will be allowed than in prime agricultural areas so long as the use does not adversely impact existing agricultural operations and is in keeping with the rural character of the area.

Waste Management Facilities may be allowed in the Rural System subject to the Environmental Assessment Act or the Environmental Protection Act and the Environmental Services policies of this Plan.

Both policies appear to provide for the ability for a non-agricultural use, including employment, and specifically a waste management facility to be located within the Secondary Agricultural area.

The hydrovacating process is used to prevent underground utility strikes and protect utilities from damage during utility installation, maintenance, and activities such as road work. The hydrovacating is conducted for municipalities and utility companies in utility corridors beside and beneath roads and rights of way. Any

hydrovaced materials that are determined to be potentially environmentally impacted are not returned to the Site and are disposed of directly at an off-site MECP-permitted treatment and disposal facility. Hydrovac-ing is typically not conducted at environmental and other sites where there are known environmental impacts. If it is, the collected materials are not returned to the Site and are disposed directly at an off-site MECP-permitted treatment and disposal facility.

The water used in the hydrovac trucks comes from a groundwater well on the Property and from municipal potable water sources. Most of this water is returned to the site and is not waste. The water drains from the soil and discharges to a vegetated ditch then into a storm water management pond where it infiltrates to groundwater and thus is recycled for groundwater recharge and reuse. Weekly testing demonstrates that the water meets MECP Table 2 Standards and, therefore, it meets the standards for potable use.

Liquid soil (water plus dry soil) is by definition waste in accordance with O. Reg. 347 (General Waste Management); this is so that it is appropriately managed to its ultimate end use. However, the liquid soil returned to and managed at the Site is not contaminated. The soil (once clean water drains off) is demonstrated by regular testing to meet MECP Table 1 Standards which are Background Soil (i.e., no levels of contaminants) and as such is not considered as waste but is the same as all non-impacted background soil throughout the Province. There are no ashes, garbage, refuse, domestic waste, industrial waste, or municipal waste contained in the hydrovac water and soil mixture that is returned to and managed at the Site.

Comment 2d

MNRF-We note that the property appears to be licensed by the Ministry of Natural Resources and Forestry (#20085 – Capital Paving, Wellington Pit #5). We are not aware that the MNRF license and site plan permit the vacuum truck operation on site. The status of the use in relationship to the license and site plan needs to be confirmed with the MNRF.

Response 2d

GHD understands that the Township/County have discussed the Site with the MNRF who also has discussed the Site with Capital Paving. The MNRF Site license includes an approved closed aggregate pit Rehabilitation Plan. Rehabilitation Plans provide the types of soil and material that can be used for rehabilitation of a closed pit. The Rehabilitation Plan for this Site specifically states that imported soil may be used for rehabilitation if it is Inert Material. Per Aggregate Resources Act (ARA) Policy 6.00.03 Inert Material is defined as soil that meets MECP Table 1 Standards (considered Background Soil). Weekly testing demonstrates that the dry soil from hydrovac-ing meets Table 1 Standards, except for the occasional slightly elevated Sodium Absorption Ratio (SAR). SAR is most commonly present from the use of road salt in utility corridors along roads where hydrovac-ing is conducted. ARA Policy 6.00.03 allows for elevated SAR to be used in rehabilitation areas if it is placed at a depth of more than 1.5m below grade. In the infrequent cases where there has been an exceedance of Table 1 Standards for other parameters the soil is removed from the Site and disposed of an off-site MECP permitted treatment and disposal facility.

Rehabilitation Plans do not specify the types of equipment and on-site facilities which are required to support the importation and placement of inert fill for rehabilitation. It is clearly implied that some on-site facilities and equipment are required to support the placement and grading of large quantities of fill to rehabilitate pits. The use of the Table 1 material from hydrovac-ing operations provides beneficial reuse for the soil as ultimately the Rehabilitation Plan requires the site to be returned to agricultural use. No new buildings are planned for the Property.

Comment 2e

MOECC- Township Staff have reached out to the MOECC to learn more about the MOECC requirements and permitting process (ECA's and Vac Truck Regulations). A meeting is expected in the near future to discuss these matters.

Response 2e

In October 2020, the Applicant/GHD pre-consulted with the MECP. Based on the pre-consultation, an application for an Air and Noise ECA was submitted to MECP. The application demonstrated that there were not significant or unacceptable air or noise emissions from Site operations. The ECA application will be posted on the Ontario Environmental Registry for public comment. A copy of the application and supporting documentation was provided to the Township for review and comment to the MECP.

In November 2020, MECP provided a request for a Hydrogeological Impact Assessment (HIA) to be completed to support applications for a Stormwater and a Waste ECA. The HIA involved the installation and sampling of groundwater monitoring wells and comprehensive review of the existing Site surface water and groundwater testing data, hydrogeological conditions and the Site environmental setting. The HIA was submitted to the MECP in December 2020 and copies were provide to the Township/County.

In January 2021, MECP provided comments on the HIA and suggested minor revisions to the groundwater monitoring program. The revisions were accepted and the applications for the Stormwater and Waste ECAs were subsequently submitted to MECP in February 2021. In February 2021, copies of the applications were submitted to the Township and County for review and comments to MECP. The ECA applications will be both posted on the Ontario Environmental Registry for public comment and notification letters were hand delivered to neighbors in the surrounding area around the Property.

The Air and Noise ECA application review is in the MECP review process. It is available on the Ontario Environmental Registry for public comment.

Generally straightforward MECP comments on the Stormwater ECA were received and responses to the comments also were submitted in April 2021.

MECP has completed the initial screening of the Waste ECA application, and it is in the queue to be assigned to a technical reviewer.

County of Wellington Comment 3

Comment 3a

What are the Provincial regulations and requirements for Vacuum Trucks and the soil disposal that are applicable?

Response 3a

- i. Environmental Protection Act, including Part 5- Waste Management
- ii. O. Reg. 347 (General Waste Management)
- iii. O. Reg. 406/19 (Excess Soil Regulation)
- iv. Regulation 154/03 (Record of Site Conditions) (provides soil and water standards referenced in O. Reg. 406/19).

Comment 3b

Is the soil/material considered waste?

Response 3b

See Response 2c,

Comment 3c

Is the placement of the soil/material considered a waste disposal site?

Response 3c

Not always. In this case since it is liquid soil it is defined as a waste per O. Reg. 347, even though the soil and liquid parts do not contain environmental contaminants above Table 1 (Background) and Table 2 (Potable) Standards. The current MECP accepted process for this specific type of non-contaminated waste material usually is to obtain a Waste ECA to govern its management and ultimate disposition. See also Response 2c.

