



**City of Kingston
Report to Planning Committee
Report Number PC-24-016**

To: Chair and Members of the Planning Committee
From: Paige Agnew, Commissioner, Growth & Development
Resource Staff: Tim Park, Director, Planning Services
Date of Meeting: March 7, 2024
Subject: Recommendation Report
File Number: D35-002-2022
Address: 1248 - 1320 McAdoo's Lane
Application Type: Official Plan & Zoning By-Law Amendment
Owner: 1361376 Ontario Inc.
Applicant: MHBC Planning

Council Strategic Plan Alignment:

Theme: 5. Drive Inclusive Economic Growth

Goal: 5.3 Diversify Kingston's economic base.

Executive Summary:

The following is a report recommending approval to the Planning Committee regarding an application for Official Plan and zoning by-law amendment submitted by MHBC Planning, on behalf of 1361376 Ontario Inc, with respect to the subject site located at 1248 - 1320 McAdoo's Lane. The proposed applications intend to permit the establishment of a quarry operation on the 43.4-hectare area of land subject to this application to allow for the extraction of approximately 20-25 million tonnes of bedrock reserves.

March 7, 2024

Page 2 of 14

The subject lands are predominantly designated Waste Management Industrial in the City of Kingston Official Plan with a portion at the north end of the subject lands designated Rural Lands. In addition to these land use designations, the entirety of the subject lands is within areas designated as Mineral Resource Area and are located almost entirely within an identified Limestone Plain. The subject lands are zoned a combination of Rural Lands (RU), Rural Industrial Zone (RM1) in the Kingston Zoning By-Law as well as a section of land which continues to be regulated under the former Kingston Township Zoning By-Law which zones that area Restricted Agricultural Zone (A1) and Disposal Industrial Zone Exception 1 (M4-1).

The applicant is requesting an amendment to the City's Official Plan to change the land use designation to Mineral Resource Area and a Zoning By-Law Amendment to both incorporate the entirety of the subject lands into the Kingston Zoning By-Law and place the lands within the Mineral Resource and Extraction Zone (MX1). Additionally, a Site-Specific Policy Area within the Official Plan, and an Exception Overlay within the Kingston Zoning By-Law is proposed to accommodate the continuation of the existing industrial uses of the property until the phasing of the aggregate extraction progresses reaches the areas of the site currently being used for industrial employment type uses.

These amendments are requested to allow for the establishment of a new limestone quarry on the lands. The intent would be for the quarry operation to occur in four phases and rehabilitate the lands through a combination of backfilling and the creation of two artificial lakes once extraction is complete. The operation would include roaming processing operations to process extracted aggregates on site and ready them for transport. No new buildings are proposed. Instead, existing buildings will remain in operation and on site until quarry operations no longer permit their use and they need to be either removed or relocated. Portable office/storage trailers would be brought on site and moved according to operational needs and the phase of extraction. Access to and through the lands will utilize existing access points and hauling routes where possible with adjustments made as needs vary through the extraction and rehabilitation processes.

The proposed aggregate operation would allow for the orderly extraction of a valuable non-renewable resource from an area where aggregate operations have already established and, together with other industrial uses, predominate the surrounding land use. The aggregate resources proposed for extraction are located close to market which reduces the environmental costs associated with longer distance shipping, and the supporting studies have demonstrated that the resources can be extracted without an impact on the surrounding area. The proposed development represents good land use planning, is consistent with the Provincial Policy Statement and the overall intent of the City's Official Plan.

Recommendation:

That the Planning Committee recommends to Council:

March 7, 2024

Page 3 of 14

That the applications for Official Plan and zoning by-law amendments (File Number D35-002-2022) submitted by MHBC Planning, on behalf of 1361376 Ontario Inc, for the property municipally known as 1248 - 1320 McAdoo's Lane, be approved; and

That the City of Kingston Official Plan, as amended, be further amended, amendment number 92, as per Exhibit A, (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-24-016; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-016; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

March 7, 2024

Page 4 of 14

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Majo Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

March 7, 2024

Page 5 of 14

Options/Discussion:

Statutory Public Meeting

This recommendation report forms the basis of a statutory public meeting at Planning Committee. Anyone who attends the statutory public meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before City Council makes a decision on the application.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Planning Committee will consider the recommendations in this report and make its recommendation to City Council at this meeting.

Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Ian Clendening, Senior Planner
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3126
iclendening@cityofkingston.ca

Background and Decision Date

In accordance with By-Law Number 2007-43, these applications were subject to a pre-application meeting held on July 29, 2021, with Planning Services and various other departments and agencies. Following this, a complete application submission was made by the applicant on April 22, 2022.

In accordance with the Planning Act, this application is subject to a decision by Council on or before August 20, 2022, which is 120 days after a complete application was received. In the absence of a decision by Council in this timeframe, the applicant may exercise their right to appeal to the Ontario Land Tribunal (OLT). Staff have been working with the applicant to address technical issues related to the hydrological impact study.

March 7, 2024

Page 6 of 14

Site Characteristics

The subject lands, locally known as “Tuttles Hill”, are located on the north side of McAdoo’s Lane and are composed of nine parcels with a total area of 43.4 hectares and frontage of approximately 565 metres along McAdoo’s Lane. The lands are bisected by a Hydro One Network Inc. (HONI) corridor which crosses the upper portion of the property diagonally from the southwest to the northeast. The western portion of the property also fronts onto Landfill Lane. The lands are currently occupied by a variety of industrial and waste management uses including a trucking, soil and concrete recycling and auto salvage yard operation, an auto salvage yard operation, and a waste recycling operation. There is limited vegetation throughout the site and largely concentrated at the north end of the lands (Exhibit D).

The property is located approximately 1 kilometre north of Highway 401, northwest of its Division Street/Perth Road exit. McAdoo’s Lane is a paved two-lane local road, which does not have sidewalks. The area is outside of the City’s urban boundary, and as such the subject site and surrounding properties are on private water and wastewater services.

North of the site are vacant vegetated lands and the Little Cataraqui Creek lands. East of the lands are a number of additional industrial uses including a concrete supplier and metal scrap yard as well as some general contracting offices. South of the lands are undeveloped, vegetated lands, while west of the lands is the Lafarge quarry operation and northwest of the site is the Coco Quarry.

Proposed Application and Submission

The application aims to permit the establishment of a limestone quarry which will operate over three separate excavation areas, which will be operational over four phases (Exhibit I). Phase 1 will be located at the northern most portion of the subject lands at 1264 McAdoo’s Lane. This site is the portion isolated by the Hydro One corridor. Phase 1, as with each phase, will begin extraction from north to south. Phase 2, the largest proposed excavation area, is located south of Phase 1 and spans the area between Landfill Lane and Morgan’s Diesel Truck Parts. Phase 3 is the portion of the site west of Landfill Lane and this area, due to its small size and challenges created due to the proximity to McAdoo’s Lane, Landfill Lane and the Hydro One corridor, may remain unexcavated. This will be explored and determined at a later date. Phase 4 is the remaining portion of the land located east of Phase 2. All excavation areas are set back a minimum of 15 metres from any lot line, including the Hydro One corridor and 30 metres from any roadway in accordance with Aggregate License requirements. The only exception to these setbacks are within any areas that may in the future be excavated through common boundary agreements with adjacent quarry operators where no setback will be provided.

With the proposed phasing of the excavation operation, the existing buildings are intended to remain in place and in operation until such time that the excavation operation requires the existing buildings to either be removed or relocated. No new permanent structures are proposed along with the new quarry, instead portable offices and storage trailers will be brought on site in accordance with the needs of the quarry operation. On-site processing will also relocate with the needs of the

March 7, 2024

Page 7 of 14

quarry operations. In each case, portable crushing and/or screening equipment will be located on quarry floors in order to develop stone appropriate for the intended use.

