

0 Wanup Pit Road, Sudbury

Presented To:	Planning Committee
Meeting Date:	December 9, 2024
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-9/24-03

Report Summary

This report provides a recommendation regarding an application for rezoning in order to permit the development of an aggregate pit or quarry.

This report is presented by Wendy Kaufman, Senior Planner.

Letter(s) of concern from concerned resident(s).

Resolution

THAT the City of Greater Sudbury approves the application by Fisher Wavy Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to "M5", Extractive Industrial on lands described as PIN 73479-0002, Parcel 3506 SEC SES, Lot 3, Concession 4, Township of Dill, as outlined in the report entitled "0 Wanup Pit Road, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on December 9, 2024, subject to the following conditions:

1. That the amending by-law includes the following site-specific provisions:
 - (i) No development or use of land shall be permitted within 300 metres of the easterly lot line.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. There is general alignment with the goals and objectives of Strategic Plan given that the proposal will support the City's industrial resource sector and will also contribute towards business retention and growth. However, while there is an inherent conflict with the CEEP based on the increased emissions resulting from the processing and transportation of aggregates over the lifespan of the proposed pit and quarry, there is merit in making aggregate resource available as close to market as possible to reduce overall impacts of transportation.

Financial Implications

As there are no plans to construct buildings at this time, there are no financial implications associated with this report.

Report Overview:

An application for rezoning has been submitted on vacant rural lands in order to permit the development of a Class A Licence, Pit and Quarry Above the Ground Water Table with a total extraction area of 18.8 hectares. The subject land is located on 0 Wanup Pit Road in Dill Township, approximately two (2) km northeast of the intersection of Highway 69 South and Old Wanup Road.

The proponents have demonstrated general conformity with the broad framework of policies applied to aggregate resource development, including a comprehensive analysis of environmental features and functions. Staff is recommending approval of the application as described in the Resolution.

Staff Report

Proposal:

An application for rezoning has been submitted in order to permit a Class 'A' License Pit and Quarry Above the Ground Water Table with a total extraction area of 18.8 hectares to be licensed under the Aggregate Resources Act. The total area of the subject parcel is approximately 29.1 hectares, and the extraction area would be located on the westerly portion of the property.

Pits and quarries are regulated by the Ministry of Natural Resources and Forestry under the Aggregate Resources Act, and a Class 'A' license issued under the Aggregate Resources Act permits the removal of more than 20,000 tonnes of aggregate annually. The applicant has advised that the lands contain a high-quality aggregate resource suitable for large-scale infrastructure projects, road building and construction projects for the local market. [Aggregate Resource Inventory Paper 173](#) (prepared by the Ontario Geological Survey) identifies the proposed extraction area is located within an aggregate deposit of primary significance for this area. The purpose of Aggregate Resource Inventory Papers is to determine the quality and quantity of aggregate in an area to help ensure that sufficient aggregate resources are available for future use, as candidate areas for protection through the Official Plan.

The owner provided the following materials in support of the application:

- Cover Letter
- Concept Plan
- Natural Environmental Report (NER)
- Proposed Aggregate Resources Act Site Plans
 - Satellite Imagery
 - Existing Features
 - Operational Features
 - Rehabilitation Features
- MTO Correspondence

Existing Zoning: "RU", Rural

Rural zoning permits a residential use in the form of a single detached dwelling or a mobile home on a permanent foundation. Seasonal dwellings with an accessory private cabin are only permitted on legal existing waterfront lots. Other permitted residential uses include a bed and breakfast establishment, group home type 1, and private home daycare.

Permitted non-residential uses include agricultural use, animal shelter, cannabis production facility, distilling facility, forestry use, legal existing hunting or fishing camp, garden nursery, kennel, public utility, small-scale brewing facility, veterinary clinic, and winery. Some of these uses are subject to special setback provisions.

Requested Zoning: "M5", Extractive Industrial

The permitted uses in the "M5", Extractive Industrial zone include pits, quarries and aggregate transfer sites along with accessory outdoor display and sales and accessory outdoor storage. Forestry and agricultural uses are also permitted.