Comment 3d

What are the requirements for managing the water/runoff? What are the requirements for managing dust?

Response 3d

The application for a Stormwater ECA included a Stormwater Management Plan (SMP) prepared in accordance with MECP requirements and consistent with the MNRF Rehabilitation Plan. The Plan includes a vegetated swale which collects the runoff and discharges it to a stormwater management pond. A summary of the years of water testing results already completed and the continued testing program also are provided. The years of testing have demonstrated that the water meets MECP Table 2 (potable) Standards.

The application for a Waste ECA includes a Design and Operations (D&O) Plan which includes descriptions of the dust management measures employed at the Site. Since the soils is mixed with potable water (typically 60% water and 40% soil) there are minimal concerns with dust generation from soil management operations. There are dust concerns with the haul route shared with Capital Paving; these are addressed by spraying water on the road as necessary during dry periods to keep dust levels to a minimum.

Comment 3e

Does the MNRF permit the use and operations on the property? Planning Staff have concerns that the use on the property may not be consistent with the Official Plan and Secondary Agricultural policies (scale, compatibility, appropriateness, environmental impacts).

The use as presented is not permitted by the Township of Puslinch Zoning By-law 023-18.

Response 3e

See Responses 1 and 2d.

Comment 3f

A follow up meeting with the owner/applicant is warranted to further discuss the provincial requirements for the use and complete application submission requirements prior to the submission of any applications to the Township and/or County if being considered or proposed.

Response 3e

Concur

Puslinch Fire & Rescue Comment 4

Comment 4

Puslinch Fire and Rescue Services reviewed the attached Pre – consultation proposal for 6678 Wellington Road 34. The only consideration that we have is that the emergency vehicle access route to the building(s) on the site is required to meet the requirements outlined in the Ontario Building Code 3.2.5.6. including width of the access route, overhead clearance (including tree limbs), maximum slope, turn around facilities, and the ability to support the heavy loads imposed by our fire trucks.

Response 4

Code 3.2.5.6 (Ontario Building Code, Access Route Design) provides that:

1. *A portion of a roadway or yard provided as a required access route for fire department use shall,
 - a. *Have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,*
 - b. *Have a centerline radius not less than 12 m,*
 - c. *Have an overhead clearance not less than 5 m,*
 - d. *Have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,*
 - e. *Be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,*
 - f. *Have turnaround facilities for any dead-end portion of the access route more than 90 m long, and*
 - g. *Be connected with a public thoroughfare.**
2. *A building within the scope of Article 3.2.2.43A. or 3.2.2.50A. shall have no portion of the required access route more than 20 m below the floor level of the uppermost storey or mezzanine that is not a rooftop enclosure provided for elevator machinery, a stairway or a service room used for no purpose other than for service to the building.*

The shared haul route and the Site meet these access requirements. The Fire Department also reviewed and approved the small Site operations building design/construction with respect to applicable Fire Code sections.

Harden Environmental Services Ltd. – Stan Denhoed, Senior Hydrogeologist Comment 5

Comment 5a

There are obvious concerns with the soil quality and groundwater quality arising from the importation of fill material via Vac Trucks. What testing procedures are followed to ensure that imported material is Table 1 of Soil Groundwater and Sediment Standards for User under Part XV.1 of the Environmental Protection Act. I understand that there is a moratorium on Fill Permits in the Township? If so, how does the importation of fill via Vac Truck fit into the existing bylaw?

Response 5a

See also Response 2c.

The applicant/GHD do not believe that there are obvious concerns with soil quality with Site operations. The D&O Report describes the soil management procedures that prevent contaminated material from being

received at the Site. The D&O Report also describes the soil testing procedures that are consistent with MECP requirements (including new Excess Fill requirements) and provides a review of the many years of weekly soil data collected to date. The data demonstrate that the soil meets Table 1 Standards (Background) and MNRF requirements in accordance with the approved Rehabilitation Plan.

Comment 5b

How much water is associated with the contents of the Vac Truck? The attached image suggests lagoon storage of the Vac Truck contents...is it lined with clay or otherwise impermeable barrier?

Response 5b

The maximum capacity of an average vac truck is 10,000 KG or 10 tonnes. A truck typically contains 60% water and 40% soil.

See also Response to Comment 3d. There is no lagoon storage of the vac truck contents. The hydrovac truck contents are placed on the ground and stockpiles are built to allow the water to drain off. The pond on the west side of the Property is an unlined stormwater management pond that recycles potable water to recharge groundwater.

Comment 5c

If there is inadequate oversight of the quality of the fill material, the soil and groundwater may be contaminated with industrial waste. This area is serviced by private wells, often from the overburden aquifer. As such, there are concerns related to the importation of this fill material.

Response 5c

See Responses 2c and 2e. There is no contaminated soil returned to the Site from industrial or other contaminated sites. The majority of the soil is from municipal and utility corridors along public roads. The years of testing of soil returned to the Site demonstrates that it meets Table 1 Standards. The ECA application/D&O Report being reviewed by MECP (and the County and Township) provide for appropriate soil testing procedures that will be conducted to continue to provide demonstration of soil quality.

Greg Scheifele, M.A.,R.P.F. Principal Ecologist/Forester, GWS Ecological & Forestry Services Inc. Comment 6

Comment 6

Based on the information provided there is woodland on the subject property, and it is connected to Significant Woodland on the adjacent Little Tract. The proposed use should not physically intrude into the woodland or have sediment discharged into it from adjacent soil stockpiles. I think more detailed information is needed in order to comment more fully on the existing/proposed use.

Response 6

A Site topographical map and a Site Layout figure are provided in the ECA applications/SMP/D&O Report. The Site soil operations are confined to a 2 hectare area on the west side of the Property and drainage in all areas is towards the pond and the interior of the Site and not off-site. The only activities on remaining portions of the Property are placement of soil that meets Table 1 Standards and rehabilitation activities (e.g., grading and grass and tree planting). Therefore, the Site activities do not provide any sediment or other impacts to Little Tract or other adjacent properties. The applicant is a steward of the Property and is committed to minimizing potential environmental impacts and rehabilitating the former pit to be returned to productive use as agricultural land).

