



INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

August 4, 2021

Township of Melancthon
157101 Highway 10
Melancthon, ON
L9V 2E6

Attention: Denise Holmes,
CAO/Clerk

Re: **DHL Melancthon Pit Expansion**
Official Plan Amendment & Zoning By-law Amendment Applications
Township of Melancthon, County of Dufferin

On behalf of Duivenvoorden Haulage Ltd. (DHL), Innovative Planning Solutions is pleased to submit Official Plan Amendment and Zoning By-law Amendment applications to permit an aggregate expansion to the DHL Melancthon Pit.

The proposed Aggregate Resources Act (ARA) application is for a Class 'A' License, Category 3 application, for a pit above the water table. The proposed license would permit extraction of 500,000 tonnes annually, shared between the existing and proposed operations.

The subject applications include two (2) parcels of land, municipally known as 437202 4th Line and 437138 4th Line. DHL currently operates an aggregate pit at 437138 4th Line, licensed as a Class 'A' pit (Category 3 – Above Water Table) under the Aggregate Resources Act (License No. 3726). The subject applications would grant a license to permit aggregate extraction to expand north onto the 437202 4th Line property. The expansion would also proceed north-east to a portion of land on the 437138 4th Line property, along the 4th Line adjacent to the existing operations, not included within the current licensed area.

The lands subject to the application would permit an additional 45 hectares (111.1 acres) of land to be licensed, with a proposed extraction area of 34.5 hectares (85.2 acres).

The attached Requirements Table outlines the supporting technical documents included with the application.

We look forward to the circulation and review of this application. Should you have any further questions or comments, please do not hesitate to contact the undersigned.

Respectfully submitted,
Innovative Planning Solutions

A handwritten signature in cursive script that reads "J. Hunter".

James Hunter, BURPI.
Senior Planner

Cc'd:

- Chris Jones, Municipal Planning Services
- John Duivenvoorden, DHL, Applicant/Owner
- Tecia White, Whitewater Hydrogeology Ltd.

DUIVENVOORDEN HAULAGE LTD.

MELANCTHON PIT EXPANSION

OPA & ZBA APPLICATION REQUIREMENTS TABLE

IPS File. 18-802

August 4, 2021

#	Item	Consultant	Date
Technical Documents			
1	Planning Justification Report	IPS	February 2021
2	ARA Summary Statement – Part of Planning Report	IPS	February 2021
3	Stage 1 and 2 Archaeological Assessment • Supplementary Documentation	ASI	October 2, 2018
4	Stage 3 Archaeological Assessment	ASI	<i>Pending – to be submitted as Addendum</i>
5	Natural Environmental Level 1 Technical Report	Birks Natural Heritage Consultants	July 2019
6	Natural Environmental Level 2 Technical Report	Birks Natural Heritage Consultants	February 2021
7	Agricultural Impact Assessment	Orion Environmental Solutions	January 5, 2021
8	Combined Level 1 and 2 Hydrogeological Assessment	Azimuth Environmental Consulting	September 2020
9	Traffic Review	Tatham Engineering	February 10, 2021
10	Noise Impact Study	Trinity Consultants	July 27, 2021
11	ZBA Schedule & Text – Included in PJR	IPS	February 2021
12	OPA Schedule & Text - Included in PJR	IPS	February 2021

13	Obligation to Consult Letter	Ministry of Natural Resources and Forestry (MNRF)	May 24, 2018
14	Letter of Agreement	Saugeen Ojibway Nation / Applicant	Signed September 5, 2019
15	MTCS Archaeological Entry Letter Stage 1 and 2	Ministry of Heritage, Sport, Tourism, Culture Industries	November 7, 2019
16	Stormwater Management Brief	WMI & Associates Limited	December 15, 2020
Technical Plans			
1	ARA Site Plans: 1. Existing Features 2. Operational Plan 3. Rehabilitation Plan 4. Cross Sections	IPS	August 3, 2021
2	Existing Site Plans: 1. Existing Features 2. Operational Plan 3. Progressive and Final Rehabilitation Plans 4. Cross Sections	Contract Survey Support	December 18, 1992
Application			
1	Cover Letter	IPS	August 4, 2021
2	Official Plan Amendment Application Fee: • \$5,500.00	Applicant	Submitted directly to Township.
3	Official Plan Amendment Application	IPS	August 4, 2021
4	Zoning By-law Amendment Application Fee's: • \$1,500.00 • \$2,000.00 (Deposit)	Applicant	Submitted directly to Township.

