

- ADDENDUM -
- GUELPH CITY COUNCIL MEETING -
- February 4, 2013 -

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DELEGATIONS

35 & 40 Silvercreek Parkway South: Proposed Official Plan and Zoning By-law Amendments (File: OP1201 / ZC1204)

Delegations:

- Ron Foley on behalf of Howitt Park Neighbourhood Residents' Association
- Rob Fischer on behalf of Howitt Park Neighbourhood Residents' Association
- Mike Salisbury
- Susan Watson

Correspondence:

- Astrid Clos on behalf of the applicant
- Ron Foley on behalf of Howitt Park Neighbourhood Residents' Association
- Rob Fischer on behalf of Howitt Park Neighbourhood Residents' Association
- Michael Wittemund on behalf of Guelph Hydro
- Fiona Rintoul
- Susan Watson

803-807 Gordon Street: Proposed Zoning by-law Amendment (File: ZC1205) – Ward 5 (Consent A-1)

Delegations:

- Doug Dodd

Correspondence:

- Doug Dodd

Update on the Dolime Quarry (Consent A-3)

That the report from Planning, Building, Engineering and Environment Report dated February 4, 2013, entitled "Update on the Dolime Quarry" be received.

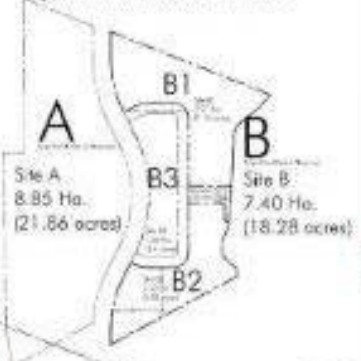
"That By-law Numbers (2013)-19518 to (2013)-19525, inclusive, are hereby passed."

BY-LAWS

<p>By-law Number (2013)-19523 A by-law to authorize the execution of release of an Agreement with respect to property described as Lots 264 and 265, Plan 8, City of Guelph. (80 Waterloo Avenue)</p>	<p>To execute a release of an agreement. (80 Waterloo Avenue)</p>
<p>By-law Number (2013)-19524 A by-law to dedicate certain lands known as Block 74, Plan 61M132 as part of Davis Street, City of Guelph.</p>	<p>To dedicate lands as part of Davis Street.</p>
<p>By-law Number (2013)-19525 A by-law to confirm the proceedings of a meeting of Guelph City Council held February 4, 2013.</p>	<p>To confirm the proceedings of Guelph City Council. (February 4, 2013)</p>



Approximate Parcel Schedule



Hantlon Parkway

Railway

Woodcreek Drive

December 16, 2008

PROJECT INFORMATION	
PROJECT NAME	Silver Creek Developments
CLIENT	Quelch, Ontario
PROJECT TYPE	Mixed Use Centre Silvercreek Pkwy
DATE	Concept Plan Silvercreek Junction
SCALE	1:1000
DATE	2008
DESIGNER	MSAi
PROJECT NO.	B2



MSAi
 Michael S. Anderson & Associates, Inc.
 11000 S. 26th Street, Suite 200
 Phoenix, Arizona 85048
 (602) 998-1100

Silvercreek Parkway Mixed Use Node
 Development Concept
 Fieldgate Commercial



Site Plan Concept

Aug 28, 2012



HOWITT PARK NEIGHBOURHOOD RESIDENTS' ASSOCIATION

DELEGATION PACKAGE

PUBLIC MEETING TO HEAR APPLICATIONS UNDER
SECTIONS 17, 34 AND 51 OF THE PLANNING ACT
35 – 40 SILVERCREEK PARKWAY SOUTH

CITY COUNCIL
PLANNING MEETING
4 FEBRUARY 2013

Ron Foley

From: Mayor@guelph.ca
Sent: February 11, 2009 11:57 AM
To: Ron Foley
Subject: Our thanks

Dear Ron,

On behalf of Council, I want to thank the members of the Howitt Park Neighbourhood Association who participated in the OMB mediation process. We do appreciate how much time this has meant for your members. We also know that it could not have been easy going at times.

Our staff have nothing but high praise for your dedication and professionalism.

We know there is still a process to be followed but we appreciate your willingness to work together on finding a resolution to the development of this property.

Sincerely,

Karen Farbridge
Mayor

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Feb 2 2013

City Hall Planning Meeting – Proposed Official Plan and Zoning By- Law Amendments

Mayor, Councilors, Staff and fellow residents

My name is Ron Foley and I am a president of Howitt Park Neighbourhood Residents Association, HPNRA

Our group has been actively involved with this development since 2005,
-beginning with the first public meeting at Paisley Road Public School

Over the next (4) four years,,, an overwhelming number of hours and resources were invested by our members,,, working closely with city staff , the developer and numerous advisors.

We employed the services of both a planner and a lawyer.

This concluded in a signed mediated settlement at the OMB in January 2009 between, Silvercreek Developments, The City of Guelph and The Howitt Park Neighbourhood Residents Association

We then went on to participate in the OMB Appeal hearings in the fall of 2010

Though out this process, we consulted with planners, traffic experts, lawyers, developers and architects.

From the beginning we never objected to the developed of this property, but we did have major concerns, on the scale and nature of the proposal and the impact it would have on the surrounding neighbourhood and the City of Guelph.

We entered the negotiations with an open mind and a full understanding that outside of leaving the property barren, any development would have some impact on the community.

Our goal is to have a

- development that is sustainable
- development that reflects the character of our neighbourhood
- development that enhances our community.

Throughout the negotiations we also made it very clear that involvement by our group in the final design - site plan approval- was vitally important. This was an important factor when weighing our decision, to agree to the minutes of settlement.

I have included in your package both the minutes from Dec 12 OMB meeting as well as my witness statement dated June 2nd 2009

Both have reference to HPNRA's involvement in Site Plan Approval.

Over the last three years there has been a significant change in staff dealing with this application as well as a change in city council.

We feel it very important that staff and the new members in council gain a full understanding of HPNRA's involvement, commitment, investment and purpose in this application.

Our package contains documents and information that will help you have a better understanding of our involvement.

Re establishing the relationship that HPNRA and the city developed over the duration of the application and mediation is vital.

Now with that said I would like to address a few key issues of this new application

(1)- is the new application necessary?

Item XI -acknowledges that the Concept Plan is subject to refinements through the site plan approval process

(2)- the new application concept plan shows (2) 60,000 sq foot retail establishments.

However the application is also asking that a Large Format Retail Establishment with a square footage of 145,000 sq feet be permitted.

This now raises the question of exactly what this development actually be in the end.

Can we get a better understanding of what the developer is asking for?

(3) will the city assure HPNRA's participation in site plan approval?

(4) A Live Work

The minutes of settlement both allow for and define Live Work Use
However in our meeting with staff on Jan 14th it was indicated that Live Work use was not possible.

Live work in the Market Square is extremely important if the pedestrian and multi use environment is to be achieved.

(5) Holds

Again at the Jan 14th meeting with staff, it was suggested that the holds would come off once all the EA's have been completed and approved

However the minutes of settlement clearly state that the awarding of contracts for the construction of the underpass, road and storm water management be part of the Holding Provision.

Is there an intent to remove this condition?

(6) Ancillary Retail

What is the purpose of removing the wording Ancillary Retail from the Application?

(7) Development of the HD affordable housing

In the minutes of Dec 12th you will note

“The City has assured HPNRA that they will actively and aggressively pursue the permissions and funding required to develop the HD affordable housing on this property. The city will provide HPNRA this commitment in writing.”

We have yet to see this commitment in writing and I ask when we can expect to see it?

In closing I would like to remind council, staff and the residents of Guelph that HPNRA, is firmly committed to seeing thru an acceptable development of this site
Over the last eight years hundreds of hours have been put into this by our membership from consultation with staff, and partners, mediation, and fundraising to help offset the debt incurred (close to \$30,000.00) going thru the OMB process.

Guelph is well known for our sense of community and vision. Innovative development of this site will only add to our portfolio.

Thank you

Ron Foley
HPNRA

WITNESS STATEMENT

Prepared for: Howitt Park Neighbourhood Residents Association

Prepared by: RON FOLEY
President Howitt Park Neighbourhood Residents
Association.

June 2nd, 2009.

Ontario Municipal Board

IN THE MATTER OF an appeal to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Guelph to redesignate land at 30 & 40 Silvercreek Parkway South from Industrial with Non-Core Greenlands overlay to Community Commercial and Open Space to permit mixed commercial uses and open space.

OMB File No. O-070094

AND

IN THE MATTER OF an appeal to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Zoning Bylaw (1995)-14864 of the City of Guelph to rezone lands respecting 30 & 40 Silvercreek Parkway South from Industrial (B.4) Zone to Specialized Community Commercial to be know as CC___ Zone and Floodplain (F) Zone and Community Park (P.3) Zone to permit mixed commercial development.

OMB File No. Z070067

Beginning in September 2008 Silvercreek Developments, The City of Guelph, Armel Industries and Howitt Park Neighbourhood Residents Association participated in a lengthy Board ordered mediation process.

My November 27 2008 Witness Statement no longer applies as HPNRA have signed the Minutes of Settlement, March 17 2009.

The Proposed Settlement was brought in front of the Membership of HPNRA on the evening of Jan 11 2009.

During the meeting the proposed settlement was fully explained to our members. After we went thru the proposal the floor was opened for questions prior to bringing a motion to vote on accepting the proposal

A motion to accept the Proposed Settlement was put to the floor. Of the 48 members in attendance 46 voted in favor (2) abstained. The motion carried.

There were a number of key elements in the proposal , now translated into the Minutes of Settlement that weighed heavily in our decision

- reduction of the amount of commercial space
- introduction of employment lands
- introduction of residential lands
- offer of first refusal on the part of The City of Guelph
- the deeding of the land east of Silvercreek to the City of Guelph to be used as Open Space.
- HPNRA's future involvement in Site Plan Approval
- Holds on the Property until all the EA's have been completed and the contract for the Underpass, Ring Road and SWM Pond have been Awarded.
- the construction of the Town Square with Buildings Constructed as True Two Story

It is the intent of HPNRA to continue thru the OMB process. It is also our intent when development of this property begins to work closely with the Developer, the City of Guelph and any other Participating or Interested Parties.

It is our intention to assure that the development of this property is in keeping with our Neighbourhood and the Visions our Residents have for our Community.

Sincerely

Ron Foley

President
HPRNA.

Silvercreek Mediation
Dec 12 2008
Holiday Inn Guelph,

Mediator- James McKenzie

Silvercreek- Steve Zakem
Matt West
Tom Halinski

City of Guelph- Jim Riddell
Scott Hannah
Trish Sinclair
Rick Henry
Peter Pickfield

Armel- Joe Wolfond
Chris Corosky

HPNRA- Rob Mullin
Ron Foley

- mediation began 10AM

We first sat down with the mediator and Silvercreek, and were presented with a revised proposal drawing of the site. Steve Zakem went over the drawing with us and then read through correspondence that had recently occurred between the city and Silvercreek. The correspondence was in response to e-mails between the two parties in attempting to resolve a number of concerns raised in the last round of mediation Dec 3rd.
(see attached)

After going over this information and a brief discussion we went into a second meeting with the city, Silvercreek and the mediator.

Talks continued until 1PM and we broke until 2PM for lunch

At 2PM mediation resumed, which included sessions with Armel.

Armel left around 6:30 PM

Mediation continued until 9PM , with favorable results, leaving only a few issues to be sorted out between the city and Silvercreek

.....2

Silvercreek Mediation
Dec 12 2008

Summary points of revised proposal

Zoning

- Property is no longer completely zoned Mixed Use
- property west side of Silvercreek zoned Mixed, retail to be capped at 245,000 sq feet (145K of MWC, and 100K of N4)
Silvercreek are looking for an option to replace the 145K MWC with a Home Improvement Store.
- (town square) has expanded to 42,000 square feet consisting of six units, ranging from 5-7,000 sq feet each, this area zoned service commercial.
- the property on the south east side of the ring road to be zoned HD residential
the city will have the option to purchase the property on the south east corner of the ring road to provide High Density Affordable income, this option will be concurrent with the option of first refusal of the said property until the year 2025.
- the property on the northeast side of the ring road to be zoned employment lands
- the property east of the creek to be deeded to the City of Guelph.

Phasing

- the development of the property will be phased using timeframes and triggers
- the HOLD on the property for the full development will be lifted only after the completion of all required EA's and contracts awarded for the Underpass, Re alignment of Silvercreek and the Swim Pond.
- Silver creek are asking that the re work to Silvercreek on the south end be delayed until after the first phase of the development is complete.

HPNRA Involvement

- HPNRA to have participation in the Site Plan Approval Process
- HPNRA to choose the Traffic Peer Review Consultant and participate in setting the parameters of the peer review

Silvercreek Mediation
Dec 12 2008

Expanded Summary points of revised proposal

Zoning

The zoning of the property to the north east side of the ring road will be zoned employment and with that will now fall under Places to Grow. This will now make it virtually impossible to be rezoned mixed used retail.

The office complex shown on the drawings inside of the ring road will be included in the employment land designation. This assures this building will not be turned into commercial or retail in the future.

The Property on the south east side of the ring road will be zoned High Density Residential

The corner property adjacent to the MWC will have an option for the city to purchase to provide high density affordable housing. This option (starting in 2013) to buy is accompanied with the first right of refusal, which allows the city the opportunity to buy the property even though another offer has been presented to Silvercreek, this first right of refusal will be in effect until the year 2025.

Any other offer must be for HD residential.

The City has assured HPNRA that they will actively and aggressively pursue the permissions and funding required to develop the HD affordable housing on this property. The city will provide HPNRA this commitment in writing.

The Development of the HD affordable housing on the south east side of the ring road will make it virtually impossible to ever re zone the remaining property on the ring road north to the park to commercial or retail.

The remaining residential to add to the capacity to a minimum of 340 units
These units will range fro 4-7 stories high, based on site plan review.
The city is hoping that all residential will remain south of the park providing a larger area for employment, north east side of ring road.

Silvercreek Mediation
Dec 12 2008
The Phasing of the property

The Service Commercial building (Town Square)has been expanded to six building totally 42,000 sq feet.

These buildings will be two story with the requirement the second story can accommodate residential.

The original proposal had the second floors as façades, strictly to give the town square look and feel.

The Property east of the creek is to be deeded to the city, This guarantees that there will never be any development on this site and assures there will never be access to the site from Inkerman.

This property is to be open to the public with access trails and maintenance roads coming off the ring road. There is consideration of making this area a leash free zone which will maintain it present use to the public. The main difference will be access. Access will only be off the ring road. Access from Inkerman or Howitt Park will be extremely difficult due to the requirement of pedestrian crossing over the tracks.

Phasing

The Phasing of this project is based on a set time frame and triggers

No building permits will be issued until all HOLDS have been lifted

The Holds will not be lifted until

All EA's are complete

Contracts awarded for the Underpass, realignment of Silvercreek, and the Swim Pond () of right of ways, and land swaps , site plan agreement.

With the release of the HOLD the MWC permit can be issued along with any permit for the non N-4 development.

The first 50K of N-4 will go in 2013 (with trigger on any permit pulled for non N-4)

The second 50K will go in 2016 (with trigger on any permit pulled for any non N-4)

(But not concurrent with the first 50K ??????)

Silvercreek Mediation
Dec 12 2008
The Phasing of the property

HPNRA Involvement

Site Plan Approval

Normally Site Plan Approval is between the developer and Staff. Council can request input in the process but this would be done IN CAMERA , with no public input.

In the case of this development HPNRA will be allowed to review and comment on the Site Plan Approval. Staff will provide HPNRA all site plan drawing and documents.

Traffic Peer Review

HPNRA will be participating in setting the parameters for the Traffic Peer Review
In addition HPNRA will be allowed to select the consultant who will carry out the review

The review will be paid for by Silvercreek to a pre determined limit.

Other Notes

The request to allow the MWC to be replaced with a Home improvement Store was not agreed to by the city by the end of the evening and is subject to further review.
(this one could be a deal breaker if the city feels it will impact the CPR and denies the request, It is looking like COSTCO is wavering on their decision to build in Guelph)

This property east of the creek is deeded to the city and is not part of any required property required for parkland.

The requirement to award the contract for the underpass prior to the HOLD being lifted assures that if this development takes place the second access is thru the underpass, alleviating our concerns about the potential access coming in through Alma/Inkerman.

Parking has been reduced to 4- 4.5 spaces per 1000 sq feet , from 5-5.7 spaces per 1000 sq feet

Silvercreek Mediation
Dec 12 2008

Silvercreek has asked that the re work to the south end of Silvercreek be delayed until after the first phase of the development has been developed. At that point the requirements for the re work of the roads will be evaluated.

The feasibility of this will be determined in the first traffic peer review.

If the delay of the road work is warranted then a second traffic study followed by a peer review will be implemented with HPNRA participation as allowed for in the initial peer review.

Silvercreek Parkway, although designed to allow 60Km will be limited to 50Km
Being more conducive to a walkable community.

The underpass has been put in the DC charges which goes to Council in the new year
This reduces the cost of the underpass to Silvercreek to 33% of the overall cost
The other 66% to be shared by DC charges and other funding including provincial grants
and MTO.

Next Steps

Get this information and drawings to Gary and Beate for review and comment

The traffic peer review must be done in the next few weeks.
The results of this review must be kept confidential.

We will receive a draft of the settlement to review in the next week

Once reviewed between ourselves Rob, Gary and Beate we will need to sign it back if we agree.

We need to book a membership meeting for the beginning of January
This meeting Must take place prior to Jan 12
On Jan 12th the proposal will go to council (in camera)

At our meeting we will present the settlement to the membership to ratify.

The members must sign a Non Disclosure agreement prior to being allowed in the room.

No press or non members will be allowed.

If the executive believe the settlement is in the best interest of HPNRA we need to make that clear and encourage they ratify it. As well as go on record that we support it. (end)

City of Guelph - Lafarge Site

Urban Design Guidelines & Concept Plan for Future Commercial and Mixed-Use Brownfield Development

Brook McIlroy Planning + Urban Design
with Michael Spaziani Architect Inc.

Revised November 2007



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1.0 Introduction

1.1 The Urban Design Guidelines Document

These guidelines have been prepared on behalf of Silvercreek Developments (Guelph) Limited as part of their Site Plan application to the City of Guelph.

This document incorporates the following five sections:

- 1.0 Introduction
- 2.0 Structuring Elements
- 3.0 Illustrated Urban Design Principles
- 4.0 Urban Design Guidelines
- 5.0 Public Meeting & Feedback

In addition to the Introductory section which describes the study area context, the second section describes the Smart Guelph Principles, general design principles and the development concept. Section 3.0 provides illustrated examples of the Urban Design Principles which form the basis of the fourth section of the document, the Urban Design Guidelines. Section 5 details the public participation process.

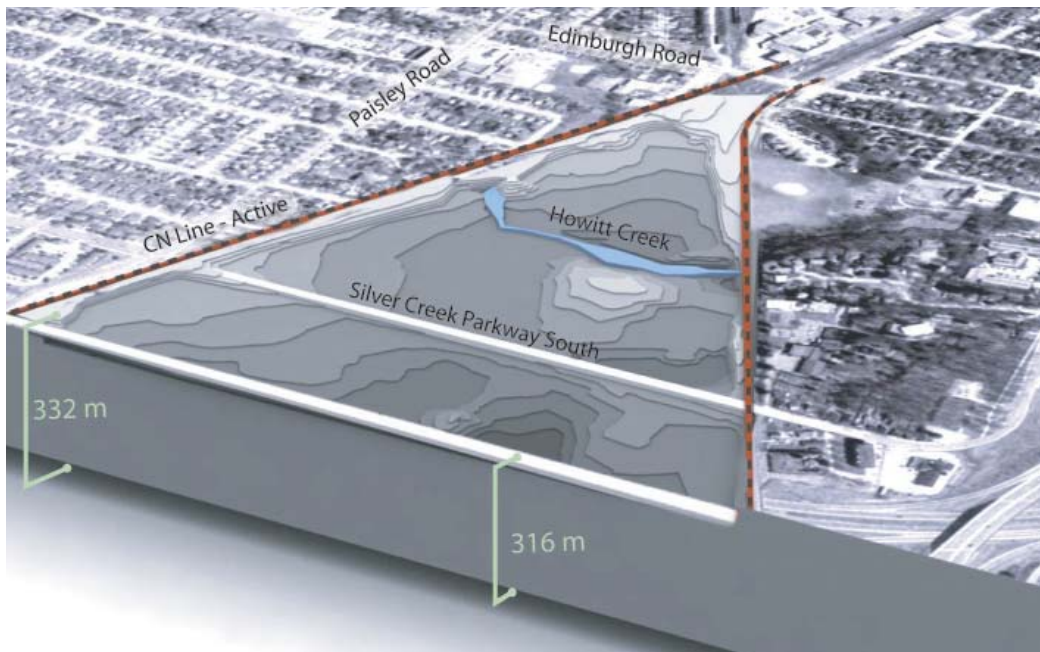


The Study Area.

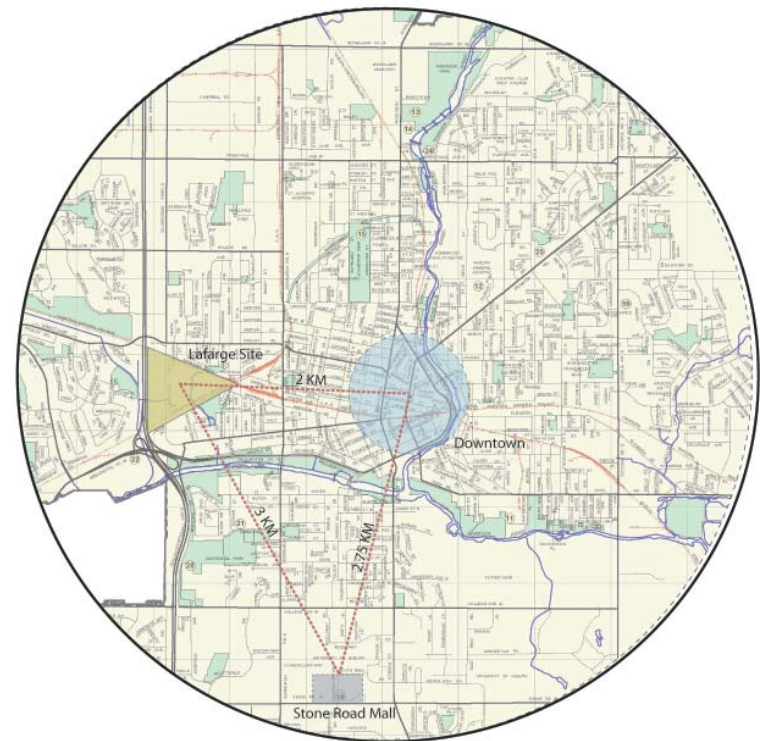
1.2 Site Area Context

The Lafarge property is a 54 acre brownfield site located approximately 2 km west of Downtown Guelph. The triangular site is bordered to the west by Hanlon Parkway and to the north (active) and south (spur) by CN Rail lines. The rail lines have berms up to 20 feet in depth with the steepest sections to the north. The site is accessed from the south by Silvercreek Parkway South, which has a direct connection from Hanlon Parkway, the City's only major interchange.

