

To:	Warden Milne and Members of Grey County Council
Committee Date:	June 13, 2024
Subject / Report No:	PDR-CW-32-24
Title:	Grey County Official Plan Amendment 19, Forbes Quarry Expansion - Merit Report
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Reviewed by:	Scott Taylor
Lower Tier(s) Affected:	Township of Georgian Bluffs
Status:	

Recommendation

1. That report PDR-CW-32-24 regarding an overview of County Official Plan Amendment 19 (County file number 42-03-620-OPA 19), known as the ‘Forbes Quarry Expansion’, on lands legally described as Lots 7, 8, 9 and Part of Lot 10, Concession 18, geographic Township of Keppel, now in the Township of Georgian Bluffs, be received for information.

Executive Summary

Grey County has received a County official plan amendment (OPA) application that proposes to expand the existing ‘Forbes Quarry’ operation, in the Township of Georgian Bluffs. The OPA would increase the designated ‘Mineral Resource Extraction Area’ on the lands from approximately 12.5 hectares (31 acres) to 87.85 hectares (217.08 acres). Of this 87.85 hectares proposed to be designated, approximately 56.88 hectares (140.55 acres) would be for extraction purposes. A related zoning by-law amendment application has also been submitted to the Township of Georgian Bluffs. As part of their related license application, the applicants are seeking permission to extract below the water table. Extraction is proposed to occur over three phases. The lands would be progressively rehabilitated into large lake or pond features following each extraction phase. The existing quarry is licensed to extract up to 100,000 tonnes of aggregate per year, which is proposed to remain the same through the expansion.

This report recommends that the Committee receives the report for information. A thorough planning analysis will be undertaken and reported following the agency and public commenting process.

Background and Discussion

Grey County has received a County official plan amendment (OPA 19) application to expand the existing Forbes Quarry, located in the Township of Georgian Bluffs. A concurrent zoning by-law amendment has been submitted to the Township of Georgian Bluffs and is being processed concurrently (Z-09-23). The County OPA would increase the designated 'Mineral Resource Extraction Area' on the lands from approximately 12.5 hectares (31 acres) to 87.85 hectares (217.08 acres). Of the 87.85 hectares proposed to be designated, approximately 56.88 hectares (140.55 acres) would be for extraction purposes. A link to the draft County OPA has been included in the Attachments section of this report.

The lands are currently zoned as 'Rural' (RU), 'Environmental Protection' (EP), and "Extractive Industrial' (MX-2) with a special provision to permit a ready-mix plant and office within an existing dwelling. The proposed zoning by-law amendment would implement the OPA and amend the Township's Zoning By-law by expanding the Extractive Industrial zoning to encompass the proposed licensed area. The area of the existing quarry is proposed to be used for processing material on site.

The subject lands are legally described as Lots 7, 8, 9 and Part of Lot 10, Concession 18, in the geographic township of Keppel, now in the Township of Georgian Bluffs. The lands currently consist of three separate lots, with a cumulative size of approximately 170 hectares. Two lots currently contain single-residential dwellings, while the third lot contains the existing quarry operation and an accessory office building. Approximately 30 – 40 hectares of the subject lands appear to be used for agricultural purposes (cropping), and approximately 100 hectares are forested. The submitted Operation Plan proposes to remove approximately 21 hectares of forested area over the lifespan of the quarry, to facilitate extraction.

Land uses surrounding the subject property include a County owned forest property to the south, an active quarry operation to the south-west, and large natural areas, rural residential and/or agricultural lands to the north, east and west.

The subject lands have southern frontage on Concession 17 and eastern frontage on Zion Church Road. The current quarry operation is accessed from Concession 17 and this is proposed to be maintained until such time that those lands are rehabilitated, after which access to the lands will be from Zion Church Road.

