

APPENDIX A.7
AGGREGATE EXTRACTION/PSW
ARRISCRAFT PROPERTY

Cumming Cockburn Limited

Consulting Engineers, Planners
and Environmental Scientists

City of Cambridge
Planning and Development Dept.
73 Water Street North,
P.O. Box 669
Cambridge, Ontario
N1R 5W8

Attn: Ms. April Souwand, MCIP, RPP
Senior Environmental Planner

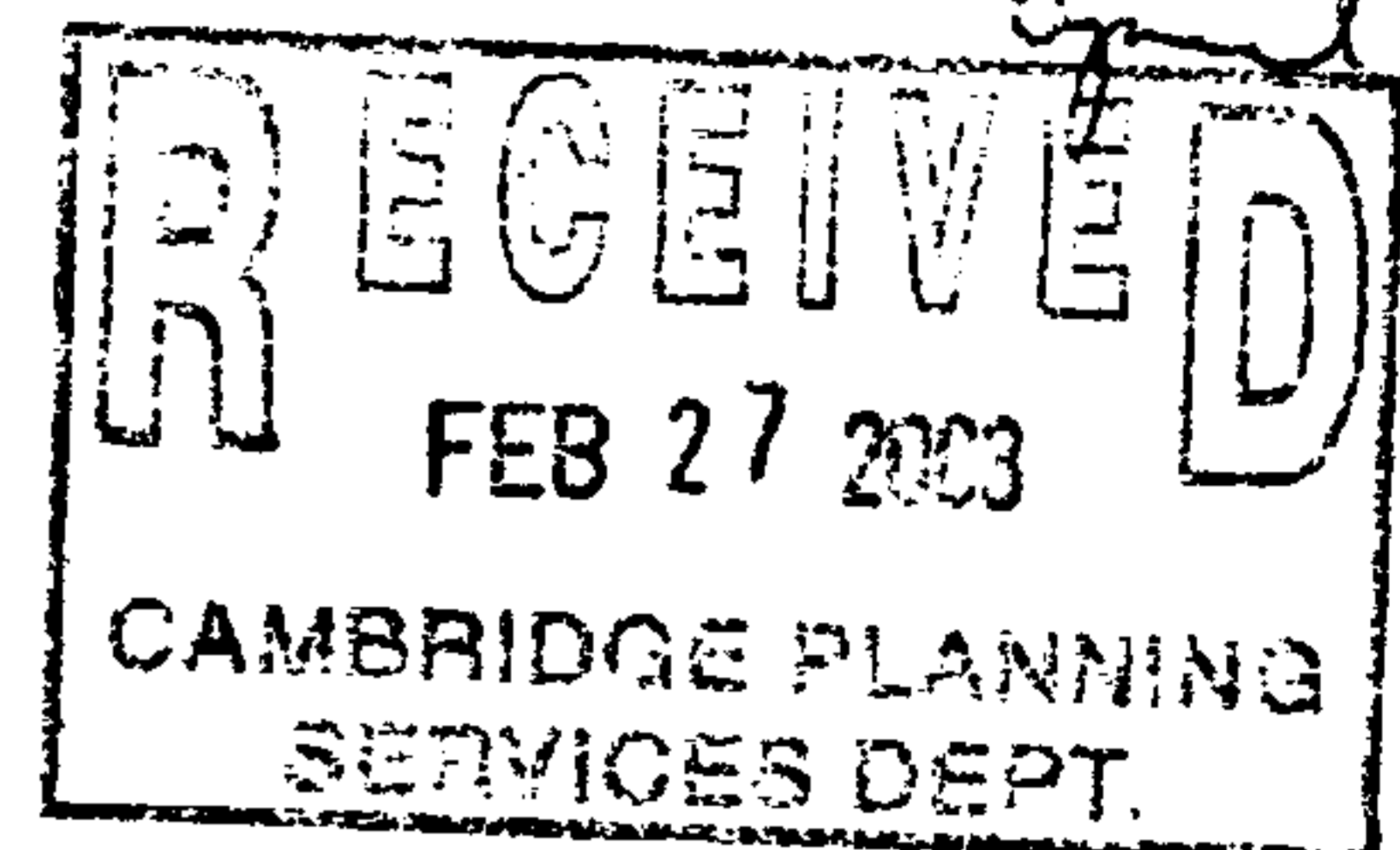
Dear Ms. Souwand:

**Subject: Technical Review, on behalf of Hunt Club Valley Inc., of the Hespeler West
Subwatersheds Study**

APPENDIX A.7.1

Letter Re: Technical Review, on behalf of Hunt
Club Valley Inc., of the Hespeler West
Subwatersheds Study to April Souwand, City of
Cambridge from Ian Rawlings, Cumming
Cockburn Limited – February 18, 2003

February 18, 2003



Hunt Club Valley Inc., being the joint venture partnership of Arriscraft International and Starward Homes Ltd., has retained a team of consultants to review the Hespeler West Subwatersheds Study and the implications posed by the Study on their property interests. Cumming Cockburn Limited has been retained to provide general planning services and to coordinate the review of the study. ESG International Limited (ESG) has been retained to review the content of the study and the study's recommendations. Ian Seddon Planning Services has been retained to draw together the ecological opinions and planning opinions within the context of the *Aggregate Resources Act*.

Hunt Club Valley Inc. (hereinafter referred to as Hunt Club) is the owner of land in north Cambridge, along the north bank of the Speed River, between Speedsville Road and Beaverdale Road, south of Maple Grove Rd. This area of land comprises much of the downstream area of the Hespeler West Subwatersheds Study, including the lower reaches of Middle Creek.

We are concerned that the subwatershed study does not recognize existing approved resource use and land use allocations on the Hunt Club lands. On the southern area of these lands, abutting the Speed River Wetland Complex, is a Category 3 Class A aggregate operation licensed under the *Aggregate Resources Act*. This area was first licensed under the *Pits and Quarries Act* in 1971-72. On the northern portion of the Hunt Club lands, abutting Speedsville Road is another Category 3 Class A licensed aggregate operation, approved and licensed in 2000. These licenses are both issued in the name of Arriscraft International Inc.

Hunt Club also has an approved draft plan of subdivision that affects the lands north of the Speed River between Speedville Road and Beaverdale Road. The easterly areas of this plan are now

developed, with the balance of the subdivision lands to be developed as an after-use once aggregate extraction and site rehabilitation has been concluded by Arriscraft.

The Hespeler West Subwatersheds Study fails to recognize these existing, approved, land use and resource use allocations. It is our submission that it is these existing approvals which will determine what natural areas will remain on the Hunt Club lands.

