

Special Council Meeting Agenda

Special Council Meeting

Date: April 4, 2022, 7:00 P.M.

Location: Virtual Location

Members Present: Mayor L. Armstrong
Councillor A. Hallman
Councillor B. Fisher
Councillor J. Gerber
Councillor J. Pfenning

Staff Present: Chief Administrative Officer, S. Chambers
Director of Corporate Services/Treasurer P. Kelly
Director of Information and Legislative Services/Municipal Clerk
D. Mittelholtz
Director of Public Works and Engineering J. Molenhuis
Director of Development Services H. O'Krafka
Manager of Information and Legislative Services/Deputy Clerk T.
Murray

1. MOMENT OF SILENCE

2. TERRITORIAL ACKNOWLEDGEMENT

Councillor J. Pfenning read the Territorial Acknowledgement.

3. ADOPTION OF THE AGENDA

Resolution No. 2022- 90

Moved by: Councillor J. Pfenning

Seconded by: Councillor B. Fisher

THAT the Agenda as presented for Monday April 4, 2022 be adopted.

Motion Carried

4. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

4.1 Councillor C. Gordijk - Zone Change Application 11/19 Jackson Harvest Farms Ltd. / IBI Group 1894-1922 Witmer Road Report, DS-2022-03

Councillor C. Gordijk declared a conflict of interest due to a family member being an employee of the applicant for Zone Change Application 11/19.

5. REPORTS

5.1 DEVELOPMENT SERVICES

5.1.1 Zone Change Application 11/19 Jackson Harvest Farms Ltd. / IBI Group 1894-1922 Witmer Road Report, DS-2022-03

The delegations are listed in the order in which they registered. The order in which the delegations will be called upon is subject to change to accommodate the technological needs of some delegations. During the delegation portion, the delegation being called upon next will be posted on the virtual meeting screen.

Registered Delegations

- David Sisco (For the Applicant)
- David Bricker
- Robert Gebotys
- David Prong
- Christina Harnack
- Helen Schroeder
- Marilyn Hay
- Rachel Rennie
- Yvonne Fernandes
- Paula Brown
- Rory Farnan
- Ritch Stevenson
- Barbara Schumacher

- Steph Goertz
- Rod Northey
- Stefan Szczerbak
- Ingrid Rosner
- Kevin Thomason
- Mike Balkwill
- Jen Lauzon
- Susan Bryant
- Mary Deitner
- Patricia Chevalier
- Ann Dupej
- Linda Laepple
- Samantha Lernout
- Simone Philpot
- Allan Drost
- Clarke Rieck
- Lori Elash
- Jan Hallman
- Kathy Loree
- Roy Lam
- Matt Rennie
- Dorothy Wilson
- Laverne Forwell
- Kelvin Wood
- Martha Bricker
- Susan Dupej

- Howard Madill
- Joe Gowing
- Ruth Rosner
- Catherine Young
- Ralph Schroeder
- Sue and Arne Kennel
- Joyce Gmach
- Jim Paul and Linda Kress
- John Jordan
- Christine Gray

Councillor C. Gordijk declared a conflict on this item. (Councillor C. Gordijk declared a conflict of interest due to a family member being an employee of the applicant for Zone Change Application 11/19.)

The CAO provided an overview of the history of the application and the process for hearing all delegations and requested that Council reserve their debate until after hearing all delegations.

The Manager of Planning and Economic Development outlined the report.

Mr. David Sisco, Agent and Mr. Rick Esbaugh, Applicant, appeared as a delegation and provided an overview of their application. Mr. Sisco noted that they have fully reviewed the staff report and agree with the recommendation. Mr. Sisco expressed opposition to the public comments against the application, noting that all standards have been satisfied as required and conformity with Region of Waterloo and other agencies requirements has been achieved with the results being that the application meets every threshold.

Samantha Lernout appeared as a delegation, her presentation is attached as Appendix A.

Stefan Szczerback, Planscape, appeared as a delegation, his presentation is attached as Appendix B. In response to a question, he noted that an amendment to the Official Plan Policy may be

required to better review the technical studies of the application. He also noted that the potential impacts on the recycling component of the site and suggested that the applicants apply for the accessory use after an approval of the application.

Scott Manser, ORTECH, appeared as a delegation, his presentation is attached as Appendix C.

Rod Northey, Gowling WLG, appeared as a delegation, his presentation is attached as Appendix D, in response to a question, he noted that he has not seen any documentation to demonstrate conformity to the 2020 Provincial Policy Statement.

The Director of Development Services advised that all questions will be documented, and staff will provide a fulsome response to all questions raised.

Ritch Stevenson appeared as a delegation in opposition to the Hallman Pit relative to the application process of the Hallman Pit and the importance of building public trust in the process.

David Prong appeared as a delegation in opposition to the Hallman Pit relative to the risk to the ground water and wildlife habitat.

David Bricker appeared as a delegation, his written statement is attached as Appendix E.

Martha Bricker appeared as a delegation, her written statement is attached as Appendix F.

Mary Deitner appeared as a delegation in opposition to the Hallman Pit in relation to protection of the agricultural land and drinking water.

Pat Huber appeared as a delegation in opposition to the Hallman Pit in relation to the application and noted that she agreed with comments made by previous delegations.

Murray Huber appeared as a delegation in opposition to the Hallman Pit in relation to the health and safety concerns. His supporting photos are attached as Appendix G.

Lavern Forwell appeared as a delegation in opposition to the Hallman Pit in relation to the historical application approval process and previous prohibitions for access to Witmer Road.

The CAO confirmed that staff will provide Council with a copy of the Cattlelands Agreement.

Christine Gray appeared as a delegation in opposition to the Hallman Pit in relation to the health concerns, air pollution and water protection.

Ingrid Rosner appeared as a delegation, her written statement is attached as Appendix H.

Ruth Rosner appeared as a delegation in opposition to the Hallman Pit in relation to the ground water and private wells, agricultural lands, and carbon emissions. She provided a video showcasing the surrounding area.

Roy Lam appeared as a delegation and noted he strongly opposes the Hallman Pit.

Linda Kress appeared as a delegation in opposition to the Hallman Pit in relation to the impact on the community with ground water concerns as well as dust, noise and traffic.

Jennifer Lauzon appeared as a delegation in opposition to the Hallman Pit in relation to the social impacts of personal property.

Jan Hallman appeared as a delegation in opposition to the Hallman Pit in relation to water protection.

Eric Hodgins appeared as a delegation in opposition to the Hallman Pit in relation to concerns around wildlife and water protection.

Howard Madill appeared as a delegation in opposition to the Hallman Pit in relation to concerns with the water table, noise and dust.

Robert Gebotys appeared as a delegation in opposition to the Hallman Pit in relation to concerns surrounding the agricultural lands and the errors in submitted reports and plans.

Christina Harnack appeared as a delegation, her presentation is attached as Appendix I. She requested an additional Appendix be included as part of her delegation; the letter referenced is attached as Appendix I – Addition.

Helen Schroeder appeared as a delegation, her written comments are attached as Appendix J.

Marilyn Hay appeared as a delegation, her written comments are attached as Appendix K.

Rachel Rennie appeared as a delegation, her written comments are attached as Appendix L. In response to a question, Ms. Rennie advised she would forward further research details to members of Council for their information.

Yvonne Fernandes appeared as a delegation in relation to the Hallman Pit and the responsibilities that elected representatives face with the application.

Paula Brown appeared as a delegation, her written comments are attached as Appendix M.

Rory Farnan appeared as a delegation, his presentation is attached as Appendix N.

Barbara Schumacher appeared as a delegation, her written comment is attached as Appendix O.

Kevin Thomason appeared as a delegation, his written comment is attached as Appendix P.

Mike Balkwill appeared as a delegation, his written comment is attached as Appendix Q.

Susan Bryant appeared as a delegation, her written commit is attached as Appendix R.

Patricia Chevalier appeared as a delegation in opposition to the Hallman Pit in relation to the concerns of the dust and air pollution, emissions, and the health of the community.

Ann Dupej appeared as a delegation in opposition to the Hallman Pit in relation to the negative effects on the drinking water, environmental issues, and dust.

Linda Laepple appeared as delegation, her written comment is attached as Appendix S.

The Municipal Clerk advised that in accordance with the Procedural By-law, the meeting has reached curfew and suggested Council either suspend the meeting or pass a motion to extend the meeting time.

The CAO noted that staff will review the proposed agenda for April 11, 2022, and defer reports where possible.

Council adopted Resolution No. 2022-91 to hear the remaining delegation on April 11, 2022, requesting the applicant attend the meeting on April 11, 2022, and that no new delegations be registered to address Council on this matter.

Mayor L. Armstrong recessed the April 4, 2022, Special Council meeting at 11:04 pm.

Mayor L. Armstrong reconvened the April 4, 2022, Special Council meeting, reiterating that Councillor C. Gordijk has declared a conflict of interest and she is not in attendance at the meeting.

Councillor B. Fisher read the Territorial Acknowledgement.

The CAO provided a reminder to the delegates on time allotments and when possible, reiterate agreement with key points that they share with other delegations.

Simone Philpot appeared as a delegation, she noted she is a researcher on conflict and highlighted observations she has identified through her research.

Allan Drost appeared as a delegation in opposition to the Hallman Pit in relation to water supply, dust and fumes.

Kathy Loree appeared as a delegation, her written comment is attached as Appendix T.

Matt Rennie appeared as a delegation in opposition to the Hallman Pit in relation to the health effects and water supply.

Dorothy Wilson appeared as a delegation, her presentation is attached as Appendix U.

Lori Elash appeared as a delegation, her written comment is attached as Appendix V.

Kelvin Wood appeared as a delegation on behalf of himself and Ed Dupej in opposition to the Hallman Pit in relation to traffic and road concerns, the landscape and tax loss.

Susan Dupej appeared as a delegation in opposition to the Hallman Pit and encouraged Council to stand with the community in not

approving the application in consideration of the risk to the water supply.

Joe Gowing appeared as a delegation in opposition to the Hallman Pit in relation to the reason identified by the community as voiced by the previous delegations.

The Deputy Clerk advised that the registered delegation Catherine Young was not able to attend; however, her written comments are attached as Appendix W.

Ralph Schroeder appeared as a delegation in opposition to the Hallman Pit in relation to the water supply, air quality and health concerns.

The Deputy Clerk advised that the registered delegations Mr. and Mrs. Kennel were not able to attend; however, their written comments are attached as Appendix X.

John Jordan appeared as a delegation, his written comment is attached as Appendix Y.

Claude Fernandes appeared as a delegation in opposition to the Hallman Pit in relation to quality of life for the residents and families.

Michelle Lemire appeared as a delegation in opposition to the Hallman Pit and noted she agrees with all the delegations prior, and concerns about the effects on lifestyle.

Yi Wang appeared as a delegation, her presentation is attached as Appendix Z.

Linda Lundstrom appeared as a delegation in opposition to the Hallman Pit in relation to concerns the effects on water supply, dust and air quality.

Mark Reusser appeared as a delegation; his presentation is attached as Appendix AA.

Joyce Hall appeared as a delegation; her written comment is attached as Appendix BB.

Greg Kaster appeared as a delegation in opposition to the Hallman Pit in relation to traffic impacts and impacts on Huron Road infrastructure.

John Reiner appeared as a delegation in opposition to the Hallman Pit in relation to concerns on the water supply.

Yvonne Zyma appeared as a delegation in opposition to the Hallman Pit and noted that she is in agreement with the previous delegations concerns and also concerns for the wildlife.

Sherri Wolf appeared as a delegation in opposition to the Hallman Pit with concerns of the environmental affects, safety and number of existing pits.

Lisa Fabick appeared as a delegation, her written comments are attached as Appendix CC.

Stephanie Goertz appeared as a delegation in opposition to the Hallman Pit, noting air quality concerns, application process concerns and noted agreement that the previous delegations' comments.

Mayor L. Armstrong advised that he will be voting on the Recommendation and the Municipal Clerk advised that a member of Council has requested a recorded vote.

The Manager of Planning and Economic Development advised they had prepared responses to several questions received through this process from members of Council and the community with regards to:

- Witmer Road Upgrades, Access
- Pit Rehabilitation
- Township Official Plan and the Region of Waterloo Official Plan
- PPS and Growth Plan
- Air Quality
- Wildlife
- Water

The Manager of Planning and Economic Development advised that the Region of Waterloo did consider water supply and private wells and noted that the scientific information provided has adequately addressed concerns and no outstanding questions have gone unanswered.

The Manager of Planning and Economic Development clarified that there was an air quality study completed and identified through the pre-consultation stage, with the results of the study meeting the standards.

The Manager of Planning and Economic Development also noted that studies did conclude there would not be impacts on the ground water and that on-going monitoring and ability to change operational process satisfied the Region of Waterloo through the approval process. He noted that peer reviews that were completed on behalf of the Township and the Region of Waterloo were done by taking both sides of concerns into account.

The Manager of Planning and Economic Development noted that vibration was removed from the process since the operation did not include blasting. He noted the crushing operation was taken into consideration through the noise study to ensure there was not an impact.

Councillor J. Pfenning noted her concerns on potential site remediation back to agricultural use.

In response to questions from Council, Rick Esbaugh noted that the role of recycling asphalt and concrete is important to save the resources and the more recycling that can be done the less gravel is needed. He confirmed that Jackson Harvest Farms is a separate entity. He noted that the site is very clean, and washing may not be needed. Mr. Esbaugh provided an overview of the current pits that have undergone or are underway of being rehabilitated. Mr. Esbaugh noted there is ample capacity for recycling within currently licensed pits. Mr. Esbaugh noted that if the vote is no to the application, he will file an appeal.

The Director of Development Services confirmed that he is unaware of any pit application that has been appealed in the Township and noted that an appeal hearing is not a quick process and finding middle ground on applications to avoid and appeal is ideal.

Councillor B. Fisher raised his concerns for the conflicting information, environmental impacts, and the potential for farming land to be lost. He noted the potential quality of life changes for

residents and for those reasons noted he would be opposing the application.

Mayor L. Armstrong acknowledged the work that has gone into the process by the community, staff, and the applicant. He noted that of all the information he has received only 2 comments in favour have been received from residents and hearing the concerns from citizens makes it clear that any compromise will not lessen their concerns and advised he will not be supporting the application.

The Director of Development Services advised that process questions in terms of defending the Township in an appeal process would be better answered by the Township solicitor. He noted from a staff perspective all reports would be reviewed by the OLT but the professional opinions in those reports would not change.

Councillor J. Gerber proposed amendments to the main motion with regards to removing ashplant and concrete recycling, no crushing beyond what is needed, and no aggregate washing and ask the Province for a sunset clause for this particular pit. However, no member of Council seconded the proposed amendment.

Resolution No. 2022- 91

Moved by: Councillor J. Gerber

Seconded by: Councillor A. Hallman

THAT the remaining delegations relative to Zone Change Application 11/19 for Jackson Harvest Farms Ltd. /IBI Group, 1894-1922 Witmer Road be deferred to the April 11, 2022, Council; and

THAT the applicant attends the Council meeting on April 11, 2022, so as to be able to respond to technical questions that Council might have respecting Zone Change Application 11/19 during their deliberations; and further,

THAT no additional delegations be permitted to register to address Council relative to Zone Change Application 11/19 for Jackson Harvest Farms Ltd. /IBI Group, 1894-1922 Witmer Road on April 11, 2022.

Motion Carried

Resolution No. 2022- 101

Moved by: Councillor J. Gerber

Seconded by: Councillor B. Fisher

THAT Council approve Zone Change Application 11/19 made by Jackson Harvest Farms Ltd. / IBI Group, affecting Part of Lot 10, Concession South of Bleams Road being Part 1, Plan 58R-19981, to rezone the subject lands as follows:

1. in part from Zone 1 (Agricultural) to Zone 14 (Extractive Industrial) with site specific provisions requiring post restoration uses to comply with the terms of the Risk Management Plan 00051 as approved and/or amended by the Region of Waterloo.
2. in part from Zone 1 (Agricultural) to Zone 11 (Open Space) with site specific provisions limiting uses to an Arboretum, Wildlife Sanctuary, and accessory uses.

THAT, prior to the third reading of the implementing zoning by-law, the applicant shall enter into an agreement with the Township of Wilmot to require that, prior to commencement of operations and at no cost to the Township, Witmer Road be reconstructed from Queen Street to just west of the proposed pit entrance to the satisfaction of the Township.

THAT the Township advise the Ministry of Northern Development, Mines, Natural Resources and Forestry that, in addition to comments provided by the Region of Waterloo dated November 30 and December 1, 2021, the following amendments are required in relation to the ARA plans:

1. General Operation Note 2a shall be amended to clarify that, prior to commencement of shipping activities, the pit entrance shall be paved from the limit of asphalt on Witmer Road to, at minimum, the weigh scale and that the weigh scale shall include a grizzly screen at its approach.
2. General Operation Note 2b shall be amended by adding a sentence preceding the current sentence, to indicate that pit traffic will not be permitted west of the entrance on Witmer Road.
3. General Operation Note 2c shall be amended to clarify that the farm-type gated access from Bleams Road shall not be use for

any component of the pit operations and limited to farm access only.

4. General Operation Note 15 shall be amended to align with the peer reviewed noise study as follows:

Site Preparation: 7:00am to 6:00pm Monday to Friday

Excavation / Processing: 7:00am to 6:00pm Monday to Friday
8:00am to 12:00pm Saturdays

Shipping: 6:00am to 6:00pm Monday to Friday
6:00am to 12:00pm Saturdays

Against (5): Les Armstrong, Councillor A. Hallman, Councillor B. Fisher, Councillor J. Gerber, and Councillor J. Pfenning

Motion Defeated (0 to 5)

6. CONFIRMATORY BY-LAW

Resolution No. 2022- 102

Moved by: Councillor J. Pfenning

Seconded by: Councillor J. Gerber

THAT By-law No. 2022-16 be read a first, second, and third time, and finally passed in Open Council.

Motion Carried

7. ADJOURNMENT

Resolution No. 2022- 103

Moved by: Councillor A. Hallman

Seconded by: Councillor J. Pfenning

THAT we do now adjourn to meet again at the call of the Mayor.

Motion Carried



Special Council Meeting
Re: The Proposed Hallman Pit

April 4th, 2022



COMPATIBLE LAND USE

APPENDIX A

An existing or committed land use or activity that can co-exist with a neighbouring use/activity or uses/activities without either creating or experiencing 1 or more off site adverse effect(s)

Source: D-1-3 Land Use Compatibility: Definitions Government of Ontario



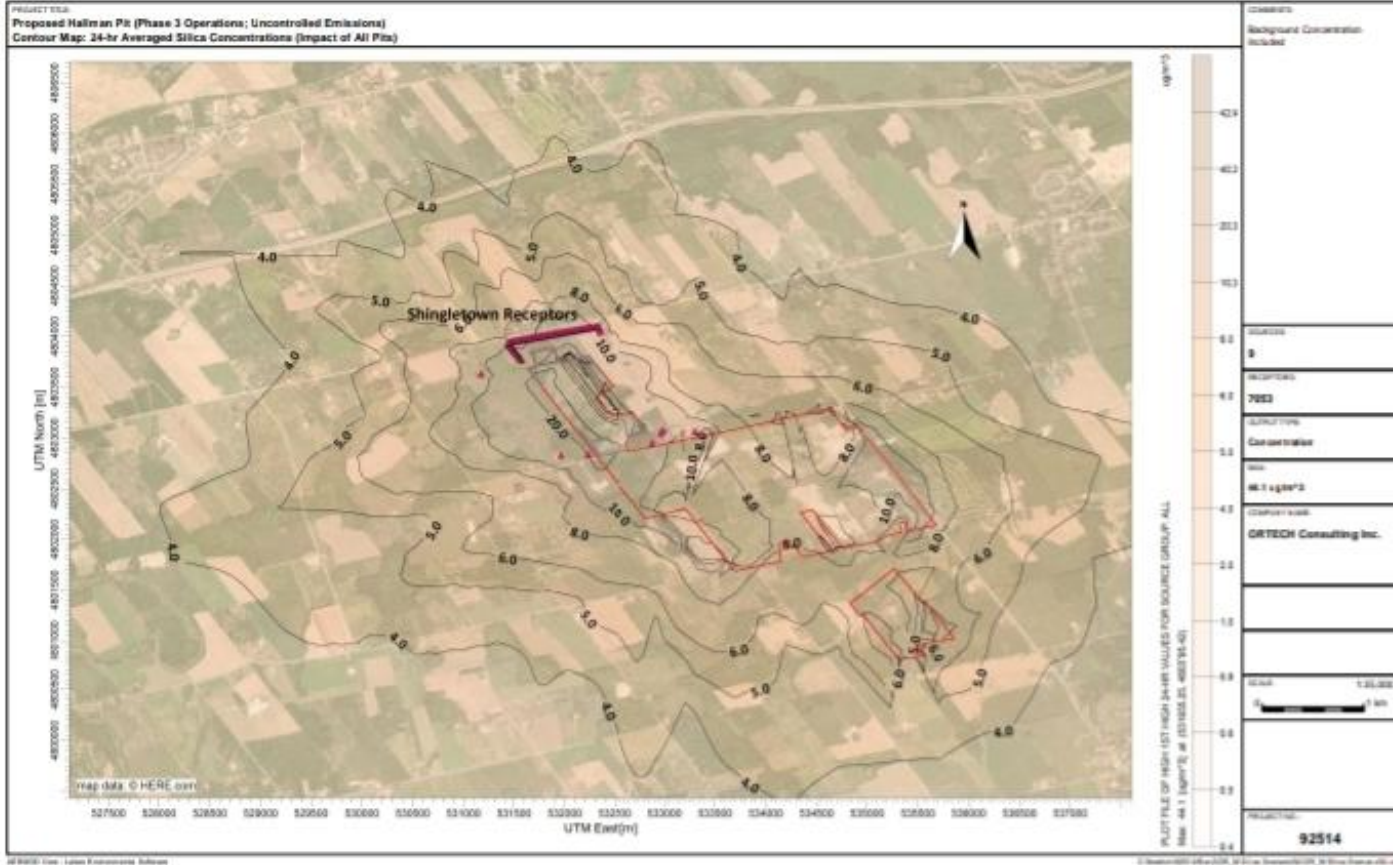
A building amenity area or outdoor space where routine or normal activities occurring at reasonably expected times would experience 1 or more adverse effects from contaminant discharges generated by a nearby facility. The sensitive land use may be a part of the natural or built environment. Depending upon the particular facility involved, a sensitive land use and associated activities may include one or a combination of :

1. Residences or facilities where people sleep, (eg. Single and multi-dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc). These uses are considered to be sensitive 24 hours/day
2. A permanent structure for non-facility related use, particularly of an institutional nature (eg. Schools, churches, community centres, day care centres)
3. Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (eg, Trailer park, picnic area, etc.)
4. Certain agricultural operations (eg. Cattle raising, mink farming, cash crops and orchards).
5. Bird/wildlife habitats or sanctuaries

Adverse effects are defined in the PPS to mean: as defined in the Environmental Protection Act, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment on the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.





Compatible Land Use

Sensitive Land Use?

Adverse Effects?



POTENTIAL IMPACTS OF THE PROPOSED HALLMAN PIT



CUMULATIVE IMPACTS The combined impact of all 'past, present and future' gravel pits

HEALTH IMPACTS



Increased noise levels due to truck activity, alarms and extraction



Health effects from exposure to harmful fine particulate matter (dust)



Potential for contamination of our drinking water in sensitive recharge areas

ECONOMIC IMPACTS



Safety of operations of proposed traffic impact not satisfied by experts



Questions remain about the feasibility of rehabilitation back to prime farmland between experts

ECOLOGICAL IMPACTS



What impact with the life of the Hallman pit have on the life of the wetland and Woodlots?



Auxiliary activities such as wash ponds can increase risk for groundwater impacts



Operational practices, such as fuel storage and asphalt recycling, can increase risk of pollution

statements made are based on expert reviews commissioned by the Region of Waterloo, Wilmot Township and Citizens for Safe Ground Water Inc., as well as the Grand River Conservation Authority, to date



Increased noise levels due to truck activity, alarms and extraction



Health effects from exposure to harmful fine particulate matter (dust)

APPENDIX A



Impacts NOT addressed

The Hallman Pit sets an *unacceptable precedent*

There is a need for:



1. Account for all air emissions and all stages of the pit's life to correctly assess the potential adverse impacts of this proposal



2. proposed air quality impacts exceeding policy thresholds



3. Correct noise standards and modelling in Shingletown



4. Attention to noise impacts along the internal Haul Route



5. Cumulative impacts (7.2.4.3) must be reviewed by an expert third party



Safety of operations of proposed traffic
impact not satisfied by experts

APPENDIX A



Impacts **NOT** addressed

The Hallman Pit can presents an *unacceptable risk*

There is a need for:



1. Consideration of **safety/operations** at the Witmer Road intersection with Queen Street.



2. Consideration of the **safety** of recreational road users (cyclists, walkers, joggers, motorcyclists, etc.)



3. Consideration of the **SAFETY** (not just operations) of Witmer Road for school buses, waste management, EMS services, hidden driveways/laneways, etc.



4. **Cumulative impacts (7.2.4.3)** Would other gravel pits be permitted to use the newly upgraded Witmer Road?



Questions remain about the feasibility of rehabilitation back to prime farmland between experts

APPENDIX A



Impacts NOT addressed

The Hallman Pit can set an *unsustainable* precedent



“No scientific evidence has been presented”











“Such evidence, either **does not exist**, or is proprietary (and therefore not available)”



“The **missing** information/limitation is not described within the DBH Harvest Farms AIA.”

