



Date: September 7, 2012

BRAMPTON CITY COUNCIL

File: C06W12.002

DATE: September 26, 2012

Subject: Norval Quarry Re-zoning & Aggregate Licence Application
STATUS REPORT
Ward 6

Contact: David Waters, Manager, Land Use Policy
(905) 874-2074

Overview:

- This report provides an update on the Re-zoning application submitted in December 2008 by Brampton Brick for the development of a shale quarry, and a related Aggregate Resource Act (ARA) License application that is before the Ministry of Natural Resources (MNR).
- In response to the City's initial peer review findings, Brampton Brick submitted additional technical information in May 2012. The City is presently engaged in a second round of peer reviews to assess the new information submitted by Brampton Brick.
- At a forthcoming open house, the City will present the findings from the second round of peer reviews and the on-going social impact review before reporting to Council with a Recommendation Report early next year.
- The two year period for Brampton Brick to complete the ARA License process concludes on November 4, 2012. Before the conclusion of the two year period, Brampton Brick must submit final documents to the MNR which will include a list of outstanding objections that have not been resolved.
- The City has received Brampton Brick's Notice of Objector response and has 20 days to respond to the applicant and MNR. The 20 day period ends on October 1, 2012.
- The response sets out 10 issues that are intended to demonstrate how Brampton Brick will resolve objections.
- The City is reconfirming its objection to the License application because staff is of the opinion the responses from Brampton Brick do not contain sufficient detail to satisfy the concerns raised in the first round of peer reviews.
- In addition, as the second round of peer reviews are not complete, staff is not yet in a position to form a comprehensive opinion regarding the Brampton Brick response.

RECOMMENDATIONS:

1. **THAT** the report from David Waters, Manager, Land Use Policy, dated September 7, 2012 to the City Council meeting of September 26, 2012, re: **Status Report: Norval Quarry Re-zoning Application & Aggregate Licence Application, Ward 6 (File: C06W12.002)** and attachments be received;
2. **THAT** staff be directed to reconfirm, in writing, to the Ministry of Natural Resources, the City of Brampton's objection to Brampton Brick's Aggregate Resources Act License application,
3. **THAT** staff be directed to schedule a public open house to present the revised Norval Quarry proposal and the findings of the second round of peer reviews and the social impact review;
4. **THAT** Brampton Brick continue to work with City staff and its peer review consultants to resolve substantive concerns raised in the initial round of peer reviews to be addressed to the satisfaction of Council;
5. **THAT** staff be authorized to respond to the Brampton Brick Notice of Objector Response with appropriate recommendations and that Brampton Brick continue to work with the public agencies on outstanding substantive issues; and,
6. **THAT** the City Clerk forward a copy of this Staff report and Council resolution to the Ministry of Natural Resources, Region of Halton, Town of Halton Hills, Region of Peel, Credit Valley Conservation Area and Brampton Brick, and those area residents and stakeholders who have contacted the City of Brampton to express an interest in the proposed Norval shale quarry.

BACKGROUND:

Since the last report on this matter in June 2011, the City held a public open house in October 2011 that sought input from the public and stakeholders on the proposed shale quarry. The public open house also presented the results of the initial round of peer reviews. The minutes of the October 2011 public open house are attached hereto as Appendix A.

The peer review findings identified a number of gaps and raised a number of questions about the technical studies prepared by Brampton Brick. The proposed shale quarry application was therefore considered incomplete and unacceptable by the majority of the City's peer reviewers.

In May 2012, Brampton Brick responded to the peer review findings by submitting additional information in the form of technical addendums and

responses. Accordingly, the City has initiated a second round of peer reviews to assess whether the additional information will satisfy the concerns raised in the initial peer review. The results of the second peer reviews will, in part, contribute to a staff recommendation on the Re-zoning application.

The purposes of this report are to:

- Provide an update on the status of the Brampton Brick Re-zoning and ARA Licence applications;
- Summarize the input received at the October 2011 public open house and seek direction to schedule another public open house to release the findings of the second round of peer reviews;
- Reconfirm the City's objection to the Brampton Brick ARA License application that is before the MNR as the second round of peer reviews are not complete and staff does not have substantive evidence to form an opinion on the Brampton Brick response letter; and,
- Advise on next steps.

CURRENT SITUATION

The Proposal

Brampton Brick (The Applicant) submitted a planning application in December 2008 to rezone 34.9 hectares (97 acres) on the east side of Winston Churchill Boulevard, north of Old Pine Crest Road (see Figure 1). The proposal is to permit the extraction of shale and related uses. The existing land use around the proposed shale quarry is predominantly rural and agricultural, with a small community of estate residential dwellings to the south of the subject lands, fronting Old Pine Crest Road. In support of its proposal, Brampton Brick provided a Planning Report (2008) and a Site Plan Report (2010) which contained detail on specific technical disciplines such as, natural heritage, hydrogeology, visual impact, noise, traffic, soils, cultural heritage and archaeology.

In June 2011, the City retained consultants to undertake a peer review of all the technical materials provided by Brampton Brick. The City's peer reviewers found inconsistent approaches and assumptions in several of the technical reports prepared by Brampton Brick's consultants, resulting in most of the peer reviewers concluding that the technical reports are incomplete and not acceptable.

In response to the City's initial peer review findings, Brampton Brick submitted additional information in May 2012, in the form of technical addendums and responses. In turn, the City is currently assessing these submissions through

a second peer review process and will communicate the findings to the public at another open house, to be held later in the year.

Status of the Re-Zoning Application

In January 2011, Brampton Brick appealed the Re-zoning application to the Ontario Municipal Board (OMB) pursuant to Section 34(11) of the Planning Act. The initial pre-hearing conference has not been scheduled. The City is no longer the approval authority because the OMB will determine the outcome of the Re-zoning application. Notwithstanding the appeal, City staff continues to process the Re-zoning application and will prepare a Recommendation Report. The Re-zoning process can take place while the Licence application is under review. However, the appropriate Zoning must be in force before a Licence can be issued by the MNR.

Based on the findings of the second round of peer reviews, the social impact review and agency, public and stakeholder submissions, staff will comprehensively assess the Brampton Brick proposal against relevant planning policy and prepare a Recommendation Report for the consideration of Council.

Status of the ARA Licence Application

Brampton Brick submitted an application for an Aggregate Resources Act (ARA) Licence to the Ministry of Natural Resources (MNR) on August 12, 2010. During the ARA objection period, City of Brampton filed an objection on the grounds that the subject site was not zoned for the proposed quarry use and there were outstanding concerns related to land use planning, transportation, natural environment, hydrogeology, surficial soil, visual, noise, cultural and social impact, as determined by the initial peer review exercise.

Brampton Brick has two years (until November 4, 2012) to submit the complete documentation of notices, consultation, attempts to resolve objections, letters from the objectors, and withdrawal letters to the MNR. Thus, Brampton Brick is required, in accordance with the ARA Licence process, to attempt to resolve the objections received during the public notification period.