GM BluePlan Comments 7:

See Letter (Attachment B) (pertinent portions are copied here)

Comment 7a

In support of the identification of the engineering requirements, the following documents and drawings were received and reviewed:

- *Pre-Consultation Summary (no author, no date)*
- *Site Layout Figure (GHD, dated October 9, 2020).*

Response 7a

Complete copies of the Noise and Air, Stormwater and Waste ECAs and supporting documentation and the Hydrogeological Impact Assessment were submitted to the County and the Township.

Comment 7b

Based on our review of the site and associated documents, it appears that within the site/operations boundary under review there is currently an office building, truck and employee parking and soil screening/processing areas (outdoors). The site/operations boundary outlined on the figure provided also includes a portion of the equine facility building. The site/operations boundary area has primarily a gravel surface. As such, we provide the following engineering requirements:

Site Grading and Servicing Plan, developed to illustrate the site topography under existing conditions and drainage to the existing on-site stormwater management facility. The Plan should also show potable water and wastewater servicing infrastructure. The Site Grading and Servicing Plan should demonstrate the provision of parking for employees and visitors. Adequate parking should be provided in accordance with the Township Zoning Bylaw and Township Development Standards. Barrier-free parking spaces should be provided in accordance with accessibility requirements outlined in the County of Wellington Facility Accessibility Design Manual and Accessibility for Ontarians with Disabilities Act. The Site Grading Plan should show locations of signage for barrier free parking, walkways and entrances. The grading of barrier free parking spaces and walkways should be shown on the plan and should meet all applicable accessibility standards.

Response 7b

Concur. Note that the grading is/will be consistent with the MNRF approved Rehabilitation Plan.

Comment 7c

Stormwater Management Report/Memo/Brief, detailing how stormwater management is provided for the site including water quality, water quantity, water balance and erosion control etc., as required by the Township Development Standards and Grand River Conservation Authority.

Response 7c

See Response to Comment 3d. The Stormwater ECA application/Stormwater Management Plan addresses all of these questions and was prepared in accordance with MECP

Comment 7d

We recommend that Puslinch Fire and Rescue Services provide comments on any requirements for onsite fire water storage and fire access routes.

Response 7d

See Response 4

Comment 7e

We understand that the property owner is currently submitting applications for Ministry of Environmental, Conservation and Parks (MECP) Environmental Compliance Approval (ECA) for the soil processing facility and stormwater management facility. This application will include a hydrogeological assessment in order to address the source water

Response 7e

Correct. See Response to Comment 2e.

Township Comment 8:

See Letter (Attachment C) (pertinent portions are copied here)

Water Quality

Comment 8a

- 3. The subject site is located within a Wellhead Protection Area D (WHPA-D), 25 year time-of-travel with a vulnerability score of 4, for the Cambridge wells. The site is also located in an Issues Contributing Area (ICA) for chloride. This ICA is the result of an ongoing monitoring program which indicates elevated chloride concentrations in some of the municipal drinking water wells in Cambridge (see sections 3 and 4 for more information). The site is not in a Highly Vulnerable Aquifer (HVA). See attached map WHPA_Map_Wellington34_6678. It is recommended that the reports, including the hydrogeological report, be updated to include a discussion of the quality vulnerable areas.*

Response 8a

Additional discussion of the quality vulnerable areas can be provided in the HIA.

Comment 8b

- 4. Due to the vulnerable areas related to the properties, specifically the ICA, a Section 59 Notice is required (see Fact Sheet 6) for all applications under both the Planning Act and the Ontario Building Code. This Notice will be required in order for the application to be deemed complete.*

Response 8b

A Section 59 notice will be completed

Comment 8c

- 5. Due to the location of the property in an ICA for chloride, the application of any product containing chloride, as well as the storage of such product, is considered a significant drinking water threat. Further, should a product containing chloride be applied in the winter, the storage of snow could also be considered a significant drinking water threat. If salt, calcium chloride, or any other maintenance material containing chloride is applied or stored on site, a risk management plan will be required. The risk management plan (RMP) would be required to be negotiated and signed prior to the Zoning By-law application being deemed complete. It should be noted that while the ICA is currently in legal effect, the policies related to chloride, particularly the RMP policy will not be approved by the Province until early 2021. Please contact the Risk Management Office for more information risk management plans and the negotiation process.*

Response 8c

No chloride or products containing chloride are stored or used at the Site.

Comment 8d

5. Further, to confirm whether chemical handling and/or other threat activities (i.e. chloride application/storage, snow storage) are occurring, the Wellington County Official Plan, in section 4.9.5.4, requires the applicant to submit a Drinking Water Threat Disclosure Report (Disclosure Report). This report outlines the chemical, waste, fuel and other threat activities proposed on the property. In addition to the potential risk management plan for chloride, if chemicals, fuel or waste are being stored and handled on site, the Official Plan requires completion of a chemical management plan to ensure the safe storage and handling of chemicals in a Source Water Protection vulnerable area. The chemical management plan must address the handling and storage of both the chemicals, including liquid fuel, used on site, as well as the waste produced and stored on the site. The plan should contain measures ensuring safe storage, spills containment, spills response and record keeping. The completion of the chemical management plan is recommended to be a condition of the Zoning By-law Amendment. Please contact the Risk Management office for further information regarding the contents of this report.

Response 8d

See Response 8c. No salt is used at the Site and no impacted materials considered to be waste are stored at the Site.

The Site has a small above-ground tank that contains fuel. The tank has bollards surrounding the tank to prevent damage. The site does have spill kits and an Emergency Management Plan is provided in the D&O Report.

A Drinking Water Threat Disclosure Report can be provided as required.

Comment 8e

6. It is understood that the property is currently regulated by an approval under the Aggregate Resources Act (ARA). Please provide information on the rehabilitation plan for the property outlined in this approval when completing the Disclosure Report. Further, per the proposal description provided, it is noted that the applicant is also applying for several ECAs, including one related to the soil processing operation. Please discuss this operation and the ECA approval being sought in detail in the Disclosure Report, including the condition and contents of the soil material, both prior to and after processing, as well as its suitability for the site rehabilitation. In particular and as referenced in comment 5, the Disclosure Report should detail whether any of the soil material is considered waste and how the ECA or other measures address the possibility of waste being brought to the site. Also, please provide contact information for the contact at MECP who is assisting with this approval.

Response 8e

See also Response 2c and e.

The MNRP approved Rehabilitation Plan and the soil characterization and management are described in detail in the Waste ECA application/D&O Report and will be referenced in the Notice. The MECP Guelph District Office contact is Lynnette Armour.