Impacts NOT addressed

The Hallman Pit can presents an *unacceptable risk*

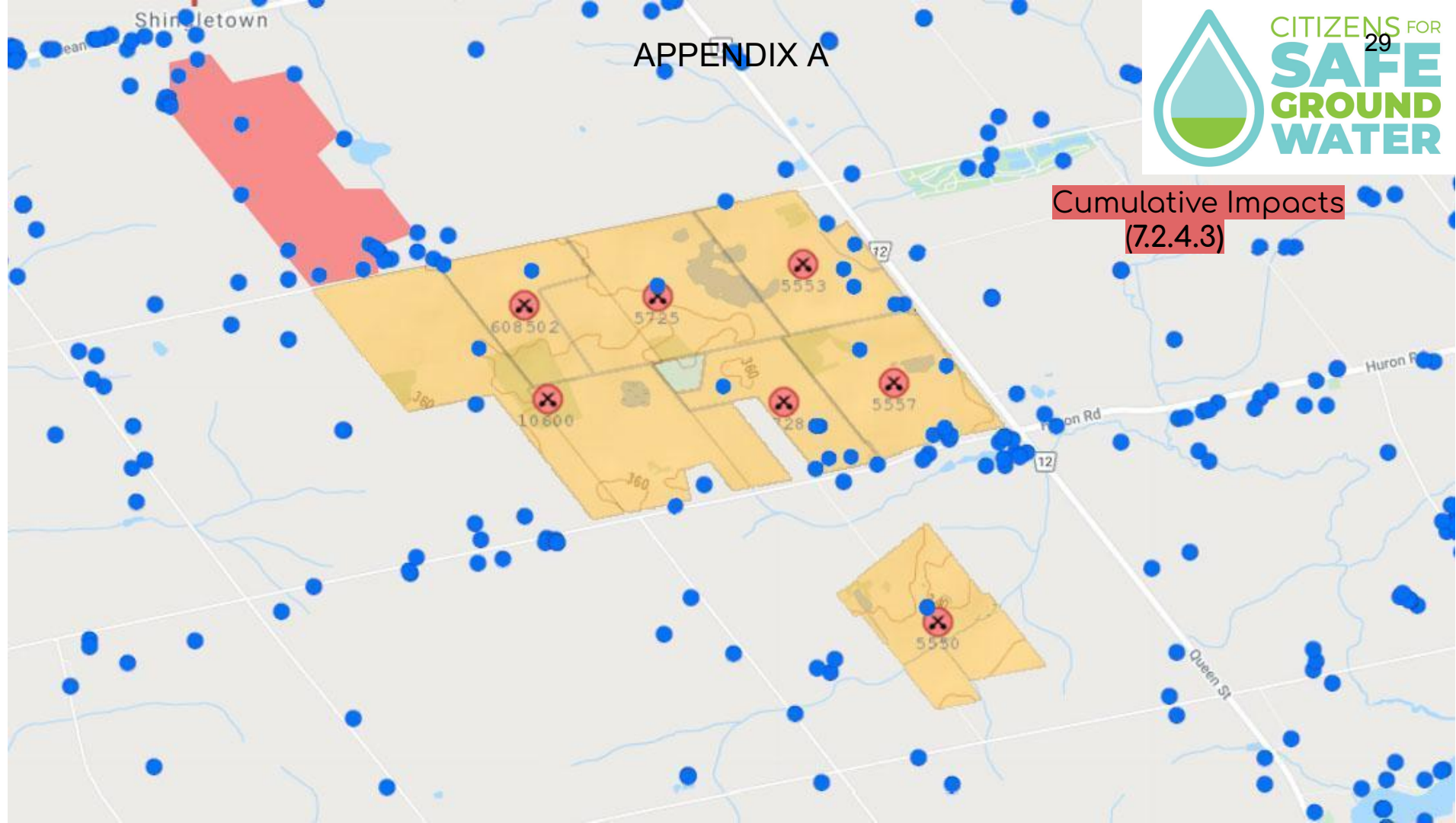
-  Elimination of all accessory use
-  Enhanced monitoring, logging, testing, reporting, made readily available online
-  Larger buffer between pit floor, and aquifer
-  24-hour automatic real-time video monitoring on-site
-  Baseline water quality, trigger points, within 1000 meters (per Region policy)
-  Frog, turtle monitoring programs (frogs are sensitive to water quality, excellent indicator species)
-  Holding provision to deter below the water table extraction
-  Outstanding issues, and recommendations unresolved and not addressed by applicant or Wilmot Staff Report...

APPENDIX A




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Cumulative Impacts
(7.2.4.3)




POTENTIAL IMPACTS OF THE PROPOSED HALLMAN PIT




CUMULATIVE IMPACTS The combined impact of all 'past, present and future' gravel pits


HEALTH IMPACTS



Increased noise levels due to truck activity, alarms and extraction




Health effects from exposure to harmful fine particulate matter (dust)




Potential for contamination of our drinking water in sensitive recharge areas

ECONOMIC IMPACTS




Safety of operations of proposed traffic impact not satisfied by experts




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ECOLOGICAL IMPACTS



What impact with the life of the Hallman pit have on the life of the wetland and Woodlots?



Auxiliary activities such as wash ponds can increase risk for groundwater impacts



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statements made are based on expert reviews commissioned by the Region of Waterloo, Wilmot Township and Citizens for Safe Ground Water Inc., as well as the Grand River Conservation Authority, to date

Our Premier, Doug Ford, said, “*I believe in governing for the people...when the people don’t want something you don’t do it...folks, you are the boss...you don’t put something in that the whole community is dead against...the mayor doesn’t want it...no one wants it...I don’t want it... we are going to make sure that it doesn’t happen...*”



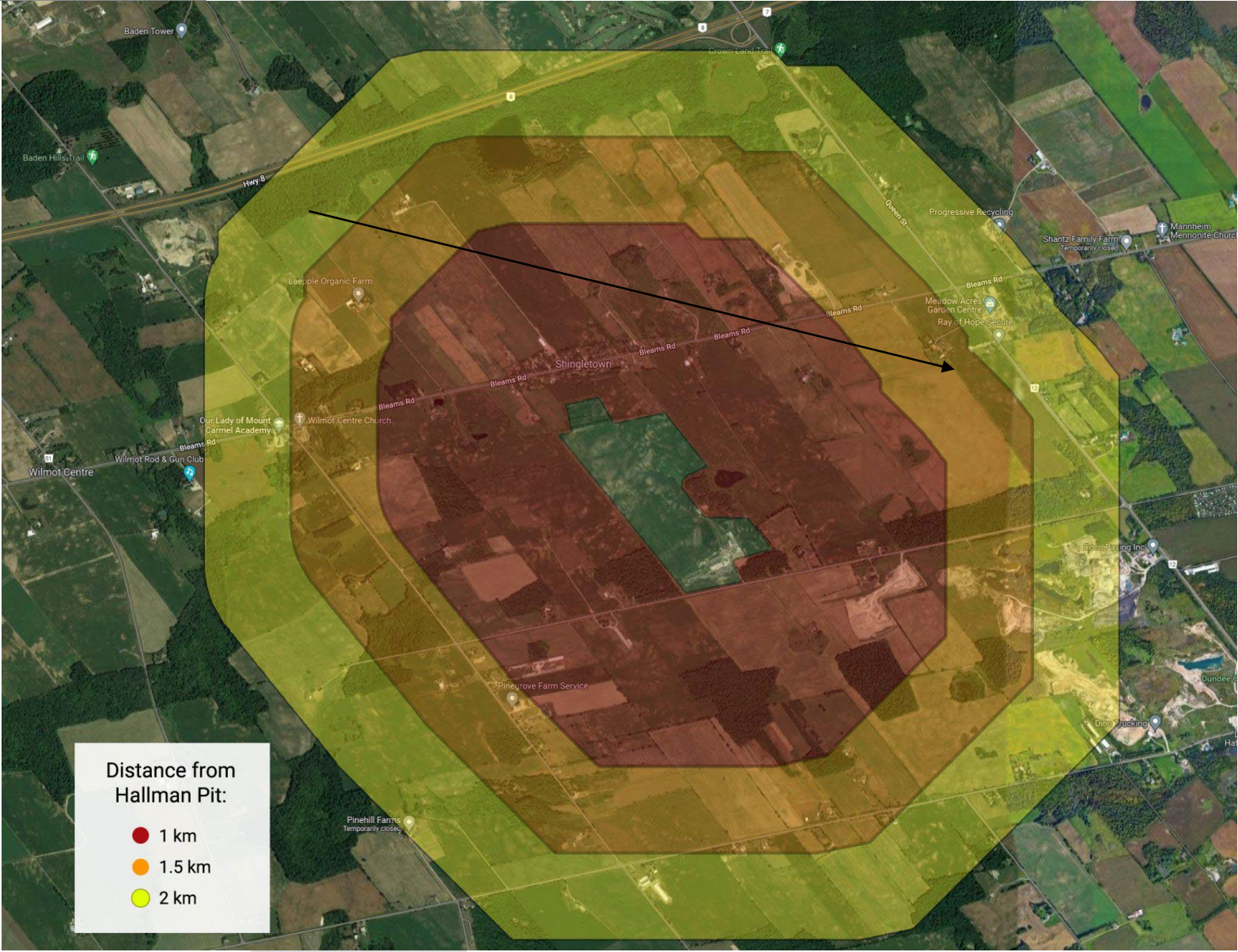
Zoning Amendment 11/19

Jackson Harvest Farms Ltd.

1894-1922 Witmer Road

LOCATION

APPENDIX B



APPENDIX B APPLICATION & TECHNICAL STUDIES



Zoning Application submitted in December 2019 (Class A, Category 3 gravel pit to include concrete & asphalt recycling use).

- Transportation (PR) (*)
- Noise (PR) (*)
- Dust/Air Quality (PR) (*)
- Water (PR) (*)
- Agriculture Impact Assessment (PR) (*)
- Cumulative Impacts
- Natural Environment (CA) (*)
- Dust (PR) (*)

(PR) – peer review

(*) CSGW peer review

PLANNING REGIME

APPENDIX B



Zoning Application submitted in December 2019

Application must be reviewed against the following applicable planning documents:

- ❖ 2020 PPS – Must be reviewed against this document regardless of the approval date of an Official Plan and submission of application.
- ❖ Growth Plan for the Greater Golden Horseshoe - 2020.
- ❖ Region of Waterloo Official Plan – 2013 (Approved in 2015).
- ❖ Township of Wilmot Official Plan (Consolidated 2019).

(Aggregate Resources Act) & (Conservation Authority)

APPENDIX B PLANNING REVIEW – TOP DOWN



2020 PPS – Has not been appropriately reviewed by the applicant and staff.

MY PROFESSIONAL OPINION – Key PPS policies not addressed:

1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

2.5.3 Rehabilitation

2.5.3.1 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

2.5.4 Extraction in Prime Agricultural Areas

2.5.4.1 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.

PLANNING REVIEW (con't) – Waterloo & Wilmot OPs

MY PROFESSIONAL OPINION – Key OP policies not properly addressed:

- Policies that permit aggregate extraction on Prime Agricultural Areas – subject to meeting several important tests.
 - 7.2.4.1 “....will only be permitted where the studies have been submitted to the satisfaction of the Township, Region and or any other public agency.”
 - 6.1.1 – compatibility & protection of natural features/functions, noise, dust, traffic, water, etc.
- Acknowledge new agg. uses are generally permitted in existing designations provided a specific number of significant tests are reviewed and evaluated.

TECHNICAL STUDIES

- Applicant's studies do not reference current policies, schedules
 - AIA references former Wilmot OP (2006).
 - No 2020 PPS review.
 - No 2020 Growth Plan review.
- CSGW – conducted several peer reviews of the supporting technical studies AND commissioned their own Environmental & Noise studies.
- Peer review and stand-alone studies contain questions that have not been addressed and provide additional technical data that must be considered within the applicant's supporting review – regardless of the peer reviews conducted by the Region/Township.

MAJOR POLICY GAPS

- Rehabilitation – AIA, Peer Reviews & staff acknowledge a significant issue with meeting the applicable policies of PPS.
- Compatibility between existing sensitive and agricultural uses and new pit operation. Very little technical information related to the recycling operation.
- Cumulative Impacts.
- Technical Reports have not been appropriately commissioned.

CONCLUSIONS

- The proposed **significant** and **long-term** land use has not been properly assessed in accordance with the PPS, Growth Plan, Regional & Local OPs.
 - Council does not have the appropriate information in front of them to make an informed decision.
 - Gaps in the policy analysis.
 - Application is **PREMATURE**.
- OPA? Remove Recycling Use?

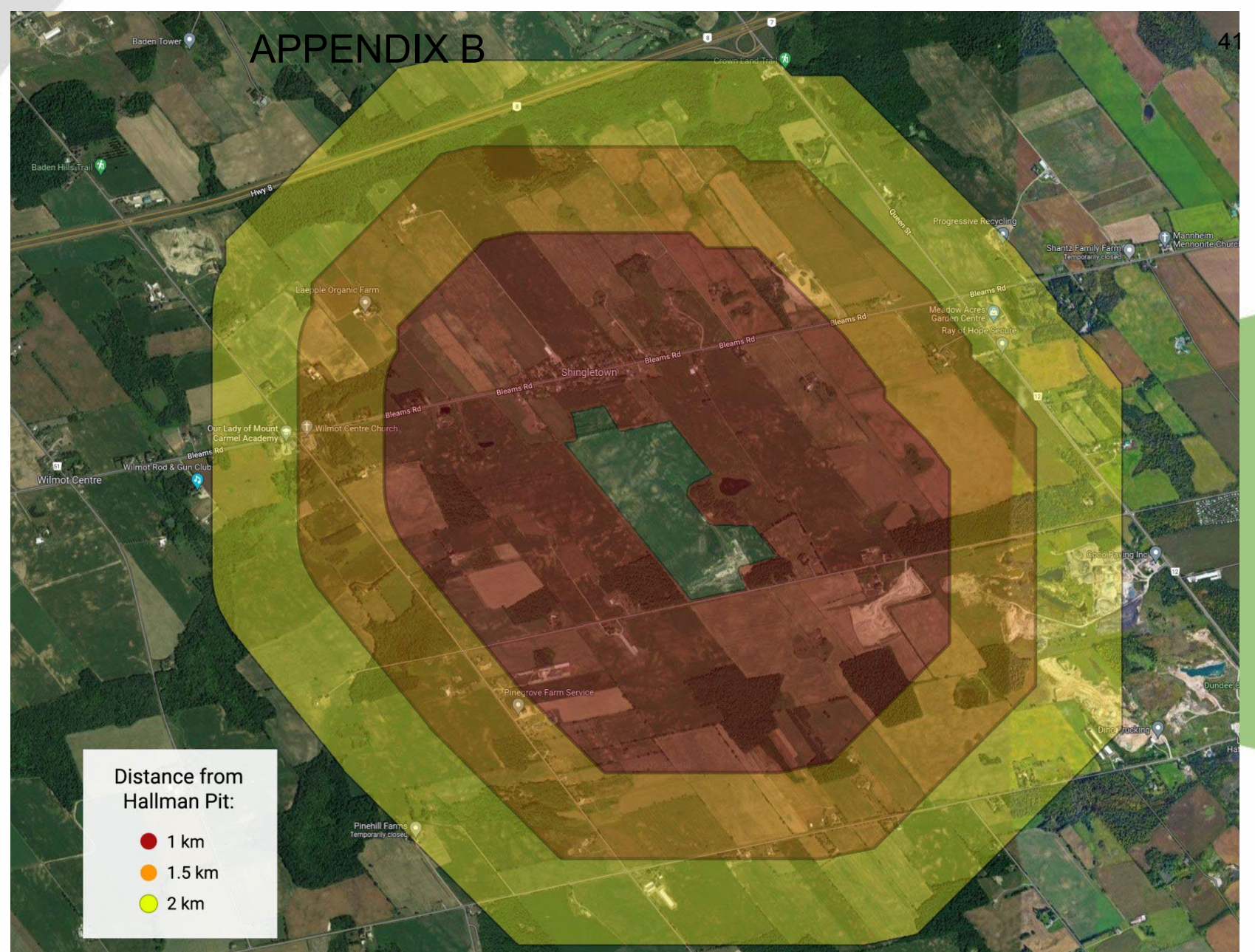
FINAL THOUGHTS

PLANSCAPE INC.

Stefan Szczerbak, M.Sc, MCIP RPP
Partner

sszczerbak@planscape.ca

(705) 645-1556

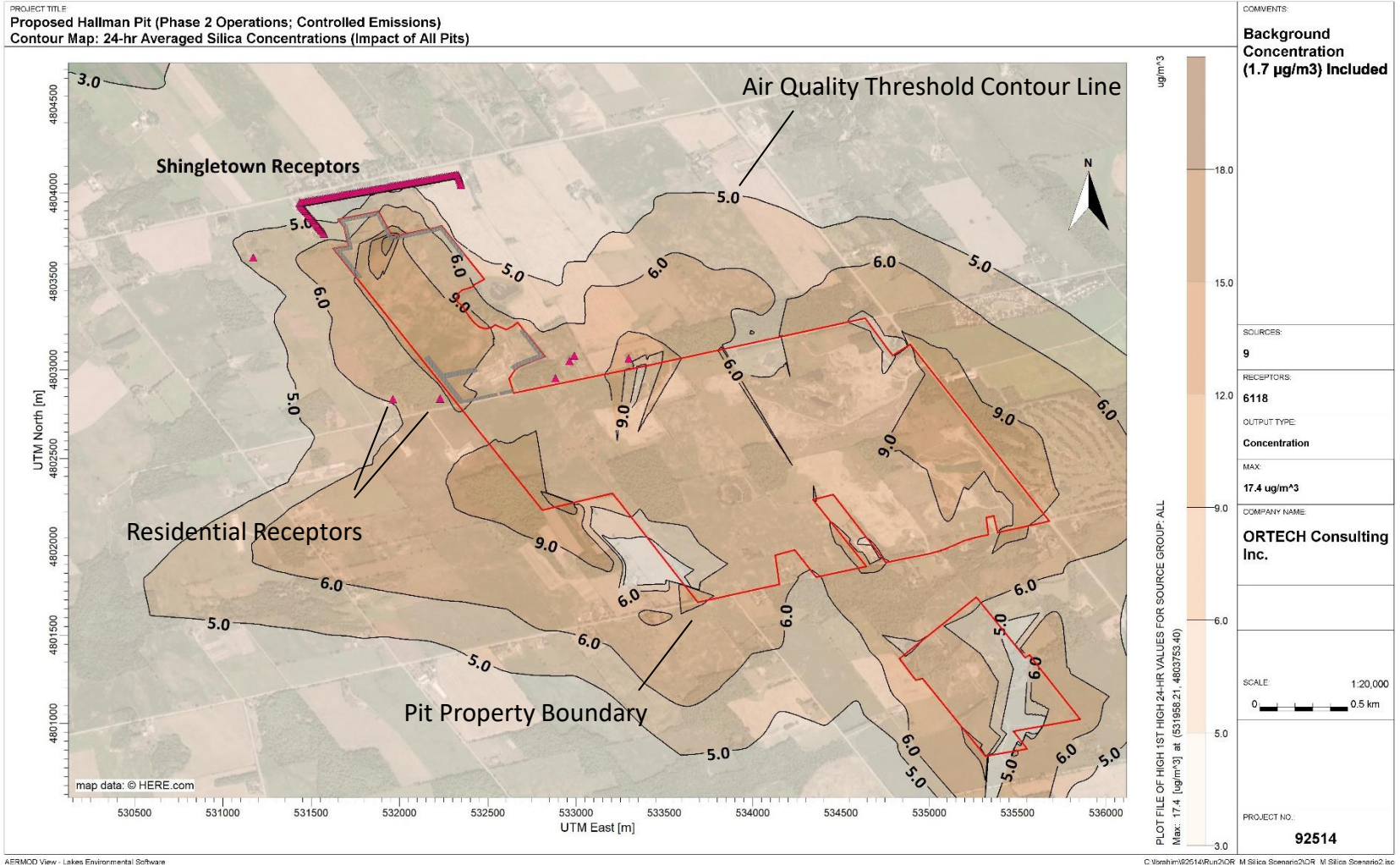


Initial Peer Review Comments and Results – Hallman Pit (On behalf of Citizens for Safe Ground Water)

Contaminant	Scenario [1]	Averaging Period	Background Conc. [2] ($\mu\text{g}/\text{m}^3$)	Air Quality Threshold ($\mu\text{g}/\text{m}^3$)	Maximum Cumulative Concentration at Sensitive Receptor			
					Impact - All Pits		Impact - Hallman Pit Only	
					Max. Conc. ($\mu\text{g}/\text{m}^3$)	% of Air Quality Threshold	Max. Conc. ($\mu\text{g}/\text{m}^3$)	% of Air Quality Threshold
Silica	Phase 2 (Controlled)	24-hour	1.7	5	10.85	217%	7.46	149%
	Phase 2 (Uncontrolled)				21.42	428%	21.42	428%
	Phase 3 (Controlled)				10.94	219%	7.12	142%
	Phase 3 (Uncontrolled)				20.66	413%	20.66	413%
PM _{2.5}	Phase 2 (Controlled)	Annual	7.6	8.8	8.65	98%	8.19	93%
	Phase 2 (Uncontrolled)				9.69	110%	9.37	106%
	Phase 3 (Controlled)				8.66	98%	8.11	92%
	Phase 3 (Uncontrolled)				9.49	108%	9.17	104%
PM _{2.5}	Phase 2 (Controlled)	24-hour	15	22	18.46	84%	17.36	79%
	Phase 2 (Uncontrolled)				22.22	101%	22.10	100%
	Phase 3 (Controlled)				18.47	84%	17.08	78%
	Phase 3 (Uncontrolled)				21.62	98%	21.46	98%
PM ₁₀	Phase 2 (Controlled)	24-hour	28	50	81.91	164%	61.88	124%
	Phase 2 (Uncontrolled)				144.17	288%	144.17	288%
	Phase 3 (Controlled)				82.45	165%	59.87	120%
	Phase 3 (Uncontrolled)				139.73	279%	139.73	279%
TSP	Phase 2 (Controlled)	24-hour	51	120	210.22	175%	147.41	123%
	Phase 2 (Uncontrolled)				410.04	342%	410.04	342%
	Phase 3 (Controlled)				211.98	177%	145.86	122%
	Phase 3 (Uncontrolled)				406.30	339%	406.30	339%

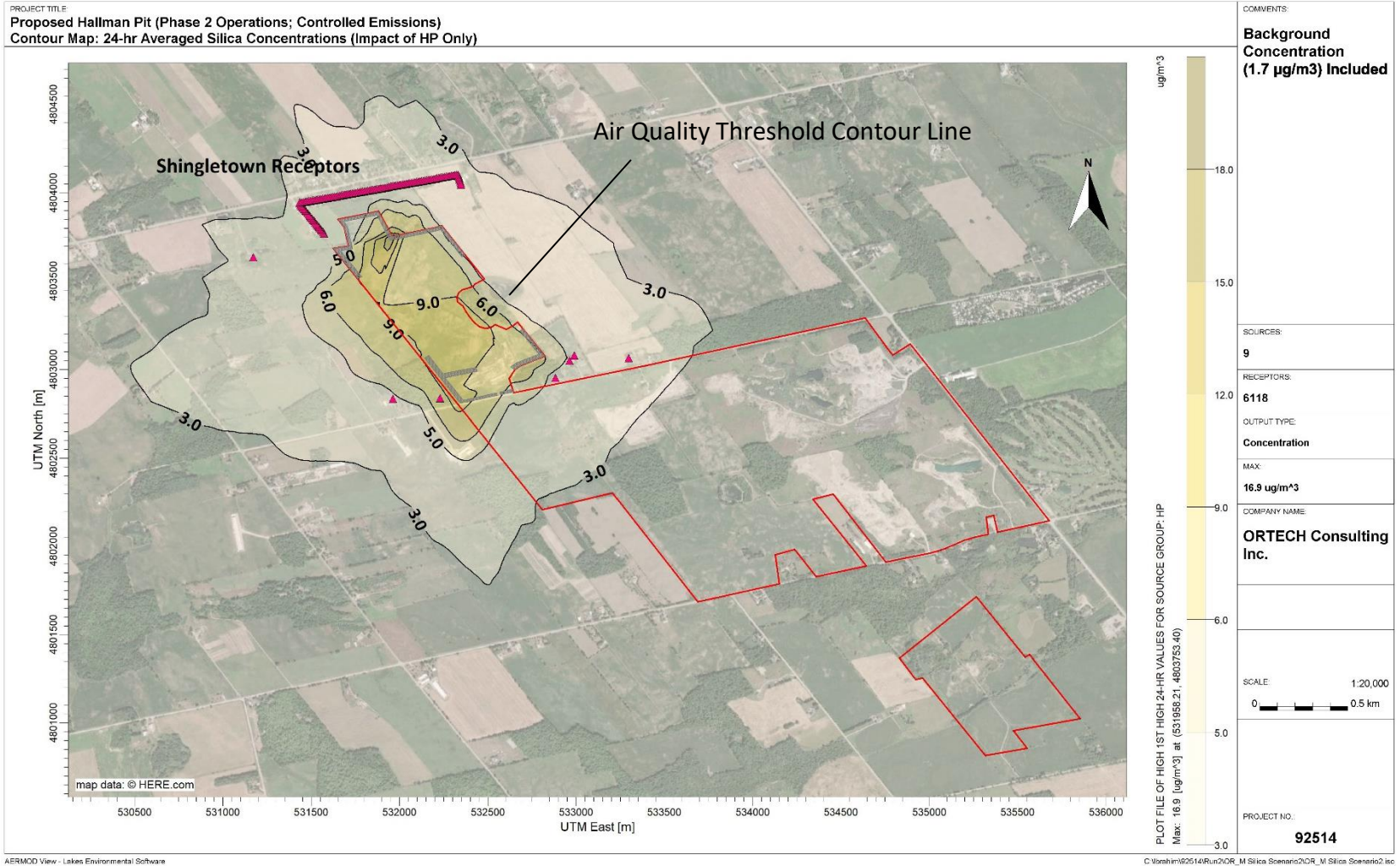
- Controlled - Emissions from all pits are controlled
Uncontrolled - Only Hallman Pit emissions are uncontrolled and emissions from all other pits are controlled
- Background concentration values were adopted from proponent's report
- Table values represent ORTECH's assessment of publicly available information, which in some cases lacks sufficient detail and professional judgement was required to fill in these data gaps

Initial Peer Review Comments and Results – Hallman Pit (On behalf of Citizens for Safe Ground Water)

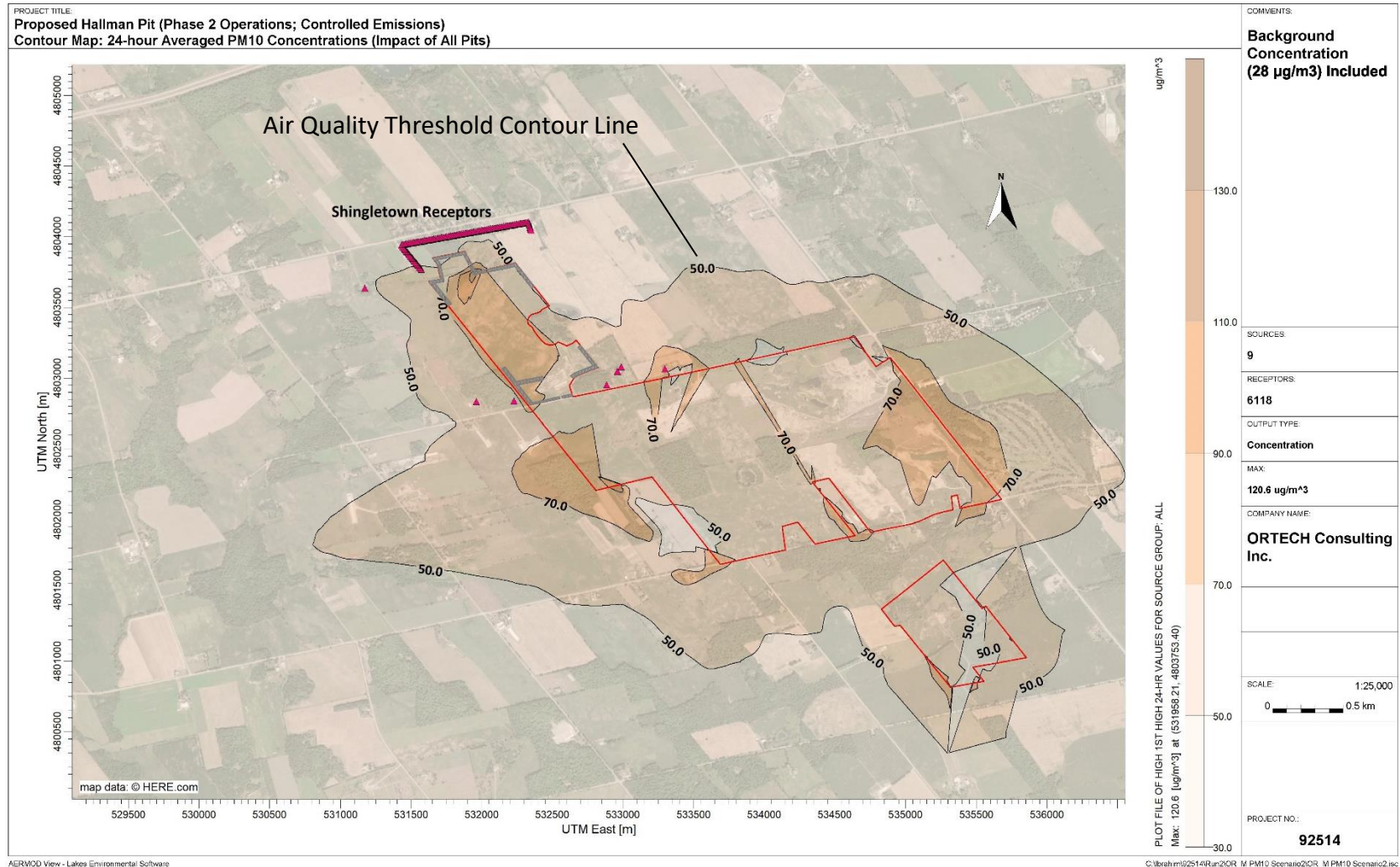


Note: Contributions from other pits assumes emissions are proportional to Hallman. Not all pits are active and contour lines therefore do not reflect current conditions.

