

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: September 8, 2020

CASE NO(S):

PL180555

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	2223117 Ontario Inc.
Subject:	Request to amend the Official Plan – Failure of the Town of Blue Mountains to adopt the requested amendment
Existing Designation:	Rural
Proposed Designated:	Mineral Resource Extraction, Extractive Industrial
Purpose:	To permit the expansion of the existing Gibraltar Gravel Pit (Conn Pit Expansion) onto the vacant area of the property
Property Address/Description:	North Part of Lot 6, Concession 4
Municipality:	Town of The Blue Mountains
Approval Authority File No.:	42-42-000-OPA-135
LPAT Case No.:	PL180555
LPAT File No.:	PL180555
LPAT Case Name:	2223117 Ontario Inc. v. Blue Mountains (Town)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	2223117 Ontario Inc.
Subject:	Application to amend Zoning By-law No. By-law 83-40 – Neglect of the Town of Blue Mountains to make a decision
Existing Zoning:	General Rural Exception 209 (A1-209)
Proposed Zoning:	Extractive Industrial (M4)
Purpose:	To permit the expansion of the existing Gibraltar Gravel Pit (Conn Pit Expansion) onto the vacant area of the property

Property Address/Description: North Part of Lot 6, Concession 4
Municipality: Town of The Blue Mountains
Municipality File No.: Z-16
LPAT Case No.: PL180555
LPAT File No.: PL180556

Heard: August 31, 2020 via video hearing

APPEARANCES:

Parties

Counsel

2223117 Ontario Inc. ("Edan Oak") Marc P. Kemerer

Town of The Blue Mountains Leo Longo

MEMORANDUM OF ORAL DECISION DELIVERED BY D. CHIPMAN ON AUGUST 31, 2020 AND ORDER OF THE TRIBUNAL

[1] This hearing of the Local Planning Appeal Tribunal (the "Tribunal") concerns appeals by 2223117 Ontario Inc. ("Eden Oak") of the failure of the Council of the Town of The Blue Mountains ("Town") to make a decision on an Official Plan Amendment ("OPA") and a Zoning By-law Amendment ("ZBA") under the *Planning Act* (the "Act") within the legislated timelines.

[2] The subject property is located on the south side of the 6th Sideroad, east of the 4th Line and west of the 3rd Line. The land is legally described as Part of the North Half Lot 6, Concession 4, in the Town of The Blue Mountains, County of Grey.

[3] The purpose of the amendment to the Official Plan of the Town is to re-designate part of the North Half of Lot 6, Concession 4, from the Rural designation to; 1) the Mineral Resource Extraction Area designation; and 2) the Rural Exception No. B4.4.6.2 designation. The Amendment within the Mineral Resource Extraction Area designation will permit among other uses, the extraction of aggregate materials and associated operations and facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate. The amendment within the Rural Exception No. B4.4.6.2

designation will permit these lands to be used for a single detached dwelling and accessory uses once the adjacent aggregate licence has been accepted by Ministry of Northern Resources and Forestry to be surrendered by the Licensee.

[4] Amendment No. 2 of the Official Plan will be implemented by an amendment to the Zoning By-law Nos. 83-40 and 2018-65, as amended.

[5] This hearing was scheduled as a Case Management Conference. The Parties notified the Tribunal a settlement had been reached between the Parties on the expansion of an existing aggregates extraction operation known as the Gibraltar Pit ("pit") (formerly the Conn pit). Further, the Parties informed the Tribunal the outstanding County Official Plan ("COP") had been amended to include the necessary changes and corrections in error that was deemed necessary for this matter to be resolved.

BACKGROUND, EVIDENCE AND ANALYSIS

[6] Brain Zeman, Registered Professional Planner, was qualified to provide opinion evidence in land use planning for this proceeding. He provided a background on the applications, the supporting evaluations and the proposed settlement.

[7] Mr. Zeman informed the Tribunal that at an earlier Case Management Conference ("CMC"), the Tribunal was provided background information regarding the County of Grey ("County") approval of OPA 135 for the proposed pit. OPA 135 was appealed by the Town and by the Friends of the Pretty River Valley ("Friends"). The Friends' appeal was later withdrawn.