During the ARA objection period, the City filed an objection to the Brampton Brick Licence application (see Appendix B). The City is presently engaged in peer reviewing the new technical material from Brampton Brick. The second round of peer review findings will assess whether earlier concerns have been addressed. The results of the second peer reviews, along with the forthcoming social impact review and consideration of all public and agency input, will inform the staff recommendation to Council on the Re-zoning application.

The Applicant (Brampton Brick) has now released the Notice of Objector Response. Included in this Notice is the applicant's documentation of attempts to resolve objections and their recommendations for resolving objections. This Notice was received by the City on September 6, 2012 and is attached hereto as Appendix C.

In accordance with Section 4.3.3.2 of the Provincial Standards under the ARA Act, the City must respond to the Applicant and the MNR within 20 days of receiving the Notice of Objector Response or it is deemed that the Objector no longer has an objection. The response must be delivered to Brampton Brick and the MNR in writing by personal delivery or registered mail. The 20 day period ends on October 1, 2012.

The Notice of Objector Response sets out 10 issues that are intended to demonstrate how Brampton Brick will resolve objections. The response is general in nature and does not contain specific recommendations to resolve the City's objections. Thus staff continues not to be satisfied with the Applicant's attempt to resolve the outstanding issues.

In addition, the City is also concerned that the Applicant has not submitted an Adaptive Management Plan (AMP) as part of the licence application for the quarry operation. The AMP is a key document to understand how Brampton Brick proposes to monitor and address the potential effects of the proposed quarry, particularly with respect to the ground and surface water regimes.

A review of the AMP will be essential to understand the approach proposed by the Applicant as it relates to environmental and enforcement issues and other related matters. The City does not have this information at the moment and have been advised by the Applicant that an AMP will be submitted later this year.

Therefore, staff is recommending to Council that the City reconfirm its objection to the License application. Staff is of the initial opinion the responses are not substantive enough to satisfy the concerns raised in the first round of peer reviews. As the second round of peer reviews are not complete, staff do not have a sufficient basis on which to form a comprehensive opinion regarding the Brampton Brick response.

Brampton Brick must submit completed documents (notices, consultation, attempts to resolve objections, letters from the objectors and withdrawal letters) to the MNR by November 4, 2012. The MNR has thirty days upon receipt of the required documentation to either:

- Recommend that the Minister of Natural Resources issue or refuse to issue an Aggregate Licence; or,

- Refer the matter to the OMB to make a final decision on both, the Licence and Re-zoning applications concurrently.

If the complete documentation is not submitted to MNR within the two year period, then the Brampton Brick's Licence application is deemed to be withdrawn.

Social Impact Review

In March 2011, the City retained Hardy Stevenson and Associates Limited (HSAL) to undertake an independent social impact review (SIR). The purpose of undertaking this study is to better understand the impacts the proposal shale quarry could have on the surrounding community. All materials submitted by Brampton Brick as part of the planning and ARA applications, including Brampton Brick's socio-economic impact assessment, the new technical material received in May 2012, and the initial and second round of peer reviews, will be considered in the final SIR.

Public Consultation

Planning staff continue to engage the City's BARC (Brampton Aggregate Review Committee) and BAART (Brampton Agency Aggregate Review Team) at major junctures in the process. For the second round of peer reviews currently underway and administered by the City, the Region of Peel and the Town of Halton Hills have agreed to cost share, in part, for three of the peer reviews (Natural Environment, Hydrogeology/Hydrology and Transportation). All final peer review reports will be shared publicly, to the mutual benefit of all stakeholders.

Planning staff continues to keep the general public, area residents and stakeholders apprised of key developments and information concerning the proposal. Stakeholder updates are released as required and relevant information is posted regularly on the City's project website (<http://www.brampton.ca/en/Business/planning-development/projects-studies/Pages/Norval-Quarry-Re-Zoning.aspx>).

Region of Peel

Region staff reported to Peel Council on December 8, 2011 with an update of the Norval Quarry proposal. A copy of the Peel report is attached hereto as Appendix D.

In addition to describing Region's approach to reviewing the proposal, the report advises that the Region has retained a lawyer and an environmental consultant to assist them with the forthcoming OMB proceedings and to review matters related to the natural environment, respectively, from a Regional perspective.

NEXT STEPS

The second round of peer reviews is underway to assess the new materials received from Brampton Brick. Once the second peer review findings are available, the City will finalize the social impact review and present these materials to the public at an open house before the end of the year. As informed by the peer review findings, the social impact review and input from agencies, the public and stakeholders, staff will comprehensively review the application against relevant policies and prepare a Recommendation Report for Council consideration.

Next steps in the City's process include:

- Reconfirm the City's objection to Brampton Brick's ARA Licence application;
- Release the results of the peer reviews to the public at another open house;
- Finalize the review of the re-zoning planning application based on the results of the peer reviews, the social impact review, public consultation, any stakeholder submissions and agency comments; and,
- Report back to Council with a Recommendation Report on Brampton Brick's Re-zoning application in the new year.

CONCLUSION

This report provides an update on the re-zoning and ARA License applications by Brampton Brick for the proposed Norval Quarry. Staff is engaged in the second round of peer reviews. When the final results of the peer review and the social impact review are completed, staff will hold another open house to release the findings and seek feedback from the public and stakeholders.

The City is reconfirming its objection to the License application because staff is of the initial opinion the responses are not substantive enough to satisfy the concerns raised in the first round of peer reviews. As the second round of peer reviews is not complete, staff does not yet have a sufficient basis on which form a comprehensive opinion regarding the Brampton Brick response.

Based on the findings of the second round of peer reviews, the social impact review and any agency, public and stakeholder submissions, staff will

comprehensively assess the proposal and present a Recommendation Report to Council in the New Year.

Respectfully Submitted:

Original Signed By

Original Signed By



Henrik Zbogor, MCIP, RPP
(Acting) Director, Planning Policy
and Growth Management



John B. Corbett, MCIP, RPP
Commissioner, Planning,
Design and Development

Authored by: Natasha D'Souza/David Waters

Attachments:

- Appendix A – Meeting Minutes of the Oct 17, 2011 Open House
- Appendix B - December 17, 2010 City of Brampton objection letter to MNR
- Appendix C - Brampton Brick's Notice of Objector Response
- Appendix D - Region of Peel Report

Appendix A
Meeting Minutes of the Oct 17, 2011 Open House

I 8-6-10

**Norval Quarry Re-zoning Application Public Open House
Peel Regional Police Association Meeting Hall
City File# C06W12.002**

**Notes of Public Meeting Held at:
10675 Mississauga Road, Brampton on October 17, 2011**

Council Members Present:

City Councillor J. Hutton – Wards 2 and 6
Regional Councillor P. Palleschi - Wards 2 and 6

Halton Hill Councillor Brian Lewis - Ward 2
Halton Hills Councillor Joan Robson –Ward 2

Staff Present: **Planning, Design and Development Department**
Adrian Smith, Director, Planning Policy and Growth Management
N. D'Souza, Policy Planner
L. Bisset, Counsel, Davis LLP
M. Dorfman, Aggregate Advisor, Mark L. Dorfman, Planner Inc.

