



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

---

May 10, 2024

Canada Building Materials (CBM) Aggregates, a Division of St. Marys Cement Inc. (Canada)  
Attn: David Hanratty, Director of Land, Resource & Environment  
Aggregates Division  
55 Industrial Street  
Toronto, ON M4G 3W9  
EMAIL: [david.hanratty@vcimentos.com](mailto:david.hanratty@vcimentos.com)

Canada Building Materials (CBM) Aggregates, a Division of St. Marys Cement Inc. (Canada)  
Attn: Stephen May, Lands Manager – Western Region  
Aggregates Division  
55 Industrial Street  
Toronto, ON M4G 3W9  
EMAIL: [stephen.may@vcimentos.com](mailto:stephen.may@vcimentos.com)

Jason McLay  
c/o Integrated Aggregate Operations Section  
Ministry of Natural Resources and Forestry  
4<sup>th</sup> Floor S, 300 Water Street  
Peterborough, ON K9J 3C7  
EMAIL: [ARAApprovals@ontario.ca](mailto:ARAApprovals@ontario.ca); [Jason.mclay2@ontario.ca](mailto:Jason.mclay2@ontario.ca)

(delivered by email)

RE: Objection Letter to Canada Building Materials (CBM) Aggregates, a Division of St. Marys Cement Inc. (Canada) regarding the proposed Aberfoyle South Pit Expansion, Part of Lots 18-20, Concession 1, Township of Puslinch, County of Wellington, Aggregate Resources Act Licence Application #626630

Dear Mr. Hanratty, Mr. May, and Mr. McLay:

The Township of Puslinch (the Township) is in receipt of your submission package. This letter is being provided by email in accordance with the direction provided in Form 1 approved by the Ministry of Natural Resources and Forestry (“Ministry”). Hard copies will follow by courier. In addition, the Township’s comments will be submitted electronically through the Environmental Registry of Ontario portal.

The County of Wellington Official Plan designation and the Township zoning for the Subject Lands do not permit aggregate extraction. The proposed site is not linked with or physically connected to any existing licensed site. Accordingly, it is unclear as to why the applicant considers this application to be an expansion. This application should be a new license and subject to the environmental provisions outlined in the Growth Plan. For these reasons, in addition to the significant concerns set out below, the Township objects.

It is understood that the County of Wellington has received an application for an Official Plan Amendment (“OPA”) for the Subject Lands, but as of yet, the County has not declared the application to be complete. The Township has not received an application for a Zoning Bylaw Amendment (“ZBA”). Given the fact that the applicant has chosen to initiate the Consultation and Notification process of the Licence application under the Aggregate Resources Act (“ARA”) well in advance of the OPA and ZBA, the Township has received many concerns and questions regarding the application.

In its initial review of the documentation provided by the applicant, the Township has identified several concerns with the application. The application in its current form does not have appropriate regard for the matters listed in section 12 of the Aggregate Resources Act. Primarily the Township’s Development Review Team has identified concerns related to the following:

- a) The effect of the operation of the pit on the natural environment;
- b) The effect of the operation of the pit on the nearby residents;
- c) The suitability of the final rehabilitation plans for the site;
- d) The possible effects on ground and surface water, including the potential impacts on Mill Creek and the associated provincially significant wetland;
- e) The potential for impacts on adjacent agricultural operations;
- f) The potential for impacts on the proposed haul route, including the provision for road improvements and a mechanism to ensure maintenance of the haul route as a result of gravel truck traffic on the municipal road network;
- g) The determination of the quantity of aggregate on the site;
- h) A comprehensive rehabilitation plan for licensed pits operated by the applicant (or its sister companies) in the local area; and
- i) The applicant’s history of compliance with this Act and the regulations.

Further to the foregoing, the Township has identified the following concerns:

1. The excavation plan is deeper than the extraction depth as reported in the WSP Aggregate Resource Evaluation;
2. The use of the ecology and traffic study data that will be 5 years old in 2025;
3. The significant potential for the site pond to flood; and
4. The use of a virtual meeting format instead of a Town Hall meeting format.

Furthermore, it is the Township's opinion that the application, in its current form, does not constitute good planning and is not in the public interest—consequently, it should not be approved

Additionally, there are matters which may require further examination under the ARA application and future planning applications, including technical hydrogeological matters. The Township will peer review the technical studies prepared by the applicant, including noise, dust, traffic, hydrogeology, natural environment, agriculture, and visual impacts. The results of these further studies will be circulated to the Ministry and the Applicant when they become available. As well, it may be necessary for the Ministry and the Township to become involved in the technical review and/or consultation process to be completed by the Department of Fisheries and Oceans (“DFO”) and Indigenous communities. We ask that the Applicant and the Ministry circulate the comments from these organizations and other respective government agencies to the Township.

Please note that the concerns outlined in this letter represent the results of the initial review completed on behalf of the Township by its Development Review Team. The Township reserves the right to identify further concerns, to provide more detail, and to provide additional recommendations for the resolution of any concerns identified as the review of this application continues.

Given the volume and technical detail of the material provided in support of this application, the Township has not had sufficient time to fully analyze and assess the potential effects of the aggregate pit as proposed. The Township reserves the right to raise further issues and make further recommendations as its review progresses.

The Township, in consultation with its technical review team, will provide coordinated technical comments to support discipline-to-discipline conversations on the proposal and to inform decision-making of the parties. The Township looks forward to engaging with the proponent through this process alongside our agency partners.

Sincerely,

Courtenay Hoytfox  
Municipal Clerk / Interim CAO  
Township of Puslinch

Cc: Meagan Ferris, Manager of Planning and Environment, County of Wellington  
Neal DeRuyter, MHBC  
SmithValeriotte Law Firm LLP, external legal counsel for the Township