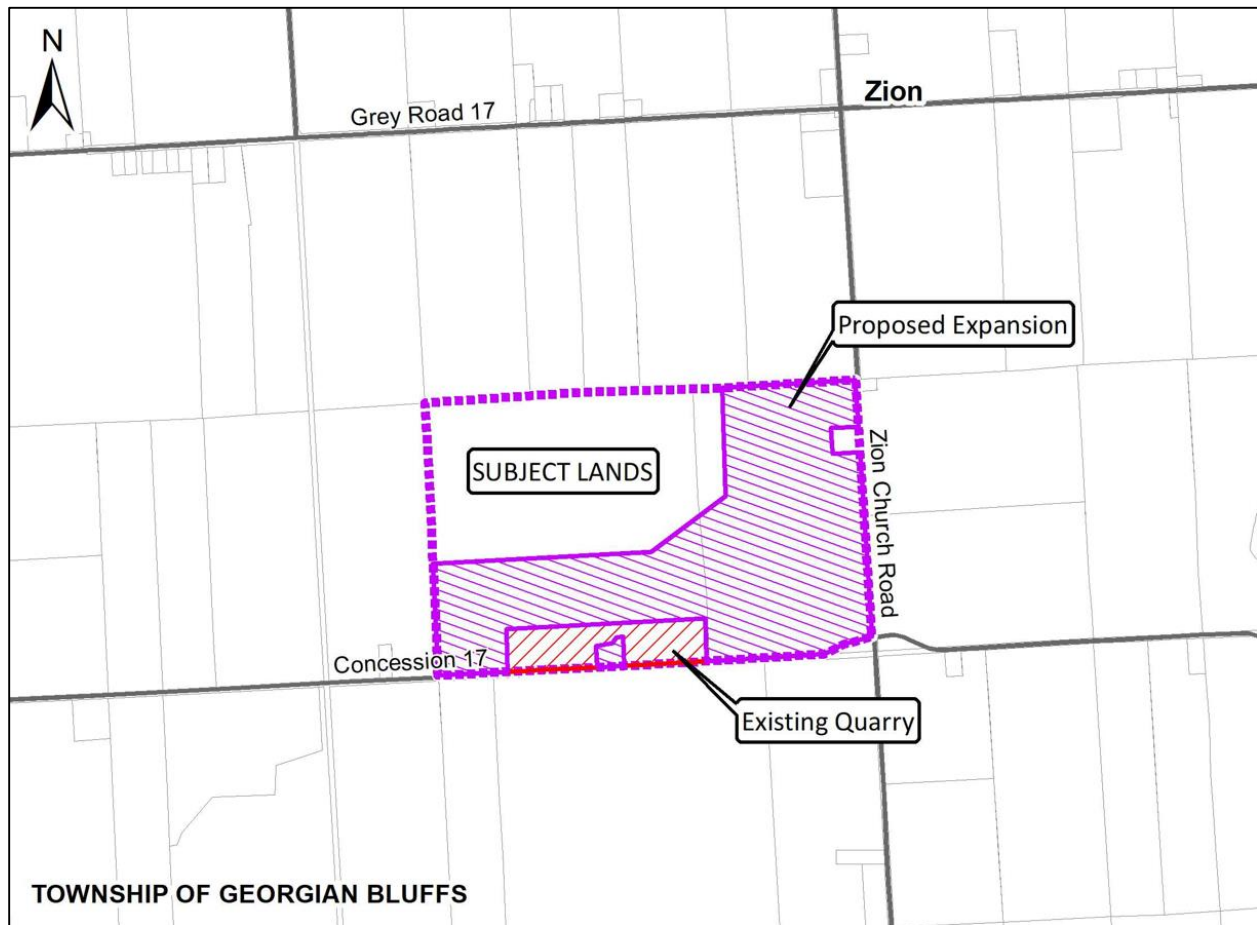
The subject lands are designated "Rural' and 'Hazard Lands' on Schedule A of the County's Official Plan; and partially designated 'Mineral Resource Extraction Area' on Schedule B. Schedule C of the County's Official Plan identifies an ecological 'Core Area' and 'Linkage' feature on the subject lands. Appendix B indicates large areas of 'Significant Woodlands,' a water course, and unevaluated wetlands. Appendix A identifies a large area of karst topography over the proposed extraction area.

Map 1 shows the subject lands outlined in yellow and the surrounding land uses. Map 2 below shows the draft OPA and ZBA schedule, indicating the outline of the current licensed quarry area, in addition to the proposed expansion.

Map 1: Location of Subject Lands



Map 2: Concept Plan showing Existing Quarry and Proposed Expansion



Pre-submission consultation between the Township and the County identified the submission requirements for the County OPA. Several studies and reports have been prepared in support of the subject application, including a Planning Justification Report, Environmental Impact Study, Hydrogeological Study, Archaeological Assessment, and Noise Study. A Karst Assessment previously prepared in 2016 is also referenced through the submitted studies. Detailed site plans have been prepared to demonstrate the status of the current site, the proposed operation plan, and rehabilitation plan.

Copies of all background reports and plans can be found on the [County of Grey Website](#).

Analysis of Planning Issues

When rendering a land use planning decision, planning authorities must have regard to matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2020 and conform to any Provincial Plans or County/Municipal Official Plans that govern the subject lands. In this case, the County of Grey Official Plan has jurisdiction over the subject property. It should be noted that Georgian Bluffs defers to the County's Official Plan for rural areas. There are no provincial plans in effect for this area of the County.

A virtual public meeting has been scheduled for the subject *Planning Act* applications on July 10th. Notice has been provided to all relevant parties in accordance with the *Planning Act*, and development signs have been erected at the site. At this time, a detailed planning analysis has not been undertaken. Following the public and agency review process, a thorough analysis and staff recommendation will be provided. Key Provincial and County policies have been flagged below for consideration.