Following a one hour open house period, A. Smith presented a status of the City review of the Application. Brampton Brick (Applicant) also provided an overview of their re-zoning application. The following public submissions were heard at the question and answer period, during the presentation portion of the open house:

Water

- Impact on groundwater is the major concern.
- Concern that the wells will dry up as a result of the proposed quarry.
- The proposed 30 metre excavation represents a very deep hole in the ground, which would deplete groundwater supply area wells and pools. The Brampton Brick proposal does not explain where the extracted groundwater would go.
- Residents will be forced to spend thousands to drill for more water.
- The area is not an appropriate location for the quarry. Improper modeling technique used. Need verifiable results. Brampton Brick has not had adequate discussion of the proposal with the area residents.
- Need more study and consideration for families who may be affected.
- Will residents be provided with piped water? Who will pay for this?
- Some wells in the area are already known to experience dry spells.
- Shale is where the water is. The Credit River supports underground aquifers.

Natural Environment

- The studies presented by Brampton Brick have not addressed the significance of the Butternut Trees on the subject lands that are identified by the Province as a protected

I8-6-11

species. The Greenbelt should be protected for use as parkland and not for aggregate extraction.

- We have such a small amount of Greenbelt in Brampton, that should be protected.
- About 80 acres of Greenbelt would be ruined.

Transportation

- Concerned about the impact of increased truck traffic (30 round trips) on Winston Churchill Blvd arising from the proposed quarry and safety issues (concern about more accidents occurring). Winston Churchill Blvd is not presently designed to support that level of traffic – do we need an overpass/ underpass for railroad tracks?
- The proposal does not make sense from a traffic and safety point of view – someone will be killed. There is a steep hill which poses a potentially dangerous transportation challenge.
- There was a serious motorcycle accident because the rider was speeding. Now, will be adding more truck traffic and impacts, plus driving downhill.
- An elementary school attended by 2,500 students is located near the entrance to the proposed quarry. The school will be impacted by traffic and safety concerns.
- The traffic impact will extend to areas north of Mayfield Rd.

Social Impacts

- People who have lived in the area for many years would have their lifestyle disrupted and their property values will go down. People need their homes as part of their retirement.
- The area from Norval to Mayfield Rd is residential. The proposal is not compatible with the character of this residential area. The proposal would put a Quarry on our doorstep.
- Moved here for quiet, enjoyable area.

Ted Harlson (Freedom Party)

- The proposed Quarry makes sense – visionary and economic activity. The proposal is an opportunity to take leadership and raise the standard of living. Let us not set up arbitrary measures and roadblocks for a normal, uncontroversial clay quarry which has no negatives attached. Brampton cannot have a future based on utopian environmentalism.

Regional Councillor Paul Palleschi:

- People need to do their homework. The Quarry is not an appropriate use. The Province protects shale for 10 years in NW Brampton.
- The Applicant committed to meetings with individual neighbours but many people have not had any contact with Brampton Brick.

Halton Hills Ward 2 Councillors Brian Lewis/Joan Joan Robson

- The country roads, rural landscape and the greenbelt would be destroyed by this proposal. The berms will hide everything.

I8-6-12

- The City did a great job in having the consultant's studies peer reviewed. Very pleased with City's position on the proposal. But, if Brampton Brick is fixing their reports, it tells me that they didn't do a good enough job.

Planning staff advised that feedback from the public, any technical response from Brampton Brick will be considered in a recommendation report to City Council. Additionally, the recommendation report will consider an evaluation of the re-zoning application with current planning policy (such as, the Provincial Policy Statement, the Greenbelt Plan, the Region of Peel and Brampton Official Plans).

Presentation materials from the Open House are posted on the project webpage:
<http://www.brampton.ca/en/Business/planning-development/projects-studies/Pages/Norval-Quarry-Re-Zoning.aspx>

**Appendix B
December 17, 2010 City of Brampton objection letter to MNR**

I8-6-14



Planning, Design and Development

Norval Quarry C06W12.002

December 17, 2010

MNR Aurora District Office
50 Bloomington Road West
Aurora, Ontario
L4G 3G8

Brampton Brick Limited
225 Wanless Drive
Brampton, Ontario
L7A 1E9

Dear Sir/Madam,

**RE: Brampton Brick's Aggregate Licence Application (Norval Quarry)
(East side of Winston Churchill Boulevard, north of Old Pine Crest Road, in the
City of Brampton)
Ministry Reference Number: MNR INST 78/10
EBR Registry Number: 011-1911**

The purpose of this letter is to file an objection to the Ministry of Natural Resources regarding the *Aggregate Resources Act* Licence Application (the Licence) submitted by Brampton Brick. A copy of the City of Brampton Council resolution respecting the Licence and associated staff report are enclosed with this letter.

The City of Brampton objects to the Licence for the following reasons:

The existing Brampton Zoning By-law prohibits a quarry on the subject property;

There are outstanding issues regarding planning, natural environment, transportation, visual, cultural heritage, soil, hydrogeology, noise, air quality, archaeology, and social impacts related to the proposed quarry operation;

The cross-disciplinary impacts across technical areas have not been properly evaluated and are being considered through the City peer review process;

Brampton Brick's natural heritage technical report identifies ten vegetation communities. Some key ecological features and natural heritage features identified include eleven Butternut trees (which are classified as endangered tree species), watercourses and provincially protected wetlands. The City is concerned that the ecological and terrestrial environment will be adversely impacted by the proposed quarry;

The technical reports included with the Licence materials update many of the technical reports included in its zoning application. City peer reviews of the updated technical reports are underway. These peer reviews may identify omissions in the reports that should be

I8-6-15

considered as part of a comprehensive review of the proposed quarry proposal. The peer review conclusions are expected in early 2011;

Planning Staff is also concerned with the land use impacts, including social impacts to the community. The City is in the process of determining how it can best evaluate social impacts of the quarry proposal on the community.

For future reference, the City's contact person respecting this objection letter and the zoning application is Natasha D'Souza, Policy Planner, at (905) 874-3861.

Yours truly,



Original Signed By

John B. Corbett, MCP, RPP
Commissioner, Planning Design & Development
905-874-2066
john.corbett@brampton.ca

Encl.

cc: Senior Management Team
Councillor Paleschi
Councillor Hutton
Members of BARC
Members of BAART

Appendix C
Brampton Brick's Notice of Objector Response

I8-6-17



**Notice of Objector Response
Aggregate Resources Act**

6 September 2012

John B. Corbett, MCIP, RPP
Commissioner
Planning, Design and Development Department
City of Brampton
2 Wellington St. West
Brampton, Ontario L6Y 4R2

**RE: BRAMPTON BRICK LIMITED, APPLICATION FOR A CATEGORY 2 LICENCE
Part of West Half Lot 5 Concession 6 WHS, Geographic Township of Chinguacousy
City of Brampton, Region of Peel**

Further to your objection of December 17, 2010 regarding this licence application under the Aggregate Resources Act, Brampton Brick Limited offers the attached further information to address your objections/concerns.