Implications of the Existing Aggregate Operations

As indicated above, there are two existing aggregate operations on the Hunt Club properties. Under the *Aggregate Resources Act*, all activities within these licensed areas are governed by the terms of the licenses, the site plans and the operating standards prescribed by the regulations under the Act. Where approved aggregate licences exist, the province gives priority to the resource value of the licensed aggregate resource – subsequent identifications of other resource values are of lesser priority. In this context, none of the recommendations in the Hespeler West Subwatersheds Study can be implemented on these licensed properties.

During the processing of the license for the lands located north and west of Briardean, several wooded areas were identified on the license site plans where extraction was not to take place. These same areas have been identified in the Subwatershed Study for inclusion in the Maple Grove Wetland Complex. Although these pockets of vegetation will remain after extraction is completed in the licensed areas, the ecological conditions of the lands surrounding those pockets will be altered. The Subwatershed Study should have recognized this reality and the Study's recommendations should have been based on this recognition.

There is also a larger area of vegetation located east of the manufacturing plant. This vegetated area is licensed for extraction, and extraction will take place in accordance with the license site plans. This natural area will clearly be altered from its current state. At this point, it is not known the extent of the alterations which will take place, so we are not able to predict what portions, if any, of this feature will remain.

Given the facts associated with the licensed extraction operations noted above, it would be prudent to amend the Subwatershed Study to show the natural areas on the Hunt Club lands, but without any identified or implied status – noting that it is expected, subsequent to extraction operations and rehabilitation of the licences, the natural areas will be altered.

The City must recognize, and the public must understand that, on the Hunt Club lands, the priority has already been assigned to the aggregate resource through the licensing of these lands under the *Aggregate Resources Act*.

Technical Comments about the Hespeler West Subwatersheds Study

ESG has undertaken a winter field assessment of the site and has combined this with a review of background information on, and adjacent to, the Hunt Club lands. This site-specific information enables ESG to confidently provide a technical review of the findings and analyses presented in the subwatershed report.

The most significant concerns relate to the interpretation of landscape features on the Hunt Club lands, the rationale and Implementation Strategy for the recommended Greenspace Management Plan, and the suggested removal of the on-line pond on Middle Creek. Following, is our discussion of each of these items.

1) Identification of Natural Heritage Features

The biological inventories conducted by Dougan and Associates appear comprehensive and the ESG field survey identified similar natural features on the subject lands: namely the presence of pockets of deciduous swamp both immediately north and south of Briardean Road, as well as the larger block of wooded swamp in the central portion of the Hunt Club lands. We do not take issue with the delineation of these wetland features, although we do question their impending status as Provincially Significant Wetland.

We recognize that the MNR has just recently reclassified the Maple Grove Wetland Complex and we understand that the scoring of the wetland evaluation is in the 700s. We have requested a copy of the evaluation from the MNR once it is finalized. We understand from our discussions with MNR that the wetland score is based on the entire complex, so individual components of the wetland will have a greater or lesser influence on the overall function of the wetland. In meeting the test for 'provincially significant wetland' (PSW) status, we note that MNR recommends a size requirement of 0.5 ha for each individual wetland pocket. In reviewing the site-specific data in Appendix J6 for each of three pockets around Briardean Road, we note that each is less than 0.5 ha. This is not to imply that small pockets, such as these, could not be included in a PSW complex, but rather, there would need to be a compelling technical argument for their inclusion. Given the present quality of these small swamp areas, and the anticipated changes which will occur to the landscape surrounding them as extraction continues we do not believe the technical argument can be made for inclusion of these areas within the proposed PSW.

The protocols for wetland complexing (as stated in the *Ontario Wetland Evaluation System – Southern Manual*) recommend that the wetland areas all be contained within a single catchment. We note the proposed Maple Grove wetland complex (as depicted in Figure B 8.3.2) includes wetland elements that extend across four drainage catchments. They are East Creek, Middle Creek, a small area of local drainage from the Hunt Club lands south to the Speed River, and a small wetland area in the northwest, adjacent to Fountain Street, which is even outside the entire Hespeler West subwatershed boundary. Even the Hespeler West Subwatersheds Study describes the East, Middle, and West Creeks as separate subwatersheds. Based upon our experiences

elsewhere, and using a reasonable application of MNR's complexing protocols, we suggest that the inclusion of all the wetland pockets within one large Maple Grove Wetland Complex is not appropriate.

At page B-91 of the study, it is stated that the Maple Grove Wetland was formerly identified as a Locally Significant Wetland. We believe that for some of the smaller wetland areas, in particular the three pockets around Briardean Road, "Locally Significant" is the more appropriate designation.

While we recognize the above are technical issues that will require further discussion with the MNR, we are also aware that the draft report strongly urges that all High Constraint areas identified in the subwatershed plan (primarily comprised of the Maple Grove and Speed River wetland complexes) should be enshrined within the City of Cambridge Official Plan and the Community Planning process. At this time, given what we believe are legitimate technical questions regarding the present and future quality of the three wetland features described above, we respectfully request that these areas not be depicted as PSW at this time.

2) Rationale for the Greenspace Management Plan

We recognize that one of the key products of a subwatershed study is the formulation of a Greenspace Management Plan that attempts to link natural areas through enhancement and restoration opportunities. This is a laudable goal and we support the notion that these opportunities be proposed early in the planning process. However, one of the important elements of an effective subwatershed plan lies in the Implementation Strategy which must address, amongst other issues; the realities of land ownership within the subwatershed, prior land use approvals, and a technical rationale for the desired greenspace system.

The proposed Greenspace Management Plan identifies two areas of greenspace through the Hunt Club lands; one through approved and licensed areas of active extraction extending northwest past Briardean Road, and the second as part of a proposed 200m to 300 m wide corridor along Middle Creek. We address each of these below.

2a) West Greenspace Link through Areas Licensed under the *Aggregate Resources Act*

We have two fundamental concerns regarding this element of the proposed greenspace system: firstly, it ignores the extraction approvals in place for the Hunt Club lands; and secondly, we do not believe this area merits inclusion in the greenspace system based on technical reasons.

As alluded to above, the Implementation Strategy should have addressed the existence of the aggregate licenses within the Hespeler West study and factored their existence into the formulation of a proposed greenspace system. We note that in section B 7.0, there is a good discussion of the Agricultural and Rural Resources within the subwatersheds and Figure B 7.4.1 shows the sod farming areas currently in operation. Ideally, a subsequent section is required

discussing other resource issues such as approved aggregate extraction. In our view, this information should have been an important factor in considering the formulation of a greenspace system.

In terms of the technical merits of identifying a greenspace link through the Hunt Club lands, we believe we have legitimate questions regarding the present and future quality and integrity of the wetland pockets.

As now acknowledged through our recent discussion with the MNR, the large wetland block within the Hunt Club lands south of Briardean Road is licensed for extraction and, while Arriscraft has agreed to preserve as much of this area as possible, there is no question that some alteration of this feature will occur over the next several years as extraction continues in accordance with the license requirements.