Once processed, materials will be loaded and shipped off-site using, where possible, the existing hauling routes and to various ingress/egress locations. For Phase 1, the access point will be located along the southeastern extent of the area and through the adjacent Hydro One corridor. If an agreement for a common boundary with the adjacent quarry operation can be reached, access will be provided from the west, through the existing quarry. Phase 2 will have two access points, one along the northwest perimeter and similar to Phase 1, will make use of the Hydro One corridor. A second access point will be located at the south boundary of the area, with direct access to McAdoo's Lane. At such point as Phase 3 proceeds, an entrance is proposed along the eastern perimeter with access to Landfill Lane. A common boundary agreement is intended along the adjacent quarry, access will be provided from that quarry. Phase 4 will make use of the southern access point described for Phase 2.

Berms may also be constructed on the lands using existing stockpiled materials, stripped topsoil, and/or new imported materials. The proposal includes the recognition of the potential need for berms in the event that throughout the operation of the quarry, any noise sensitive uses are developed to the east and/or to the south of the subject lands. Such berms would measure 8 metres in height and would be designed and located based on future study conducted by an acoustical engineer. Smaller berms measuring 4 metres in height are also proposed along the HONI corridor in order to allow for some stockpiling and storage of existing materials for later use in rehabilitation. These berms will be vegetated and maintained for erosion control.

Finally, when operations cease, each Phase will be rehabilitated. When Phase 1 is complete, the quarry will be converted into a lake and if an agreement with the neighbouring quarry, it will be connected to the eventual lake of that quarry as well. For Phase 3, a similar joined lake will be created if an agreement can be reached. For Phases 2 and 4, the southern portions, within 250 metres of McAdoo's Lane, will be backfilled to match the adjacent grades for possible reuse at a later time. The remainder of the areas will be converted into a lake. Along the portions of the quarry that will remain above the water level, revegetation will occur as part of the site rehabilitation.

In conjunction with the planning applications discussed in this report, the applicant has submitted an application for a License under the Aggregate Resource Act (ARA) to the Ministry of Natural Resources and Forestry (MNRF). This License application would include a condition limiting annual production of the proposed quarry to 600,000 tonnes. The ARA License process is undertaken simultaneously with the Planning Act approvals process and similar to the Planning approvals process, requires the applicant to notify members of the public and various public agencies. The ARA application is circulated to a variety of agencies for review and technical comment. This includes the Conservation Authority, Ministry of Environment, Conservation and Parks, Ministry of Transportation, and Utility Owners, among others. Once comments are addressed, the application and process undertaken are reviewed by the MNRF for a decision. Approval of the Planning applications are required prior to issuance of the License.

March 7, 2024

Page 8 of 14

Once the License application is approved, the applicant will also be required to submit applications to the MECP for a Permit to Take Water to allow for de-watering during quarry excavations, as well as any applicable Environmental Compliance approval for the management of surface water.

With the Phasing of the extraction taking place over multiple years, the applicant seeks to continue the existing industrial uses of the site which consists of a transportation depot; a waste processing site; a waste transfer station; a salvage yard; a heavy equipment or truck repair shop; an automobile sales establishment; and an automobile body shop.

In support of the application, the applicant has submitted the following:

- Existing Features Plan, Operational Plan and Rehabilitation Plan;
- Archaeological Assessments;
- Environmental Noise and Blasting Impact Assessment Report;
- Level 1 and Level 2 Hydrogeological Assessment;
- Aggregate Resources Act and Planning Report;
- Historical Land Use Review;
- Traffic Impact Statement;
- Level 1 and Level 2 Natural Environment Technical Report; and
- Built Heritage Checklist.

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using “Look-up a Specific Address”. If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

Provincial Policy Statement

The Provincial Policy Statement (2020) provides policy direction on matters of provincial interest related to land use planning and development, which are intended to be complemented by local policies addressing local interests.

The subject property is located within a Rural Area as defined by the Provincial Policy Statement. Rural Areas include a system of lands including settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. The PPS promotes healthy, integrated and viable rural areas and directs municipalities to leverage rural assets and amenities, to protect the environment, and to promote a diversified economic base.

The PPS directs that mineral aggregate resources be protected for long-term use, and that as much of the mineral aggregate resources as is realistically possible be made available as close to markets as possible. Where extraction is feasible, the extraction of the mineral aggregate resources must be undertaken in a manner which minimizes social, economic and environmental impacts.

March 7, 2024

Page 9 of 14

Aggregate resources are a non-renewable resource which are afforded special attention in the PPS which requires as much of the mineral aggregate resources as is realistically possible to be made available as close to markets as possible in order to minimize transportation costs and effects including air quality, greenhouse gas emissions and fossil fuel consumption.

The proposed development is consistent with the Provincial Policy Statement (2020). The development will utilize a known mineral aggregate resource which is situated close to market. The surrounding area has developed with industrial uses in the surrounding area as well as aggregate extraction operations which immediately abut the proposed quarry highlighting the compatibility with the surrounding area. Supporting studies have demonstrated proposed quarry development will protect sensitive surface water and sensitive groundwater receptors during the operational period and under rehabilitated conditions ensuring no adverse environmental impacts.

A detailed review of the applicable policies is attached in Exhibit E.

Official Plan Considerations

The entirety of the subject lands are within the City's Rural Areas, with the majority of the subject lands being designated Waste Management Industrial with a portion at the north end of the lands being designated Rural Lands in the Official Plan (Exhibit F – Official Plan, Land Use). In addition to the land use designations, the subject lands are also designated Aggregate – Bedrock Reserve Area; Limestone Plain; and, Sand and Gravel Resource Area (Tertiary), which reflect the significant mineral and mineral aggregate resources understood to exist in this area as well as the Official Plan's intention to protect these resources for their future extraction where possible.

The application proposes to redesignate the entirety of the lands to Mineral Resource Areas – Pits and Quarries to permit the proposed establishment of a Limestone Quarry below the water table. The Official Plan recognizes that the protection of mineral resources and mineral aggregate resources for long term use and extraction is a priority of the City and that the redesignation of land to Mineral Resource Area is permitted in consultation with the Province and subject to certain considerations.

The proposed application is appropriately situated, being located next to existing aggregate operations and industrial uses which would not be encumbered by the proposed use. The size and scale of the operation is not anticipated to have any adverse impacts and the applicant has submitted a Traffic Impact Study which anticipates an average of 10 triaxles trucks per hour which would have only a nominal impact on the surrounding transportation network even when applying a 40% "peaking factor".

McAdoo's Lane connects Battersea Road at the east end with Perth Road at its west end, both of which connect to Highway 401 immediately south without traversing through any residential communities. The proposed quarry is located approximately 550 metres distance to the nearest dwelling, which exceeds the minimum separation distances established in the Official Plan.

March 7, 2024

Page 10 of 14

The site is proposed to be buffered by an eight-metre-high vegetated berm along the road frontage and adjacent to other uses in order to create both a visual and an acoustical barrier. Additionally, the applicant has prepared a Level 1 and Level 2 Hydrogeological Assessment and a Level 1 and Level 2 Natural Environment Technical Report. These reports demonstrate that the proposed quarry development would protect sensitive surface water and sensitive groundwater receptors during the operational period and under rehabilitated conditions; and, that there would be no negative impacts to significant natural heritage features.

The applicant submitted an Environmental Noise and Blasting Impact Assessment Report which concluded that, the proposed quarry can operate within acceptable sound level limits and within acceptable blast overpressure and vibration thresholds as defined respectively in MECP publications NPC-300 and NPC-119 subject to recommendations made in the report.

The Stage 1 Archaeological Assessment of the property which was submitted with the application has been approved by the Ministry of Tourism, Culture and Sport has determined that the property has no cultural heritage value or interest and requires no further archaeology.

Given the above, the proposed quarry is not anticipated to have any negative impact on the surrounding land uses or any adjacent communities.

In addition to the redesignation to the Mineral Resource Area the application also seeks to permit uses which currently exist on the site through a Site-Specific Policy which would allow for uses permitted within the Waste Management Industrial designation to also be permitted. These uses are allowed within the site's current designation and zoning of the property and have existed in harmony with the quarry which operates in the area. The proposed uses do not require the construction of any buildings or prevent the quarry use in any way. The existing uses are planned to continue until extraction takes place based on the planned phasing and do not constitute a sensitive use which the Official Plan policies would direct away from Mineral Resource Areas.