As per Section 4.3.3.2 of the Provincial Standards under the Act, please be advised that after review of this additional information you, the objector, have 20 days from receipt of this letter, i.e. October 1, 2012, to respond to the Ministry of Natural Resources and the Applicant at the addresses shown below, with recommendations that may resolve the objections.

These recommendations must be delivered personally or by registered mail within the above-noted 20-day period or it will be deemed that there is no longer a valid objection.

Yours very truly,
BRAMPTON BRICK LIMITED

A handwritten signature in black ink, appearing to read "B. Cobbleddick".

Brad Cobbleddick, Technical Director

Brampton Brick Limited
225 Wanless Drive
Brampton, Ontario, L7A 1E9

Ministry of Natural Resources
Aurora District
50 Bloomington Road
Aurora, Ontario, L4G 0L8

I8-6-18



LONG ENVIRONMENTAL CONSULTANTS INC.
ENVIRONMENTAL ENGINEERS & PLANNERS
43 Forest Park Road, Orangeville, Ontario L9W 1A1
Tel: (519) 941-3540 Fax: (519) 941-8575

September 6, 2012

Registered Mail

Mr. John B. Corbett, MCIP, RPP
Commissioner
Planning, Design and Development Department
City of Brampton
2 Wellington St. West
Brampton, Ontario L6Y 4R2

**RE: BRAMPTON BRICK LIMITED, APPLICATION FOR A CATEGORY 2 LICENCE
Part West Half Lot 5, Con. 6 WHS, Geographic Township of Chingacousy
City of Brampton, Region of Peel**

Dear Mr. Corbett:

We have communicated with City officials, on a regular basis, since our Client initiated the background studies for its December 2008 *Application for Zoning By-Law Amendment*, in August 2007. The Complete Application Package for our Client's August 2010 *Application For A Licence* was provided more than 90 days prior to the end of the 45 day notification period, under the *Aggregate Resources Act*. Your peer review reports were received in June 2011 and our consultants responses were provided in mid-May 2012. To date, no response to our May 2011 Socio-Economic Impact Analysis has been received.

Our Client participated in the City's Open House, last October 17th. We have diligently responded to all requests for information, attended meetings of the Planning, Design & Development Committee and attempted to foster discussion between our consultants and your peer reviewers. Despite these ongoing efforts, our Client has been unable to completely address the issues set out in your objection dated December 17, 2010.

The ARA *Notification and Consultation Standards* provide that our Client must complete the documentation of its attempts to resolve objections by November 2012. Consequently, we have attached the prescribed *Notice of Objector Response* and *Responses To Accompany 20 Day Notice*. These responses address specific issues raised by other objectors. They demonstrate our Client's diligent attempts to resolve the objections received in December 2010.

Yours very truly,

LONG ENVIRONMENTAL CONSULTANTS INC.

R. J. Long, P. Eng., RPP

RJL.al
encls.

I8-6-19

**Brampton Brick Limited
NORVAL QUARRY APPLICATION**

RESPONSES TO ACCOMPANY 20 DAY NOTICE

1. Not Zoned For A Quarry

Pit and quarry zoning is customarily processed when specific site development plans have been prepared. Rezoning must conform to Provincial Policy Plans and Official Plans. The property is identified as a High Priority Mineral Aggregate Resource Area, in the Region of Peel Official Plan and designated Shale Resources in the Brampton Official Plan. The Applicant filed an application for rezoning with the City of Brampton in December 2008. The City deemed the application to be complete on January 6, 2009.

During 2000-2002, the City, its consultants and interested agency and industry representatives participated in a North West Brampton Shale Resources Review. The objective of this review was to determine which areas, within the 1,370 ha Norval Shale Deposit were most acceptable for shale quarry development. The short list of remaining areas was limited to approximately 180 ha, between Winston Churchill Boulevard and Mississauga Road. Brampton Brick's proposed 9.35 ha quarry excavation area was included on the City's Figure 9 "Remaining Resource Areas", July 2002.

2. Greenbelt Plan

The 34.9 ha (86 ac) site is designated Protected Countryside in the Greenbelt Plan, 2005, with a Natural Heritage System overlay. New quarries are explicitly permitted.

Ontario's Greenbelt Plan, 2005 imposes land use controls over a significant part of the Greater Golden Horseshoe, including a small area in northwest Brampton. The importance of mineral aggregates is recognized in Subsection 4.3.2.2: "Aggregates, in particular, provide significant building materials for our communities and infrastructure, and the availability of aggregates close to market is important both for economic and environmental reasons".

Greenbelt Plan policies for quarries emphasize rehabilitation to a state of equal or greater ecological value. Aquatic areas are to be rehabilitated to aquatic enhancement, to improve existing key natural heritage systems. At least 35% of the non-aquatic lands are to be: "rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict", while maintaining, restoring or improving the connectivity of key natural heritage features.



I8-6-20

The attached Site Plan Drawing 5, Final Rehabilitation Plan, provides for more than 45% forest cover on non-aquatic quarry lands. This includes vegetation protection and enhancement zones to maintain and protect the Credit River tributary valley, the onsite Provincially significant wetland and increase onsite forest cover.

3. Need For Brick and Shale

Ontario's clay brick industry operates 6 plants and 5 quarries, representing a capital investment in excess of \$200 million. Current production capacity exceeds 600 million clay brick per year. The industry employs more than 300 persons, pays substantial local, provincial and federal taxes and generates significant markets for goods and services within their host communities.

Shale of the Queenston Formation, the primary raw material for clay brick, has been deemed Provincially significant by the Ontario Geological Survey. The clay brick industry utilizes about 1.5 million tonnes of shale per year. This is less than 1% of Ontario's total annual aggregate consumption. During the past 20 years, three quarries in Burlington, Milton and Streetsville have become depleted and closed. Based upon 20 years at 1.5 million tonnes annually, more than 30 million tonnes of Queenston Shale will have been utilized. Only one new licence, the Tansley Quarry in the City of Burlington, was issued in 2007. The Tansley Quarry is expected to yield approximately 12 million tonnes. Consequently, reserves of Queenston Shale have become substantially depleted since 1992.

4. Private Water Supplies

Brampton Brick's water resources consultants, in consultation with government agencies, have concluded that some local wells, completed in the Queenston Shale, could be affected by quarry operations over the long term. The Company has developed a water supply guarantee, which provides for immediate response to any complaints of private well impacts. The Company will provide an immediate supply of water and an inspection of the water system components, to attempt to identify the cause of the problem.

The Company will also provide a no-fault guarantee. This guarantees any neighbour, who thinks his well has been affected by the quarry, a complete cistern system and a continuous supply of trucked water, until municipal water servicing can be provided. Brampton Brick will not commence excavation of the Queenston shale until it is assured that municipal water service can be provided to the surrounding neighbours within 5 years.



5. Natural Environment

The natural environment of the site and vicinity has been assessed and monitored since late 2007. The plans which accompanied Brampton Brick's August 2010 Application For a Licence were reviewed with the Ministry of Natural Resources, Credit Valley Conservation and natural environment consultants retained by the Region of Peel and the City of Brampton. Responses to these agency comments were delivered on May 16, 2012. These Peer Review Responses are available at the City of Brampton.