Initial Peer Review Comments and Results – Hallman Pit (On behalf of Citizens for Safe Ground Water)

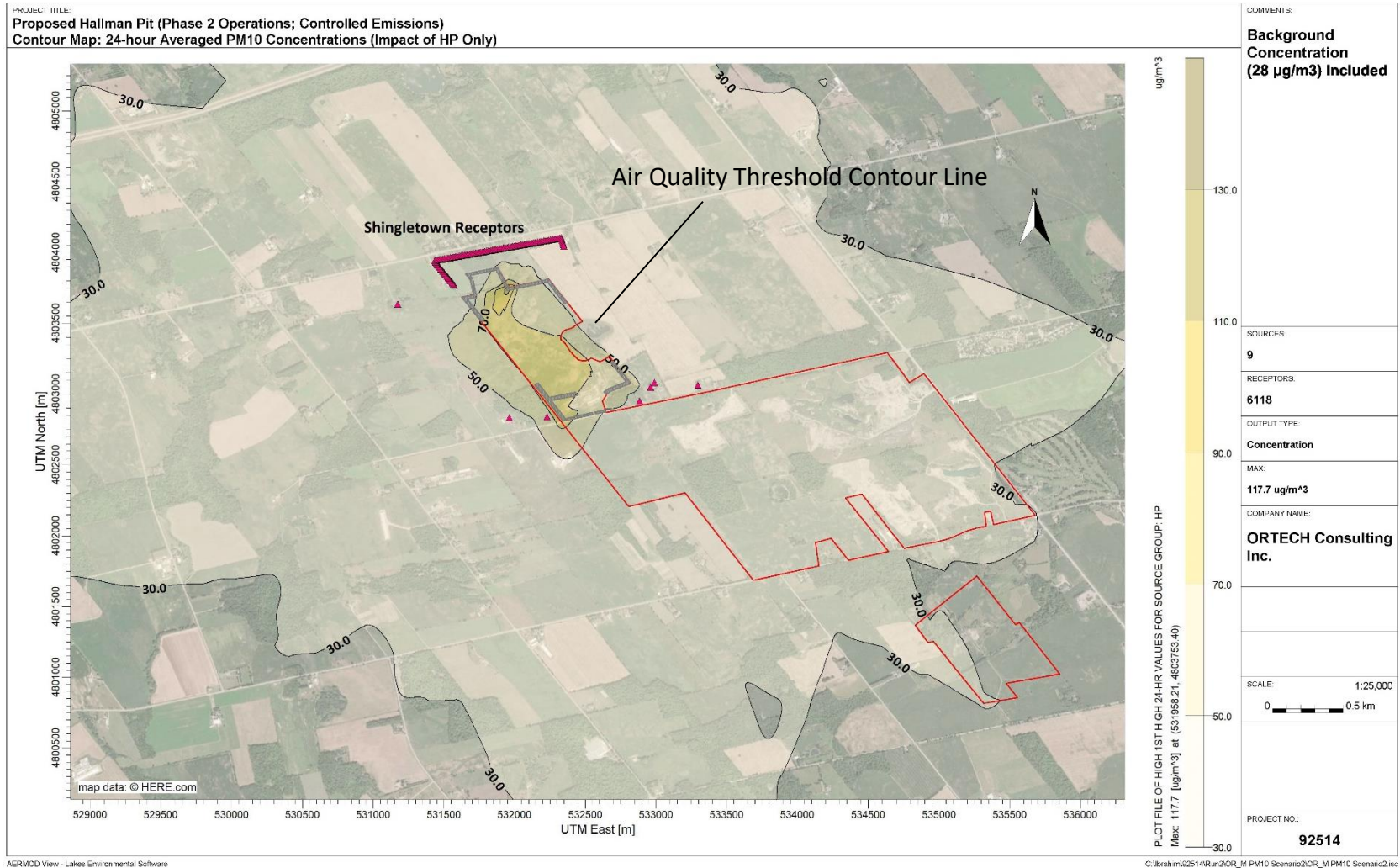


Initial Peer Review Comments and Results – Hallman Pit (On behalf of Citizens for Safe Ground Water)



Note: Contributions from other pits assumes emissions are proportional to Hallman. Not all pits are active and contour lines therefore do not reflect current conditions.

Initial Peer Review Comments and Results – Hallman Pit (On behalf of Citizens for Safe Ground Water)



WHAT MUST WILMOT COUNCIL ADDRESS

**Proposed Hallman Pit
1894 Witmer Road, Wilmot Township**

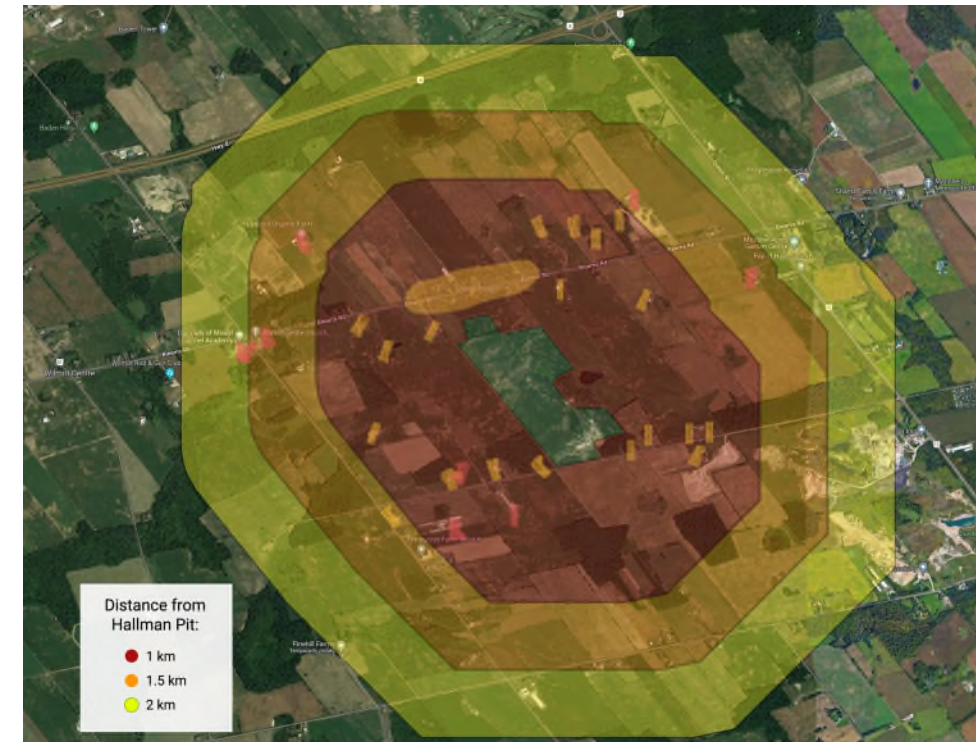
TOPICS

	Slide
Loss of Prime Agricultural Land	2
Harm to the Environment	3
Harm to Residents (& Taxpayers)	4
Harm to Residents – Increased Noise	5
Harm to the Air Residents Breathe	6
Harm to Human Health	7
Township Council is the Lead Decision-maker	8
The Key Test that Wilmot Council Must Satisfy	9
The Essence of the Key Test – Does this Pit Avoid Causing Adverse Effects?	10
Other Tests Before Township Council	11

LOSS OF PRIME AGRICULTURAL LAND

Hallman Planning Summary:

- The site is designated by Region and Town Official Plans as part of a 'prime agricultural area'.
- According to the Hallman reports and peer reviews, there is no scientific basis to demonstrate that the site can be rehabilitated to meet provincial standards (i.e., the Provincial Policy Statement)



HARM TO THE ENVIRONMENT

Hallman Environmental Impact Statement:

Provincially Protected Features that are on the site or within 120m are:

- Habitat of Endangered or Threatened Species
Habitat for *Barn Swallow* and *Bank Swallow*;
- Fish Habitat
- Significant Wildlife Habitat
Turtle wintering area (Midland Painted Turtle);
Habitat for Species of Special Concern (Eastern Wood-Pewee and Monarch)
- Significant Woodlands



Legend

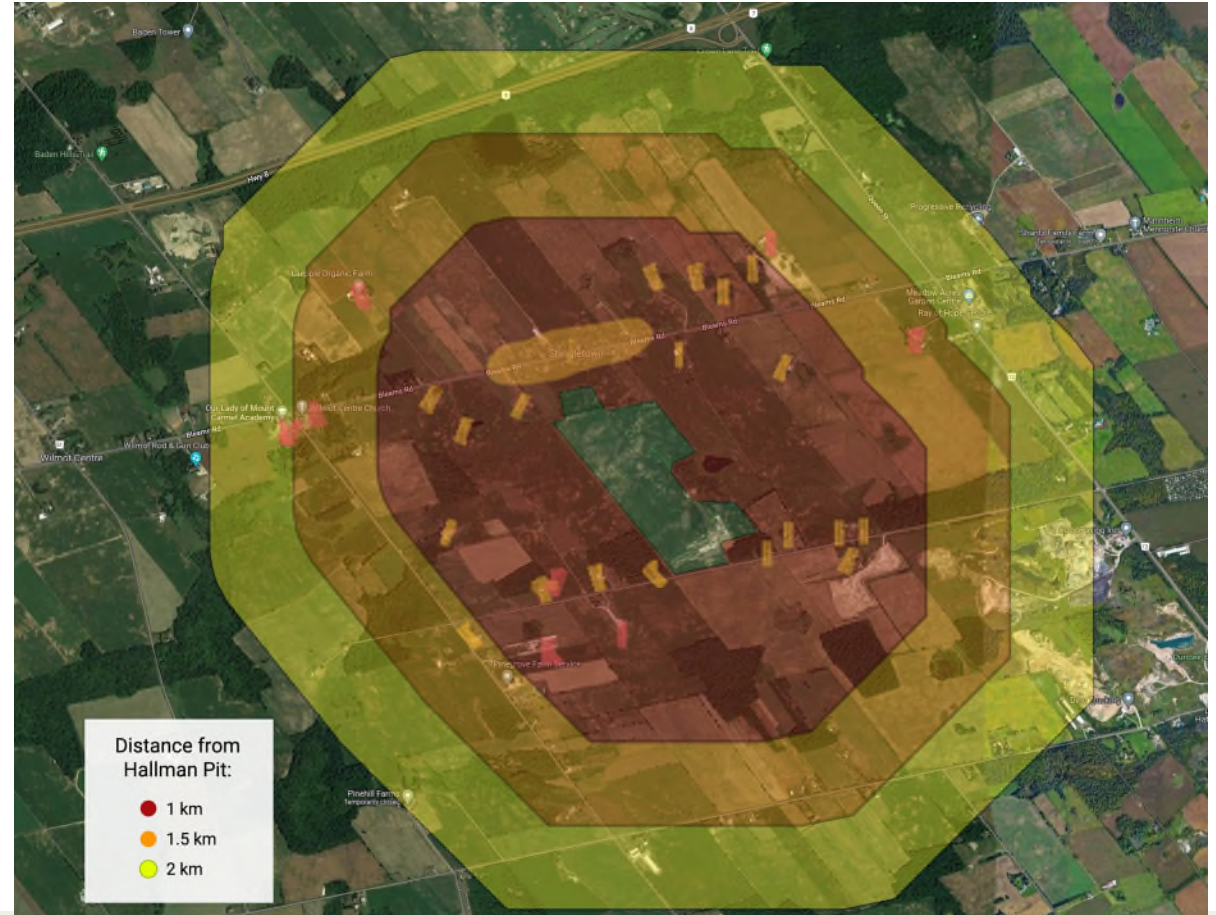
- Subject Property
- Significant Woodland
- GRCA Wetland
- GRCA-Regulation Limit

HARM TO RESIDENTS (& TAXPAYERS)

- 55 homes within 1 km of the proposed pit
- 8 farm businesses with animals within 1.5 km of the proposed pit

Map:

- Orange marks – Residents
- Orange cluster – Shingletown resident cluster
- Red marks – Farm businesses with animals



HARM TO RESIDENTS – INCREASED NOISE

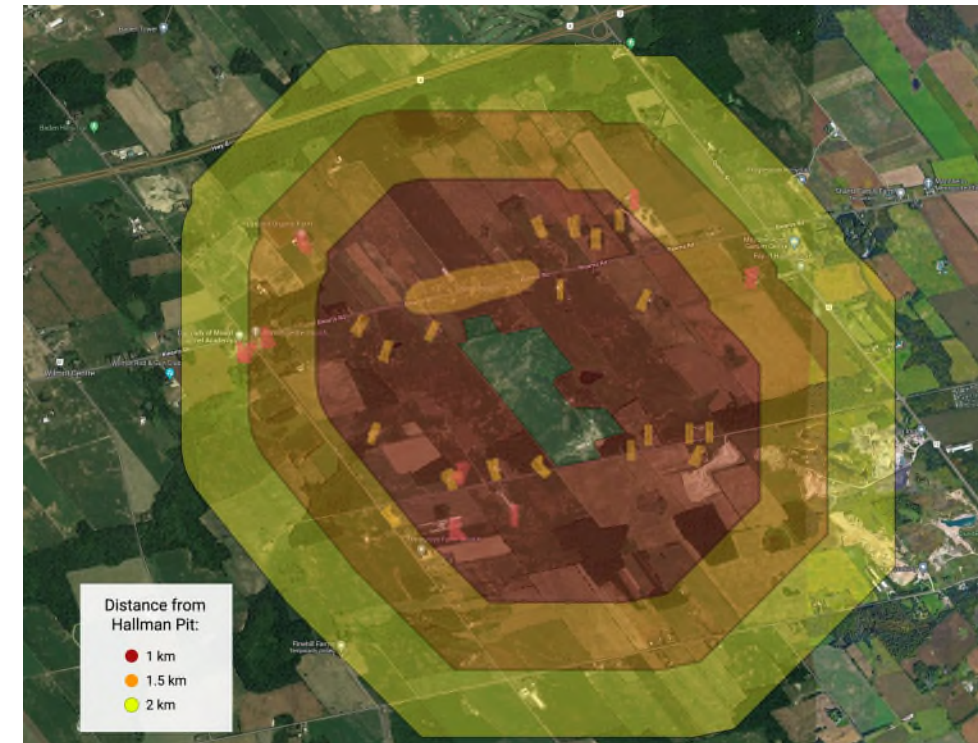
Residents' Peer Review of Noise Study:

- Hallman's Noise Study wrongly described the existing noise levels and applied the wrong noise standard

"The backyards of the residences on Bleams Road north of the gravel pit have been incorrectly assumed to be located in a Class 2 area."

- Hallman's Noise Study did not assess all on-site sources of noise
- Hallman's Noise Study did not meet requirements to assess noise impacts from its haul routes

These errors will understate all noise impacts



HARM TO THE AIR RESIDENTS BREATHE

Issues with Hallman's Air Quality Report:

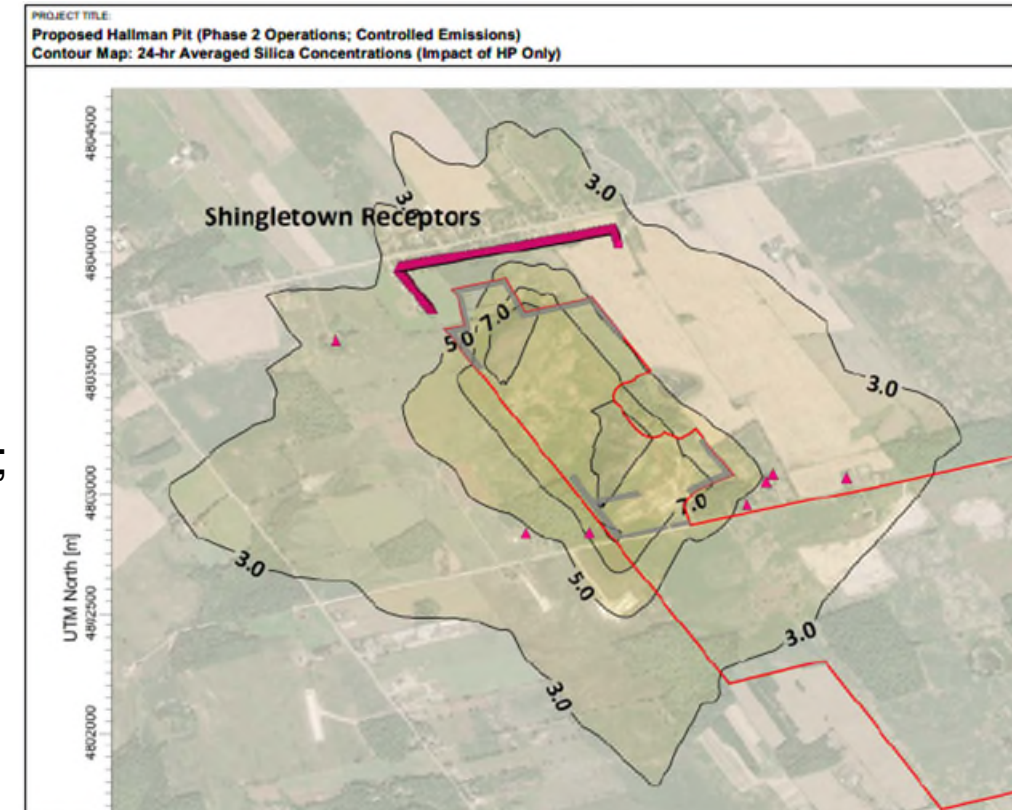
- Omitted Emissions: Failure to include all aggregate crushers
- Omitted emissions: NOx emissions from fuel combustion
- Over-valued mitigation: Report presumes 90% dust control efficiency; data supports broad range of efficiencies (high of 77%; low of 12%); lower efficiency is more appropriate
- Over-valued dust shielding: extraction depths varies from 1m to 20m; report uses 20 meter pit depth to model all emissions

These modeling choices will understate all emissions

Key Emissions because of Dust from Pit equipment and trucks:

Silica (carcinogen)

Particulate Matter (10 micrograms or less) – hence, "PM10"



HARM TO HUMAN HEALTH

Human Health Impacts:

- “No safe threshold has been established for human health effects resulting from exposure to particulate matter (PM2.5, PM10). Non-lethal effects of particulate matter and diesel particulate matter can include cardiovascular and respiratory disease.” – Milton Logistics Hub Federal Environmental Assessment Expert Report (p 181)
- “Any increase in ambient particulate matter is associated with a statistical increase in mortality and hospitalization rates.” Environment Canada/Health Canada Priority Substances List Assessment Report for Respirable Particulate Matter”

TOWNSHIP COUNCIL IS THE LEAD DECISION-MAKER

Pit approvals are controlled by the most local decision-maker

New Aggregate Pits must have local zoning approval

Present zoning does not permit this Pit, so Council must decide to amend its zoning by-law

Zoning is the lead approval - not the Province's aggregate licence, not the Region's Official Plan

Aggregate Resources Act, 12.1 (1) No licence shall be issued for a pit or quarry if a zoning by-law prohibits the site from being used for the making, establishment or operation of pits and quarries

KEY TEST THAT WILMOT COUNCIL MUST SATISFY

Council's Decision Must Be “Consistent With” the Provincial Policy Statement

Planning Act, s.3(5)

Policy statements and provincial plans

3(5) A decision of the council of a municipality...in respect of the exercise of any authority that affects a planning matter,

(a) shall be consistent with the policy statements...that are in effect on the date of the decision

Provincial Policy Statement (2020) is the current policy statement

THE ESSENCE OF THE KEY TEST

Does this Pit – a Major Facility – Avoid all potential “Adverse Effects”?

Provincial Policy Statement (2020)

1.2.6.1 ***Major facilities*** and sensitive land uses ***shall be planned and developed to avoid***, or if avoidance is not possible, minimize and mitigate ***any potential adverse effects*** from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

OTHER TESTS BEFORE WILMOT COUNCIL

The 2020 Provincial Policy Statement also provides other *tests* that apply to Council

Council's Decision must also be "Consistent With" the following policies:

- Healthy, Liveable and Safe Communities (1.1.1)
- Natural Heritage (2.1.1, 2.1.4, 2.1.5-2.1.9)
- Water (2.2.1-2.2.2)
- Agriculture (2.3.1, 2.3.2, 2.3.6.1, 2.3.6.2)
- Mineral Aggregate (2.5.2.1-2.5.2.4, 2.5.3, 2.5.3.2, 2.5.3.3, 2.5.4.1)
- Cultural Heritage (2.6.1-2.6.3)
- Human-Made Hazards (3.2.1-3.2.3)

QUESTIONS?


PRESENTERS



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Partner
Certified Specialist (Environmental Law)

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Graham Reeder

Associate
Environmental Law

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GOWLING WLG

MEETING. APRIL 4th 2022

ZONE CHANGE APPLICATION 11/19.

JACKSON HARVEST FARMS LTD./IBI GROUP.

1894-1922 WITMER RD.

MAYOR ARMSTRONG & COUNCIL MEMBERS.
GOOD EVENING, THIS IS MY OBJECTION TO
THE AGGREGATE PIT. PROPOSAL (HALMAN PIT)

THE SAFETY, HEALTH & WELLBEING OF
GOOD LAW ABIDING, TAX PAYING, VOTING
CITIZENS WILL BE IMPACTED. —

A LOT OF MONEY, TIME & LOVE HAS BEEN
PUT INTO FIXING UP THEIR PROPERTIES
WILL BE AFFECTED IN A DEVASTATING WAY IF
THIS NOT NEEDED AGGREGATE OPERATION IS
ALLOWED TO HAPPEN!

I GRADUATED THE ONTARIO FIRE COLLEGE
GRAVENHURST, ONT.

WHERE I LEARNED ALL ABOUT FIRE
SUPPRESSION, FIRE RESCUE & ADMINISTRATION

I WAS A FULL TIME FIRE SUPPRESSION ENGINEER
& EMERGENCY RESPONDER - CITY OF WATERLOO
FOR 30 YRS.

Cont'd.

I DROVE EMERGENCY VEHICLES MANY TIMES THRU TRAFFIC BLOCKED ROADS TO GET TO AN EMERGENCY, VERY CHALLENGING!

IF WITMER ROAD IS CONSTANTLY TRAVELED BY BIG GRAVEL TRUCKS FROM & TO THIS PROPOSED P.I.T. TRAFFIC WILL BE A NIGHTMERE! GETTING TO A RESIDENCE WHERE HELP IS NEEDED IMMEDIATELY, WHERE SECONDS COUNT WILL BE A PROBLEM!

TO LOOSE SOMEONE TO THIS DELAY IS DEVASTATING. TO THE PEOPLE INVOLVED!

- ALSO GETTING TO A FIRE * WHERE SECONDS COUNT! OUR ROAD "WITMER Rd" IS NOT WHAT A TOWNSHIP ROAD IS DESIGNED FOR & NOT ITS INTENDED USE. "TRUCK VOLUME"

WITMER ROAD IS USED FOR RESIDENCE TO COME & GO + RECREATION & FARM EQUIPMENT. - WALKING ALONG, BIKERS USE & NATURE ENJOYMENT! - SCHOOL BUS ROUTE WITH STOPS!

PROSPECTORS CAN FIND BETTER PLACES TO FIND AGGREGATE, & SAFER HAUL ROUTES.

BY THE WAY I HAD MY PROSPECTOR'S LICENSE.

CONT'D.

TO DESTROY A NATURAL TREASURE WE HAVE
IN WILMOT WE ALL KNOW IS NOT RIGHT!
IT'S A DELICATE AREA WHICH PRODUCES
THE PURE, GOOD, HEALTHY WATER WE
ALL NEED. IT'S A DELICATE AREA!

WE ARE THE ONLY CREATURES ON EARTH
THAT CAN PROTECT & SAVE OUR
PURE DRINKABLE WATER.

THANK YOU ALL FOR LISTENING TO
MY PERSONAL CONCERNS!

DAVE BRICKER

1768 WITMER RD.

SINCE 1975

Mayor Armstrong & Council Members

Good Evening. This is my objection to the aggregate pit proposal.

We have lived on Witmer Road for over 40 years and have enjoyed the quiet country life.

I like going for walks along Witmer Road & I would like to take you on a short walk with me.

In the Spring I come across a wall of Lilacs & for 5 minutes as I walk along, I get to enjoy the beautiful fragrance of the Lilacs.

I quite often see deer cross the road and have seen a fox or two as well.

Walking by the woodlot by the entrance of the proposed pit, is like walking through a rain forest. The sounds of all the birds singing is so amazing. A bird-watcher friend took this picture of a rare red headed woodpecker by that woodlot.

The sun rises, and the sunsets are breathtaking as I walk along.

Witmer Road is narrow, with no shoulders, so walking on the road is a must. The few cars I meet slow down, go around me & give a wave as they go by.

I also meet many cyclists on my walk, and a good morning or good evening is always in good order.

As you can see, we live close to the road, and the constant noise & rumble of gravel trucks would be unbearable.

After my walk, being able to sit in the back yard and enjoy the peaceful scenery and wildlife is what country living is all about.

In conclusion, I would not be able to walk along Witmer Road with the gravel trucks flying by every 5 - 10 minutes.

City people drive to the country to walk or cycle. Country people should not have to drive to another road to enjoy a walk.

