



## PLANNING REPORT for the TOWN OF MINTO

Prepared by the County of Wellington Planning and Development Department

**DATE:** June 28<sup>th</sup>, 2024  
**TO:** Annilene McRobb, Clerk  
Town of Minto  
**FROM:** Jessica Rahim, Senior Planner  
County of Wellington  
**SUBJECT:** **D'Arcey Sand & Gravel Ltd (Teeswater Concrete)**  
**Concession 2, Part Lot 22**  
**5991 3<sup>rd</sup> Line, Town of Minto**  
**Zoning By-law Amendment (ZBA 2024-06)**

### PLANNING SUMMARY

The purpose of the proposed amendment is to rezone a portion of the subject lands (approximately 12.24 ha) to permit a ready-mix concrete plant as an accessory use to the existing licensed aggregate pit. The subject lands are currently zoned Extractive Industrial Exception (EI-112) Zone which permits a licensed extractive pit under the Aggregate Resource Act.

The purpose of this report is to provide the Town with an overview of the proposed zoning by-law amendment application and facilitate the public meeting. Further, this statutory public meeting will provide the opportunity for the community and area residence to ask questions and seek more information from the applicant. It will also provide an opportunity for the applicant to address any concerns that may have been raised through the notification process.

Following the public meeting, Planning Staff will consider any comments that are received and will prepare a final report and By-law for Councils consideration.

### INTRODUCTION

The property subject to the proposed amendment is described as Concession 2, Part Lot 22 with a municipal address of 5991 3<sup>rd</sup> Line. The subject property is approximately 33.2 ha (82 ac) in size. The location of the subject lands is shown in Figure 1.



Figure 1: Location of subject lands (Source: County of Wellington 2020)

## PROPOSAL

The purpose and effect of the proposed amendment is to rezone a portion of the subject lands (approximately 12.24 ha) to permit a ready-mix concrete plant as an accessory use to the existing licensed aggregate pit. The subject lands are currently zoned Extractive Industrial Exception (EI-112) Zone which permits a licensed extractive pit under the Aggregate Resource Act. Figure 2 shown below.



Figure 2. Aerial photo (2020) of proposed location of ready-mix plant prepared by Ron Davidson Land Use Planning Consultant Inc.

## SUPPORTING STUDIES

The applicant has submitted the following technical reports and studies in support of the proposed application:

- A Planning Justification Report prepared by Ron Davidson Land Use Planning Consultant Inc.
- An environmental compliance letter prepared by the Ready Mixed Concrete Association of Ontario
- A letter outlining additional approvals required prepared by GM BluePlan Engineering Ltd.

## PROVINCIAL POLICY STATEMENT (PPS)

The subject property is located within a PRIME AGRICULTURAL area. Section 2.3.6.1 states that planning authorities may only permit non-agricultural uses in prime agricultural areas for a few exceptions, including a) extraction of minerals, petroleum resources and mineral aggregate resources.

Section 2.5 outlines provisions on Mineral Aggregate Resources, including 2.5.2.1 which states “As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible”.

Section 2.5.4.1, which states “In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition”.

### **A PLACE TO GROW**

The Growth Plan for the Greater Golden Horseshoe (GGH), 2020, came into effect on August 28, 2020 and provides growth management policy direction for the GGH, which includes Wellington County. All planning decisions are required to conform to the applicable policies and provisions of the Growth Plan.

Section 4.2.8.2 a) states that “no new mineral aggregate operation and no new wayside pits and quarries, or any ancillary or accessory use thereto, will be permitted in the following key natural heritage features and key hydrologic features: significant wetlands; habitat of endangered species and threatened species; and significant woodlands...”.

Planning staff note that the subject property contains a Key Natural Heritage Feature identified as a significant wooded area, and a Key Hydrologic Features identified as significant wetlands, however, the accessory use is proposed to be located on a portion of the subject lands beyond these features.

### **COUNTY OFFICIAL PLAN**

The subject property is designated PRIME AGRICULTURE, CORE GREENLANDS and GREENLANDS. The identified features include significant wooded areas and Maitland Valley Conservation Authority regulated Wetlands, Hazard Lands, and Provincially Significant Wetlands. The proposed ready-mix concrete plant appears to be located beyond the core greenlands and greenlands designation.