The two wetland pockets immediately north and south of Briardean Road, as well as the small pocket north of Briardean Road and adjacent to Speedsville Road have been, and will continue to be altered by extraction activity. While Figure B 8.3.1 in the report depicts the land north of Briardean as “agriculture”, we suggest that it would have been more appropriate to recognize the existing licensed area by depicting this as “anthropogenic”, as was done for the other Hunt Club lands to the south of Briardean Road and for other industrial lands within the subwatersheds. There is now an active haul road that has been constructed north from Briardean Road to access the extraction areas in the middle of the site. The road curves between the two wetland pockets and the hydrology of the site will now be altered as a large volume of fill was needed to bring the road up to grade. Site preparation and initial extraction activities have begun and the fragmentation of these wetland features will only increase as extraction activities intensify in the coming years. These wetland pockets, though within the area licensed under the *Aggregate Resources Act*, have not been included within the extraction area. Therefore, extraction activities will not physically impinge on these wetland pockets, but there will be some change to these features over time as the surrounding landscape is altered. There is no rationale for including these pockets as ‘anchors’ in a proposed greenspace system when this reality is taken into consideration.

As a final comment on this issue, we have compared Figures C 1.2.1 (Conceptual Watershed Linkage and Enhancement Areas) and C 3.3.1 (Greenspace Management Strategy) and note that in the vicinity of the Hunt Club lands, the Watershed Linkage and Enhancement figure only portrays Middle Creek as a “primary linkage opportunity”. We support the notion that, of the two areas described above, the greatest ecological benefits would accrue from restoration and enhancement opportunities on the Middle Creek.

2b) Extensive Corridor along Middle Creek

The study recommends creating a 200 m – 300 m wide corridor extending up the Middle Creek. Corridors this wide, where feasible, have a higher probability of providing a full range of corridor

functions. We have no significant disagreement with the findings regarding the poor conditions of the creek and the suggestion that some restoration and enhancement of this corridor would be beneficial. But, a 200 m to 300 m corridor width is not achievable given the existing patterns of development and the existence of the licensed aggregate extraction operation.

This area will never be important for interior bird species given the existing surrounding land use patterns. Developed areas are already very close to the Middle Creek corridor. Interior forest habitats cannot be achieved within this corridor. The best opportunity for enhancement will be for aquatic fauna and far less so for terrestrial and avian fauna. This is one reason for our belief that there is no technical or scientific rationale for identifying a corridor this extensive.

To our knowledge, the designations of High Constraint, the blanket requirements for minimum buffers, and the proposals for creation of broad terrestrial corridors contained in the Subwatershed Study, are all inconsistent with the requirements placed upon other urbanizing areas within the Cambridge area, and are not in keeping with the planning requirements of other municipalities within southern Ontario. Should the City wish to identify extra lands for public use beyond what is technically required, this should only occur where prior agreement of the landowner has been reached.

We note that of the 22 pages contained within Section D, "Subwatershed Management Strategy", only one sentence on page D-16 offers any advice regarding possible funding for the Greenspace Management Strategy. It suggests that "Funding and implementation of the Greenspace Strategy may be possible through the Development Charges process". We do not agree that the Development Charges Act offers this opportunity, and quite the contrary, believe that the Act is very specific in preventing municipalities from establishing new levels of service beyond the existing and historic.

3) Proposed Removal of the On-line Pond on Middle Creek

Hunt Club Valley Inc. is obviously concerned about the prospect of full removal of this pond. While we acknowledge that on-line facilities are not desirable provided other options are available, the fact is that this pond was built with the full approval of the appropriate agencies, and recently underwent an upgrade at the request of the Conservation Authority.

In terms of implementation of this option, we are pleased to note that its ranking in the Aquatic Options Summary was quite low (i.e., this option ranked #13 of 13 options considered). This suggests that the likelihood of any alterations being recommended for this pond is extremely small.

Conclusions

The *Aggregate Resources Act* requires that licensed areas on the Hunt Club properties be extracted according to the approved licences and site plans. These provisions of the *Aggregate Resources Act* prevail over municipal designations and zoning provisions (see Section 66 of the Act).

The Regional Official Plan Policies require area municipalities to ensure that appropriate zoning is maintained to recognize licensed mineral extraction operations as a permitted use (see Section 5.3.4). The

Provincial Policy Statement requires the City to apply planning decisions that respond to matters of provincial interest. On the Hunt Club lands, regard must first be given to the approved provincial interest that exists through licensing under the *Aggregate Resources Act*.

Hunt Club Valley Inc. intends to react to the identification of natural areas on its lands in an environmentally reasonable way according to the approvals that are already in place. Therefore, we suggest the Hespeler West Subwatersheds Study should be amended as follows:

1. The licensed areas should be outlined on all figures;
2. While it is appropriate to show the natural areas and wetland pockets that exist, it is inappropriate to apply any status to those areas that are within the licensed properties. The wetland pockets within the licensed properties should not be included as part of the Maple Grove Wetland Complex since the ecological functions surrounding these pockets will be altered as approved extraction activities continue. As a result, the condition of these pockets will change from what presently exists;
3. The study should note enhanced linkage opportunities on Middle Creek should only be determined subsequent to the completion of aggregate extraction. A 200 m to 300 m wide enhanced linkage opportunity is not feasible, nor technically justified given existing and probable future conditions.
4. Recommendations regarding the approved on-line pond should be removed.

On behalf of our client, Hunt Club Valley Inc., we appreciate the opportunity to make this submission. If you have any questions, or should you wish to discuss any of the issues raised in more detail, please contact Ian Rawlings. If you feel it would be helpful, any or all of us would be pleased to meet with you to provide any further assistance.

Yours truly,



Ian F. Rawlings
Cumming Cockburn Limited



Rick Hubbard
ESG International Limited



Ian Seddon, MCP, RPP
Ian Seddon Planning Services

Ian Seddon Planning Services
Professional Land Use Planning, Planning Approvals
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London, Ontario
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APPENDIX A.7.2

Letter Re: Correspondence from Ian Thornton,
MNR, Guelph District Office titled "Clarification
of Provincially Significant Wetland on Arriscraft
Lands" (dated February 25, 2003) to April
Souwand, City of Cambridge from Ian Seddon, Ian
Seddon Planning Services dated February 27, 2003

February 27, 2003

File: 2002-12

April Souwand, Senior Environmental Planner
Planning and Development Department
City of Cambridge
P.O. Box 669, 73 Water Street North
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Ward Campbell
Starward Homes
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Ancaster, Ontario L9G 3K9

Craig Selby, District Manager
Guelph District Office
Ministry of Natural Resources
1 Stone Road West
Guelph, Ontario, N1G 4Y2

Randy White, President
Arriscraft International Inc.
P.O. Box 3190, 875 Speedville Road
Cambridge, Ontario N3H 4S8

Ian F. Rawlings
Cumming Cockburn Limited
180 King Street South
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Waterloo, Ontario N2J 1P8

Stuart Thatcher, Senior Policy Advisor, Aggregates
Aggregate & Petroleum Resources Section
Ministry of Natural Resources
P.O. Box 7000, 300 Water Street
Peterborough, Ontario, K9J 8M5

Subject: Correspondence from Ian Thornton, MNR, Guelph District Office titled "Clarification of Provincially Significant Wetland on Arriscraft Lands" (dated February 25, 2003)

Please find attached the exchange of correspondence, sent by e-mail earlier today, between Ian Thornton, District Planner, Guelph District Office, Ministry of Natural Resources, and myself.