Thank you for your time,
Martha Bricker
1768 Witmer Rd

WHITE MASONRY CEMENT



RISK COMMENT:

- CORROSIVE TO EYE, SKIN AND RESPIRATORY SYSTEM

PRECAUTIONARY MEASURES:

- AVOID EYE AND SKIN CONTACT ESPECIALLY WHEN WET
- WEAR FULL CLOTHING WITH LONG SLEEVES
- WEAR SAFETY GLASSES AND GLOVES

FIRST AID MEASURES:

- IF CONTACT OCCURS, WASH THOROUGHLY WITH WATER WITHOUT DELAY
- WHERE DISCOMFORT PERSISTS, SEEK PROMPT MEDICAL ATTENTION

REFER TO MATERIAL SAFETY DATA SHEET FOR FURTHER INFORMATION:

CIMENT MACONNERIE BLANC

INDICATION DES RISQUES:

- CORROSIF POUR LES YEUX, LA PEAU ET LE SYSTEME PULMONAIRE

MESURES DE PREVENTION:

- EVITER CONTACT AVEC LES YEUX ET LA PEAU PARTICULIEREMENT QUAND HUMIDE
- PORTER DES VETEMENTS POUR PROTECTION COMPLETE
- PORTER DES EQUIPEMENTS POUR LA PROTECTION DES YEUX ET DES MAINS

MESURES DE SECOURS D'URGENCE:

- EN CAS DE CONTACT, BEIN RINCER AVEC DE L'EAU IMMEDIATEMENT
- EN CAS DE MALAISE PERSISTANT, CONSULTER AUSSITOT UN MEDECIN

POUR PLUS D'INFORMATION, CONSULTER LA FICHE SIGNALETIQUE:

1-800-265-1806

FEDERAL WHITE CEMENT LTD. WOODSTOCK, ONTARIO

CAUSES BURNS: DO NOT SWALLOW. DO NOT GET IN EYES. DO NOT GET ON SKIN OR CLOTHING. DO NOT BREATHE FUMES. HANDLE WITH CARE. KEEP OUT OF REACH OF CHILDREN. WEAR SAFETY GLASSES, PROTECTIVE CLOTHING AND DUST MASK. USE ONLY IN A WELL-VENTILATED AREA.

FIRST AID TREATMENT: CONTAINS CEMENT, WHEN WET FORMS A CALCIUM HYDROXIDE SOLUTION. IF SWALLOWED CALL A POISON CONTROL CENTER OR DOCTOR IMMEDIATELY. DO NOT INDUCE VOMITING. IF IN EYES, RINSE WITH WATER FOR AT LEAST 15 MINUTES. IF ON SKIN, RINSE WELL WITH WATER. IF ON CLOTHES REMOVE CLOTHES. IF BREATHED IN, MOVE PERSON TO FRESH AIR.

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RINCER AVEC
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CEUX-CI. EN
TRANSPORTER A

plastic sheeting. Curing should be continued for a period of five days in warm weather [73 °F (21 °C) or higher] or seven days in cold weather [50 °F to 70 °F (10 °C to 21 °C)]. Curing with plastic

béton est durcie mais
utiliser de produits de
inférieures à 10 °C (50
ou à la fin de l'automne
seront utilisés pour fai

QUIKRETE.COM

Do-It-Yourself doesn't mean
IDEAS • ADVICE

First Aid / Premiers Soins:

Important! Read before using. WEAR IMPERVIOUS GLOVES, such as nitrile.

DANGER - CORROSIVE: CAUSES SEVERE SKIN BURNS AND SERIOUS EYE DAMAGE. May cause an allergic skin reaction. Portland cement can cause dermatitis or sensitization. Do not mix with other chemical products. Do not swallow. Do not get in eyes or on skin or clothing. Dust may cause irritation. Causes damage to lungs through prolonged or repeated inhalation. Handle with care. Wear safety glasses. Wash thoroughly after handling. Use only in a well-ventilated area. Do not use in enclosed spaces. Wear a CSA approved respirator (mask), such as N95, in poorly ventilated areas, when used for extended periods or when permissible exposure levels may be exceeded.

FIRST AID TREATMENT: This product contains silica sand, portland cement and may contain other chemicals. If swallowed, call a Poison Control Centre or doctor immediately. Rinse mouth and do not swallow. If in eyes, rinse with water; remove contact lenses if easy to do; continue rinsing for up to 15 minutes. If on clothes, remove clothes. You cannot rely on pain to alert you.

APPENDIX H

Mayor Armstrong, Councillors and residents across Waterloo Region

My family and I could choose to move from Shingletown but then the possibility of the Hallman Gravel pit becomes someone else's problem, someone else's health risk. I know that a house does not make a home and we could create a home somewhere else. But the house we live in in Shingletown is a treasure given to us by my parents. They also live in Shingletown so we are three generation residents. My parents for thirty years, my husband and I for twenty years and my children have lived here their whole lives. You see my father is a master carpenter and spent the better part of seven years building our two houses and customizing each part. When my father sees a piece of wood, he sees his next project. He comes from a generation who show their love through how they provide for you. If we were to move, we could not take this door with us, (page one) we could not take these floors with us (page two) and we could not move this ceiling (page three). We can't move the tree house that my children grew up on and the neighbours now enjoy (page four). We hope that this house will long be in our family. If you ask other residents of Shingletown about why they choose to live here they will have their own reasons. Starting out as a new family or retiring here after a lifetime of work. This space brings us solitude, especially during these past two years.

After talking about my father's legacy, I'd like to talk about council's legacy. You see we all have a **common** threat that we need to address and it's the climate crisis. We don't have the **luxury** of leaving this hard work to the next council or the next election. We need to decide now how to lower our green house emissions and protect our natural resources. **Climate Action Waterloo Region** has their 80 by 50 mandate which means reducing greenhouse emissions 80% by 2050. Wilmot Council's **Sustainability Working Group** participates in this initiative. There is good news here! Wilmot council has already reduced the township's greenhouse emissions by 30% which is highly commendable. We need to consider the remaining 50% reduction. The sooner we accomplish this goal the better for lowering the temperature of the planet, the more we can inspire change in other communities and stall this climate crisis.

Here are ideas discussed by **Climate Action Waterloo Region** listed in their Transform Waterloo Region Strategy. Strategy 5.1 on page 59 states Protect agricultural land and the local agricultural system. Waterloo Region has been a long-time leader in the development and implementation of land use planning protections for **prime agricultural land**. This protection is a continued priority for community members, those in the agricultural industry, and municipalities, and these policies must continue to be strong. Strategy 5.2 Diversify and strengthen the local agri-food sector with a focus on serving local food needs. Supporting and continuing to build our agricultural and agri-food industry can increase the amount of food that we grow, make, and consume locally. This significantly reduces the energy needed to transport food into and out of the region. Just like keeping aggregate resources close to the intended market reduces greenhouse gas emissions, so to does keeping food close at hand. Supporting our local agricultural community directly contributes to strengthening our local economy, and increases our resilience by reducing our reliance on international supply chains.

I would like to thank Wilmot Council for their time and consideration of this zone change application and the effects on Wilmot Township. In the Wilmot.ca photo galleries, I see farmland in all it's seasons,

sunsets and skies. There is water and even a quaint photo of a true country road called Witmer Road. These represent Wilmot for my family too.

Remember we are in a Climate Emergency even more so than when Wilmot Council declared that in September 2019.

Remember this property is zoned Prime Agricultural Land and

you can deny the application, as stated by David Sisco who represents Jackson Harvest Farm, back in January 2020.

Remember Wetlands are wetlands no matter where in Wilmot Township and

this is your legacy and mine.

I would like to close with a quote from Izabella Teixeira, former environment minister of Brazil who spoke about the climate emergency with the United Nations: "Currently decisions are being based on the past but we need to base them on the future. That means leadership."

I look forward to your decision and your leadership.

Thank you



Why I Object to the Hallman Pit

Christina Harnack

Spring 2022

Wilmot Region-Our community for generations to come



I object to the Hallman pit for several reasons.

I am concerned about:

- » Our Water Safety
- » Toxic Pollution affecting Noise and Air quality
 - » The Well-Being of Others
 - » Negative Effects on the Environment
 - » Climate Change
 - » Our Physical and Mental Health

APPENDIX I

POTENTIAL IMPACTS OF THE PROPOSED HALLMAN PIT



CUMULATIVE IMPACTS The combined impact of all 'past, present and future' gravel pits

HEALTH IMPACTS



Increased noise levels due to truck activity, alarms and extraction



Health effects from exposure to harmful fine particulate matter (dust)



Potential for contamination of our drinking water in sensitive recharge areas

ECONOMIC IMPACTS



Safety of operations of proposed traffic impact not satisfied by experts



Questions remain about the feasibility of rehabilitation back to prime farmland between experts

ECOLOGICAL IMPACTS



What impact with the life of the Hallman pit have on the life of the wetland and Woodlots?



Auxiliary activities such as wash ponds can increase risk for groundwater impacts



Operational practices, such as fuel storage and asphalt recycling, can increase risk of pollution

statements made are based on expert reviews commissioned by the Region of Waterloo, Wilmot Township and Citizens for Safe Ground Water Inc., as well as the Grand River Conservation Authority, to date



The Danger of Fine Particulate Matter

- Fine Particulate Matter is related to increases in:
 - cardiopulmonary disease
 - asthma, bronchitis, emphysema,
 - and premature death in those with pre-existing conditions.
- Crystalline silica dust is common from processing sand and gravel and is a known carcinogen.

The Danger of Fine Particulate Matter

- Diesel emissions contain Fine Particulate Matter that can enter our bloodstream
 - Fine Particulate Matter is smaller than a red blood cell!
- Diesel emissions in our community will increase with the Hallman Pit with a proposed 1-2 trucks per minute.
- Diesel engine exhaust is “carcinogenic to humans” and linked to lung cancer and bladder cancer (Evidence from the International Agency for Research on Cancer (IARC))

APPENDIX I

The Danger of Fine Particulate Matter

- As a result of increased exposure to Fine Particulate Matter, Lancet Planetary Health, using data from U.S. and Ontario and published in 2020, identifies :
 - Impaired cognitive function
 - Accelerated cognitive decline
 - Parkinson's disease, Alzheimer's disease
 - Dementia
- The Global Burden of Disease, Injuries and Risk Factors Study in 2016 outlines the increase of neurodegenerative diseases and premature death connected to Fine Particulate Matter.
- Fine Particulate Matter is related to increases in cardiopulmonary disease, asthma, bronchitis, emphysema, and premature death in those with pre-existing conditions.
- Seniors and young children are the most at risk with increased exposure to Fine Particulate Matter.

APPENDIX I

79



Google Earth

©2020 Google

40 m



ACCESSORY PROPERTY USE

Do auxiliary aggregate activities pose an unnecessary risk to sensitive recharge areas?

The Township will regulate uses associated with aggregate extraction through the Zoning By-law as follows:

- a) permit *accessory uses* associated with aggregate extraction operations and processing activities such as crushing, screening, washing, stockpiling, blending with recycled asphalt or concrete materials, storage, weigh scales, parking and office facilities;

Source: Township of Wilmot Official Plan – April 2019 Consolidation - 7.1.1.7

Wilmot Council has the ability to mitigate risk:



No 'Wash Ponds' on-site



No Used asphalt/concrete stockpiling, reprocessing.



No Fuel storage on-site

Note: Applicant has proposed these activities take place in a “**Sensitive Recharge Area**”



TOWNSHIP
OF WILMOT

MEDIA RELEASE

Wilmot Township Council Approves Climate Emergency Declaration

Baden, ON - At the September 23rd Council meeting, the Township of Wilmot took another solid step forward in continuing its efforts to promote sustainability by joining government agencies in the declaration of a climate emergency.

Over the past few months, Kai Reimer-Watts and Andreas Fuentes from the Climate Emergency Declaration Group Waterloo Region have been working with area municipalities on formulating resolutions in support of the Climate Emergency Declaration.

Data provided by Mr. Reimer-Watts and Mr. Fuentes indicates that municipalities are significant contributors to climate change, consuming more than 2/3 of the world's energy and accounting for more than 70% of its carbon emissions.

The Township of Wilmot has an absolute Green House Gas (GHG) emissions target reduction of 25% from 2012 levels by 2027, and has already reduced its GHG emissions by approximately 19.6% or 330 tons since 2012.

“The Township of Wilmot has an absolute Greenhouse Gas (GHG) emissions target reduction of 25% from 2012 levels by 2027”.

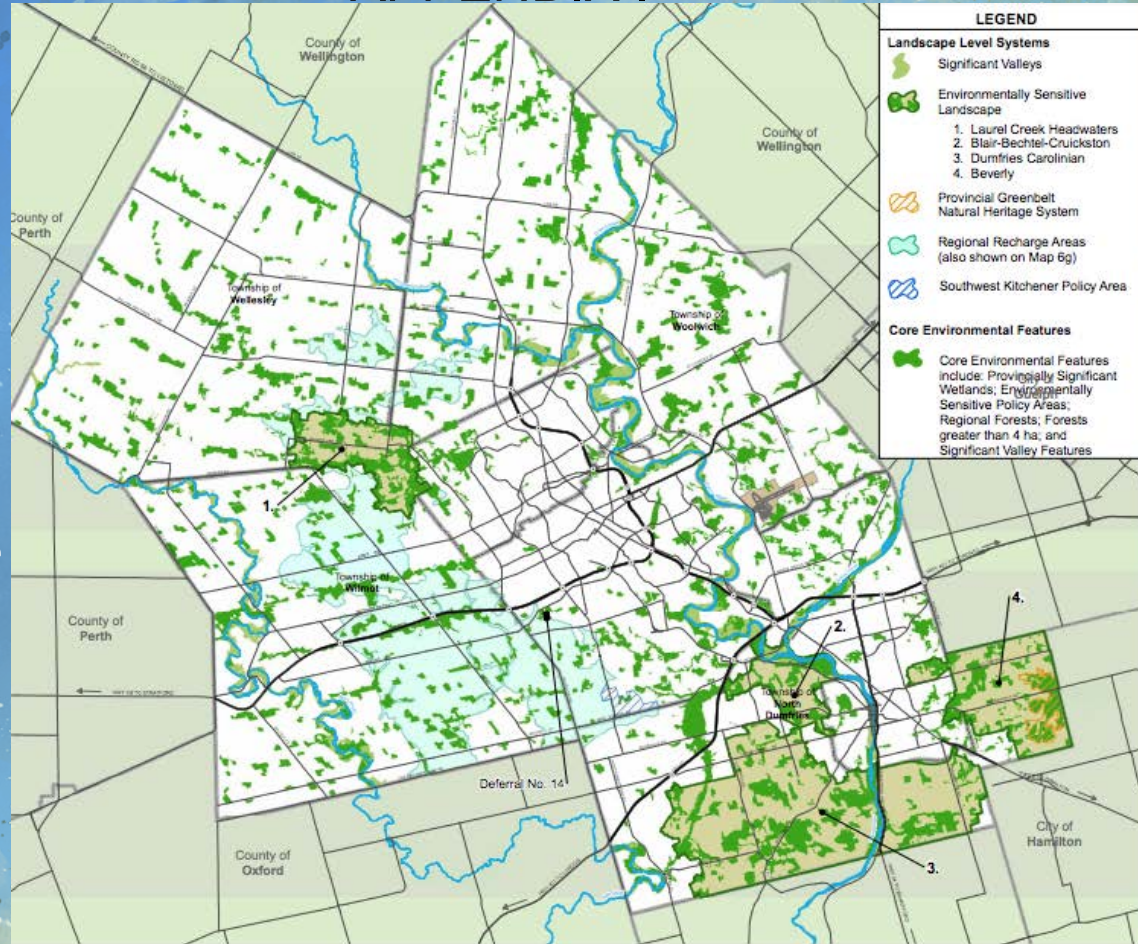
The decision on this rezoning in a Source Water protected area will be precedent setting.

To date, there has not been a gravel pit approved for rezoning in a Source Water Protected Area.

This precedent decision comes with great responsibility and could open the potential of other protected areas to also be negatively impacted and exploited.

Regional Official
Plan:

Wilmot Region is
identified as
Regional Recharge
Area



LEGEND

Landscape Level Systems

- Significant Valleys
- Environmentally Sensitive Landscape
 1. Laurel Creek Headwaters
 2. Blair-Bechtel-Cruickston
 3. Dumfries Carolinian
 4. Beverly
- Provincial Greenbelt Natural Heritage System
- Regional Recharge Areas (also shown on Map 6g)
- Southwest Kitchener Policy Area

Core Environmental Features

Core Environmental Features include: Provincially Significant Wetlands; Environmentally Sensitive Policy Areas; Regional Forests; Forests greater than 4 ha; and Significant Valley Features


Region of Waterloo

**Regional Official Plan
SHAPING OUR FUTURE**

MAP 4

**GREENLANDS
NETWORK**

LEGEND

- Provincial Highway
- Regional Road
- River
- Region of Waterloo International Airport
- Municipal Boundary
- Railway

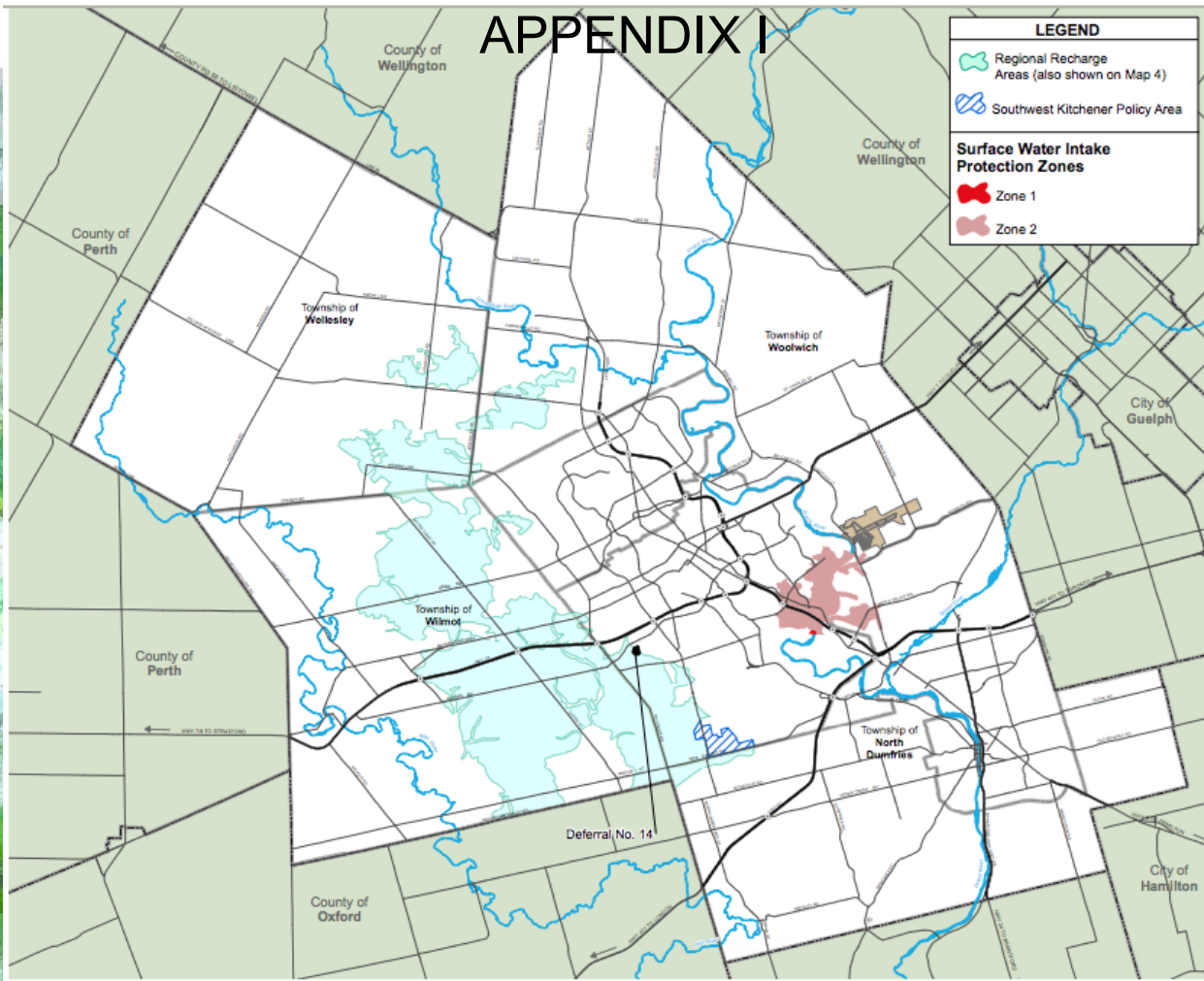
0 1 2 4 Km

Sources: Region of Waterloo, Ministry of Natural Resources

2015

Note: Permanent and intermittent watercourses are identified in the Technical Appendix for Landscape Level Systems and Core Environmental Features

Note: This map forms part of the Official Plan of the Region of Waterloo and must be read in conjunction with the policies of the Plan.

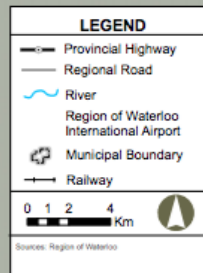


85

Region of Waterloo

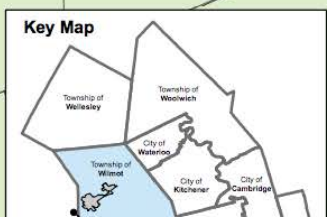
Regional Official Plan
SHAPING OUR FUTURE

MAP 6g OTHER SOURCE WATER PROTECTION AREAS



2015

Note: This map forms part of the Official Plan of the Regional Municipality of Waterloo and must be read in conjunction with the policies of this Plan.



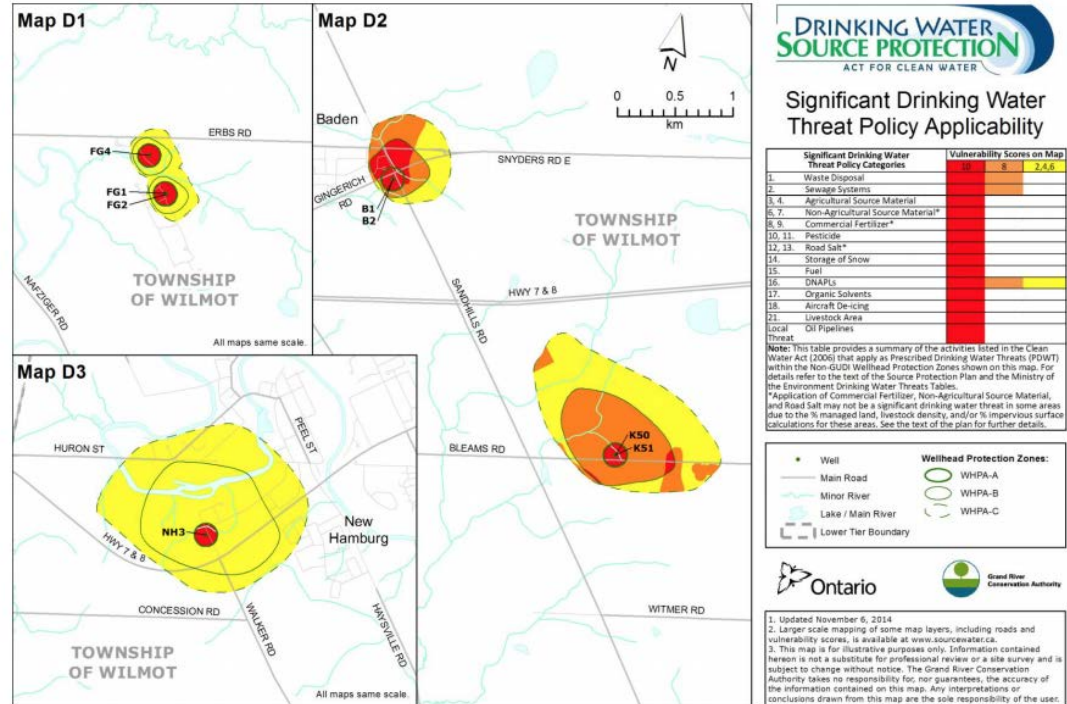
Drinking Water Source Protection Plan

87

Grand River Source Protection Plan

Volume II – Approved

10.10 Schedule E: Regional Municipality of Waterloo: Township of Wilmot Well Fields Maps D1, D2 and D3



APPENDIX I

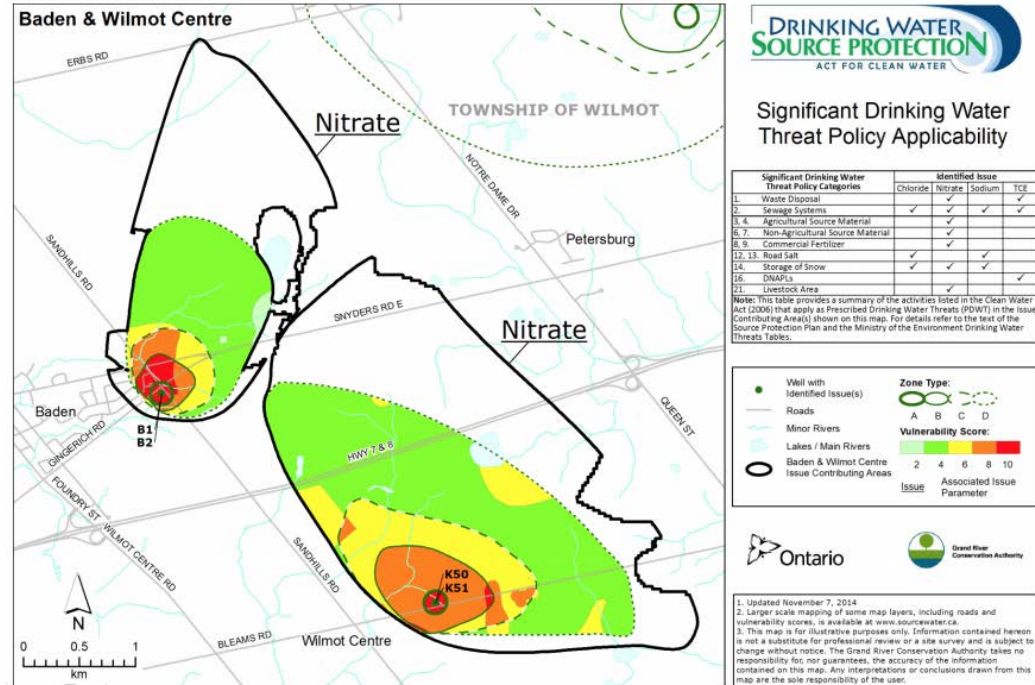
Significant Drinking Water Threat Policy Applicability

88

Grand River Source Protection Plan

Volume II – Approved

10.21 Schedule P: Regional Municipality of Waterloo: Baden and Wilmot Centre Issue Contributing Areas



November 26, 2015

Regional Municipality of Waterloo - Section 10-66

Chapter 8

Source Water Protection

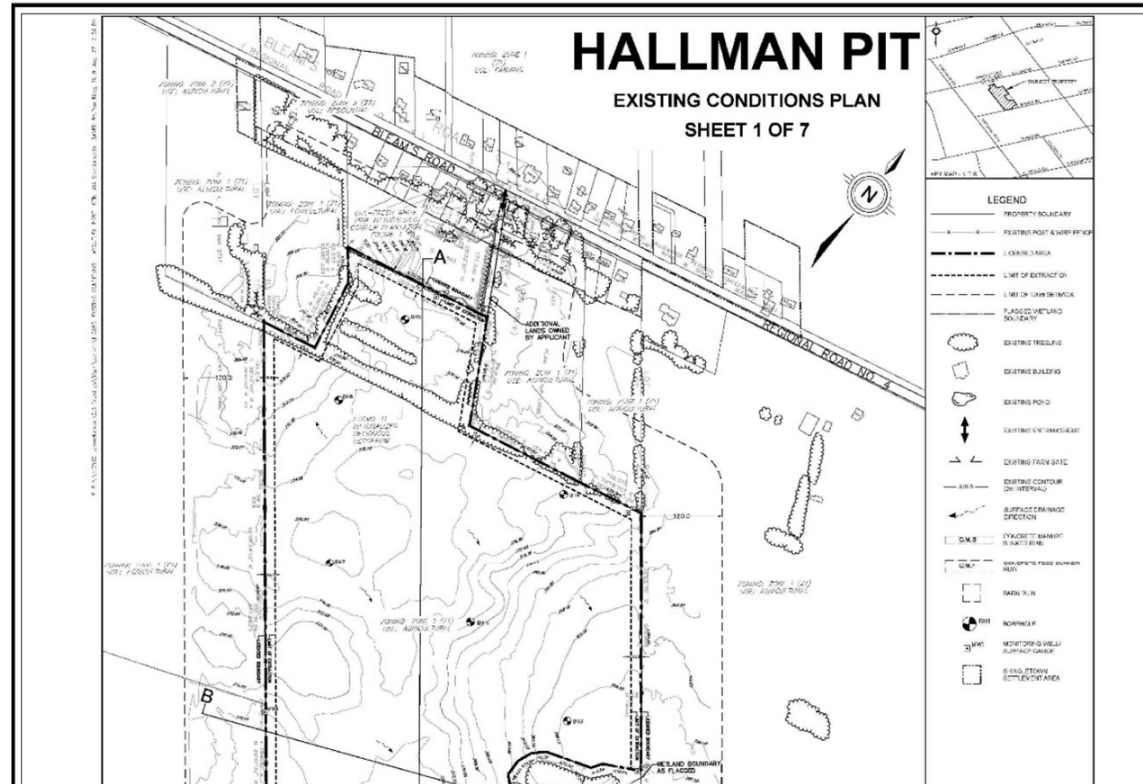
8. Source Water Protection

Waterloo Region is unique in Ontario in that it is the largest urban municipality to rely almost exclusively on groundwater supplies for its drinking-water. Approximately three quarters of all the region's drinking-water comes from the over one hundred municipal wells, many of which tap into rich aquifers sustained by the Waterloo Moraine. The remaining quarter of the region's drinking-water is drawn from the Grand River. Protecting these valuable water resources from contamination and from land uses that could hinder groundwater recharge is essential to maintaining human health, economic prosperity and a high quality of life in the region.