Since 1994, when industrial operations ceased, the site has been vacant and has grown over with immature woodland, except along the Howitt Creek Drainage Channel and the rail berms where mature trees and vegetation exists. A mature oak tree exists at the centre of the site on the west side of Silvercreek Parkway South.



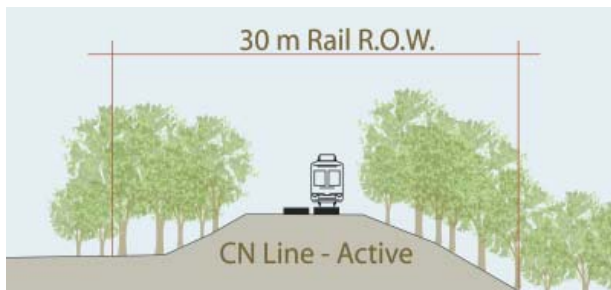
The Lafarge property.



Lafarge Site in the City of Guelph context. The site is approximately 2 km from Downtown and 3 km from Stone Road Mall.

Approximately 11 acres of the Lafarge site is occupied by natural features and green space. Natural features on and adjacent to the site include:

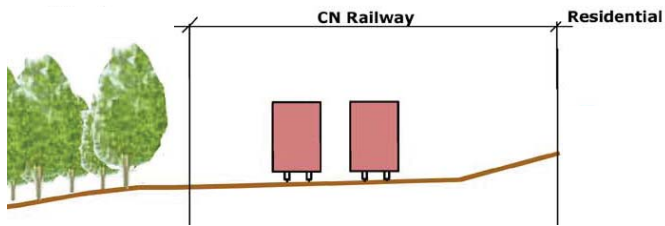
- Woodlands with mature trees
- Howitt Creek Drainage Channel
- Steep slopes
- Shrub thickets and old fields
- Wetlands
- Nearby parks such as Goldie Park (+/-1 acre) and Howitt Park (+/-10 acres)



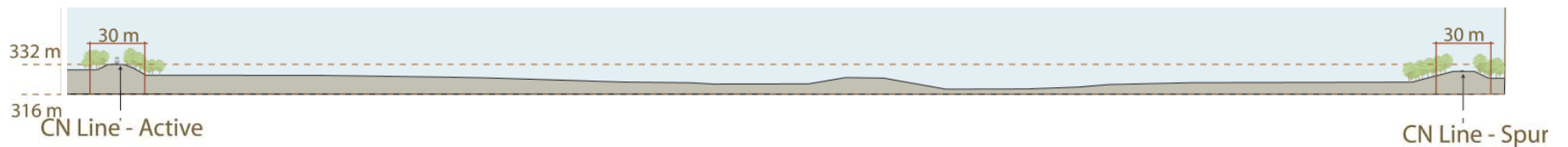
Shrub thickets on the Lafarge property.



Howitt Creek runs through the Lafarge property.



Sections through active rail line at the north end of the site.

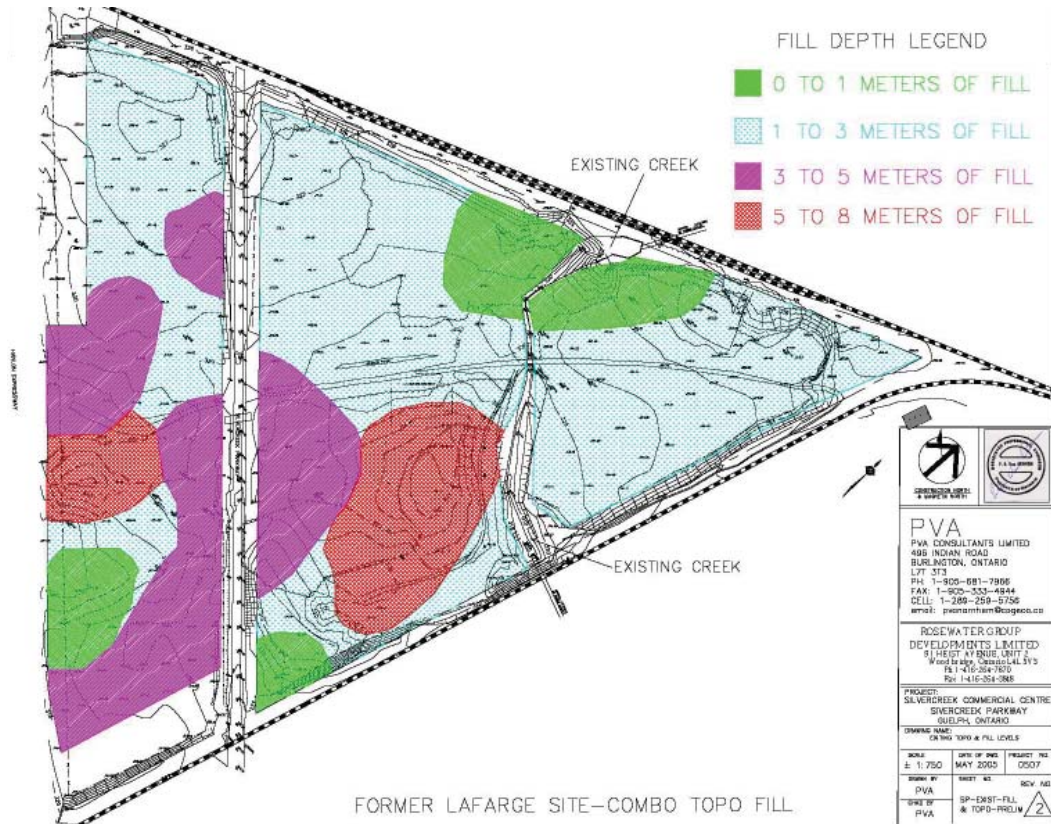


Site section illustrating depressed site topography.

In 2004 Lafarge Canada Inc. commissioned a Phase 1 and Phase 2 environmental site assessment report. Historically the land has been used for:

- sand and gravel extraction
- asphalt production
- concrete and block fabrication
- sedimentation ponds
- heavy truck maintenance and repair
- 7 underground and 2 above ground storage tanks

Groundwater and contamination have been discovered as a result of the previous industrial uses and are near completion. Due to the historic quarrying of gravel the site has been filled between 1 and 8 metres.



Lafarge site illustrating depth of fill.

FILL DEPTH LEGEND

- 0 TO 1 METERS OF FILL
- 1 TO 3 METERS OF FILL
- 3 TO 5 METERS OF FILL
- 5 TO 8 METERS OF FILL

PVA PVA CONSULTANTS LIMITED 488 INDIAN ROAD BURLINGTON, ONTARIO L7T 3T3 PH: 1-800-681-7986 FAX: 1-800-533-4844 CELL: 1-289-258-6756 EMAIL: pva@pva.com		
ROSEWATER GROUP DEVELOPMENTS LIMITED 81 HESTER AVENUE UNIT 2 WOODBINE, ONTARIO L4L 5V5 PH: 1-416-264-7610 PH: 1-416-264-5965		
PROJECT: SILVERCREEK COMMERCIAL CENTRE SILVERCREEK PARKWAY GUELPH, ONTARIO		
DRAWING NAME: COMBO TOPO & FILL LEVELS		
SCALE 1:750	DATE OF THIS MAY 2005	PROJECT NO. 0507
DRAWN BY PVA	SHEET NO. SP-EMST-FILL	REV. NO. 2
DATE OF PVA	SP-EMST-FILL & TOPO-FIELD	

2.0 Structuring Elements

2.1 Smart Guelph Principles

In 2003, Council of the City of Guelph adopted “Smart Guelph Principles”. The principles are to guide community-building decisions that will shape the future of the City. Where feasible, the Development Concept will respond to these principles. The principles include the following:

1. **Inviting and Identifiable** – a distinctly appealing city, scaled for people, with a strong sense of place and a pervasive community spirit which respects and welcomes diversity.

The design of this mixed-use Development Concept has been intentionally modelled on a village concept to ensure that the overall development is scaled for people and will provide a unique shopping experience within the community.



Howitt Creek.

2. **Compact and Connected** – vital downtown core and a commitment to mixed-use and higher density development; a safe community conveniently connected for pedestrians, cyclists, users of public transit and motorists.

The Development Concept attempts to provide retail opportunities for larger format users that will not locate within downtown core areas, as well as neighbourhood scale uses. In this regard, the success of this development should not be at the expense of the downtown. The project is committed to mixed-use and the proposed public park at the eastern portion of the site will be designed to provide good connections for walkers and cyclists from the surrounding neighbourhoods. The plan has also been designed to bring public transit into the site, as well as accommodate appropriate vehicular parking for the scale of development.

3. **Distinctive and Diverse** – rich mix of housing, unique neighbourhoods, preserve heritage architecture, attractive common spaces and education and research institutions integrated into city life with an abundance of recreational choices and art, ethnic and cultural events.

The property is distinctively separated from the adjacent residential neighbourhoods, given its lower elevation and high perimeter berms associated with the abutting railway tracks. The plan to protect and enhance Howitt Creek and provide community park space on the east side of the creek will provide attractive common space and potential recreational choices.



View of the site from north.



The protection and preservation of mature trees on the site will be a priority. The existing Oak tree seen in this photograph will be preserved and integrated as a feature of the development.

4. **Prosperous and Progressive** – a strong and diverse economy, a wealth of employment opportunities, robust manufacturing, a thriving retail sector and good sense to invest meaningful portion of its prosperity in research and development and the advancement of education, training, wellness, art and culture.

The Development Concept will provide a number of employment opportunities for this community and will assist in ensuring a thriving retail sector that has been identified as lacking within this community by the recently approved Commercial Policy Review.

5. **Pastoral and Protective** – horticulturally rich city where gardens abound, a community that preserves and enhances its significant natural features, rivers, parks and open spaces, making planting and preservation of trees a priority and committed to preserving nearby agricultural land.

The Development Concept proposes to preserve Howitt Creek as it bisects this property and enhance the adjacent corridor function. In addition, a significant portion of the site will be developed as a community park. It is anticipated that perimeter trees will be preserved by this development and specimen trees will also be addressed. Finally, by maximizing the use of the central site, the plan reinforces the goal of intensification, thereby reducing the demand for urban expansions onto nearby agricultural land.

6. **Well-built and Well-maintained** – willing and able to invest in high-quality infrastructure and public buildings, ensuring they are beautifully designed and maintained and engineered to last.

By including urban design guidelines specific to the development of this site, the City can ensure that the project is built to a high design standard.

7. **Collaborative and Cooperative** – effective and collaborative leadership that consults with citizens, manages growth based on a triple bottom line and makes decisions in keeping with these core principles.

The Development Concept respects a triple bottom line by providing both employment and shopping opportunities within a central location of the City. It will provide a range of shopping choices that are not currently available within the City and may help to reduce loss of shopping dollars and waste of fuel as shoppers drive to adjacent municipalities. The Development Concept also respects the unique environmental features of the site and provides additional public recreational lands for the adjacent neighbourhoods.

2.2 General Design Principles

Urban design guidelines have been established for the Lafarge site in the City of Guelph Secondary Plan area to ensure a high standard of development, including buildings, landscaping, parking areas and streetscape design.

The following urban design principles have been established for the Lafarge site:

- **Pedestrian Access:** Pedestrian access and movement should be direct, safe and efficient and supported by sidewalks situated along all roads and drive aisles, walkways located within parking areas and designated crosswalks. Human scaled infrastructure should be provided for the comfort of pedestrians and include seating, lighting, wayfinding signage and landscaping. These primary pedestrian connections should be strong green connections.
- **Urban Street Edge:** Commercial development should provide physical definition to drive aisles, streets and public spaces through appropriate placement and design of buildings, parking areas and landscaping.
- **Distinct 'Sense of Place':** Commercial development should create an urban character and incorporate high quality architectural treatments and site planning that provides visual interest at the scale of the pedestrian. High quality development will reinforce the character and community focus of the area. A distinctive focal point should be developed for the area in the form of both green and urban spaces.
- **Dual Frontages & Multiple Entrances:** Where functionally feasible, development should provide multiple entries at multiple frontages to improve site design flexibility and options for building location.
- **Plan for Infill:** Block patterns for 'Big Box' development should be designed to ultimately accommodate denser, mixed-use development.

2.3 Development Concept

The following are primary structuring elements of the development concept for Silver Creek Junction Market Place:

1. Context

- Respect the current pattern of community use of the site as an access to the creek.
- Create a 5.7 ha park, Silver Creek Junction Park, at the east of the site.
- Create the Marketplace as a feature of the development where smaller retail buildings define the intersection and outdoor amenity spaces. The organization of buildings around the Marketplace define the social spaces and contribute to a pedestrian scale street with existing mature trees, new street trees, benches, and places to socialize.
- Create a strong visual and notional identity for the Market Place on Silver Creek Parkway.
- Provide a gateway condition to the creek valley to the east via belvederes, lookouts, parking etc. The Concept Plan proposes a curving street with a double row of trees that will help identify this as a major pedestrian access-way.
- Respect views to the site from existing residential properties backing onto the site.
- Identify a compatible mix of commercial land uses that do not compete with the downtown retail uses.

2. Site Planning

- Respond to the City's Master Plan through provision of a trail system that connects the new development to the park at the east end of the site.
- Develop a "greenway" that links the 5.7 ha park site to Hanlan Parkway and to the new developments.
- Create view corridors off Hanlan Parkway into site.
- Provide a positive regional image and identity from Hanlan Parkway.
- Recognize the existing Oak Tree area as a place of community significance and

pedestrian focus and locate buildings around this tree to frame the associated social spaces.

- Provide space for pedestrian activity/celebration in the Marketplace.
- Anticipate future infill development over the short term.
- Provide a grid-like street network that anticipates urban intensification of the site in the long term.
- Conceal service and loading areas in consolidated areas such as service lanes.
- Conceal drive-through behind buildings not interfering with primary pedestrian access.



A distinct urban plaza is proposed at the centre of the site along Silvercreek Parkway (image credit: Michael Spaziani Architect Inc.).

3. Massing, Setbacks & Built Form

- Distribute this limited mass in a way that maximizes pedestrian oriented built form in a prioritized way, giving phase 1 appropriate amounts of main street character in specific areas such as the Marketplace.
- Recognize Guelph's use of stone and/or yellow brick in main street built form.
- Interpret the materials in fresh new ways appropriate to current design approaches.
- Seek a 2 storey massing in all built form especially in the village centre.
- Place front doors and storefronts toward Silvercreek Parkway and local east-west streets where pedestrian activity is expected.
- Provide weather protected interconnection of all retail storefronts.
- Buildings are organized to define, frame and enhance the urban and pedestrian character of the area.
- Building setbacks minimize distances between building entrances and the abutting the internal street network sidewalks; establish a consistent built form edge; and allow for the development of a significant streetscape contributing to the identity and amenity of the area.
- Define human scaled infrastructure that creates comfortable pedestrian environments and includes seating, lighting, wayfinding signage and landscaping.
- Design buildings fronting onto Silver Creek Junction Marketplace to have unique identities and visual character.



Conceptual building facades (above) should be highly articulated and feature extensive glazing. (image credit: Michael Spaziani Architect Inc.).

4. Open Space & Landscape

- Define primary pedestrian connections through a double row of trees and other streetscaping features.
- Connect the new open space within the Silvercreek Market Place through a linear greenway that leads to the park at the north end of the site.
- Utilize high quality landscaping treatments to define site boundaries, provide buffers between adjoining areas (i.e. residential), provide buffers from surface parking areas and to screen storage and utility areas.
- Use land efficiently to preserve natural resources and improve public open space.



Conceptual rendering of the Silver Creek Junction Marketplace (above) illustrating extensive landscaping along the street (image credit: Michael Spaziani Architect Inc.).

5. Parking

- Break-up surface parking areas are smaller parking courts by high quality landscaping treatment and pedestrian walkways.
- Conceal surface parking as much as possible from Silvercreek Parkway and the creek valley.
- Provide on-street parking on Silvercreek and the central east-west street to promote street facing retail.
- Distribute parking pools in ways that serve each tenant conveniently, while accommodating safe pedestrian access.
- Recognize that surface parking results in 1 storey building coverage of only about 25%.

6. Site Access

- Facilitate pedestrian access and movement by situating sidewalks along all roads and drive aisles. Walkways should be located within parking areas and designated crosswalks.
- Interconnect vehicular, pedestrian, bicycle destinations – south to north, east to west, recognizing the City’s existing trail systems.
- Limit access to and within the site to promotes a balance of vehicles, transit, pedestrians and cyclists.
- Create a pedestrian and recreational connection with an emphasis towards the Howitt Creek drainage channel and parkland to the east.
- Provide public transit facilities and waiting areas for convenient access.
- Connect Silver Creek Junction Park to the larger community-wide parks system through pedestrian trails.

7. Amenity Areas

- Locate a community use building at the east end of the site (shown as Building W in the Concept Plan at right) that overlooks the creek and park site. An overlook should be provided to maximize views.
- Locate amenity areas should within landscaped, pedestrian spaces, provide seating and may include terraces, parkettes or squares, water features, public art, outdoor dining areas and transit shelters. Pedestrian-scaled amenity areas should be provided for customer and visitor benefit.
- Locate amenity areas within landscaped, pedestrian spaces, provide seating.



Concept Site Plan for Silvercreek Junction Park & Market as prepared by Michael Spaziani Architect Inc. (November 2007).

3.0 Illustrated Urban Design Principles

The following section illustrates the urban design principles for development of the Lafarge site.

1. LAND USE



The Development Concept incorporates large format retail with smaller, neighbourhood scale retail units.

2. PARKING AREAS



Internal landscaping elements should define smaller parking courts and reduce the overall impact of surface parking areas.



Pedestrian-scaled lighting should be utilized on sidewalks and in parking areas to promote safe pedestrian activity.



Permeable paving and bio-filtration trenches typically store, filter and slowly release water at a regulated rate into the ground.



Low-maintenance plantings should be used to screen parking lots from adjacent streets.

3. BUILT FORM & SETBACKS



Main entrances to buildings should be emphasized through canopies, awnings or taller, non-habitable building structures.



There will be feature buildings with unique architectural elements at key locations including the intersection at Silvercreek Parkway and the east west connection and at the entrance to the park.



Canopies provide articulation of building façades and shade sidewalk retail areas.



Large-format building façades should be designed to reduce the impact of large building forms with façades subdivided through vertical elements to identify individual businesses.



Buildings front onto the new Marketplace urban square along Silvercreek Parkway, where new social spaces such as patios and cafes will be located. The buildings are organized around an existing mature Oak tree at the intersection (image credit: Michael Spaziani Architect Inc.).



Building setbacks should be reduced to minimize the distance between public streets and building entrances.

4. OPEN SPACE & LANDSCAPING



Landscaping treatment can be used to screen blank facades.



Landscaping can be used to define entrances and create a distinct separation between pedestrian and vehicular environments.



High quality landscape should be used to define site boundaries and enhance the existing landscape.



The use of special paving treatment is encouraged at focal points including building entrances, plazas and through block connections.

5. SITE ACCESS



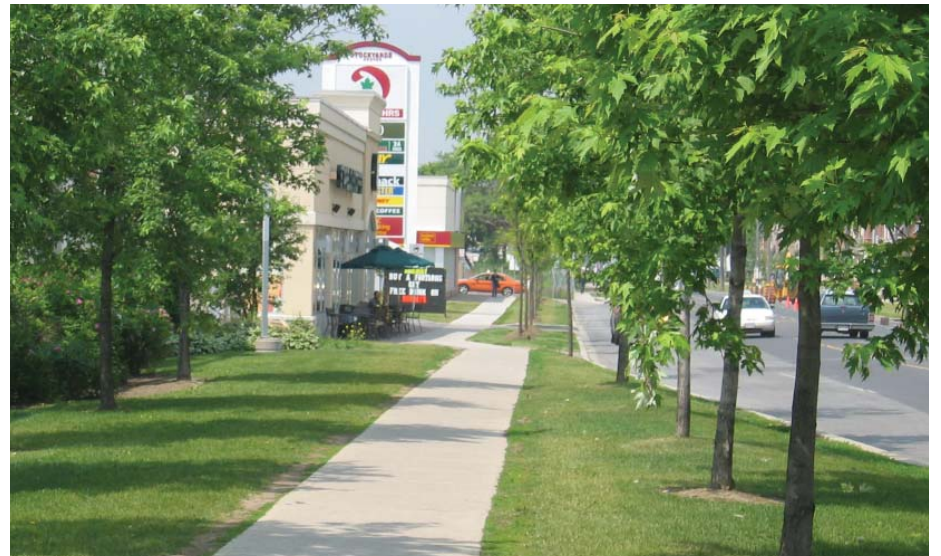
Traffic calming techniques such as textured paving crosswalks help to slow traffic to create a safer pedestrian experience.



Sidewalks and walkways should connect bus stops to building entrances and should enable safe and efficient access to both.



A network of internal pedestrian walkways should structure smaller parking courts.



Commercial retail areas should be accessible to pedestrians from all adjacent neighbourhoods through a network of sidewalks.

6. AMENITY AREAS



A Marketplace will be created in a central area of the development through shops and cafes that frame plazas and wide sidewalks and a streetscape that includes landscaping, pedestrian-scaled lighting and other amenities.



Bicycle parking facilities should be provided at highly visible and convenient locations to encourage alternative modes of transportation, particularly for employees and consumers with small purchases.

4.0 Urban Design Guidelines

4.1 SITE DESIGN CRITERIA

4.1.1 Street & Movement add to Sidewalks, Infrastructure)

- An open grid of public and private streets and drive aisles should form the basic organizational structure for the site connectivity and route choices and facilitate access to existing and proposed transit services.
- The street network should form a key component of the public realm and should be characterized by high quality streetscaping and landscape treatments.
- Sidewalks fronting commercial uses should be situated at the curb edge and continue to the building face. Sidewalks abutting commercial buildings should be at least 3.0m wide.
- Sidewalks fronting parking areas or other non-commercial uses should be at least 1.5m wide and located beyond the curb and a 2.0m wide grassed landscape boulevard.
- Sidewalks should be provided on both sides of all public and main private streets.
- Sidewalks should promote active and safe pedestrian activity and stimulate visual interest. All sidewalks with fronting commercial uses should include where feasible, in-ground trees and/or planter boxes, pedestrian scale lighting and street furnishings such as garbage receptacles and possible outdoor merchandise displays and selling areas.
- All sidewalks with other non-commercial uses should include in-ground trees planted within the boulevard, or pedestrian scale lighting and street furnishings such as planter boxes, seating and other decorative elements.
- The use of special paving treatment is encouraged at focal points including building entrances, plazas and through block connections.
- Clearly designated pedestrian crossings should be provided at the intersection of all public and private streets and major drive aisles. Pedestrian crossings should be marked with line painting or surface material variation and should be at least 3.0m wide.
- Private streets must be designed according to applicable municipal road standards and function as an extension of the overall public street network.
- Street scale and pedestrian scaled lighting masts should incorporate fixtures to accommodate banners, art, planters and seasonal decorative lighting.

4.1.2 Building Orientation, Location, and Setbacks (Bulk, Location, Size, Spacing and Character)

- Buildings should be organized to define, frame and enhance the urban character of abutting streets, internal drive aisles, sidewalks, parking and amenity spaces. Buildings thus require multiple active façades and entrances.
- Building setbacks should be reduced to minimize distances between building entrances and abutting public street sidewalks; to establish a consistent built form edge; and to allow for the development of a significant streetscape contributing to the identity and amenity of the area.
- Definition of the street edge is a priority.