I am sending this correspondence to each of you for your information. It was my understanding that the MNR was going to comment directly to April Souwand, City of Cambridge, regarding the issues arising on the Hunt Club Valley Inc lands with the release for public comment of the *Hespeler West Subwatersheds Study*. The issues relate primarily to the fact that provincial wetland policies should not be applied retroactively to areas already licenced under the *Aggregate Resources Act*.

While Mr. Thornton's letter is appreciated, there are some comments within his letter that require clarification – and that is the purpose of my reply to him.

Mr. Ian Rawlings of Cumming Cockburn Limited is Hunt Club Valley Inc.'s lead consultant in this matter. May I suggest that further correspondence should be directed through him?

Yours truly


Ian Seddon, MCIP, RPP

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E-mail: ian.seddon@sympatico.ca

c.c. Diane Schwier, MNR, Guelph

Ian Seddon Planning Services

Professional Land Use Planning, Planning Approvals
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February 27, 2003

File: 2002-12

Ian Thornton, District Planner
Ministry of Natural Resources
Guelph District
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Dear Mr. Thornton:

Subject: Your letter: "Clarification of Provincially Significant Wetland on Arriscraft Lands"

Thank you for your letter of February 25, 2003. Though the licences are held by Arriscraft International, the overall planning for the lands under discussion is being undertaken by Hunt Club Valley Inc., which is a joint venture partnership of Arriscraft International and Starward Homes Ltd.

There are four points for clarification that I would like to address with you:

Your first bullet point: We agreed, at our joint February 4th meeting, that MNR would clearly establish the wetland policy can't be applied retroactively to the areas licenced under the *Aggregate Resources Act* (the Act).

Your comment, "In this particular case, natural heritage considerations as set out in the Aggregate Resources of Ontario Provincial Standards cannot be applied retroactive to a license already granted under the ARA" is unclear. The site plans for Licence #46162 were prepared according to the "Aggregate Resources of Ontario Provincial Standards" (the Standards) and these site plans exclude several small pockets of natural area, subsequently identified in the *Hespeler West Subwatersheds Study*, from the areas to be extracted. The site plans for Licence #5537 (near the Speed River) predate the Bill 52 version of the Act that established the Standards. Therefore, operationally only Part 5.0 of the Standards, "Operational Standards that Apply to Licences" are relevant to Licence #5537.

The Standards do not address identifications of wetlands, other than requiring that technical reports supporting new licence applications must determine whether features, such as wetlands, exist within a site to be licenced (and/or within 120 metres of the site). The approved, licenced operations will determine what natural areas will remain on the Hunt Club Valley Inc. lands. I believe your comment would be clear if worded, "In this particular case, natural heritage considerations as set out in the Hespeler West Subwatersheds Study cannot be applied retroactive to a license already granted under the ARA."

Your fourth bullet point: Though we agreed, at our joint February 4th meeting, that the subwatershed study

Continued

To Ian Thornton, MNR
February 27, 2003
Page 2

should identify the existing natural features, neither the *Hespeler West Subwatersheds Study* nor the Ministry of Natural Resources (MNR) have the authority to designate an area as a significant wetland. MNR has the provincial responsibility for confirming the identification of wetlands. Any recommendation to designate a provincially significant wetland within the licenced areas would contradict the existing policies of the Regional Official Policies Plan, Regional Municipality of Waterloo, and the Official Plan, City of Cambridge. Both these planning documents contain policies that protect aggregate resources, and in particular, designated and licenced resources, for extraction purposes.

Your second bullet point: There is no technical nor engineering evidence to support your opinion that the engineers who prepared the existing site plans did so inaccurately. Possible explanations may include: the existence of water on the surface of the ground does not necessarily mean that the water table is at surface; and/or, site conditions may have changed since the preparation of the site plans.

Your third bullet point: The licensee agreed, at the February 4th meeting with MNR, that any additional work would be limited to that required to ensure extraction operations comply with the terms of the licence, the site plans and with the operational standards. It was in this context that it was noted test pits would be dug before extraction advanced into a new area, within the defined extraction areas, to ensure the site plan note, regarding no extraction below the water table, can be properly observed and implemented.

In addition to those you shared our correspondence with, I have forwarded your correspondence, and this reply, to the principals involved with the aggregate extraction and subsequent planning on the Hunt Club Valley Inc. lands.

Yours truly,



Ian Seddon, MCIP, RPP

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Facsimile: (519) 473-8334
E-mail: ian.seddon@sympatico.ca

c.c. Randy White, President, Arriscraft International, Cambridge
Ward Campbell, Starward Homes, Ancaster
Ian Rawlings, Cumming Cockburn Limited, Waterloo
April Souwand, Planner, City of Cambridge
Craig Selby, District Manager, Guelph District, MNR
Diane Schwier, Guelph District, MNR
Stuart Thatcher, Aggregate & Petroleum Section, MNR, Peterborough

February 25, 2003

Mr. Ian Seddon
Ian Seddon Planning Services
138 Chalet Crescent
London, ON
N6K 3C6