The *Province* has recently emphasized the importance of protecting the *municipal drinking-water supply system* by way of land use planning decisions, through changes to the Provincial Policy Statement. The importance of protecting the *municipal drinking-water supply system* is also underscored by the enactment of the Safe Drinking Water Act and the Clean Water Act. The Region's role in implementing Provincial policy, places an obligation on the Region to make land use planning decisions consistent with the Provincial Policy Statement's direction to protect the quality and quantity of drinking-water resources in the region, and to limit *development* and *site alteration* that could adversely affect drinking-water supplies drawn from both the Grand River and groundwater resources. Waterloo Region's continued long-term reliance on groundwater resources necessitates a high priority be placed on protecting this valuable resource through land use management.

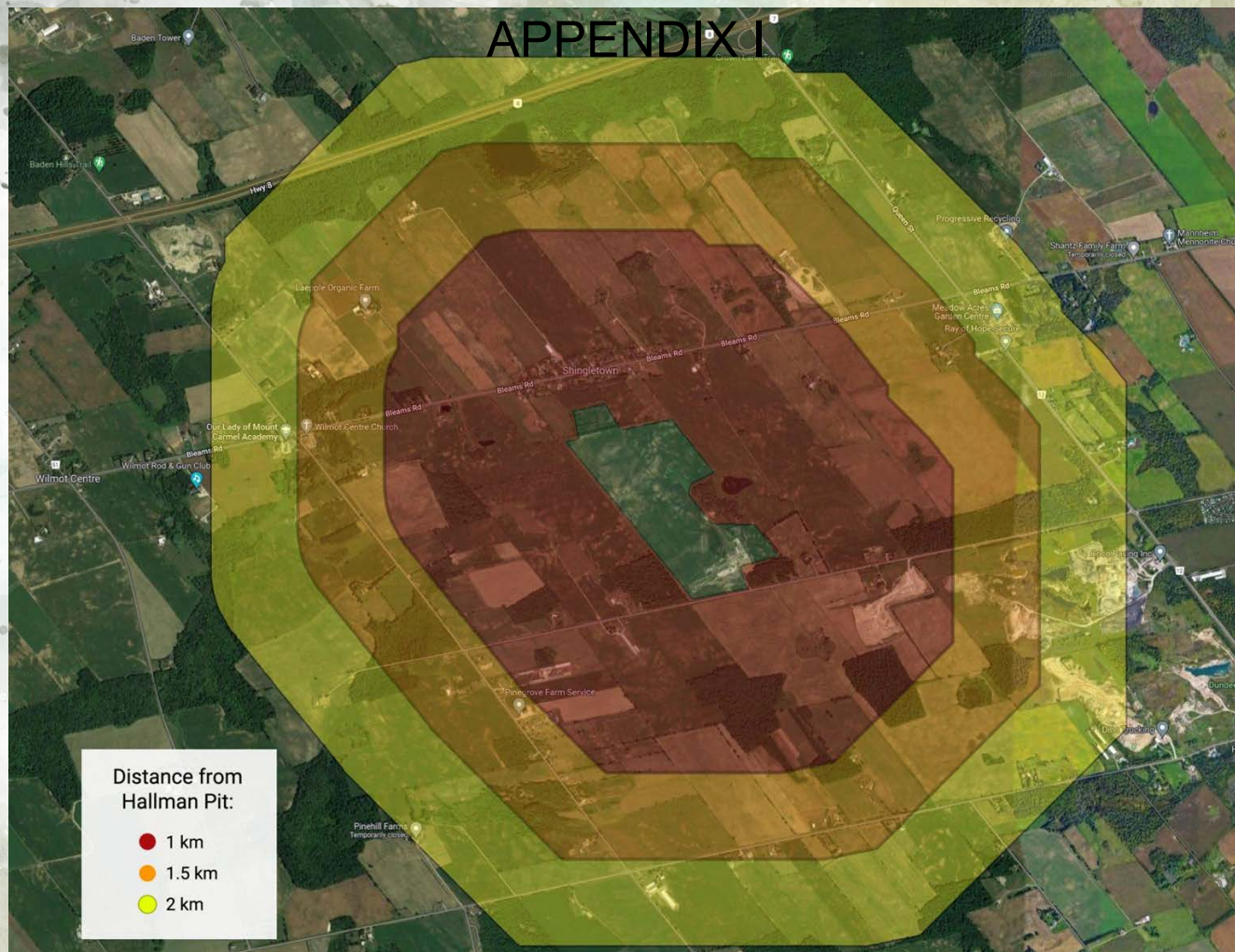
Def.
No. 1

How will properties be affected?



APPENDIX I

91





Mr. Esbaugh cannot prove beyond a reasonable doubt that he will have no negative impact on our water, environment, roads, mental health, community or on Greenhouse Gas Emissions. The approval of this rezoning has great stakes and is not worth the risks.

Please be courageous when you make a decision for this re-zoning proposal.

Please remember the many **people** who have voiced their concerns and please make this decision with the values of our community at heart and not for the goals and projects of an individual developer.



APPENDIX I

95

March 29, 2022

Dear Neighbours,

I am writing to relay the concerns of both myself and the residents in our community regarding an application submitted for a new aggregate gravel pit in Wilmot Township.

I am expressing my position against the Hallman Pit quarry application. I believe there are potential hazards of this proposed site, which we should not risk exposing. We need to protect the water resources and the people who depend on them.

I understand that decisions on zoning and licensing will be made at local and provincial levels, and I am aware that this is not my jurisdiction as a federal member of parliament. But it is my water.

In Waterloo Region, we are heavily reliant on water from the ground and the Grand River. I am proud of the many citizens taking a strong stance and asking elected representatives to consider the negative consequences of more aggregate sites. Their passion for protecting our land and water is inspiring, as is their diligence and evidence.

I have attended meetings hosted by the company proposing the gravel pit and meetings held by concerned citizens who have reached out and shared their thoughts and views with me, opposing the site.

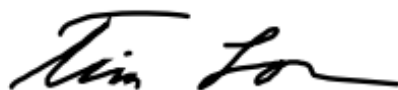
This proposal's points of contention include groundwater contamination, farmland protection, pollution and community health issues, and road safety issues. There is evidence to support these concerns.

As for the demand for more aggregate in infrastructure, the industry has permission to dig thirteen times more aggregate than we need. There are already multiple active licenses near the proposed site, and throughout our region, many sites sit dormant.

Waterloo Region has high-quality soil and aquifers; giving unhindered and self-regulated access to mining would be unsound. Our region has some of the best soil in Canada. Farmland is not a renewable resource; we should be preserved. We must protect our water and environment for ourselves, our children, and our grandchildren.

Canadians deserve a healthy environment and a safe community. All levels of government must work together to ensure we protect and preserve the safety, quality, and supply of our water.

I am asking that our citizens' health and the protection of our environment be considered up-front and consistently in all reviews. This decision should be about the needs of the residents, not the applicant's wants.

A handwritten signature in black ink, appearing to read "Tim Loe". The signature is fluid and cursive, with a long horizontal stroke at the end.

APPENDIX J

Helen Schroeder's Delegation

Good evening, my name is Helen Schroeder and my husband's name is Ralph Schroeder. We have lived at 2106 Bleams Rd. in Shingletown for 27 years now and have felt truly blessed to live in this community. I'd like to give you some background as to how we came to live here, and would like to express my concern surrounding the Hallman gravel pit proposal. As local residents in Shingletown we are concerned about the effect putting in a pit so close to our homes will ultimately have, if this is approved. I cannot believe that we are here today to discuss this issue and that it has come as far as it has, given the protest of the community thus far. We don't need nor want a gravel pit beside our homes.

I have been a citizen of Wilmot Township since 1975. Growing up, I lived with my family in New Hamburg for 15 years, and my mother, brother and daughter still live there. I attended schools in New Hamburg and Waterloo Oxford in Baden for high school. We moved away for a few years to Kitchener, but we were both so happy when the opportunity to buy the family property from Ralph's grandparents in 1995 became possible. We were so excited to be raising our own three children in Wilmot Township and having them be part of the thriving and loving community for their childhood. We believed it would be the perfect place for them to grow up. It felt like coming home for me, since it was a vision that I had always had for my family.

We have a 20 acre property located directly North of the proposed Hallman gravel pit owned by Rick Esbaugh. We would have a direct line of sight to the land that will be mined for the next 30 plus years. Right now, it's a quiet, beautiful farmland, which can be seen for kilometres. We rent 15 acres of our own land to a neighboring farmer. We are concerned about losing the enjoyment of this idyllic and agricultural environment. Instead we would be staring at a huge berm, listen to loud machinery, feel vibrations, see extra traffic coming through, and try to deal with dust and potentially contaminated water.

Another problem that we have with the proposed pit are the health concerns; I suffer from asthma, and I also know some of my neighbours struggle with breathing issues. I worry that the fine particulates from the excavations and extra diesel from the trucks and excavators in the air may trigger and exacerbate an already sensitive condition that I have. I am also annoyed about the extra noise (and there will be extra noise), such as the constant beeping of heavy machinery, dump trucks and vibrations that would carry into our community. There would be no reprieve, given the hours the pit will be running. I know the noise will happen, since a neighbour closer to us has had clean fill being delivered for the last few years, and we would hear the trucks as clear as day in our backyard. Environmental concerns are at an alltime high. Why are we still talking about this pit being placed right next to a residential area affecting land, air and water quality as well as quality of life for Shingletown? Not only that, it poses a safety threat for our children, who may think it would be a good idea to explore a gravel pit. A simple berm would not be sufficient protection. Access to it wouldn't be that difficult for them.

The threat of this pit has caused undue and unnecessary stress during COVID, when we have been concerned about our personal health. In order to survive the pandemic, many of us saw our homes as a place of refuge, a place to replenish and a place to keep up safe and healthy. The threat of this pit has already caused distress to the long-term residents. The number of home sales since this pit proposal has been in play in Shingletown has been noticeable and

alarming, since some are seeing that there is no choice and it's better to get out while it's still good. This is a community of people who have been here for 30 or more years. It is such a shame that your taxpayers feel so shaken to remain in what has been their lifelong home.

Through conversations with my neighbours, people are clearly unsettled and worried that the township will let us down and approve the pit. It is way too close to us.

In your procedural bylaw for council protocols, the following points are listed as the duties of the council:

a) to represent the public and to consider the well being and interests of the Township;

b) to develop and evaluate policies and programs of the Township;

Through media coverage, some members of the township council have implied that you don't have a choice, which I feel is very short-sighted. I challenge that notion of choice, since the citizens and neighbours of your community chose and elected you to represent the citizens and do what's best for Wilmot Township. More importantly, we are a vast, rich resource of groundwater, which is a supply for the larger community of Waterloo Region. The term "council" comes from the Latin meaning *a meeting, a gathering of people*. It is the notion of a calling together. If this gravel pit goes in, we will know that the township is not working together with the citizens of this community. We have been long-time taxpayers for this community. If this is approved, the council is breaking our trust for the future. Our words should matter to you. Time and time again, Citizens for Safe Groundwater have done their research to clearly show you the overwhelmingly negative consequences of placing a gravel pit, where natural resources such as good farmland, natural habitats and safe groundwater need to be preserved and taken care of. We already have enough gravel pits. We do not need anymore gravel pits. Additionally Mr. Esbaugh continues to push the envelope with asphalt and concrete recycling, which were not in the initial proposal. How can you rehabilitate land from those types of activities? It seems unlikely it would be successfully done, and the land pays for it, along with the residents. It also means more trucks, noise and potential water and air contamination. Please try on the shoes of the people of Wilmot and walk for a while, and see how you might feel having a gravel pit in your back or front yard. We implore you to please maintain our beautiful community and consider the long term and irreversible damage that allowing this pit would cause. Any future pits should be located away from already established residences, so that our community remains beautiful and safe to live, and continues to be a place where families would want to raise future generations. It is unfair and unjust to place the wants of one corporate individual over the needs of an entire residential community. I hope that you will consider our health and well-being carefully. You are our last hope to stop this. Thank you for your time and willingness to listen.

Ralph Schroeder's Delegation

My name is Ralph Schroeder and I live at 2106 Bleams Rd. in Shingletown with my wife Helen, whom you have heard speak earlier. As my wife said, I am also opposed to the Hallman Gravel Pit proposal. Thank you.

APPENDIX K

DELEGATION TO WILMOT TOWNSHIP COUNCIL ON THE SUBJECT OF THE PROPOSED HALMAN PIT GRAVEL MINE BY MARILYN HAY, COUNCIL OF CANADIANS 4 APRIL 2022

Good evening. I am here this evening as the Chair of the Kitchener-Waterloo Chapter of Council of Canadians, as well as the national Board member representing the interests of Chapters in Ontario and Quebec and, finally, as the Co-chair of the National Board. The Council of Canadians stands for the interests of People, Planet and Democracy, all of which are of concern this evening. Let's be clear: there is absolutely no need for yet another gravel pit in Waterloo Region, particularly given that none of the half dozen others in the area are being mined anywhere near capacity; this is a private sector profit grab, pure and simple, but at what cost?

For the People, the children and adults of Shingletown, the fine aggregate in the air would put their health at considerable risk from inhaling particulates so microscopic that they will invade lungs and blood vessels of everyone who lives there; this can have dire impacts on cognitive capacity over time. For the people of Waterloo Region, the mining in this area would compromise the natural filtration of our groundwater, upon which we rely totally for our current and future water supplies. For the taxpayers of the Township and Region, the massive wear and tear of enormously heavy vehicles for six to twelve hours a day, six days a week, will damage roads that were never built for such use.

From the perspective of the environmental wellbeing of our Planet here in Ontario, it's no secret that Ontario already mines 13 times the gravel ever needed or utilized in the province. Where these mines have been opened, even when only mined to limited capacity, they play havoc with groundwater supplies in 'washing' the aggregate (and producing those fine particulates that are so dangerous) and compromise the watersheds, waterways, rivers, creeks and groundwater filtration that both urban and rural users depend upon. This is an enormously high environmental cost to pay to support the speculative profit of a few developers.

Finally, from a Democracy perspective, surely the rights and health of urban and rural taxpayers and residents for clean air and water now and into the future – especially given the risks and unknowns presented by ever-escalating climate change – outweigh the interests of private sector speculators hoping for profit from totally unnecessary gravel mines.

I hope the Council will refuse to amend the bylaws, thereby blocking this superfluous and dangerous mine. I would submit that no future permits be approved, and that a full moratorium on all new excavations be implemented, until there is a comprehensive provincial study to examine the actual future needs for gravel mining in the Province of Ontario. Such a study would, of necessity, consider the full environmental impacts of any future gravel pit approvals.

Thank you for your time this evening.

APPENDIX L

Good evening, Mayor Armstrong, and counsel members. I want to start by thanking you for your time this evening. I understand what a huge decision you must make tonight. While I read through my letter, I urge you to put yourself in our shoes. Please hear our concerns and take into consideration the enormous negative impact this operation would have on our community.

My name is Rachel Rennie, I live at 2094 Bleams and I object to the Hallman gravel pit. This is a picture of my family – we are only some of the smiling faces that will be affected by this decision. May I remind you that this will negatively impact hundreds of people. Please help me to protect my family, my neighbours and this lovely community.

A quick recap from my previous presentation I spoke about the numerous health impacts a gravel pit brings forth. One main concern is Silica - a mineral that becomes harmful and life threatening when it is disrupted by gravel extraction as it becomes airborne. This airborne particle is classified as a chemical agent and is a regulated substance. Over time, exposure has been proven to cause forms of cancers, COPD, autoimmune diseases and increasing susceptibility to infections. This is a major health concern and consideration **MUST** be given to citizens living around gravel pit operations who will be exposed to elevated levels.

Another concern is the use of diesel fuel. Use of this fuel creates diesel emissions which consist of many volatile compounds. As such these emissions have been classified as carcinogenic. Health studies by the Canadian Government provides sufficient evidence to prove that diesel

emissions are associated with increased risk to lung and bladder cancer. There is also ample evidence to show that sensitive subpopulations, such as the elderly and children are at a greater risk of adverse respiratory issues due to the exposure of diesel emissions. So, I am asking you - how will you reduce and mitigate these health effects to the roughly 200 residents living within the area of the proposed gravel pit? The real answer here is that you can't. The only way is to say no to this pit.

I want to emphasize that the proposed Pit sits on top of a protected drinking zone. There is no way to accurately know the effects of 30 years of mining until after the damage has already been done. It just does not make sense to allow a pit to dig 1.5 metres above a water. Let's also keep in mind that these water tables are not even. In a study done by Finland it was reported that heavy metals and degrading organic substances as well as viruses and bacteria are retained relatively well in natural areas of the ground. This natural retention is weakened where gravel had been exposed. Making the risk of ground water contamination higher on extraction sites. Faecal coliform bacteria were also observed more in gravel extraction areas with increased nitrates. This is not something to take lightly – The Walkerton e-coli outbreak that infected 2300 people and killed 7 was a result of faecal contamination. In this case well 5's aquifer was prone to absorbing surface run off from gravel soiled zones – testing showed the ongoing deterioration in the quality of water from the well. The ministry failed to apply a provision to reclassify re-existing wells – there were no contamination alarms or emergency shut offs. Due to the shallowness of well 5 and being surrounded by fractured bedrock it was unusually susceptible to contamination. After heavy rainfall manure was subsequently incorporated

into the soil contaminating well 5 with e-coli. We need to ensure municipal water safety. We are asking for irreversible damage by allowing a gravel pit to operate on top of aquifers in a drinking water protection zone.

Operating heavy equipment on top of a protected groundwater comes with great risk and enormous complications. One drop of oil contains up to one hundred litres of water. One blown hydraulic line on any piece of machinery has the possibility to contaminate millions of liters of water. An article from the international journal of engineering research and technology noted that Diesel fuel mixtures of toxic chemicals pose enormous health risk if mixed with ground water – this mixture can percolate through ground water. The permeability of soil is reduced with increasing diesel content, decreased liquid limit and a decrease of internal friction – in other words even the smallest spill alters the physical properties of the soil inhibiting the natural filtration system. Even with a spill response team you can only mitigate the impact on the environment you cannot reverse the implications from a spill. Oil carried by rainfall may persist in the subsurface environment for decades. 20 years in the automotive industry my husband has yet to see a piece of heavy equipment that does not leak some form of fluid.

After further research and attending a very informative call I have learned that the Ontario Government authorized the gravel mining industry to extract thirteen times the amount of gravel each year than needed. It is no surprise that we are unable to fully recover the full functions of the land once it has been mined. In Wilmot township to the south of Witmer road we already have seven existing pits. Of the 200,000 tonnes per year extracted from these pits only 10% of the licensed capacity is used. Why would we

approve the Hallman pit when we already have functioning pits that could be used a full capacity? I struggle to understand how the benefit of one businessman outweighs the benefits of an entire community. Tri City Materials currently owns and operates 5 pits within the region and surrounding areas. The financial gain of this operation is not more important than the wellbeing of hundreds of citizens.

In conclusion I am asking that as our counsel you uphold the six core values of Wilmot. Please put our **health and wellbeing** first. Please support us a **community** by not allowing this pit. Allow our children and **legacy** to live healthy happy lives. Think **forward** on how this will impact climate change and pave the road for future pits. Allow Wilmot residents **accessibility** into making decisions that concern their well being. Last, please **balance** economic development with community liveability.

Thank you for your time.

APPENDIX M

Re: Zone Change Application 11/19
 Jackson Harvest Farms Ltd./IBI Group
 1894-1922 Witmer Road

Good evening Mayor Armstrong and Councillors, especially my Ward 3 councillor, Barry Fisher,

I've lived in Baden with my husband for 31 years. We moved from Kitchener in 1991 with our two young sons and have never wanted to live anywhere else. We love the quiet countryside setting, the clean air and the wide open spaces.

Because of our positive experience in Wilmot, I want our township neighbours in Shingletown to continue to enjoy the quiet rural community that they have grown up in and thrived in, some for several generations. I do not believe that one wealthy businessman should have the privilege of coming along and buying a piece of prime farmland behind and beside their homes and turning their happy and peaceful lives into a living hell.

After over a two year licensing process, there are still many outstanding issues. I have chosen just three to comment on:

1) VIBRATIONS

The Cambridge Today newspaper reported on February 28th, 2022 that a Delovan Drive resident told Cambridge councillors that noise from a gravel crusher beside her house "regularly wakes her neighbourhood with vibrations... that night shift workers can't sleep during the day...and that dust from the Dance gravel pit is so bad they can't open their windows to let the fresh air in."

I can't find any mention of this problem of vibrations caused by gravel pits in either the Region's Final Comments report or the Wilmot Development Services Staff report. Why have vibrations, which not only cause cracks and damage homes but also have a negative effect on one's sleep and mental health, been totally ignored?

2) PROPERTY VALUES

The Wilmot Staff Report does not address the issue of decreased property values. Obviously, the market value of their farm and residential properties will decrease if there is a zone change from Agricultural to Extractive Industrial. It would be difficult to quantify the extent of the drop in market value but I don't think that anyone would suggest that the impact would be negligible.

3) REHABILITATION

Concerning land rehabilitation, the sad truth is that almost all the experts know that this gravel pit can never be returned back to prime agricultural condition. The Regional Staff report admits that:

"no scientific evidence is available to show that a "state of the art" soil rehabilitation process will result in meeting the test for soil rehabilitation to an "agricultural condition".

But the proponent's experts and peer reviewer state that the site WILL BE rehabilitated back to agricultural condition.

The Provincial Policy Statement (PPS) permits aggregate extraction in prime agricultural areas provided the site is rehabilitated back to an agricultural condition, meaning the same areas and average soil capability are restored.

So, how can the Wilmot Staff Report state, on page 3, that the applicant has demonstrated compliance with the PPS, when both the Regional and Wilmot staff acknowledge that the Hallman pit will likely never be compliant?

PROVINCIAL POLITICAL CONSIDERATIONS

The Wilmot Staff Report implies that Council's hands are tied by the province and that you are powerless to vote your conscience against this application.

There will be a provincial election on June 2nd and Premier Doug Ford, who would like to be re-elected, was quoted as saying this, about the proposed gravel pit in Campbellville:

"I'm not in favour of the Campbellville quarry. I believe in governing for the people. And when the people don't want something you don't do it. It's very simple. I know the Mayor doesn't want it, no one wants it. I don't want it. We are going to make sure it doesn't happen one way or another."

MZOs

Also, in this current election cycle, I suspect that it is increasingly less likely that Steve Clark, the Minister of Municipal Affairs and Housing in Ontario, would consider issuing a Minister's Zoning Order (MZO) to the applicant, if our community is against it. Witness the turnaround in Cambridge when the Blair Village community fought against the Warehouse MZO and were successful. Steve Clark also rescinded MZOs in Stratford and in Pickering, as a result of community uproar and Council's backtracking.

ZONING BY-LAWS

I think that there should be a law to protect people from having their lives ruined by a gravel pit. Well, in fact, there is a law. It's called a zoning bylaw. That is one reason why we have zoning bylaws: to protect residential and farm communities from being destroyed by industrial noise, dust, vibrations and heavy traffic. Shingletown residents have done nothing to deserve such a dramatic downgrade in their quality of life. If you vote against rezoning the property, the law will continue to protect them, as it was designed to do.

NEED TO SHOW NEED

Finally, in response to the question: Why would we need an eighth pit, given that there are already seven existing gravel pits that are only operating at 10% capacity on Witmer Road? The Staff Report answers:

“the PPS (Provincial Policy Statement) specifically prohibits municipalities from requiring a demonstration of need or making a decision on the basis of availability, designation or licensing locally or elsewhere.”

As outdated as this policy is, I would like to suggest that the Province can NOT prohibit you from representing your constituents, who are depending on you to protect their quality of life, their mental and physical health, their farmland, their well water, and their property values.







Please, just listen to what this community, YOUR community, wants and vote accordingly. Thank you.

Wilmot Township Zone Change Application ZCA-11-19



Wilmot Public Meeting January 13th, 2020 - Photo Courtesy: Catherine Fife, MPP

Application Not Aligned With Wilmot Core Values

-  **Health & Wellbeing** – Expert identified **risk** to Citizens health, wellbeing.
-  **Community** – **Widespread opposition** from Shingletown, and across Wilmot.
-  **Legacy** – **Prime Farmland Destruction**, Countryside Community fabric at risk.
-  **Accessibility & Inclusivity** – **‘Uphill battle’** for community, process favours applicant, *‘pitting’ our community against its elected body.*
-  **Forward Thinking** – Zone Change unnecessary, and **only** benefits **one** person.
-  **Balance** – **Imbalance** between Applicant reports, Planning reports, Community Expert reports.