5	Zoning By-law Amendment Application	IPS	August 4, 2021
6	Application Requirements Table	IPS (This Table)	August 4, 2021
7	Nottawasaga Valley Conservation Authority (NVCA) Review Fee: <ul style="list-style-type: none"> • \$12,500.00 	Applicant	Submitted directly to the NVCA.
8	Authorization Letter	Applicant / IPS	April 26, 2021
9	Dufferin County – OPA Review Fees: <ul style="list-style-type: none"> • \$1,000.00 (Local OPA) • \$2,000.00 (Deposit) • \$25,000 (Aggregate Deposit) 	Applicant	Aggregate deposit due at the time of complete application by Township. Deposit and review fee due at the time of OPA adoption by Township.
10	Draft Public Notice of Application & Notice of Public Information Session Letter	IPS / Whitewater Hydrogeology Ltd.	April 26, 2021

Application Circulation		
1	Township of Melancthon	Two (2) hard copies + digital USB copy.
2	Township's Planning Consultant (Municipal Planning Services)	One (1) hard copy + digital USB copy.
3	Nottawasaga Valley Conservation Authority (NVCA)	One (1) digital copy.
4	Saugeen Ojibway Nation (SON)	One (1) digital copy.
5	County of Dufferin	One (1) digital copy.
6	Ministry of Natural Resources and Forestry (MNRF) & ARA Approvals	One (1) digital copy.
7	Ministry of Agriculture, Food & Rural Affairs (OMAFRA)	One (1) digital copy.
8	Ministry of Transportation (MTO)	One (1) digital copy.



**CORPORATION OF THE TOWNSHIP OF MELANCTHON
APPLICATION FOR AMENDMENT TO ZONING BY-LAW**

Township of Melancthon
157101 Highway 10
Melancthon, Ontario
L9V 2E6
Attention: CAO/Clerk

The undersigned hereby applies to the Township of Melancthon for an amendment to the Zoning By-law for lands shown in Schedule A attached hereto.

It is hereby agreed that pursuant to By-law No. 39-2019 the applicant shall bear all the costs of the application (see Page 6 for Planning Fees and Charges), including internal review, administrative services, costs of circulation, holding public meetings, in-house professional services by the Township's Planning Consultant, external professional services, independent professional peer reviews, studies, plans and such other expenditures as are incurred by the municipality in order to properly administer, process and evaluate the application, appeal proceedings to the Local Planning Appeal Tribunal (LPAT) and Court action.

The following is to be completed by the applicant. Please use a separate sheet of paper if there is insufficient room to answer any question.

1. **APPLICANT AND OWNERSHIP INFORMATION**

Applicant's Name Innovative Planning Solutions, c/o James Hunter

Applicant's Address 647 Welham Road, Unit 9A, Barrie, ON, L4N 0B7

Applicant's Phone Number 705-812-3281 Fax No. 705-812-3438

Applicant's Email Address jhunter@ipsconsultinginc.com

Date of Application August 2021

Applicant's interest in subject lands:

Registered Owner Prospective Purchaser Mortgagor/Mortgagee

Neighbouring Owner Other

If applicant is not the registered owner, he/she must attach a letter from the registered owner authorizing this application

Registered Owner's Name Duivenvoorden Haulage Ltd.

Address 3245 9th Line, Innisfil, ON, L9S 3Z6

Phone Number 705-436-4999 Fax No. 705-431-2112

Any mortgages, charges, or other encumbrances in respect of the subject land: Yes ___
No . If yes, please provide the following information:

Name _____

Address _____

Name _____

Address _____

2. **INFORMATION REGARDING THE SUBJECT LAND(S)**

Location of Subject Land(s)

Lot East Half of Lots 13 and 14

Concession 4 O.S

Registered Plan No. _____ Lot No. _____

Reference Plan No. _____ Part No. _____

Emergency Number/Street Name 4th Line

Total Lot Area (Metric Units) 45 ha. (lands subject to application)

Frontage (metric units) 921m.

Depth (metric units) Approx. 676 m.

Date lands acquired July 2011

3. **OFFICIAL PLAN**

Present Land Use Designation Agricultural, Environmental Conservation

How does the application conform to the Official Plan Refer to Planning Report for details.

Official Plan Amendment application submitted concurrently.

4. **ZONING BY-LAW**

Present Zone General Agricultural (A1)

Nature and Extent of Zoning Requested To permit the expansion of an existing aggregate operation.

