



August 5, 2026

Hon. Mike Harris
Minister of Natural Resources
438 University Avenue, Suite 1802
Toronto, ON M5G 2K8

Minister Harris

Re. Township of Melancthon Response to the *Aggregate Resources Act* ('ARA') application submitted to the Ministry of Natural Resources by Duivenvoorden Haulage Limited for the lands municipally known as 437138 and 437202 4th Line in the Township of Melancthon.

On behalf of the Township of Melancthon, staff is pleased to provide written comments to the Environmental Registry of Ontario ('ERO') No. 026-0536 portal for the lands municipally known as 437138 and 437202 4th Line in the Township of Melancthon. It is our understanding that the ERO posting is for an application made by Duivenvoorden Haulage Limited under the *Aggregate Resources Act* ('ARA') for a Class A licence, Pit above Water, to excavate aggregate from a pit 45 hectares in size with an extraction area of 34.5 hectares. The application aims to expand an existing pit (Licence No. 3726), which will result in a total annual removal tonnage of 500,000 tonnes.

The Township of Melancthon has engaged in an initial review of the technical materials submitted under the ARA application. This review also included several peer reviewers to which the Township of Melancthon retained to assist in analyzing and commenting on critical elements, such as natural heritage, civil engineering, and hydrogeology. All comments regarding the application made under the ARA have been provided in the sections below.

General – Concerns/Comments

1. The Operational Plan (Drawing 2 of 4) references the Stage 1 and 2 Archaeological Assessment. With the Stage 3 and Stage 4 completed, there should be consideration to the later stages being referenced on the plan.
2. Amendments to the Township Official Plan and Zoning By-law are required prior to the Licence being issued. The Township of Melancthon has been working alongside the applicant in progressing both applications; however, there are still outstanding issues that must be



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resolved by the applicant prior to any recommendation on the *Planning Act* applications being brought forth to Council.

3. The Township would like to note our concern and dissatisfaction with the consultation process that occurred as part of this application process. For one, Township of Melancthon staff were not circulated any Notice of Public Meeting prior to the meeting, which did not allow for the appropriate correspondence with Council and the public on this matter to occur. Additionally, the newspaper in which the public notice was published is not the local newspaper for the citizens of Melancthon and, therefore, any ability for residents to attend the public meeting was likely severely hindered. Lastly, the sole utilization of the Microsoft Teams, a not commonly used digital meeting platform for residents in Melancthon, would have severely impacted the public's ability to attend the meeting.

Given the above, the Township of Melancthon would request the Ministry investigate the public meeting process that occurred and, further to that, schedule another public meeting that will allow for the proper public engagement with Melancthon residents to occur.

Planning – Concerns and Comments

Planning Justification Report – Updated March 2026

1. The Report states that in the EF site plan “*The existing woodlands are identified with a green overlay, including a grey 15 metre buffer*” (p. 10). This should be corrected to a 30 m buffer.
2. The Report refers to the 2020 Provincial Policy Statement in Section 6.2. This should be updated to the 2024 Provincial Planning Statement.

Natural Heritage – Concerns/Comments

02-017-2018 TechMemo_RE Growth Plan_Nov 30, 2021

1. The technical memorandum recommends compensation for habitat lost due to the pit expansion but does not provide further details on plans for compensation and restoration. It is not clear where woodland compensation would occur, what offsetting ratio is being recommended, how compensation would be implemented (e.g., composition, density etc. of plantings), nor how it would be monitored. A detailed compensation plan should be developed to demonstrate that loss of significant woodland will be appropriately offset through woodland restoration.



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2. The technical memorandum states that 2.3 ha of woodland will be lost and 2.5 ha retained. However, it specifies that the 2.5 ha retained portion includes *“the portions that are within the 30-m feature setback”* (p. 7). The portions of the woodland in the setback should not be considered retained woodland, since they become edge habitat due to the loss of adjacent woodland, and are meant to act as a buffer shielding the woodland beyond the 30-m setback from the pit expansion. Furthermore, it is not clear from the ARA application whether or to what extent the existing woodland within the setback will remain, and/or be restored. Thus, the calculation of woodland lost should include the woodland habitat within the 30-m setback, as well as the woodland directly replaced by the pit expansion.
3. The Summary states *“For Section 4.2.8.4 b) the health diversity and size of the key natural heritage features discussed will be retained and no mineral aggregate extraction will be required in those features”* (p. 7). For reference, Section 4.2.8.4 b) of the Growth Plan referred to key natural heritage features or key hydrologic features on the site, including significant woodlands. Since the application proposes removal of at least 2.3 ha of significant woodland we do not agree that *“no mineral aggregate extraction will be required in those features”*.