Location and Site Description:

The lands are legally described as PIN 73479-0002, Parcel 3506 SEC SES, Lot 3, Concession 4, Township of Dill. The total area of the subject parcel is approximately 29.1 hectares in size and is located approximately two (2) km northeast of the intersection of Highway 69 South and Old Wanup Road. The applicant owns abutting lands to the north, west and south, and lands to the northwest are currently used for aggregate extraction. Lands to the east are Crown-owned, and lands to the southeast are privately-owned.

A rail corridor is located approximately 450 m east of the Parcel.

The site is accessible through the abutting aggregate extraction area to the west and Wanup Pit Road, which is also known as Unnamed Private Road 128 and is a private road. Aggregate material is hauled from Wanup Pit Road to Estaire Road and then Highway 69. There are no municipal sewer and water services available in this area. Large wetland areas are located along the southern boundary and in a north-south direction through the middle of the property.

Surrounding Land Uses:

The area surrounding the site includes:

North:	vacant land owned by the applicant and zoned M5(5) or RU
Northwest and west:	licensed aggregate extraction area owned by the applicant and zoned M(7), Wanup Pit Road
East:	Crown land, rail corridor, Wanapitei River
Southeast	privately-owned land with residential use accessed via Axeli Road
South:	vacant land owned by the applicant and zoned M5(7)

Public Consultation:

The notice of complete application was circulated to the public and surrounding property owners on May 30, 2024. The statutory notice of the public hearing was provided by newspaper on November 16, 2024, along with a courtesy mail-out circulated to the public and surrounding property owners within 240 metres of the property on November 14, 2024.

The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

As of the date of this report, one written comment letter was received raising concerns that the development would impact the use of their residential property.

Policy & Regulatory Framework:

The property is subject to the following policy and regulatory framework:

- [2024 Provincial Planning Statement \(PPS\)](#);
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Planning Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Planning Statement (PPS):

Municipalities in the Province of Ontario are required under Section 3 of the [Planning Act](#) to ensure that decisions affecting planning matters are consistent with the Provincial Planning Statement.

2.6 Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
- c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and
- g) other rural land uses.

2. Development that can be sustained by rural service levels should be promoted.

3. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.

4. Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

3.5 Land Use Compatibility

1. Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

4.5.2 Protection of Long-Term Resource Supply

1. As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

3. Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

The Natural Environmental Report submitted with the application identifies the following features are or may be present on the site: significant wetlands, endangered and threatened species, significant wildlife habitat, and fish habitat. Applicable polices from Section 4.1 Natural Heritage include the following (the subject lands are in Ecoregion 5E):

4. Development and site alteration shall not be permitted in:

- a) significant wetlands in Ecoregions 5E, 6E and 7E1.

5. Development and site alteration shall not be permitted in:

- d) significant wildlife habitat.

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

6. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

7. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

Growth Plan for Northern Ontario (GPNO):

Municipalities in the Province of Ontario are required under Section 3 of the *Planning Act* to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario.

The GPNO has no specific policies on aggregate resources. However, the Plan does speak broadly to the sustainable development of natural resources as follows:

Natural resource management and stewardship practices will occur within a framework that recognizes and responds to evolving environmental, economic and social values, and science-based knowledge and information, which allows for the introduction of new practices, technologies and management approaches, traditional knowledge, and locally and regionally responsive approaches.

Official Plan for the City of Greater Sudbury:

The subject parcel has a split land use designation. The westerly portion is designated as Aggregate Reserve, and the easterly portion is designated as Rural. Wetland features are identified on Schedule 5, Natural Heritage.

Section 1.4 Vision includes the following statement:

Greater Sudbury is open to business providing an economic environment that retains and grows a wide variety of industrial, institutional and commercial enterprises. The natural resources that form the basis for our economy, in particular the mineral and mineral aggregate resources are protected and see additional investment and activity. The community's Economic Development Strategic Plan has been realized making the city a magnet for new investment and human capital.

Section 4.6 Mineral and Aggregate Extraction Designations includes the following statement:

It is the intent of this Plan to responsibly manage mineral and aggregate resources by protecting them for long-term use. This will be achieved by protecting existing and potential resources, controlling and regulating current surface operations, minimizing adverse impacts of operations on the environment, requiring proper and progressive rehabilitation of closed mines and mineral aggregate operations, protecting mineral resources from incompatible uses, and by providing for sequential uses.

