



May 6, 2022

Legislative and Planning Services  
Planning Services  
Halton Region  
1151 Bronte Road  
Oakville, ON, L6M 3L1

Dufferin Aggregates, a division of CRH Canada Group Inc.  
Attn: Kevin Mitchell  
2300 Steeles Avenue West, 4<sup>th</sup> Floor  
Concord, ON L4K 5X6

Jason McLay  
c/o Integrated Aggregate Operations Section  
Ministry of Northern Development, Mines, Natural Resources  
and Forestry  
4th Floor S, 300 Water Street  
Peterborough, ON K9J 3C7

(delivered by email and courier)

**RE: Objection Letter to the Dufferin Aggregates, a division of CRH Canada Group Inc. –  
Milton Quarry East Extension *Aggregate Resources Act* Licence Application, File  
#9061DJ**

Dear Mr. Mitchell and Mr. McLay:

Halton Region 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 Northern Development, Mines, Natural Resources and Forestry. The Region's mailing address is above. Hard copies will follow by courier.

In its initial review of the submission, Halton Region has identified a number of concerns with the application. Halton Region, therefore, objects to the *Aggregate Resources Act* Licence application. Staff are of the opinion that the application in its current form does not have appropriate regard for the matters listed in section 12 of the *Aggregate Resources Act*. Furthermore, it is our opinion that the application does not constitute good planning and is not in the public interest—consequently, it should not be approved in its present form.

Halton Region is responsible for implementing matters of Provincial and Regional interest, as expressed by the 2020 Provincial Policy Statement, the range of Provincial plans, and the Halton Region Official Plan.

Please note that these concerns represent the results of our initial review and that Halton Region 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.

**Regional Municipality of Halton**

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**The potential effects of the operation of the proposed pit and quarry on the environment have not been adequately addressed**

1. Cumulative impacts have been dealt with only in a cursory way. Additional detail of cumulative impact analysis should be provided that examines the potential interaction between the change in groundwater regime, increase in drying winds and ambient light as a result of removal of vegetation and extraction, and invasion of non-native species. These cumulative impacts particularly should be examined for the period between extraction and rehabilitation.
2. It is not clear to what extent mitigative measures for maintaining natural heritage features such as wetlands will be required following quarry operations and lake filling. Perpetual pumping requirements have not been fully addressed in terms of the full extent to which they are required, and the long-term financial implications to the agency responsible for management of this system.
3. The Adaptive Management Plan does not include water quality/chemistry sampling and monitoring other than that currently underway for recharge water taken from the existing reservoir. The Water Resources Assessment Report specifically notes potential contamination during excavation in the form of elevated turbidity, suspended solids ammonia and bacteria which would warrant ongoing monitoring.
4. Additional study is required to determine the potential presence of amphibians and the potential occurrence of bat hibernacula.

**The potential effects of the operation of the proposed pit and quarry on nearby communities have not been adequately addressed**

1. The broader potential effects of the quarry on human health have not been addressed.
2. The noise report only accounts for the equipment operating within the east extension and not all of the operations on the entire site. The site as a whole is considered the stationary noise source and the sound emissions from the entire site must comply with the guideline limits. Where the report deals with cumulative impacts (presumably from the integrated operation as a whole), it states that it is possible there could be excesses above the noise guideline limits when operations over the entire site are considered. This issue must be addressed.
3. The air quality study may not accurately reflect the air quality impacts to the surrounding community, especially when the data and assumptions (especially the emissions data) are further reviewed. The report's conclusion that the proposed extension would not cause any adverse air quality impacts appears to be questionable.

**The suitability of the progressive and final rehabilitation plans for the site have not been adequately addressed**

1. Compatibility of the rehabilitation plan with surrounding uses has not been addressed.
2. The rehabilitation plan should be more largely composed of communities consistent with the characteristic vegetation communities of the Niagara Escarpment. Without long-term monitoring of non-native species in place, the forests, islands and wetlands in the proposed rehabilitation plan will become dominated by non-native invasive species, most likely Common Reed, Common and Glossy Buckthorn, and Reed Canary-grass. A long-term monitoring plan should be outlined for all areas that will be restored as well as those that will be rehabilitated.

**The potential effects on ground and surface water resources including on drinking water sources and private wells have not been adequately addressed**

1. The period of groundwater and surface water monitoring data for the majority of the quarry area from the recently installed monitoring stations is limited and may not reflect representative or average conditions. It is not clear to what extent water levels at the trigger wells have been impacted by the existing quarry operations and whether these are appropriate for use as baseline conditions.
2. There is no discussion regarding the possible reduction or termination of the recharge system or portions of the recharge system under post rehabilitation conditions and the impact this may have on groundwater recharge. Details are lacking to support the conclusion made that the overall groundwater recharge will be maintained or enhanced in the Significant Groundwater Recharge Area as a result of the proposed expansion.
3. There is no discussion of existing down-gradient groundwater or surface water users below the escarpment, the impact the existing Milton Quarry may have had on possible down-gradient groundwater and surface water users and the possible impact the proposed expansion may have on these users.
4. Further monitoring and analysis of groundwater and comparison to recharge water is warranted to assess the dissolution potential of the recharge water and potential impacts on the groundwater system. Long-term dissolution of the dolostone bedrock could adversely impact the long-term functioning of the recharge system.