Water Quantity**Comment 8f**

The property is completely located within a significant groundwater recharge area (SGRA). An SGRA is an area where greater than normal recharge of water down to the aquifer is occurring and is an area identified in the applicable Assessment Report pursuant to the Clean Water Act. Please see attached map (WHPA_Map_Wellington34_6678_SGRA). It is recommended that the reports, including the hydrogeological report, be updated to include a discussion of the SGRA and whether this impacts any of the proposal.

Response 8f

The lack of potential impacts to the SGRA will be added to the HIA.

Comment 8g

8. *There are no applicable Source Protection Plan policies regarding SGRAs in the Grand River Source Protection Plan. Therefore, consideration, and if necessary, protection of the SGRA and the recharge function is subject to the Planning Act. As the site was a former extraction site, now under a rehabilitation plan, a good deal of the protective overburden has been removed, increasing the vulnerability of this area. Further, the Provincial Policy Statement (PPS) restricts development in or near sensitive groundwater features. The definition of development in the PPS includes “change of use”. It is recommended that impacts to the SGRA be considered in the approval of this Zoning By-Law Amendment.*

Response 8g

See Response 8a

Comment 8h

9. *The property is located in the future Wellhead Protection Area for quantity (WHPA-Q) for the Guelph wellfield. The attached map (WHPA_Map_Wellington34_6678_Q) shows the applicable vulnerable areas, as defined by the Clean Water Act, 2006, applicable to the subject property. The applicable source protection plan is the Grand River Source Protection Plan. It is recommended that the reports, including the hydrogeological report, be updated to include a discussion of the SGRA (sic WHPA) and whether this impacts any of the proposal.*

Response 8h

A discussion of the lack of impacts to the future WHPA will be added to the HIA.

Comment 8i

10. *The risk level for the WHPA-Q that encompasses the subject property is a significant risk level. This means legal requirements or policies will be added to the Grand River Source Protection Plan to manage consumptive water taking and recharge reduction activities within the WHPA-Q. Further information can be found at <http://www.wellingtonwater.ca/en/how-does-this-affect-me/tier-3-water-budget-studies.aspx>.*

Response 8i

As previously noted above and in the ECA applications and the HIA, the water extracted from the well at the Site is recycled by returning it to the Site, demonstrating that it meets Table 2 (Potable) Standards and used for groundwater recharge by infiltration from the storm water pond. Some municipal potable water is returned to the Site for recycling as well. Therefore, there is a positive water budget for the Site.

Comment 8j

11. *A project is currently ongoing by Grand River Conservation Authority, City of Guelph, County of Wellington, the Township of Guelph/Eramosa and other municipalities to complete the steps necessary to update the Grand River Source Protection Plan and Assessment Report with these policies. The draft policies are scheduled for public consultation in the near future; however, draft policy approaches are available along with further information on the current consultation with a Community Liaison Group, is available at <https://www.sourcewater.ca/en/index.aspx>.*

Response 8j

The referenced policies will be reviewed and addressed by additional information added to the HIA.

Stormwater Management

Comment 8k

As no technical specifications were provided for the existing stormwater management facility (SWMF) onsite, nor was a stormwater report provided, it is difficult to evaluate the SWMF to determine its sufficiency in protecting the groundwater. Please provide a stormwater brief or similar report during the planning application process.

Response 8k

See Response 2e

Comment 8l

As the proponent is applying for an Environmental Compliance Approval (ECA) for the SWMF, it should be noted that, per policy WC-MC-3.7 of the Grand River Source Protection Plan, the Ministry of the Environment, Conservation and Parks must “to incorporate terms and conditions (for example, regular maintenance) that, when implemented, will ensure that this activity ceases to be or never becomes a significant drinking water threat.” However, updated policies related to stormwater management have been submitted to the MECP and will be approved in late 2020 or early 2021.

http://www.wellingtonwater.ca/en/wswp-resources/resources/GRSPA_SPP_updated_S7-Wellington_highlighted.pdf

Response 8l

The updated policies will be reviewed and additions or changes to the SMP will be incorporated as required.

Recommendations, Reports and Best Management Practices

Comment 8m

As part of a planning submission, the following reports are requested to be circulated to the Risk Management office for review:

- *Site Plan, once completed*
- *Functional Servicing Report and/or Stormwater Management Brief/Report*
- *Hydrogeological Report*
- *Drinking Water Threat Disclosure Report*

The Risk Management Office can assist the applicant with the format and requirements of the Drinking Water Threat Disclosure Report. In addition to the requirements listed in County of Wellington Official Plan policy 4.9.5.4, the report should clearly identify all Provincial Instruments (i.e. ECAs) that are required for the proposal and provide any necessary technical details. The Disclosure Report should as outline the contents of the rehabilitation plan under the ARA approval.

Response 8m

The SMP and the HIA were previously submitted to the County and the Township.

Attachment A

Minutes from Pre-consultation Meeting – 6678 Wellington Road 34

The Pre-consultation meeting was held on January 27th at 3:00 p.m. via a virtual meeting.

Meeting Attendees:

Fred Taylor – Applicant

Steve Edwards, GHD – Agent for applicant

Andrea Reed, Engineer – GM BluePlan

Kyle Davis – Source Water

Greg Scheifle – Ecologist

Curtis Marshall, Manager of Development Planning – County of Wellington

Zachary Prince, Planner – County of Wellington

Glenn Schwendinger, CAO/Clerk – Township of Puslinch

Courtenay Hoytfox, Deputy Clerk – Township of Puslinch

Lynne Banks, Development & Legislative Coordinator, Township of Puslinch

Lynne Banks opened the meeting and all attendees introduced themselves.

Fred Taylor, Applicant and Steve Edwards, Agent for the Applicant provided an overview of the application and noted that the property contains a single detached dwelling, an equestrian centre, a hydro-vac soil processing facility with an office and employee parking. It was further noted that there is a rehabilitated aggregate extraction area on the site and that the applicant would like to apply to rezone the property to recognize the existing hydro-vac soils processing operation on the property. The material is currently transported to and from the property, and is screened prior to leaving the site and material brought to the site is also screened. Also, the applicant has consulted with the MECP and will be required to provide a hydrogeological assessment when they submit their application for the compliance approval from the MECP.

The zoning for the property is designated as Secondary Agricultural and Greenlands in the County of Wellington Official Plan and that in the Township's zoning by-law the southern third of the property is zoned agricultural with a site specific provision (SP13). The remaining property is zoned Extractive with a site specific special provision (SP63). The property has a license from the Ministry of Natural Resources and Forestry (MNR) as it pertains to rehabilitation of the site.