4.1.3 Surface Parking Areas (Off-street Vehicular Parking Facilities)

- Internal private roads should provide where possible, dedicated on-street and lay-by parking facilities. Curb extensions with high quality landscaping, pedestrian scale lighting and other pedestrian infrastructure, should be designed at intersections and crosswalk locations.
- Internal vehicular routes should be clearly defined by raised and curbed landscape islands planted with trees and low level vegetation. Internal drive aisles should be a minimum 6.0m wide. Parking bay dimensions should comply with municipal standards.
- Surface parking areas may be lowered by 0.5m from the adjacent street grade to reduce visual prominence.
- Appropriate lighting levels and consistency of coverage should be provided in parking areas to assist both pedestrian and vehicular circulation. Tall mast light standards should not be permitted. Light standards adjacent to residential and other sensitive land uses should include reflective devices to contain light spillage and to cast light downwards to the area intended to be illuminated.
- Designated handicapped and mobility impaired parking spaces should be located as close as possible to building entrances and be clearly identified by signs or markings.

4.1.4 Landscape Buffers (Walls, Fences, Hedges, Trees, Shrubs or other Landscaping)

- High quality landscaping treatments should be used to define site boundaries, provide buffers between adjoining developments and screen storage and utility areas. Trees on the railway embankment should be maintained to provide an attractive visual and acoustic site buffer.
- Landscape elements and pathways should be used to provide a visible and attractive entrance to the Park to the east of Howitt Creek drainage channel.
- The property setback of all parking areas should provide a landscaped area of a minimum of 3.0m wide.
- Trees at the perimeter of parking areas should be planted every 6.0 to 9.0m.
- To ensure opportunities for surveillance from adjacent areas, perimeter hedge and shrub screening should not exceed 1.2m in height.
- Selection of plant materials should consider the following:
 - year-round appearance;
 - seasonal variety;
 - hardiness & resistance to disease;
 - local relevance;
 - maintenance requirements; and
 - tolerance of plant materials to salt and urban conditions.

4.1.5 Pedestrian Access (Access Driveways, Walkways and Surfacing)

- Pedestrian walkways should be contiguous to main drive aisles opposite primary building entrances to enable safe and direct pedestrian movements.
- An internal pedestrian walkway network should define visually and functionally smaller parking 'courts'.
- Walkways should include pedestrian-scaled amenities at strategic locations, such as benches, trash receptacles and lighting.
- Drive aisle crosswalks should be signed and constructed of materials that are different to the drive aisle, such as interlocking brick paving.

4.1.6 Parking Area Landscaping (Walls, Fences, Hedges, Trees, Shrubs and other Landscaping)

- Internal landscaping elements should define visually and functionally smaller parking 'courts' and reduce the overall impact of surface parking areas.
- A landscaped edge treatment (i.e. trees or shrubs) should be provided on the perimeter of parking fields.
- Landscaped walkways between rows of parking bays should where feasible include one tree per 4 parking spaces (one tree planted facing every other parking bay, one on each side).
- Planting beds and landscaped islands should include a 4 inch curb to prevent damage caused by vehicular movements and snow clearing.
- Where possible, internal landscaping should incorporate existing vegetation and significant tree planting.

4.1.7 Amenity Areas

- Customer and visitor amenities should be located in close proximity to building entrances.
- Amenities may include terraces, parkettes or squares, water feature, public art, outdoor dining areas and transit shelters.
- Pedestrian-scaled amenity areas should be provided for customer and visitor benefit.
- Bicycle parking facilities should be provided to encourage alternative modes of transport, particularly for employees and consumers with small purchases.
- Amenity areas should be located within landscaped, pedestrian spaces and provide seating.

4.1.8 Service Areas (Central Storage, Collection and Loading Areas)

- Service areas should not be visible from public or private streets, major pedestrian or residential areas and should therefore be screened where publicly visible.
- Service areas should be an integral part of the building and/or site design and not separate stand-alone structures. Storage of goods or garbage should be internal to the main buildings, wherever feasible.
- Service areas for delivery, loading and garbage pick-up should be co-ordinated to reduce vehicular interruptions along the public street and within parking areas.
- Screening should use building materials and/or landscape treatments compatible to those used for the main buildings.
- Where solid screens are provided, their materials should be similar to those of the building's exterior finishes.

4.1.9 Transit Facilities

- Bus stops should be located on site at a central location, such as at the south end of the site at the intersection of Silvercreek Parkway and the east-west road and the north end of the site in front of commercial buildings, to provide convenient access to public transport services and other alternative modes of transport.
- Bus stops should be located near building entrances for convenient access to the buildings by public transit passengers.
- Bus stops should include a shelter for weather protection, with sufficient space for 10 to 15 people.
- Transit stops should include basic amenities, including seating, trash receptacles and lighting and route information.

4.1.10 Signage (Facilities for Lighting)

- Pylon signs for private development should be oriented to address the street frontage, street intersections and primary access driveways. Pylon signs should be compatible with the associated building design in scale, material and colour and should be set within a landscaped setting.
- Building identification signs should be incorporated prominently on the front façade or rooftop and should be compatible with the building design in scale, material and colour.
- Externally lit signs are encouraged, particularly those that face the public street or parallel a pedestrian walkway.
- Building identification signs should be applied as large scale building elements including awnings, banners and rooftop signs to contribute to an artful and dynamic building presence that will be attractive and visible to passing pedestrians and motorists.
- Directional signs and maps should be provided for pedestrian walkways, parking and service areas. The graphic quality of directional signs should be clear and distinct and be coordinated with the image of the development.

4.2 BUILT FORM

4.2.1 Pedestrian Entrances

- Main entrances to buildings should be emphasized through canopies, awnings or taller, non-habitable building structures. The volume and height of such structures emphasize the prominence of entrances particularly at a corner location.
- In the Marketplace area of the development, commercial units or buildings should provide an entrance facing the primary adjacent street or drive aisle.
- Building entrances should be identifiable and accessible to the disabled. High quality streetscape and landscaping treatment is encouraged at all building entrances.
- Window design and location should be coordinated with the location of pedestrian walkways to provide interest and improve security along these routes.

4.2.2 Façade Treatment (Bulk, Location, Size, Spacing, Type of Construction and Character)

- Buildings facing streets and public areas should feature fully developed architectural elevations appropriate for prominent and visible locations. The façade of a building should be vertically and horizontally articulated and expressed through the use of materials and detail design.
- Blank or single material façades that extend the entire length of the building parallel to the public street should not be permitted.
- Blank walls in other locations, which are visible to the public, should incorporate additional architectural detailing and/or signs, murals, sculptural or graphic design.
- Façades of any significant size should be subdivided through a combination of windows, projections and recessions in the building wall to create a consistent rhythm across the façade and establish divisions that express a hierarchy of entrances and identify individual businesses, where applicable.
- Maximize the use of glazing on the at-grade primary building façades and areas that have high public activity. Glazing should be actively used to provide storefront windows or merchandise displays. 'Spandrel', smoked or faux glazing will be considered if it is demonstrated that its application will not negatively impact pedestrian safety or the overall streetscape
- False, uninhabitable building storeys should not be permitted, unless demonstrated to function as a useful building element (i.e. clerestory windows for daylight access).

4.2.3 Wall Facing Materials (Type of Construction and Character)

- Changes in the colour and type of wall facing material should occur at wall setbacks or projections to articulate the transition between the building base, middle and top.
- Wall detailing should integrate functional building elements, such as vents or rainwater leaders within the wall plane, as visible and integrated elements.

4.2.4 Prominent Focus Buildings

- Corner buildings at the intersection of Silvercreek Parkway and the east-west road or at gateway locations should include articulated building elements in the form of towers, bays, projections, recessions, materials or other details that emphasize the focal nature and visibility of these buildings,
- Buildings occupying corners should exhibit fully developed architectural elevations on both frontages and have at least one display window or entrance integrated within the design of the corner or within 5m of the corner on each façade. Where feasible, buildings should be a minimum height of 1.5 - 2 storeys.

4.2.5 Surrounding Areas

- Wherever possible, the character and scale of materials used in the building should be carried through in those chosen for pathways, courtyards and areas directly surrounding the building to contribute to a cohesive and integrated image of the development.

4.2.6 General Building Materials (Type of Construction and Character)

- Building materials recommended for new construction include brick, stone and timber. External materials including aluminium, steel and metal panels may be used provided they are used within an appropriate context. Too varied a range of building materials is discouraged in favour of achieving a unified building image.
- In general, the appearance of building materials should be true to their nature and should not mimic other materials.
- Building materials should be chosen for their functional and aesthetic quality. Exterior finishes should exhibit quality of workmanship, sustainability and ease of maintenance.
- Where buildings are publicly visible materials used for the front façade should be carried around the building or at a minimum to the side building façades.

4.2.7 Covered Walkways and Colonnades (Type of Construction and Character)

- Colonnades, covered walkways and porticoes are recommended as a means of weather protection and adding articulation to the building elevation. These building projections should be allowed to project beyond the minimum front setback line, but should not extend beyond the front property line.
- Colonnades, covered walkways, porticoes and other substantial structures should be permanently roofed. Lighting and landscape elements should be incorporated into the design of these structures to promote their use.

4.2.8 Roofs, Cornices and Parapets (Type of Construction and Character)

- Roof materials/colours should complement the building materials. On sloped roofs, a single roofing colour and material is recommended for visual continuity.
- Rooftop mechanical equipment should be integrated with the building design and rooftop units and vents should be screened using materials complementary to the building. Where appropriate, parapets should be used to screen rooftop mechanical units.

4.3 PARKS & PUBLIC OPEN SPACES (To be undertaken by the City of Guelph)

The redevelopment of this site includes the conveyance of the lands located east of Howitt Creek to the City of Guelph, for the purpose of open space and park use.

In 2007, the applicants were provided with comments from the City and one of the items identified was requirement for a “feasibility study for the park and trail routes”. This report has been prepared by The Landplan Collaborative Ltd in October 2007.

5.0 Public Meeting and Feedback

On June 21, 2005, a public meeting and workshop was held by the Rosewater Management Group's consultant team composed of:

- Brook McIlroy Inc: Public Consultation
- Paracom Realty Corporation: Project Manager
- BA Consulting: Transportation
- Black Shoemaker Robinson and Donaldson Ltd: Planning
- North South Environmental: Environmental

The meeting was well attended by approximately 180 individuals including residents, local councillors, business owners and other area stakeholders.

The objective of the evening was to present the consultants initial understanding of the sites development opportunities for the creation of a high quality, mixed use neighbourhood centre. A Development Concept Plan was presented for input and discussion. Land uses proposed for the site included retail, senior's residential, public parkland and other compatible uses such as restaurants, cafes, office and complementary open space uses. The evening included a presentation by the consultants, a period for questions, an hour long workshop session and summary, followed by a discussion of anticipated next steps in the process.



The Workshop included an hour long working session followed by feedback from each group.



Public Information Meeting

Proposed Official Plan and Zoning By-law
Amendments for 35 & 40 Silvercreek Parkway South

January 31, 2008

7:00 – 9:00 p.m.

Agenda

- Introductions
- Application Overview
 - Background, History, Status
- Applicant's Presentation
- Question and Answer Period
- Next Steps
- How to Get Involved

Site Location



Current OP and Zoning

- Official Plan Designation: Industrial
- Zoning Designation: B.4 Industrial

- B.4 Zone – Industrial (Business Park), allows following uses:

- Catering Service
- Cleaning Establishment
- Contractor's Yard
- Manufacturing
- Repair Service
- Towing Establishment
- Tradesperson's Shop
- Trucking Operation
- Veterinary Service
- Warehouse

- B.4 also allows a range of uses in a mall, including:

- Retail sales of appliances, furniture and other household furnishings, hardware, and home improvement materials
- Financial Establishment
- Office
- Personal Service Establishment
- Restaurant

Original Application

- Submitted in November, 2005
- Request to change Official Plan from Industrial to:
 - Community Commercial (with 450,000 sq ft commercial space)
 - Open Space
- Request to change Zoning from B.4 to:
 - Specialized CC (Community Commercial)
 - FL (Floodway)
 - P.3 (Community Park)
- Site Concept: Access via Hanlon Expressway, closing Silvercreek Parkway South

Current Status

- Applicant appealed to the OMB (July 9, 2007)
 - Neglect to make a decision (120 days)
- 1st Pre-hearing Meeting: December 18, 2007
 - Parties and participants involved were identified
 - 2nd Pre-hearing Meeting set for June 12, 2008
- Before June 12th Meeting:
 - Staff will review new material and revised application
 - Public process (information and public meetings)
 - Council position established

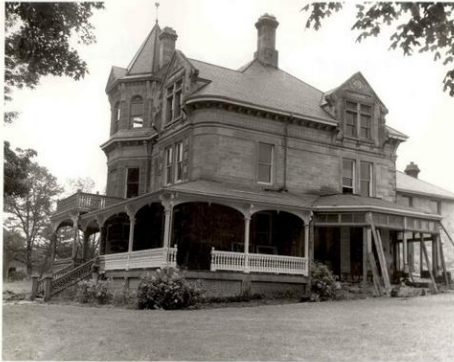
Revised Application

- Submitted November 2007
- Similar Official Plan and Zoning changes requested
- Major changes:
 - Access via Silvercreek Parkway South (grade separation)
 - Size of Commercial Space: 400,000 sq ft
 - Site design changes
- Additional studies submitted, including:
 - Environmental Impact, Parks and Trails Feasibility, Traffic Impact, Stormwater Management, Underpass Drainage Design, Urban Design and Sustainability

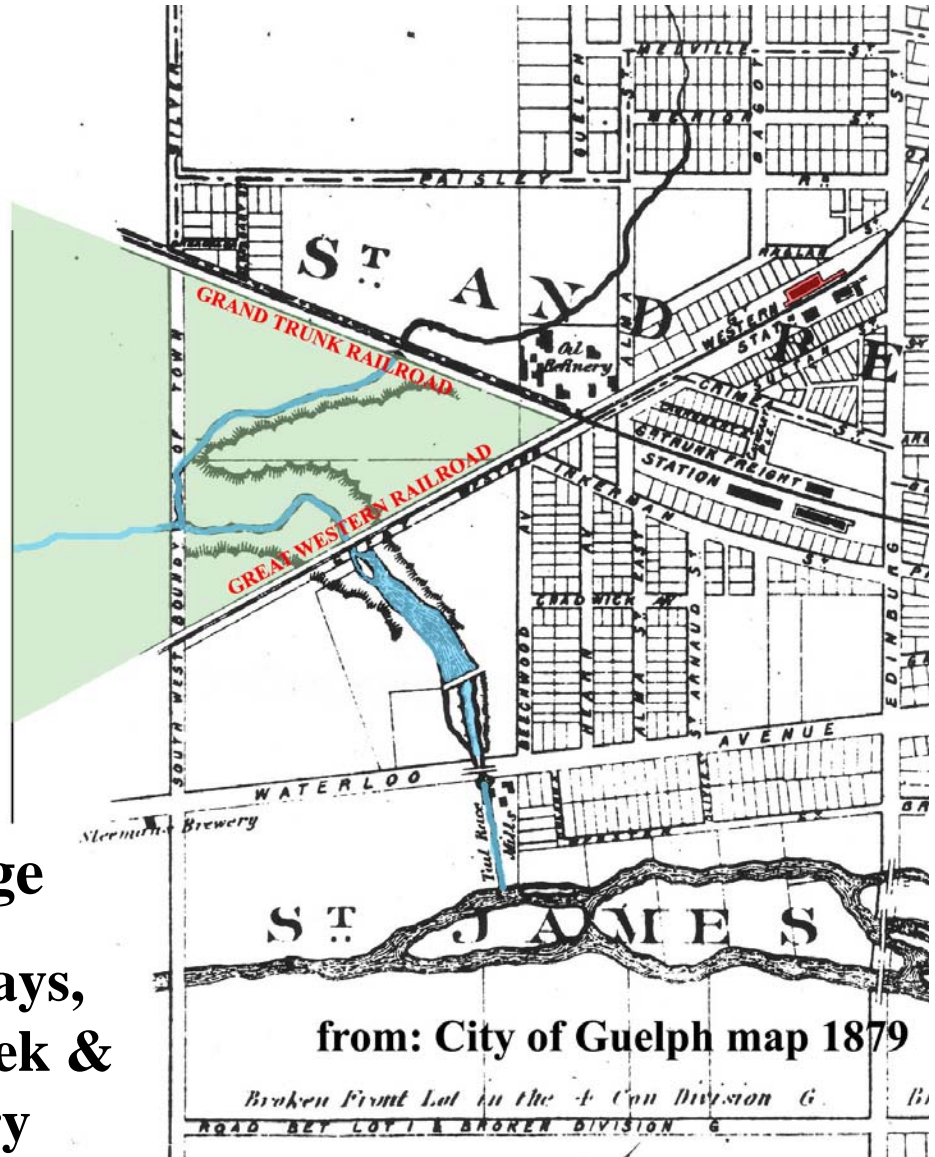
Silver Creek Junction



Silver Creek Junction



approximate location present day Hanlon Expressway



Heritage
the railways,
Silver Creek &
industry

Silver Creek Junction

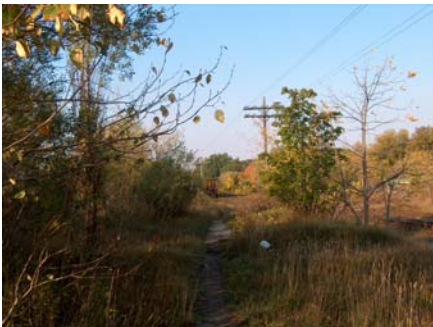


the Site

Silver Creek Junction

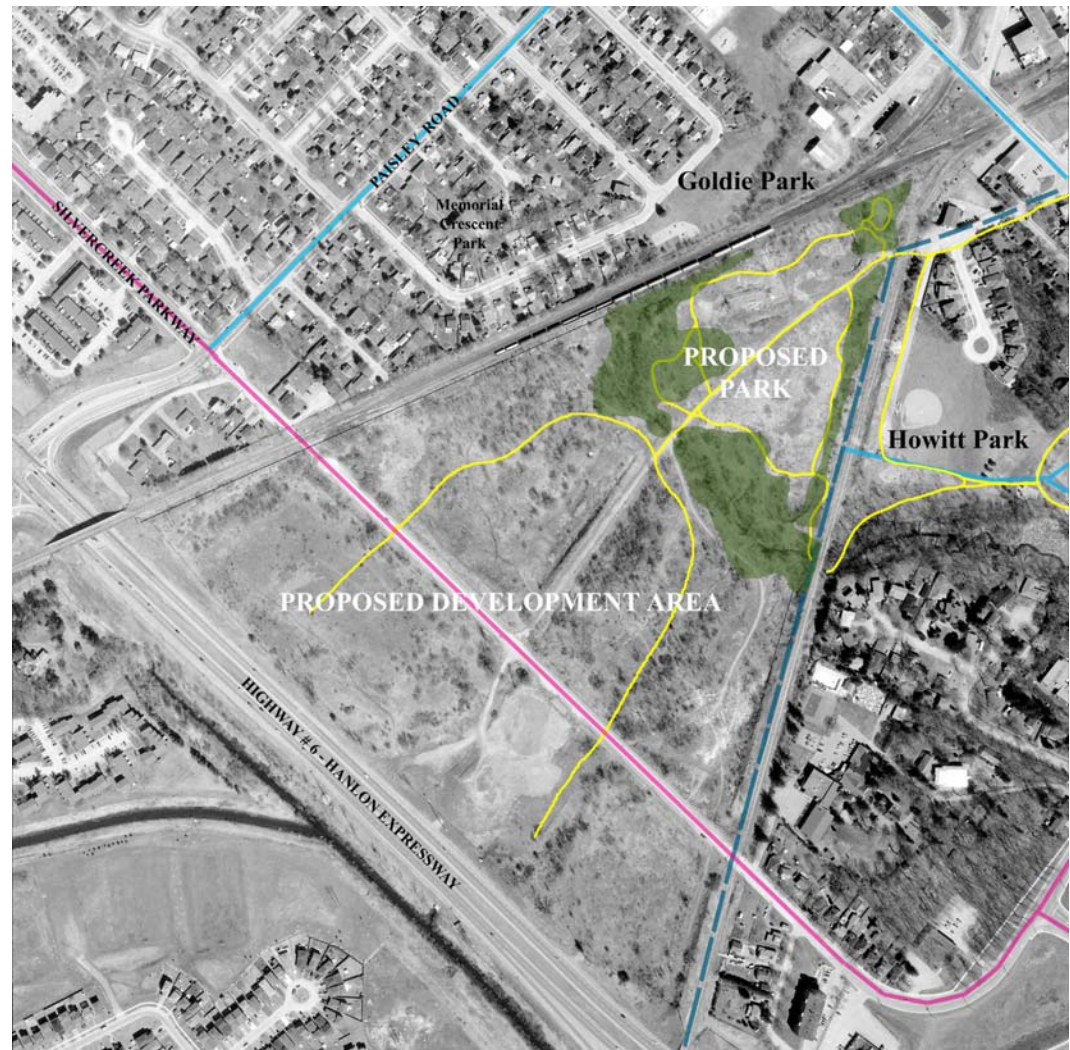


the
Site



Silver Creek Junction

Community Connections
trails, pedestrian & cyclist
paths



SILVER CREEK JUNCTION
TRAILS CONCEPT

- Proposed Trails - Silver Creek Junction
- Proposed Primary Trail
- Proposed Secondary Trail
- Opportunity/Desired Connection Primary Trail

from City of Guelph
Trail Master Plan

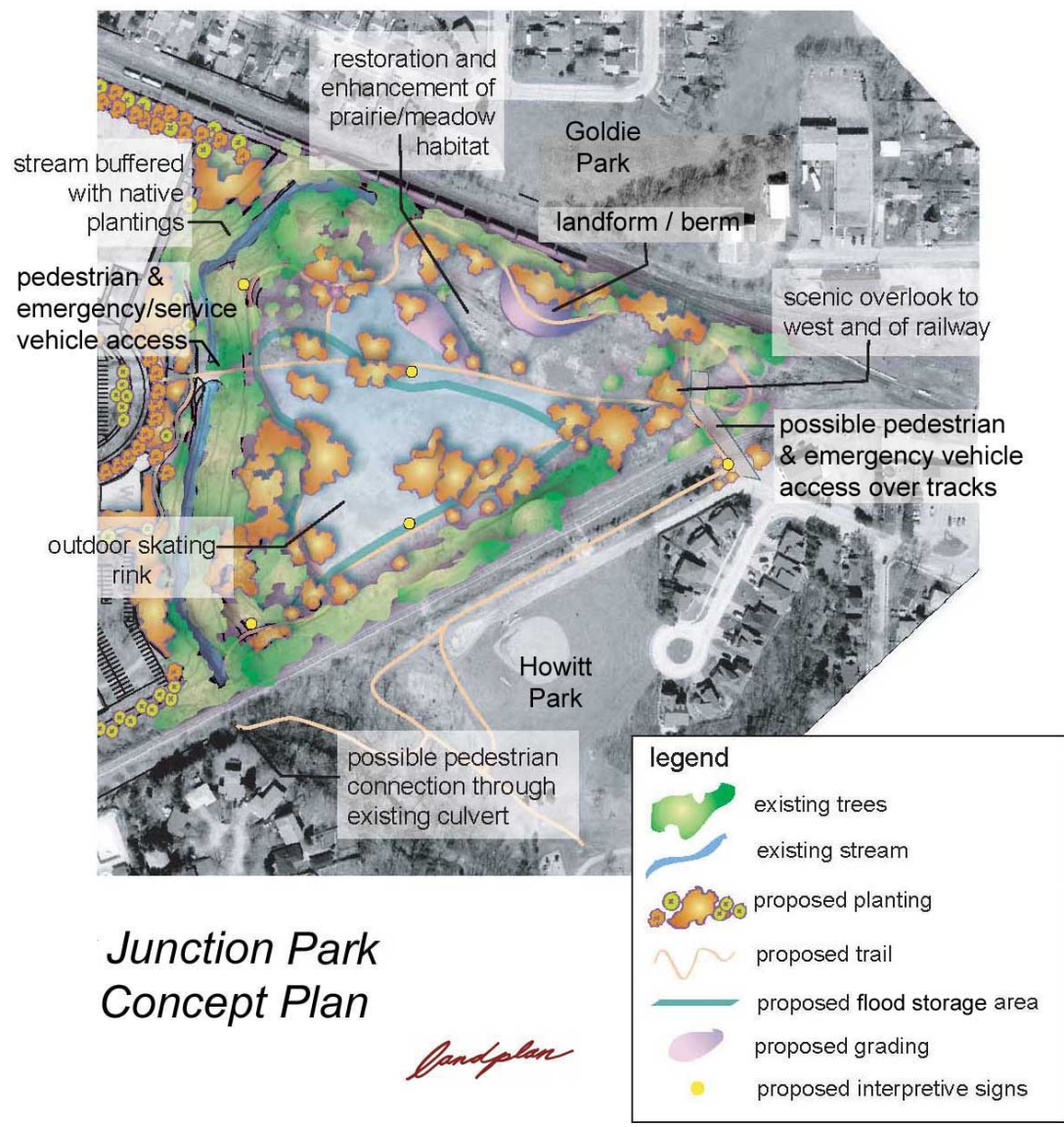
Dandplan

Silver Creek Junction

Silver Creek Junction and Park
Concept Site Plan



Junction Park



*Junction Park
Concept Plan*

Landplan

Junction Park

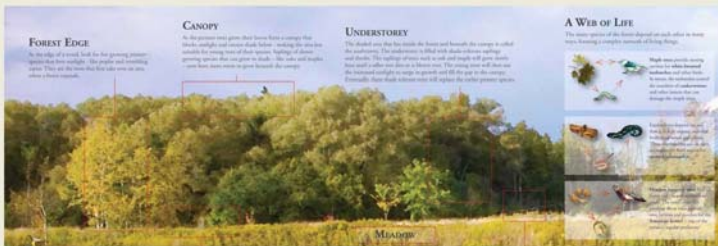
City of Guelph JUNCTION PARK

DECIDUOUS WOODS

Deciduous trees – those that lose their leaves in the winter – make up most of the naturally occurring upland woods in this region. Natural stands of conifer, on the other hand, thrive in moister lowlands and watercourses. But whether deciduous or conifer, each forest and stand of woods supports a complex network of living things.