Provincial Legislation – The Planning Act

The *Planning Act* speaks to several high-level planning considerations that must be addressed in a rendering a decision on any new development. Most notable to the subject OPA are the following clauses from the *Planning Act*, which will need to be considered.

- (a) the protection of ecological systems, including natural areas, features and functions,
- (b) the protection of agricultural resources of the Province,
- (c) the conservation and management of natural resources and the mineral resource base;
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (e) the supply, efficient use and conservation of energy and water,
- (m) the co-ordination of planning activities of public bodies,
- (o) the protection of public health and safety, and
- (p) the appropriate location of growth and development.

The above matters have been reviewed in the background reports accompanying this development. Following public and agency review, County staff will offer a thorough analysis of these matters.

Provincial Policy Statement (PPS 2020)

Section 1.1.5.2 of the 2020 Provincial Policy Statement notes that “the management or use of resources” is a permitted use on Rural Lands within municipalities.

Section 2.5(1) notes that “Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.” Section 2.5.2.4 further notes that mineral aggregate operations shall be “protected” from activities and other forms of development that may hinder their potential for expansion or continued use. Section 2.5.3 sets out requirements for “progressive and final rehabilitation” of extraction operations, following their lifespan.

Section 2.1 of the Provincial Policy Statement speaks to protecting natural heritage resources for the long-term. Section 2.2 speaks to the importance of preserving local water supplies, while section 2.3 provides policy direction to protect prime-agricultural lands for long-term use.

Other sections of the PPS and the *Planning Act* include the protection of archaeological and heritage resources and avoiding development in hazardous areas.

County of Grey Official Plan

The subject lands are designated 'Rural' and 'Hazard Lands' on Schedule A of the County's Official Plan. Licensed aggregate operations identified as Mineral Resource Extraction on Schedule B are identified as permitted uses within the Rural designation, per Section 5.2.1 of the County's Official Plan.

Section 5.6.4 provides several policies that speak to establishing new or expanded 'Mineral Resource Extraction Land Use Types.' In all cases where a new or expanded quarry operation is proposed, a County Official Plan Amendment is required. Further, section 5.6.5 speaks to development policies within a Mineral Resource Extraction Area. The proposed quarry expansion will be reviewed in depth, in relation to the policies of Section 5.6.5 to ensure conformity with County policies.

A large portion of the subject lands is designated as a County 'Core Area.' While the proposed quarry operation is not proposed within the Core Area, it would be developed on adjacent lands (i.e., within 120 metres of the Core Area). The lands also contain a 'Linkage' feature on Schedule C, and a portion of the proposed licensed area would be located within the Linkage. Approximately 21 hectares of forested area is proposed to be removed to support the extraction operation over the lifespan of the extraction operation, which would include areas mapped as 'Significant Woodlands.' Unevaluated wetlands and several water courses have also been identified within Appendix B. In this respect, a site visit has been undertaken by Planning Ecology staff, and an Environmental Impact Study and Hydrogeological Study have been prepared. All studies will be reviewed to ensure that key natural heritage features and their ecological functions will not be negatively impacted by any approval of the subject OPA in the long term.

As per Appendix A, the subject lands fall within a mapped 'Karst Area.' Given that the proposal seeks to extract aggregate below the water table, County staff will be seeking additional confirmation to ensure that any on-site karst topography would not impact groundwater levels or safety throughout the course of the quarry's lifespan.

To comply with the requirements noted in Section 5.6.4 (4) for a complete *Planning Act* application in relation to a new quarry operation, the following reports and studies have been prepared and submitted with the subject application: Planning Justification Report, Archaeological Assessment, Hydrogeological Report, Environmental Impact Study, Noise Study, and a variety of Site Plans including a plan of Existing Features, future Operational Plan, and proposed Rehabilitation Plan.

As noted above, following the public and agency processes, a thorough planning analysis and staff recommendation will be provided.

Legislated Requirements

These applications will be processed in accordance with the *Planning Act*.

Financial and Resource Implications

There are no anticipated financial, staffing, or other resource considerations associated with the proposed County Official Plan Amendment, beyond those normally encountered in processing such applications. As the applicant is a member municipality, the County has not required an application fee for the County OPA.

Relevant Consultation

- ☒ Internal: Planning, Planning Ecologists, Transportation Services
- ☒ External: The public, Township of Georgian Bluffs, Grey Sauble Conservation Authority, and required agencies under the *Planning Act*

Appendices and Attachments

- [Notice of Complete Application and Public Meeting](#)
- [Draft Schedule A - OPA](#)
- [Draft OPA By-Law](#)