Following the presentation, the meeting was opened for questions from the Township's consultants.

Andrea Reed stated that she did not have any questions at the moment.

Zachary Prince asked how many wells were located on the site and wanted to know if the water coming from those wells is used for the trucks.

Fred Taylor advised that 45,000 litres/day are used from the wells.

Greg Scheifle asked if the reclaimed soil left in the pits is staying on site.

Fred Taylor advised that 98% of the soil is staying on site and that the other 2% is gravel.

Greg Scheifle further asked if there is a shortage of native topsoil on the site.

Fred Taylor noted that there is not a shortage.

There was discussion regarding the accumulation of soil on the property from multiple trucks and concerns that the composite sample from the multiple truckloads doesn't indicate that the soil is "clean" as it is diluted across a larger volume than 1 truckload, and the same concerns regarding the sampling of water as it says that whatever was on the truck has been sufficiently diluted. As well, there are concerns regarding if there will be any impact to the soil and groundwater on and off of the site. A further question arose about the ministry licence and if it is still in place, and does it permit current operations.

The consultants advised that potable ground water is used from the site and that the majority of the water is returned to the site and recycled into the groundwater which reduced the removal of groundwater from the site.

There were further questions regarding the frequency and type of onsite monitoring and how it is being managed and how the ground water is going to be tested.

At the conclusion of the meeting the applicant requested minutes and comments from the Townships consultants.

Attachment B



November 27, 2020
Our File: 120006-17

Township of Puslinch
7404 Wellington Road 34
Guelph, ON N0B 2J0

Attention: Ms. Lynne Banks

Re: Pre-Submission Consultation D11/PRE
6678 Wellington Road 34,
Township of Puslinch

Dear Ms. Banks,

A Pre-Submission Consultation Application was received on November 9, 2020 regarding the rezoning of a portion of the subject lands at 6678 Wellington Road 34, in order to recognize an existing hydro-vac soils processing use. The Township requested the identification of the engineering requirements for the future zoning bylaw amendment application in relation to the current uses of the property.

In support of the identification of the engineering requirements, the following documents and drawings were received and reviewed:

- Pre-Consultation Summary (no author, no date)
- Site Layout Figure (GHD, dated October 9, 2020).

Based on our review of the site and associated documents, it appears that within the site/operations boundary under review there is currently an office building, truck and employee parking and soil screening/processing areas (outdoors). The site/operations boundary outlined on the figure provided also includes a portion of the equine facility building. The site/operations boundary area has primarily a gravel surface. As such, we provide the following engineering requirements:

- **Site Grading and Servicing Plan**, developed to illustrate the site topography under existing conditions and drainage to the existing on-site stormwater management facility. The Plan should also show potable water and wastewater servicing infrastructure. The Site Grading and Servicing Plan should demonstrate the provision of parking for employees and visitors. Adequate parking should be provided in accordance with the Township Zoning Bylaw and Township Development Standards. Barrier-free parking spaces should be provided in accordance with accessibility requirements outlined in the County of Wellington Facility Accessibility Design Manual and Accessibility for Ontarians with Disabilities Act. The Site Grading Plan should show locations of signage for barrier free parking, walkways and entrances. The grading of barrier free parking spaces and walkways should be shown on the plan and should meet all applicable accessibility standards.
- **Stormwater Management Report/Memo/Brief**, detailing how stormwater management is provided for the site including water quality, water quantity, water balance and erosion control etc., as required by the Township Development Standards and Grand River Conservation Authority.

We recommend that Puslinch Fire and Rescue Services provide comments on any requirements for onsite fire water storage and fire access routes.

We understand that the property owner is currently submitting applications for Ministry of Environmental, Conservation and Parks (MECP) Environmental Compliance Approval (ECA) for the soil processing facility and stormwater management facility. This application will include a hydrogeological assessment in order to address the source water



protection zone on the property. The subject lands are not within the Grand River Conservation Authority (GRCA) regulated area.

For Site Plan Approval, if required at a later date, an itemized construction cost estimate, which includes 15% for engineering and contingencies, will be required, along with a Spills Management Plan, and potentially a Photometric Plan, Landscaping Plan and Sediment and Erosion Control Plan.

If you have any questions or require additional information, please do not hesitate to contact us.

Yours truly,

GM BLUEPLAN ENGINEERING

Per:



Andrea Reed, P. Eng.
Project Engineer

Attachment C

December 16, 2020

Memorandum

To: Curtis Marshall – Manager of Development Planning, Wellington County
Lynne Banks – Development and Legislative Coordinator, Township of Puslinch

Cc: Zachary Prince – Planner, Wellington County
Glenn Schwendinger – Chief Administrative Officer/Clerk, Township of Puslinch
Courtenay Hoytfox – Deputy Clerk, Township of Puslinch

From: Emily Vandermeulen – Risk Management Inspector, Township of Puslinch

Reviewed By: Kyle Davis – Risk Management Official, Township of Puslinch

RE: Preconsultation – 6678 Wellington Road 34, Township of Puslinch

General

1. 2374868 Ontario Inc. is preconsulting on a zoning by-law amendment for which they will be applying to recognize the existing hydro-vac soils rehabilitation operation. The site also supports a single-family dwelling, an equestrian centre, and a stormwater management facility (SWMF). The site is also a former aggregate extraction site, which is subject to a Ministry of Natural Resources and Forestry (MNR) licence that governs the rehabilitation activities on the site. The site contains a haul route to the adjoining extraction site. The applicants are required to apply to the Ministry of the Environment, Conservation and Parks (MECP) for an Environmental Compliance Approval (ECA) to regulate the SWMF. The applicant is also applying for an ECA related to soil processing. The Proposal Description and Figure provided were used to complete this review.

Water Quality

2. The subject site is located within a Wellhead Protection Area D (WHPA-D), 25 year time-of-travel with a vulnerability score of 4, for the Cambridge wells. The site is also located in an Issues Contributing Area (ICA) for chloride. This ICA is the result of an ongoing monitoring program which indicates elevated chloride concentrations in some of the municipal drinking water wells in Cambridge (see sections 3 and 4 for more information). The site is not in a Highly Vulnerable Aquifer (HVA). See attached map WHPA_Map_Wellington34_6678. It is

recommended that the reports, including the hydrogeological report, be updated to include a discussion of the quality vulnerable areas.