A detailed review of the applicable policies is attached in Exhibit G.

Zoning By-Law Discussion

The lands subject to this application are zoned split zoned between various zones across two zoning by-laws being: the Former Kingston Township Zoning By-Law; and the Kingston Zoning By-Law.

Under the Kingston Township Zoning By-Law, the zones include the Restricted Agricultural Zone (A1), General Industrial (M1) zone, which permits a variety on non-residential industrial uses, the Service Industrial (M3) zone which permits a more limited range of industrial uses and emphasizes those uses that offer a service to the general public such as automobile body shop, contractor's or tradesman's shops and warehouses, the Disposal Industrial (M4) zone which permits uses such as wrecking and salvage yards and a sanitary landfill site, as well as a special Disposal Industrial (M4-1) zone, which specifically permits a lumber yard, a cartage or transport yard, a waste processing site and a waste transfer station.

March 7, 2024

Page 11 of 14

Under the Kingston Zoning By-Law, the lands are zoned a combination of Rural Industrial Zone (RM1) and Rural Lands (RU), (Exhibit H – Zoning By-Law Number 2022-62, Schedule 1 & E).

The application seeks to incorporate the lands currently regulated by the Former Kingston Township By-Law into the Kingston Zoning By-Law while also re-zoning the subject lands Mineral Resource and Extraction Zone (MX1) with an Exception Overlay to permit the continuation of the existing salvage yard and waste operations permitted within the sites current zoning. The proposed Exception Overlay also proposes relief from certain setbacks to allow for the efficient operation of the quarry through a 0-metre setback where a common boundary agreement exists between abutting quarries.

The following table provides a comparison of the requirements of the zoning by-law for the existing MX1 zone against the proposed Exception Overlay.

Table 1 – Zoning Comparison Table

Zone Provision	Required (MX1)	Proposed Exception (E150)
Permitted Uses	agricultural use forestry use gravel pit mineral aggregate operation outdoor storage	Also permitted: (i) a transportation depot; (ii) a waste processing site (iii) a waste transfer station; (iv) a salvage yard; (v) a heavy equipment or truck repair shop (vi) an automobile sales establishment; (vii) an automobile body shop.
Maximum number of principal buildings per lot	where abutting a lot that is located in a Rural Industrial Zone: 15.0 metres	Where a common boundary agreement exists with an abutting lot licensed under the Aggregate Resources Act, the minimum setback along the lot line of the common boundary is 0 metres

Each of the site-specific exceptions to the MX1 zone is discussed below in relation to the intent of the Kingston Zoning By-Law provisions.

Permitted Uses

The Kingston Zoning By-Law allows for certain, generally passive, uses of land within the MX1 zone to ensure that development through the placement of buildings does not adversely impact the ability to extract the resources below the ground. Due to the scale of operation, the applicant wishes to continue the existing uses operated within the site’s RM1 Zoning until such time as the Phased extraction is developed. The proposed uses would not have an impact on the ultimate extraction of the aggregate resources, and neither would the existing uses be impacted by the noise or dust generated by the aggregate operation.

March 7, 2024

Page 12 of 14

Minimum Setbacks

The MX1 Zone implements either 30 metre or 15 metre setbacks depending on whether the abutting use is a Rural Industrial Zone (i.e., RM1, RM2, and MX1) or not. These setbacks attempt to mitigate the visual and other off-site impacts of an aggregate operation on the abutting properties. In this situation, the property abuts an existing aggregate operation and through a common boundary agreement, both sites can achieve a greater level of efficiency by extracting to a common boundary line. The proposed reduction makes efficient use of the properties and the resource planned for extraction.

Other Applications

Subject to approval of the Official Plan and zoning by-law amendments, the proposed development would also require an application to the MNR for the Aggregate License as well as a Permit to Take Water from the Ministry of the Environment, Conservation and Parks (MECP) for de-watering the quarry excavation; and any applicable Environmental Compliance Approval (ECA) for the management of surface water.

Technical Analysis

This application has been circulated to external agencies and internal departments for review and comment. All comments on the proposal have been addressed and no outstanding issues with this application remain at this time.

Public Comments

At the time of writing no public correspondence had been received.

Effect of Public Input on Draft By-Law

At the time of writing no public correspondence had been received.

Conclusion

The proposed Official Plan and zoning by-law amendment will allow for the orderly development of the site through the extraction of a known non-renewable resource which is located close to market. The amendments would allow for both the extraction of this resource while also allowing existing uses to continue through Site Specific Policies in the Official Plan and an Exception Overlay in the Kingston Zoning By-Law given that the extraction is planned over four phases and may take a significant amount of time before extraction progresses to the area currently used for industrial employment. The ultimate rehabilitation of the lands is proposed through a combination of backfilling and the creation of two artificial lakes. The proposed development represents good land use planning, is consistent with the Provincial Policy Statement (2020) and the overall intent of the City's Official Plan.

March 7, 2024

Page 13 of 14

Existing Policy/By-Law:

The proposed amendment was reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes would be consistent with the Province’s and the City’s vision of development. The following documents were assessed:

Provincial

Planning Act

Aggregate Resources Act

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Zoning By-Law Number 2022-62

Notice Provisions:

Pursuant to the requirements of the *Planning Act*, notice of the statutory public meeting was provided 20 days in advance of the public meeting in the form of a sign posted on the subject property and by mail to 22 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. In addition, a courtesy notice placed in *The Kingston Whig-Standard* on March 4, 2024.

If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

At the time of writing of this report, no public correspondence has been received and all planning related matters have been addressed within the body of this report. Any public correspondence received after the publishing of this report will be included as an addendum to the Planning Committee agenda.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

James Bar, Manager, Development Approvals, 613-546-4291 extension 3213

March 7, 2024

Page 14 of 14

Ian Clendening, Senior Planner, 613-546-4291 extension 3126

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Draft By-Law and Schedule A to Amend the Official Plan
- Exhibit B Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62
- Exhibit C Key Map
- Exhibit D Neighbourhood Context
- Exhibit E Consistency with the Provincial Policy Statement
- Exhibit F Official Plan, Land Use
- Exhibit G Conformity with the Official Plan
- Exhibit H Zoning By-Law Number 2022-62, Schedule 1 & E
- Exhibit I Proposed Site Plan & Rehabilitation Plan
- Exhibit J Site Photographs
- Exhibit K Public Notice Notification Map

By-Law Number 2024-XXX

A By-Law To Amend The City Of Kingston Official Plan (Amendment Number 92, 1248-1320 McAdoo's Lane)

Passed: [Meeting Date]

Whereas a Public Meeting was held regarding this amendment on July 14, 2022 and March 7, 2024;

Now Therefore the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The City of Kingston Official Plan is hereby amended by the following map change which shall constitute Amendment Number 92 to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule '3-B', 'Land Use', of the City of Kingston Official Plan, so as to change the designation of the property located at 1248-1320 McAdoo's Lane, as shown on Schedule 'A' to By-Law Number 2024-____, from 'Waste Management Industrial' and 'Rural' to 'Mineral Resource (Quarry)'.
 - (b) **Amend** Schedule '3-D', 'Site Specific Policies', of the City of Kingston Official Plan, so as to designate the property located at 1248-1320 McAdoo's Lane, as shown on Schedule 'B' to By-law Number 2024-____, as 'Site Specific Policy Number 75'.
2. That the City of Kingston Official Plan, as amended, be further amended by adding the following new Site-Specific Policy as Section 3.17.75:

"1248-1320 McAdoos Lane, Schedule 3-D, SSP Number 75

On the lands shown on Schedule 3-D as Area 75 uses permitted within the Waste Management Industrial designation may also be permitted."