A FOREST IS A RICH AND DYNAMIC NETWORK OF LIFE

Although forests may look challenging to a casual observer, most are rich. Each species of plant and animal that inhabits forests only to be replaced later by others that dominate the forest of the next day. Old trees fall and decay, allowing new ones to grow in their place. Through this process of growth and change, the forest always has a complete web of life in which many species depend on each other for food, shelter and protection.



FOREST EDGE

In the edge of a forest, food for the growing organisms that live nearby. The angle and sunlight varies. This is the area that has the most diverse species.

CANOPY


As the tallest and most dense layer, a canopy that blocks sunlight and water that falls. Making the area underneath less hospitable for many species. Higher up, where growing space is more open, there are more species.

UNDERSTOREY

The shaded area just below the canopy and beneath the canopy is called the understorey. The vegetation is tall with thick, waxy leaves that are not often seen above the canopy. The canopy will block out the light and water to reach the ground. This is the area that is most hospitable for many species.

A WEB OF LIFE

The many species of the forest depend on each other in many ways, forming a complex network of living things.



FOREST FLOOR

The forest floor has a covered with leaves, moss, and ferns and other plants. Plants that need less light will grow well in the shade. The canopy will block out the light. The forest floor is the most hospitable area for many species.

MEADOWS

Meadows are open areas of grass and other plants. They are often found near the edge of a forest. They are a rich and diverse habitat for many species.


DEAD AND FALLEN TREES

Dead trees are an important part of the forest. They provide shelter for many species and are a source of nutrients for the soil. They are often found in the forest.


City of Guelph JUNCTION PARK

Ecology of an Evolving Landscape

The landscape lying before you has undergone a variety of incarnations. Bordered by the two railways which connected Guelph to the rest of the world, for many years this site was quarried for Guelph's signature warm limestone which now graces the facade of many beloved Ontario buildings. The anthropogenic, or human-induced, actions which shaped this landscape are still clearly evident in exposed rockfaces such as the ones to your left, and more subtly revealed in the kinds of flora and fauna that inhabit this space today.




American Redstart



Silver Creeper


Stone workers' cottages for Sleeman Breweries, built from Guelph limestone

If you walk through this park in August, look carefully at the underside of milkweed leaves (pictured at right) for monarch caterpillars, or the sparkling green monarch chrysalis. Milkweed is a monarch's favorite food, and in this successional landscape, there is plenty to be had!




chrysalis

monarch caterpillar



monarch butterfly



milkweed

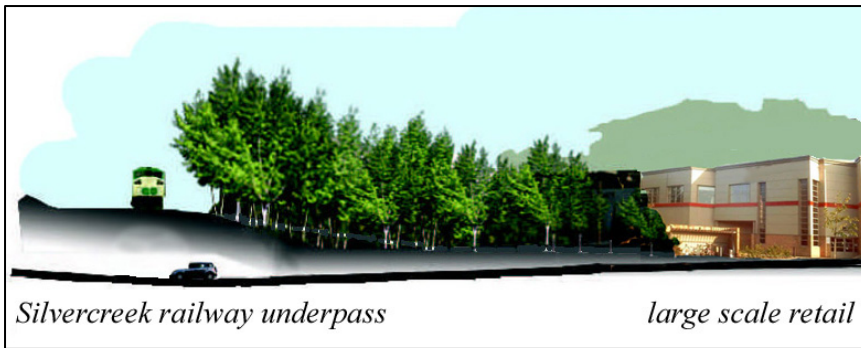
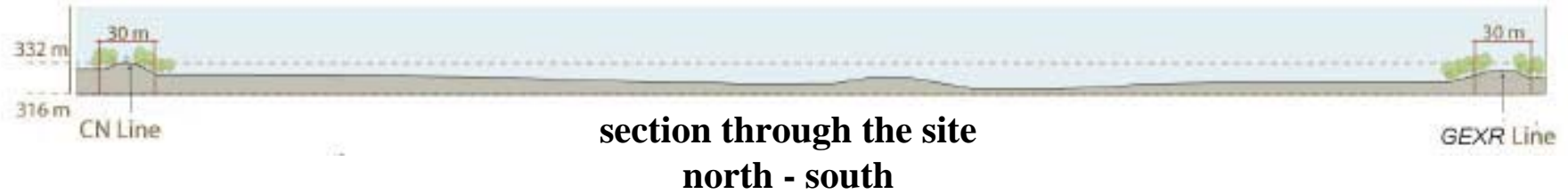
Silver Creeper Park is known as a "successional" habitat – that is, a landscape that is beginning to regenerate after having undergone a disturbance. The limestone quarry and concrete production which formerly took place here have left a landscape with nutrient-poor soil and few mature trees. Similar natural habitats can be found in meadows and prairies, which undergo periodic burning from prairie and bush fires. Only certain kinds of plants can grow in places like this. Some that you might already know are trembling aspen (pictured below right), staghorn sumac, milkweed, and goldenrod. These plant species provide important habitat and food for many migratory birds and insects, such as the American Redstart, Yellow Warbler, Savannah sparrow, Monarch butterfly, and Black Swallowtail butterfly. How many of these species can you see today? What other clues of humans altering the landscape can you find?

Example - Park Interpretive Signage

Silver Creek Junction



Silver Creek Junction



bordering railway tracks are 5.2 to 7.5 metres (17 to 24.5 feet) higher than the site



Bur Oak tree – feature of the Marketplace

Silver Creek Junction



Marketplace

Silver Creek Junction

Marketplace



permeable pavements,
infiltration
trenches



low
maintenance
plantings



pedestrian scale lighting,
minimized building
setbacks from streets



Silver Creek Junction



places for people & bikes



neighbourhood scale street retail

feature buildings, key architectural elements

Next Steps

- March 3, 2008 – Council Public Meeting
 - Council will review revised application and receive public input on application
 - Staff information report available February 22, 2008
- Future Council Meeting to establish a position on application
 - Date not yet determined
- Second OMB Pre-hearing Meeting
 - June 12, 2008

How to get involved:

- Review available reports and studies
 - Available in Planning Office
- Provide written comments
- Attend Council Public Meeting
 - March 3, 2008, Council Chambers
- Attend Council Decision Meeting
 - Date to be determined (May or June)
- Attend OMB Hearing
 - Next pre-hearing meeting is June 12, 2008

Thank you!

We appreciate your input in this process.



395 Southgate Drive
Guelph, ON N1G 4Y1
Tel: 519-837-4719
Fax: 519-822-4963
Email: mwittmund@guelphhydro.com
www.guelphhydro.com

January 30, 2013

Mr. Blair Labelle
City Clerk
City of Guelph
Planning, Engineering and Environmental Services
1 Carden Street
Guelph, ON N1H 3A1

RECEIVED
JAN 31 2013
CITY CLERK'S OFFICE

Dear Sir:

Re: 35 & 40 Silvercreek Parkway South (File No. OP1201/ZC1204)

We would like to submit the following comments concerning this application:

Given the existing concept plan, dated December 16, 2008:

1. Hydro supply for this development will be from Silvercreek Parkway South.
2. The hydro services for this development should be underground except for pad-mounted transformers and pad-mounted switchgear.
3. A minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.
4. A minimum distance of 1.5 metres must be maintained between any driveways /entrances and street light poles or pad-mounted transformers. Any relocations required would be done at the owner's expense.
5. We will require two 4.2 metre by 4.2 metre easements for two single-phase pad-mounted transformers on 35 Silvercreek Parkway South.
6. Easements will be required on both 35 and 40 Silvercreek Parkway South to provide space for pad-mounted switchgear. The easements will be approximately 7.5 m x 5.0 m each and a total of two easements will be required on each property.

7. An area of 6.5 metres by 5.0 metres will be required for each three-phase pad-mounted transformer at both 35 and 40 Silvercreek Parkway South, as required to service the development.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.

A handwritten signature in black ink, appearing to read "Michael Wittemund". The signature is fluid and cursive, with the first name being more prominent.

Michael Wittemund, P.Eng.
Director of Engineering

MW/gc

Date: Thursday, January 31, 2013

Hi Maggie and June,

Responding to the information that was recently sent to us Ward 3 folks about the Silvercreek Project on the lands we dog walkers, fondly know as 'The Quarry.'

I really wish I could attend this but I have to be in Oakville for my Dad's medical procedure.

I am assuming that both concepts will be reviewed and that there might be a Q&A after that, followed by the delegations. Since I cannot be there, I wanted to leave my thoughts with both of you. This is such a little gem of a place, just as is, but I suppose all of us using the space are trespassers (dog walkers, runners, cyclists and unfortunately 4-wheelers).

Certainly the western side of Speedvale seems appropriate for development but I thought there was supposed to be way more green space on the other side especially to protect the Silvercreek Tributary habitat. On both sides the amount of asphalt proposed is HUGE.

Generally, it is hard to tell from either concept how much habitat would be retained or enhanced through CONNECTED corridors: this so critical. A design with non-native poplar trees just will not cut it.

Anything you can do to represent these thoughts will be greatly appreciated, by those of us that believe wildlife, recreation and green communities can co-exist.

Thanks,
Fiona.

Fiona A. Rintoul

From: susanejwatson
Sent: February 4, 2013 11:57 AM
To: Clerks
Subject: Application by Silvercreek Guelph Developments Inc.

Madam Mayor and Members of Council:

I wish to express my dismay at the submission of a new planning application by Silvercreek Guelph Developments Inc. for the former Lafarge Lands.

My view is that disregarding the negotiated OMB minutes of settlement and all previous planning processes is profoundly disrespectful of both the immediate neighbourhood and the larger Guelph community.

I was an active participant in the community consultation process, or "Commercial Policy Review" which culminated in Official Plan Amendment #29. I attended the workshop conducted by Meridian Consulting in May of 2005. In addition I made oral and written submissions both to committees and Council as a whole.

For those Councillors who are new this term, I would like to point out some of the history of this site:

- 1) According to records of written input and oral delegations connected to the Commercial Policy review, commercial development of these lands was not supported by the general public or residents of adjoining neighbourhoods.
- 2) Inclusion of the Lafarge site in the Allocation of Commercial Space and OPA #29 was not recommended by the planning department.
- 3) Motions to include the Lafarge lands as a special study area were defeated both at the Committee and Council levels.
- 4) Despite the careful consideration of this proposal by both the community and City Council, Silvercreek Developments launched an OMB challenge claiming that Council had "refused or neglected" to rezone the property.

Enormous human and financial resources were spent by both the neighbourhood and the City to reach OMB minutes of settlement. These minutes of settlement specifically prohibited a grocery store on this site.

Our community does not owe the developer a return on the speculative investment in this site.

Moreover, it is the job of City Council to consider both Provincial Legislation, such as Places to Grow and the Provincial Policy statement, as well as the specific needs of our community in making a decision that reflects the interests of the City as a whole.

Susan Watson

Feb 4, 2013

To: Guelph City Council

Re: 803-807 Gordon St – Proposed Zoning By-law Amendment (File ZC1205), Ward 5

From: Doug and Holly Dodd.

- We are disappointed that the planning department recommends approval of the proposed project
- Contrary to Planning Department view, we feel the proposed zoning change is not in the public interest, does not represent good planning and should not be approved
- Most importantly, if for any reason the zoning change is approved,
 - the amendment regarding Maximum Density should not be approved, and
 - the amendment regarding Building Height should not be approved
- Major Concerns: **much too close and much too big**

Some significant elements of the proposed development:

- Footprint approx East building 15 units, 40'x127'
West building 12 units, 40'x100' plus garbage, walkway, ramp of 22'
- Building 25 feet from our property line
- Construction extends for 30-35 feet parallel to the property line
- Buffer Zone of trees and tree #39 and other small trees on our property line are crucial in limiting effect of project on our living space and privacy

Planned number of bedrooms:

	East Building	West Building
Main floor	5 x 2-bedroom units = 10 bedrooms	4 x 2-bedroom units = 8 bedrooms
Upper floors	10 x 3-bedroom + 1 "study" = 30 bedrooms + 10 "studies"	8 x 3-bedroom + 1 "study" = 24 bedrooms + 8 "studies"
Total	40 bedrooms + 10 "studies" 27 units	32 bedrooms + 8 "studies" 72 bedrooms + 18 "studies" (really 90 ?)

Regarding Maximum Density:

Regarding number of units:

- Referenced as Section 5.3.2.20 of the Bylaw
- Regulation is **60 units/hectare**, request 65.4 (really 66) units/hectare
- For 0.41 hectares:
60 units/hectare = 24.6 units ; 65.4 units/hectare = 26.8 units ; 66 units/hectare = 27.06 units

Regarding number of people:

- On page 4 of staff report: "The proposal will yield a density of 66 units per hectare and a Places to Grow density of 158 persons per hectare"
- On page 33: "The expected population of the project based on 27 units is approximately 65 persons...the Growth Plan density for the proposal is calculated at 158 persons per hectare"
- 0.41 hectares x 158 persons/hectare = 64.78 persons•
- The **65 persons** figure seems to be presented as important perspective and an appropriate number of persons for the specific site.
- For further perspective, refer to the number of proposed bedrooms: 72 bedrooms + 18 "studies"
Will the real number of persons be , **65?** or **72?** or **90?**

Regarding Maximum Building Height:

- **Referenced** as Section 5.3.2.9, Maximum Building Height
- Regulation is **3-storey**, requesting amendment to 4-storey
- Referencing page 14: Official Plan Policies, "General Residential" Land Use Designation
- "Criteria...to evaluate a development proposal for multiple unit housing
(a) that the building form, massing, appearance and styling are compatible in design, character and orientation with buildings in the immediate vicinity"
- From Gordon St, the first floor begins 4 feet below grade, however, from our backyard it begins 7 feet above grade
- In addition to the 4-storeys, there is proposed rooftop private amenity space with 6 foot fencing
- Currently, most of south Guelph including the Gordon St corridor consists of 1 or 2 storey buildings, including the neighboring Days Inn and nearby professional buildings, with few exceptions

OPA48

- 803, 807, 815, 825 and 833 Gordon St were designated as "Mixed Office Commercial" that allows "a variety of freestanding small-scale commercial, office, residential or mixed use buildings"
- Do the proposed 4-storey townhouse buildings really fit the intention of the most up to date and well-founded plan? Are they appropriate and compatible?

Some Ongoing concerns if the project were to proceed:

- Maintenance and longer term viability of critical trees slated to remain in the "buffer" area, and along our property line, particularly large tree #39
 - The most recent drawing we have seen shows "buffer line" of trees shorter than previous versions and that, following pruning the roots of tree #39, an arborist must confirm that it can be retained
- Sound, light, garbage management and commotion associated with many more people in neighboring property

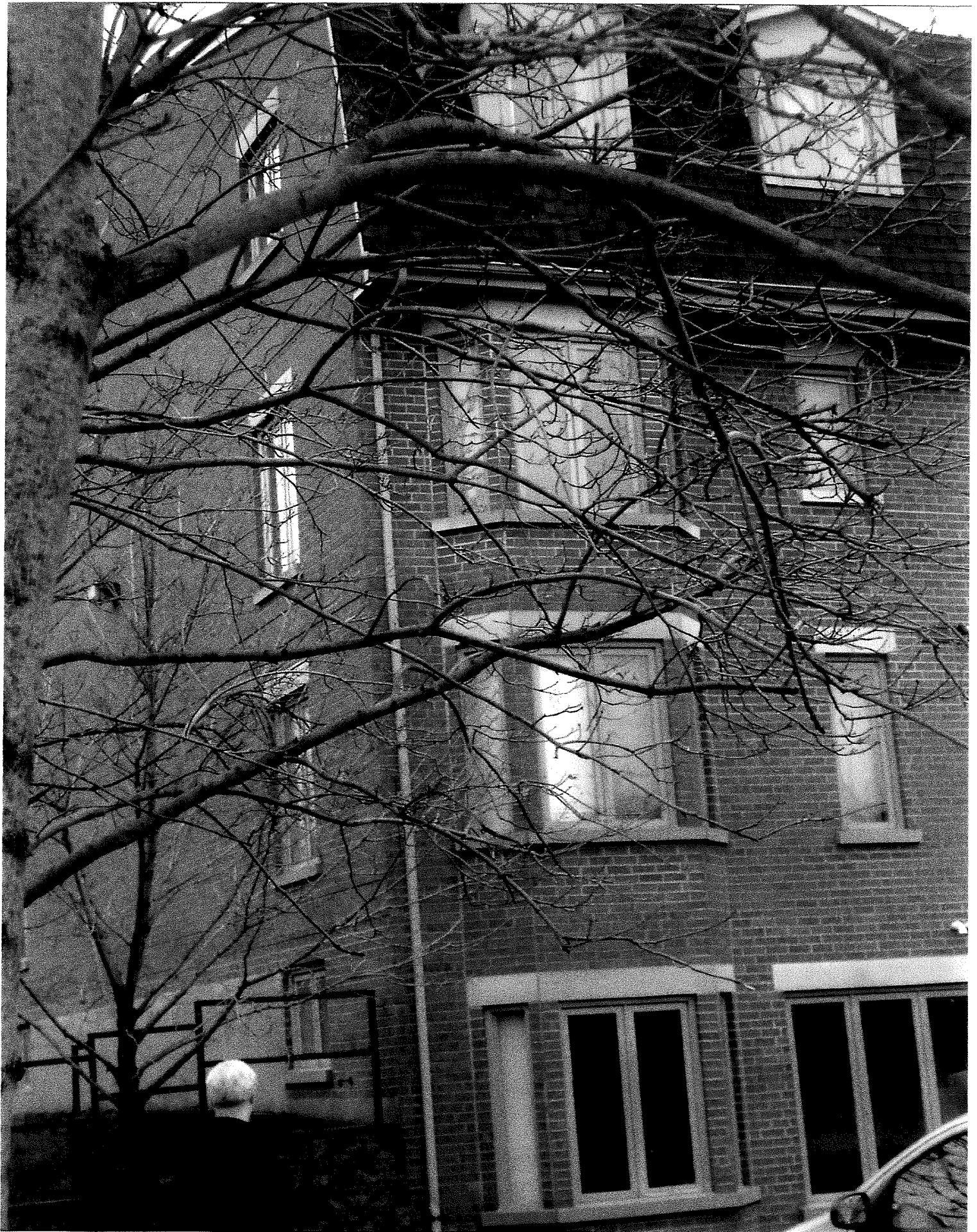
To this point, Podium Developments has addressed some of our concerns including some minor adjustments and improvements to the walkways and fencing close to the critical area at the Southwest end of the buildings.