[8] Mr. Zeman indicated that at the CMC of October 21, 2019, the Tribunal explained that Zoning By-laws must conform with applicable Official Plans under s. 24(1) of the *Planning Act* ("Act"). The Applicant was made aware when an OPA has been adopted, a ZBA may be passed before the OPA comes into effect (s. 24(2) of the Act). The Tribunal had explained this process is predicated on the adoption of an OPA first, followed by the implementing instruments, in this case being the Town OPA and ZBA.

[9] Mr. Zeman advised that at the time, the Parties suggested the Tribunal could approve the Town instruments in principle and withhold its final order pending the County OPA coming into force, the Tribunal did not wish to presuppose a decision of the County as the approval authority, as the Act intends for the parent document to be amended first before consideration of the subsidiary documents. He cited that the Tribunal subsequently deferred its consideration of the Town OPA and ZBA until such time as the outcome of the County OPA was determined.

[10] Mr. Zeman indicated that modifications to County of Grey Official Plan Amendment have now been adopted. He informed the Tribunal the amendments were a “housekeeping exercise” in which a number of omissions and errors needed correcting. He advised the Towns OPA and ZBA now conform to the County OPA which has come into force.

[11] Mr. Zeman opined that the re-designation of the lands is an appropriate use and constitutes good planning based on being consistent with the Provincial Policy Statement, in conformity with the County of Grey Official Plan and Town of The Blue Mountains Official Plan.

FINDINGS

[12] The Tribunal accepts and relies on the uncontradicted expert opinion evidence of Mr. Zeman.

[13] The Tribunal finds the amendments to the OP and the ZBL as outlined in the Minutes of Settlement are consistent with the County Official Plan Amendment and that they also conform to the 2020 Provincial Policy Statement, the 2019 Growth Plan and represent good planning.

ORDER

[14] The Tribunal approves the Planning Instruments and orders:

- the appeal is allowed in part;
- the Amendment to the Official Plan known as Amendment No. 2, set out in Attachment 1 to this Order is approved and;
- the Amendments to Zoning By-laws Nos. 83-40 and 2018-65, as amended, set out in Attachment 1 to this Order are approved.

“D. Chipman”

D. CHIPMAN
MEMBER

If there is an attachment referred to in this document,
please visit www.olt.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Ontario Land Tribunals

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

X1
Longo

PL180443
PL180555

Local Planning Appeal Tribunal

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Friends of the Pretty River Valley
Appellant: Town of The Blue Mountains
Subject: Proposed Official Plan Amendment No. 135
Municipality: Town of The Blue Mountains
OMB Case No.: PL180443
OMB File No.: PL180443
OMB Case Name: Friends of the Pretty River Valley v. Grey (County)

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 2223117 Ontario Inc.
Subject: Request to amend the Official Plan - Failure of the Town of Blue Mountains to adopt the requested amendment
Existing Designation: "Rural"
Proposed Designated: "Mineral Resource Extraction", "Extractive Industrial"
Purpose: To permit the expansion of the existing Gibraltar Gravel Pit (Conn Pit Expansion) onto the vacant area of the property
Property Address/Description: North Part Of Lot 6, Concession 4
Municipality: Town of The Blue Mountains
Approval Authority File No.: 42-42-000-OPA-135
LPAT Case No.: PL180555
LPAT File No.: PL180555
LPAT Case Name: 2223117 Ontario Inc. v. Blue Mountains (Town)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 2223117 Ontario Inc.
Subject: Application to amend Zoning By-law No. 83-40 - Neglect of the Town of Blue Mountains to make a decision
Existing Zoning: "General Rural Exception 209" (A1-209)
Proposed Zoning: "Extractive Industrial" (M4)
Purpose: To permit the expansion of the existing Gibraltar Gravel Pit (Conn Pit Expansion) onto the vacant area of the property
Property Address/Description: North Part Of Lot 6, Concession 4
Municipality: Town of The Blue Mountains
Municipality File No.: Z-16
LPAT Case No.: PL180555
LPAT File No.: PL180556

MINUTES OF SETTLEMENT

BETWEEN:

2223117 ONTARIO INC.

(hereinafter the "Owner")

Of the first part

- and -

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

(hereinafter the "Town")

Of the second part

WHEREAS the Owner desires to expand its existing licensed aggregate extraction operations at its Gibraltar Pit;

AND WHEREAS the Owner made an application to the County of Grey (hereinafter the "County") seeking an amendment to the County's Official Plan;

AND WHEREAS the Owner made applications to the Town seeking amendments to the Town's Official Plan and Zoning By-law;

AND WHEREAS the County adopted Official Plan Amendment No. 135 (hereinafter "OPA 135") which the Town appealed to the Local Planning Appeal Tribunal (hereinafter "LPAT");

AND WHEREAS the Owner appealed to LPAT the Town's failure to make a decision respecting the aforementioned applications seeking amendments to the Town's Official Plan and Zoning By-law;

AND WHEREAS LPAT proceedings have commenced respecting the aforementioned appeals;

AND WHEREAS the County, by By-Law 5032-18, adopted a new Official Plan which repealed the former Official Plan and all amendments thereto [including OPA 135] and which eventually took effect as of June 7, 2019;

AND WHEREAS the Owner and the Town (collectively the "Parties") have agreed to the resolution of the appeals as set out herein;

AND WHEREAS the Parties have also agreed to the matters set out herein as part of the consideration of this settlement;

NOW THEREFORE for good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, and the covenants contained herein, the Parties hereby agree as follows:

1. The Parties confirm that the foregoing recitals are true and correct.
2. The Parties agree to jointly request LPAT to allow the hereinafter appeals, in part, and modify and amend the Town planning documents by approving of the following;
 - (i) An amendment to the Town's Official Plan as attached hereto and marked as "A"; and
 - (ii) An amendment to the Town's Zoning By-Law 83-40 as attached hereto and marked as "B".

It is agreed that LPAT will be jointly requested by the Parties to withhold its Order respecting these above amendments until such time as the new County Official Plan has been amended as contemplated herein and same is in full force and effect.

3. The Parties agree to jointly request LPAT to close its file PL180443.
4. The Town acknowledges that the Owner has requested the County to amend its new Official Plan and designate the Gibraltar Pit Expansion in a manner consistent with this settlement; see the draft County OPA attached hereto as "C". The Town agrees it will not challenge or appeal such redesignation.
5. The Owner agrees to develop and maintain the lands to the extent and in the manner depicted on the settlement concept plan attached hereto as "D".
6. The Parties shall jointly request LPAT to schedule a settlement hearing by TCC or convert the October hearing date into a settlement hearing.
7. The Owner's planning consultant will present his professional planning opinion evidence to LPAT in support of the planning documents attached hereto.
8. The Town acknowledges and undertakes that it will incorporate the above zoning of the Gibraltar Pit lands into the Town's Comprehensive Zoning By-Law 2018-65 when it next undertakes a housekeeping amendment exercise of said by-law.
9. The Owner agrees that henceforth there will be no operations on the lands or shipping to or from or within its lands on any Saturday, Sunday or statutory holidays defined in accordance with the *Employment Standards Act*.
10. The Owner agrees that there will be no site dewatering or pumping out of water from any portion of its Gibraltar Pit aggregate extraction operations.
11. These Minutes shall bind the Parties and their respective successors and assigns.

12. The Parties agree to act reasonably and in good faith in respect of all dealings between the Parties pursuant to these Minutes.
13. These Minutes of Settlement are made pursuant to, shall be governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.
14. These Minutes and all other documents to be prepared and executed pursuant to these Minutes, constitute the entire agreement between the Parties as to the matters dealt with herein, and supersede all prior negotiations and understandings.
15. The Parties agree that these Minutes of Settlement shall be a public document and filed with LPAT.
16. These Minutes may be signed by the respective counsel for the Parties as set out below, and each of the Parties hereby confirms that it has taken all steps necessary to confer legal authority upon its respective counsel for that purpose and that it shall be estopped from denying such authority in any legal or administrative proceedings.
17. Any amendment to these Minutes or waiver of any provision of these Minutes must be in writing and signed by the Parties hereto or their counsel.
18. These Minutes of Settlement may be executed in counterparts, each of which so executed is deemed to be an original, and such counterparts together constitute one and the same instrument.
19. The Parties shall bear their own costs respecting these appeals, the LPAT proceedings to date and the preparation of these Minutes of Settlement.
20. Notwithstanding paragraph 19, the Owner will fully reimburse the Town its reasonable legal and planning costs incurred in furtherance of this settlement subsequent to the date of these Minutes of Settlement.