RE: **Clarification of Provincially Significant Wetland on Arriscraft Lands**

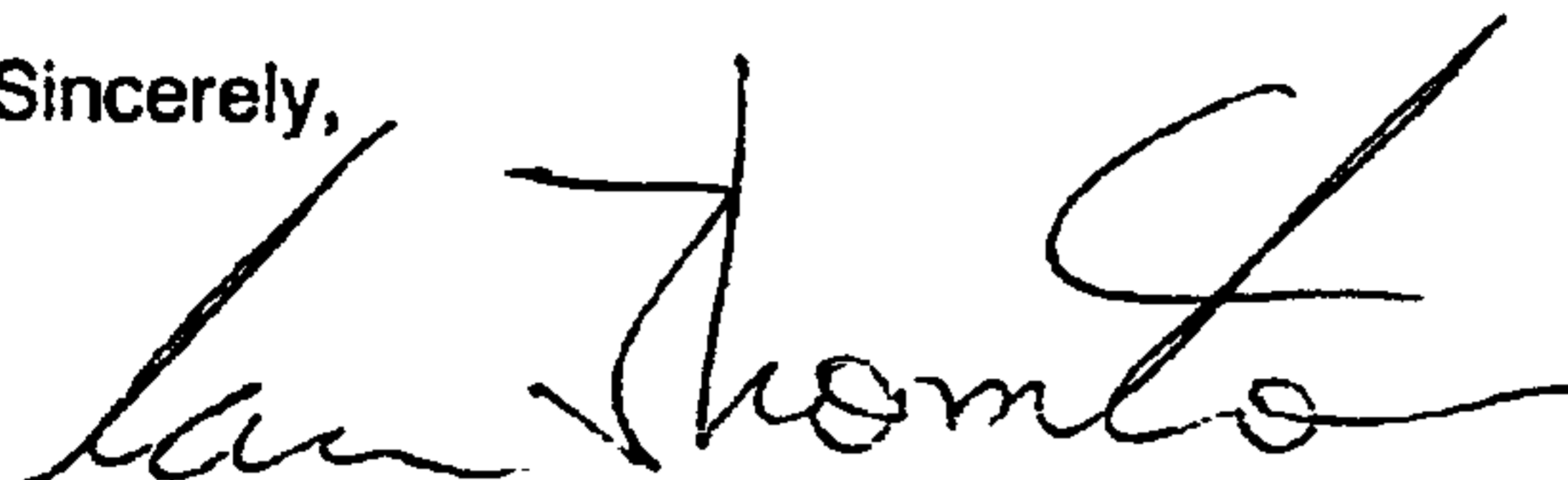
Dear Mr. Seddon:

Thank you for taking the time to meet with us on February 4, 2003 to clarify our respective interests regarding the provincially significant wetland on Arriscraft Lands in the City of Cambridge licensed under the Aggregate Resources Act. Further to the meeting, and the minutes we received from you on February 6, we offer the following points to confirm our position:

- Arriscraft International, as the holder of the license provided under the Aggregate Resources Act (ARA), can extract the resource according to the established site plan and license conditions. In this particular case, natural heritage considerations as set out in the Aggregate Resources of Ontario Provincial Standards cannot be applied retroactively to a license already granted under the ARA.
- ARA License #5537 held by Arriscraft, which encompasses the wetland of interest, limits extraction to within 1 meter of the water table. The existence of the wetland in the east-central portion of the licensed area leads us to believe that the groundwater information provided as part of the license application may not have accurately established the water table in this vicinity.
- Arriscraft has agreed that once the focus of operations shifts from the licensed area in the north (License #46162), to the area under License #5537, additional work will be undertaken by Arriscraft to confirm the water table and the limits of the area that might constrain extraction due to a shallow watertable.
- Since the wetland in the east-central portion of the area under License #5537 has been confirmed by our staff as a Provincially Significant Wetland, its designation within the *Hespeler West Subwatershed Study* should remain so.
- We acknowledge that Arriscraft International is interested in undertaking its operations in an environmentally sound manner and is willing to recognize the importance of the wetland and work with the ministry to protect as much of the wetland area as possible.

Thank you again for taking the time to meet with us. Should you have any questions concerning the above, please contact me at the number below.

Sincerely,

A handwritten signature in black ink, appearing to read "Ian Thornton". The signature is fluid and cursive, with a large initial "I" and "T".

Ian Thornton
District Planner

Phone: (519) 826-4912

Fax: (519) 826-4929

Cc: April Souwand, Planner, City of Cambridge
Craig Selby, District Manager, Guelph District, MNR
Diane Schwier, Guelph District, MNR
Stuart Thatcher, Aggregate & Petroleum Resource Section, MNR, Peterborough

**Ministry of
Natural Resources**

**Ministère des
Richesses naturelles**

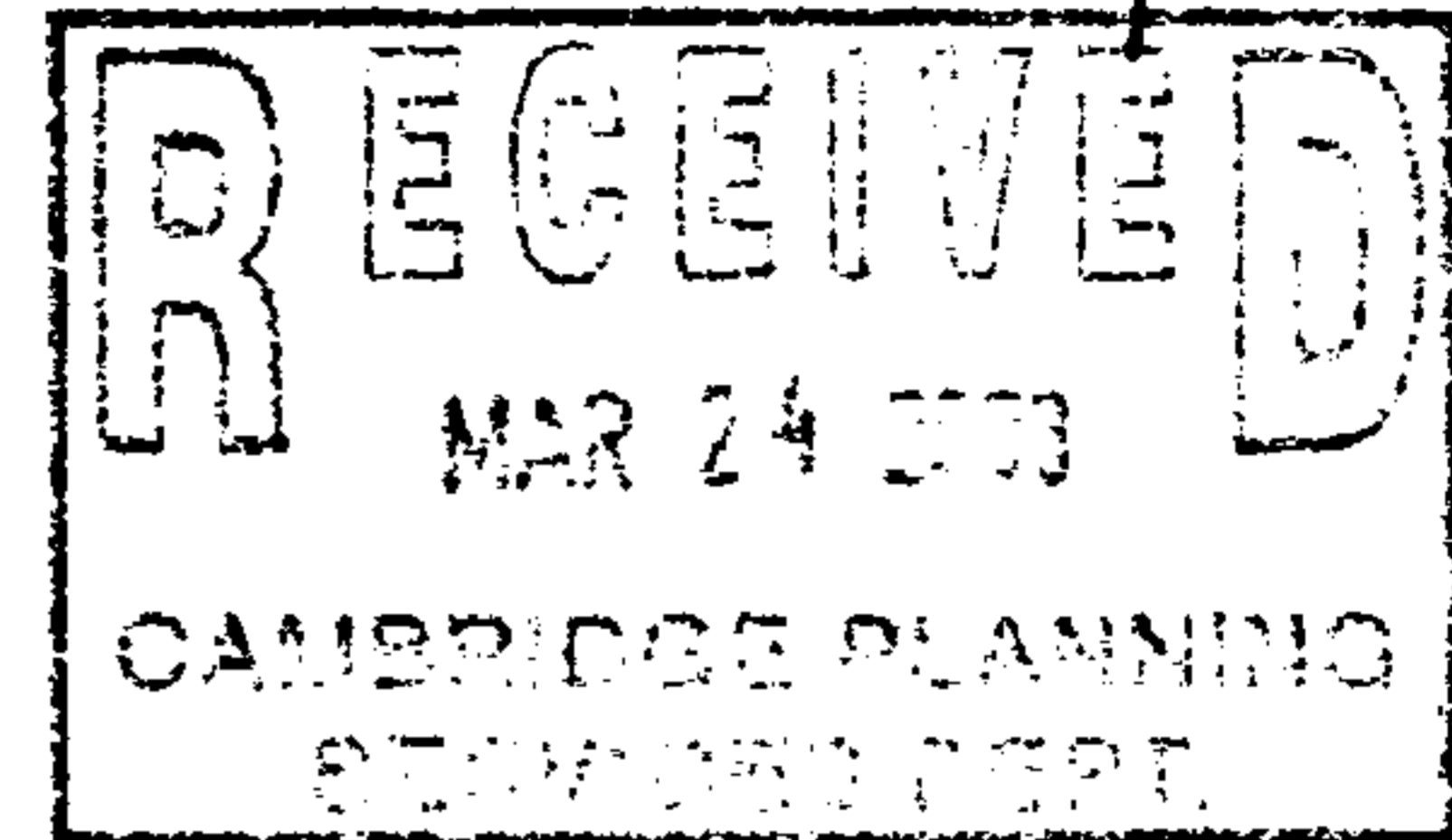


Guelph District
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March 21, 2003