Section 4.6.2 establishes applicable policies for the Aggregate Reserve designation as follows:

1. The primary use of lands designated as Aggregate Reserve will be pit and quarry operations. Other uses that do not preclude the possibility of future expansion and extraction may also be permitted.
2. Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. The location of permitted mineral aggregate operations can be found through provincial mapping such as the Ministry of Natural Resources and Forestry's Pits and Quarries Online.
6. In considering an amendment to the Zoning By-law to permit new mineral aggregate operations or expansions of existing operations, the following information will be reviewed:
 - a. the location, nature, extent and economic potential of the mineral deposit;
 - b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on:
 - i. natural heritage features, including significant geologic formations on the site and in the area;
 - ii. agricultural resources and activities;
 - iii. the character of the area;
 - iv. the groundwater recharge functions on the site and in the immediate area;
 - v. cultural heritage resources in the area through an archaeological assessment and/or a cultural heritage impact assessment;
 - vi. surface water features in the area; and,
 - vii. nearby wells used for drinking water purposes.

- c. the capability of the existing road network to service the proposed location;
- d. the effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses; and,
- e. how the impacts of the proposed pit or quarry will be mitigated in order to lessen the impacts.

8. Landscaping and buffering will be used to enhance the physical appearance of lands and structures.

Pits and quarries are permitted in Rural designations subject to rezoning. The applicable Official Plan policies under Section 5.2.5 include the following:

1. Rural industrial/commercial uses are generally resource-based and may include agriculture, dry industrial/commercial uses, and forestry.
2. Pits and quarries are permitted in appropriately zoned areas.
4. Rural industrial/commercial sites are to be located with adequate separation distances from residential areas and provide proper buffering and landscaping along Arterial Road frontages. Entrances are restricted to Secondary Arterial and Local Roads, and no temporary structures, outside storage or sales displays may be visible from the frontage of abutting roads. All such development is subject to rezoning and site plan control.
5. New resource-related industries should not impact the natural resource base. Rural industrial/commercial uses must generate limited amounts of wastewater and minimize land use conflicts.

The Natural Environmental Report submitted with the application identifies the following features are or may be present on the site: significant wetlands, endangered and threatened species, significant wildlife habitat, and fish habitat. Applicable policies from Chapter 9 Natural Environment include the following:

9.2.2 Habitat of Endangered Species and Threatened Species

2. Development and site alteration are not permitted in habitat of endangered species and threatened species except in accordance with provincial and federal requirements.
3. Development and site alteration are not permitted on lands adjacent to habitat of endangered species and threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural feature or their ecological functions. Adjacent lands to endangered species and threatened species may vary depending on general habitat descriptions. Habitat descriptions can be obtained through the Ministry of Natural Resources and Forestry. This area can be modified if justified by a study completed by a qualified professional.

9.2.3 Wetlands

3. In areas without a watershed or subwatershed plan, development and site alteration are not permitted in a wetland unless it can be demonstrated that there will be no impacts to the quality and quantity of surface water features that are hydrologically linked to the wetland and that losses of significant wetland features and functions will not occur.
4. Development and site alteration are not permitted in a provincially significant wetland. Where another land use designation in this Plan overlaps with and into lands within a provincially significant wetland, this policy will prevail to the extent of the overlap.
5. Development and site alteration are not permitted on lands adjacent to a sensitive wetland or a provincially significant wetland unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on natural features or ecological functions. Adjacent lands are considered to be within 50 metres of any sensitive wetland, and within 120 metres of a provincially significant wetland. This area can be modified if justified by a study.

9.2.4 Fish Habitat

1. Development and site alteration are not permitted in fish habitat except in accordance with provincial and federal requirements. 2. All construction activities will be mitigated to prevent impacts on receiving waters.

3. Development and site alteration shall not be permitted on adjacent lands to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Adjacent lands are considered to be within 120 metres of fish habitat. This area can be modified if justified by a study.

Section 9.2.5 Significant wildlife habitat

Significant wildlife habitat is ecologically important and contributes to the quality and diversity of the City. For the purposes of this Plan, significant wildlife habitat, includes the following:

- a. Habitat used by moose during the critical late winter period;
- b. Great blue heron nesting sites; and,
- c. Osprey nesting sites.