The current recommendations for site development include expanded monitoring programs and Adaptive Water and Vegetation Management Plans. As illustrated on the Final Rehabilitation Plan and Vegetation Management Plan drawings, the width of the valley forest will be increased by 60 metres and the ecological pond area will include buffer and shallow, littoral zones. This will improve the connectivity and diversity of the natural heritage system.

6. Credit River

The proposed Norval Quarry is not expected to adversely affect the quantity or quality of flow in the Credit River. The onsite Credit River tributary will continue to be managed as a warm water fishery with continuous monitoring of flows and water quality to forecast and mitigate any adverse effects caused by the proposed quarry development. Storage ponds and an effluent cooling system will enable augmentation of streamflows during dry weather and other low flow periods.

7. Haul Route

As indicated in Brampton Brick's application, its maximum annual production is expected to generate up to 30 truck loads of shale daily, representing a total of 60 truck trips per 10 hour day. Brampton Brick does not intend to operate the Norval Quarry until Winston Churchill Boulevard has been reconstructed to a truck route standard, by the Regions of Peel and Halton. This reconstruction is currently scheduled for 2015. The reconstructed road will be approximately 4.5 m wider, with 3.75 m travel lanes and 2.5 m wide paved shoulders. Regrading will substantially improve visibility. When Winston Churchill Boulevard has been reconstructed, shale can be transported north to Mayfield Road, then east to Highway 10 and south, on the existing shale truck route to the Brampton Brick plant.

The forecast quarry traffic increase, at up to 3 loads per hour, will be minimal on designated major regional arterial roads. The associated traffic noise increase is rated "*acoustically insignificant*".



8. Property Value Protection

Brampton Brick has developed a Property Value Guarantee Agreement, for neighbours in close proximity to the quarry. This agreement provides that, for the first 5 years of quarry operation, any of the eligible neighbours may elect to sell their property and relocate. In that event, Brampton Brick has agreed to assume any shortfall between the sale price and fair market value. Fair market value will be determined from the appraisals of similar, rural properties which are not influenced by a quarry.

9. Cultural Heritage

The November 2008 Cultural Heritage Study and the July 2010 Cultural Heritage Impact Assessment have been updated, in consultation with the City's peer reviewers and heritage staff. Additional field work was completed and the update was delivered in May 2012. It is concluded that the proposed quarry, with the recommended landscaping and screening, will not lead to undue adverse affects upon the cultural landscape or cultural heritage features in the vicinity.

10. Air Quality, Noise & Visual Assessments

The City of Brampton peer reviewers have substantially accepted the analyses of Brampton Brick's air quality consultants. Minor issues have been resolved through the recent Peer Review Response. Air quality will meet and exceed Provincial regulations.

Brampton Brick's noise control study has been updated to address peer review comments. It is expected that the consensus opinion will confirm that Ministry of the Environment standards will be satisfied.

Our visual assessment consultant's May 2011 Peer Review Response sets out significantly enhanced standards for landscape management, including berm screening, both in the local and open landscape context. These standards were verified under both summer and winter conditions. Site Plan Drawing 8 is the Vegetation Management Plan.



I8-6-23

BRAMPTON BRICK Limited
 255 HANLASS DRIVE, BRAMPTON, ONTARIO L7A 1E8

NORVAL QUARRY
 PART OF WEST HALF LOT 12
 CONCESSION 6 W.H.S.
 GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY
 CITY OF BRAMPTON
 REGION OF PEELE

SITE PLAN
 FOR A CATEGORY 2, CLASS A QUARRY BELOW
 WATER UNDER THE AGGREGATES RESOURCES ACT

DRAWINGS

1. SITE ENVIRONS
2. EXISTING FEATURES
3. OPERATIONAL PLAN
4. PROGRESSIVE REHABILITATION PLAN
5. FINAL REHABILITATION PLAN
6. SURFACE WATER MANAGEMENT PLAN
7. ADAPTIVE GROUNDWATER MANAGEMENT PLAN
8. VEGETATION MANAGEMENT PLAN



PROJECT: NORVAL QUARRY	DATE: 06/20/2018	SCALE: 1:1000	
DRAWN BY: J. SMITH	CHECKED BY: J. SMITH	DATE: 06/20/2018	
REVISIONS: 1	DESCRIPTION: 1	DATE: 06/20/2018	
AMENDMENT No. 0			
NO.	DATE	DESCRIPTION	AREA
LONGENTH ENVIRONMENTAL CONSULTANTS INC. 1000 SHEPPARD AVENUE EAST, SUITE 100 SCARBOROUGH, ONTARIO M1S 1T7 Phone: 416-291-1111 Fax: 416-291-1112 Email: info@longenth.com			





NORVAL QUARRY
 PART OF WEST HALE LOT 12
 CONGRESSION 18 W.H.S.
 GEOGRAPHIC TOWNSHIP OF CHINGACOUSSY
 CITY OF BRAMPTON
 REGION OF PEEL