3. Due to the vulnerable areas related to the properties, specifically the ICA, a Section 59 Notice is required (see Fact Sheet 6) for all applications under both the *Planning Act* and the *Ontario Building Code*. This Notice will be required in order for the application to be deemed complete.
4. Due to the location of the property in an ICA for chloride, the application of any product containing chloride, as well as the storage of such product, is considered a significant drinking water threat. Further, should a product containing chloride be applied in the winter, the storage of snow could also be considered a significant drinking water threat. If salt, calcium chloride, or any other maintenance material containing chloride is applied or stored on site, a risk management plan will be required. The risk management plan (RMP) would be required to be negotiated and signed prior to the Zoning By-law application being deemed complete. It should be noted that while the ICA is currently in legal effect, the policies related to chloride, particularly the RMP policy will not be approved by the Province until early 2021. Please contact the Risk Management Office for more information risk management plans and the negotiation process.
5. Further, to confirm whether chemical handling and/or other threat activities (i.e. chloride application/storage, snow storage) are occurring, the Wellington County Official Plan, in section 4.9.5.4, requires the applicant to submit a Drinking Water Threat Disclosure Report (Disclosure Report). This report outlines the chemical, waste, fuel and other threat activities proposed on the property. In addition to the potential risk management plan for chloride, if chemicals, fuel or waste are being stored and handled on site, the Official Plan requires completion of a chemical management plan to ensure the safe storage and handling of chemicals in a Source Water Protection vulnerable area. The chemical management plan must address the handling and storage of both the chemicals, including liquid fuel, used on site, as well as the waste produced and stored on the site. The plan should contain measures ensuring safe storage, spills containment, spills response and record keeping. The completion of the chemical management plan is recommended to be a condition of the Zoning By-law Amendment. Please contact the Risk Management office for further information regarding the contents of this report.

6. It is understood that the property is currently regulated by an approval under the *Aggregate Resources Act* (ARA). Please provide information on the rehabilitation plan for the property outlined in this approval when completing the Disclosure Report. Further, per the proposal description provided, it is noted that the applicant is also applying for several ECAs, including one related to the soil processing operation. Please discuss this operation and the ECA approval being sought in detail in the Disclosure Report, including the condition and contents of the soil material, both prior to and after processing, as well as its suitability for the site rehabilitation. In particular and as referenced in comment 5, the Disclosure Report should detail whether any of the soil material is considered waste and how the ECA or other measures address the possibility of waste being brought to the site. Also, please provide contact information for the contact at MECP who is assisting with this approval.

Water Quantity

7. The property is completely located within a significant groundwater recharge area (SGRA). An SGRA is an area where greater than normal recharge of water down to the aquifer is occurring and is an area identified in the applicable Assessment Report pursuant to the *Clean Water Act*. Please see attached map (WHPA_Map_Wellington34_6678_SGRA). It is recommended that the reports, including the hydrogeological report, be updated to include a discussion of the SGRA and whether this impacts any of the proposal.
8. There are no applicable Source Protection Plan policies regarding SGRAs in the Grand River Source Protection Plan. Therefore, consideration, and if necessary, protection of the SGRA and the recharge function is subject to the *Planning Act*. As the site was a former extraction site, now under a rehabilitation plan, a good deal of the protective overburden has been removed, increasing the vulnerability of this area. Further, the Provincial Policy Statement (PPS) restricts development in or near sensitive groundwater features. The definition of development in the PPS includes “change of use”. It is recommended that impacts to the SGRA be considered in the approval of this Zoning By-Law Amendment.
9. The property is located in the future Wellhead Protection Area for quantity (WHPA-Q) for the Guelph wellfield. The attached map (WHPA_Map_Wellington34_6678_Q) shows the applicable vulnerable areas, as defined by the *Clean Water Act*, 2006, applicable to the subject property. The applicable source protection plan is the Grand River Source Protection Plan. It is recommended that the reports, including the hydrogeological report, be updated to include a discussion of the SGRA and whether this impacts any of the proposal.

10. The risk level for the WHPA-Q that encompasses the subject property is a significant risk level. This means legal requirements or policies will be added to the Grand River Source Protection Plan to manage consumptive water taking and recharge reduction activities within the WHPA-Q. Further information can be found at <http://www.wellingtonwater.ca/en/how-does-this-affect-me/tier-3-water-budget-studies.aspx>.
11. A project is currently ongoing by Grand River Conservation Authority, City of Guelph, County of Wellington, the Township of Guelph/Eramosa and other municipalities to complete the steps necessary to update the Grand River Source Protection Plan and Assessment Report with these policies. The draft policies are scheduled for public consultation in the near future, however, draft policy approaches are available along with further information on the current consultation with a Community Liaison Group, is available at <https://www.sourcewater.ca/en/index.aspx>.

Stormwater Management

12. As no technical specifications were provided for the existing stormwater management facility (SWMF) onsite, nor was a stormwater report was provided, it is difficult to evaluate the SWMF to determine its sufficiency in protecting the groundwater. Please provide a stormwater brief or similar report during the planning application process.
13. As the proponent is applying for an Environmental Compliance Approval (ECA) for the SWMF, it should be noted that, per policy WC-MC-3.7 of the Grand River Source Protection Plan, the Ministry of the Environment, Conservation and Parks must “to incorporate terms and conditions (for example, regular maintenance) that, when implemented, will ensure that this activity ceases to be or never becomes a significant drinking water threat. “ However, updated policies related to stormwater management have been submitted to the MECP and will be approved in late 2020 or early 2021. http://www.wellingtonwater.ca/en/wswp-resources/resources/GRSPA_SPP_updated_S7-Wellington_highlighted.pdf

Recommendations, Reports and Best Management Practices

As part of a planning submission, the following reports are requested to be circulated to the Risk Management office for review:

- Site Plan, once completed

- Functional Servicing Report and/or Stormwater Management Brief/Report
- Hydrogeological Report
- Drinking Water Threat Disclosure Report

The Risk Management Office can assist the applicant with the format and requirements of the Drinking Water Threat Disclosure Report. In addition to the requirements listed in County of Wellington Official Plan policy 4.9.5.4, the report should clearly identify all Provincial Instruments (i.e. ECAs) that are required for the proposal and provide any necessary technical details. The Disclosure Report should as outline the contents of the rehabilitation plan under the ARA approval.