All known locations of the above features in the City are shown on Schedule 5, Natural Heritage.

1. Development and site alteration is not permitted within significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. 2. Development and site alteration is not permitted on adjacent lands to significant wildlife habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Adjacent lands are considered to be within 120 meters of features listed in 9.2.5 a, b, and c.

Zoning By-law 2010-100Z:

In the "M5", Extractive Industrial zone the minimum setbacks from all lot lines is 15.0 metres. Any open excavation and fencing associated with, or pertaining to an extractive use shall be located not closer than 30.0 metres to a street line or 15.0 metres to any other lot line; and, be fully encircled by a continuous fence or other barrier not less than 1.8 metres in height, located not closer than 10.0 metres to any part of such excavation. No part of any extractive use, except for an accessory business office, shall be established or erected closer than 150 metres to a Residential (R) Zone.

No accessory industrial use shall be permitted in an M5 Zone except for the washing, screening, sorting, drying, stockpiling, crushing, blending or other such primary processing, excluding roasting or smelting, of ores, minerals or aggregates originating from an extractive use to which the said industrial use is accessory.

Site Plan Control:

Site plan control is not typically applied to pits and quarries. The proposed pit and quarry will be subject to a detailed operational plan approved by the Province as part of the licensing process.

Department/Agency Review:

Infrastructure Capital Planning and Building Services advised that there are no concerns based on their area of interest.

Development Engineering advises this site is not presently serviced with municipal water or sanitary sewer. They have no objection to the development of an aggregate pit or quarry, with access being provided via the existing abutting license area to Wanup Pit Road.

Strategic and Environmental Planning Initiatives has advised that Tulloch Environmental's report entitled "Natural Environmental Report – Ethier Sand and Gravel – Dill Pit" (December 18, 2023), satisfies the requirements for a full-site environmental impact study as per the City's Official Plan. The report identifies the

significant natural heritage features present on the subject lands, assesses the potential impacts of the proposed activities on these features, and recommends measures to avoid or mitigate impacts. The Aggregate Resources Act plans included in the circulation package adhere closely to Tulloch Environmental's recommendations for avoiding and mitigating impacts to significant natural features, which supports the project's ability to comply with relevant federal and provincial environmental legislation and policy. The owner is solely responsible for ensuring that vegetation removal, site alteration, and development undertaken on the subject lands do not result in a contravention of the federal Migratory Birds Convention Act, the federal Fisheries Act, the provincial Endangered Species Act and the provincial Fish and Wildlife Conservation Act.

Conservation Sudbury advises of no objection, and is in acceptance of the Natural Environmental Report by Tulloch Engineering dated December 18, 2023. Any new roads or access routes to the quarry site must be located at least 30 m from the wetlands as shown in the above cited report. Otherwise, the new roads or access routes will require a permit from Conservation Sudbury and must comply with Conservation Sudbury's wetland guidelines (available on the Conservation Sudbury website).

Correspondence provided by the applicant from the Ministry of Transportation (MTO) states that given the expansion of the existing site will not result in an increase in traffic, the MTO has no comments to provide in regards to traffic management. Both the existing and proposed expansion area of the quarry site are located outside of MTO's permit control area and no MTO permits will be required. MTO will continue to monitor the intersection of Wanup Pit Road and Highway 7279 (Estaire Road) and if any concerns are raised, MTO may request improvements be made. However, without an increase in truck traffic, it is unlikely this will occur.

Planning Analysis:

Planning staff circulated the development application to internal departments and external agencies. The PPS (2020), the Growth Plan (2011), and Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application in respect of the applicable policies, including issues raised through agency circulation.

Staff acknowledges that a license issued by the Province under the Aggregate Resources Act is required to enable the use. The purposes of the Aggregate Resources Act are to provide for the management of the aggregate resources of Ontario; to control and regulate aggregate operations on Crown and private lands; to require the rehabilitation of land from which aggregate has been excavated; and to minimize adverse impact on the environment in respect of aggregate operations. The materials submitted in support of the rezoning application are also required for the related license application. The focus of the rezoning review is the appropriateness of the proposed location for the aggregate extraction use. A license may not be issued unless the City's zoning by-law permits the use.