Rezoned to Extractive Industrial Exception (M2-XX) and Open Space Conservation (OS2)

Reasons for change (detailed description) Refer to Planning Report for details.

-
-
5. Is the subject land within an area where the municipality has predetermined the minimum and maximum density requirements? Yes _____ No

If the answer is yes, please provide a statement of those requirements

6. Is the application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement? Yes _____ No

If the answer is yes, please provide details of the Official Plan or Official Plan Amendment that deals with the matter

7. Is the application to remove land from an area of employment? Yes _____ No
If the answer is yes, please provide the details of the Official Plan or Official Plan Amendment that deals with the matter
-
-

8. Is the subject land within an area where zoning with conditions may apply?

Yes _____ No

Please give an explanation of how the application conforms to the Official Plan policies relating to zoning with conditions Refer to Planning Justification Report for details.

9. **ACCESS TO THE SUBJECT LANDS:**

Provincial Highway _____

Municipal Road (maintained all year round) 4th Line

County Road _____

Right of Way _____

By Water _____

If access by water only, what parking and docking facilities to be used or will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

N/A _____

10. **USE OF SUBJECT LANDS**

Existing Land Uses (detailed description) _____

437202 4th Line: Agricultural lands, owned by DHL (applicant).

437138 4th Line: Mineral aggregate extraction, operated by DHL.

Proposed Land Uses (detailed description) _____

Mineral aggregate resource extraction.

If known, what is the length of time that the existing uses of the subject land have continued?

Agricultural land uses as long as known, aggregate uses since approx. 1992.

11. **STRUCTURES ON SUBJECT LANDS**

Are there any structures or buildings on the subject lands? None on expansion lands.

If the answer is yes, please provide the following information:

Type of Building/Structure _____

Setbacks from (in metric units):

Front Lot Line _____

Rear Lot Line _____

Side Lot Lines _____

Height of the Building/Structure _____

Dimensions _____

Floor Area _____

If known, what is the date any existing building or structures were constructed?

*Please use a separate sheet for additional buildings/structures

12. Are there any buildings/structures proposed to be built on the subject land?
Yes _____ No

If the answer is yes, please provide the following information:

Type of building or structure _____

Setbacks from (in metric units):

Front Lot Line _____

Rear Lot Line _____

Side Lot Lines _____

Height of the Building/Structure _____

Dimensions _____

Floor Area _____

*Please use a separate sheet for additional buildings/structures

13. **ENVIRONMENTAL INFORMATION**

Source of Water:

Publicly Owned and Operated Piped System _____

Privately Owned and Operated Individual
Well For scale house use. _____

Communal Well _____

Other Water Body/other means _____

Sewage Disposal:

Publicly Owned and Operated sanitary sewage system _____

Privately owned and operated individual septic system For scale house use. _____

Communal System _____

Privy or other means _____

Would more than 4,500 Litres (990 Gallons) of effluent be produced per day?
Yes _____ No

If the answer is yes, please provide a Servicing Options Report and a Hydrogeological Report.

Storm Drainage

Sewers _____ Ditches Swales Other _____

14. **SUPPLEMENTARY INFORMATION**

Has the subject land ever been the subject of an application under the Planning Act for approval of a Plan of Subdivision of a consent?

Yes _____ No

If the answer is yes, what is the File Number and the status of the application?

Has the subject land ever been the subject of an application under Section 34 of the Planning Act before?

Yes _____ No

Has the subject land ever been the subject of a Minister's Zoning Order and if known, the Regulation number of that order?

No.

Is the application for amendment to the zoning by-law consistent with policy statements issued under subsection 3 (1) of the Planning Act?

Yes No _____

Is the subject land within an area of land designated under any Provincial Plan or Plans?

Yes No _____

If the answer is yes, does the application conform to or does not conflict with the applicable provincial plan or plans?

Refer to Planning Report.

15. If this application involves the creation of a non-farm lot within approximately 500 metres of livestock facilities and/or permanent manure storage facilities, a completed MDS I calculation form must be submitted with this application. If this application involves a new or expanded livestock facility and/or permanent manure storage facility, a completed MDS II calculation form must be submitted with this zoning amendment application.