3. This by-law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the *Planning Act*, provided that no Notice of Appeal is filed to this by-law in accordance with the provisions of Section 17, Subsection 24 of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

Given all Three Readings and Passed: [Meeting date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Schedule 'A' to By-Law Number ____
Official Plan Amendment Number 92

Address: 1248-1320 McAdoo's Lane
File Number: D35-002-2022

Planning Services

Official Plan - Schedule 3-B Land Use

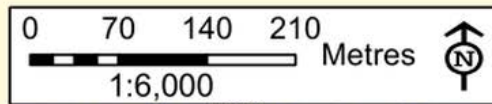
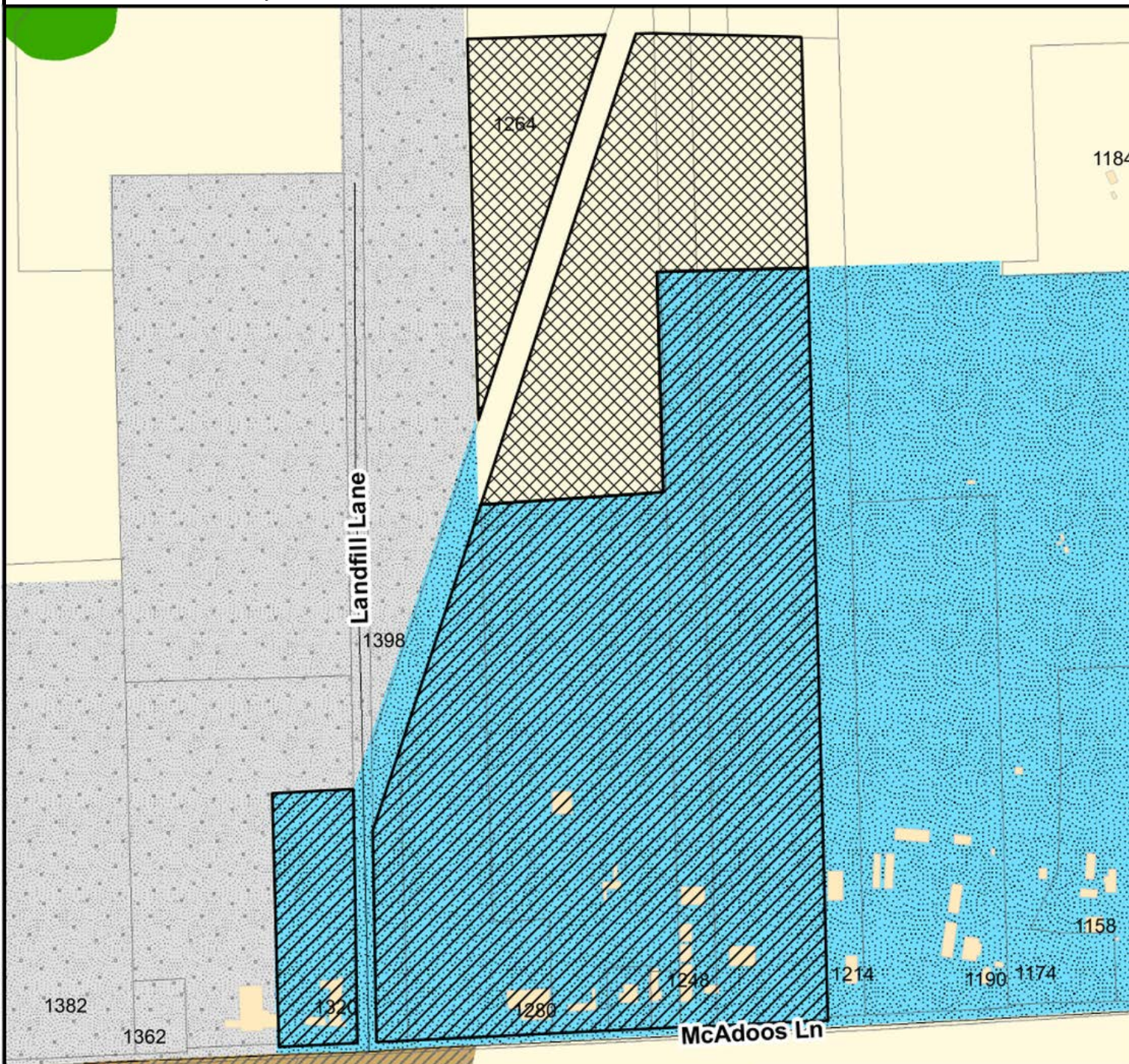
- Lands to redesignate from Rural to Mineral Resource (Quarry)
- Lands to redesignate from Waste Management Area to Mineral Resource (Quarry)

Certificate of Authentication

This is Schedule 'A' to By-Law Number ____, passed this ____ day of _____ 2024.

Mayor

Clerk





Planning
Services

Schedule 'B' to By-Law Number ____
Official Plan Amendment Number 92

Address: 1248-1320 McAdoo's Lane
File Number: D35-002-2022

Official Plan Schedule 3-D
Site Specific Policy

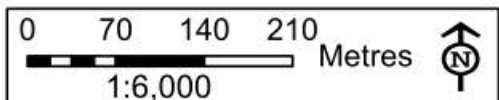
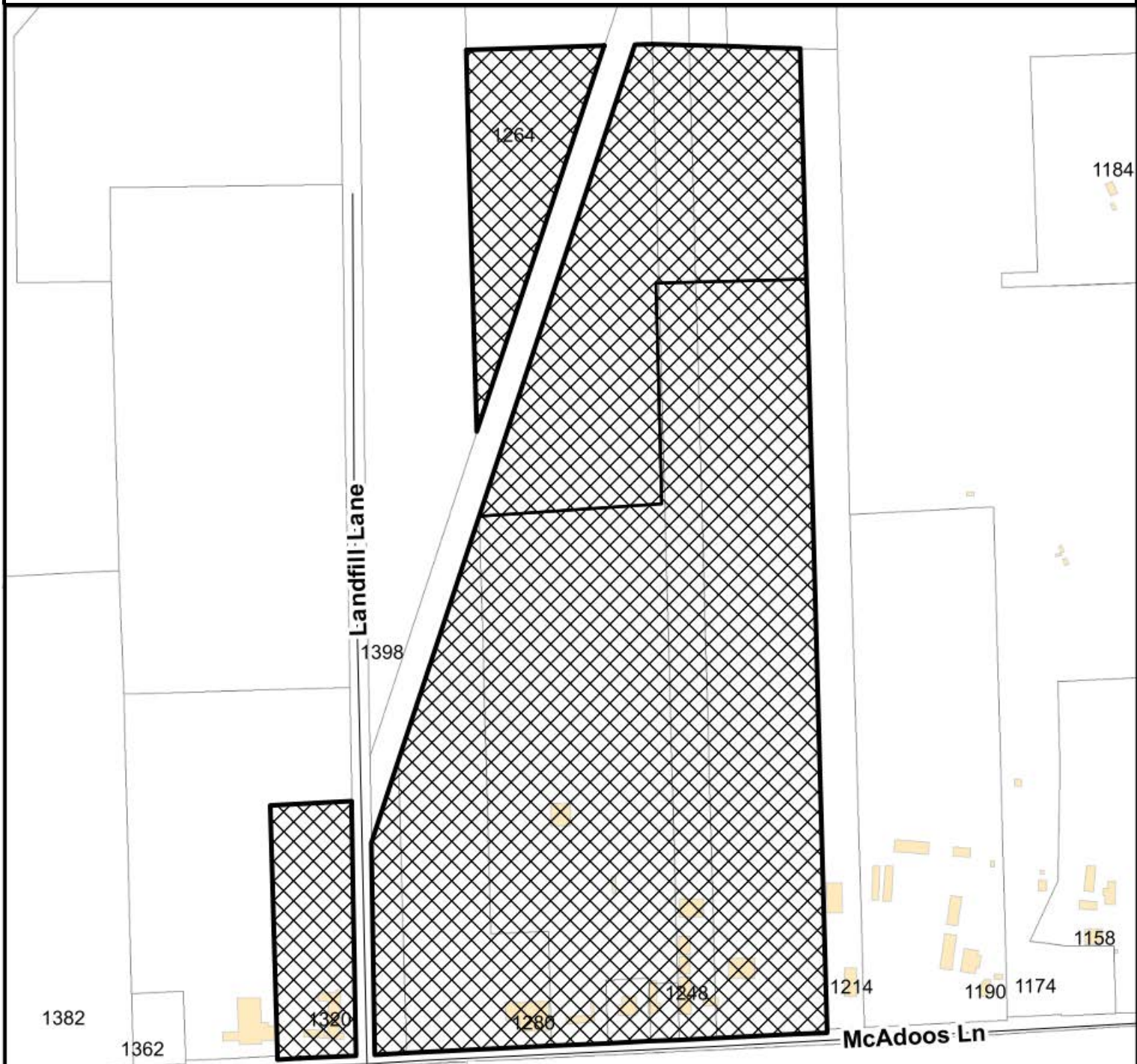


Lands Subject to Site-Specific Policy
Number 75

Certificate of Authentication

This is Schedule 'B' to By-Law Number ____, passed this ____ day of _____ 2024.