DATED this 15 day of October, 2019

2223117 ONTARIO INC.

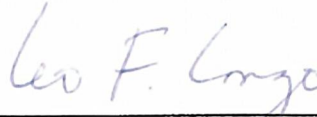
By its solicitors, DEVREY SMITH FRANK LLP Per:



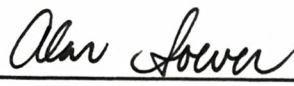
Marc Keméner

THE CORPORATION OF THE TOWN OF THE
BLUE MOUNTAINS

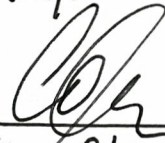
By its solicitors, AIRD & BERLIS LLP Per:



Leo F. Longo



Mayor Alar Soever



Town Clerk Corrina Giles

**AMENDMENT NO. 2
TO THE OFFICIAL PLAN OF THE
TOWN OF THE BLUE MOUNTAINS**

**AN AMENDMENT TO THE MINERAL RESOURCE
EXTRACTION AREA DESIGNATION AND THE
RURAL EXCEPTION NO. B4.4.6.2 DESIGNATION**

OCTOBER 2019

OFFICIAL PLAN AMENDMENT

AMENDMENT NO. 2

TO THE OFFICIAL PLAN OF THE TOWN OF THE BLUE MOUNTAINS

PART 1 – THE PREAMBLE

1.1 TITLE

This Amendment shall be known as Amendment No. 2 the Official Plan of the Town of The Blue Mountains.

1.2 COMPONENTS

The actual amendment consists of the text and schedule as outlined below in Part 2 titled The Amendment, Subsection 2.2. The preamble does not constitute part of the actual Amendment but is included for convenience purposes.

1.3 PURPOSE OF THE AMENDMENT

The purpose of this Amendment to the Official Plan of the Town of The Blue Mountains is to re-designate part of the North Half of Lot 6, Concession 4, Town of The Blue Mountains, County of Grey from the Rural designation to; 1) the Mineral Resource Extraction Area designation; and 2) the Rural Exception No. B4.4.6.2 designation. The Amendment within the Mineral Resource Extraction Area designation will permit among other uses, the extraction of aggregate materials and associated operations and facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate. The Amendment within the Rural Exception No. B4.4.6.2 designation will permit these lands to be used for a single detached dwelling and accessory uses once the adjacent aggregate licence has been accepted by MNRF to be surrendered by the licensee.

1.4 LOCATION

The property subject to this Amendment is located on the south side of the 6th Sideroad, east of the 4th Line and west of the 3rd Line, The land is legally described as Part of the North Half Lot 6, Concession 4, Township of Collingwood, now in the Town of The Blue Mountains, County of Grey.

1.5 BASIS OF THE AMENDMENT

The Amendment would re-designate part of the North Half of Lot 6, Concession 4, Town of The Blue Mountains, County of Grey from the Rural designation to the Mineral Resource Extraction Area designation and part of the lands from

the Rural designation to the Rural Exception No. B4.4.6.2 designation.

That portion of the lands to be re-designated Mineral Resource Extraction Area will consist of the proposed pit expansion area identified to the east of the existing aggregate operation. The most easterly portion of the subject lands will be re-designated Rural Exception No. B4.4.6.2 and will permit a single detached dwelling and accessory uses. In support of the Official Plan Amendment the following reports were submitted; a Planning Report and Aggregate Resources Act Summary Statement (MHBC Planning); a Stage 1 – 2 Archaeological Assessment (York North Archaeological Services); an Environmental Impact Study (AECOM); a Hydrogeological Assessment (MTE Consultants); a Traffic Impact Study (Cole Engineering); and an Environmental Assessment (noise) (Valcoustics Canada Ltd.).