Ms. April Souwand
Senior Environmental Planner
City of Cambridge, Planning Services Department
P. O. Box 669, 73 Water Street N.
Cambridge, ON N1R 5W8



RE: Clarification of Provincially Significant Wetland on Arriscraft Lands

Dear Ms. Souwand:

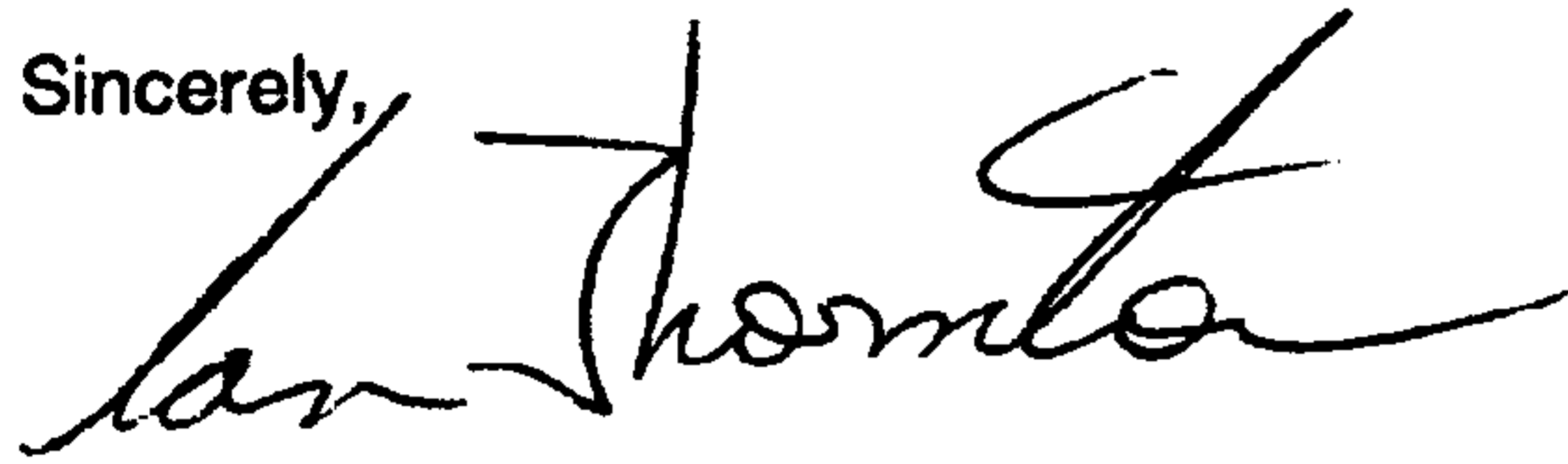
On February 4, 2003, staff from our office met with the owner and consultants of the Arriscraft properties in the City of Cambridge that are licensed under the Aggregate Resources Act (ARA). The purpose of our meeting was to clarify our respective interests regarding provincially significant wetlands on the Arriscraft lands and to clarify the rights of the holder of the aggregate license. This letter is to advise the City of Cambridge of the Ministry's position on this matter, which is as follows:

- Arriscraft International, as the holder of the license provided under the Aggregate Resources Act (ARA), can extract the resource according to the established site plan and license conditions. In this particular case, consideration of natural heritage policies, including the wetlands policies, as set out in the Aggregate Resources of Ontario Provincial Standards, cannot be applied retroactively to a license already granted under the ARA.
- ARA License #5537 held by Arriscraft, which encompasses the wetland of interest, limits extraction to within 1 meter of the water table. The existence of the wetland in the east-central portion of the licensed area leads us to believe that the groundwater information provided as part of the license application may not have accurately established the water table in this vicinity.
- Arriscraft has agreed that once the focus of operations shifts from the licensed area in the north (License #46162), to the area under License #5537, additional work will be undertaken by Arriscraft to confirm the water table and the limits of the area that might constrain extraction due to a shallow watertable.
- Since the wetland in the east-central portion of the area under License #5537 has been confirmed by our staff as a Provincially Significant Wetland, its identification within the *Hespeler West Subwatershed Study* should remain so.

- We acknowledge that Arriscraft International is interested in undertaking its operations in an environmentally sound manner and is willing to recognize the importance of the wetland and work with the ministry to protect as much of the wetland area as possible.

Should you have any questions concerning the above, please contact me at the number below.