Mayor Clerk



Prepared By: incameron
Date: Feb-06-2024

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By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Transfer of Lands into the Kingston Zoning By-Law, Zone Change from ‘RU’ and ‘RM1’ to ‘MX1’ Zone, and Introduction of Exception Number E150 (1248-1320 McAdoo’s Lane))

Passed:

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, entitled “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-Law”);

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-Law;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-Law Number 2022-62”, is amended as follows:
 - 1.1. Schedule 1 – Zoning Map is amended by removing reference to “Not Subject to this By-law”, and by adding the zone symbol ‘MX1’, and by changing the zone symbol from ‘RU’ and ‘RM1’ to ‘MX1’, as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.2. Schedule E – Exception Overlay is amended by adding Exception Number ‘E150’, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3. By adding the following Exception Number E150 in Section 21 – Exceptions, as follows:

“E150. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

 - (a) In addition to the uses permitted by the applicable Zone, the following uses are permitted:
 - (i) a **transportation depot**;
 - (ii) a **waste processing site**

- (iii) a **waste transfer station**;
 - (iv) a **salvage yard**;
 - (v) a **heavy equipment or truck repair shop**;
 - (vi) an **automobile sales establishment**; and
 - (vii) an **automobile body shop**.
- (b) Where a common boundary agreement exists with an abutting **lot** licensed under the *Aggregate Resources Act*, the minimum **setback** along the **lot line** of the common boundary is 0 metres.”
2. The lands shown on Schedule “A” attached to and forming part of this By-Law are incorporated into the Kingston Zoning By-Law and the provisions of City of Kingston By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, no longer apply to the lands.
3. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Planning
Services

Schedule 'A' to By-Law Number




Address: 1248-1320 McAdoo's Lane
File Number: D35-002-2022

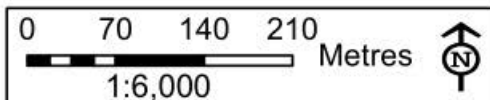
Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2024.

Mayor Clerk

Reference Kingston Zoning By-Law Schedule 1 - Zoning Map

-  Rezoned from N/A to MX1
-  Rezoned from RU to MX1
-  Rezoned from RM1 to MX1



Prepared By: gronan
Date: Jun 2022

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Planning Services

**Schedule 'B'
to By-Law Number**

Address: 1248-1320 McAdoo's Lane
File Number: D35-002-2022

**Reference Kingston Zoning By-Law
Schedule E - Exception Overlay**

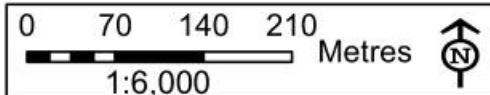
 Lands to be added as Exception E150

Certificate of Authentication

This is Schedule 'B' to By-Law Number _____, passed this _____ day of _____ 2024.

Mayor

Clerk





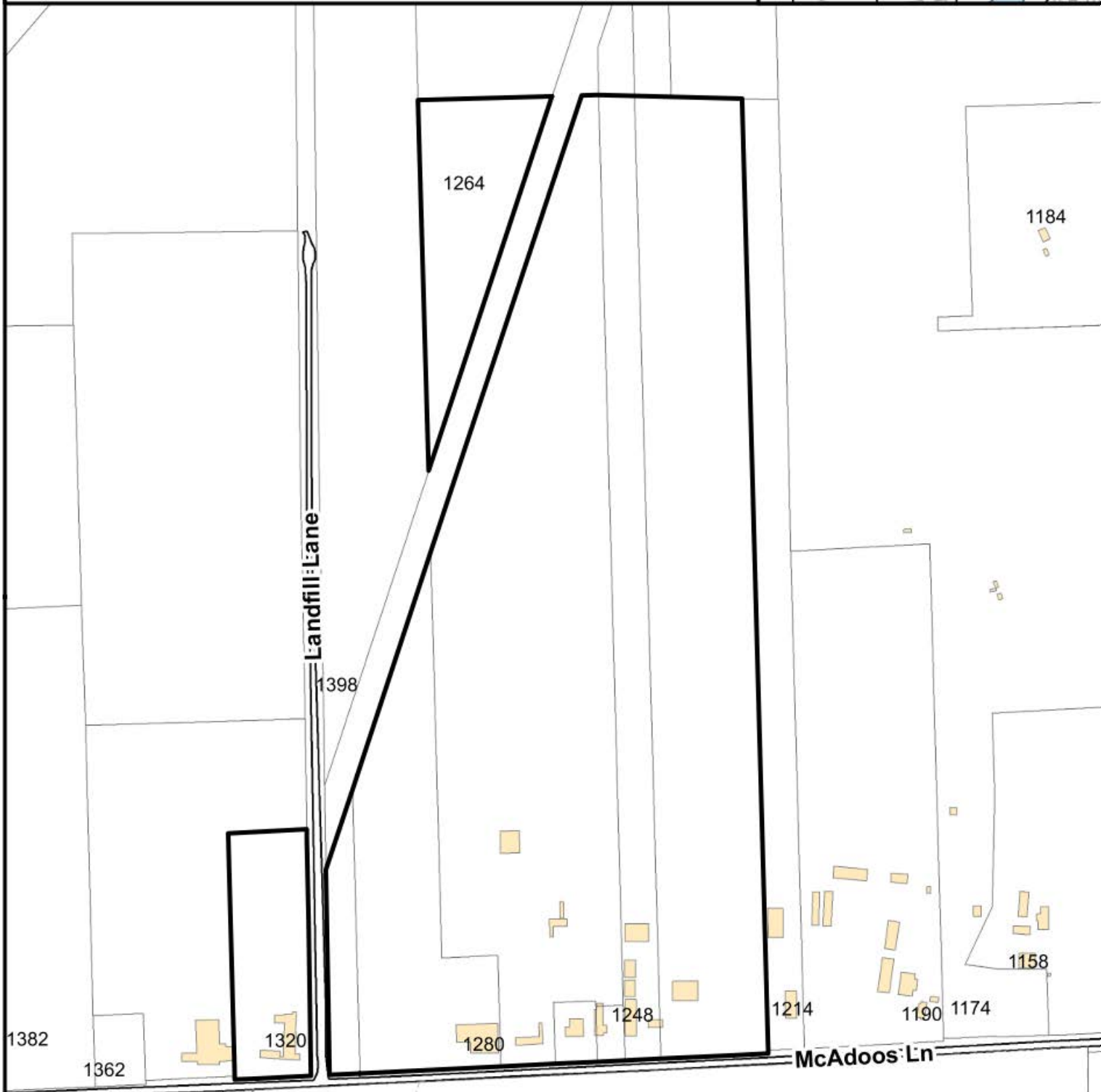
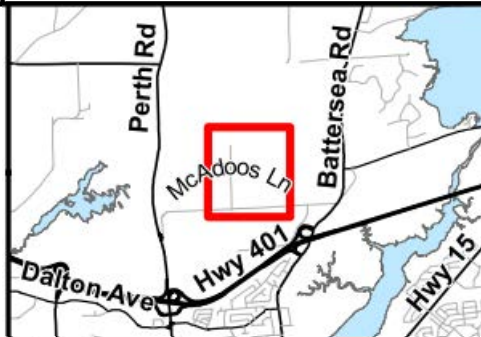
CITY OF KINGSTON