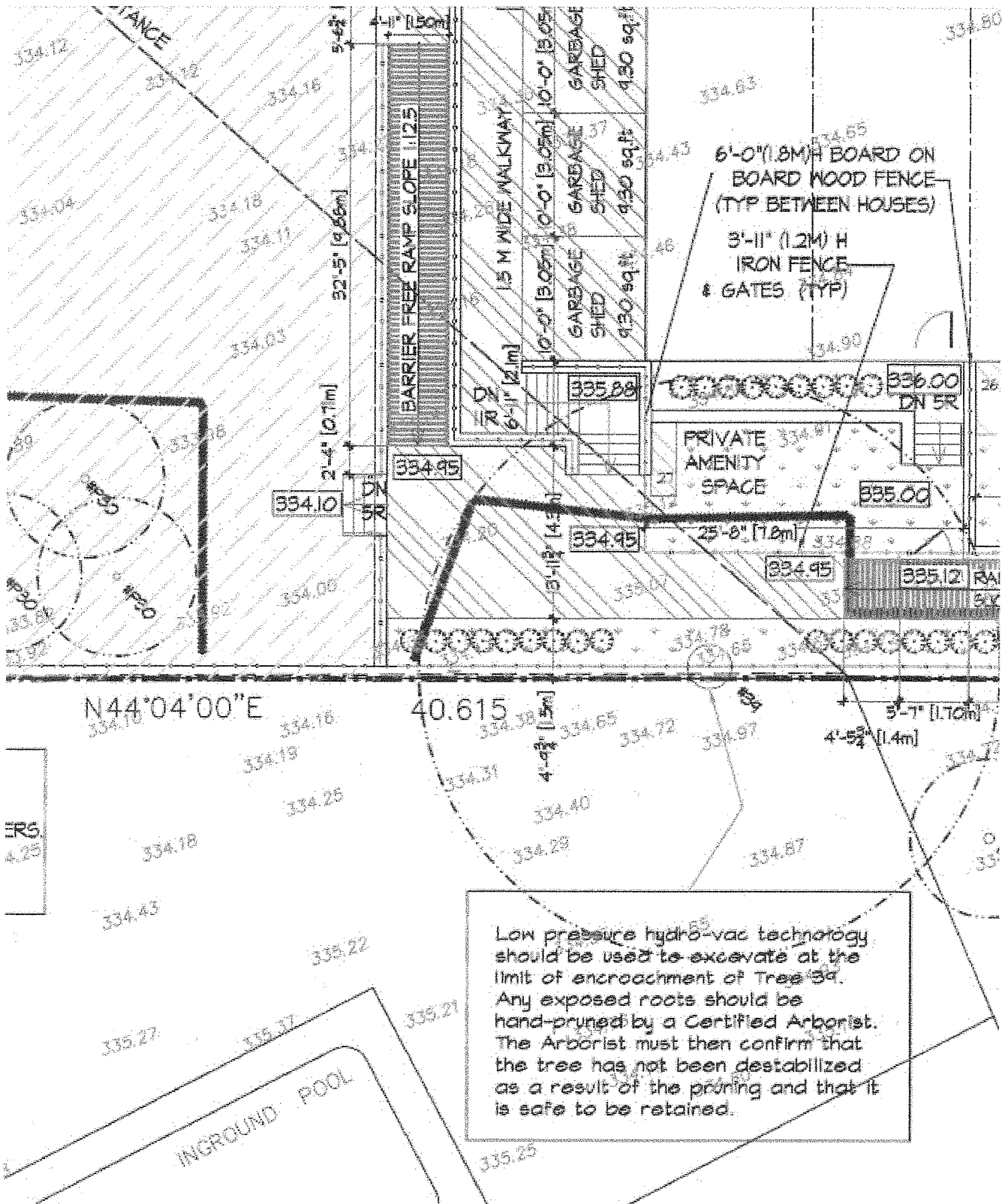
These are appreciated, but the major issues of the **closeness** and **magnitude** of the project remain.

At minimum,

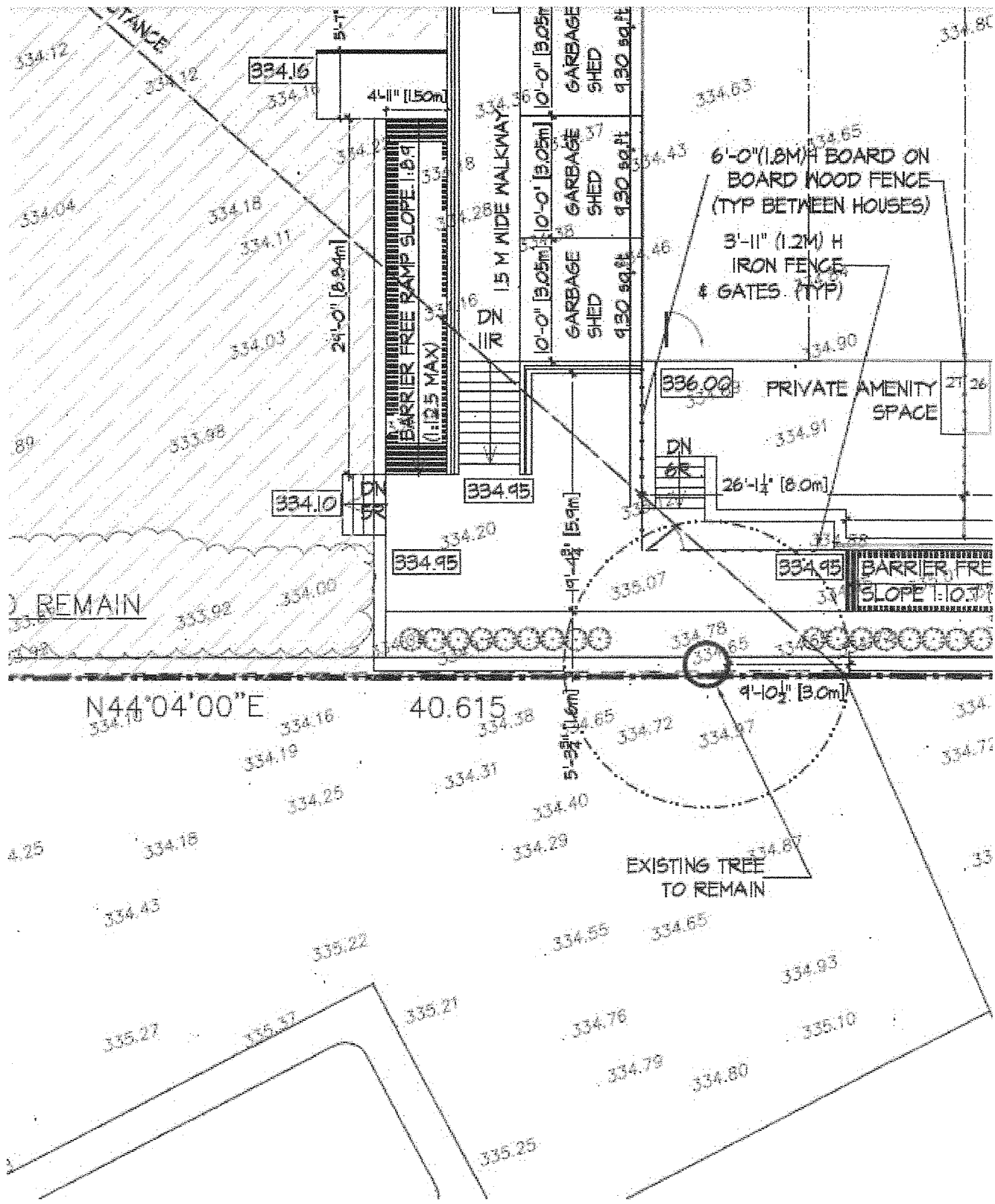
**Conforming to the 60 unit regulation would allow 2 buildings of 12 units for a total of 24 units
The footprint could then be 25 feet further east from us, reducing the concerns at the Southwest end of the buildings.**

The issue of number overall mass of the project and number of storeys would remain





Low pressure hydro-vac technology should be used to excavate at the limit of encroachment of Tree 39. Any exposed roots should be hand-pruned by a Certified Arborist. The Arborist must then confirm that the tree has not been destabilized as a result of the pruning and that it is safe to be retained.



STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE February 4, 2013

SUBJECT Update on the Dolime Quarry

REPORT NUMBER Addendum

EXECUTIVE SUMMARY

SUMMARY OF REPORT

The purpose of this report is to provide an update on staff actions to seek resolution of the City's concerns with respect to the Dolime Quarry. Staff continue to be concerned that ongoing excavation at the quarry will have an impact on the water quantity and water quality available for the City's municipal water supply. This report describes the actions, meetings, and correspondence with the MOE since our last update.

KEY FINDINGS

- While there may be differences in opinion on the extent, the City and the MOE agree that the quarry operations have some potential to impact some nearby City water supply wells (MOE letter - Attachment 6);
- The MOE has requested from the quarry owners an updated Management Plan to deal with the potential for water quality and quantity impacts. The revised Management Plan has not been finalized to date;
- The MOE issued an Amended Permit to Take Water to RVD on January 25, 2013, which was posted to the Environmental Registry on January 28, 2013. Staff are reviewing the Permit. The City may seek leave to appeal this decision by serving written notice within 15 days of January 28, 2013;
- The City has requested that the MOE provide assurance to Council that our water supply will not be impacted by the operation or closure of the quarry, now or at any time in the future.

FINANCIAL IMPLICATIONS

No financial implications resulting from this Update Report. However, removal of the aquitard could result in significant chemical treatment costs in future.

ACTION REQUIRED

To receive the report.

RECOMMENDATION

1. That the report from Planning, Building, Engineering and Environment dated February 4, 2013 entitled "Update on the Dolime Quarry" be received.

BACKGROUND

Staff have provided Council with several formal reports and updates on this issue over the last five years and continue to hold meetings with the MOE and MNR and to provide numerous correspondences to the MOE in support of the City's position.

In summary, in 2007, the Dolime Quarry owners, River Valley Development Inc. (RVD, a subsidiary of Carson Reid Homes, a local developer), and the quarry operators, James Dick Construction Limited (JDC), first proposed to expand the extraction rate of the quarry from 500,000 to 1,000,000 tonnes per year. The City raised a number of concerns, primarily related to potential water quantity and water quality impacts on our water supply wells located around the quarry.

Excavation at the quarry has resulted in a breach of the confining aquitard overlying the bedrock aquifer which is a source of our municipal water supply. As a result, upon quarry closure and the end of dewatering of the quarry, the quarry will fill with surface water which, in the absence of mitigation, would leak into the exposed aquifer and potentially contaminate our municipal wells. The quarry's existing license under the *Ontario Aggregate Resource Act* allows excavation to a depth of 285 m above sea level (i.e. approximately 16 m below Speed River elevation). Continued excavation of the quarry will enlarge the breach through the aquitard, allow more water to flow into (or out of) the quarry and complicate potential mitigation.

The City has appealed to the MOE and MNR to address these concerns and to ensure that the quantity or quality of the City's water supply will not be impacted by the operation of the quarry, now or at any time in the future.

In late 2010, the MOE had proposed that RVD develop a Management Plan for covering exposed areas of the bedrock aquifer with less permeable materials prior to completion of quarrying activities. A proposed Management Plan was submitted by RVD to the MOE in March, 2011. The Plan was also used as a supporting document in an August, 2011 application by RVD for a Permit to Take Water to move a dewatering sump and an *Ontario Water Resources Act* Section 53 application for an industrial sewage works to discharge water to the Speed River.

Reviews of the proposed Management Plan by staff and our consultants identified a number of deficiencies both in the plan itself as well as the conceptual understanding of the quarry's hydrogeological setting. The City's primary concerns are that the Plan will be ineffective and that continued extraction at the quarry will result in impacts on both water quantity and water quality available for municipal water supply.

The City requested that the MOE:

- Prevent further excavation through the aquitard;
- Backfill the quarry with material to provide equivalent protection compared to the excavated aquitard in areas where the aquitard has been breached;
- Work with the Ministry of Natural Resources (MNR) to modify the aggregate license to provide conditions of approval that are protective of our water supply; and
- Provide assurances to Council that our water supply will not be impacted by the operation or closure of the quarry, now or at any time in the future.

The MOE continues to work with RVD to develop an appropriate Management Plan for the quarry. Staff delayed providing this Report in expectation of receiving a revised Management Plan. This report provides a summary of the major events and correspondence since our last update.

REPORT

Following direction provided by Council at the September 26, 2011 Council meeting, staff met with the MOE and MNR on October 26, 2011 to present our concerns in detail. The major conclusions of staff's presentation to MOE/MNR were:

- The City's Membro Well may be "flagged" as potential Groundwater Under the Direct Influence (GUDI) of surface water when the quarry closes;
- The hydrogeologists working on the project agree that the risk of GUDI increases with additional excavation through the aquitard into the aquifer;
- The hydrogeologists agree that the risk of GUDI increases at quarry closure when dewatering of the quarry ceases;
- RVD's interpretation of the quarry's hydrogeology does not match the data;
- Additional quarry dewatering above $\sim 7,000$ m³/day (the approximate current average pumping rate) will have additional interference (i.e. quantity) effects on our municipal water supply.

Staff provided the MOE with a report, dated November 16, 2011, documenting our concerns and including the presentation from the October 26 meeting (Attachment 1). Key findings of the report were:

- Continued excavation of the aquitard below a thickness of 5 m is seriously compromising the long-term effectiveness of this natural protection of our water supply and should be discontinued immediately;
- An effective, long-term, comprehensive management plan for the Dolime quarry is required to protect our municipal water supply;
- The 2011 Management Plan proposed by RVD is not adequate for this purpose;

STAFF REPORT

- Based on available information, even with the proposed 2011 Management Plan in place, it is likely that impacts on water quantity will occur as a consequence of the continued excavation of the aquitard and increased dewatering of the aquifer;
- Upon closure of the quarry, in the absence of mitigation, water draining from the quarry will likely degrade the groundwater quality of the underlying bedrock aquifer, causing the City's Membro Well, and potentially other local wells, to be flagged as Groundwater Under the Direct Influence (GUDI) of surface water; and
- Even with the proposed Management Plan in place, land use activities and exposure of the bedrock aquifer at the quarry site represent an inherent risk to the quality of our water supply wells, such that expensive chemical treatment systems may be required at the affected wells.

The report also described 11 recommendations, which, *"if implemented with an appropriate level of care and oversight, will bring the level of risk imposed by the long-term quarry operations on the City water supply within an acceptable limit"*.

Resulting from the Council meeting of September 26, 2011 and a request from Council, Mayor Farbridge wrote letters to the Ministers of Environment and Natural Resources on January 18, 2012 (Attachment 2).

In response to the November 16th report, the MOE requested additional technical information (e.g. water levels, geological cross sections, well construction details) which was provided in January 2012. The MOE provided a draft review of the quarry on February 15, 2012 and assessed the potential GUDI implications of the quarry operations on City wells. Staff met with MOE and MNR staff on February 23, 2012 to discuss the MOE's technical review. While staff and our consultants did not agree with all aspects of the MOE's review, there was general agreement that the City's Membro Well may be flagged as "GUDI" upon closure of the quarry and that the proposed Management Plan may not be effective in preventing impacts on the City's wells. The MOE and the City agreed to meet to discuss the development of a strategy in the Management Plan for ensuring that the excavated aquitard would be replaced with materials providing an equivalent level of protection.

At the MOE's request, staff submitted written concerns on the RVD Permit to Take Water (PTTW) application on April 20, 2012 (Attachment 3) and the RVD Section 53 Environmental Compliance Approval application on May 3, 2012 (Attachment 4). Staff's review of the Permit application resulted in the following key concerns:

- Potential water quantity impacts if the quarry pumps at higher than historical levels, as permitted in the Permit;
- The Permit should be conditional on a final Management Plan which is acceptable to the MOE and the City and which addresses water quality concerns;

STAFF REPORT

- The proposed monitoring program for the Permit is not adequate;
- Financial assurances continue to be a concern.

The MOE met with City staff on June 22, 2012 during which the MOE indicated that RVD had been directed to modify the Management Plan to reflect the MOE's concerns and to achieve a protective layer with similar effectiveness as the excavated aquitard. The MOE also informed the City that RVD would prepare a Conceptual Plan and an Engineering Design Report. The Conceptual Plan would describe how the protective layer would be achieved and would be submitted for acceptance by the MOE prior to the preparation of the Engineering Design Report. The Engineering Design Report would provide the supporting design information for the Management Plan, including monitoring, contingency and groundwater management plans. The Conceptual Plan report was tentatively scheduled for completion at the end of June, 2012; however RVD subsequently requested additional time. It is staff's understanding that RVD has not submitted the Conceptual Plan to the MOE as of the writing of this report.

On July 26, 2012 the City received a draft Permit To Take Water (PTTW) for the quarry as a courtesy from the MOE. On review, staff's position is that the draft PTTW does not adequately address the City's concerns and on September 14, 2012, staff sent a response to the MOE (Attachment 5). Staff's concerns include: water quality impacts and finalization of an appropriate Management Plan, integration of the Management Plan into the Permit; assessment of water quantity impacts from the quarry's water taking; and the next steps in the process.

The MOE provided a response to staff's September 14th letter on November 7, 2012 (Attachment 6) including a statement that: *"It has been, and continues to be the ministry position that the quarry operations have some potential to impact some of the nearby City municipal water supply wells"*.

On December 21, 2012, staff provided to the MOE an updated summary (Attachment 7) of our outstanding concerns with respect to RVD's application for a Permit to Take Water, indicating that neither the application and supporting material, nor the draft Permit To Take Water have effectively addressed the City's core concerns regarding long term risks and potential for impacts to our municipal drinking water wells.

We urged the MOE to make the Permit To Take Water conditional on:

1. Implementation of an effective Management Plan at the site;
2. Identified improvements to the proposed monitoring program; and
3. Establishment of a financial assurances plan.

STAFF REPORT

On January 23, 2013 the MOE responded (Attachment 8) and on January 25, 2013, the MOE issued an Amended Permit to Take Water to RVD. Staff are currently reviewing the Permit. On initial review, the Permit has not addressed the City's core concerns regarding long term risks and impacts to our municipal drinking water quality and quantity.

The City may seek leave to appeal this decision by serving written notice, within 15 days of January 28th, to the Environmental Review Tribunal, the Environmental Commissioner of Ontario and the MOE Director.

Next Steps:

With respect to the Management Plan, the Ministry has verbally indicated their intention to continue to work with the City and RVD to resolve the concerns of all parties. Staff anticipate receiving an updated Management Plan and meeting with the MOE early in 2013.

With respect to the Permit To Take Water, staff are reviewing the Permit as issued and will advise Council regarding the opportunity to seek leave to appeal prior to the appeal deadline.

CORPORATE STRATEGIC PLAN

3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City

DEPARTMENTAL CONSULTATION

Legal Services

COMMUNICATIONS

N/A

STAFF REPORT

ATTACHMENTS

- Attachment 1:** Guelph Dolime Quarry Management Plan – City of Guelph Review (November 16, 2011) letter (attachments available upon request).
- Attachment 2:** Mayor’s letters to Minister of the Environment (Honourable Jim Bradley) and Minister of Natural Resources (Honourable Michael Gravelle) re: Guelph Dolime Quarry – Guelph Drinking Water Supply (January 18, 2012).
- Attachment 3:** Guelph Dolime Quarry Permit to Take Water Application – City of Guelph Review (April 20, 2012).
- Attachment 4:** Guelph Dolime Quarry Application for Approval of Industrial Sewage Works – OWRA Section 53 – City of Guelph Review (May 3, 2012) letter (attachments available upon request).
- Attachment 5:** Guelph Dolime Quarry Permit to Take Water Application – City of Guelph Questions (September 14, 2012).
- Attachment 6:** Letter from MOE to Janet Laird (November 7, 2012).
- Attachment 7:** Letter from Janet Laird to MOE re Guelph Dolime Quarry Permit To Take Water Application (December 21, 2012)
- Attachment 8:** Letter from MOE Carl Slater to Janet Laird (January 23, 2013)

Report Author:

Dave Belanger, M.Sc., P.Geo.
Water Supply Program Manager
519-822-1260 x2186
Dave.Belanger@guelph.ca



Approved By

Peter Busatto
General Manager
Water Services
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Recommended By

Janet L. Laird, Ph.D.
Executive Director
Planning, Building, Engineering
and Environment
519-822-1260 x 2137
janet.laird@guelph.ca



November 16, 2011

Sent via Email

Ministry of Environment
Guelph District Office
1 Stone Road West
Guelph, ON N1G 4Y2

Attention: Jane Glassco, District Manager

Dear Ms. Glassco,

RE: Guelph Dolime Quarry Management Plan – City of Guelph Review

The City of Guelph has reviewed the above referenced Management Plan for the Guelph Dolime Quarry from Conestoga-Rovers & Associates (CRA), consultants acting on behalf of the quarry owners, River Valley Development Inc. Herein the City of Guelph provides its comments on the Guelph Dolime Quarry Management Plan.

The Management Plan has been the subject of much discussion between the City, the Ministry of Environment (MOE) and the Ministry of Natural Resources (MNR). We appreciate the opportunity to expand upon the comments provided to you in our meeting of October 26, 2011. Please note that we have used the meeting of October 26 and the meeting presentation as the primary basis for our concerns regarding impacts of the quarry on our water supply and we have not repeated the details provided in the meeting. We have, however, appended the presentations for your information.

Our comments are contained within the following attachments:

- Attachment 1 – Consolidated Summary and Recommendations
- Attachment 2 – Technical Review of the Dolime Management Plan by Guelph Water Services
- Attachment 3 - Review of Management Plan for River Valley Developments Inc. Site, Guelph-Eramosa Township, County of Wellington by Golder Associates
- Attachment 4 – Guelph Water Services Presentation from the October 26, 2011 meeting
- Attachment 5 – Golder Presentation from the October 26, 2011 meeting.

Please note that our comments primarily address the Management Plan but we have also provided comments on where the Management Plan needs to be integrated into the Aggregate License, the Permit to Take Water (PTTW) and the Ontario Water Resources Act Section 53 Certificate of Approval. Additional comments specifically

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N1H 3A1

T 519-822-1260
TTY 519-826-9771

guelph.ca

Ms Jane Glassco
November 16, 2011
RE: Guelph Dolime Quarry Management Plan – City of Guelph Review
Page 2 of 2

on the PTTW application and the Section 53 application will be provided during the formal notification period once the applications have been posted on the Environmental Registry.

Please note that our report and recommendations have also undergone a review by City legal staff and outside environmental legal counsel. Their review focused on confirming that the recommendations are practical and that there are no concerns with implementation by the Ministry within the existing approval process and statutory framework.

Following your review of our comments, we would like to meet again with the MOE and MNR to discuss our comments and recommendations for the Management Plan. As you will remember from our October 26 meeting, the City has presented its opinions on the Management Plan but we have not yet heard the opinions of the MOE and MNR on the Management Plan. We would hope another meeting will enable the City to resolve our outstanding issues and to aid in developing an approach to a new Management Plan for the quarry that will be protective of the City's water supply and that the City can support.

Our goal in meeting and corresponding with the MOE is to ensure that the City's water supply is protected and not adversely affected by the operation of the quarry, now or at any time in the future. We thank you and look forward to your response to our comments. We will contact you shortly to arrange potential meeting dates.

Yours truly,

 for

Janet Laird
Executive Director, Planning & Building, Engineering and Environment

Location: City Hall, 1 Carden Place
T 519-822-1260 x2237

C Busatto/Belanger/Taylor/Worsfold/City of Guelph
DiBiase/Petrie/Golder Associates
Peter Pickfield/Garrod Pickfield
Bill Bardswick/Carl Slater/MOE West Central Region
Ian Hagman/MNR Guelph District Office
Lynette Armour/MOE Guelph District Office



January 18, 2012

The Honourable Michael Gravelle
Minister of Natural Resources
Whitney Block, 6th Floor
Room 6630, 99 Wellesley Street West
Toronto, ON M7A 1W3

Dear Mr. Minister:

Re: Guelph Dolime Quarry – Guelph Drinking Water Supply

At the direction of Guelph City Council, I am writing to alert you to a serious, current and long term threat to the City's drinking water supply. The threat arises from an existing aggregate extraction operation that is currently extracting below the water table into the geological formation that provides natural protection to the water bearing unit that is the source of drinking water for the City Guelph.

This letter summarizes the City's concerns regarding the current situation, the steps currently under consideration by your Ministry to address the concern, and the City's recent submission to your Ministry which proposes solutions to the problem. At Council's direction, I am seeking an opportunity to meet directly with you to discuss the seriousness of the situation, the City's proposed solutions and how the response could ultimately serve as a helpful example of provincial, municipal and private cooperation to address a difficult issue.

Background:

By way of background, in 2008, City of Guelph staff learned that the Dolime Quarry, an aggregate operation located centrally within the City is now excavating through the aquitard confining layer that protects the Guelph water supply aquifer from exposure to surface water contamination. Eight drinking water supply wells are located within 2 kilometers of the quarry.