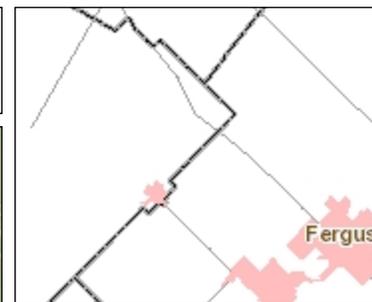
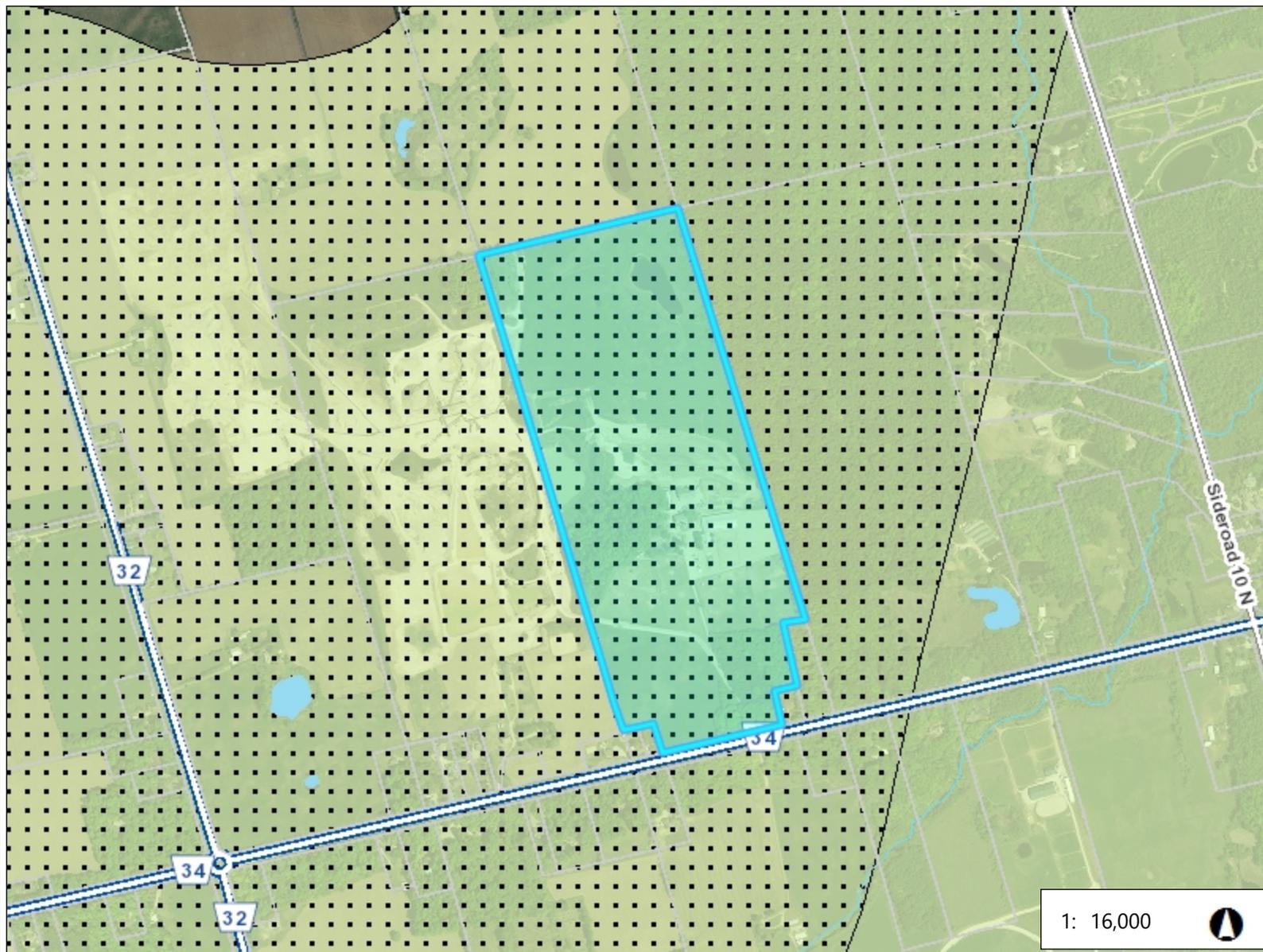
If you require further information, please contact one of the undersigned:

Sincerely,

Emily Vandermeulen, Risk Management Inspector
519-846-9691 ext 365
evandermeulen@centrewellington.ca

Kyle Davis, Risk Management Official
519-846-9691 ext 362
kdavis@centrewellington.ca

Attachment 1 – WHPA_Map_Wellington34_6678
Attachment 2 – Fact Sheet 6
Attachment 3 – WHPA_Map_Wellington34_6678_Q
Attachment 4 – WHPA_Map_Wellington34_6678_SGRA



Legend

- Parcels
- Roads
 - Local Road
 - County Road
 - Highway
- Waterbodies
- Watercourses
- Well Locations
- Wellhead Protection Area Boundaries
 - A
 - B
 - C
 - D
- Issue Contributing Area
 - Chloride
 - ▨ Chloride, Sodium, Nitrate
 - ▩ Nitrate
 - ▧ TCE
 - ▦ TCE & Nitrate
- Vulnerability Score
 - 10
 - 8
 - 2, 4, 6 (A, B or C)
 - 2, 4, 6 (D)
- RoadsLookup

0.8 0 0.41 0.8 Kilometers

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Notes

Applying for planning and building permits

As of July 2016, the Clean Water Act and all Source Protection Plans across Ontario are in effect. This means all planning and building permit applications regarding land within a vulnerable area (refer to Fact Sheet 1) will need to be screened by the municipality to ensure the project is not a threat to drinking water quality or quantity.

The purpose of screening

Planning and building permit applications submitted to municipalities within Wellington County require Source Water screening to assess any risks from the proposed activity. If a property is not within a vulnerable area or if the activity does not trigger a Prohibition or Risk Management Plan policy, your application will proceed as normal.

The screening process

Step 1: Once an application is received by the building or planning department, municipal staff will determine whether or not the property is located within a vulnerable area. If it is not located within a vulnerable area, no further action is required and the application proceeds. If it is located within a vulnerable area, the applicant must fill out a Drinking Water Source Protection Screening Form



for municipal staff to review before the application can be deemed complete.

Step 2: If source protection screening is required, municipal staff will review the completed screening Form and a copy of the application may be forwarded to the Risk Management Official for further review.

Step 3: Review of application by the Risk Management Official (see step three of flow chart for further information).

Step 4: Negotiation of Risk Management Plan, if required

To find out if your property falls within a vulnerable area, visit wellingtonwater.ca or get in touch with your municipality or Risk Management Official.