Staff recommends that the application is consistent with the PPS and conforms to the Official Plan policies that permit the extraction of mineral aggregate resources in the Aggregate Reserve and Rural Areas, and serve to make mineral aggregates available as close to markets as possible. These documents protect the viability of aggregate resources and ensure it is available for extraction.

Staff also recommends that the application is consistent with the PPS and conforms to the Official Plan policies that support a diversified rural economy by promoting resource-related uses.

A detailed analysis of the information required to be reviewed when considering a rezoning to permit new mineral aggregate operations or expansions of existing operations is included below. As required by the PPS and the Official Plan, staff recommends that extraction in this location can be undertaken in a manner that minimizes social, economic and environmental impacts.

- a. the location, nature, extent and economic potential of the mineral deposit:

The subject lands are located in an area identified in the Official Plan for aggregate extraction, mainly surrounded by lands zoned for this purpose. The lands are separated from sensitive receptors, with the

closest being approximately 800 m to the southeast. The applicant has advised that the lands contain a high-quality aggregate resource suitable for large-scale infrastructure projects, road building and construction projects for the local market. Mapping prepared by the Ontario Geological Survey identifies that the proposed extraction area is located within an aggregate deposit of primary significance for this area.

b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (i) natural heritage features, including significant geologic formations on the site and in the area:

The Natural Environmental Report submitted with the application, which was prepared in partial fulfillment of license application standards under the Aggregate Resources Act, states that the project was initially scoped to reduce project impacts by integrating natural heritage feature avoidance into the project design, including no work performed in large wetland complexes or Category 1 or 2 habitat for provincially threatened turtles. The materials submitted with the application indicate the proposed extraction area is to be located on the westerly portion of the subject lands.

Threatened and endangered species are present on the site and are to be protected in accordance with provincial and federal requirements. The Natural Environmental Report states that the project will require review by the Species at Risk Branch of the Ministry of the Environment, Conservation and Parks, and that Endangered Species Act authorizations will be necessary. This permitting will be sought after the issuance of an Aggregate Resources Act license.

The large wetland complexes have not been evaluated for provincial significance since these are to be protected through an operational setback of 120 m.

Significant wildlife habitat in the form of candidate moose aquatic feeding areas, as well as fish habitat, may be present in the large wetland complexes on the site. The significance of these for habitat has not been evaluated as wetlands are to be protected through an operational setback of 120 m.

The Natural Environmental Report includes a review of the potential impacts and mitigation measures to avoid or minimize impacts. The report states that these are considered to be commitments on behalf of the proponent.

Strategic and Environmental Planning Initiatives has advised that the Natural Environmental Report satisfies the requirements for a full-site environmental impact study as per the City's Official Plan. The report identifies the significant natural heritage features present on the subject lands, assesses the potential impacts of the proposed activities on these features, and recommends measures to avoid or mitigate impacts. The Aggregate Resources Act plans included in the circulation package adhere closely to Tulloch Environmental's recommendations for avoiding and mitigating impacts to significant natural features, which supports the project's ability to comply with relevant federal and provincial environmental legislation and policy. Staff recommends that impacts to the natural heritage features have been assessed and will be mitigated through the licensing process.

b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (ii) agricultural resources and activities:

Agricultural resources and activities are not impacted by this proposal given..

b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (iii) the character of the area:

Given the relatively isolated location of the subject lands, the impacts on the visual character of the area are not expected to be impacted by this proposal. Staff recommends that the proposed use is compatible with the existing adjacent aggregate extraction uses and vacant Crown land to the east. Further, landscaping and buffering is not required to enhance the physical appearance of lands and structures given the site is not visible from any abutting roads.

b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have

on (iv) the groundwater recharge functions on the site and in the immediate area:

Impacts to groundwater recharge function, or the process of water moving downward from the surface and replenishing an aquifer, has not been assessed in the materials submitted in support of the application. However, the lands are not located in a significant groundwater recharge area for drinking water as per the Greater Sudbury Source Protection Area Assessment Report. Extraction below the water table is not proposed, and overall, wetlands (surface water features) are to be protected. Impacts to groundwater recharge functions will be further assessed through the licensing process.