Conformance to Provincial Policy Statement using ‘Science’

Provincial Policy Statement (PPS) sets rules for land use

Recently updated by the current Ford Government in 2020

3rd Party Peer Review indicates *not in compliance* with PPS 2020

“No scientific evidence has been presented” (by the applicant)



Zone Change Application **Contradicts PPS, Council Must Vote No** to Zone Change

Recognized Experts in their Field

-  Acoustic - John Coulter - 30 Years
-  Air Quality - Ortech Consulting - 25 Years
-  Water - Wilf Ruland, UW Professor Emeritus Emil Frind, Michael Frind - 110 Years
-  Road Safety - Russell Brownlee - 25 Years
-  Planner - Stefan Szczerbak - 22 Years

-  Expert Reports **Unaddressed**
-  **Unnecessary** Risk to Water Supply
-  Noise & Air Quality **Inconsistencies**
-  Health & Wellness to Village of **Shingletown**
-  **Unacceptable** Hours of Operation
-  Auxiliary Use in **Sensitive** Area
-  **No** Evidence of Acceptable Rehabilitation
-  **Risk** to Neighbouring Agricultural
-  Natural Environment, Wetland **Concerns**
-  **Inadequate** Buffer (Pit Floor vs. Water Table)
-  Haul-Route **Safety**/Cattlelands Agreement

Air Quality Concern - “Zone of Influence”

THE EXPOSITOR

Local News

Dust-up over gravel operation

Vincent Ball

Sep 29, 2020 • September 29, 2020 • 2 minute read • [Join the conversation](#)



Stephanie and Robert Slack and their son, Oliver, stand near a sign they put up on their Oakhill Drive home. The family says dust from an aggregate pit on Colborne Street West across from their home is causing problems. PHOTO BY VINCENT BALL / The Expositor



DATE: March 30, 2022

TO:

President, Citizens for Safe Ground Water Inc.

FROM: Scott Manser

E-mail: smanser@ortech.ca

Re: Initial Peer Review Comments and Results – Hallman Pit
ORTECH Reference #92514

“Upper End” (favorable) modelling vs.
“More Realistic” modelling



Conclusion: Shingletown area at risk!

Restrict Auxiliary Uses based on Wilmot Official Plan



ACCESSORY PROPERTY USE




Do auxiliary aggregate activities pose an unnecessary risk to sensitive recharge areas?

The Township will regulate uses associated with aggregate extraction through the Zoning By-law as follows:

- a) permit *accessory uses* associated with aggregate extraction operations and processing activities such as crushing, screening, washing, stockpiling, blending with recycled asphalt or concrete materials, storage, weigh scales, parking and office facilities;

Source: Township of Wilmot Official Plan – April 2019 Consolidation - 7.1.1.7

Wilmot Council can restrict auxiliary use:

-  No 'wash ponds', crushing on-site
-  No used asphalt/concrete stockpiling, reprocessing.
-  No fuel storage on-site

Note: Proposed activities take place in a “Sensitive Water Recharge Area”

Council **Rejects** Controversial Blair Warehouse Proposal

April 6, 2021 – Council endorses ‘MZO’ for ‘mega-warehouse’, property ***already zoned industrial*** (rumored to be Amazon)

March 21, 2022 - Council turns down **Municipal** ‘Heritage Impact’ Study, and Expert Traffic Study (Traffic Peer Reviewed by Cambridge/RoW)

Outcome: Developer Cannot Build Its Warehouse

"We do really need to listen to what the community wants, so I **can't** support this motion" - Cambridge Cllr. Shannon Adshade

NIMBY
Next It
Might Be
You!

Next We
Might Need
Each Other!

Lisbon New Prussia Berlett's
Corners Josephsburg
St. Agatha Sunfish Lake
Philipsburg Foxboro Green
Waldau Petersburg Baden
Mannheim Shingletown
Victoriaburg Wilmot Centre
Holland Mills New Hamburg
Luxemburg Punkeydoodles
Corner Haysville Pinehill
New Dundee Rosebank

APPENDIX O

Thank you for the opportunity to speak on behalf of 50by30WR.

We applaud Council's decision on March 28th to support the call to the Province for a moratorium on gravel mining until an independent panel of experts can conduct a review and make recommendations that guarantee gravel mining does not compromise groundwater for future generations and does preserve gravel which is a finite resource.

Climate justice highlights other priorities including: prevention of destruction of natural habitat and preservation of fertile soils, reconciliation with indigenous people regarding treaty promises and stewardship of the land. We are asking Wilmot Council to refuse the zoning change now, wait for the expert evaluation and recommendations proposed by the moratorium on gravel mining and then reassess the township needs with the best interests of a safe, just climate future and the health and safety of current residents protected.

In it's 2008 report *A Greener City for All: Dig Conservation, Not Holes*, the Toronto Environmental Alliance writes:

"If we don't change our current aggregate usage, renewing and building the GTA's infrastructure will destroy precious agricultural land and world-renowned natural spaces in the Greenbelt. The key recommendations of this report call for GTA municipalities to ... adopt a 3Rs approach -- reduce, reuse and recycle -- to aggregate consumption in order to ensure GTA infrastructure does not destroy the ecological integrity and agricultural livelihood of the Greenbelt. It also recommends that municipalities urge the Province of Ontario to develop new aggregate policies that mandate the 3Rs and promote the production of "sustainable" aggregate."

Further writing about the environmental impacts of aggregate extraction "less than half of the land disturbed for aggregate production between 1992 and 2001 has actually been rehabilitated." [\[2\]](#) The province classifies pits and quarries as "interim uses of the land" and requires 100% rehabilitation of pits and quarries. Clearly this requirement is not being met. Destroyed ecosystems and source water aquifers are irreplaceable. This is not an interim land use. The landscape is blotted with

APPENDIX O

destructive pits and quarries, and species of all kinds endure permanent negative impacts.”

What transformations in the construction industry, and in the types of materials used, will be necessary for a sustainable future? How will these changes determine land use decisions regarding aggregate extraction?

In a Science Direct series on Civil and Structural Engineering published in 2018, the author writes:

“The responsibility of achieving an eco-efficient concrete structure lies on the industry stakeholders, including the material producers... Of importance ...is the potential of structural engineers in reducing the environmental impacts of concrete structures through selecting eco-efficient repair and rehabilitation systems which consume less natural raw materials and induce less CO₂ emissions, while providing the same reliability, with a much longer durability.”

In another Science Direct series published in 2021 the author writes: “The recent and growing trend to manufacture concrete with aggregate recycled from construction and demolition waste has contributed to the implementation of circular economy principles in the construction industry.”

The Association of Municipalities of Ontario writes “Municipal governments have significant responsibilities for the siting of all land uses, including aggregate extraction. ...Municipal governments must then deal with the impacts of the site on water resources, neighbours, haul routes, road damage from heavy hauling, pit rehabilitation, and safety for traffic and pedestrians.”

Wilmot Council will be considering all of these impacts tonight while making the decision regarding the zoning change requested for the Hallman Pit. Is there urgency to make a zoning change now? No, apparently not, given that there are already seven pits which extract only 10% of the licensed capacity.

APPENDIX O

Does the climate emergency demand that we re-evaluate the construction industry's future need for aggregate? Yes, most certainly. A new UN report on climate change was released today. Scientists report harmful carbon emissions from 2010-2019 have never been higher in human history, and is proof that the world is on a "fast track" to disaster. [António Guterres has warned](#), that it's 'now or never' to limit global warming to 1.5 degrees. We know this moment in history calls for courage and openness to new ways of thinking and doing. Business as usual is not good enough, in fact it is irresponsible. The least we can do is to demand our province act on the Demand for a Moratorium Now (DAMN). The best we can do is to wait for climate informed expert evidence to guide decision making about sustainable aggregate.

I am asking Wilmot Council to take the wise path forward. Please refuse this zoning change.

Thank you,
Barbara Schumacher,
Research Team Lead, 50by30WR

Presentation to the Township of Wilmot
April 4, 2022
Zone Change Application, Jackson Harvest Farms
Hallman Pit 1922 Witmer Road
Special Council Meeting

Honourable Mayor, Councillors, and Guests,

My name is Kevin Thomason. I am a long-time Wilmot resident and community advocate from Cedar Grove Road.

After three years of meetings, delegations, and presentations, along with countless letters, e-mails, and phone calls what is there left to say that you haven't already heard?

Yet, you see people lined up here by the dozens to speak tonight. This is new. In past decades, so many aggregate operations were approved in our township and region with far less citizen input or objection.

But as this Council demonstrated firsthand just the other day, with the unanimous approval of a motion calling on a moratorium on gravel pits, we are in a new era.

People are worried and increasingly speaking up for the future that they want to see. Climate experts are increasingly panicked, and an entire generation of young people are already suffering from climate despair.

The people are protesting this pit and every pit. Your decision here tonight while it carries the guise of a simple Zone Change, we all know, will change these lands forever - from agricultural and natural heritage lands to an extractive industrial designation.

As much as there is the false hope and pipe dream of rehabilitation, there has never been an acre of gravel pit returned to productive prime farmland in Wilmot Township. Almost every aggregate pit ever approved in Ontario, languishes in some forlorn, depleted state with at best, tufts of grass here and there, scattered, abandoned piles of dirt with puddles, ponds and water bodies in various states of disarray.

We all know that pit rehabilitation is a joke in Ontario. Even Wilmot Township's own pit is more of an embarrassment and liability than something to brag about.

We all know that despite all the conditions listed for this pit, there will be few inspections, if ever, and no enforcement or follow-up as pit after pit across our province has proven repeatedly.

We know that not nearly enough aggregates are recycled, and that there is little effort to improve practices because of the way that aggregates

trump everything in Ontario, and there are such tremendous profits to be made.

This is not sustainable in any way. There is no correlation between the destruction and actual need. Aggregate mining is out of control and is irreparably destroying much of the best farmland that we have while also threatening and destroying our precious groundwater.

Our community has no pipelines to Great Lakes. We are solely dependent on our local watershed for all our water needs and we must live carefully within the carrying capacity of our lands.

Some of our watersheds in Wilmot Township are already severely stressed and compromised. With huge growth forecast and thousands of more township residents to feed and sustain in the years ahead, we can't be destroying our farms, aquifers, groundwater recharger areas, and losing millions of litres of water like this.

Our planet is at the breaking point.

It is time to say No, and ensure that our grandchildren are proud of our legacy.

Our region is renown for being pioneers - be it the blue box that is now a global standard, ESPA areas, our Countryside Line, rapid transit, no smoking bylaws, and so many other things that are now taken for

granted. Yet at the time, each one of these things took bold politicians going out on a limb and taking big risks. Opposition to every single one of these incredible initiatives was daunting and there were tremendous battles at the time.

Across Ontario municipality after municipality has been unanimously approving declarations for aggregate reform and moratoriums on seeing any more farmland destroyed for yet more gravel pits. We are already losing 175 acres of rural and farmland each and every day in Ontario.

Canadians are demanding better. But we need more than words and rhetoric. I don't think that any elected official who has called on Doug Ford to act with this recent moratorium actually believes the Premier is really going to do anything - anything but ignore them completely.

We know the provincial aggregate standards are too lax, outdated, and have been skewed dramatically to be in the interests of the operators - not the greater public good.

However, things are changing rapidly. There is a provincial election in just a few weeks, a municipal election in just a few months. We only have 91 months remaining to half our greenhouse gas emissions by an astounding 50% just to meet our Paris Accord Commitments by 2030.

So many concerning aggregate pits, urban sprawl subdivisions, industrial developments, and attacks on our natural ecosystems are being appealed by increasingly concerned citizens that even with last week's OMB funding increase announced by Doug Ford, it will still be years before all these cases are heard. By then our world will have changed even more dramatically.

Wilmot citizens are not going to be upset to see our tax dollars spent at the Ontario Land Tribunal and in court protecting our local farmland, water, and communities. We are all here tonight because we are upset that our government isn't meeting our expectations, matching our values, and doing enough towards the future that we are increasingly so concerned about.

We all want to be on the right side of history. We all need to draw a line in the sand (or gravel), and we want you to stand up tonight and say No.

Please be the leaders that we hoped that we had elected. Be brave, for citizens remember positively the people who stood strong by their values and took bold actions, while also being extremely cynical at those who call for a gravel pit moratorium one week, and then astoundingly approve a new gravel pit the following week.

In Conclusion,

We have no gravel shortage in Wilmot. This sand and gravel has laid here for millions of years and there will be lots of time to figure things out in future years if there ever is a need.

We must do better. Please reject this zone change application tonight. It is not in the best public interest, nor the Township's best interest.

Please ensure that Jackson Harvest Farms doesn't become Final Harvest Farms.

Thank you,

Kevin Thomason

1115 Cedar Grove Road

Waterloo, Ontario N2J 3Z4

Phone: (519) 888-0519

E-mail: kevinthomason@mac.com

APPENDIX Q

Mike Balkwill
Delegation to Wilmot Council.
April 4, 2022.

I am Mike Balkwill and I work for the water watchers a non-profit environmental advocacy group. We support community groups to protect water in their community. I also work on the Reform Gravel Mining Coalition.

Last week Wilmot Council passed a motion supporting a moratorium on new gravel mining approvals in Ontario.

Thank you. Your Council's support is part of a growing movement by municipalities across Ontario who want to see limits on gravel mining in Ontario. Thank you for the opportunity to speak to you tonight.

There are three things I want to present to you tonight for your consideration.

1. Rick Esbaugh is essentially involved in land speculation. Rick bought land in the hope that he could get it rezoned for an open pit gravel mine.

That's a gamble. A 'gravel gamble' and Rick Esbaugh is a 'gravel gambler'.

Now fair ball to him, that's his risk. But Wilmot Council has no obligation to participate in Rick's land speculation, or to be part of his 'gravel gamble'.

Rick Esbaugh is entitled to is to make an application, but that's all. Wilmot Council has the option to say NO.

I think you will agree with me it's unfortunate, that if you do say no – Rick can appeal to the OLT.

It is the view of many people that NO SHOULD MEAN NO. However, the Ontario government has biased the approvals system to favour 'gravel gamblers' like Rick.

It is exactly because of this bias in favour of the aggregate industry that municipalities like Wilmot are supporting a moratorium on new gravel mining

APPENDIX Q

approvals, to increase the influence of municipalities and communities on location of gravel mines.

2. The planning and noise experts and the lawyer representing Citizens for Safe Ground water have given you legitimate reasons to say NO to the Hallman Pit. I won't repeat their reasons.

However I will say why it is important you say no.

This application will be appealed to the Ontario Land Tribunal.

- Rick Esbaugh will appeal it if you say no to his gravel gamble.
- Citizens for Safe Ground water will appeal it if you say yes.

But when you say no you will significantly increase the chances of the community persuading the OLT to say no to Rick Esbaugh

Saying NO to Rick Esbaugh does not create any risk for Wilmot Council

Wilmot Council is NOT under any obligation to be a party to the OLT appeal. This means you are NOT required to spend money on experts and lawyers. You may choose to do that - but you are not required to do that.

It will take quite a while for the appeal to move forward – a future Council can decide if and how it wants to participate in an appeal of the Hallman Pit to the OLT.

You can show you believe it is important to protect water, farmland and the community's health and safety by voting no.

3. My third point is that the proposed Hallman Pit is not necessary. You have heard there are 7 pits in the Shingletown neighbourhood, right across the road and only 10% of the gravel licenced to be mined there is extracted every year.

Shingletown does not need the Hallman Pit

APPENDIX Q

Wilmot's director of development services, said there are 15 gravel pit licences in Wilmot that can annually extract up to six million tonnes and Approximately a quarter of that or less is extracted within a year,".

Wilmot Township does not need the Hallman Pit.

The Ontario government has licensed thirteen times more gravel for extraction than is consumed each year

Ontario does not need the Hallman Pit

The neighbourhood, the township and the province do not need the proposed Hallman pit .

And as you have heard tonight - the community doesn't want it.

Rick Esbaugh is the only person who wants this pit and he is the only person who will benefit from it

Summary

You have heard and will hear more about the many ways the proposed Hallman Pit creates risks to the community's drinking water, air quality, community safety and more. I won't add to that list now.

I will say this. Rick Esbaugh wants you to 'roll the dice' on the risks to the health and well-being of your community so that he can profit from his 'gravel gamble'.

Rick Esbaugh is the only one who will win from his Hallman Pit 'gravel gamble'.

Everyone else in Wilmot Township will lose.

I urge you to Vote no to Rick Esbaugh's 'gravel gamble' and the proposed Hallman Pit.

Thank you

APPENDIX R

Presentation to Wilmot Council re: Risks of Hallman Pit

April 4, 2022

By Susan Bryant on behalf of GREN (Grand River Environmental Network)

Good evening Mayor Armstrong, Wilmot Council members and citizens: Thank you for the opportunity to speak. I'm Susan Bryant speaking on behalf of the Grand River Environmental Network and APT Environment in Elmira. Here, I want to sketch briefly the story of the Elmira Water crisis and its aftermath as a cautionary tale about protecting groundwater BEFORE it becomes contaminated. The disastrous groundwater and surface water contamination in Elmira, identified in 1989, was and is one of the worst such events in Ontario. Thirty-some years later, the Elmira community, the Region, the Ontario Ministry, and the chemical facility once called Uniroyal, as well as Ontario taxpayers, are still expending time, effort and money dealing with the fallout. That will go on for the foreseeable future.

When our family moved to the peaceful town of Elmira in the mid 1970s, I never dreamed that activism around groundwater would become a defining part of my life. I didn't even know what groundwater was, though it came out of my taps. But everyone in Elmira learned all about it in 1989 when we suddenly discovered our aquifers were lost, our municipal wells shut down, and our tap water was toxic. As Joni Mitchell sings, You don't know what you've got till it's gone.

Over the next weeks and months, we learned that our very productive aquifer, the town's water supply about 300 meters underground, was contaminated with a toxic brew of hundreds of chemicals. The source was the Uniroyal chemical company where over 40 years, production wastes had been buried in pits all over the site, as well as dumped into overflowing lagoons and into the creek flowing through the property. These included toxic pesticides, fertilizers, DDT, and dioxins from the production of Agent Orange during the Vietnam war. The soil and water on the site was, and still is, saturated with chemicals. The contaminant plume still extends under about half the town. Fortunately, only one chemical, carcinogenic NDMA---the one that was most soluble in water---had reached the two municipal wells. We have never found out for how long we were drinking contaminated water from our taps.

While Elmirans filled jugs of clean water from tanker trucks brought to the fire station, the Region of Waterloo scrambled to build an emergency pipeline from the Kitchener-Waterloo water system to bring water to Elmira. And into the early 1990s, lawyers wrangled over what should be done in several long hearings before the Environmental Appeal Board. The Elmira disaster was thus a story in the media for years. And Elmira suffered the humiliation of being known far and wide as a contaminated community.

APPENDIX R

The Ontario Ministry of Environment finally ordered the company to do the following: 1) Excavate some of the buried waste pits. 2) Contain the contaminated aquifers under their property to keep the contamination from spreading further off the site. 3) Clean up the off-site aquifer to drinking water quality in 30 years (by 2028). About 12 extraction wells on the Uniroyal property and about 8 around the town pump contaminated water out of the aquifers, treat it to remove the contaminants, and dump it into the creek. The idea is to prevent the contamination from spreading. This process will have to go on forever.

It's now clear that the pump and treat method cannot achieve the goal of restoring drinking water by 2028. The contamination is being reduced, slowly. But the aquifers will likely never be clean enough to provide drinking water.

So the key moral of the story is a bad-news lesson. Once groundwater is contaminated with chemicals, it can't be uncontaminated. Preventing groundwater contamination in the first place is the only real fix. Full stop.

However, there's also a good news lesson in the Elmira experience. I've learned that the vigilance and action of ordinary local citizens—and their local government representatives---make a real difference in keeping our water clean.

In the Elmira case, citizen action took place after the crisis, when the damage was done. But it was still meaningful. We had formed a little environment group in Elmira, APT Environment, some months before the crisis. That timing was just plain lucky. We were ordinary, well-behaved residents with little background in science, activism, or environmental issues. When the water crisis hit, we stepped up our game.

But the crisis was traumatic for our small town. For the next ten years, the atmosphere around the issue was adversarial. The attitude of company management at the time was one of contempt, especially for the community activists. The town was invaded by media wanting to get the story of one of the biggest pollution events in Ontario. Thus our proud community felt shamed, and some characterized APT's work as "radical," as inciting people to panic, as giving the town a bad name.

Nevertheless, APT membership grew to about 50 families. We participated in the hearings and wrote comments on every major report and recommendation. We gathered the facts and talked with politicians, community groups, and the media. We had good parties to keep our spirits up. We continue today to participate in the regular meetings between the Ministry, the company, and local governments.

APPENDIX R

Our contributions and vigilance have made the remediation process in Elmira significantly better than it would be without us. We have not won all our battles, but we have achieved much through sheer persistence.

I don't say that to boast--But to encourage all of you who face environmental threats in your own communities. It's hard work to protect your air and water from risky land uses. But it's necessary, meaningful and effective. People who stand up to defend the health of their own back yards—and therefore all of our back yards—are a powerful force. When government regulators, politicians and big companies know that people in the affected community are paying attention, **they** pay attention and you get at least some of what you want.

In Wilmot right now, you have a precious opportunity to proactively reduce risks to your groundwater and thus prevent contamination. The Elmira story illustrates that this, proactive prevention, is a much better path than struggling with the fallout once it happens.

REZONING LOT 10 SOUTH OF BLEAMS

A DECISION TO GO....

TO POLLUTION EVERYWHERE

....FROM HERE

TO THERE....

PRIME
FARMLAND



THE PROPOSED PIT AT A UNIQUE LOCATION

Unknown to provincial approval authorities, this would be the first time in Ontario's history that a former industrial scale feedlot, would be converted to a gravel pit.

An agricultural brown field, once housing thousands of cattle without proper manure storage, near and in a source water protected area.

There was no box to tick in any of the study templates to consider this reality, since the Environmental Site Assessments (ESA) were limited to a few small locations explored, and the Record of Site Condition (RSC) filed with the ministry describes the property as being rezoned from residential to industrial.

ESA phase 1&2 and one and two



RECORD OF SITE CONDITION

An RSC would not have been needed for a property to be rezoned from residential to industrial.

But filing an RSC must be completed and filed in the Environmental Site Registry if a property owner wishes to obtain protection from potential future environmental orders for the property as specified in part XV .1.

The History of the property

1955 One pond



1977 Feedlot, manure lagoon in full operation



2006 Nature claims back lagoon area, mapped as pond



The farming community is very grateful to Mr. Esbaugh for all the site clean up done over the last three years and for bringing a number of fallow acres back under the plough.

In this above-water table gravel pit proposal however, wash ponds are designed to operate in the water table, and citizens would eventually drink the wash water from gravel that could come from under extend, bottomless, manure storage areas.

DISTANCE BETWEEN REGIONAL WELLS AND PIT

928m – MW3
1100m – MW6
831m – MW7
1880m to the
initial wash
ponds

Notice: Surface
water now flows
westward and
northward near
the municipal
wells



WATER FLOW NORTH TO SOUTH

True in general, BUT...

- In nature, surface water flows in every direction, see the Nith and Grand River.
- Water underground has similar flow patterns, plus a third dimension must be added or well drillers would encounter the same amount of water at the same depth everywhere.
- The difference in chemistry measured at Regional wells K50 and K51, pumping from the same depth, only 10 meter apart, are proof water flow to these wells come from 2 different directions.
- Therefore there is no guarantee that water will flow away from the very productive Regional wells, uphill into the gravel pit, as claimed in the studies.