Key Map

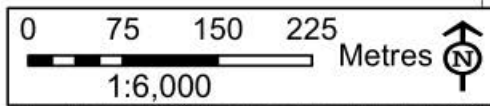
Address: 1248-1320 McAdoos Lane

File Number: D35-002-2022

 Subject Lands



Prepared By: gronan
Date: Apr-27-2022



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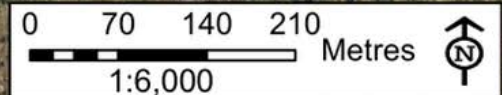


CITY OF KINGSTON
Neighbourhood Context (2021)
Address: 1248-1320 McAdoos Lane
File Number: D35-002-2022

Property Boundaries
Proposed Parcels



Prepared By: gronan
Date: Apr-27-2022



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Demonstration of How the Proposal is Consistent with the Provincial Policy Statement

Policy Number	Policy	Category	Consistency with the Policy
1.1.1	<p>Healthy, livable and safe communities are sustained by:</p> <ul style="list-style-type: none"> a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; 	<p>Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</p>	<ul style="list-style-type: none"> a) The subject properties are located within 'Rural Areas' and is within an area of naturally occurring aggregate deposits close to market. The surrounding area includes an existing quarry and other industrial uses. The proposed quarry is consistent with the existing rural development in the area and makes use of the aggregate resources located on the property which are a critical component of development. b) Aggregate resources are a non-renewable resource which is a significant driver in construction costs with transportation costs generally forming the major portion of the price of aggregates which has resulting impacts on development costs and affordability. c) As a part of the application, the applicant has submitted various studies which have

Policy Number	Policy	Category	Consistency with the Policy
	<ul style="list-style-type: none"> d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society; g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs; h) promoting development and land use patterns that conserve biodiversity; and i) preparing for the regional and local 		<p>been reviewed internally, by partner agencies including the CRCA, MECP, MNRF, and the City's peer review agencies. These studies have demonstrated that the proposed development can proceed without adverse impact to the surrounding area.</p> <ul style="list-style-type: none"> d) The existing quarry is located outside of the settlement area and is not anticipated to prevent the efficient expansion of such. e) The proposed development would allow for the extraction of aggregate resources located on the subject property to take place. At such time as the resources are extracted progressive rehabilitation would take place. The availability of aggregate resource close to market areas is a large determinant of the price of the commodity which is used in many construction activities. f) There is no conflict with the accessibility policies of the PPS.

Policy Number	Policy	Category	Consistency with the Policy
	impacts of a changing climate		<ul style="list-style-type: none"> g) The existing hydro corridor will not be impacted by the proposed development. The relevant authority has been circulated on the proposal and has no issue with the development. h) A 'Natural Environment Technical Report: Level I and II' was submitted by the applicant and reviewed by the CRCA to their satisfaction. The study confirmed that here will be no negative impacts to significant natural heritage features. i) The expansion of the quarry places additional materials close to market, reducing emissions related to long distance transportation needs.
1.1.4.1	<p>Healthy, integrated and viable rural areas should be supported by:</p> <ul style="list-style-type: none"> a) building upon rural character, and leveraging rural amenities and assets; b) promoting regeneration, including 	Rural Areas in Municipalities	<ul style="list-style-type: none"> a) The quarry use of the subject properties which are located upon known mineral aggregate deposits and within the Rural Areas leverages these assets. b) A progressive rehabilitation plan has

Policy Number	Policy	Category	Consistency with the Policy
	<p>the redevelopment of brownfield sites;</p> <ul style="list-style-type: none"> c) accommodating an appropriate range and mix of housing in rural settlement areas; d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands; e) using rural infrastructure and public service facilities efficiently; f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets; h) conserving biodiversity and considering the ecological benefits provided by nature; and i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3. 		<p>been proposed to remediate the site which includes, revegetation, the creation of two lakes and repurposing the site for other beneficial land uses.</p> <ul style="list-style-type: none"> c) Not applicable d) Not applicable e) The Traffic Impact Study was prepared by the applicant and anticipates an average of 10 triaxles trucks per hour which would have only a nominal impact on the surrounding transportation network even when applying a 40% “peaking factor”. f) The proposed quarry expansion would add help to maintain to the economic base of Kingston allowing an existing quarry to expand and continue to operate within the City for a more diversified economic base. Aggregate resources are a non-renewable resource which can be rendered inaccessible as a result of incompatible adjacent development which could occur as a result of progressive

Policy Number	Policy	Category	Consistency with the Policy
			<p>development of incompatible uses.</p> <p>g) Not applicable</p> <p>h) See Section 1.1.1.</p> <p>i) The quarry is located outside of any Prime Agricultural Areas and as such, there is no conflict with this policy.</p>
1.1.4.4	Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.	Rural Areas in Municipalities	See response to policy 1.1.5.2; 1.1.5.3; 1.1.5.4; and 1.1.5.5.
1.1.5.1	When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.	Rural Lands in Municipalities	See response to policy as set out throughout.
1.1.5.2	<p>On rural lands located in municipalities, permitted uses are:</p> <ul style="list-style-type: none"> a) the management or use of resources; b) resource-based recreational uses (including recreational dwellings); c) residential development, including lot creation, that is locally appropriate; 	Rural Lands in Municipalities	<p>The proposed quarry would make use of the existing deposits of aggregates found on the site. Subsequent to the end of the useful life of the quarry, progressive rehabilitation would return the site to a natural state and consistent with the surrounding uses in the area.</p>

Policy Number	Policy	Category	Consistency with the Policy
	<ul style="list-style-type: none"> 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. 		
1.1.5.3	Recreational, tourism and other economic opportunities should be promoted.	Rural Lands in Municipalities	The quarry operation represents an economic opportunity which takes advantage of the sites geological attributes.
1.1.5.4	Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.	Rural Lands in Municipalities	The quarry expansion does not require the extension of any services. Industrial and aggregate activities surround the subject lands and would not be impacted by the proposed development. The proposed development would be buffered by way of a berm which surrounds the property.
1.1.5.5	Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.	Rural Lands in Municipalities	The quarry expansion does not require the extension of any services.
1.1.5.7	Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related	Rural Lands in Municipalities	The proposed development represents a resource-related use encouraged by this policy.

Policy Number	Policy	Category	Consistency with the Policy
	development to areas where it will minimize constraints on these uses.		
1.2.6.1	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.	Land Use Compatibility	The site plans for the proposed quarry have been designed to ensure that appropriate mitigation measures are in place to minimize the effects of noise from the operation. The Hydrogeological Impact Assessment Report has indicated the development would protect sensitive surface water and sensitive groundwater receptors during the operational period and under rehabilitated conditions.
1.3.1	<p>Planning authorities shall promote economic development and competitiveness by:</p> <ul style="list-style-type: none"> a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of 	Employment	The proposed quarry would provide employment opportunities, and a more diversified economic base and would help ensure that component materials are available to meet the projected infrastructure needs of the City.

Policy Number	Policy	Category	Consistency with the Policy
	<p>existing and future businesses;</p> <p>e) ensuring the necessary infrastructure is provided to support current and projected needs.</p>		
1.7.1	<p>Long-term economic prosperity should be supported by:</p> <p>a) promoting opportunities for economic development and community investment-readiness;</p> <p>c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;</p> <p>k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;</p>	Long Term Economic Prosperity	<p>The proposed quarry provides a close-to-market supply of high-quality aggregate resource and would provide additional jobs and economic development opportunities for the area.</p> <p>The quarry makes use of a naturally occurring stock of aggregate resources, a non-renewable resource. Progressive rehabilitation of the site at the end of the useful life would return the site to a use that is compatible with the surrounding landscape.</p> <p>Aggregates made available close-to-market reduces the transportation cost and associated environmental and climate change impacts.</p>
2.1.1	Natural features and areas shall be protected for the long term.	Natural Heritage	See Section 1.1.1.
2.1.2	The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among	Natural Heritage	As a part of the progressive rehabilitation, two lakes are proposed together with revegetation.