DEFINITIONS: Risk Management Plan

A risk management plan is a tool introduced by the *Clean Water Act* that requires an agreement be reached between a Risk Management Official (RMO) and the person engaged in the threat activity. This agreement creates a plan to manage the risk activity and is negotiated unless agreement cannot be reached. Once a plan is agreed to or established, these plans are legally binding.

FACT SHEET 6 PLANNING & DEVELOPMENT

6

Source Water Protection REVIEW PROCESS for Planning and Building Applications

STEP 1

Application is received and reviewed by municipality

Does the property fall within a Vulnerable Area?



NO. Application proceeds through regular municipal process.

YES. The property is within a vulnerable area. Proceed to Step 2.

STEP 2

Applicant fills out Source Protection Screening form

Does the application require further review? *



NO. Application proceeds through regular municipal process.

YES. Municipality submits a Screening Form to the Risk Management Official (RMO) for review. Proceed to Step 3.

* Application is not deemed complete until Screening Form is received and notice issued, if applicable.

STEP 3

Application forwarded to Risk Management Official for review

RMO determines whether a notice or Risk Management Plan is required.



Notice not required. Application proceeds through regular municipal process.

Notice to proceed issued. Application proceeds.



RMP Required. Proceed to Step 4.

Notice of prohibition. Application does not proceed. Consult RMO.



STEP 4

Negotiation of Risk Management Plan (RMP)



RMO and applicant reach agreement and RMP issued. Application proceeds.

RMO and applicant do not reach an agreement. Application does not proceed until RMP is issued.



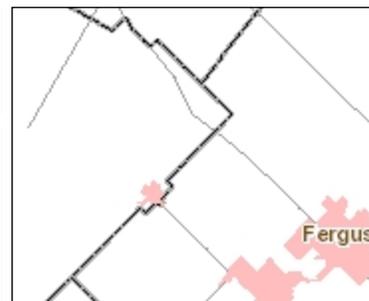
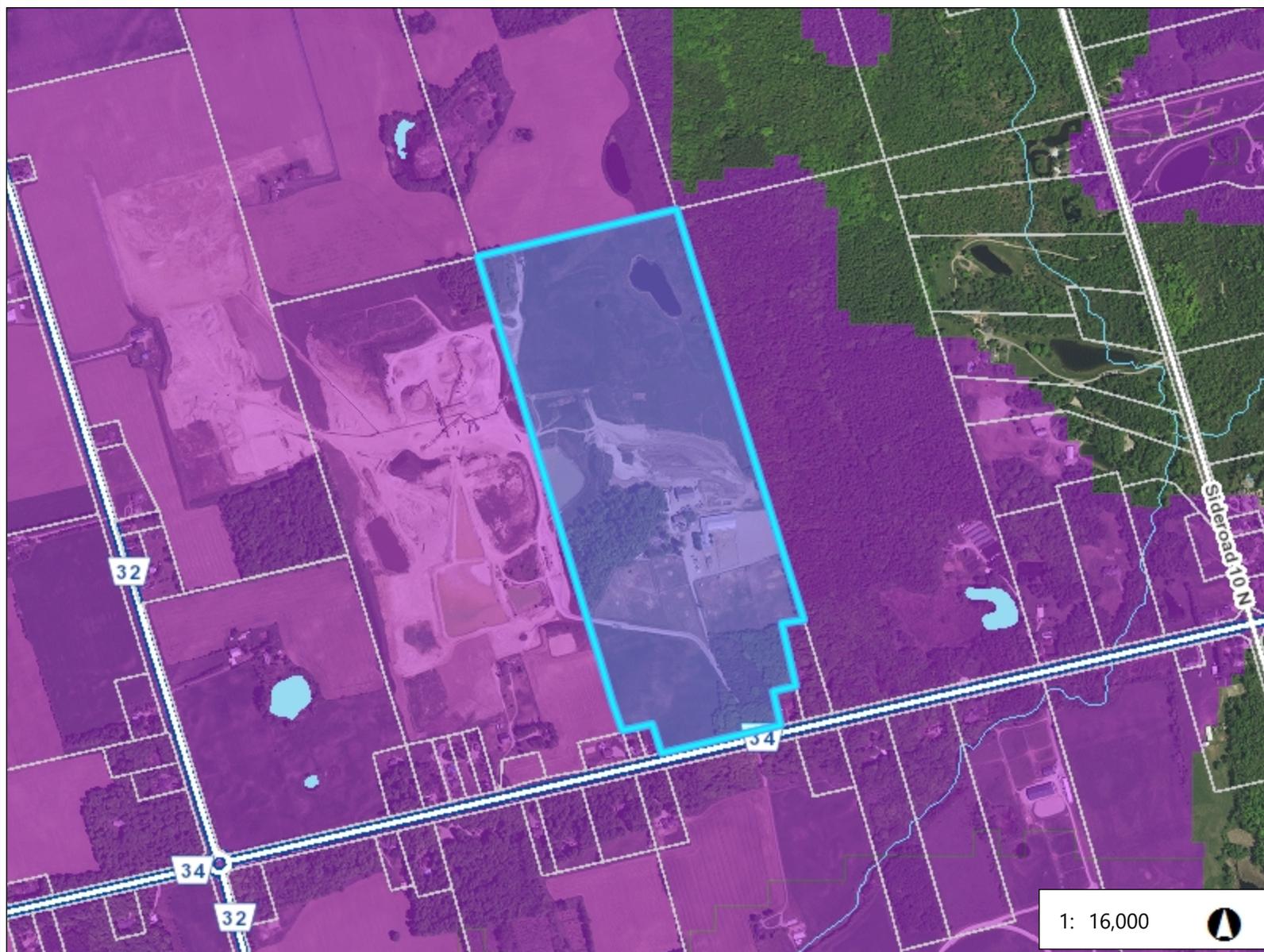
For more information, contact:

Wellington Source Water Protection
7444 Wellington Road 21, Elora, ON • Tel: 1-844-383-9800
Email: sourcewater@centrewellington.ca
Web: wellingtonwater.ca • or your local municipal office

WELLINGTON
Source Water
PROTECTION
wellingtonwater.ca

Our water. My responsibility.





Legend

- Parcels
- Roads
 - Local Road
 - County Road
 - Highway
- Waterbodies
- Watercourses
- Well Locations
- SGRA
- RoadsLookup

0.8 0 0.41 0.8 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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Notes