THE MYSTERY OF DEEP REGIONAL WELLS K50,51

endix G - Hydrogeological Assessment.pdf

63 / 189

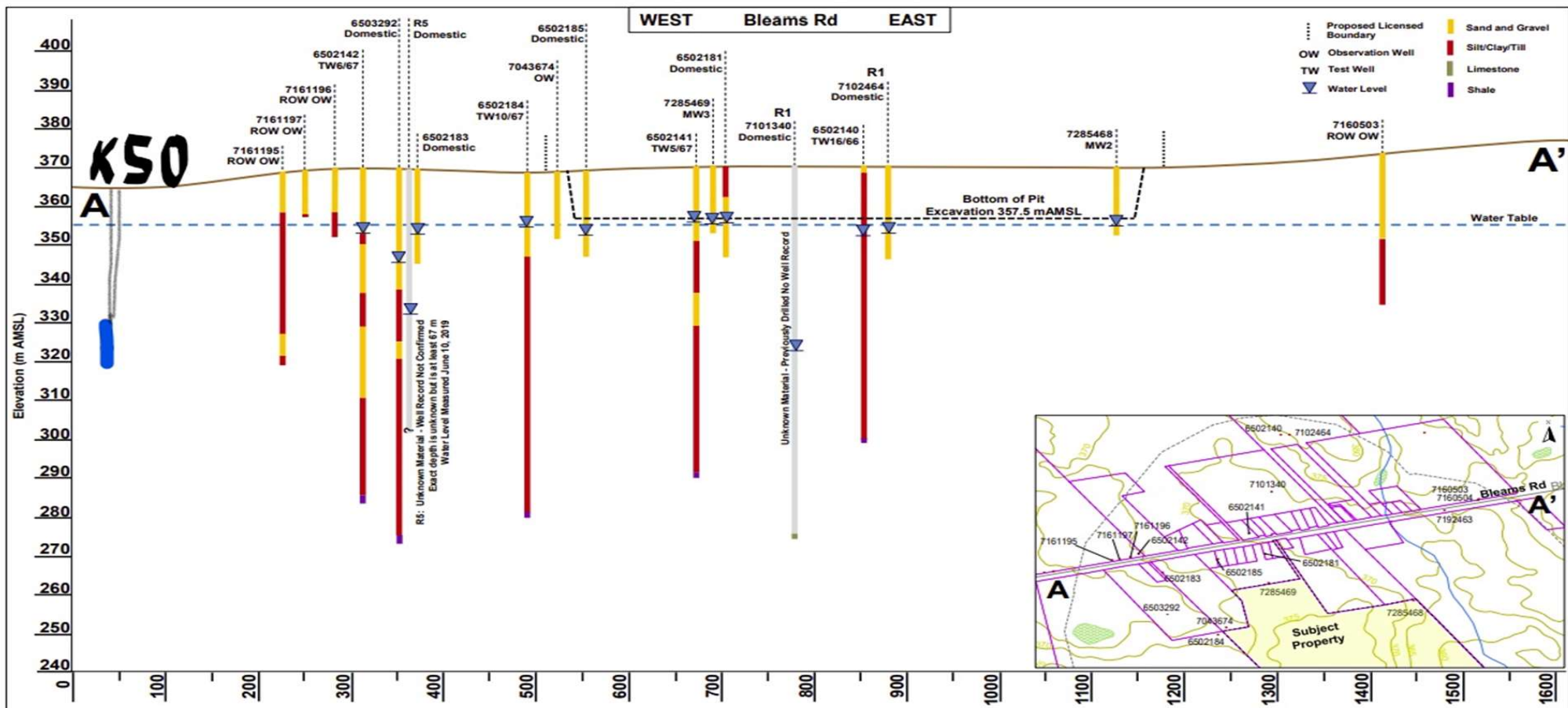
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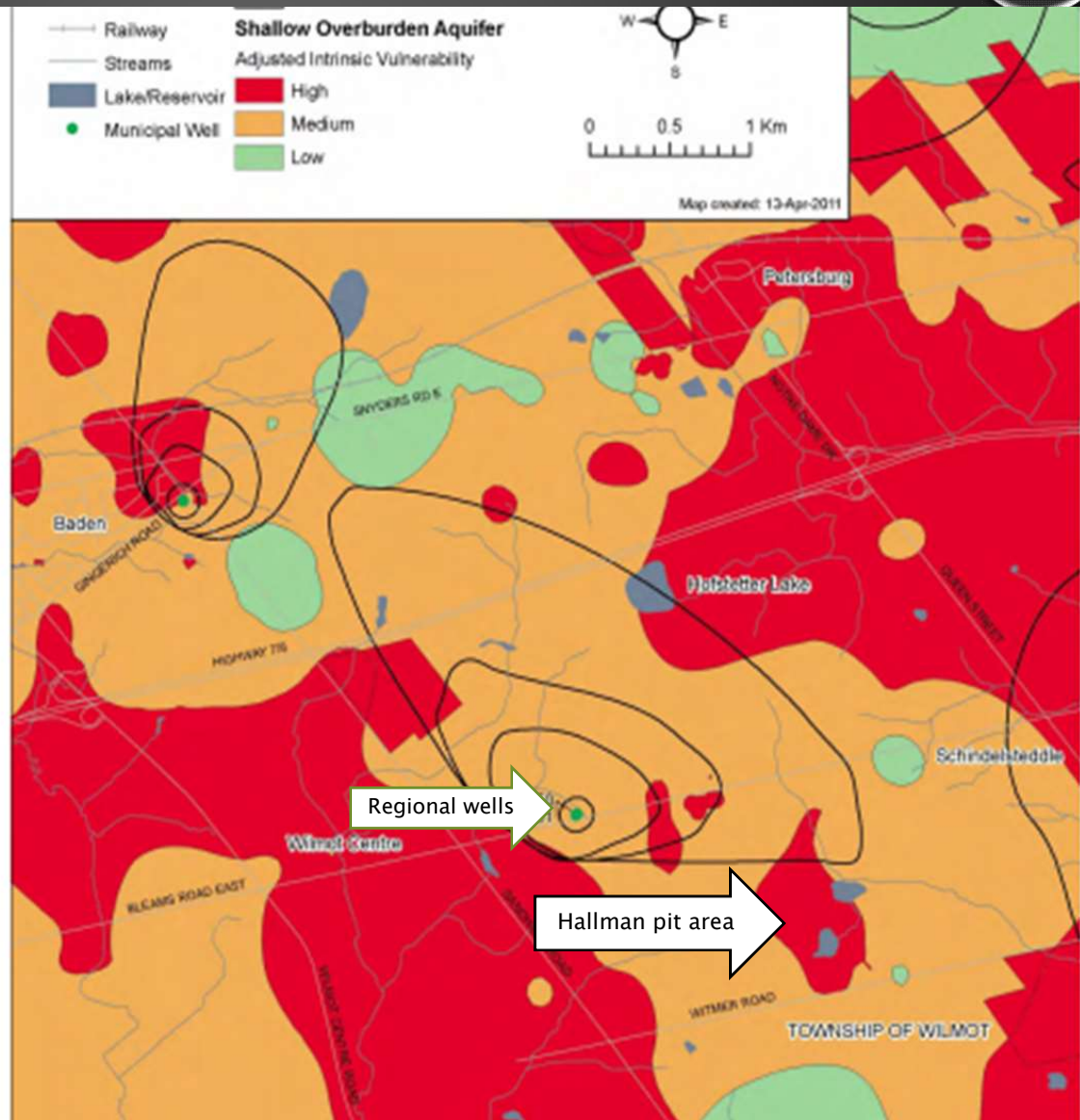


GRAND RIVER SOURCE PROTECTION AREA MAP 8-103

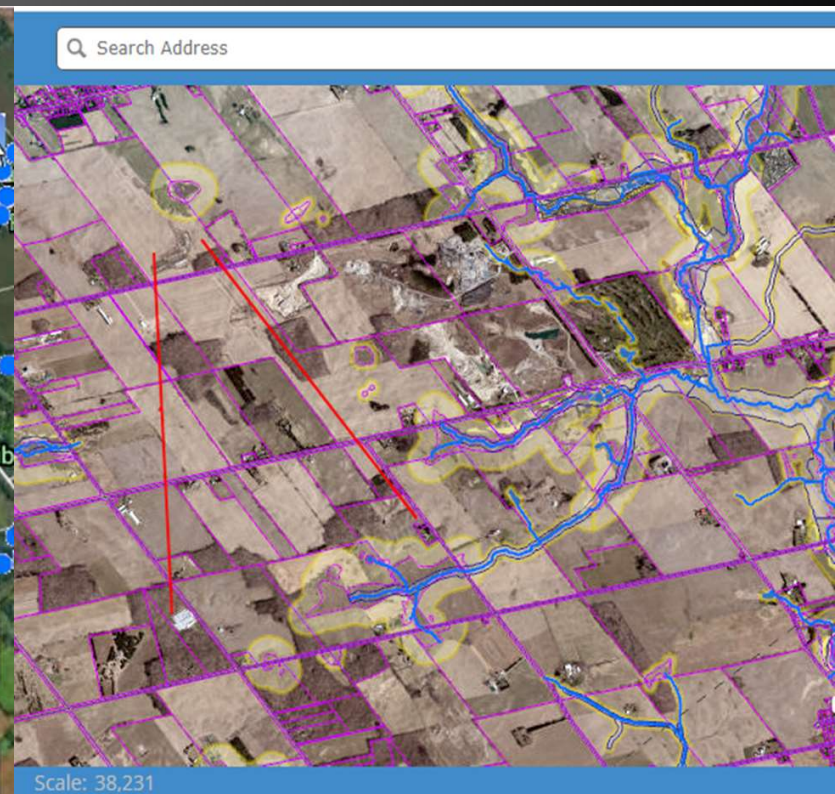
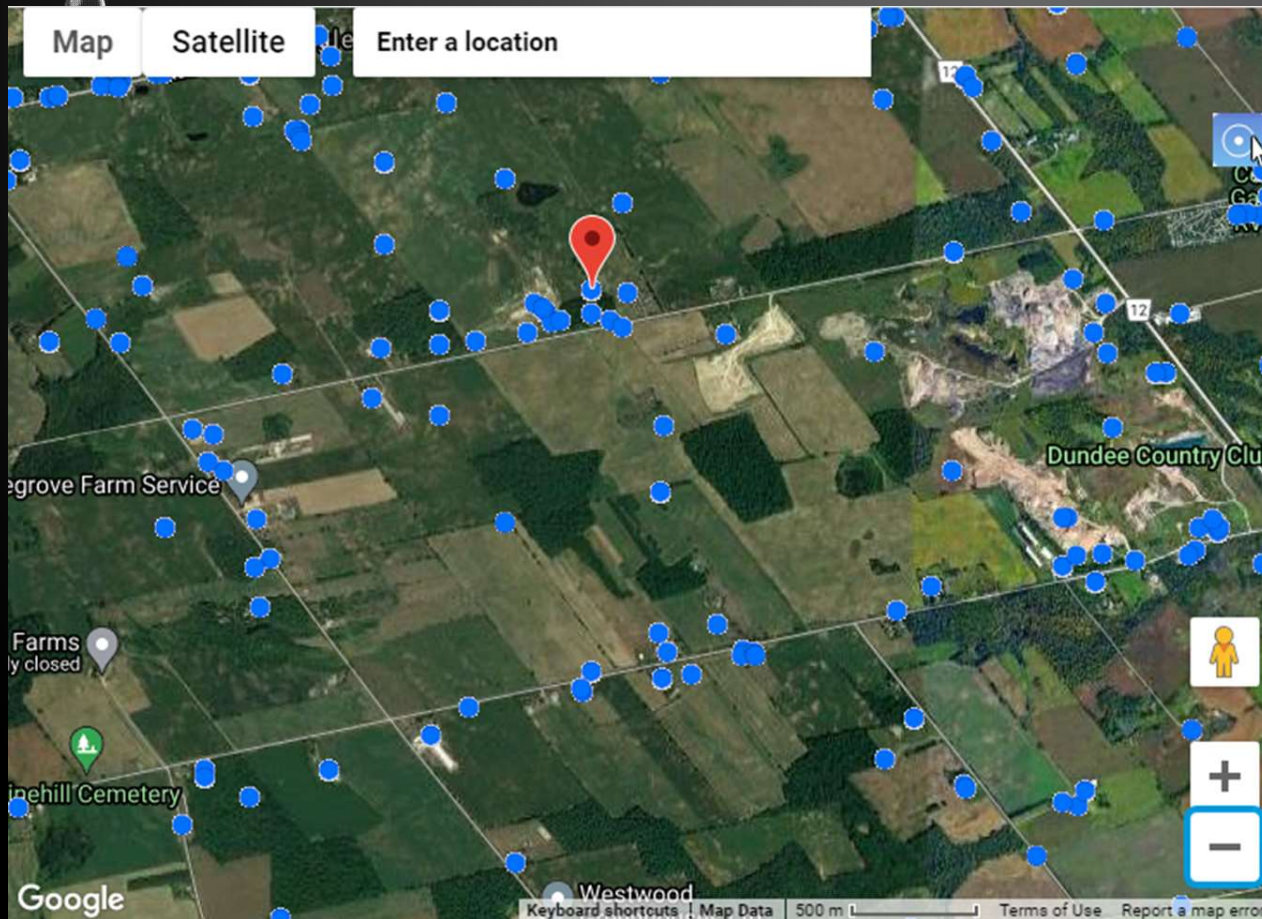
*Wilmot center well supply
wellhead protection area,
adjusted intrinsic vulnerability.*

This current and up to date,
Grand River Source Protection
area map (page 228/535) was
not mentioned in the studies or
reviews for the Hallman pit.

This current and up to date, Grand River Source Protection area map (page 228/535) was not mentioned in the studies or reviews for the Hallman pit.



The Harden study claims there are no private wells within 2.5km south of Witmer RD. which would be well past Huron Road



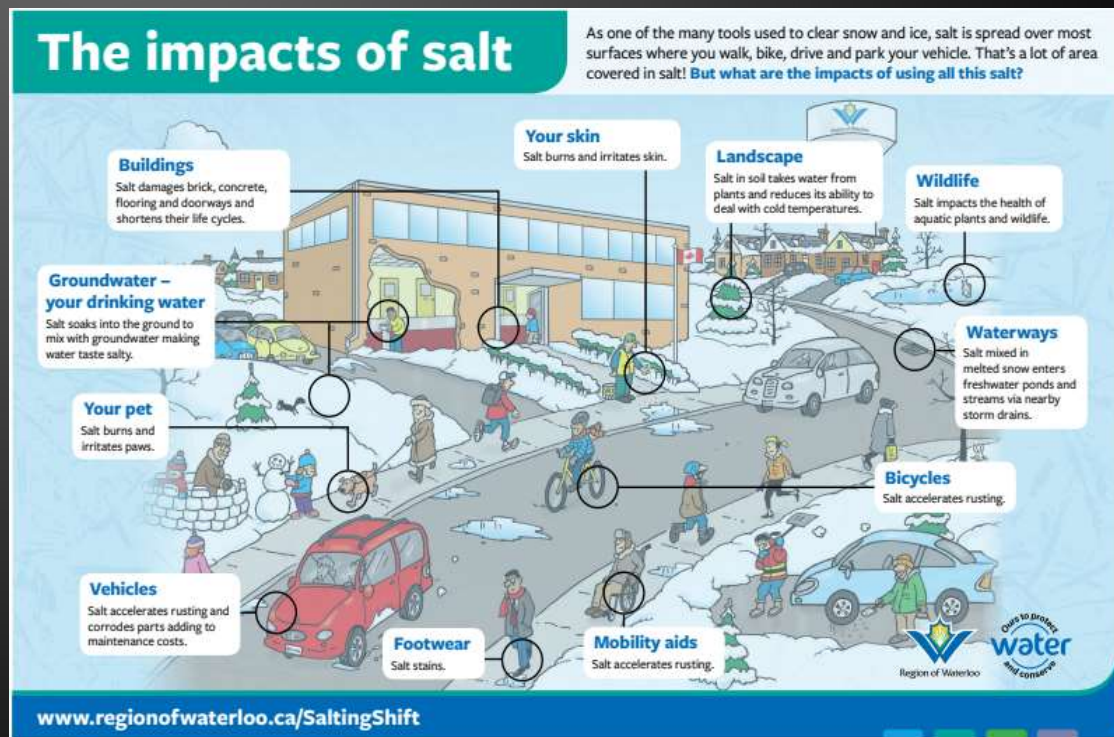
DUST CONTROL VIA ROAD SALT ?

“Note 4: the maximum annual volume of a 30% CaCl_2 solution to be used as a dust suppressant on the internal haul route is 45,000 liters.” This is an addition original study.

This recommended rate equals the amount needed to keep 100km of road ice free at one snow event. Or 100 applications over 1 km which would be about the length of the dust road in the pit.

The effectiveness must be questioned as the liquid solution applied to sand sticks to tires and is carried out onto the road making more frequent applications necessary.

The Region of Waterloo has an existing road salt issue in the groundwater. Currently, water from Shingletown wellfields is low on salt and is used to mix with saltier waters from urban area wells to keep your drinking water from tasting salty.



STAFF REPORT PAGE 6;

Hydrological assessment key outcomes and acceptance were:

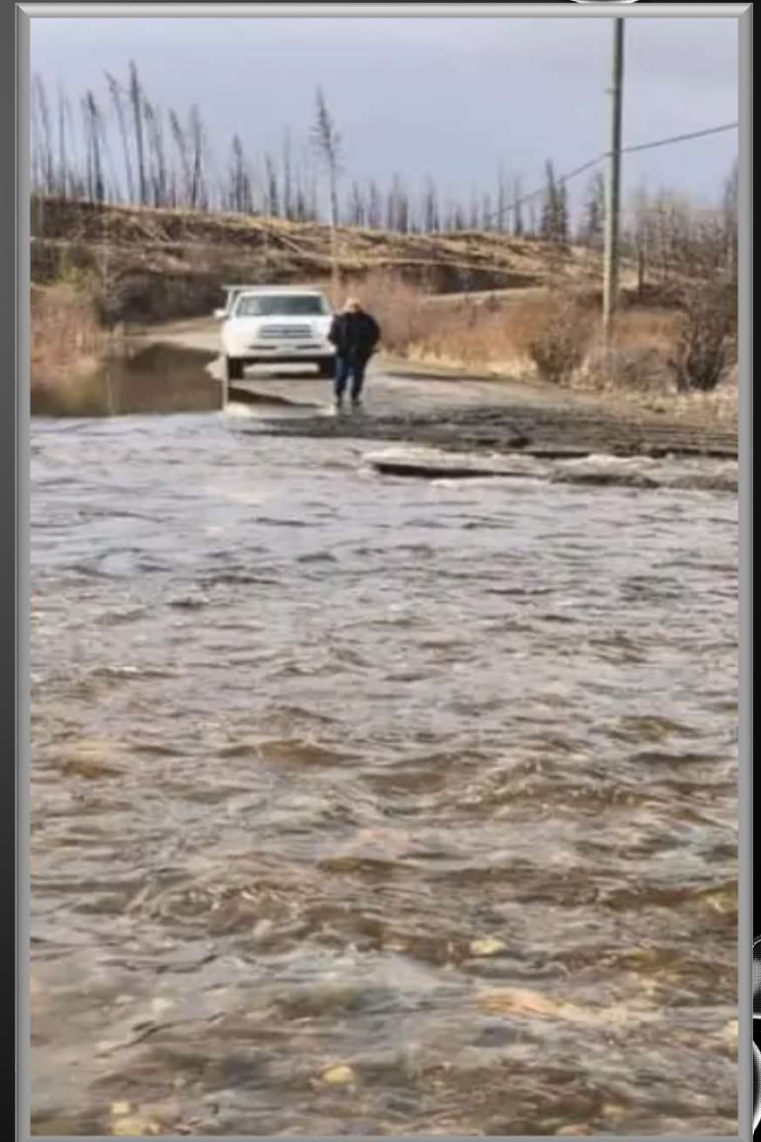
6. The proponent will adjust the pit floor elevation if future groundwater elevations arise as a result of impacts from climate change.

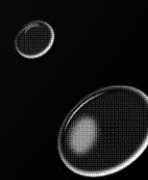
Question 1: If a needed pit floor adjustment is not due to climate change it doesn't need to happen ?

Question 2: Who will and how would it be determined that the need for adjustment is due to climate change?

Note: A pit floor adjustment according to the weather forecast only happens in the form of computer modeling. In reality it takes knowing details years in advance.

Who will be the fortune teller?



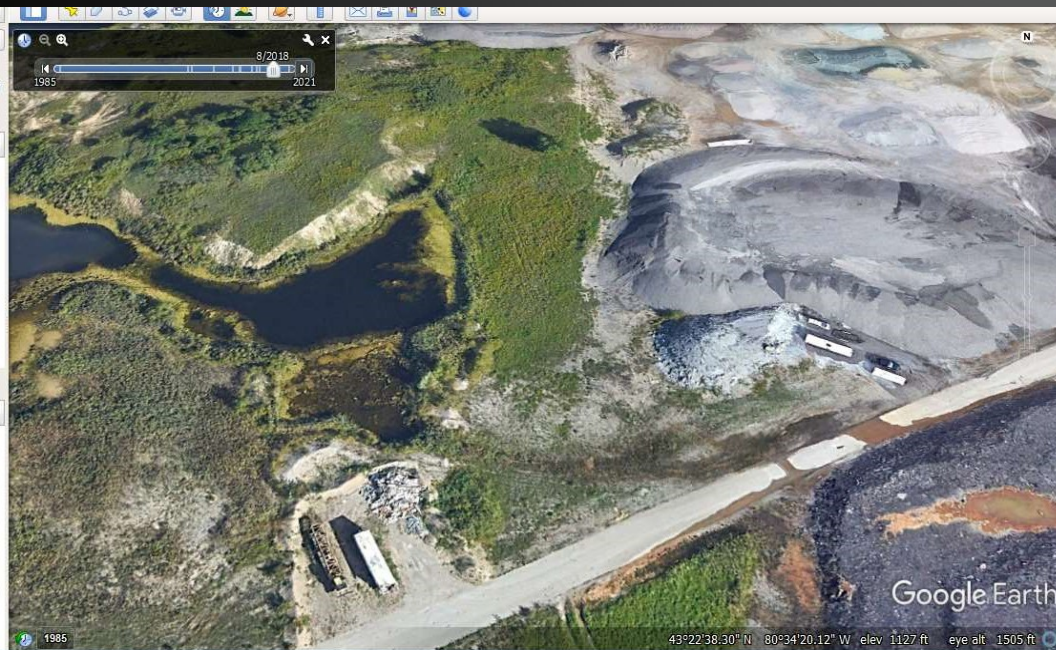


RUN OFF FROM ASPHALT STORAGE AS SEEN AT A PIT SOUTH OF AND BORDERING WITMER ROAD

The brown patches in the picture are most likely hydro-carbon run off crossing the road even on a summer's day.

We are promised that a 30-meter distance between the asphalt recycling area and wash ponds sitting in the water table will keep us safe.

In reality, picture like these could be expected in the Hallman pit too.



INDUSTRIAL SEWAGE AND ENVIRONMENTAL COMPLIANCE APPROVAL

The waters in aggregate wash ponds are considered

INDUSTRIAL SEWAGE

by the ministry of the environment and require an

ENVIRONMENTAL COMPLIANCE APPROVAL , ECA

Under section 20.2 of part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19
for approval of:

Sewage works for the collection, transmission, treatment, disposal and reuse of wash water
from a proposed aggregate wash plant, consisting of the following:

MOVING FORWARD

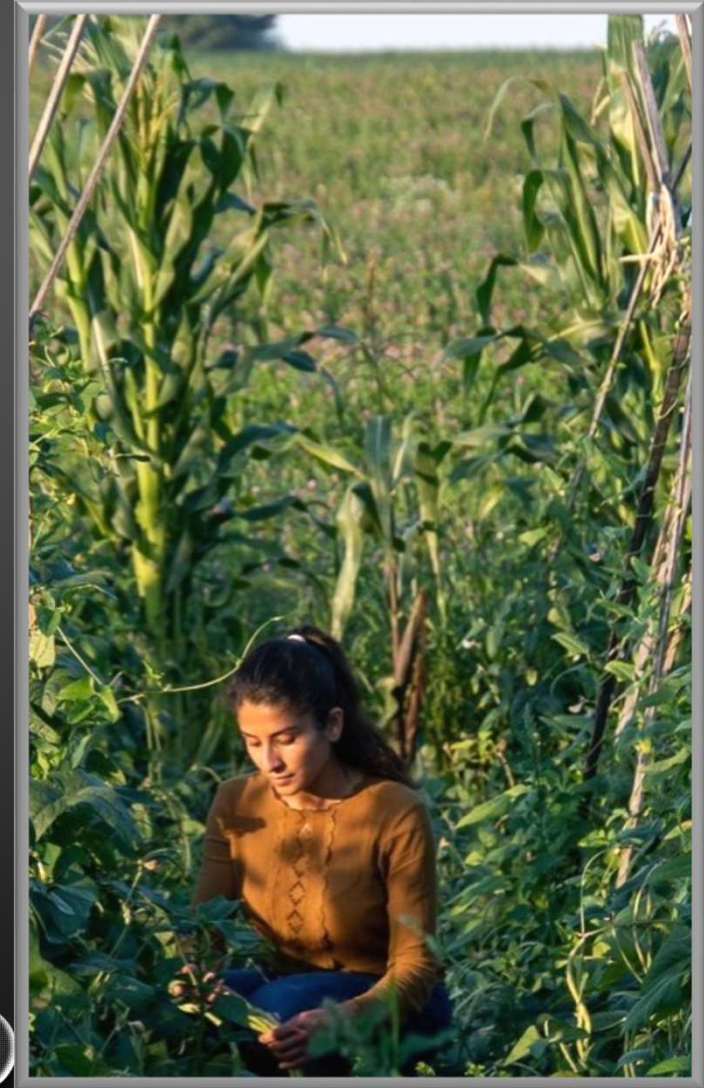
The protection offered by the Ministry through the ECA and other legislation is minimal at best. It solely depends on the self-reporting of the operating pit owner to the Ministry, both now and long after current stakeholders have retired. Additionally, there is no reporting to local authorities required.

The water protection we could expect in the future would be:

PAPER THIN

A big thank you again to Jackson Harvest Farm for the clean up done so far and for the consideration not to add salt to injury at this unique site.

Councillors – please let nature continue to heal this farm property and vote NO to the proposal.



ARCHEOLOGICAL STUDY STAGES 1 TO 4

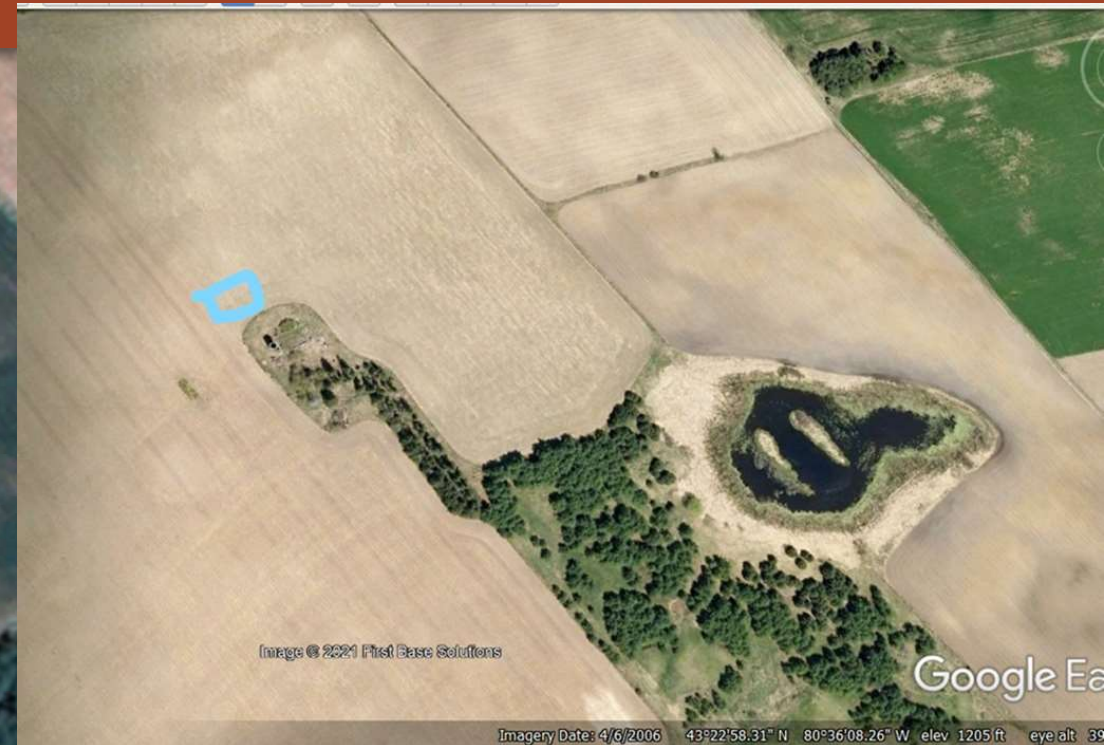
Location:

Lot 10 south of Bleams Rd; the proposed Hallman pit. In the closer area of the Baden hills, sacred to native communities for many centuries.

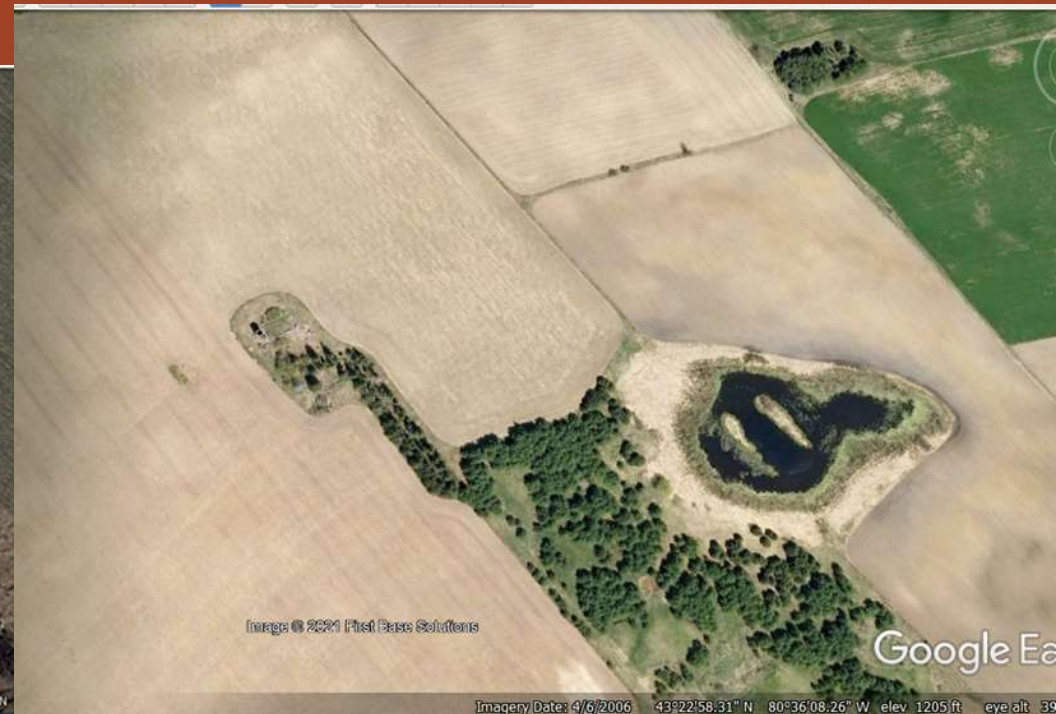
[HTTPS://WWW.WILMOTPOST.CA/NEWS/ARTICLE.PHP?10-000-YEARS-BEFORE-BADEN-456](https://www.wilmotpost.ca/news/article.php?10-000-YEARS-BEFORE-BADEN-456)

ARCHEOLOGICAL STUDY LOT 10 SOUTH OF BLEAMS

Why have discoveries been made at this location?