16. **SKETCH OF PROPERTY**

The sketch, to be marked Schedule "A" or shown on the attached Schedule "A", must show the following (in metric units):

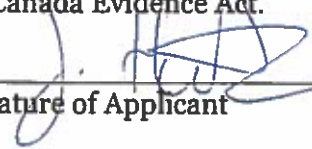
- the boundaries and dimensions of the subject lands
- the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines
- the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks), that
 - are located on the subject land and on land that is adjacent to it, and
 - in the applicant's opinion, may affect the application
- the current uses of land that is adjacent to the subject land
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- if access to the subject land will be by water only, the location of the parking and docking facilities to be used, and
- the location and nature of any easement affecting the subject land

17. **STATUTORY DECLARATION**

I/we, James Hunter IPS of City of Barrie

solemnly declare that:

All above statements and the information contained in this application including Schedule "A" transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is the same force and effect as if made under oath by virtue of The Canada Evidence Act.



Signature of Applicant

Signature of Applicant

Declared before me at the City of Barrie

in the County of Simcoe this 04 day of
August, 2021.



A Commissioner, etc.

Cristina Pivato, a Commissioner, etc., Province of Ontario, for
1657989 Ontario Ltd. o/a Innovative Planning Solutions Ltd.
Expires August 25, 2023

Planning Fees and Charges - By-law 39-2019

	<u>Fee</u>	<u>Deposit</u>
Zoning By-law Amendment to implement a condition of Consent	\$750.00	\$1,000.00
Zoning By-law Amendment	\$1,500.00	\$2,000.00
Zoning By-law Amendment to Remove a Hold	\$500.00	\$1,000.00

SCHEDULE "A"



**CORPORATION OF THE TOWNSHIP OF MELANCTHON
APPLICATION FOR AMENDMENT TO
OFFICIAL PLAN**

Township of Melancthon
157101 Highway 10
Melancthon, Ontario
L9V 2E6
Attention: CAO/Clerk

The undersigned hereby applies to the Township of Melancthon for an amendment to the Official Plan for lands shown in Schedule A attached hereto.

Enclosed herewith is a cheque payable to the Township of Melancthon in the amount of **\$5,500.00** for the Township's fee and required deposit towards the cost of processing this application. It is hereby agreed that pursuant to By-law No. 39-2019 the applicant shall bear all the costs of the application, including internal review, administrative services, costs of circulation, holding public meetings, in-house and external professional services, independent professional peer reviews, studies, plans and such other expenditures as are incurred by the municipality in order to properly administer, process and evaluate the application, appeal proceedings to the Local Planning Appeal Tribunal (LPAT) and Court action.

The following is to be completed by the applicant. Please use a separate sheet of paper if there is insufficient room to answer any question. Please be advised that there is a possibility that additional information beyond what is requested on this form that may be required, depending on the nature of the application, the applicable Official Plan policies and the requirements of review agencies. Such information could include the following: traffic study, noise study, MDS calculations or an environmental impact assessment.

1. **APPLICANT AND OWNERSHIP INFORMATION**

Applicant's Name Innovative Planning Solutions, c/o James Hunter

Applicant's Address 647 Welham Road, Unit 9A, Barrie, ON, L4N 0B7

Applicant's Phone Number 705-812-3281 Fax No. 705-812-3438

Applicant's Email Address jhunter@ipsconsultinginc.com

Name of Municipality or Planning Board that is being requested to initiate the amendment to its Official Plan

Township of Melancthon

Date of Application August 2021

Name of the Official Plan requested to be amended? Township of Melancthon Official Plan

If applicant is not the registered owner, he/she must attach a letter from the registered owner authorizing this application

Registered Owner's Name Duivenvoorden Haulage Ltd.

Address 3425 9th Line, Innisfil, ON, L9S 3Z6

Phone Number 705-436-4999 Fax No. 705-431-2112

Any mortgages, charges, or other encumbrances in respect of the subject land: Yes No . If yes, please provide the following information:

Name N/A

Address _____

Name _____

Address _____

2. INFORMATION REGARDING THE SUBJECT LAND(S)

Location of Subject Land(s)

Lot 13 and 14

Concession 4, OS

Registered Plan No. _____ Lot No. _____

Reference Plan No. _____ Part No. _____

Emergency Number/Street Name 4th Line

Total Lot Area (Metric Units) 45 ha. (lands subject to application)

Frontage (metric units) 921 m.

Depth (metric units) Approx. 676 m.

Date lands acquired July 2011

3. Does the requested amendment change, replace or delete a policy in the Official Plan?

Yes _____ No

4. If the answer is Yes, what is the policy to be changed, replaced or deleted?

5. Does the requested amendment add a policy to the Official Plan? Yes _____ No

6. What is the purpose of the requested amendment?

To permit an aggregate expansion, through an Amendment to the 'Extractive Industrial'
land use designation.