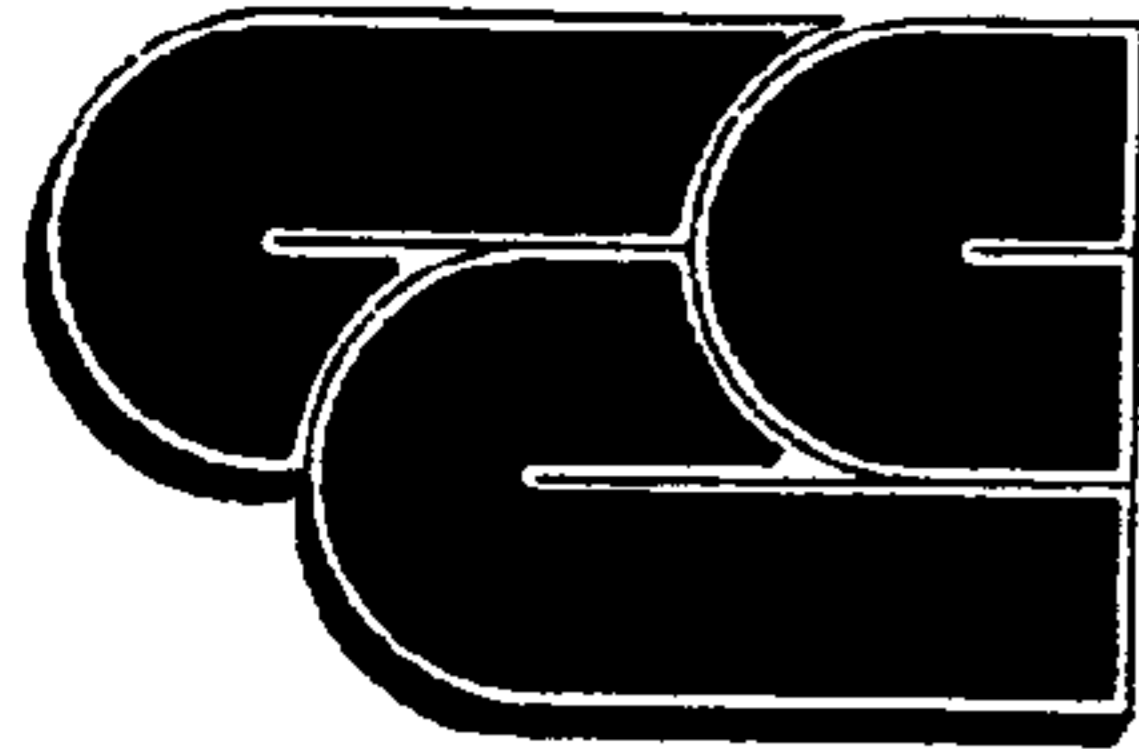
Sincerely,

A handwritten signature in black ink that reads "Ian Thornton". The signature is written in a cursive, flowing style.

Ian Thornton
District Planner

Phone: (519) 826-4912
Fax: (519) 826-4929

Cc: Ian Seddon, Ian Seddon Planning Services
Craig Selby, District Manager, Guelph District, MNR
Diane Schwier, Guelph District, MNR
Ken Cornelisse, Guelph District, MNR



The Corporation
of the City
of Cambridge

APPENDIX A.7.4

Letter Re: Hespeler West Subwatersheds Study
Technical Review on behalf of Hunt Club
Valley Inc. to Ian F. Rawlings, Cumming
Cockburn Limited from April Souwand, City of
Cambridge, dated March 26, 2003

Telephone:(519) 740-4650 Ext 4576
Fax Number:(519) 622-6184
E-Mail:wrightw@city.cambridge.on.ca
File Number: D03.01.09

March 26, 2003

Cumming Cockburn Limited
Consulting Engineers, Planners and Environmental Scientists
180 King St. S., Suite 140
Waterloo, Ontario N2J 1P8
ATTN: Ian F. Rawlings

Dear Mr. Rawlings;

**RE: Hespeler West Subwatersheds Study Technical Review on behalf of Hunt
Club Valley Inc.**

Thank you for your correspondence dated February 18, 2003 providing comments on the Hespeler West Subwatersheds Study. The purpose of this correspondence is to respond to the concerns and issues you and your study team members have raised. In some cases, your comments have resulted in changes to the final subwatersheds study report, which are noted below. The response is provided in the same order and under the same headings that you used in your initial correspondence.

Implications of the Existing Aggregate Operations

The subwatersheds study will be edited to recognize the two existing aggregate operations on the Hunt Club properties. Text will be added to recognize this rural resource in Section B of the report, and key figures will show the boundary of extraction for both pits, as provided by you. The identification of provincially significant wetlands within and around the areas under license will continue to be shown in the subwatersheds study per direction from the Ministry of Natural Resources (correspondence attached). The Greenspace Management Strategy shown on *Map 3* and *Figure C3.3.1* will be "ghosted out" within the licensed areas, with text indicating that the strategy may not be able to be fully implemented in this area due to the eventual but unknown impacts of approved aggregate operations.

Technical Comments about the Hespeler West Subwatersheds Study

1) Identification of Natural Heritage Features

The re-evaluation of the Maple Grove Wetland Complex was done by Dougan and Associates – Ecological Consultants, following direction from Ministry of Natural Resources staff with respect to complexing across subcatchments and including small wetland pockets that were previously left out. They will continue to be shown as Provincially Significant Wetland in the final subwatersheds study report.

2) Rationale for the Greenspace Management Plan

2a) West Greenspace Link through Areas Licensed under the *Aggregate Resources Act*

The Greenspace Management Plan will be edited to address the existence of the approved aggregate licenses as outlined above. *Section B7.0* will have a discussion about aggregate resources and approved pits added to it and *Figure B7.4.1* will have the boundaries of extraction shown on it, as you have suggested. As you have indicated, it is difficult to predict the future quality and integrity of the wetland pockets in the face of alterations to the surrounding landscape as a result of the aggregate operations. In light of this uncertainty, the Greenspace Management Plan will be “ghosted out” in the area and an explanatory note added to the figures.

2b) Extensive Corridor along Middle Creek

The 200 to 300 metre wide natural corridor along Middle Creek is a goal of the Greenspace Management Strategy. Our consultants recommend that it is needed to sustain current levels of landscape connectivity that exist in the rural portions of the subwatersheds. The retrofit of existing corridors with substantial additional habitat and buffering will be needed to balance conversion of the surrounding agricultural matrix to urban uses. Habitat for interior bird species is only one rationale for identifying an extensive corridor. The goal is to ensure an adequate future corridor to sustain existing species and habitats, and ensure the movement of plant and wildlife species through the landscape.

The identification of high constraint areas, minimum buffers and terrestrial corridors has been done in the South-East Galt area of the City within the Moffat Creek Subwatershed Study and in the North Hespeler area of the City within the Forbes Creek Subwatershed Study. This has been done in the spirit of the Provincial Policy Statement which directs among other things, in *Section 2.3.3* that, “The diversity of natural features in an area, and the natural connections between them should be maintained, and improved where possible.” The actual mechanics of how these environmental recommendations of the subwatersheds study will be implemented will be negotiated and accomplished at the Community Plan and draft plan of subdivision stages of development review and approval.

3) Proposed Removal of the On-line Pond on Middle Creek

As you have indicated, on-line ponds are not environmentally desirable, provided other options are available. For the purposes of the subwatershed study, which is environmentally based, the recommendation to remove on-line ponds as the last priority in the Aquatic Rehabilitation Strategy will remain. However, any initiative to act on this recommendation would be undertaken with full community and agency consultation to explore the social, environmental and fiscal costs and benefits. The subwatershed study will be edited to reflect this requirement for full consultation

As a participant in the Hespeler West Subwatersheds Study, you will be informed of the date that Cambridge Council will consider final approval of the subwatersheds study and the commencement of the Community Plan. This is tentatively scheduled to go before the General Committee of Council on Monday, April 28, 2003 at 7 pm. You will receive a copy of the staff report and notice of the meeting by mail prior to the meeting.

Thank you for your interest in the study and your input to date.

Yours truly,



Wendy Wright, M.A., M.C.I.P.
Commissioner of Planning Services

cc. Ken Cornelisse, MNR

Attach.