8 of 8 VEGETATION MANAGEMENT PLAN

LEGEND



PROPERTY OF PEEL TO BE ADDED:
 1. 2000-2001
 2. 2002-2003
 3. 2004-2005
 4. 2006-2007
 5. 2008-2009
 6. 2010-2011
 7. 2012-2013
 8. 2014-2015
 9. 2016-2017
 10. 2018-2019
 11. 2020-2021
 12. 2022-2023
 13. 2024-2025
 14. 2026-2027
 15. 2028-2029
 16. 2030-2031
 17. 2032-2033
 18. 2034-2035
 19. 2036-2037
 20. 2038-2039
 21. 2040-2041
 22. 2042-2043
 23. 2044-2045
 24. 2046-2047
 25. 2048-2049
 26. 2050-2051
 27. 2052-2053
 28. 2054-2055
 29. 2056-2057
 30. 2058-2059
 31. 2060-2061
 32. 2062-2063
 33. 2064-2065
 34. 2066-2067
 35. 2068-2069
 36. 2070-2071
 37. 2072-2073
 38. 2074-2075
 39. 2076-2077
 40. 2078-2079
 41. 2080-2081
 42. 2082-2083
 43. 2084-2085
 44. 2086-2087
 45. 2088-2089
 46. 2090-2091
 47. 2092-2093
 48. 2094-2095
 49. 2096-2097
 50. 2098-2099
 51. 2100-2101
 52. 2102-2103
 53. 2104-2105
 54. 2106-2107
 55. 2108-2109
 56. 2110-2111
 57. 2112-2113
 58. 2114-2115
 59. 2116-2117
 60. 2118-2119
 61. 2120-2121
 62. 2122-2123
 63. 2124-2125
 64. 2126-2127
 65. 2128-2129
 66. 2130-2131
 67. 2132-2133
 68. 2134-2135
 69. 2136-2137
 70. 2138-2139
 71. 2140-2141
 72. 2142-2143
 73. 2144-2145
 74. 2146-2147
 75. 2148-2149
 76. 2150-2151
 77. 2152-2153
 78. 2154-2155
 79. 2156-2157
 80. 2158-2159
 81. 2160-2161
 82. 2162-2163
 83. 2164-2165
 84. 2166-2167
 85. 2168-2169
 86. 2170-2171
 87. 2172-2173
 88. 2174-2175
 89. 2176-2177
 90. 2178-2179
 91. 2180-2181
 92. 2182-2183
 93. 2184-2185
 94. 2186-2187
 95. 2188-2189
 96. 2190-2191
 97. 2192-2193
 98. 2194-2195
 99. 2196-2197
 100. 2198-2199
 101. 2200-2201
 102. 2202-2203
 103. 2204-2205
 104. 2206-2207
 105. 2208-2209
 106. 2210-2211
 107. 2212-2213
 108. 2214-2215
 109. 2216-2217
 110. 2218-2219
 111. 2220-2221
 112. 2222-2223
 113. 2224-2225
 114. 2226-2227
 115. 2228-2229
 116. 2230-2231
 117. 2232-2233
 118. 2234-2235
 119. 2236-2237
 120. 2238-2239
 121. 2240-2241
 122. 2242-2243
 123. 2244-2245
 124. 2246-2247
 125. 2248-2249
 126. 2250-2251
 127. 2252-2253
 128. 2254-2255
 129. 2256-2257
 130. 2258-2259
 131. 2260-2261
 132. 2262-2263
 133. 2264-2265
 134. 2266-2267
 135. 2268-2269
 136. 2270-2271
 137. 2272-2273
 138. 2274-2275
 139. 2276-2277
 140. 2278-2279
 141. 2280-2281
 142. 2282-2283
 143. 2284-2285
 144. 2286-2287
 145. 2288-2289
 146. 2290-2291
 147. 2292-2293
 148. 2294-2295
 149. 2296-2297
 150. 2298-2299
 151. 2300-2301
 152. 2302-2303
 153. 2304-2305
 154. 2306-2307
 155. 2308-2309
 156. 2310-2311
 157. 2312-2313
 158. 2314-2315
 159. 2316-2317
 160. 2318-2319
 161. 2320-2321
 162. 2322-2323
 163. 2324-2325
 164. 2326-2327
 165. 2328-2329
 166. 2330-2331
 167. 2332-2333
 168. 2334-2335
 169. 2336-2337
 170. 2338-2339
 171. 2340-2341
 172. 2342-2343
 173. 2344-2345
 174. 2346-2347
 175. 2348-2349
 176. 2350-2351
 177. 2352-2353
 178. 2354-2355
 179. 2356-2357
 180. 2358-2359
 181. 2360-2361
 182. 2362-2363
 183. 2364-2365
 184. 2366-2367
 185. 2368-2369
 186. 2370-2371
 187. 2372-2373
 188. 2374-2375
 189. 2376-2377
 190. 2378-2379
 191. 2380-2381
 192. 2382-2383
 193. 2384-2385
 194. 2386-2387
 195. 2388-2389
 196. 2390-2391
 197. 2392-2393
 198. 2394-2395
 199. 2396-2397
 200. 2398-2399
 201. 2400-2401
 202. 2402-2403
 203. 2404-2405
 204. 2406-2407
 205. 2408-2409
 206. 2410-2411
 207. 2412-2413
 208. 2414-2415
 209. 2416-2417
 210. 2418-2419
 211. 2420-2421
 212. 2422-2423
 213. 2424-2425
 214. 2426-2427
 215. 2428-2429
 216. 2430-2431
 217. 2432-2433
 218. 2434-2435
 219. 2436-2437
 220. 2438-2439
 221. 2440-2441
 222. 2442-2443
 223. 2444-2445
 224. 2446-2447
 225. 2448-2449
 226. 2450-2451
 227. 2452-2453
 228. 2454-2455
 229. 2456-2457
 230. 2458-2459
 231. 2460-2461
 232. 2462-2463
 233. 2464-2465
 234. 2466-2467
 235. 2468-2469
 236. 2470-2471
 237. 2472-2473
 238. 2474-2475
 239. 2476-2477
 240. 2478-2479
 241. 2480-2481
 242. 2482-2483
 243. 2484-2485
 244. 2486-2487
 245. 2488-2489
 246. 2490-2491
 247. 2492-2493
 248. 2494-2495
 249. 2496-2497
 250. 2498-2499
 251. 2500-2501
 252. 2502-2503
 253. 2504-2505
 254. 2506-2507
 255. 2508-2509
 256. 2510-2511
 257. 2512-2513
 258. 2514-2515
 259. 2516-2517
 260. 2518-2519
 261. 2520-2521
 262. 2522-2523
 263. 2524-2525
 264. 2526-2527
 265. 2528-2529
 266. 2530-2531
 267. 2532-2533
 268. 2534-2535
 269. 2536-2537
 270. 2538-2539
 271. 2540-2541
 272. 2542-2543
 273. 2544-2545
 274. 2546-2547
 275. 2548-2549
 276. 2550-2551
 277. 2552-2553
 278. 2554-2555
 279. 2556-2557
 280. 2558-2559
 281. 2560-2561
 282. 2562-2563
 283. 2564-2565
 284. 2566-2567
 285. 2568-2569
 286. 2570-2571
 287. 2572-2573
 288. 2574-2575
 289. 2576-2577
 290. 2578-2579
 291. 2580-2581
 292. 2582-2583
 293. 2584-2585
 294. 2586-2587
 295. 2588-2589
 296. 2590-2591
 297. 2592-2593
 298. 2594-2595
 299. 2596-2597
 300. 2598-2599
 301. 2600-2601
 302. 2602-2603
 303. 2604-2605
 304. 2606-2607
 305. 2608-2609
 306. 2610-2611
 307. 2612-2613
 308. 2614-2615
 309. 2616-2617
 310. 2618-2619
 311. 2620-2621
 312. 2622-2623
 313. 2624-2625
 314. 2626-2627
 315. 2628-2629
 316. 2630-2631
 317. 2632-2633
 318. 2634-2635
 319. 2636-2637
 320. 2638-2639