Policy Number	Policy	Category	Consistency with the Policy
	natural heritage features and areas, surface water features and ground water features.		
2.1.7	Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.	Natural Heritage	The Natural Environment Technical Report Level 1 and 2 reviewed the development which included consultation with the MNRF. Habitat for endangered or threatened species did exist on the site, and the report recommended that none of the abandoned truck trailers on the property be moved during the breeding season unless field work demonstrates that they are not being used for Barn Swallow nesting.
2.1.8	Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 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.	Natural Heritage	The Natural Environment Technical Report Level 1 and 2 confirmed that there should be no negative impacts to the adjacent significant woodland from the proposed quarry.
2.2.1	Planning authorities shall protect, improve or restore the quality and quantity of water by: e) maintaining linkages and related functions among ground water features, hydrologic functions, natural	Water	See Section 1.1.1.

Policy Number	Policy	Category	Consistency with the Policy
	<p>heritage features and areas, and surface water features including shoreline areas;</p> <p>f) implementing necessary restrictions on development and site alteration to:</p> <ol style="list-style-type: none"> 1. protect all municipal drinking water supplies and designated vulnerable areas; and 2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions; 		
2.5.1	Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.	Mineral Aggregate Resources	The site has been identified as Aggregate – Bedrock Reserve Area, Limestone Plain; and, Sand and Gravel Resource Area (Tertiary) based on known mineral deposits. As such, to the extent it is possible to extract the resource, the site should be protected for such long term use.
2.5.2.1	As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.	Mineral Aggregate Resources	The proposed quarry operation intends to make the existing resources on the site available to market. The sites proximity to the Kingston and area regional

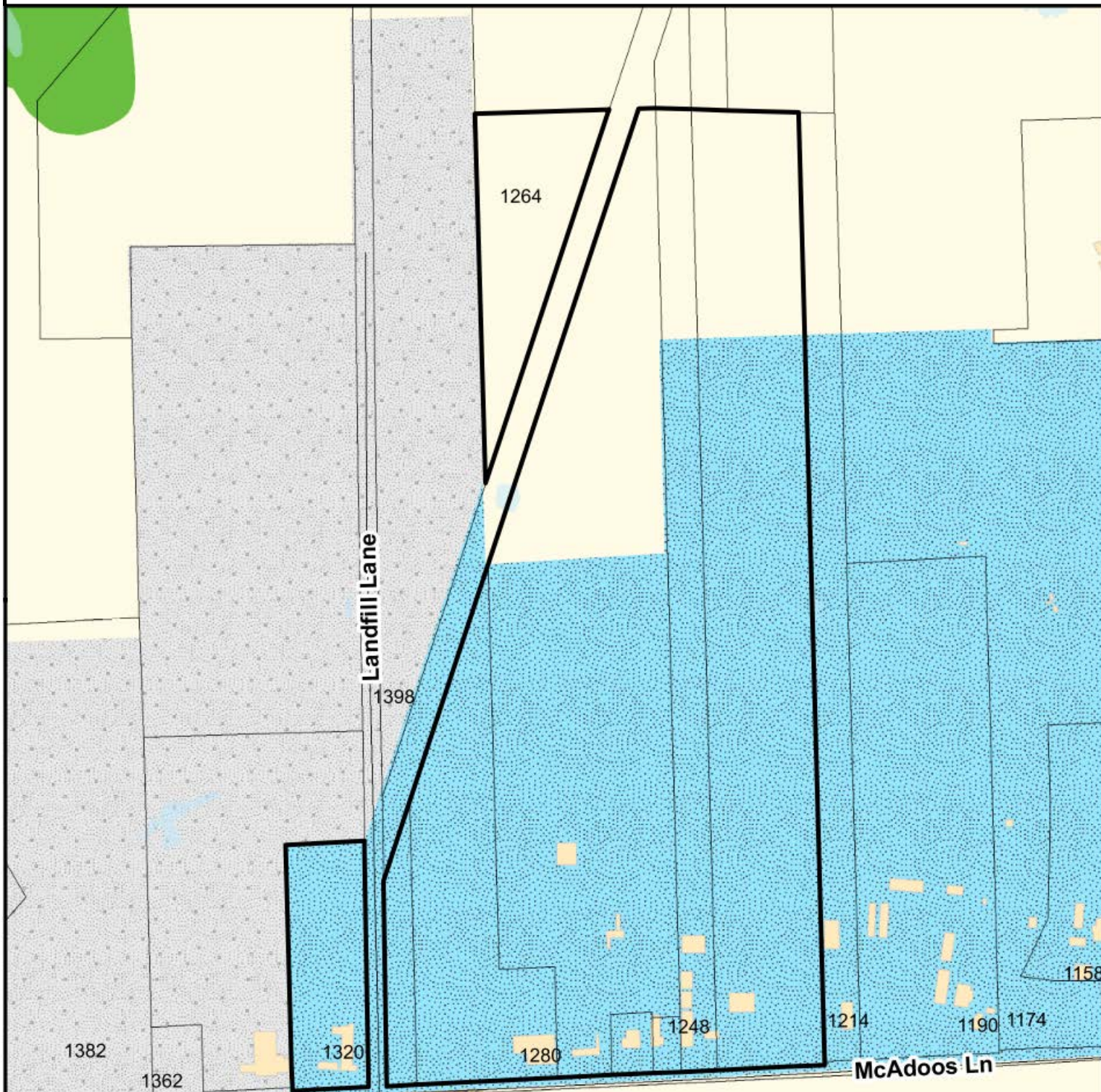
Policy Number	Policy	Category	Consistency with the Policy
	Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.		market would constitute as close to market.
2.5.2.2	Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.	Mineral Aggregate Resources	The technical studies prepared in support of the proposed quarry demonstrate that no natural or cultural heritage features will be impacted by the development. The hydrogeological study has confirmed no negative impact to the surface or ground water. Adherence to the applicable provincial standards for noise and dust will minimize any potential social impacts and nuisances.
2.5.2.4	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. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. Where the Aggregate	Mineral Aggregate Resources	The proposed application intends to extract the mineral aggregates before returning the site to a natural state and a use that is compatible with the surrounding land uses.

Policy Number	Policy	Category	Consistency with the Policy
	Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.		
2.5.3.1	Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.	Mineral Aggregate Resources	The site will be progressively rehabilitated with a final rehabilitation plan consisting of two lakes together with portions along the front of the property intended to be returned to a use that is compatible with the surrounding land uses.
2.6.2	Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.	Cultural Heritage and Archaeology	The site has been cleared of archaeological potential.
3.2.3	Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.	Human-Made Hazards	Berms to be constructed at the parameter will use on-site soil material and will be used as a part of the progressive rehabilitation of the site at the end of its useful life.

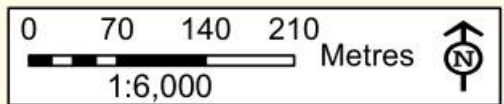


CITY OF KINGSTON
Official Plan, Existing Land Use
Address: 1248-1320 McAdoos Lane
File Number: D35-002-2022

- Subject Lands
- ENVIRONMENTAL PROTECTION AREA
- MINERAL RESOURCE
- RURAL
- RURAL INDUSTRIAL
- WASTE MANAGEMENT AREA



Prepared By: gronan
Date: Apr-27-2022



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Demonstration of How the Proposal Conforms to the Official Plan