In 2016 there were still ruins of the original farm and a row of trees standing, north west of the Witzel pond



By 2019 the ruins of the old farmstead had been gone, along with a number of trees.

There is no mention when and how the land clearance took place but it must be assumed that the soil got disturbed just north, uphill of the old farmstead to cover the ruins.

This soil movement, a year or two prior the archeological study, exposed enough artifacts buried deeper in the field to trigger a stage two, three, and four archeological assessment.



The wider Baden Hill area has a rich history of human habitat dating back over 10,000 years

Therefore, it can be assumed that this site contains a wealth of artifacts ready to be discovered once the topsoil is removed.

To honor the history of the forefathers, an expert would need to be on site every time topsoil is moved.



The list proves the rich history of the area. Villages, camp sites and even a indigenous cemetery, burial site. The studies of the sites referenced are not available to the public and little connection was made in this study.

Table 1: Archaeological Sites Registered within 2 km of the Subject Property

Borden Number	Site Name	Time Period	Affinity	Site Type
AiHd-90	Ranger	Woodland, Late	Indigenous, Iroquoian	Other camp/campsite, midden
AiHd-87	Warren Cattleland 4	Woodland, Late	Indigenous	Unknown
AiHd-85	Warren Cattleland 2			
AiHd-84	Warren Cattleland 1	Other	Other	Other camp/campsite
AiHd-83	Hunsburger Creek	Archaic	Indigenous	Other camp/campsite
AiHd-82	Shuyter	Woodland, Late	Indigenous	<u>village</u>
AiHd-81	Hofstetter	Indigenous	Indigenous	<u>burial, cemetery</u>
AiHd-74	Baechler	Woodland, Late, Woodland, Middle	Indigenous	Other camp/campsite
AiHd-18	Baden Hill	Woodland, Late	Indigenous	Neutral <u>village</u>
AiHd-172	Post-Contact	Euro-Canadian		farmstead
AiHd-148	Freeman	Archaic, Middle	Indigenous	findspot

From archeological study Jackson Harvest Farms Proposed Aggregate Pit Site 1 (AiHd-171):
Should previously undocumented (i.e., unknown or deeply buried) archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48(1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48(1) of the Ontario Heritage Act. Further, archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48 (1) of the Ontario Heritage Act and may not be altered, or have artifacts removed from them, except by a person holding an archaeological license.

Most artifacts found are smaller than a finger.

Who would spot them from the cab of a dozer or dump truck?

It is only about 7 generations since this land was taken from the stewardship of our Native brothers and sisters who sustained with its resources for thousands of years.

If we continue to rezone and develop without thinking, in another 7 generations there will be no land left in Waterloo Region to grow any food, and the water ruined.

**Who gives us the right to use Mother Nature's resources
at a speed
as if there is no tomorrow?**

APPENDIX T

Good evening Mayor Armstrong and Wilmot councillors.

My name is Kathy Loree. I've lived in Wilmot for over 50 years. Most of those were within 3 km of the proposed pit.

My major objection to this application, is the risk of damaging the aquifer and the groundwater.

As a child, I recall my parents being told, our newly dug Wilmot Centre well, would have enough water, to supply a herd of 20 cattle for years to come. Then, the Region started taking water from the area. The well was never used for livestock, but it, as well as many neighbouring ones dried up. We recall then having to ration, and pay to have our water trucked in. My parents needed to drill a new much deeper well. In rural areas, we are dependent on our wells.

When ALL of us open a tap, we expect clean water to flow.

In the 1960's, I remember a brand new "overflowing or artesian well" on the farm across from the old Wilmot Centre school. Most of the neighbours visited with excitement to see fresh, clean water spurting out the top. It doesn't do that anymore.

A neighbourhood farm had a powerful enough spring that, using gravity, they ran water to their upstairs bathroom without a pump.

Maps of the area show numerous streams running through. Recently, brook trout not seen earlier, have been found in at least one of those streams.

These examples reflect some of the rich water resource history in this immediate area.

Bleams Rd has two road signs as you approach either side of Shingletown. Each reads – "Drinking Water Protection Zone Begins Here". The proposed pit falls within this area. By posting these, The Region has obviously realized the area needs protection.

APPENDIX T

I recently read that the Region, used water from this aquifer to reduce the overall rising salt level in their supply.

We need gravel “in the ground” to continue to filter this valuable resource.

Elmira's water supply will probably never recover despite continued efforts to repair their damaged aquifer.

As others have noted, I am concerned with increased traffic, noise/air pollution and the safety of the Witmer Rd/Queen St intersection.

The fertile farmland will never be replaced. Used gravel pits are rarely returned to a usable state.

We often hike at the Hydrocut near Petersburg. We used to hear many birds and see lots of wildlife there. Since that pit expansion, we don't see or hear much, other than heavy equipment, loud banging, vibrations and back up alarms.

The "Reform Gravel Mining Coalition" moratorium, is timely and appreciated by many.

Here, we live in a “greenbelt”. This past week I saw it referred to as also being a “blue belt” due to its water resources.

Previous suggestions of approval, or, requests to meet guidelines for this pit are not grounds to go ahead with it.

Many argue that we need this gravel for road and building construction. Some say, "The pit will save the cost of trucking needed gravel here for upcoming growth".

I think - If the aquifer is damaged, the cost of trucking, or building pipelines, to bring fresh water to the Region, for many years to come, will be much higher than that cost savings.

The 1972 - "Conversations with North American Indians", contains an often quoted saying -

"Canada, the most affluent of countries, operates on a depletion economy which leaves destruction in its wake. Your people are driven by a terrible sense of deficiency. When the last tree is cut, the last fish is caught, the last river is polluted; when to breathe the air is sickening, you will realize, too late, that wealth is not in bank accounts and that you can't eat money."

For all of these reasons, most importantly, the risk of damaging the aquifer and our ground water, I encourage you to vote against this pit approval.

Thank you for your time and consideration.



**Nith Valley Ecoboosters
Presentation to Wilmot Council
By Dorothy Wilson
April 4, 2022**

Topics

- Wildlife
- Wetlands
- Water



Wildlife Habitat

- Assessment of Significant Wildlife Habitat (SWH)



- Migration corridors

Species At Risk

- Relationship to Significant Wildlife Habitat
- Bats
- Turtles



Wetlands

- Linkages to other wetlands
- Need for studies in spring
- Water balance analysis

Water

- Ground water level
- Contamination risk
- Asphalt recycling





Thank You

APPENDIX V

Citizens for Safe Groundwater- Delegation Apr 4 2022, Lori & Mo Elash

Good evening Mayor Armstrong, Members of Council, and all in attendance. My name is Lori Elash and this is my husband Mo Elash. We have lived at 2229 Bleams Rd in Shingletown for nearly 9 years now and feel truly thankful to call this peaceful rural community 'home.' We are compelled to be here today to add our voices to those representing and supporting Citizens for Safe Ground Water, re-stating the widespread negative results that will likely occur to the groundwater, the farmland, the wildlife, the air quality, and the health and well-being of the community members should this gravel pit be allowed. We are both firmly opposed to the Hallman Gravel Pit proposal. With respect, we expect Council to deny the requested zone change.

We have a 12 acre property, north of the proposed Hallman gravel pit, kitty corner to the inside most point of that property. The proposal indicates that aggregate mining would be in full force in that corner of land, which is about 150 meters from our back door, and from our private well. We are very concerned about the impact it may have on the water quality of our private well, which we rely on for all our water needs. To our knowledge, our private well was not inspected or investigated, and as such it is likely not included in Mr. Esbaugh's hydrogeological report. If this is the case, there is no baseline data, and the impact of the proposed gravel pit on our private well would not be able to be determined. There continue to be outstanding issues and recommendations with this proposal in general and in specific to protect private well owners that have not yet been addressed, nor safeguards committed to (outlined by Samantha Lernout and the Planscape presentations).

Right now, the land in question is quiet, beautiful, productive farmland. This proposal would result in a huge berm instead of beautiful farmland. It would replace the tranquil quiet with loud rumbling vibrations of machinery and constant clanging and beeping of heavy vehicles which would carry throughout our community. Large vehicle traffic would be greatly increased, and the potential contamination of water and air has been shown repeatedly. We rent 8 acres of our land to a neighboring farmer. Water from the neighboring fields washes into and often floods our field in the spring, then soaks into the ground. We don't even want to imagine what the spring runoff might bring with it if this proposal is granted, or how it might affect our farmland.

The proposed gravel pit would also result in unnecessary health concerns for residents. The fine particulate matter from the excavations and extra diesel in the air from the trucks and excavators are likely to cause breathing and other significant health issues, which will only become evident over time.

We implore you to please represent and protect us, your citizens, to consider our well-being and quality of life, and to do what's best for Wilmot Township and beyond by protecting the invaluable and irreplaceable resources of prime farmland and

APPENDIX V

groundwater, the groundwater which supplies not only Wilmot Township but also Waterloo Region.

The research presented by Citizens for Safe Ground Water has shown the overwhelmingly negative consequences of allowing a gravel pit. This gravel pit is unnecessary and detrimental in so many ways, to so many citizens, and will have widespread negative long-term impacts. This gravel pit should not be permitted. Please protect our beautiful community by putting the irreplaceable prime farmland and groundwater first and vote NO to this municipal zone change application. Please put your people's health and well-being first and vote NO to the Hallman Pit. Thank you for your time and consideration.

Thank you,
Lori & Mo Elash

APPENDIX W

I am opposed to the Hallman Pit. My husband and I moved to the area from Waterloo because of the farmland and open space. We are beekeepers and keep 50 hives on 3 local organic farms. The issues with bees includes the loss of forage and the impact of the pit will only add to this issue.

Finally, I am a nurse when Covid started I went back to work at Grand River Cancer Centre. Needless to say I have a focus on clean living which includes the quality of our water. The pit will risk the water table not to mention all the other impacts on health that have been mentioned by other speakers.

Thank you for the opportunity to share my opinion. I hope the council makes the right choice for the community and votes against the Hallman Pit.

Sincerely Catherine Young

APPENDIX X

To Wilmot Township Counsel regarding the Hallman pit.

I have only three brief points to make;

1. Regarding the water issue. There is no correcting the situation if it goes wrong.
2. Mr. Sisco has made the case that because the application has been made it must be approved and that failure to do so somehow constitutes some sort of favouritism to others who are extracting wealth from their properties. The implication being that ownership of a property allows the right to exploit it. So if every second farm in Wilmot was to become a gravel pit that would be fine because there is no point at which the township can say we have enough even though we now have a couple of times more than we need right now.

The appearance now being that the township must place the wealth interests of this kind of exploitation over the interests of the voters. The people you work for.

3. The last concern being that none of these properties have ever been rehabilitated to a useful or natural state.

Thankyou for your consideration

APPENDIX Y

Delegation to Council April 4, 2022 - John Jordan

Good Evening everyone, Mayor Armstrong, Wilmot Council, Staff, and all residents of Wilmot and beyond who are engaged in tonight's meeting.

It's been quite a journey over the past number of years to get where we are tonight in regard to the Hallman Pit. My delegation will not get into any of the nitty gritty study or report details but more to the soft issues at hand regarding the consequences of the rezoning of the Witmer Road property and the affect on future generations.

In looking at this issue from a 40,000 foot level, the main issue that rises to the top is the threat to our water supply. Mr. Esbaugh and his team with knowledge of the various fields at hand, have provided their own reports saying that there will be no threat to the drinking water. At the Citizen's for Safe Ground Water meeting held at the Wilmot Rec Centre before the Pandemic came down on us, I posed this question to this team "Can you with 100% certainly ensure the water will not be affected?" A lot of words were replied back from the person answering, but in the end, he conceded that they can not with 100% certainty, guarantee that the water will not be affected. Let's let that sink in? If there is any threat to our water supply, why would we take the risk?

The next point after the threat to the drinking water, is that we will be losing many acres of fertile farmland which will no longer grow food. The 2 most important things to survival - food and water - are both either being threatened or taken away completely. Yes, I suppose that after decades of aggregate being mined, dust pollution, noise pollution, and massively increased heavy truck traffic that will affect our environment and drastically change our target numbers for Wilmot's reduction in Greenhouse gas emissions, the topsoil may be put back, but the geology of the land will never be the same and or possibly never farmed again - at least not for many, many generations.

Mr. Mayor, last week on the Mike Farwell show you stated that you can not vote "no" to a gravel pit for the reason of having enough gravel already. You're right, you can't. But let's look at the myriad of all of the other reasons why you should vote no to a zoning change - the dust, the noise, the pollution, the increased truck traffic, the loss of farmland, the quality of life, and most of all, the threat to our

APPENDIX Y

drinking water. If the drinking water is affected, what liability does that put on the Township? Do I need to mention the word Walkerton?

My next point is a very important soft issue and possibly leaning on a technical issue, and this comes squarely on the laps of every council member. You, the Councillors of The Township of Wilmot, have full discretion to make a decision that is either going to affect the residents of this township positively or very negatively. You have full control of voting for or against the issue. No one can tell you that you can only vote in one direction - no one. Recommendations can be made from various personnel, but it is completely up to you to choose the right path - doing the right thing!

I want to provide for you a very important part of the Municipal Act. What I am about to read can be found in the Municipal Act, in Chapter 15 entitled Municipal Liability, Section 448, paragraph (1) and it reads as follows:

Immunity

448 (1) No proceeding for damages or otherwise shall be commenced against a member of council or an officer, employee or agent of a municipality or a person acting under the instructions of the officer, employee or agent ***for any act done in good faith in the performance or intended performance of a duty or authority under this Act or a by-law passed under it or for any alleged neglect or default in the performance in good faith of the duty or authority.*** 2001, c. 25, s. 448 (1).

Council, may I reiterate, that you can not be liable for a decision you make this evening or any other time as long as it is done in good faith. In past history, council and/or staff have had issues brought to them where the talk, or possibly even a threat of legal action could put their personal property in jeopardy. As long as you, the Councillors of The Township of Wilmot, are acting in good faith, you are immune to any actions or proceedings against you while you are acting as a councillor. Please put this part of the Municipal Act in the forefront when making your decision. This decision is not just something that is decided upon and then life continues as normal and mostly unencumbered, this decision will affect many Wilmot residents, and possibly beyond, for many generations to follow either positively, or very, very negatively. This resulting affect rests squarely upon your shoulders and is entirely up to you in this important decision that you make. Please do the right thing!

Concerns regarding the potential hydrological impacts of proposed Hallman Pit

Delegation on April 4th Special Council meeting
Township of Wilmot

Presenter: Yi Wang

Purpose

The Region of Waterloo was responsible for the review and acceptance of the hydrogeological assessment. Technical documents reviewed that led to the Region's acceptance of the hydrogeological assessment included Phase 1 and 2 environmental site assessments, Level 1 and 2 hydrogeological assessments, an environmental services report and a final response letter addressing outstanding concerns.

Key outcomes of the study review and acceptance were:

1. Pit extraction will remain 1.5m above the high water table
2. If recycling occurs on the property, above and beyond the 1.5m separation, an additional 1.0m separation of clay or silt will be established and all runoff will be captured in the recycling area
3. In response to public concerns raised, restrictions have been included with respect to application of calcium chloride for dust suppression.
4. Annual groundwater monitoring around the site will occur for the operational life of the pit and for five years after completion of rehabilitation
5. A detailed spills response plan has been prepared, accepted and will be included within the Aggregate Resources Act (ARA) site plan notes
6. The proponent will adjust the pit floor elevation if future groundwater elevations arise as a result of impacts from climate change

The Region considered all technical reports along with the CSGW commissioned peer review, and was satisfied that the technical documents provided sufficient analysis to demonstrate that the proposed extraction operations and accessory uses would not impact ground water and neighbouring private wells. Sufficient monitoring and contingency provisions will be in place to ensure that operations align with analysis that led to their acceptance.

My concerns center around the hydrological impacts of the proposed pit extraction which have not been sufficiently evaluated in my opinion.

Cumulative impacts and climate change

Table 12: Water Balance Comparison Before and During Aggregate Extraction

	Pre Extraction			During Extraction		
	Rate	Area	Volume	Rate	Area	Volume
	mm/year	m ²	m ³	mm/year	m ²	m ³
Precipitation	889	522,400	464413.6	889	522,400	464,414
Evaporation From Created Ponds	654	0	0	654	15,185	9,931
Evapotranspiration from Cultivated Lands	489	522,400	255453.6	489	347,400	169,879
Evapotranspiration from Disturbed Lands	245	0	0	245	159,815	39,155
Surplus Water on Cultivated Land			208960			138,960
Surplus Water on Disturbed Land			0			102,921
Surplus Water in Ponds			0			3,568
Infiltrated Water Cultivated Land			104480			69,480
Infiltrated Water Disturbed Land			0			102,921
Infiltrated Water in Created Ponds			0			3,568
Total Infiltration			104480			175,969
Difference Pre Extraction to Post						71,489
Consumption						66,750
Net Increase/Decrease in Water during Aggregate Extraction (m3)			4,739			
*from Golder (2006) study 89 L/tonne, licensed for 750,000 tonnes						

This analysis shows that for a disturbed area of 17.5 hectares, there is an increase of 4,739 m³ of surplus water annually due to a decrease in evapotranspiration arising from the loss of vegetation in the disturbed area. It is thus shown that the operation of the wash plant will not result in an overall loss of recharge to the underlying aquifer.

Level 1 and Level 2 Hydrogeological Evaluation for Above Water Table Aggregate Extraction (Page 17)

Hydrogeological Assessment

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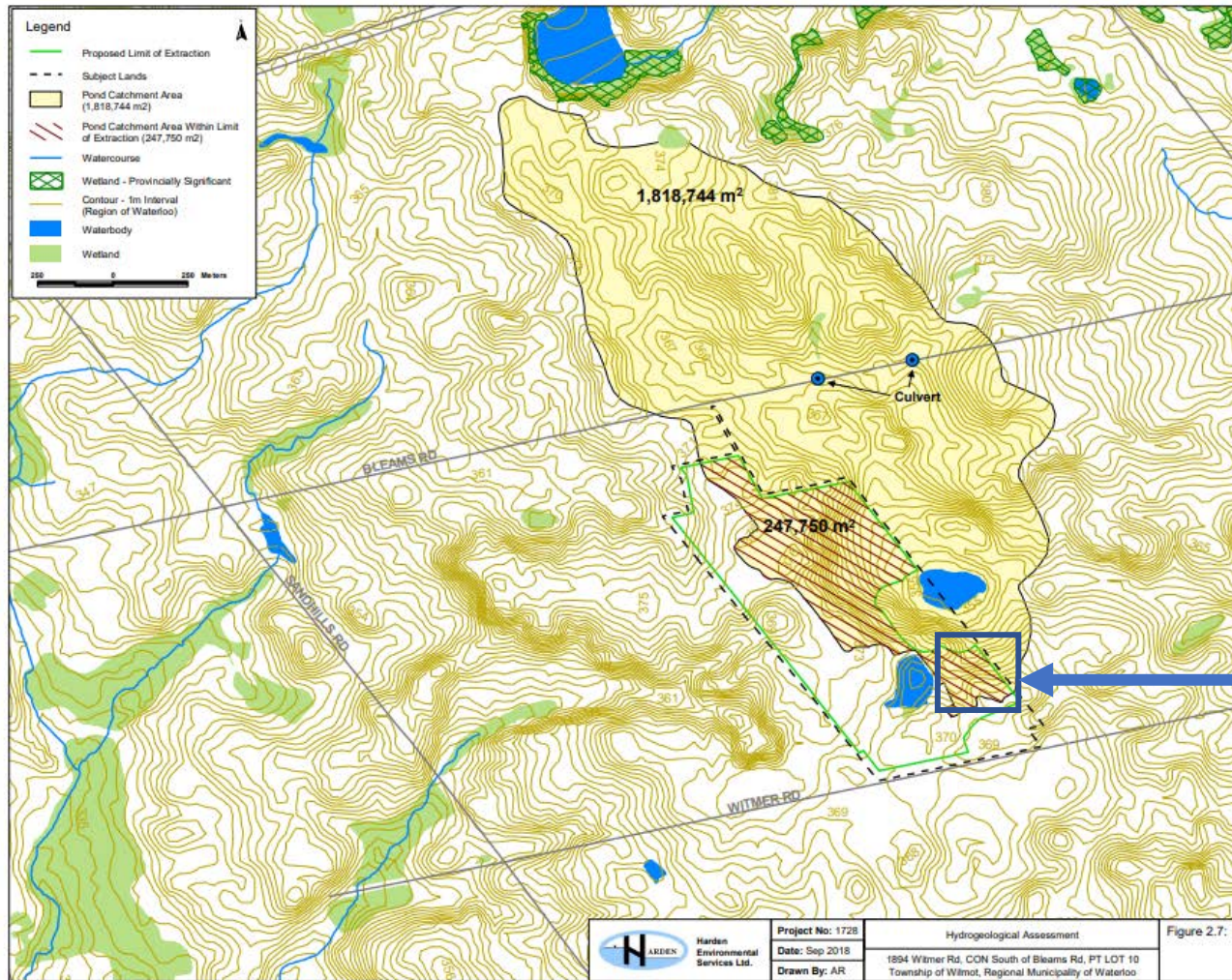
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DEVELOPMENT SERVICES Staff Report No. 2022-003 (Page 6)

My concerns:

1. Will the net increase in water result in increase in water table level? If so, if the 1.5 m buffer zone be enough?
2. Will climate change-induced extreme precipitation further impact the level of water table?
3. Adjustment plan?

Potential surface flow



Thank you for listening!

Have a good day!

Waterloo Federation of Agriculture

Wilmot Township Council April 4, 2022

Mark Reusser, Vice-President Waterloo Federation of Agriculture

Township of
~~Wilmot~~
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Grey Highlands Climate Action Group

TO: Wilmot Council

DATE: March 30, 2022

SUBJECT: Proposed Hallman Pit

The Grey Highlands Climate Action Group is writing to speak out against the proposed Hallman Pit and support the local citizens who have expressed their grave concerns and delegated against granting the zoning change from Agriculture to Aggregate.

Our reasons include the following:

- The proposed pit will diminish road safety, put groundwater supplies at risk, and threaten the surrounding wetland.
- During this era of climate change adaptation, the focus of municipal councils needs to be on the highest and best sustainable use of land for sequestration, food production, and ecosystem conservation
- Recent changes to the Aggregate Resources Act advise against continued profligate issuing of licences. Both the Canadian Environmental Law Association (CELA) and Conservation Ontario, in their [submissions](#) at the time Bill 132, Section 16, was passed at the end of 2019, called for definition of key terms such as “routine site plan amendments” and “low risk activity” and “routine activities” which figure importantly in this section of the Act. For example, there is a provision allowing for “self-filing” of changes to the site plan for so-called “routine activities”. Leaving operators to decide what’s routine and what’s perhaps, high risk, is obviously not in the public interest. CELA and CO also asked that applications to extract below the water table be extremely rare and with public input.
- As observed by the [Reform Gravel Mining Coalition](#), Ontario has more than enough aggregate. There is no need for more at this point.

- According to the zoning application on the township's website, an air quality assessment has not been completed. ([Well and Tribune Report](#))

As Roger Farnan of Citizens for Safe Groundwater has pointed out in relation to the proposed pit, government officials are under the obligation to protect public safety. Therefore, we strongly recommend that on April 4 Wilmot Councillors vote against the zoning change.

Yours truly,

On behalf of the Grey Highlands Climate Action Group:

Julie Reitzel

Rob Spackman

Judy Halpern

Bev Falco

Joyce Hall

John Butler

Jeanette Parry

On behalf of the Grey Bruce Climate Action Network:

Vitold Kreutzer

Lorraine Sutton on behalf of Climate Action Now

Lesley Lewis

John Anderson

Rod Layman

Nikki May

Danuta Valleau

Odette Barnicki

Suzane Wesetvik

APPENDIX CC

Mr. Mayor and Wilmot Council,

My name is Lisa Fabick. Our family of six moved to Petersburg in February 2020. My husband and I came out to the area a number of times before purchasing the property at 2138 Witmer Road, and noticed how quite the area was. This is our dream home, this is our retirement, this is our family home. Our home is 1.5 kilometers from the proposed gravel pit, with a private well on our property.

My husband has a safety critical position of Engineer/Conductor with a local Railway. His job requires that he has at least 8 hours of rest before attending for his shift.

If the gravel pit is approved under this proposal, my husband will not get the required minimum 8 hours of rest that his job requires, with a nuisance of vibrations from rock crushers and noise that would not allow him sleep during the day. For us this would mean that my husband would not be fit for duty for his job. This would cause us financial hardship if he was unable to attend at his job due to a nuisance of noise and vibration.

As a landowner/homeowner we have the right to unfettered use and enjoyment of our property. Having a nuisance of noise, dust and vibrations of an adjacent property will cause us not only financial hardship but will also wear on our mental health and well being. It will also prevent us from growing our own food on our property. We have been growing our own vegetables and fruit for the last two years.

Will our garden vegetables be able to be eaten by my family if they are covered in silica dust?

I would like to pose a question to not only the applicant but also to Mayor Armstrong and to Council.

Would you live next door to a gravel pit?

If you were living on Witmer road, or in Shingletown and did your research, like our Wilmot Community has done, would you not fight for the best possible outcome, which is to say no to the gravel pit going in our backyards?

Question for the Applicant:

Could you not propose a license/operating lease agreement to the other 7 gravel pits in the area, and propose that you use their already open and operating gravel pits to help your cause? I ask this because there are other options than putting the gravel pit on Witmer Road.

Why not try to work with the Wilmot Community who is saying no to your proposal. There are other options. We just have to think outside the box where we can meet in the middle and both sides can win. The community saying no to your proposal means we care about what happens here. We care about our neighbours, friends and community.

My family and I oppose this application.

Thank you Mayor Armstrong and Council for taking the time to hear us, your neighbours, your friends, voters, taxpayers and members of the Wilmot Community.