The basis of the Planning Report opines that the re-designation of the lands is appropriate and constitutes good planning based on being consistent with the Provincial Policy Statement, in conformity with the County of Grey Official Plan and Town of The Blue Mountains Official Plan.

In addition to the above supporting reports MHBC Planning has completed amended Site Plans titled; 1) Existing Features; 2) Operation Plan; and 3) Rehabilitation Plan.

PART 2 - THE AMENDMENT

2.1 PREAMBLE

The Amendment consisting of the text and schedule referred in Subsection 2.2 below constitutes Amendment No. 2 to the Official Plan of the Town of The Blue Mountains.

2.2 DETAILS OF THE ACTUAL AMENDMENT

PART A)

That Schedule “A” – Land Use Plan of the Official Plan of the Town of The Blue Mountains is hereby amended, in part, by re-designating the land from the Rural designation to the Mineral Resources Extraction Area designation and the Rural Exception No. B4.4.6.2 designation; as shown more particularly on Schedule ‘A’ affixed hereto.

PART B)

That Subsection B4.4. titled Rural of the Official Plan of the Town of The Blue Mountains is hereby amended in part by adding the new subsection and policy below;

B4.4.6 Special Site Policies,

B4.4.6.2 Schedule A (Gibraltar Pit Extension) Part of North Half of Lot 6, Concession 4, formerly in the Township of Collingwood, Now in the Town of The Blue Mountains.

Notwithstanding the permitted uses and policies of Section B4.4.3, on those lands designated Rural Exception No. B4.4.6.2, the following uses shall be permitted;

These lands may only be used for;

- a single detached dwelling and accessory uses;
- a home occupation;
- reforestation;
- conservation;
- berm as a buffer from adjacent industrial extractive uses
- passive recreational uses, such as walking trails; and
- a nature interpretation centre on lands owned by a public authority;

Notwithstanding the above, residential uses, associated accessory uses and home occupation uses shall only be permitted after all industrial extractive uses within the abutting Mineral Resources Extraction Area designation have ceased in their use and the Ministry of Natural Resources and Forestry (MNRF) has accepted the surrender of the Aggregate Resources Act (ARA) licence.

2.3 IMPLEMENTATION

Amendment No. 2 of the Official Plan of the Town of The Blue Mountains will be implemented by an amendment to the Town of The Blue Mountains Zoning By-law Numbers. 83-40 and 2018-65, as amended.

2.4 INTERPRETATION




The provisions of the Official Plan of the Town of The Blue Mountains, as amended from time to time, regarding the interpretation of that Plan, shall apply in regard to this Amendment.