 321. 2640-2641
 322. 2642-2643
 323. 2644-2645
 324. 2646-2647
 325. 2648-2649
 326. 2650-2651
 327. 2652-2653
 328. 2654-2655
 329. 2656-2657
 330. 2658-2659
 331. 2660-2661
 332. 2662-2663
 333. 2664-2665
 334. 2666-2667
 335. 2668-2669
 336. 2670-2671
 337. 2672-2673
 338. 2674-2675
 339. 2676-2677
 340. 2678-2679
 341. 2680-2681
 342. 2682-2683
 343. 2684-2685
 344. 2686-2687
 345. 2688-2689
 346. 2690-2691
 347. 2692-2693
 348. 2694-2695
 349. 2696-2697
 350. 2698-2699
 351. 2700-2701
 352. 2702-2703
 353. 2704-2705
 354. 2706-2707
 355. 2708-2709
 356. 2710-2711
 357. 2712-2713
 358. 2714-2715
 359. 2716-2717
 360. 2718-2719
 361. 2720-2721
 362. 2722-2723
 363. 2724-2725
 364. 2726-2727
 365. 2728-2729
 366. 2730-2731
 367. 2732-2733
 368. 2734-2735
 369. 2736-2737
 370. 2738-2739
 371. 2740-2741
 372. 2742-2743
 373. 2744-2745
 374. 2746-2747
 375. 2748-2749
 376. 2750-2751
 377. 2752-2753
 378. 2754-2755
 379. 2756-2757
 380. 2758-2759
 381. 2760-2761
 382. 2762-2763
 383. 2764-2765
 384. 2766-2767
 385. 2768-2769
 386. 2770-2771
 387. 2772-2773
 388. 2774-2775
 389. 2776-2777
 390. 2778-2779
 391. 2780-2781
 392. 2782-2783
 393. 2784-2785
 394. 2786-2787
 395. 2788-2789
 396. 2790-2791
 397. 2792-2793
 398. 2794-2795
 399. 2796-2797
 400. 2798-2799
 401. 2800-2801
 402. 2802-2803
 403. 2804-2805
 404. 2806-2807
 405. 2808-2809
 406. 2810-2811
 407. 2812-2813
 408. 2814-2815
 409. 2816-2817
 410. 2818-2819
 411. 2820-2821
 412. 2822-2823
 413. 2824-2825
 414. 2826-2827
 415. 2828-2829
 416. 2830-2831
 417. 2832-2833
 418. 2834-2835
 419. 2836-2837
 420. 2838-2839
 421. 2840-2841
 422. 2842-2843
 423. 2844-2845
 424. 2846-2847
 425. 2848-2849
 426. 2850-2851
 427. 2852-2853
 428. 2854-2855
 429. 2856-2857
 430. 2858-2859
 431. 2860-2861
 432. 2862-2863
 433. 2864-2865
 434. 2866-2867
 435. 2868-2869
 436. 2870-2871
 437. 2872-2873
 438. 2874-2875
 439. 2876-2877
 440. 2878-2879
 441. 2880-2881
 442. 2882-2883
 443. 2884-2885
 444. 2886-2887
 445. 2888-2889
 446. 2890-2891
 447. 2892-2893
 448. 2894-2895
 449. 2896-2897
 450. 2898-2899
 451. 2900-2901
 452. 2902-2903
 453. 2904-2905
 454. 2906-2907
 455. 2908-2909
 456. 2910-2911
 457. 2912-2913
 458. 2914-2915
 459. 2916-2917
 460. 2918-2919
 461. 2920-2921
 462. 2922-2923
 463. 2924-2925
 464. 2926-2927
 465. 2928-2929
 466. 2930-2931
 467. 2932-2933
 468. 2934-2935
 469. 2936-2937
 470. 2938-2939
 471. 2940-2941
 472. 2942-2943
 473. 2944-2945
 474. 2946-2947
 475. 2948-2949
 476. 2950-2951
 477. 2952-2953
 478. 2954-2955
 479. 2956-2957
 480. 2958-2959
 481. 2960-2961
 482. 2962-2963
 483. 2964-2965
 484. 2966-2967
 485. 2968-2969
 486. 2970-2971
 487. 2972-2973
 488. 2974-2975
 489. 2976-2977
 490. 2978-2979
 491. 2980-2981
 492. 2982-2983
 493. 2984-2985
 494. 2986-2987
 495. 2988-2989
 496. 2990-2991
 497. 2992-2993
 498. 2994-2995
 499. 2996-2997
 500. 2998-2999
 501. 3000-3001
 502. 3002-3003
 503. 3004-3005
 504. 3006-3007
 505. 3008-3009
 506. 3010-3011
 507. 3012-3013
 508. 3014-3015
 509. 3016-3017
 510. 3018-3019
 511. 3020-3021
 512. 3022-3023
 513. 3024-3025
 514. 3026-3027
 515. 3028-3029
 516. 3030-3031
 517. 3032-3033
 518. 3034-3035
 519. 3036-3037
 520. 3038-3039
 521. 3040-3041
 522. 3042-3043
 523. 3044-3045
 524. 3046-3047
 525. 3048-3049
 526. 3050-3051
 527. 3052-3053
 528. 3054-3055
 529. 3056-3057
 530. 3058-3059
 531. 3060-3061
 532. 3062-3063
 533. 3064-3065
 534. 3066-3067
 535. 3068-3069
 536. 3070-3071
 537. 3072-3073
 538. 3074-3075
 539. 3076-3077
 540. 3078-3079
 541. 3080-3081
 542. 3082-3083
 543. 3084-3085
 544. 3086-3087
 545. 3088-3089
 546. 3090-3091
 547. 3092-3093
 548. 3094-3095
 549. 3096-3097
 550. 3098-3099
 551. 3100-3101
 552. 3102-3103
 553. 3104-3105
 554. 3106-3107
 555. 3108-3109
 556. 3110-3111
 557. 3112-3113
 558. 3114-3115
 559. 3116-3117
 560. 3118-3119
 561. 3120-3121
 562. 3122-3123
 563. 3124-3125
 564. 3126-3127
 565. 3128-3129
 566. 3130-3131
 567. 3132-3133
 568. 3134-3135
 569. 3136-3137
 570. 3138-3139
 571. 3140-3141
 572. 3142-3143
 573. 3144-3145
 574. 3146-3147
 575. 3148-3149
 576. 3150-3151
 577. 3152-3153
 578. 3154-3155
 579. 3156-3157
 580. 3158-3159
 581. 3160-3161
 582. 3162-3163
 583. 3164-3165
 584. 3166-3167
 585. 3168-3169
 586. 3170-3171
 587. 3172-3173
 588. 3174-3175
 589. 3176-3177
 590. 3178-3179
 591. 3180-3181
 592. 3182-3183
 593. 3184-3185
 594. 3186-3187
 595. 3188-3189
 596. 3190-3191
 597. 3192-3193
 598. 3194-3195
 599. 3196-3197
 600. 3198-3199
 601. 3200-3201
 602. 3202-3203
 603. 3204-3205
 604. 3206-3207
 605. 3208-3209
 606. 3210-3211
 607. 3212-3213
 608. 3214-3215
 609. 3216-3217
 610. 3218-3219
 611. 3220-3221
 612. 3222-3223
 613. 3224-3225
 614. 3226-3227
 615. 3228-3229
 616. 3230-3231
 617. 3232-3233
 618. 3234-3235
 619. 3236-3237
 620. 3238-3239
 621. 3240-3241
 622. 3242-3243
 623. 3244-3245
 624. 3246-3247
 625. 3248-3249
 626. 3250-3251
 627. 3252-3253
 628. 3254-3255
 629. 3256-3257
 630. 3258-3259
 631. 3260-3261
 632. 3262-3263
 633. 3264-3265
 634. 3266-3267
 635. 3268-3269
 636. 3270-3271
 637. 3272-3273