ARA Site Plans – 10 February 2026

1. The EF and OP site plans only show a portion of the 30-m setback on the east side as woodland, and none of the 30-m setback on the north side as woodland. The RP site plan does not appear to label the retained woodland or 30-m setback as woodland, as its colour differs from the woodland offsite (and is the same colour as the proposed pit expansion area). As previously stated (Comment #2), the application should clearly explain (with supporting figures) whether woodland is being completely retained, partially retained, or not retained at all in the 30-m setback and provide accompanying rationale to demonstrate that this will support no negative impact to the significant woodland feature.
2. The OP site plan shows a silt fence along the east side of the woodland, but not along the north side. The application should explain why no silt fencing is required along the north side.
4. The Species at Risk (SAR) recommendations listed under 1.2.27 Technical Recommendations on the OP site plan refer to the need for *“Updated habitat assessments for the Species at Risk including Barn Swallow, Bobolink and Eastern Meadowlark prior to site alteration”*. Given that three endangered bat species were recorded on the property, these recommendations should include the requirement to provide updated habitat assessments for SAR bats also prior to any pit expansion activity. Furthermore, information in the Species at Risk section referring to requirements under the *Endangered Species Act* should be updated to reflect current requirements under the *Species Conservation Act*.



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5. The SAR recommendations listed under 1.2.27 Technical Recommendations on the Operational Plan state that “Vegetation clearing activities shall occur outside of the bird nesting period April 15 – August 15. Tree clearing activities shall be undertaken outside the bat active season (April 30 – September 1) or as determined by the MECP.” These timing windows differ from the tree cutting mitigation measures recommended in the Level 2 report, which are that “Tree cutting should be timed to occur during the calendar months of November 1 to March 31 and no cutting activity in forested areas should occur outside that period. This will ensure that no bats actively roosting in trees will be killed or harmed as a result of clearing activities and is outside of the breeding bird season” (p. 18 Level 2 Report). We recommend that the more conservative timing window for tree clearing be adopted (i.e., only from November 1 to March 31). Similarly, the main bird nesting period for the Melancthon area extends from early April to late August. Thus, we recommend that vegetation clearing activities be restricted to September 1 to March 31.
6. The OP site plan lists several monitoring programs that should be developed and implemented before and during extraction operations, including monitoring amphibian breeding within the retained wetland, inspecting woodland buffers to ensure no disturbances are occurring during pit operation, and inspecting the health and survival of buffer plantings. More information on these monitoring programs is required, including when and how frequently they will occur, what methodology will be followed, and how findings will be analyzed, reported, and acted upon for adaptive management purposes.
7. The RP site plan outlines several general recommendations for the Rehabilitation and Compensation Plan, however, detailed information on rehabilitation and compensation is lacking. For example, while the RP site plan mentions that buffers to the woodland will be allowed to renaturalize and will be supplemented with targeted native species plantings, no details are provided on how renaturalization will occur, or the composition and density of native species plantings. Further, the RP site plan refers to both the buffer and the setback, and it is not clear if the entire 30-m setback will serve as a naturally self-sustaining vegetated buffer, or if the intent is for some of the setback to be cleared. Will the setback be initially cleared during pit expansion and then left to renaturalize, or will it be left as woodland? A standalone detailed Rehabilitation and Compensation Plan needs to be prepared and followed which includes guidance on the establishment and protection of the buffer, and monitoring of buffer effectiveness.
8. The RP site plan states that the Rehabilitation and Compensation Plan should “*Identify any Future Offset proposed in the progressive rehabilitation for Woodland Habitat removed*”. As stated in Comment #1, the Plan should clarify where woodland compensation will occur,

what offsetting ratio is being recommended, how compensation will be implemented (e.g., composition, density etc. of plantings) and how it will be monitored. Further, the offsetting ratio should be based on the total amount of woodland removed and disturbed, including woodland within the 30-m setback. A standalone detailed Rehabilitation and Compensation Plan needs to be prepared and followed which includes guidance on habitat compensation to offset woodland removal. We recommend that the following resources be consulted to design and implement a compensation plan for the loss of woodland habitat:

- Credit Valley Conservation. 2020. Ecosystem Offsetting Guidelines.
- Toronto and Region Conservation Authority. 2023. Guideline for Determining Ecosystem Compensation.

Civil Engineering – Concerns/Comments

1. **Fill Importation** – Burnside has been involved in recent aggregate files that have significant fill importation. It is our understanding that fill importation remains to be very limited on the site and may only be required for 3:1 sloping located near the perimeter of the property as identified on the plans. All importation will be done in full compliance with O.Reg. 406/19.

Traffic Engineering (County of Dufferin Peer Review) – Concerns/Comments

1. The road network mistakenly lists the intersection of 4th Line with Dufferin Road 117. This should be adjusted to Dufferin Road 17.
2. It is acknowledged that this report is now over five years old, but the improvements recommended for the Strada Pit expansion on 4th Line appear to have been completed.
3. The study traffic count is almost seven years old and the photos illustrating the existing conditions of the roadway are outdated as noted above. Updated counts and field review should be undertaken to confirm the existing volumes and conditions of the road network and intersections. An updated analysis should be undertaken for the anticipated approval year and ten-year horizon period.
4. The distribution of trucks travelling north and south on Dufferin Road 124 should be provided. The report should confirm if any trucks are anticipated to travel west on Dufferin Road 17 toward Highway 10.
5. The assumptions used to estimate existing and future truck traffic should be confirmed using available weigh-scale, production and dispatch records. The study shall clearly identify the

maximum daily and hourly truck volumes associated with the proposed operation and reconcile any inconsistencies contained within the current report.

6. Strada Pit has also recently applied to increase extraction. This review should consider the cumulative effects of both pit expansions together and demonstrate that the County road network can safely accommodate the combined aggregate traffic during peak season and peak hour operating conditions.
7. The analysis focuses primarily on operational metrics (LOS, v/c ratio, and queue lengths). Given the high proportion of heavy vehicle traffic associated with quarry operations, the study should also assess potential safety implications at key intersections, particularly Dufferin Road 17 at 4th Line and Dufferin Road 17 at County Road 124. This analysis should confirm that the turning movements of heavy vehicles at the intersection of 4th Line and County Road 17 have been reviewed to ensure that the available turning radii and lane widths are adequate for the expected truck types. The review should address operating speeds, sight distance, truck acceleration and deceleration, turning movements, and queuing.

The study should confirm the resulting heavy vehicle percentages on the haul route and at the intersections of 4th Line/CR17 and CR17/CR124 under future scenarios, as high heavy vehicle percentages can influence operations, gap acceptance, and safety performance.

The study acknowledges that the existing westbound right turn lane on Dufferin Road 17 at the 4th Line intersection does not meet MTO guidelines. Additional engineering justification should be provided to demonstrate whether the existing configuration remains appropriate under the proposed increased truck traffic.

The revised submission shall consider the potential long-term impacts of increased heavy truck traffic on Dufferin Road 17, including pavement, shoulder and intersection deterioration.

The Township of Melancthon appreciates the opportunity to provide comments to ERO No. 026-0536 regarding an application made by Duivenvoorden Haulage Limited under the *ARA* for a Class A licence. The Township is committed to working alongside the applicant and Ministry of Natural Resources ('MNR') on the *ARA* application, as well as the applicant on the current ongoing Official Plan and Zoning By-law amendment application process under the *Planning Act*. We also want to note that the Township of Melancthon reserves the right to identify further concerns, to provide more detail and to provide additional recommendations for the resolution of any concerns identified as the review of this application continues.



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Respectfully submitted,

Liam Morgan, MCIP, RPP
Manager of Planning
Phone: 519-941-2816 Ext. 2511
lmorgan@melancthontownship.ca