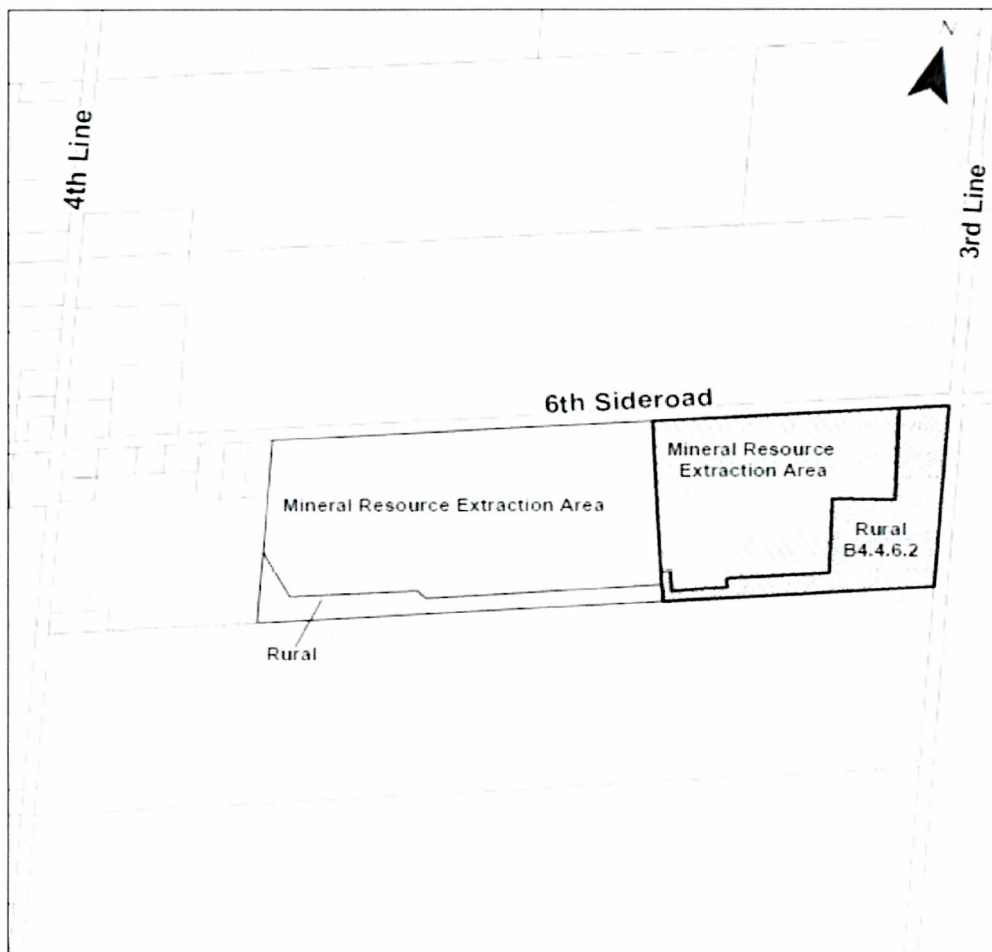
Town of The Blue Mountains

Schedule A- Official Plan

Official Plan Amendment No. 2 to the Town of The Blue Mountains Official Plan

Legend

-  Lands to be Redesignated from 'Rural' to 'Mineral Resource Extraction Area'
-  Lands to be Redesignated from 'Rural' to 'Rural Exception No. B4.4.6.2'
-  Subject Lands of this Amendment



BY-LAW No. 2019-____

The Corporation of the Town of The Blue Mountains

BEING A BY-LAW UNDER THE PROVISIONS OF SECTIONS 24(2), 34 AND 36 OF THE PLANNING ACT, R.S.O 1990, C. P. 13, AS AMENDED

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c. p.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas,

AND WHEREAS Section 24(2) of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law that does not conform with the Official Plan but will conform with it when an amendment to the Official Plan comes into effect;

AND WHEREAS The Town of The Blue Mountains Zoning By-law No. 83-40 (Township of Collingwood) is the governing By-law of the Corporation of the Town of The Blue Mountains and such was finally passed by the Council of the former Township of Collingwood on the 15th of October 1984;

AND WHEREAS the Council of the Corporation of the Town of The Blue Mountains has deemed it advisable to amend the Town of The Blue Mountains Zoning By-law No. 83-40 (Township of Collingwood), as amended, and thus implement the Official Plan of the Town of The Blue Mountains;

AND WHEREAS this by-law will come into effect once Official Plan Amendment No. 2 comes into effect;

AND WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held May 16, 2016, and that a further meeting is not considered necessary in order to proceed with this Amendment;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. **THAT** Map A and Map No. 18 of the Town of The Blue Mountains Zoning By-law No. 83-40, (Township of Collingwood), as amended, is hereby further amended, in accordance with Schedule 'A' attached hereto, by rezoning a portion of the said lands known as Part of Lot 6, RP 16R-9097 Part 1, Concession 4 (formerly the Township of Collingwood),

in the Town of The Blue Mountains from the GENERAL RURAL EXCEPTION (A1-209) ZONE to the EXTRACTIVE INDUSTRIAL (M4) ZONE and from the GENERAL RURAL EXCEPTION (A1-209) ZONE TO THE GENERAL RURAL EXCEPTION (A1-291) - HOLDING (H) ZONE;

2. **THAT** Section 8 (General Rural (A1) Zones) of By-law No. 83-40, as amended, is hereby further amended by adding a new subsection, which shall read as follows:

(1) General Rural Exception (A1-291) Zone

No person shall within the General Rural Exception (A1-291) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

8.1 Permitted Uses

- a) One single detached dwelling on one lot;
- b) Home occupation;
- c) Reforestation;
- d) Conservation;
- e) berm as a buffer from adjacent industrial extractive uses; and,
- f) Uses, buildings and structures accessory to any of the permitted uses;

8.2 Regulations for Uses in Subsection 8.1

All of the provisions and regulations of the General Rural (A1) Zone shall apply.

