



Notice of Objector Response

Aggregate Resources Act

Subject: Application for a Category 2 Licence under the Aggregate Resources Act

Lot: 7, 8, 9, 10 Concession 3

Township of: West Flamborough County of City of Hamilton

Objector: Name: City of Hamilton Ph: 905-546-2424

Address: 71 Main Street West, 5th Floor Hamilton, ON L8P 4Y5

Further to your letter of February 18, 2014 regarding this licence application under the Aggregate Resources Act, I / we, Lafarge Canada Inc. offer the following further information to address your objections/concerns:

Please see attached letter.

As per Section 4.3.3.2 of the Provincial Standards under the Act, please be advised that after review of this additional information you, the objector, have 20 days from receipt of this letter (i.e. Nov 26, 2015) to respond to the Ministry of Natural Resources and the applicant at the addresses shown below, with recommendations that may resolve the objections.

These recommendations must be delivered personally or by registered mail within the above-noted 20-day period or it will be deemed that there is no longer a valid objection.

Yours truly,

Brian Zeman, MHBC Planning (on behalf of Lafarge)

Signature: [Handwritten Signature] Date: October 30, 2015

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

Name of Applicant or Consultant: MHBC Planning Address: 113 Collier Street Barrie, Ontario L4M 1H2 Attention: Brian Zeman



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October 30, 2015

Stephen Robichaud, MCIP, RPP
Director, Planning Division
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

Dear Mr. Robichaud:

RE: Letter of Objection to an Application for a Category 2 Quarry Licence under the Aggregate Resources Act – Part of Lots 7, 8, and 9, Concession 3, City of Hamilton (Lafarge Dundas South Quarry Extension) OUR FILE 9526BD

During the Notification and Consultation period under the Aggregate Resources Act for the above-noted quarry application the City of Hamilton submitted an objection letter dated February 18, 2014 outlining concerns with the proposed extension to Lafarge's South Quarry. As a result of your comments and those received from other members of the public and government agencies, Lafarge Canada Inc. has made a number of changes to the application in an effort to resolve the concerns. Throughout this process, we have been in communication with the various agencies and have provided responses to concerns that have been raised.

The City of Hamilton objected based on the following:

- i. **Consideration of the application is premature at this time as the proposed extractive land use is not a permitted use under the Rural Hamilton Official Plan (RHOP) or the Town of Flamborough Zoning By-law;**

We understand that the two applications are being reviewed concurrently and that the ARA licence cannot be issued until the zoning is approved. We are writing at this point in the process since we have to conclude the ARA process within a two year timeline, that expires on January 9, 2016.

- ii. **Review of the submitted Official Plan Amendment and Zoning By-law Amendment applications have not been completed by the City or relevant commenting agencies, or considered by Council;**

The OPA and ZBA applications were submitted on November 11, 2013. Lafarge has completed responses to comments received from the City and other commenting agencies during the review process. Please see the attached chronology of agency correspondence.

iii. The City and the Combined Aggregate Review Team (CART) have not completed peer reviews of the various component studies submitted by the proponent;

The City has conducted peer reviews for Hydrogeology, Noise, Air and Blasting. Please see the attached chronology for correspondence related to the above noted peer reviews.

iv. It would be premature for the Ministry of Natural Resources to finalize the Aggregate Licence requirements until detailed site requirements, as identified through the review of the required Official Plan Amendment and Zoning By-law Amendment applications and submitted technical studies, have been provided by the City to be considered for incorporation as conditions to the Licence, if granted by the MNR; and,

As a result of the City of Hamilton's comments and other comments from HCA, MOECC and MNRF the ARA Site Plans have been updated. The updated site plans indicate (in red) where modifications have been made to the schematic diagrams and a corresponding word document (in track changes) outlines the modifications to the site plan notes along with the corresponding agency letters. Due to postal weight restrictions for registered mail, we will be sending a copy of the updated ARA Site Plans as well as the referenced correspondence to you via courier under separate cover.

v. That Hydrogeology, Noise, Vibration, Blasting, Dust, and impacts to Natural Heritage have initially been identified as areas of concern to the City.