b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (v) cultural heritage resources in the area through an archaeological assessment and/or a cultural heritage impact assessment:

Impacts to cultural heritage resources were not assessed in the materials submitted in support of the application. However, the lands are not located within proximity of a trigger for archeological significance that is known to City staff (e.g. known archaeological site). This matter will be further assessed through the licensing process depending on the potential or likelihood that the lands will contain any archaeological resources.

b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (vi) surface water features in the area:

The Natural Environmental Report submitted with the application states that current conceptual site plans of the extraction area include setbacks from adjacent wetlands and surface water systems that range from 30 to 120 metres. Setbacks widths vary due to differences in wetland sensitivity and to maintain habitat connectivity among wetland units. Impacts to surface water features will be further assessed through the licensing process.

b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (vii) nearby wells used for drinking water purposes:

Impacts on nearby wells has not been assessed in the materials submitted in support of the application. The nearest residential use is located approximately 800 m southeast of the subject lands.

c. the capability of the existing road network to service the proposed location:

The site is accessible through the abutting aggregate extraction area to the west and Wanup Pit Road, which is also known as Unnamed Private Road 128 and is a private road. Aggregate material is hauled from Wanup Pit Road to Estaire Road and then Highway 69. Infrastructure Capital Planning Services and the Ministry of Transportation (MTO) have advised of no concerns. MTO will continue to monitor the intersection of Wanup Pit Road and Highway 7279 (Estaire Road) and if any concerns are raised, MTO may request improvements be made. Staff recommends that the proposed continued use of an entrance onto a Local Road aligns with the rural industrial policies in the Official Plan. Staff recommends that the existing road network is capable of servicing the proposed development and is appropriate for the rural service levels/infrastructure that is available.

d. the effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses:

Resource extraction is considered a major facility under the Provincial Planning Statement, and adequate separation distances between aggregate facilities and adjacent sensitive land uses (i.e. residential use) is required. In this case, the subject land is located in a rural area and is largely surrounded by lands owned by the applicant for aggregate extraction purposes. However, there is one (1) sensitive receptor in the form of a single-detached dwelling located at 655 Axeli Road to the southeast that is within approximately 800 m of the property boundary and falls within the potential influence area of 1,000 metres. Staff recommends that no land use or site alteration be permitted within 300 metres of the easterly property line in order to ensure that

the proposed aggregate extraction is adequately separated from the adjacent residential use. This aligns with the location of the proposed extraction area and avoidance of natural heritage features on this site.

e. how the impacts of the proposed pit or quarry will be mitigated in order to lessen the impacts:

The Natural Environmental Report submitted with the application states that the project was initially scoped to reduce project impacts by integrating natural heritage feature avoidance into the project design, including no work performed in large wetland complexes or Category 1 or 2 habitat for provincially threatened turtles. The extraction area is proposed to be located on the westerly portion of the property. Further, staff is recommending that no land use or site alteration be permitted within 300 metres of the easterly property line due to proximity to a sensitive residential use located to the southeast of the subject lands.

Conclusion:

The Planning Division undertook a circulation of the application to ensure that all technical and planning matters have been satisfactorily addressed.

The following are the principles of the proposed site-specific zoning by-law:

- To rezone the lands from "RU", Rural to "M5", Extractive Industrial, to permit the development of an aggregate pit or quarry along with a site-specific zone standard to prohibit development or use of land within 300 m of the easterly lot line.

The development of the subject lands complies with several policy directives by enabling the extraction of mineral aggregate resources while considering off-site impacts. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application.

Staff is satisfied that the application is consistent with the PPS and conforms to the Growth Plan and the Official Plan. Staff is of the opinion that the proposed zoning by-law amendment is appropriate based on the following:

- The lands contain a high-quality aggregate, and extraction complies with policies that permit resource-based uses in rural areas to make the resource available to the local market while supporting a diversified rural economy.
- Extraction can occur in a manner that minimizes social, economic and environmental impacts.
- The proposed use is compatible with surrounding uses and landscaping and buffering is not required to enhance the physical appearance of the lands.
- The proposed continued use of an entrance onto a Local Road and use of the existing road network are appropriate for the proposed development.

Staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.