3. **THAT** the Holding (H) symbol on the General Rural Exception (A1-291) – Holding Zone shall be removed by Council by a By-law passed under Section 36 of the *Planning Act*, R.S.O. 1990, as amended, only at such time as:
- (1) All industrial extractive uses within the abutting Extractive Industrial (M4) Zone have ceased in their use and the Ministry of Natural Resources and Forestry (MNRF) has accepted the surrender of the Aggregate Resources Act (ARA) licence.
4. **THAT** where a zone symbol on Schedule A is followed by a Holding symbol (H), holding provisions under Section 36 of the *Planning Act* are in effect. The permitted uses and relevant zone provisions applicable to that zone do not apply until such time as the Holding symbol (H) is removed in accordance with the provisions of Section 36 of the *Planning Act*. Prior to the removal of the Holding symbol (H), only existing Agriculture

uses, a berm as a buffer from adjacent industrial extractive uses, and the promotion of Reforestation and Conservation uses shall be permitted as of the date of the imposition of the holding provision.

5. **THAT** Schedule "A" is declared to form part of this By-law.

THAT this By-law shall come into force and effect on the date it is approved by the Local Planning Appeal Tribunal, subject to Official Plan Amendment No. 2 coming into force pursuant to Section 24(2) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and subject to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

Gibraltar Pit Expansion




Roll# 424200000408412

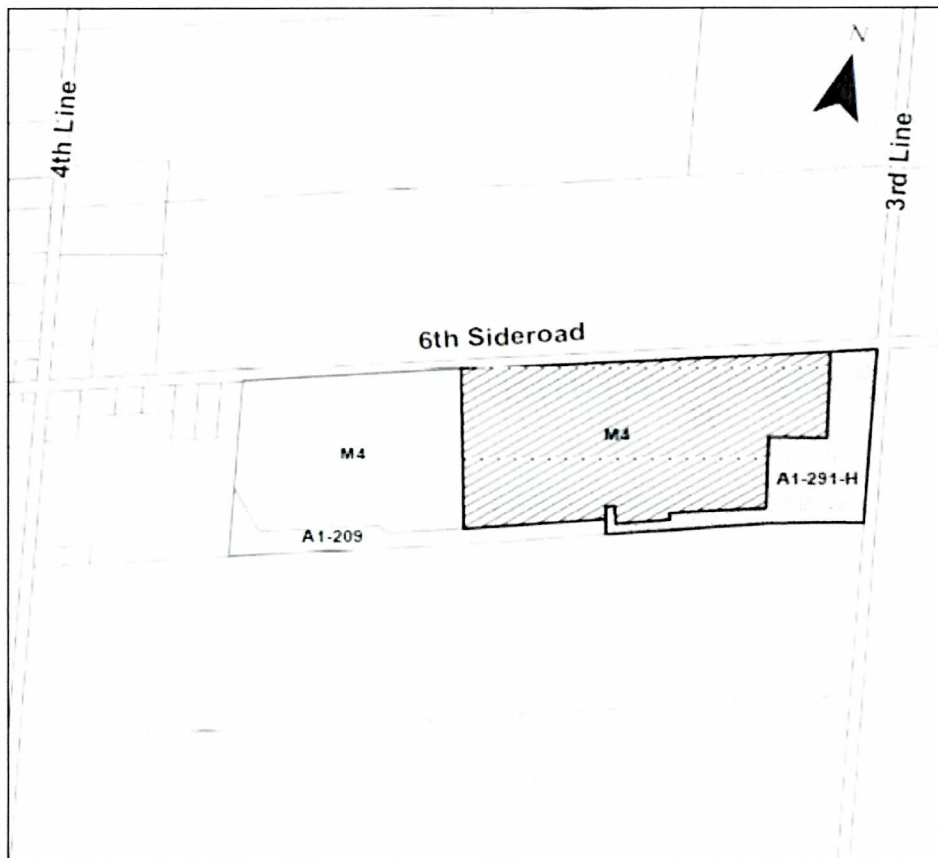
Town of The Blue Mountains

Schedule A-1, 2019

By-Law No. 2019- _____

Legend

-  Subject Lands of this Amendment
-  Area To Be rezoned from the 'General Rural-Exception 209' (A1-209) Zone to the 'Extractive Industrial' (M4) Zone.
-  Area To Be rezoned from the 'General Rural-Exception 209' (A1-209) Zone to the 'General Rural-Exception 291' Holding (A1-291-H) Zone.



Part B – The Amendment

All of this part of the document entitled "Part B – The Amendment" consisting of the following text and Schedules constitutes Amendment No. ____ to the County of Grey Official Plan.

Details of the Amendment

The Official Plan of the County of Grey Planning Area is amended as follows:

1. Schedule B – Land Use Designations – Map 2 of the County of Grey Official Plan is hereby amended by changing the designation of the lands shown on Schedule "A" affixed hereto to "**Mineral Resource Extraction with Exceptions.**"

2. Section 5.6.3 – "Mineral Resource Extraction Permitted Uses Policies" of the County of Grey Official Plan is hereby amended by adding the following new clause:

6) Notwithstanding the provisions of Sections 5.6.3 and 5.6.4 and Schedule 'B' to this Plan, for those lands described as Part of Lot 6, Concession 4, Town of The Blue Mountains, (geographic Township of Collingwood), and indicated on the attached Schedule 'A', the following shall apply:

'As of the date of this policy being adopted, the lands described as Part of Lot 6, Concession 4, Town of The Blue Mountains, (geographic Township of Collingwood) are not licensed under the Aggregate Resources Act by the Ministry of Natural Resources and Forestry. Only when the Aggregate Resource Act licence is issued, shall the uses in Section 5.6.3.1) be permitted. Until the issuance of the Aggregate Resources Act license, the uses permitted on such lands are limited to those that lawfully existed at the date of this Amendment being approved.

TOWN OF THE BLUE MOUNTAINS
GEOGRAPHIC TOWNSHIP OF COLLINGWOOD



OFFICIAL PLAN AMENDMENT

NUMBER _____

to the
GREY COUNTY OFFICIAL PLAN
Land Use Designations

SCHEDULE A

LEGEND

- Lands Subject to Official Plan Amendment
- Aggregate Resource Area
- Mineral Resource Extraction



SCALE = 1:8,000

THE COUNTY OF GREY PLANNING AND DEVELOPMENT
2018 - STT - 11X17 - OPA___SchedA_Collingwood.MXD

DISCLAIMER: This map is illustrative only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation. It has not been designed or certified for planning or surveying purposes. This map may contain cartographic errors or omissions.

SOURCE: Universal Transverse Mercator Grid Zone 17, North American Datum 1983. Base derived from the Ontario Digital Topographic Database, Scale 1:10 000.

Proposed Gibraltar Pit Expansion

CONFIDENTIAL & WITHOUT PREJUDICE



Eastern limit of extraction

Southern limit of extraction

Butternut trees excluded from extraction area

Woodland to be removed: 1.8ha

Area to be retained and planted prior to phase 2 (excluding a future building envelope) 1.5ha (1.3 ha to be planted)

Forested area to be retained: 2.6ha

Area to be planted as part of progressive rehabilitation 3.6ha

15m Property setback

30m Road allowance setback

Woodland to be removed 1.8 ha

Existing woodland 4.4 ha
(This includes 2.6 ha retained and 1.8 ha to be removed)

Area to be forested: 4.9 ha
(This includes the 1.3 and 3.6 above)

Future woodland: 7.5 ha
(This includes 4.4 ha - 1.8 ha + 4.9 ha = 7.5 ha)

Total licence area: 13.6ha
New extraction area: 8.0ha

6th Sideroad

3rd Line 'Unopened Road Allowance'

3rd Line

This is NOT a legal plan of survey
Areas are estimates

Date: October 17, 2019