The City has conducted peer reviews for Hydrogeology, Noise, Air and Blasting. Please see the attached chronology for correspondence related to the above noted peer reviews and responses to comments received from the City of Hamilton and other agencies with regard to the above noted areas of concern.

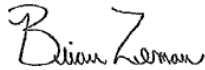
As the following chronology indicates, we have responded to the comments received from the City of Hamilton and provided additional information throughout the process. This letter is being sent now, since Lafarge Canada Inc. is required by legislation to conclude the Aggregate Resources Act process by January 9, 2016. As a result, we are now required to proceed with fulfilling Section 4.3.3.2 of the Provincial Standards, under the Aggregate Resources Act. This section requires us to provide you a response to your concerns and advise you, the objector, that you have 20 days from receipt of this letter to respond (no later than **November 26, 2015**) to both the Ministry of Natural Resources and Forestry and the applicant at the following addresses with recommendations that may resolve your objection. As noted in the enclosed form, these recommendations must be delivered personally or by registered mail to the below addresses within the above noted 20 day period or it will be deemed that you no longer have a valid objection.

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

MHBC Planning
113 Collier Street
Barrie, Ontario, L4M 1H2
Attention: Brian Zeman

We hope that this information and the previous responses to the City of Hamilton adequately address the concerns during the process. Despite the ARA process concluding Lafarge remains committed to work with the City of Hamilton in an effort to resolve or scope any remaining concerns. If you have any questions please do not hesitate to call the undersigned at 705-728-0045 ext. 226.

Yours truly,
MHBC

A handwritten signature in black ink that reads "Brian Zeman". The signature is written in a cursive style with a large, stylized initial "B".

Brian Zeman, BES, MCIP, RPP
President / Partner

Cc: Heather Travis – City of Hamilton
David Marriott – MNRF
Diane Schwier – MNRF
Carol Siemiginowski – Lafarge Canada Inc.

Lafarge Proposed South Quarry Extension
Agency Review Chronology for ARA 20 day Objector Response
October 30, 2015

Agency / Ministry/Org	Document Date	Status
SQE Submissions		
ARA Initial Submission to MNRF	October 02, 2013	
City of Hamilton OPA Submission	November 11, 2013	
ARA Formal Submission to Agencies	January 03, 2014	
Agency Comments		
City of Hamilton – Forestry	January 03, 2014	<ul style="list-style-type: none"> • Response sent to City of Hamilton February 10, 2015. • No further response has been received from the City in relation to this letter.
City of Hamilton – Source Water Protection	January 06, 2014	
City of Hamilton – Mike Trink	January 06, 2014	
City of Hamilton – Natural Heritage	January 09, 2014	
City of Hamilton – Strategic Planning Comments	January 14, 2014 (letter dated accidentally as Jan 14, 2013)	
City of Hamilton – Public Works	January 23, 2014	
City of Hamilton ARA Letter	February 18, 2014	
City of Hamilton – Blasting Peer Review	June 25, 2014	<ul style="list-style-type: none"> • Peer Reviewer signed off. • Response to City of Hamilton questions submitted August 26, 2014.
City of Hamilton – Air Peer Review	September 18, 2014	<ul style="list-style-type: none"> • BCX response to peer review sent January 30, 2015.
City of Hamilton – Air Peer Review (BCX Response)	July 7, 2015	<ul style="list-style-type: none"> • BCX response to peer review submitted September 29, 2015. • Lafarge believes this addresses all outstanding issues.
City of Hamilton – Noise Peer Review	September 18, 2014	<ul style="list-style-type: none"> • HCG response to peer review submitted January 30, 2015.
City of Hamilton – Noise Peer Review (HCG Response)	July 7, 2015	<ul style="list-style-type: none"> • Response submitted October 14, 2015. • Lafarge believes this addresses all outstanding issues.
City of Hamilton- Dillon Hydrogeology & Hydrology Peer Review	June 2015	<ul style="list-style-type: none"> • Response submitted October 23, 2015. • Lafarge looks forward to reviewing this response with Dillon and the City.
Hamilton Conservation Authority Formal ARA Letter	February 21, 2014	<ul style="list-style-type: none"> • Response submitted to HCA March 20, 2015.
Hamilton Conservation Authority OPA Letter	February 21, 2014	
Hamilton Conservation Authority ARA follow-up Letter	May 21, 2014	