The quarry has been operated for over 100 years under a number of ownerships. It is currently owned by River Valley Developments Inc. (RVD) and operated by James Dick Construction Limited (JDC). Part of the challenge in this matter is the fact that the existing approved licence application, which serves as the permission to excavate through the protective aquitard, is over 39 years old. The current licence and approved site plan was put in place long before the risks to drinking water of below-water extraction were well understood, and based on very little information/analysis about sub-surface conditions.

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Previous City Correspondence: Since learning of the issue, the City has put its concerns in writing on a number of occasions. In October 2009, and again in July, 2011, I wrote asking that the then Ministers of Environment and Natural Resources take action on this matter. Based on staff and independent consulting advice, and adopting a precautionary approach, my letters requested Ministerial action to:

- Immediately limit the extent of the excavation of the quarry such that no further excavation of the aquitard, which protects the City's drinking water source, occurs;
- Add a condition on the quarry's aggregate license to require progressive rehabilitation by backfilling of the quarry to a specified depth with a specified material such that the material provides similar protection to the removed aquitard and prevents water quality impacts on the municipal water supply; and
- Provide assurances to the City that the quantity and quality of the City's water supply will not be adversely affected by the operation of the quarry now, or at any time in the future.

Coordinated Action Taken so Far: Once alerted to the potential risk to the City's supply wells, staff immediately raised concerns about the risks imposed by this activity to the drinking water quality and quantity of the City's water supply. This led to the formation of a joint steering committee with representation by staff and consultants for the City, the Ontario Ministry of the Environment (MOE), Ontario Ministry of Natural Resources (MNR) and the quarry owner/operator. The City also has retained an independent engineering consulting firm, Golder Associates, to review the issue and independently advise as to the extent and nature of the risks to the City's water supply associated with on-going quarrying activities.

Although additional study of the issue has been carried out, and the agencies and owner/operators representatives have met over several years, no concrete action has yet been taken to address the City's concerns, and extraction within the confining aquitard is continuing.

Current Licence Applications: The discussions on this matter have also been tied into an outstanding application by the owner/operator to increase the quarry extraction rate. Your Ministry is currently considering an application for an amendment to the aggregate license, which would increase the extraction rate at the quarry from an annual tonnage of 500,000 tonnes to an annual tonnage of 1,000,000 tonnes per year. The City's concern is that the approval of this expansion without appropriate conditions to protect the City's water supply would accelerate the rate of excavation into the confining layer without required updates to the licence conditions and approved site plan to address the threat to the City's water supply. The City's position is that before your Ministry approves any type of expansion, agreement should be reached on updating the licence requirements to address the risks now posed to the City's water supply.

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Owner/Operator's Proposed Solution:

In about February, 2010, the Ontario Ministry of the Environment Guelph District Office asked the owner/operator, on a voluntary basis, to prepare a proposed Management Plan (MP) that would address the City's concerns.

The owner/operator's proposed solution involves enlarging the breach through the aquitard by continuing the extraction through the aquitard and then replacing the approximately 5 m thickness of aquitard with 15 cm of fine-grained waste material derived from rock crushing and aggregate washing operations, in order to act as a filter/barrier for water seeping back into the aquifer. As discussed below, the City's findings on the Management Plan are that the Plan falls far short of an acceptable solution.

The proposed MP was submitted behalf of the owner/operator to MOE in March, 2011 by Conestoga Rovers Associated Inc. (CRA) consultants acting on behalf of RVD. The City received a copy in April, 2011, and immediately requested an opportunity to complete its own review by staff and Golder Associates.

City Review of Proposed Environmental Management Plan:

The City's review of this proposal included a comprehensive review by Guelph Water Services, the City department responsible for the maintenance, monitoring and long-term protection of the City's drinking water supply wells, combined with an independent review by Golder Associates. A full report containing the results of this review was submitted to the Guelph District Office and West Central Regional Office of the Ministry of the Environment for consideration on November 16, 2011.

Key findings of the report include the following:

- The continued on-going excavation of the Vinemount Member below a thickness of 5 metres is seriously compromising the long term effectiveness of this natural protection of the City's water supply in this area of the City and should be discontinued immediately;
- An effective, long-term, comprehensive management plan is required for the Dolime quarry to protect the City's water supply;
- The proposed Management Plan, as prepared by CRA, is not adequate for this purpose;
- Based on available information, it is likely that impacts on the quantity of water available for the City's water supply wells will occur as a consequence of the current on-going excavation of the Vinemount barrier formation protecting the water bearing unit from which the City draws its drinking water, even with the proposed Management Plan in place; and
- Upon closure of the quarry, it is likely that water leaking from the quarry will degrade the water quality of the bedrock aquifer used by the City for its water supply and will cause the City's Membro Well, and potentially other wells, to be flagged as groundwater under the direct influence of surface water and to be impacted by other surface water quality issues.



Based on this, City staff, working with Golder, developed the specific recommendations aimed at bringing the risks to an acceptable level. The recommendations include implementation through specific changes to the Quarry Licence conditions and through associated required environmental compliance approval. The City views these implementation steps as essential – the required protections must be in place for the long term.

The results of the review and specific recommendations to solve the problem are summarized in the attached Guelph Dolime Quarry – Management Review Consolidated Summary and Recommendations.

Next Steps:

We are hopeful that your Ministry, in concert with the Ministry of the Environment and the owner/operator will take the steps that are needed to protect the City's water supply. MOE staff has advised that they are now considering the City's report, including, it is hoped, the specific recommendations that the City has offered to address this issue. MNR staff has advised that until this review is complete, no decision will likely be made on the license application. The City supports this pause, given that the urgent need to update the current MNR aggregate licence to include conditions to protect the City's water supply.

In the meantime, Guelph City Council has requested that I arrange to meet with you to discuss this issue. The issues that have arisen in this case, involving out-of-date regulatory instruments and aggregate operations that potentially impact municipal drinking water supplies, have the potential to recur in other parts of the province. If this case leads to a positive result, it could serve as a positive precedent and example of co-operation between provincial ministries, affected municipalities and aggregate operators to address similar challenges in other municipalities.

On the other hand, the failure to act in this case, in the City's view, would be a betrayal of the progressive approach that your government has spearheaded through the passage of the Clean Water Act (CWA). The CWA was the provinces landmark effort, in response to the Walkerton tragedy in 2000, to put in place a proactive framework for protecting drinking water through source water protection. In this way it is different from most other water legislation, which is reactive and remedial in nature. The Clean Water Act contemplates governments (both municipal and provincial) being proactive in the protection of municipal drinking water sources. This is an opportunity for the Provincial Government to fulfil the spirit and intention of that legislation, by taking a proactive stance in this situation to protect Guelph's drinking water source.

In addition, failure to act on City recommendations, in the face of concerns raised by the City about long term potential impacts to our drinking water source would, we believe, place liability for any future impacts on provincial taxpayers.

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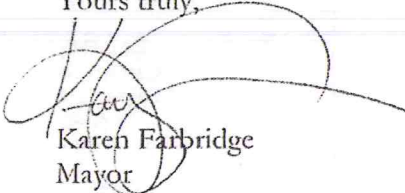
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For these reasons, we believe that careful consideration of this matter and a cautious informed decision is critically important not only for the City and its residents but also the Ontario Government and the two lead ministries responsible for this matter.

We look forward to meeting with you at your earliest opportunity.

Yours truly,



Karen Farbridge
Mayor

attachment

cc. Liz Sandals, MPP Guelph
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January 18, 2012

The Honourable Jim Bradley,
Minister of the Environment
Ferguson Block, 11th Floor
77 Wellesley St W
Toronto ON M7A2T5

Dear Mr. Minister:

Re: Guelph Dolime Quarry – Guelph Drinking Water Supply

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The results of the review and specific recommendations to solve the problem are summarized in the attached Guelph Dolime Quarry – Management Review Consolidated Summary and Recommendations.

Next Steps:

MOE staff has advised that they are now considering the City's report, including, it is hoped, the specific recommendations that the City has offered to address this issue. Since the receipt of the City's proposal in November, your staff has requested additional background information on the City's concern which the City is compiling. In addition, City staff has offered to meet with MOE staff to answer any additional questions on the City's review and long-standing concerns. We are hopeful that your Ministry, in concert with the Ministry of Natural Resources and the owner/operator will take the steps that are needed to protect the City's water supply.

In the meantime, Guelph City Council has requested that I seek a meeting directly with you to discuss this matter. The issues that have arisen in this case, involving out-of-date regulatory instruments and aggregate operations that potentially impact municipal drinking water supplies, have the potential to recur in other parts of the province. If this case leads to a positive result, it could serve as a positive precedent and example of co-operation between provincial ministries, affected municipalities and aggregate operators to address similar challenges in other municipalities.

On the other hand, the failure to act in this case, in the City's view, would be a betrayal of the progressive approach that your government has spearheaded through the passage of the Clean Water Act (CWA). The CWA was the provinces landmark effort, in response to the Walkerton tragedy in 2000, to put in place a proactive framework for protecting drinking water through source water protection. In this way it is different from most other water legislation, which is reactive and remedial in nature. The Clean Water Act contemplates governments (both municipal and provincial) being proactive in the protection of municipal drinking water sources. This is an opportunity for the Provincial Government to fulfil the spirit and intention of that legislation, by taking a proactive stance in this situation to protect Guelph's drinking water source.

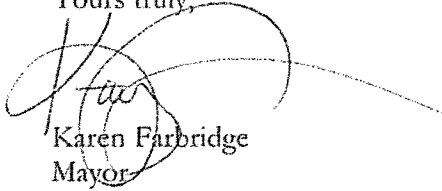
In addition, in the City's view, failure to act on City recommendations, in the face of concerns raised by the City about long term potential impacts to City of Guelph drinking water would place liability for any future impacts on provincial taxpayers.



For these reasons, we believe that careful consideration of this matter and a cautious informed decision is critically important, not only for the City and its residents but also the Ontario Government and the two lead ministries responsible for this matter.

We look forward to meeting with you at your earliest opportunity on this serious issue.

Yours truly,



Karen Farbridge
Mayor

attachment

- cc. Liz Sandals, MPP Guelph
- Gord Miller, Environmental Commissioner of Ontario
- Bill Bardswick, Director, West Central Region, MOE
- Jane Glasgow, District Manager, MOE Guelph District Office
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Dolime Quarry – Management Plan Review Consolidated Summary and Recommendations

Guelph Water Services has completed a review of the proposed Management Plan for the River Valley Development Inc. (RVD) Dolime Quarry prepared by Conestoga-Rovers and Associates (CRA) (“proposed Management Plan”). As part of this review, the City of Guelph has commissioned an independent review of the adequacy of the proposed Management Plan from the firm of Golder Associates (provided as an attachment to the Guelph Water Services Review).

This review has resulted in the following key findings:

- The continued on-going excavation of the Vinemount Member below a thickness of 5 m is seriously compromising the long-term effectiveness of this natural protection of the City’s water supply in this area of the City and should be discontinued immediately;
- An effective, long-term, comprehensive management plan is required for the Dolime quarry to protect the City’s water supply;
- The proposed Management Plan, as prepared by CRA, is not adequate for this purpose;
- Even with the proposed Management Plan in place, based on available information, it is likely that impacts on the quantity of water available for the City’s water supply wells will occur as a consequence of the current on-going excavation of the Vinemount aquitard and the dewatering of the aquifer used by the City for municipal water supply;
- Upon closure of the quarry, it is likely that water draining from the quarry will degrade the groundwater quality of the underlying bedrock aquifer used by the City for its water supply and will cause the City’s Membro Well, and potentially other wells, to be flagged as groundwater under the direct influence of surface water; and
- Even with the proposed Management Plan in place, land use activities and exposure of the bedrock aquifer at the quarry site represent an inherent risk to the quality of the City’s water supply wells, such that additional water treatment may be required at the wells.

Both Golder Associates and the Guelph Water Services have concluded that the current plan is not defensible because it:

- Is based on an incorrect understanding of local hydrogeologic conditions;

- Does not set clear goals and objectives;
- Is based on incomplete or inaccurate information on the nature of the long term impacts of the excavation of the Vinemount member on the City's drinking water supply in the area of the City in proximity to the quarry (see Golder review attached for details);
- Does not follow standard engineering design processes to meet the goals of the management plan;
- Does not consider any alternatives or provide any technical justification for the use of wash fines/rock flour as a replacement filter/barrier for excavated portions of the Vinemount Member, which has not been properly assessed and is not likely to meet the design requirement of maintaining an adequate long term barrier to prevent groundwater and surface water interaction;
- Offers no discussion regarding the ability to maintain or undertake repairs on this filter layer, nor any discussion on the responsibility for the long term performance of this system after closure of the quarry;
- Requires additional work to confirm the location and design of a key management component, the proposed new sump and wash pond structure.

City staff, working with Golder, have identified specific proposed changes that can be made to the proposed Management Plan and other specific recommendations, which, if implemented with an appropriate level of care and oversight, will bring the level of risk imposed by the long-term quarry operations on the City water supply within an acceptable level.

General Recommendation:

Further excavation of the Vinemount Member below a minimum thickness of at least 5 m should be discontinued immediately. Options to seal the breach in the confining layer should be evaluated and compared to assess the relative effectiveness of minimising the risk to nearby municipal groundwater supplies. This should also include an evaluation of the effectiveness of the natural protection afforded by a minimum thickness of at least 5 m of the Vinemount Member. This form of risk management should be included within an amended version of ARA license 5672, as well as any future PTTW's and Section 53 certificate of approvals.

Specific Recommendations on the Proposed Management Plan

On the basis of the above summary, Guelph Water Services puts forward the following recommendations:

1. The following general statement should be incorporated into the Management Plan:

The goal of this Management Plan is to protect the City's municipal water supply wells, to prevent the impairment of the groundwater from which the City draws its municipal water supply and to prevent loss of water supply capacity for the City's wells.

2. Specific management objectives should be included within the Management Plan including the following primary objective:

The Management Plan will prevent any impacts on water quality that may degrade the water quality to the point where additional treatment would be required at the City's water supply wells.

3. The Management Plan should identify and evaluate more reliable material than wash fines/rock flour as the replacement confining barrier for the Vinemount Member.
4. The Management Plan should be designed to meet the objective of remediating all areas of the quarry where the Vinemount Member has/will be either removed or reduced to a thickness where it no longer provides an adequate barrier to the migration of contaminants from the quarry, with a recommended trigger level for remediation of less than 5 m (or as determined by a suitable engineering study).
5. The reference to a maximum number of boreholes be removed from the Management Plan, and that CRA provide a reasonable estimate of the minimum number of boreholes required, based on existing information, to reliably establish the areas of the quarry which would meet the minimum trigger level of less than five metres between the effective base of the final excavation and the top of the Vinemount Member. The Management Plan should expressly state that reliability establishing the location of areas for required remediation is a primary objective of further subsurface investigations, and the number of boreholes required will be determined based on meeting this objective.
6. Additional management, planning and engineering design work should be carried out to determine the final location and design of the new sump and wash pond structure before the Management Plan is finalized.
7. The elements of the Management Plan should be incorporated into the governing regulatory instruments (Aggregate License, Permit to Take Water and OWRA Section 53 Certificate of Approval) governing the operation, long-term monitoring and rehabilitation of the quarry site.
8. The Management Plan should incorporated an on-going monitoring program designed to:
 - a. assess changes in groundwater quality and quantity in and around the quarry and between the quarry and the City's municipal water supply

wells throughout the operation of the quarry and following closure of the quarry;

- b. assess changes in the rate of dewatering of the quarry that may indicate a loss of water supply capacity for the City's municipal wells during operation of the quarry; and
 - c. identify the need for and requirements of contingency measures should the monitoring indicate the Management Plan is not meeting its objectives.
9. One or more of the approval instruments for the quarry should be amended to include, as a condition of continued operation of the quarry, a requirement that the operator provide financial assurances pursuant to section 132 of the *Environmental Protection Act*, in accordance with MOE's Financial Assurance Guidelines (Guideline F-15), and in a form acceptable to the Director. The Financial Assurances should be in an amount sufficient to provide the following to address the long-term risk to the water supply of the City of Guelph posed by operational and post-closure phases of the quarry:
- a. Long term implementation of the Management Plan, including the monitoring program as described in Recommendation 7 above; and
 - b. Provision of both short and long term contingency measures to address potential contamination of the City of Guelph water supply including the cost of treatment at or replacement of potentially impacted City Water Supply Wells.
10. Requirements for annual reporting should be incorporated into the Management Plan and the other governing instruments. Reporting should include, but not be limited to, commentary on the fulfillment of the Management Plan objectives and on monitoring results and conclusions obtained in the reporting period.
11. The specific technical recommendations set out in the Golder Associates Review of the Management Plan dated November 16, 2011 (attached) should be implemented prior to approval of the Management Plan.



April 20, 2012

Sent via Email

Ministry of Environment
Operations Division
West Central Regional Office
119 King Street West
Floor 12
Hamilton ON
L8P 4Y7

Attention: Permit To Take Water Evaluator

Dear Ms. Del Villar Cuicas,

RE: Guelph Dolime Quarry Permit To Take Water Application – City of Guelph Review

The City of Guelph has reviewed the above referenced Permit to Take Water Application (EBR Registry Number: 011-5939, Ministry Reference Number: 7104-8KTGCU) and herein provides our comments on the proposal.

Background

River Valley Developments Inc. (RVD) has submitted an application to amend Ontario Ministry of Environment (MOE) Permit To Take Water (PTTW) No. 7240-65YKTN for the dewatering of the Dolime Quarry located at 7237 County Road 124 in the Township of Guelph-Eramosa. The Quarry, which is owned by RVD and operated by James Dick Construction (JDC) under a Ministry of Natural Resources (MNR) Aggregate Resources Act (ARA) License No. 5672, has a licensed extraction area of 44.77 hectares and an extraction limit of 285 metres above sea level (masl). The quarry is currently permitted a maximum dewatering rate of 13,750 m³/day and a minimum sump water elevation of 288.39 masl.

The Application to Amend PTTW No. 7240-65YKTN is dated August 10, 2011 and was prepared by Conestoga-Rovers & Associates (CRA), on behalf of RVD. The Application requests the relocation of the lowest dewatering sump (Sump 3) within the Quarry to a new location to the west of the existing location.

Guelph Water Services, on behalf of the City of Guelph (City), has reviewed the Permit Application and herein provides comments on the Permit Application. The City has also contracted Golder Associates Ltd. to conduct a technical review of the Permit Application and supporting documents. The Golder review, which forms part of the City's submission on the Permit Application, is attached.

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Ms. Del Villar Cuicas

April 20, 2012

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Review

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The City has been in discussions with the MOE since 2006 regarding the potential impacts of the Dolime Quarry on the City's water supply system. Recent documents from the City have demonstrated that the existing dewatering sump (Sump 3) at the quarry penetrates into the Gasport Formation which is the same water supply aquifer that the City uses for our water supply. In addition, the quarry operations have breached an aquitard layer (Vinemount Member of the Eramosa Formation) resulting in exposure of the City's water supply aquifer in the base of the quarry. At the request of the MOE, RVD has proposed a Management Plan (CRA, 2011) for the area of the quarry where the Gasport Formation would be left exposed at the conclusion of the extraction program completed in accordance with the Aggregate Resources Act (ARA) Site Plan.

On November 16, 2011, the City submitted to the MOE a detailed technical review of the Dolime Quarry Management Plan wherein the City identified technical concerns with respect to the hydrogeological understanding of the quarry and proposed specific changes that could be made to the proposed Management Plan. The City also provided specific recommendations, which, if implemented with an appropriate level of care and oversight, would bring the level of risk imposed by the long-term quarry operations on the City water supply within an acceptable level and would resolve the City's concerns regarding the operation, management and rehabilitation of the Dolime Quarry.

A number of comments and concerns which the City made in its November 16 review of the Dolime Management Plan relate directly to the supporting documents provided by RVD as part of the PTTW Application. Therefore the City requests that the November 16 review form part of the formal comment record on the RVD PTTW Application. To emphasize our concerns, the City herein re-iterates a number of critical issues from the November 16 review as well as a number of additional concerns specific to the PTTW Application.

The City's Review of the Dolime Management Plan Raised Concerns Regarding the PTTW Application

The City of Guelph (City) has previously provided, on November 16, 2011, comments on the Guelph Dolime Quarry Management Plan which is one of the supporting documents (Attachment B) of the RVD PTTW Application. A number of the comments associated with the City's review of the Management Plan apply equally to the PTTW Application. A summary of the City's concerns derived from the Dolime Quarry – Management Plan Review Consolidated Summary and Recommendations are listed as follows:

- The continued on-going excavation of the Vinemount Member below a thickness of 5 m is seriously compromising the long-term effectiveness of this

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natural protection of the City's water supply in this area of the City and should be discontinued immediately; and

- Even with the proposed Management Plan in place, based on available information, it is likely that impacts on the quantity of water available for the City's water supply wells will occur as a consequence of the current on-going excavation of the Vinemount aquitard and the dewatering of the aquifer used by the City for municipal water supply.

Both Golder Associates and the Guelph Water Services have concluded that the current plan is not defensible because it:

- Is based on an incorrect understanding of local hydrogeologic conditions;
- Is based on incomplete or inaccurate information on the nature of the long term impacts of the excavation of the Vinemount Member on the City's drinking water supply in the area of the City in proximity to the quarry (see Golder review for details, included with the City's November 16 package);
- Requires additional work to confirm the location and design of a key management component, the proposed new sump and wash pond structure.

These concerns apply equally to the PTTW Application since the supporting documents of the Management Plan are the same as presented for the PTTW Application.

A number of the recommendations in the City's review of the Management Plan can also be applied to the PTTW Application especially considering that the Management Plan has been included as a supporting document in the Application. The following recommendations from the City's review of the Management Plan are also considered appropriate for the PTTW:

- **Recommendation 7:** The elements of the Management Plan should be incorporated into the governing regulatory instruments (Aggregate License, Permit to Take Water and OWRA Section 53 Certificate of Approval) governing the operation, long-term monitoring and rehabilitation of the quarry site.
- **Recommendation 8:** The Management Plan (and therefore the PTTW) should incorporate an on-going monitoring program designed to:
 1. assess changes in groundwater quality and quantity in and around the quarry and between the quarry and the City's municipal water supply wells throughout the operation of the quarry and following closure of the quarry;

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2. assess changes in groundwater levels and in the rate of dewatering of the quarry that may indicate a loss of water supply capacity for the City's municipal wells during operation of the quarry; and
 3. identify the need for and requirements of contingency measures should the monitoring indicate the Management Plan is not meeting its objectives.
- **Recommendation 9:** One or more of the approval instruments for the quarry should be amended to include, as a condition of continued operation of the quarry, a requirement that the operator provide financial assurances pursuant to section 132 of the Environmental Protection Act, in accordance with MOE's Financial Assurance Guidelines (Guideline F-15), and in a form acceptable to the Director. The Financial Assurances should be in an amount sufficient to provide the following to address the long-term risk to the water supply of the City of Guelph posed by operational and post-closure phases of the quarry:
 1. Long term implementation of the Management Plan, including the monitoring program as described in Recommendation 7 above; and
 2. Provision of both short and long term contingency measures to address potential contamination of the City of Guelph water supply including the cost of treatment at or replacement of potentially impacted City Water Supply Wells.