Section 6.4.3 of the Official Plan permits a licensed aggregate operation within the Prime Agriculture designation. Through rezoning, Section 6.6.4 further permits c) “ancillary uses such as asphalt plants, concrete plants, aggregate transfer stations, stockpiling and blending of aggregates with materials such as salt, sand-salt mixture and recycled road material”.

Section 6.6.7 further states that “ancillary uses may only be established if the following matters are addressed;

- a) the protection of adjoining lands from the negative effects of a reduced water supply, noise, dust, odour, lighting and unsightly storage;
- b) the protection of the environment from negative effects of dust, chemical spills, run-off, or contaminated surface or ground water; and
- c) ensuring that access can be obtained directly to a road capable of carrying the anticipated truck traffic”.

## **ZONING BY-LAW**

The subject lands are zoned Agricultural Exception (A-1), Extractive Industrial Exception (EI-112) and Natural Environment (NE).

The proposed ready-mix concrete plant is to be located within the EI-112 zone which permits the following uses: A licensed extractive pit or quarry under the Aggregate Resources Act, as amended from time to time, Asphalt or Concrete Plant existing as of the day of the passing of the by-law within an EI Zone, Aggregate Transfer Station, Temporary Portable Asphalt Plant, processing or extracted materials within a permitted licensed pit or quarry including screening, sorting, working, crushing, storing and other similar operations, and accessory uses, buildings and structures to the above permitted uses.

The provisions of the site specific zone state “In addition to the uses permitted in the Extractive Industrial zone, the following additional use shall be permitted within this zone: recycling of used asphalt, concrete, brick and similar inert materials and blending them with sand and gravel”. The applicant is proposing to add an additional use to the site specific provisions to allow for a ready-mix concrete plant as an accessory use to the existing licensed aggregate pit operation.

## **PLANNING DISCUSSION**

### **Additional Approvals Required**

In addition to the local zoning amendment requirements, the applicant’s engineer has identified the following addition of approvals as required from the province to establish a concrete plant on the property:

- Environmental Compliance Approval for Stormwater under the Ontario Water Resources Act (OWRA);
- Approval (ECA or Environmental Activity Site Registration) for Air and Noise;
- In the event daily water taking exceeds 50,000 L/day, a Permit to Take Water (PTTW) would be required from the MECP under the Ontario Water Resources Act; and
- Amendment of the existing pit license under the Aggregate Resources Act to add the additional use.

The applicant has also described that the concrete plant will be registered with the Ready-Mix Concrete Association of Ontario.

### **Compatibility**

Noise and Dust (air quality): According to applicant’s engineer, noise and dust emissions will be addressed through required ECA approvals by the province. Planning Staff note that there are several existing dwellings located nearby for which the approvals will have to consider. Planning Staff recommend that the applicant be required to go through Site Plan Approval process where Staff would have the opportunity to further address these matters with the implementation of berming and landscape buffering.

Traffic: The subject lands have frontage on a local road (3<sup>rd</sup> Line), but the majority of traffic will be travelling to Wellington County Road 5. County Roads Staff have reviewed the proposal and do not require a traffic impact study based on the expected traffic generation of the operation.

Municipal Servicing: The applicant is proposing to utilize a private well and septic system for the operation. The applicant has indicated that they do not expect to require a permit to take water from the MOECC as they will not be utilizing more than 50,000 L per day.

Wash Water Management: Planning Staff are requesting that the applicant provide additional detail and information on wash water management (i.e., wash water from cleaning trucks, etc.).

### **Site Plan Approval**

The proposed development is not subject to Site Plan Approval by the Town. Planning Staff are recommending that the proposed development be required to go through this approval process with the Town to review final site design, grading, servicing, stormwater management, buffering, parking, fencing etc.

### **Draft Zoning By-law**

Draft zoning by-law wording has been prepared by the applicant's planner in support of the application. The following wording is suggested for the text of the Zoning By-law Amendment:


The proposed Zoning By-law Amendment would change the current wording of the 'EI-112' zone to read:

*In addition to the uses permitted in the Extractive Industrial zone, the following additional uses shall be permitted within this zone: recycling of used asphalt, concrete, brick and similar inert materials and blending them with sand and gravel, and a concrete plant.*

### **NEXT STEPS**

Following the public meeting, Planning Staff will consider any comments that are received and will prepare a final recommendation report and a draft zoning by-law amendment for Council's consideration.

Respectfully submitted  
County of Wellington Planning and Development Department

  
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Jessica Rahim  
Senior Planner