7. What is the current designation of the subject land in the Official Plan and the land uses that the designation authorizes?

'Agricultural' and 'Environmental Conservation'

Agricultural and related uses, environmental conservation and those specified by the Official Plan.

8. Does the requested amendment change or replace a designation in the Official Plan?

Yes No _____

9. If the answer is Yes, what is the designation to be changed or replaced?

Re-designate from 'Agricultural' and 'Environmental Conservation' to 'Extractive Industrial'

10. What are the land uses that the requested Official Plan Amendment would authorize?

Mineral aggregate extraction and environmental conservation.

11. What are the existing land uses (detailed description)?

Agricultural land uses and existing aggregate operations.

12. How will water be provided to the subject land?

Publicly Owned and Operated Piped System _____

Privately Owned and Operated Individual Well For scale house use.

Communal Well _____

Other Water Body/other means _____

13. How will sewage disposal be provided to the subject land?

Publicly Owned and Operated sanitary sewage system _____

Privately owned and operated individual septic system For scale house use.

Communal System _____

Privy or other means _____

14. If the requested amendment would permit development on a privately owned and operated individual or communal septic system, would more than 4,500 Litres (990 Gallons) of effluent be produced per day?

Yes _____ No _____

15. **ACCESS TO THE SUBJECT LANDS:**

Provincial Highway _____

Municipal Road (maintained all year round) 4th Line _____

County Road _____

Right of Way _____

By Water _____

If access by water only, what parking and docking facilities to be used or will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

N/A _____

16. Is the subject land or land within 120 metres of it, the subject of an application by the applicant under the Act for:

- minor variance or a consent N/A
- any other amendment to an official plan, a zoning by-law amendment or a Minister's zoning order; or Unknown.
- approval of a plan of subdivision or a site plan N/A

17. If the answer is yes to any of the above, the following information about each application is required:

- its file number
- the name of the approval authority considering it
- the land it affects
- its purpose
- its status; and
- its effect on the requested amendment

18. If a policy in the Official Plan is being changed, replaced or deleted or it a policy is being added, please provide the text of the requested amendment.

N/A _____

-
-
19. If the requested amendment changes or replaces a schedule in the Official Plan, please provide the requested schedule and the text that will accompany it.

Amendment Schedule provided with application.

20. If the requested amendment alters all or any part of the boundary of an area of settlement in a municipality or establishes a new area of settlement in the municipality, please provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement.

21. If the requested amendment removes the subject land from an area of employment, please provide the current official plan policies, if any, dealing with the removal of land from an area of employment.

22. Is the application for amendment to the Official Plan consistent with policy statements issued under subsection 3 (1) of the Planning Act?

Yes No

23. Is the subject land within an area of land designated under any Provincial Plan or Plans?

Yes No

24. If the answer is yes to Question 23, does the application conform to or does not conflict with the applicable Provincial Plan or Plans?

Refer to the Planning Justification Report with the application.

25. **SKETCH OF PROPERTY**

The sketch, to be marked Schedule "A" or shown on the attached Schedule "A", must show the following (in metric units):

- the boundaries and dimensions of the subject lands
- the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines
- the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks), that
 - are located on the subject land and on land that is adjacent to it, and
 - in the applicant's opinion, may affect the application
- the current uses of land that is adjacent to the subject land
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- if access to the subject land will be by water only, the location of the parking and docking facilities to be used, and
- the location and nature of any easement affecting the subject land

26. **STATUTORY DECLARATION**

I/we, James Hunter, IPS of City of Barrie

solemnly declare that:

All above statements and the information contained in this application including Schedule "A" transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is the same force and effect as if made under oath by virtue of The Canada Evidence Act.



Signature of Applicant

Signature of Applicant

Declared before me at the City of Barrie
in the County of Simcoe this 04 day of
August, 2021.



A Commissioner, etc.

Authorizations:

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application on his/her behalf, must be included with this form or the authorization set out below must be completed.

Authorization of Owner for Agent to Make Application and for Agent to Provide Personal Information

I, _____ *See authorization letter. _____, am the owner of the land that is the subject of this application for consent and I authorize _____ to act as my agent for the purpose of this application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize my agent to provide any of my personal information that will be included in this application or collected during the processing of this application.

*See authorization letter.
Date

Signature of Owner

Consent of the Owner to the Use and Disclosure of Personal Information

I, James Hunter (Agent), am the owner of the land that is the subject of this consent application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

August 4, 2021
Date

J. Hunter
Signature of Owner
Agent

SCHEDULE "A"