**The potential effects on agricultural lands have not been adequately addressed**

1. The Agricultural Impact Assessment does not include a sufficient study area and policy analysis. Consideration of the broader agricultural system should be given, extending beyond the 1.0 kilometre study distance.
2. The policy analysis has not addressed the Agricultural policies of the Niagara Escarpment Plan (Part 2.8).
3. Soil capability mapping in the Agricultural Impact Assessment indicates that most of the lands to be extracted are soil capability class 3 and are therefore Prime Agricultural Lands (not necessarily part of a Prime Agricultural Area). The study does not discuss changes to the soil capability rating related to depth to bedrock based on current OMAFRA soil capability for Ontario guidelines. Some of the soils, such as Farmington loam, may actually have a higher soil capability than originally mapped.
4. Site-specific soil observations resulting from the examination of soil pits or boreholes should be included in the analysis.

**Planning and land use considerations require further assessment**

1. Approval of a Niagara Escarpment Plan Amendment and Development Permit under the *Niagara Escarpment Planning and Development Act* process is first required prior to any approvals being issued. This has not yet occurred, and conformity with that Plan has not yet been demonstrated.
2. Amendments to the Halton Region and Town of Halton Hills Official Plans are required prior to the Licence being issued. In this context, a variety of land use planning considerations must be addressed, including consistency with the Provincial Policy Statement (2020) and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) as well as the Halton Region Official Plan and the Town of Halton Hills Official Plan. Dufferin has not provided sufficient assessment of these critical planning tests.

### **Haulage routes and effects related to truck traffic have not been adequately addressed**

1. The report does not conduct a comparative analysis of the existing and future haul routes.
2. The review is based solely on aerial and street imagery, and should be informed by a site visit to confirm sightlines.
3. With the haul route crossing municipal boundaries, the traffic report should mention how the coordination between the various municipal stakeholders will occur.

### **Considerations remain with respect to the applicant's existing licence**

1. Questions remain as to how the operation of the proposed extraction area will be incorporated into the existing licensed area.

### **Other matters that are appropriate to address**

1. The net fiscal impacts of the proposal may have been overstated by overestimating tax revenues, understating the increase in net operating costs, and including the aggregate levy amount equal to, or less than, current revenues. A net impact for Halton Region's fiscal position should be provided and factored into the analysis.
2. Further analysis is required in order to determine the cultural heritage impacts of the proposal.
3. The *Aggregate Resources Act* Site Plan and notes require revisions to address the above issues.
4. Halton Region notes letters of objection are anticipated from the Town of Halton Hills, Town of Milton, Niagara Escarpment Commission, and Conservation Halton. Halton Region is generally supportive of having those issues addressed through the review of the application.
5. Halton Region wants assurances that all objectors will be engaged by the proponent in a collaborative and constructive manner.
6. All commitments made during the consultation process by the applicant need to be fully detailed and properly secured through site plan conditions or appropriate agreements.

### **Conclusion**

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

A Joint Agency Review Team (JART) approach will be used to review this proposal under the auspices of Halton Region's Halton Consolidated – Streamlined Mineral Aggregate Review Protocol. This was most recently updated by Halton Region Council in February 2020. The function of a JART is to review, analyze and comment on the completeness of the submissions supporting a proposal for new or expanded mineral aggregate extraction operations, and to comment and analyze the proposal on its technical merits. The JART will provide coordinated technical comments to support discipline-to-discipline conversations on the proposal and to inform decision-making of the parties. Halton Region looks forward to engaging with the proponent through this process alongside our agency partners, with Provincial staff engaged at key intervals.

Halton Region requests notification of any future meetings or updates on the review of this file.

For further questions and correspondence on this file, Halton Region's project manager is Joe Nethery ([joe.nethery@halton.ca](mailto:joe.nethery@halton.ca), 905-825-6000 ext.3035), using the mailing address on page 1 of our submission.

Sincerely,

A handwritten signature in black ink, appearing to read 'Curt Benson', with a stylized flourish at the end.

Curt Benson, MCIP, RPP  
Director of Planning Services and Chief Planning Official

cc: John Linhardt, Town of Halton Hills (by email)  
Jill Hogan, Town of Milton (by email)  
Barb Veale, Conservation Halton (by email)  
John Dungavell, Niagara Escarpment Commission (by email)  
Brian Zeman, MHBC (by email)