The City has Significant Concerns Regarding the Potential Impacts of the PTTW on the City's Water Supply

The major concern of the City with respect to the PTTW Application is the risk to drinking water quantity for the City's water supply system. Increased exposure of the Gasport Formation resulting from additional excavation at the base of the quarry will adversely affect the quantity of water available for the City's water supply wells. The Management Plan allows additional excavation through the Vinemount Member and Goat Island Formation which will expose the Gasport Formation in the floor of the quarry. This could potentially open a larger breach through the Vinemount Member, resulting in greater groundwater inflow rates to the quarry and higher pumping rates required to maintain a pond level of 288.39 masl. As was described by Guelph Water Services at the meeting with the MOE on October 26, 2011, an increase in the pumping rate of the quarry will result in an interference effect on the City's water supply wells and a loss of water supply capacity for the City's wells.

The PTTW Application has not considered this impact on the City's water supply wells and does not address the management or mitigation of this impact. The PTTW Application indicates that the pumping system will be designed to ensure it

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can pump the maximum pumping rate of 13,750 m³/day. If the dewatering rate increases above the current historic average of 6,000 m³/day, it will have an interference effect on the City's wells and reduce the water supply capacity of the City's wells by a proportional amount. The Application does not present any information that may indicate that the total proposed taking of 13,750 m³/day is sustainable without significant impacts on the City's wells or the surrounding environment (see below).

The PTTW Application Does Not Provide Sufficient Technical Information to Evaluate the Proposal

The City has the same concerns identified by Golder Associate with respect to their review of the PTTW Application. The Application consists of a series of reports and technical memorandum that, the City assumes, are intended to support the PTTW Application. However, in comparison to the requirements of the Permit to Take Water Manual (MOE, 2005) and the Technical Guidance Document For Hydrogeological Studies In Support of Category 3 Applications for Permit to Take Water (MOE, 2008), the PTTW Application is deficient in a number of areas which are listed as follows:

- The Application does not describe the potential quantity impacts of the proposed water taking on the City's water supply. While there are several references to water quality impacts in the PTTW Application, which the City has refuted in its November 16/11 review, the City can find no detailed impact assessment, or reference to any such assessment, in the Application of potential water quantity impacts on the City's water supply system. Since an impact assessment is not provided, the City considers the Application incomplete and deficient with respect to the requirements set out in the PTTW Manual and the Technical Guidance Document for Hydrogeological Studies. The City cannot complete its assessment of the Application until this information is provided.
- The Application does not describe the area of influence of the water taking. In fact, the supporting documents for the PTTW Application demonstrate a general lack of understanding of the source of water for the water taking. In the 2008–2009 Bi-Annual Hydraulic Monitoring Report Permit To Take Water No. 7240-65YKTN River Valley Developments Quarry (CRA, March 2010) states the following (underlining added):

“Where the quarry floor has intersected the reefal mounds, some upwelling in to the quarry is commonly visible. It is also suspected, based on geologic and hydrogeologic conditions, that Sump 3 has been excavated into the top of the Gasport Formation. It is also suspected that the majority of water pumped from Sump 3 is groundwater from the Gasport Formation flowing directly into Sump 3, as compared to water in the quarry draining into Sump 3.”

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The information provided indicates that the level of understanding of the source of water is limited to suspicions only without the support of defensible technical evidence. A detailed understanding of the source of the water taking including the area of influence should be documented in the Application. Since the Application has not defined the radius of influence of the water taking, the PTTW Application is considered deficient and the City cannot provide a complete assessment of the Application until this information is provided.

- The supporting documentation of the Permit should, but fails to: (1) define the radius of influence of the quarry projected for 20 years as required by the Permit to Take Water Manual; and (2) define the potential water users within the area of influence of the water taking. In the City's view, had the Permit Application completed this work, required for a PTTW, it would have clearly identified the need to address the City's concern with respect to our water supply.
- The City notes that we have eight municipal production wells within 8 km of the quarry. The potential impacts on these wells, with respect to a reduction in water quantity, are not addressed in the Permit Application as is required by the MOE's Permit to Take Water Manual. In addition to this, there are a number of existing domestic well users to the south and west of the quarry located within the shallow groundwater. This information should also have been reported and assessed. It should be noted that users of these existing wells had previously registered well interference complaints in the late 1980's/early 1990's prior to the initial issuance of the quarry Permit to Take Water.
- The Permit to Take Water Manual also identifies other potential impacts that must be considered in the Application. The proposed water taking is located adjacent to the Speed River and within the groundwatershed of Hanlon Creek (a coldwater trout stream) but the potential impact on the river, the creek or associated wetlands and ecosystems were not assessed in the Application. Similarly, the Permit Application does not address the potential impacts from potential contaminant sources within the radius of influence of the taking. Contaminants (i.e. Trichloroethylene) are known to existing in the groundwater in the area around the quarry.

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The Existing PTTW Should Not Be Used As The Technical Basis For The New PTTW Application

The technical support presented in the proposed new PTTW is based on the assumption that no new investigation and analysis is needed beyond the information associated with the existing PTTW, given that the current application is a simple movement of the sump location to the west. As previously indicated to Ministry staff, the City's review has determined that the initial PTTW application (circa early 1990's) and supporting documentation was based on an inadequate understanding of the site geology and hydrogeology. The hydrogeological studies relied upon at the time, did not recognize the significance of the Vinemount Aquitard and its function to protect the City's water supply. The studies in support of the initial Permit in the early 1990's were concerned more about potential impacts on domestic wells to the south of the quarry, than the City water supply wells. The potential for impacts resulting from the quarry dewatering on the City's water supply were not adequately defined in the initial Permit application since the dewatering was thought to take place in the shallow bedrock formations above the base of the aquitard and not the deeper Gasport Formation used for the City's water supply. The breach of the Vinemount Member was not identified as a potential concern and the Vinemount Member was believed to be intact at the time. In fact, subsequent studies (Harden Environment, September 2006) provided geological cross sections that indicated the quarry sump did not penetrate the Vinemount Aquitard (Eramosa Formation) and that the sump water taking would not have a significant effect on the Gasport Formation (former Amabel Formation).

Since potential impacts on the City's water supply were not identified at the time of the initial Permit and the understanding of the geological and hydrogeological setting of the quarry has changed significantly in the last few years, the initial Permit should not be considered as an adequate basis to justify the new Permit. The new Permit Application should be evaluated on the technical understanding of the geology and hydrogeology of today and a detailed assessment of the potential impacts on the City's water supply.

The MOE Should Consider the Results of the Clean Water Act Tiered Water Budget Studies in Its Evaluation of the PTTW Application

The Permit Application requests a water taking of up to 13,750 m³/day. As noted above, the current taking based on a number of years of water taking averages more on the order of 6,000 m³/day. If the water taking were to increase to 13,750 m³/day, it would amount to the largest single taking in the Guelph area exceeding any single municipal well by a considerable amount. In addition, 13,750 m³/day would represent 27.5 percent of the City's average daily demand of 50,000 m³/day. As the MOE should be aware, the City is conducting a Tier 3 Water Budget and Water Quantity Risk Assessment as part of the requirements of the Clean Water Act. The

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Tier 2 Water Quantity Stress Assessment (AquaResource, 2009) identified the Upper Speed River Watershed that contains the Dolime Quarry as a watershed that is classified as having a moderate or significant potential for stress from a groundwater perspective. The Director should carefully consider the amount of water that should be allocated to the Dolime Quarry. Since any increase above the average water taking would result in an interference effect on the City's water supply and reduce the City's water supply, the City would recommend that the new permit be limited to the average taking of approximately 6,000 m³/day.

Conditions within the Existing Permit Need to be Addressed in the PTTW Application

The current Permit to Take Water (No. 7240-65YKTN) contains Condition 5.4 which states:

“The Permit Holder shall submit to the Director a recovery plan for the facility twelve months prior to cessation of quarrying. Copies of the plan shall be submitted to the Manager, MOE Guelph District Office; Manager MNR Guelph district Office and to the City of Guelph. The report shall include but not be limited to:

- a) schedule for diminuation of pumping from Sump #3*
- b) schedule for diminuation of discharge to the Speed river*
- c) future water management plans for the site*
- d) impact of increasing ground and surface water levels in the area*
- e) determination of the impact of water management changes on the Speed River wetlands.”*

It is uncertain how this “recovery plan” and “future water management plan” in the existing Permit would be rationalized with the proposed Dolime Quarry Management Plan in a new Permit. As noted, the City has raised a number of concerns on the Management Plan in our submission of November 16/11. Additional information needs to be provided to the City on how our comments on the Management Plan will be addressed and how the Management Plan will be incorporated into a new Permit for the quarry dewatering. The City cannot provide a complete assessment of the Application until this information is provided.

The City requests that these comments and Golder's comments attached, as a well as the City's November 16, 2011 submission on the RVD Management Plan, be included as part of the comment record on the RVD PTTW Application. We would be pleased to meet with the MOE to discuss the City's ongoing concerns on the operation, management and rehabilitation of the Dolime Quarry.

Our goal in meeting and corresponding with the MOE is to ensure that the City's water supply is protected and not adversely affected by the operation of the quarry,

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now or at any time in the future. We thank you and look forward to your response to our comments. We will contact you shortly to arrange potential meeting dates.

Yours sincerely,

 for

Janet L. Laird, Ph.D.

Executive Director

Planning, Building, Engineering and Environment

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DiBiase/Petrie/Golder Associates
Peter Pickfield/Garrod Pickfield
Bill Bardswick/Carl Slater/MOE West Central Region
Jane Glassco/Kevin Knoll/MOE Guelph District Office

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ATTACHMENT 1

Technical Review of the Dolime Quarry Permit to Take Water Application

By Golder Associates Ltd.



May 3, 2012

Sent via Email

Ministry of the Environment
Operations Division
Environmental Approvals Access and Service Integration Branch
Application Verification Unit
2 St. Clair Avenue West
Floor 12A
Toronto Ontario
M4V 1L5

Attention: Application Assessment Officer

Dear Mr. Kevin Noll,

RE: Guelph Dolime Quarry Application for Approval of Industrial Sewage Works – OWRA Section 53 – City of Guelph Review

The City of Guelph (City) has reviewed the above referenced Environmental Compliance Approval (Industrial Sewage) Application (EBR Registry Number: 011-5958, Ministry Reference Number: 2344-8KRNG5) and herein provides our comments on the proposal.

Background

Conestoga-Rovers & Associates (CRA) on behalf of River Valley Developments Inc. (RVD) has submitted an Application and supporting documentation for the Approval of Industrial Sewage Works for the Guelph Dolime Quarry located at 7237 Wellington Street, County Road 124 in the Township of Guelph-Eramosa, Wellington County (Dolime Quarry). James Dick Construction Ltd. (JDC) currently conducts the quarrying operations in accordance with Ministry of Natural Resources Aggregate Resource Act License No. 5672. The Quarry has a licensed extraction area of 44.77 hectares and an extraction limit of 285 metres above sea level (masl). The quarry is currently permitted a maximum dewatering rate of 13,750 m³/day and a minimum sump water elevation of 288.39 masl under Permit to Take Water (PTTW) No. 7240-65YKTN. This OWRA application addresses an existing dewatering discharge from the quarry as well as a proposal to install an aggregate wash plant, which is part of the proponent's proposed Management Plan for the operation.

Guelph Water Services, on behalf of the City, has reviewed the Section 53 OWRA Application and herein provides comments on the Application. The City has also contracted Golder Associates Ltd. to conduct a technical review of the Application

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and supporting documents. The Golder review, which forms part of the City's submission on the Application, is attached.

The City has been in discussions with the MOE since 2006 regarding the potential impacts of the Dolime Quarry on the City's water supply system. Recent documents from the City have demonstrated that the existing dewatering sump (Sump 3) at the quarry penetrates into the Gasport Formation which is the same water supply aquifer that the City uses for our water supply. In addition, the quarry operations have breached an aquitard layer (Vinemount Member of the Eramosa Formation) resulting in exposure of the City's water supply aquifer in the base of the quarry. At the request of the MOE, RVD has proposed a Management Plan (CRA, 2011) for the area of the quarry where the Gasport Formation would be left exposed at the conclusion of the extraction program completed in accordance with the Aggregate Resources Act (ARA) Site Plan.

On November 16, 2011, the City submitted to the MOE a detailed technical review of the Dolime Quarry Management Plan wherein the City identified technical concerns with respect to the hydrogeological understanding of the quarry and proposed specific changes that could be made to the proposed Management Plan. The City also provided specific recommendations, which, if implemented with an appropriate level of care and oversight, would bring the level of risk imposed by the long-term quarry operations on the City water supply within an acceptable level and would resolve the City's concerns regarding the operation, management and rehabilitation of the Dolime Quarry.

A number of comments and concerns which the City made in its November 16 review of the Dolime Management Plan relate directly to the supporting documents provided by RVD as part of the Section 53 OWRA Application. Therefore the City requests that the November 16 review form part of the formal comment record on the RVD Section 53 OWRA Application. To emphasize our concerns, the City herein re-iterates a number of critical issues from the November 16 review as well as a number of additional concerns specific to the Section 53 OWRA Application.

The City's Review of the Dolime Management Plan Raised Concerns Regarding the Section 53 OWRA Application

The City has previously provided, on November 16, 2011, comments on the Guelph Dolime Quarry Management Plan which is one of the supporting documents (Appendix C) of the RVD Section 53 OWRA Application. A number of the comments associated with the City's review of the Management Plan apply equally to the Section 53 OWRA Application since the Management Plan, the PTTW and the Section 53 OWRA are all linked in the operation of the wash pond and the discharge

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of the effluent from the PTTW. A summary of the City's concerns derived from the Dolime Quarry – Management Plan Review Consolidated Summary and Recommendations are listed as follows:

- The continued on-going excavation of the Vinemount Member below a thickness of 5 m is seriously compromising the long-term effectiveness of this natural protection of the City's water supply in this area of the City and should be discontinued immediately; and
- Even with the proposed Management Plan in place, based on available information, it is likely that impacts on the quantity of water available for the City's water supply wells will occur as a consequence of the current on-going excavation of the Vinemount aquitard and the dewatering of the aquifer used by the City for municipal water supply.

Both Golder Associates and the Guelph Water Services have concluded that the current plan is not defensible because it:

- Is based on an incorrect understanding of local hydrogeologic conditions;
- Is based on incomplete or inaccurate information on the nature of the long term impacts of the excavation of the Vinemount Member on the City's drinking water supply in the area of the City in proximity to the quarry (see Golder review in the November 16 review for details);
- Does not follow standard engineering design processes to meet the goals of the Management Plan;
- Does not consider any alternatives or provide any technical justification for the use of wash fines/rock flour as a replacement filter/barrier for excavated portions of the Vinemount Member, which has not been properly assessed and is not likely to meet the design requirement of maintaining an adequate long term barrier to prevent groundwater and surface water interaction;
- Offers no discussion regarding the ability to maintain or undertake repairs on this filter layer, nor any discussion on the responsibility for the long term performance of this system after closure of the quarry; and
- Requires additional work to confirm the location and design of a key management component, the proposed new sump and wash pond structure.

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These concerns apply equally to the Section 53 OWRA Application since the supporting documents of the Management Plan are the same as presented for the Section 53 OWRA and the PTTW Application.

A number of the recommendations in the City's review of the Management Plan can also be applied to the Section 53 OWRA Application especially considering that the Management Plan has been included as a supporting document in the Application. The following recommendations from the City's review of the Management Plan are also considered appropriate for the Section 53 OWRA Application:

- **Recommendation 4:** The Management Plan should be designed to meet the objective of remediating all areas of the quarry where the Vinemount Member has/will be either removed or reduced to a thickness where it no longer provides an adequate barrier to the migration of contaminants from the quarry, with a recommended trigger level for remediation of less than 5 m (or as determined by a suitable engineering study).
- **Recommendation 5:** The reference to a maximum number of boreholes be removed from the Management Plan, and that CRA provide a reasonable estimate of the minimum number of boreholes required, based on existing information, to reliably establish the areas of the quarry which would meet the minimum trigger level of less than five metres between the effective base of the final excavation and the top of the Vinemount Member. The Management Plan should expressly state that reliably establishing the location of areas for required remediation is a primary objective of further subsurface investigations, and the number of boreholes required will be determined based on meeting this objective.
- **Recommendation 6:** Additional management, planning and engineering design work should be carried out to determine the final location and design of the new sump and wash pond structure before the Management Plan is finalized.
- **Recommendation 7:** The elements of the Management Plan should be incorporated into the governing regulatory instruments (Aggregate License, Permit to Take Water and OWRA Section 53 Certificate of Approval) governing the operation, long-term monitoring and rehabilitation of the quarry site.
- **Recommendation 8:** The Management Plan (and therefore the Section 53 OWRA Application) should incorporate an on-going monitoring program designed to:

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1. assess changes in groundwater quality and quantity in and around the quarry and between the quarry and the City's municipal water supply wells throughout the operation of the quarry and following closure of the quarry;
 2. assess changes in groundwater levels and in the rate of dewatering of the quarry that may indicate a loss of water supply capacity for the City's municipal wells during operation of the quarry; and
 3. identify the need for and requirements of contingency measures should the monitoring indicate the Management Plan is not meeting its objectives.
- **Recommendation 9:** One or more of the approval instruments for the quarry should be amended to include, as a condition of continued operation of the quarry, a requirement that the operator provide financial assurances pursuant to Section 132 of the Environmental Protection Act, in accordance with MOE's Financial Assurance Guidelines (Guideline F-15), and in a form acceptable to the Director. The Financial Assurances should be in an amount sufficient to provide the following to address the long-term risk to the water supply of the City of Guelph posed by operational and post-closure phases of the quarry:
 1. Long term implementation of the Management Plan, including the monitoring program as described in Recommendation 7 above; and
 2. Provision of both short and long term contingency measures to address potential contamination of the City of Guelph water supply including the cost of treatment at or replacement of potentially impacted City Water Supply Wells.

The City has Identified Additional Concerns on the Section 53 OWRA Application

In the City's review of the Application, the City has identified the following issues and concerns:

- The Section 53 Application does not present any information with respect to the environmental impacts of the dewatering or the discharge of the water from the quarry. The Section 6: Supporting Information indicates that none of the environmental reports normally submitted with an application such as an Environmental Study Report, Environmental Impact Analysis (surface water), Environmental Impact Analysis (groundwater) or Stormwater Management Report are provided with the Application. The City cannot complete a comprehensive review of the application without the necessary supporting documentation to assess the potential environmental impacts of the Application.

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- A basic premise of the Section 53 OWRA Application is that it will discharge an average daily dewatering rate of 6,000 to 8,000 m³/day and a maximum rate of 13,750 m³/day according to the PTTW. Any increase in the pumping rate above the average (assumed to be 6,000 m³/day in the PTTW application) and therefore any increase in the discharge rate under the Section 53 OWRA Application above the average will result in an interference effect on the City's water supply wells and a loss of water supply capacity for the City's wells. This same issue has been raised with the MOE with respect to the PTTW Application. The MOE, in its review of the Section 53 OWRA Application, should be aware of this issue and ensure that the discharge from the dewatering system for the Section 53 OWRA Application is at a rate that does not impact the quantity of water available for the City's water supply.
- There is minimal technical supporting information on which to assess the potential environmental effects of the proposed project. The City is concerned that the proponent has assumed that because the discharge from the quarry has been ongoing for several decades, that the environmental impacts of the project are minimal. However, there were no studies done initially to assess the potential environmental impacts of the discharge. The absence of any supporting information to the contrary, is not a basis for a finding that the discharge of water from the quarry to the Speed River is without impacts. To the contrary, it is the City's position, based on a staff and independent consulting review of this matter, that, until the appropriate assessments have been completed and submitted for review, no determination can be made on the potential impacts of the proposed discharge to the Speed River. The City would recommend that, before the application is considered complete, and a determination is made by the Ministry on the application, the following should occur: (1) the applicant should be asked to complete the appropriate environmental impact assessments and circulate these to the City and the Ministry; (2) the City be given an opportunity to review and comment on this information and analysis; and (3) the Ministry consider both the assessment and the City comments before making its decision on the application.
- The Section 53 Application provides no information on the existing water quality that may be discharged to the Speed River. Most of the water from the dewatering system is derived from the same aquifer used by the City for municipal water system and therefore the water quality is expected to be good. However, the Dolime Quarry is a long-term Brownfield site with a long history of industrial use and with large stockpiles of fill materials of unknown quality. The quarry will also capture runoff and shallow groundwater from the catchment area that may be of different quality from the water supply aquifer. In Section 4.4, the Application indicates that the sewage treatment facility will receive waste disposal/landfill leachate. This waste/landfill leachate requires additional

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explanation and documentation. The MOE should also be aware of impacted groundwater in the area of the quarry that may be captured by the dewatering system and discharged to the Speed River. Water quality samples collected from the quarry pond in 2004 contained zinc concentrations (for example) of 55 and 58 µg/L that exceed the Provincial Water Quality Objective of 30 µg/L. On this basis, it is considered prudent to assess the water quality of the dewatering system as part of an environmental assessment prior to the completion of the review of the application. Furthermore, given the uncertainty of the water quality, the monitoring program proposed within the Application, which includes only the measurement of Total Suspended Solids, appears inadequate. The water quality monitoring program should be re-evaluated based on a detailed examination of the water quality of the discharge and an appropriate monitoring program developed based on contaminants of concern.

- As noted in the City's review of the Management Plan from November 16, 2011, the concept of the wash pond is poorly defined. The wash pond is intended to be placed over the breach in the Vinemount Aquitard but the Management Plan indicates the wash pond will be placed where the Gasport Formation is exposed in the floor of the quarry or where the Gasport contact is within 3 m below the floor. In the opinion of City staff, the Management Plan should include a requirement to replace the aquitard where it has been removed. With this approach, the wash pond is more likely to have an area of 10.5 hectares (see City's November 16/11 submission for details) rather than the 4 hectare area proposed in the Section 53 OWRA Application.
- The City requires additional information and analysis on the design, operation and management of sump 5 and the wash pond in order for it to assess the Section 53 OWRA Application. As noted in the City's review of the Management Plan from November 16, 2011, the concept of the wash pond is poorly defined. The City noted that the new sump 5 to be used for dewatering and the discharge to the Speed River may be located in the Vinemount Member. This raises the strong, but unassessed, potential that the sump will be ineffective in dewatering the area. In addition, the wash pond, if placed around the breach in the Gasport Formation, will be subject to the elevated heads in the formation and upward groundwater flow from the base of the quarry into the wash pond. There is a significant unexamined potential that the wash pond may overflow as a result but there is no information about the location of or discharge from the wash pond. These details are critical in the understanding of the function and operation of the wash pond but the details are lacking in the Section 53 OWRA Application.