**Appendix D
Region of Peel Report**

I8-6-28



REPORT
Meeting Date: December 8, 2011
Regional Council

For Information

DATE: October 31, 2011

REPORT TITLE: **UPDATE ON BRAMPTON BRICK'S NORVAL QUARRY PROPOSAL IN THE CITY OF BRAMPTON, WARD 6**

FROM: Dan Labrecque, Commissioner of Public Works

OBJECTIVE

To provide an update on the status of the Norval Quarry proposal and the approach being undertaken by Regional staff and the City of Brampton.

REPORT HIGHLIGHTS

- Brampton Brick Limited has filed a rezoning application with the City of Brampton, as well as a licence application to the Ministry of Natural Resources under the *Aggregate Resources Act* to support the use of the subject lands as a shale quarry.
- The rezoning application was appealed to the Ontario Municipal Board in January 2011. No proceedings have been scheduled to date.
- The City of Brampton has made public its peer review studies of the technical reports submitted by the applicant and held a public meeting on October 17, 2011.
- Regional staff is undertaking its review of the technical submissions and peer review studies and has retained the services of Mr. Stephen Garrod for legal advice and Mr. Mirek Sharp (North-South Environmental) on matters related to the natural environment.
- Regional staff is scoping its review to appropriate matters of Regional interest to add value where Regional leadership is warranted.

DISCUSSION

1. Background

Brampton Brick Limited (BBL) is proposing the development of a shale quarry (Norval Quarry) and related uses on a 34.9 hectare (86 acre) site located in the area of Old Pine Crest Road and Winston Churchill Boulevard, in the vicinity of Norval. See Appendix I for a location map.

The Region has not taken a formal position on the proposal at this time because the proponents' studies are being reviewed by staff and are also under peer review.

BBL has made two applications to support the proposed quarry, including a:

I8-6-29

October 31, 2011

UPDATE ON BRAMPTON BRICK'S NORVAL QUARRY PROPOSAL IN THE CITY OF BRAMPTON, WARD 6

a) Rezoning Application

BBL submitted a rezoning application to the City of Brampton on December 9, 2008. Staff provided details on this rezoning application to Regional Council at its meeting held on April 23, 2009 in a report dated March 19, 2009 (Resolution 2009-433). The applicant has appealed Brampton's non-decision on the rezoning application to the Ontario Municipal Board. No pre-hearing conferences have been scheduled to date.

b) Aggregate Resources Act Application

In August 2010, BBL submitted an application to the Ministry of Natural Resources for a Licence under the *Aggregate Resources Act* (ARA). In November 2010, staff filed a Letter of Objection to Ministry of Natural Resources on Brampton Brick's *Aggregate Resources Act* Licence application. This was reported to Regional Council at its meeting held on January 27, 2011 in a report dated January 4, 2011 (Resolution 2011-62).

Peel's objection letter is based on conformity of the proposal to the Regional Official Plan, consistency with the Provincial Policy Statement, and its impact on the following: hydrogeology; natural environmental features and functions; transportation and traffic; and financial securities and costs. The City of Brampton's Letter of Objection is also based on similar concerns.

2. City of Brampton Peer Review Studies

In support of its applications, BBL has prepared a series of technical reports. In July 2011, the City of Brampton made public a series of peer review reports to allow the public an opportunity to review the materials and provide comments in advance of a public meeting the City held on October 17, 2011. The City initiated and funded peer review studies address matters related to hydrogeology, the natural environment, transportation, visual impact, soils, noise, cultural heritage, air quality, and archaeology. Based on comments made at the recent public meeting, Brampton staff intends to take a Recommendation Report on the rezoning application to its Council in the first quarter of 2012.

3. Role of the Region of Peel

The Region of Peel is a commenting agency on rezoning application. On the ARA application, as noted above, Peel is an objector on a technical basis to ensure that key regional issues are addressed to our satisfaction. Staff is currently undertaking its review of the technical studies, peer review information, and applicable planning policies.

In undertaking this review, staff is being guided by the Provincial Policy Statement, the Provincial Greenbelt Plan, and the Region of Peel Official Plan. Specific policies within the Region of Peel Official Plan reinforce the roles and responsibilities of the Region and Area Municipalities by providing Regional leadership where value is added and by clearly assigning certain roles to the Area Municipalities.

To date, consistent with Regional roles and responsibilities, staff is focusing its planning and technical review on five main issues:

I8-6-30

October 31, 2011

UPDATE ON BRAMPTON BRICK'S NORVAL QUARRY PROPOSAL IN THE CITY OF BRAMPTON, WARD 6.

- o Conformity with the Provincial Policy Statement, the Provincial Greenbelt Plan, and the Region of Peel Official Plan – to ensure that the relevant planning policies are fully considered;
- o Hydrogeology and related engineering design issues – to ensure the protection of groundwater and surface water, including natural features and functions and drinking water supplies;
- o Natural Environment features and functions – to ensure the protection of natural components of the Regional Greenlands System;
- o Transportation and Traffic issues – to ensure impacts on road safety and the Regional road network are appropriately considered, including full cost recovery from the applicant of any upgrades and/or increased costs should the quarry be approved.
- o Enforcement, Financial Securities and Cost implications to the Region – to ensure that issues of enforcement are appropriately addressed and that the taxpayers of the Region of Peel do not bear the burden of short term or long term costs or risks associated with any of the above issues relating to the proposed quarry.

Mr. Stephen Garrod has been retained provide to represent the Region at the OMB. To assist in its review of matters related to the natural environmental, staff has retained the services of North-South Environmental (principally Mr. Mirek Sharp). Mr. Sharp has completed an initial review of the technical submissions related to the natural environment.

The review of the other matters of Regional interest has been led by in-house staff. Staff will be providing formal comments directly to the applicant and remains open to working with the applicant to resolve matters of regional interest. In addition, formal staff comments will be posted on the Region's website to make them open and transparent to the public.

The City of Brampton has requested the other member municipalities that comprise the Brampton and Agency Aggregate Review Team (being Peel Region, Halton, Region and the Town of Halton Hills) to make a financial contribution towards continuing towards peer review fees. Staff has had a preliminary discussion with the City of Brampton regarding this request and will advise Council as to the outcome of these discussions.

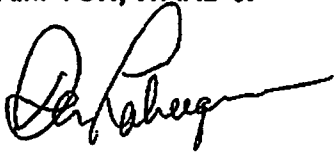
CONCLUSION

Staff will continue to work closely with the City of Brampton and other plan review agencies to provide input on the Norval Quarry proposal. Staff will continue to inform Regional Council of the status of the rezoning and ARA licence applications of Brampton Brick at key milestones and in advance of Ontario Municipal Board proceedings, which remain unscheduled to date.

I8-6-31

October 31, 2011

**UPDATE ON BRAMPTON BRICK'S NORVAL QUARRY PROPOSAL IN THE CITY OF
BRAMPTON, WARD 6.**



Dan Labrecque
Commissioner of Public Works

Approved for Submission:



D. Szwarc, Chief Administrative Officer

*For further information regarding this report, please contact Andrea Warren at extension 4355 or
via email at 4355*

T.S.

Authored By: Andrea Warren

c. Legislative Services

DS-11-10:

I8-6-32

APPENDIX I
October 31, 2011
Update on Brampton Brick's Norval Quarry Proposal in the City of
Brampton, Ward 6