The Corporation
of the City
of Cambridge

APPENDIX A.7.5

Information Report PI-24-04 – Arriscraft
International Inc. Revision to Aggregate
Extraction License No. 46162, Briardean
Road, dated March 3, 2004

Subject:

ARRISCRAFT INTERNATIONAL INC.,
REVISION TO AGGREGATE EXTRACTION LICENSE NO. 46162,
BRIARDEAN ROAD

Prepared by: Jim Kirchin

Ward: 1

Department: Planning Services

File No.: R11/98/JK

Date to Management Committee: March 3, 2004

Report No: PI-24-04

Date to Council: March 3, 2004

In 1999, Council approved an application by Arriscraft International Inc. to permit the extraction of sand from a site on the north side of Briardean Road, east of Speedville Road. As a condition of that approval, Council asked the Ministry of Natural Resources to include a condition on the License issued under the Aggregate Resources Act to specifically require the applicant to extract the maximum amount of material from the site each year in order to reduce the duration of the extraction operation. At that time, 100,000 tonnes per year was the maximum and that notation is included on the license. Arriscraft has advised the City of Cambridge that they have applied to the Ministry of Natural Resources to increase the extraction limit by 30 percent to 130,000 tonnes for 2004 permitted to coincide with the current demand for their masonry products and request that any comments be forwarded to the MNR within 30 days.

In keeping with the original decision to maximize extraction in order to limit the life of the operation, Planning staff will write to the Ministry advising that the City of Cambridge has no concerns with this request. It will be noted that all other conditions will continue to apply (i.e. hours and months of operation, etc.).

ARRISCRAFT
INTERNATIONAL
STONE • LIMESTONE • MARBLE • BRICK

P.O. Box 3190
875 Speedsville Road
Cambridge, Ontario
Canada N3H 4S3
Tel: 519-653-3275
Fax: 519-653-1337
E-Mail: solutions@arriscraft.com

TOLL FREE WITHIN CANADA & USA
1-800-265-8123

WEB - <http://www.arriscraft.com>

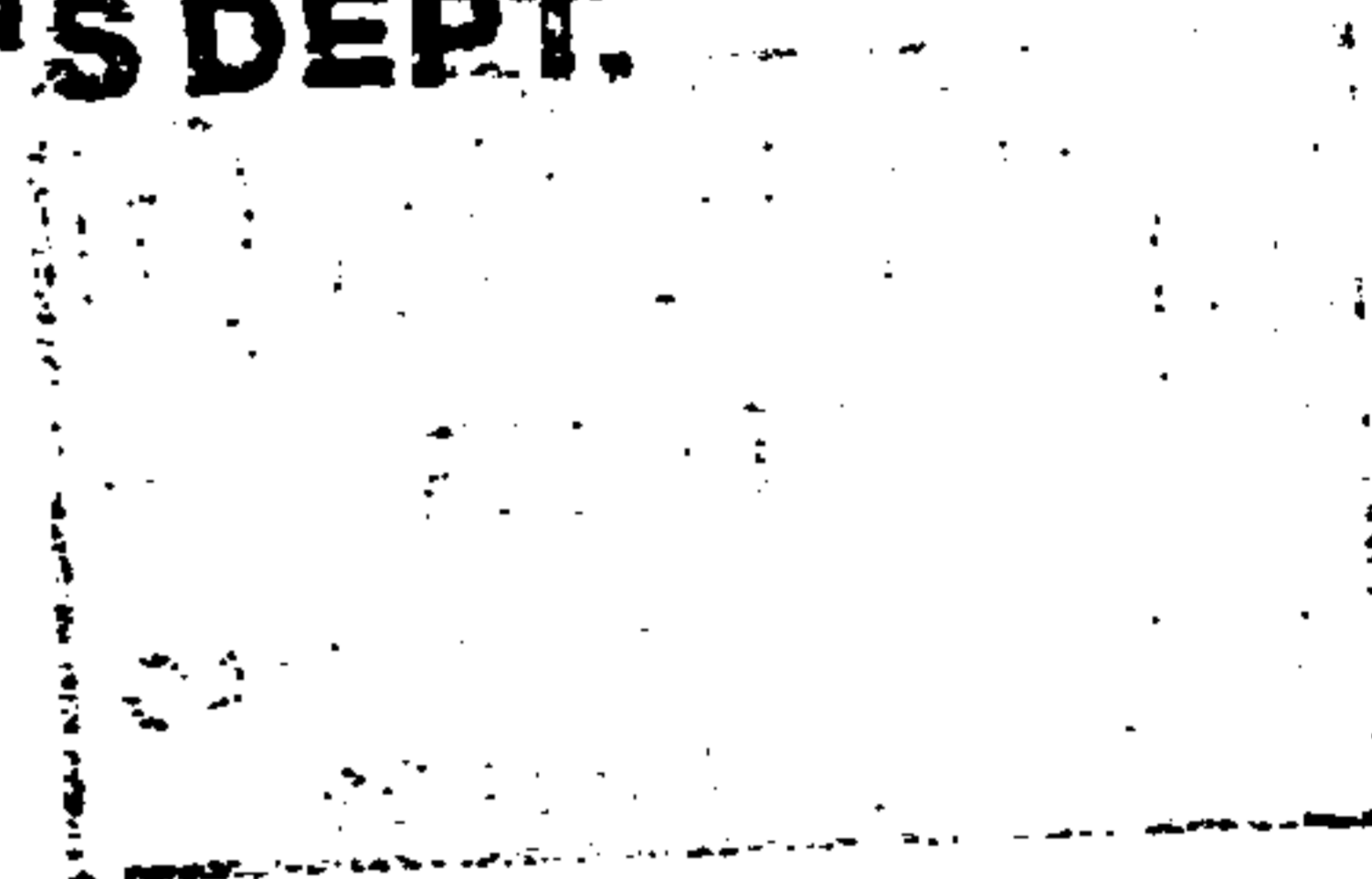
R 11/98/IK

February 18, 2004

City of Cambridge
73 Water Street North
Cambridge, Ontario
N1R 7L6

RECEIVED
FEB 24 2004

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CLERK'S DEPT.



Dear Sirs;

This letter will notify the City of Cambridge that Arriscraft International has requested the Ministry of Natural Resources to increase our extraction limit on licence # 46162 from 100,000 tonnes to 130,000 tonnes for 2004. This change is required to satisfy the increased demand for our masonry products which are manufactured at our facility in Cambridge. We are making plans to increase our output by 30% for 2004. This will necessitate similar increases in manpower and raw material.

The Ministry of Natural Resources has asked Arriscraft International to inform you of this request and to have your replies sent to the address below within 30 days.

Please reply to:

Diane Schwier
Ministry of Natural Resources
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Yours truly,

Peter Schmidt P. Eng.
Vice-President, Production

/ps