Mr. Kevin Noll

May 3, 2012

RE: Guelph Dolime Quarry Application for Approval of Industrial Sewage Works –
OWRA Section 53 – City of Guelph Review

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- The Section 53 OWRA Application does not provide an adequate understanding of the source of water for the dewatering or the stormwater drainage area and therefore there is uncertainty on the source of discharge to the Speed River. RVD documents on the quarry to date have not conducted a water balance to identify the contributions of various waters to the sump. While most of the water from the current quarry dewatering system is derived from groundwater from the Gasport Formation, the Application indicates that surface water from the active quarry and aggregate operations areas currently drains into the quarry pit and is discharged as part of the dewatering system. In addition, there are contributions from precipitation falling on the quarry footprint and shallow groundwater discharge within the quarry catchment area. Since construction of a wash pond and further excavation into the Gasport Formation may occur and thereby change the proportions of the waters discharged to the Speed River, it is important that the Section 53 OWRA Application adequately identify and characterize the sources of water that may be discharged to the Speed River, now and into the future.
- In the Application for Approval of Sewage Works, in Section 3.4, RVD has indicated that the site is located within a Source Protection Area, but they have not identified the vulnerable area. The site is located within the Wellhead Protection Area B (two-year Time of Travel). The City would also note that the site has a vulnerability score of less than 30 (High) as a result of the exposed bedrock at surface. In addition, it is likely that, in the future, the site may be considered a Highly Vulnerable Aquifer as a result of the breach of the aquitard wherein the City's water supply aquifer is exposed at surface. In addition to the drinking water threats identified in the Application, the implementation of the sewage works will result in another drinking water threat. Furthermore, if the site receives waste disposal/landfill leachate as indicated in Section 4.4 of the Application, this may also be a drinking water threat.
- In the Application for Approval of Sewage Works, in Section 3.4, RVD has described the site zoning and classification. While the majority of the site is located in Guelph-Eramosa Township, a portion of the site is located within the City of Guelph including areas within the extraction limits of the quarry. The lands within the City are designated as "Reserve Lands" in the City's Official Plan and zoned as Urban Reserve (UR) Zone. In addition, residential lands are located immediately to the south of the site and more residential lands are located to the northeast on the east side of the Hanlon Parkway. RVD should correct this portion of the application and obtain the municipal zoning confirmation for the City portion of the site.

Mr. Kevin Noll

May 3, 2012

RE: Guelph Dolime Quarry Application for Approval of Industrial Sewage Works –
OWRA Section 53 – City of Guelph Review

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The City requests that these comments and Golder's comments attached, as well as the City's November 16, 2011 submission on the RVD Management Plan, be included as part of the comment record on the RVD PTTW Application. We would be pleased to meet with the MOE to discuss the City's ongoing concerns on the operation, management and rehabilitation of the Dolime Quarry.

Our goal in meeting and corresponding with the MOE is to ensure that the City's water supply is protected and not adversely affected by the operation of the quarry, now or at any time in the future. We thank you and would be pleased to meet to discuss our concerns.

Yours sincerely,

 for

Janet L. Laird, Ph.D.

Executive Director

Planning, Building, Engineering and Environment

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 Jane Glassco/Kevin Knoll/MOE Guelph District Office

Mr. Kevin Noll

May 3, 2012

RE: Guelph Dolime Quarry Application for Approval of Industrial Sewage Works –
OWRA Section 53 – City of Guelph Review

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ATTACHMENT 1

**Review of Regulatory Permit Applications for River Valley
Developments Inc. Site, Guelph-Eramosa Township, County of
Wellington**

By Golder Associates Ltd.

September 14, 2012

Sent via Email

Ministry of Environment
Operations Division
West Central Regional Office
119 King Street West, Floor 12
Hamilton, ON L8P 4Y7

Attention: Carl Slater

Dear Carl:

RE: Guelph Dolime Quarry Draft Permit to Take Water – City of Guelph Questions

The following is a list of questions developed by the City of Guelph (City) for consideration by the Ministry of Environment (MOE) regarding the River Valley Development (RVD) Dolime Quarry draft Permit to Take Water (PTTW). The City had reviewed the application for the RVD Permit to Take Water and provided comments on the application to the MOE on April 20, 2012.

Our questions are focused around three general categories: Integration of the Management Plan into the Permit, Assessment of Impacts from the Water Taking, and next steps. Answers to these high level questions will enable the City to provide detailed comments on the draft permit.

Integration of the Management Plan into the Permit

How will the revised Management Plan (MP) be integrated into the new Permit? Condition 1.1 of the draft Permit references the permit application from August 2011, which included the old Management Plan. The City is concerned that, since the old MP was submitted as part of the application, it will therefore be considered part of the Permit. The City's position is that the old MP should not be part of the permit, but should be replaced by the to-be-revised new MP.

Will the PTTW application be revised in light of the inaccuracies identified by the City? In its reviews, the City and Golder had identified a number of issues with regard to the geological and hydrogeological interpretation in the application. In addition, the application made reference to no impacts to the City's water supply while the MOE has now accepted that impacts may occur. If the MOE accepts the application, as submitted in August, 2011, and makes reference to it in the Permit, we believe the MOE would be accepting the inaccuracies within the application and thereby making those inaccuracies part of the permit.

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Mr. Carl Slater

September 14, 2012

RE: Guelph Dolime Quarry Draft Permit to Take Water – City of Guelph Questions
Page 2 of 3

Will the revised MP be part of the Permit and the Aggregate License? The City strongly supports that the MP be finalized prior to the issuance of the Permit, and that the revised MP be incorporated both as part of the Permit and the Aggregate License (assuming that the revised MP will be acceptable to all stakeholders).

Will the City be allowed to review the revised MP before the Permit is finalized? It is important for the City to review the revised MP before accepting the PTTW to determine if it will be protective of the City's water supplies. If the revised MP addresses the City's concerns then the City will have less concern with the Permit.

How will monitoring programs proposed/recommended in the revised MP be integrated into the monitoring program proposed as part of the Permit? The City, in its comments on the MP and on the permit application, had recommended (Recommendation 8) that the revised MP and Permit assess changes in quantity and quality of groundwater with respect to the City's water supply.

Assessment of Impacts from the Water Taking

If the water taking increases from the current average of 6,000 to 7,000 m³/day to approximately 10,000 m³/day (or to 13,750 m³/day), what is the radius of influence of the taking? How much drawdown will result and what is the loss of capacity in each of the City's water supply wells? In the City's comments, we noted that any increase in the RVD water taking will have an interference effect on the City's water taking. Some portion of the increased RVD taking will be derived from the City's wells; therefore the loss of capacity for the City's wells could be as high as 3,000 to 4,000 m³/day at 10,000 m³/day or 6,750 to 7,750 m³/day at 13,750 m³/day. We ask the MOE to require RVD to identify the impact of the proposed water taking on the City's wells so we can assess the significance of the loss of capacity.

What is the impact of the increased water taking (i.e. to 10,000 m³/day or to 13,750 m³/day) on Hanlon Creek (cold water trout stream) and the Speed River?

Is it necessary to identify the area of influence and extent of impacts prior to developing an appropriate monitoring program? For example, the MOE has excluded our Downey and Paisley wells from the monitoring program but they may be impacted from the water taking. Similarly, if Hanlon Creek is likely to be impacted by the water taking, it may be appropriate to include additional surface water monitoring in the Permit.

Mr. Carl Slater

September 14, 2012

RE: Guelph Dolime Quarry Draft Permit to Take Water – City of Guelph Questions

Page 3 of 3

Next Steps

When will the MOE receive the revised MP?

Would the MOE consider issuing a one year temporary Permit, at this time, to enable finalization of the revised MP to the satisfaction of all stakeholders?

How will the City's comments on the Permit (from its April 20/11 submission) be addressed? We would like to advise Council on how our comments on the Management Plan and the PTTW application have been addressed.

Financial Assurance - Given the prior presentation to Council, financial assurance is an issue we should address in our Council report and it would be helpful if the MOE could provide a formal response on this issue.

What is the status of the Section 53 Certificate of Approval? Will the C of A be finalized before the MP is completed? Will the City be allowed to review the C of A before it is finalized? Will the MOE include the revised MP as part of the C of A?

Thank you for consideration of our concerns and we appreciate the MOE's interest in working with the City to improve and finalize the Management Plan. If you would like to discuss the City's response, please contact me.

Yours sincerely,



Janet L. Laird, Ph.D.

Executive Director

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November 7, 2012

City of Guelph
1 Carden Street
Guelph, Ontario.
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Attention: Ms. Janet Laird
Executive Director
Planning, Building, Engineering and Environment

Dear Ms.  Laird:

This is to respond to your letter dated September 14, 2012 regarding the River Valley Developments draft Permit to Take Water (PTTW). I apologize for the delay in this response.

The City has ongoing concerns that the operation of the River Valley Development quarry has the potential to impact some of the nearby City municipal water supply wells. It has been, and continues to be the ministry position that the quarry operations have some potential to impact some of the nearby City municipal water supply wells. At this time I believe that all parties agree that the active water taking will prevent such impact in the context of quality. There has been no quantity impact at historical levels of water taking. The ministry has been working with River Valley Developments and the City to prepare a management plan to deal with the potential for quality and quantity impacts to the nearby City municipal water supply wells. Once all parties agree on an appropriate management plan, since it is related to quarry operations and not the taking of water, we would expect that the plan be incorporated in the Aggregate Resources Act licence.

While the initial application for the current change request did contain a reference to the management plan, since that time, the ministry has separated the management plan from this application. A letter is on file from River Valley Development consultant which reflects this separation. This letter will be referenced in Schedule A to the permit once issued. Schedule A forms part of the permit. The draft permit which was sent to the City is to be assessed only in the context of the operational change of sump relocation and consolidation. As noted above, the management plan will not be incorporated into the current permit. Accordingly, there is no basis for Financial Assurance in the permit at this time.

Applications for Permit to Take Water often require clarifications or additional information to be submitted after initially received by the ministry. It is not our practice to return applications provided that they are not grossly incomplete. Clarifications and

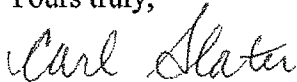
additional information form part of the material used to make a decision on the application. Where the clarification or additional information is significant to the ongoing operation and enforcement of the permit, conditions can be included in the permit or documents are referenced in the Schedule A which forms part of the permit. Accordingly, any clarification, additional information or documents that have been provided to correct inaccuracies are adequately provided for.

The draft permit has monitoring requirements to assess potential quantity impacts on the nearby City municipal water supply wells.

The next step is to issue the permit. The sewage works technical review is complete and again is related only to the operational change request and not to the management plan.

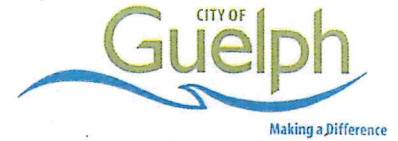
If you require additional information or clarification, please contact me at (905)521-7720 or at Carl.Slater@Ontario.ca.

Yours truly,



Carl Slater
Technical Support Manager
West Central Region

C: Ms. J. Glassco, District Manager, Guelph District Office
Mr. B. Bardswick, Regional Director, West Central Region
Mr. S.Khimji, Review Engineer, Environmental Approvals Branch
Mr. I. Parrott, Environmental Approvals Branch



December 21, 2012

Sent via e-mail to carl.slater@ontario.ca

Ministry of Environment
Technical Support Section, Operations Division
West Central Regional Office
119 King Street West, Floor 12
Hamilton ON L8P 4Y7

Dear Mr. Carl Slater,

RE: Guelph Dolime Quarry Permit To Take Water Application
EBR Registry Number: 011-5939, Ministry Reference Number: 7104-8KTGCU

The purpose of this letter is: to provide an updated summary of the outstanding environmental concerns of the City of Guelph with respect to the above referenced application; and to urge your Ministry not to approve this application until certain conditions, specified below, which are critical to the long term protection of the City's water supply, are in place. This letter is also in response to the Ministry's letter of November 7, 2012.

Background

The key background and technical information supporting the submissions set out in this letter are provided in our letter of April 20, 2012, and attached supporting technical comments from Golder Associates ("Golder").

Following our April submissions, City staff reinforced our concerns in a meeting with MOE staff on June 22, 2012. In addition, on July 26, 2012, the City received a draft Permit to Take Water (PTTW) from the Ministry for review and comment. That draft document has also undergone review and comment from City staff and Golder Associates. Additional comments/questions were provided in response to the draft PTTW on September 14, 2012.

It is our understanding that the Ministry is now considering approval of the draft Permit.

Submissions

It is the position of the City of Guelph that a Permit to Take Water (PTTW or Permit) should not be approved at this time for the following reasons:

- 1. The PTTW will worsen the interference effect of quarry operations on the City's municipal wells.**

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Mr. Carl Slater

December 21, 2012

RE: Guelph Dolime Quarry Permit to Take Water Application – City of Guelph Review

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The quarry pumping has had an interference effect on the nearby municipal supply wells; a condition that was initiated when excavation for the quarry sump in the early 1990's breached the aquitard and greater inflows were experienced. Since then, further excavation of the aquitard has exposed a greater area of the aquifer with the result that inflows to the quarry will have increased. The excavation through the aquitard has fundamentally changed the pumping regime of the quarry from when the initial permit was granted in 1993. Since that time, the City has been required to make on-going changes to our operational strategy for our nearby municipal wells to accommodate quarry pumping at this site. Any increase in quarry pumping will increase the interference effect and further reduce the capacity of our municipal wells.

2. The PTTW must be conditional on the establishment of a long term Management Plan for the Quarry.

The decision to approve a PTTW is inextricably linked to the establishment of a long term Management Plan ("MP") for the Dolime Quarry in two crucial ways:

- 1) Water Quality: A short-term cessation of the quarry pumping could trigger an adverse impact on water quality in the City's municipal wells. The PTTW therefore must contain conditions to prevent shutdown of the quarry pumping until an effective MP is in place.
- 2) Water Quantity: The MP is essential to both reduce the existing interference effect on our municipal wells, and to prevent the increase in these effects as a consequence of any increase in quarry pumping above the historical average rate, which the amended Permit would allow. Specifically, one of the key objectives of the MP is progressive replacement of the aquitard with equivalent materials to restore the natural function that the aquitard has played in the protection of the City's water supply. Until this requirement is put in place, through an effective MP, any increase in water taking further reduces the capacity of our municipal wells.

The City was previously advised that the MP would be available in July, and is concerned that this critical document is still not yet available for review by the City. The proposed MP may, or may not, address long term risks to drinking water quality and quantity issues posed by the continued quarry operations.

The amended PTTW both fails to take into account the fact that the current quarry pumping interferes with City pumping and also allows a higher rate of water taking. Until the City has had an opportunity to review the proposed MP and confirm that this Plan: (1) is adequate in the short term and long term to protect the City's water supply; and (2) will be established as a legally enforceable requirement of quarrying operations, the City is unable to accept the amended PTTW.

In summary, in the City's view, any amendment of the existing permission must be conditional upon the establishment of an effective MP. Such a requirement is by no means unprecedented; for example an important condition of the existing PTTW is the requirement for a Water Management Plan for the site.

Mr. Carl Slater

December 21, 2012

RE: Guelph Dolime Quarry Permit to Take Water Application – City of Guelph Review

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3. The Establishment of the Management Plan cannot be deferred to another Approval Process.

Simply put, the proposed PTTW will increase the risk of negative impacts to both groundwater quality and quantity of the City's water supply. The crucial element in reducing both existing impacts, and likely future impacts if the PTTW is approved, is an effective Management Plan. Approving the proposed PTTW without such a management plan in place imposes unacceptable risks on Guelph residents and the natural environment and is contrary to the public interest.

4. The proposed Monitoring Program for the PTTW is not adequate.

A fundamental component of any PTTW application is the presentation of data which provides an understanding of the extent of groundwater effects associated with pumping at the current rate and assesses the effects associated with any increase above this rate. MOE's PTTW Manual requires a calculation of the radius of influence and a determination of significant interference effects. To date, this information has not been provided for the quarry operations. In this case, historical and ongoing excavation of the confining aquitard, and the absence of an adequate monitoring network have made it difficult to determine the extent of well interference caused by existing, and proposed increases in, quarry pumping. It is known, however, that an increase in quarry pumping will have a proportional decrease in the pumping capacity of the City's municipal wells. This means that an adequate monitoring program is critically important if the pumping permission is to be expanded.

The monitoring program provided in the draft PTTW is technically inadequate to determine whether future well interference is caused by quarry operations. This sets the City up for long term liability and an ongoing battle with the quarry operator on the action to be taken to address well quantity impacts, and who pays for those actions. While the draft PTTW refers to monitoring to assess future interference, the monitoring of water levels alone will not provide sufficient information to quantify the interference effect on the City's wells. The extent of this interference can best be demonstrated by extended shutdown tests at one location(s) while pumping rates are kept constant at other locations. The City would be pleased to work with the MOE and the quarry operators to develop an appropriate testing and monitoring program for the PTTW to adequately monitor and protect the City's water supply system.

5. Financial Assurances are required.

The Ministry's Financial Assurances Program (FAP) is designed to ensure that the private companies whose revenue-generating activities give rise to environmental risks and impacts are responsible for the long term costs and liabilities. Specifically, Ministry has been given the regulatory power and responsibility to establish FAP requirements as a condition of an environmental approval pursuant to section 132 of the *Environmental Protection Act*. Further, the Ministry has implemented a financial assurances regulatory program and put in place implementing guidelines (Guideline F-15).

Mr. Carl Slater

December 21, 2012

RE: Guelph Dolime Quarry Permit to Take Water Application – City of Guelph Review

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In the case of the Dolime Quarry, operational, monitoring and contingency measures are required to ensure that the City's water supply is safeguarded from impacts associated with existing and future quarrying and dewatering activities. Even if these measures are conditionally imposed through a Management Plan, without an FAP in place, there is no assurance that, at some point in the future, long term financial responsibilities and liabilities won't pass to the City and our ratepayers.

In your letter of November 7, 2012 you indicate that it continues to be the Ministry's position that the quarry operations have some potential to impact some of the nearby City municipal water supply wells and also that there is the need to establish a MP to deal with the potential for quality and quantity impacts. Therefore, there is also a need to require financial assurances to ensure funds are available in the long term to implement this MP. It is our understanding that the Ministry is currently contemplating relying upon the Ministry of Natural Resources, under the pending *Aggregate Resources Act* license amendment application, to legally impose and implement these requirements.

It is the City's position that the Ministry of the Environment should directly impose the requirement of financial assurances as condition of the proposed PTTW for the following reasons:

- Both the Management Plan and the associated financial assurance requirements arise from a matter within the mandate and expertise of the Ministry – the protection of groundwater resources and ensuring clean municipal drinking water;
- MOE, uniquely, has clear statutory authority, established regulatory programs, detailed guidelines and extensive institutional expertise to implement financial assurances; and
- To the City's knowledge, no commitment has yet been made by the Ministry of Natural Resources to impose financial assurances requirements as a condition of license, or amended license, under the *Aggregate Resources Act*.

Conclusion and Request to the Ministry

In summary, neither the application and supporting material filed with the Ministry to date, nor the draft PTTW which has been provided to the City for comment, has effectively addressed the City's core concerns regarding long term risks and impacts to our municipal drinking water quality and quantity.

These concerns, which have been substantiated by an independent review by the firm of Golder Associates, can only be addressed if the PTTW is conditional upon: (1) the implementation of an effective Management Plan at the site; (2) identified improvements to the proposed monitoring program; and (3) the establishment of a financial assurances plan.

Mr. Carl Slater

December 21, 2012

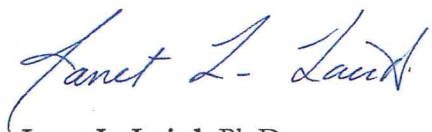
RE: Guelph Dolime Quarry Permit to Take Water Application – City of Guelph Review

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It is therefore respectfully requested that the PTTW not be approved until these three vital components, essential to the long term protection of the City of Guelph water supply, are in place.

Thank-you for your assistance.

Yours sincerely,



Janet L. Laird, Ph.D.

Executive Director

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Ministère de l'Environnement
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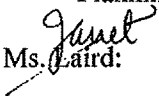
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January 23, 2013

City of Guelph
1 Carden Street
Guelph, Ontario.
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Attention: Ms. Janet Laird
Executive Director
Planning, Building, Engineering and Environment

Dear Ms. Laird:

This is to follow up to your letter dated December 21, 2012 regarding the River Valley Developments draft Permit to Take Water (PTTW).

Your letter identified several matters; some of which are related to the water taking changes being requested and some of which are related to ongoing concerns that the extraction operations of the River Valley Development quarry has the potential to impact some of the nearby City municipal water supply wells. It has been, and continues to be the ministry position that the PTTW operational changes are separate from resolving the concerns about the quarry extraction operations.

There is an assertion in your letter that the water taking changes will “worsen the interference effect of quarry operations on the City’s municipal wells”. The ministry is not aware of any formal complaint that the City has made indicating an interference with the City’s municipal wells. The water taking change is moving the water taking location to an area where the protective Vinemount layer is at least 5 meters thick below the quarry floor. It is surprising that the City has concluded that this change will worsen a situation that has not been reported. Accordingly we are taking this assertion as a formal complaint of interference. In order for the ministry to address this complaint, please provide the specific details of times and dates when water was not available to meet demand needs of the City’s municipal wells. Also, please indicate specifically with details of how the quarry taking has modified operations of the City’s municipal wells.

You indicate that “The decision to approve a PTTW is inextricably linked to the establishment of a long term Management Plan (“MP”) for the Dolime Quarry”. This is not correct. The application for amendment to the PTTW is for operational changes to eliminate two existing water taking locations and have a new single water taking location which is located in an area where the protective Vinemount layer is at least 5 meters thick below the quarry floor. This simple change will not cause more water to be taken nor will it increase a risk of quality impacts on the aquifer. A separate Management Plan will be developed to address these latter concerns. During a meeting among the ministry, River Valley Developments, James Dick Construction and Conestoga Rovers and Associates on January 9, 2013 the ministry received assurance that the next version of the Management Plan will be submitted in February 2013. This ministry will facilitate ongoing discussions among the parties, including the City of Guelph to provide input

and review of the proposal. Once all matters are considered, the plan will be finalized. At that time, River Valley Developments will apply to the Ministry of Natural Resources to include the final plan as part of the Aggregate Resources Act Licence.

You state "The Establishment of the Management Plan cannot be deferred to another Approval Process". The issue at hand in terms of potential risk relates to the extraction which is within the mandate of the Aggregate Resources Act Licence. Accordingly, it is entirely appropriate for the Management Plan to be established under that process. The Management Plan is a rehabilitation activity that is directly related to the extraction. Since the Management Plan will be incorporated as part of the Aggregate Resources Act Licence, you may wish to discuss with the Ministry of Natural Resources any concerns you have with respect to financial assurance of the Management Plan.

You assert that "The proposed Monitoring Program for the PTTW is not adequate". Your supporting arguments reference the need for testing, modeling and other calculations and reporting. These are not monitoring aspects but technical studies that are associated with applications to support a new taking or a significantly altered taking or to respond to interference complaints. In this case, the ministry is not aware of any historical impacts. However, as stated above, the ministry will respond to the assertion of a complaint of interference and if necessary require further technical work to be performed. It is my understanding that city staff were involved with the design of the proposed monitoring program, particularly in making city monitoring data available.

Ministry staff are satisfied that monitoring requirements currently drafted are adequate to assess potential quantity impacts on the nearby City municipal water supply wells.

If you require additional information or clarification, please contact me at (905)521-7720 or at Carl.Slater@Ontario.ca.

Yours truly,



Carl Slater
Technical Support Manager
West Central Region

- C: Ms. J. Glassco, District Manager, Guelph District Office
- Mr. B. Bardswick, Regional Director, West Central Region
- Mr. S.Khimji, Review Engineer, Environmental Approvals Branch
- Mr. I. Parrott, Environmental Approvals Branch