Hamilton Conservation Authority Water Comments	June 15, 2015	<ul style="list-style-type: none"> Response submitted October 23, 2015. Lafarge looks forward to reviewing this response with HCA and Lafarge will keep the City up to date.
MNRF ARA Letter <ul style="list-style-type: none"> Attached to MMAH March 28 2014 Letter 	February 24, 2014	<ul style="list-style-type: none"> Response submitted July 10, 2014. Email sent to MNRF address Imperial Oil pipeline approval questions August 26, 2014.
MNRF Pipeline Letter	January 8, 2015	<ul style="list-style-type: none"> Response submitted February 19, 2015. Additional response sent March 20, 2015.
MNRF Monitoring Wells and Access Letter	Phone discussion.	<ul style="list-style-type: none"> Response submitted March 20, 2015.
MNRF Objector Response follow-up Letter	April 17, 2015	<ul style="list-style-type: none"> Response submitted July 16, 2015.
MNRF Objector Response Follow-up Letter	August 11, 2015	<ul style="list-style-type: none"> Response submitted September 22, 2015. MNRF has confirmed all issues are addressed subject to review of the updated South Quarry Extension Site Plans.
OMAF Letter	February 24, 2014	<ul style="list-style-type: none"> OMAF sign off – no further action.
MOECC ARA Letter <ul style="list-style-type: none"> Attached to MMAH March 28 2014 Letter 	February 21, 2014	<ul style="list-style-type: none"> Response submitted February 19, 2015.
MOECC Email	June 15, 2015	<ul style="list-style-type: none"> No response required.
MOECC Email	June 29, 2015	<ul style="list-style-type: none"> Response submitted October 13, 2015. Lafarge believes this addresses all outstanding issues.
MAHH Letter	March 28, 2014	<ul style="list-style-type: none"> Response submitted February 19, 2015. Lafarge believes this addresses all outstanding issues.
MTCS Letter <ul style="list-style-type: none"> Attached to MMAH March 28 2014 Letter 	(not dated or signed, received as an appendix to MMAH letter)	<ul style="list-style-type: none"> No response required. Response addressed as part of MMAH February 19, 2015 response.
MTO – Traffic Impact Study Review	September 23, 2014	<ul style="list-style-type: none"> MTO Satisfied with TIS except trip rates. Response to MTO submitted January 30, 2015. Lafarge believes this addresses all outstanding issues.

Agency Meetings		
Hydrology Meeting with CART	April 09, 2014	<ul style="list-style-type: none"> MHBC provided Golder Addendum on Figure 49/50 and Greenville Well June 6, 2014.
Air, Noise & Blasting Meeting with CART	April 30, 2014	<ul style="list-style-type: none"> MHBC provided additional information on blasting, air and noise on June 6, 2014.
ESAIEG Meeting	June 12, 2014	<ul style="list-style-type: none"> Copy of ESAIEG minutes provided to MHBC November 19, 2014. No follow up required.
Hydrogeology Site Visit with CART	July 7, 2014	<ul style="list-style-type: none"> No follow up required.
Surface Water Monitoring Meeting with HCA, MOECC, MNRF and City of Hamilton	September 17, 2014	<ul style="list-style-type: none"> Prepared updated site plan note for SW1B and SW2.
Hamilton Conservation Authority Meeting	May 6, 2015	<ul style="list-style-type: none"> Response submitted to HCA September 29, 2015. Lafarge believes this addresses all outstanding natural heritage issues.