Policy	Category	Conformity with the Policy
<p>2.1.2. Within Rural Areas, as shown on Schedule 2, growth will be limited and the natural assets, functions, and occupations that contribute to the general sustainability of the City as a whole will be supported through:</p> <ul style="list-style-type: none"> a. the protection of groundwater sources; b. an ecosystem approach to protecting the natural heritage system; c. the protection of surface water features, including inland lakes and rivers, Lake Ontario and the St. Lawrence River; d. the extraction of mineral resources and the rehabilitation of depleted mineral mining operation sites, which must occur in a manner that is sensitive to the existing uses in the general area and in accordance with appropriate provincial legislation; e. limiting the types of permitted development to those that support and are compatible with a resource based local economy and sustainable practices; and f. promotion of agricultural opportunities, practices, and alliances that 	<p>Sustainable Development - Rural Areas</p>	<p>The proposal represents appropriate growth within the rural area.</p> <ul style="list-style-type: none"> a. The applicant has submitted a Hydrogeological Impact Assessment which confirmed that the development would protect sensitive surface water and sensitive groundwater receptors during the operational period and under rehabilitated conditions. b. The 'Natural Environment Technical Report: Level I and II' was submitted by the applicant and reviewed by the CRCA to their satisfaction. The study confirmed that there will be no negative impacts to significant natural heritage features. Habitat for endangered or threatened species did exist on the site, and the report recommended that none of the abandoned truck trailers on the property be moved during the breeding season unless field work demonstrates that they are not being used for Barn Swallow nesting. Rehabilitation is an accepted form of compensation/mitigation for features lost from quarry operations. The

Policy	Category	Conformity with the Policy
<p>enhance agricultural employment as well as local food production, distribution, and consumption as an integral part of the local economy and the City's sustainability goals.</p>		<p>MNRF and CRCA have reviewed the technical documents submitted in support of the application and have no issue with the development proceeding.</p> <p>c. See (a) above.</p> <p>d. The applicant has provided a number of studies intended to address the potential for impact on the surrounding area including a Hydrogeological Impact Assessment; Noise Impact Study; Traffic Impact Study; and Archaeological Assessment. These studies have been peer reviewed and have confirmed the extraction could occur without adverse impacts.</p> <p>e. The proposed quarry would be compatible and consistent with the land uses which currently occupy the area which include a quarry and industrial uses.</p> <p>f. The proposed quarry expansion would not conflict with the agricultural policies of the Official Plan.</p>
<p>2.1.4. In reviewing development applications, the City will promote sustainability through:</p>	<p>City Structure – Rural Areas</p>	<p>a. Subject to the resource extraction, the site would be subject to progressive rehabilitation which includes the creation of</p>

Policy	Category	Conformity with the Policy
<p>a. encouragement of green building design to reduce greenhouse gases by adopting:</p> <ul style="list-style-type: none"> • energy efficient construction; • renewable sources of energy for lighting and heating; • natural lighting; • design that reduces water consumption; • design which minimizes discharge into the sanitary sewers; and • design which reduces or eliminates discharge into the storm sewers through incorporating stormwater management practices including low impact design and stormwater re-use. <p>b. design, landscaping, and streetscaping practices that promote protection from undesirable sun, wind, or other conditions and reduces the negative effects of urban summer heat;</p> <p>c. design, landscaping, and streetscaping practices that reduce the quantity of impermeable surfaces;</p> <p>d. construction and operational practices that minimize waste and maximize re-use of resources;</p> <p>e. practices that conserve or recycle materials, energy, or other resources;</p> <p>f. design which promotes a reduction of automobile trips, active transportation and</p>		<p>two lakes and revegetation together with areas near the front of the property which are to be backfilled and repurposed to another beneficial use.</p> <p>b. Vegetated berms of 8 metres height are intended to provide noise and visual buffering between the proposed quarry and the surrounding land uses.</p> <p>c. See (b) above.</p> <p>d. Aggregate materials would be recycled on site.</p> <p>e. See (d) above.</p> <p>f. The aggregate proposed for extraction are located close to market, reducing the amount of travel required and associated reduction in green house gas emissions.</p> <p>g. Not applicable</p> <p>h. The resources extracted would be recovered locally.</p> <p>i. The proposed development is located on an existing road and no expansion of existing services are required.</p> <p>j. The site will generate tax revenue as well as generate aggregate fees transferred to the City.</p>

Policy	Category	Conformity with the Policy
<p>transit, including secured public access to bicycle storage and parking;</p> <p>g. the creation of a mix of uses that support increased access to healthy foods;</p> <p>h. the use of materials that have been extracted or recovered locally;</p> <p>i. design that reduces municipal costs associated with the provision of infrastructure and municipal service delivery over the long term;</p> <p>j. development that generates sufficient tax revenue to pay for the increased services (e.g., solid waste collection, fire and police services, snow clearing, etc.) that the City has to provide; and,</p> <p>k. development that suits the demographic and/or socio-economic needs of the community.</p>		
<p>2.3.12. The planning for the lands shown as Rural Areas on Schedule 2 of this Plan must balance the resource protection objectives for agriculture, aggregates and minerals with the environmental objectives of the natural heritage features and areas and watershed management and the social objectives of protecting rural communities and the rural way of life.</p>	<p>Principles of Growth – Rural Areas</p>	<p>The development of the resource allows for the intended extraction of this non-renewable resource.</p>
<p>2.3.13. Rural Areas may accommodate land uses that</p>	<p>Principles of Growth –</p>	<p>The site is located with a known Aggregate – Bedrock</p>

Policy	Category	Conformity with the Policy
<p>require extensive land areas such as water management structures, solid waste disposal sites, recreational areas and industrial uses not suited to compact industrial parks. Planning for these types of uses requires the identification of the natural, agricultural and mineral resources that may be present in the area, the existing residential areas and Hamlets, and the policies of this Plan regarding land use change and the limits on creating lots in Rural Areas.</p>	<p>Extensive Land Area Uses in Rural Areas</p>	<p>Reserve Area, Limestone Plain; and, Sand and Gravel Resource Area (Tertiary) based on known mineral deposits.</p>
<p>2.3.14. Areas of known minerals and mineral aggregate resources and areas of mineral and aggregate potential will be protected for future extraction under the Aggregate Resources Act and the Mining Act. It is the City's intent that the land area will be rehabilitated once the resource is depleted.</p>	<p>Principles of Growth – Mineral Resources</p>	<p>See Section 2.3.12. and 2.3.13</p>
<p>2.7.3. The land use compatibility matters to be considered under Section 2.7.2 include, but are not limited to:</p> <ul style="list-style-type: none"> a. shadowing; b. loss of privacy due to intrusive overlook; c. increased levels of light pollution, noise, odour, dust or vibration; d. increased and uncomfortable wind speed; 	<p>Land Use Compatibility Principles – Land Use Compatibility Matters</p>	<ul style="list-style-type: none"> a. Shadowing is not anticipated to be a feature of this development. b. There are no sensitive uses within the area and privacy and overlook is not anticipated to be a feature of this development. c. The site plans for the proposed quarry have been designed to ensure that appropriate mitigation measures are in place to minimize the effects of

Policy	Category	Conformity with the Policy
<ul style="list-style-type: none"> e. increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit; f. environmental damage or degradation; g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded; h. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting; i. visual intrusion that disrupts the streetscape or buildings; j. degradation of cultural heritage resources; k. architectural incompatibility in terms of scale, style, massing and colour; or, l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents. 		<ul style="list-style-type: none"> noise and dust from the operation. d. Not applicable e. The Traffic Impact Study was prepared by the applicant and anticipates an average of 10 triaxles trucks per hour which would have only a nominal impact on the surrounding transportation network even when applying a 40% “peaking factor”. f. See Section 2.3.13. g. The site has existing road frontage and not additional services would be required. h. The site is located in an industrial area that also accommodates an existing quarry and there is no reduction in the existing amenity of the area anticipated as a result of the development. i. The site plan proposes 8 metre berms to buffer from the surrounding area. No visual intrusion is expected. j. No heritage features require protection. k. Cultural and natural heritage features have been protected.
<p>2.7.5. In some cases, distance separation will likely be the recommended form of mitigation, particularly:</p>	<p>Land Use Compatibility Principles –</p>	<p>See response to policy 2.1.4</p>

Policy	Category	Conformity with the Policy
<p>a. between heavy industrial uses (Class I, Class II and Class III Industrial Facilities), sewage treatment facilities, electricity generation facilities and electricity transmission and distribution systems, transportation and infrastructure corridors, airports, rail facilities, marine facilities, mineral aggregate resources and operations, and residential or other sensitive uses;</p>	<p>Distance Separation</p>	
<p>2.8.1. The City recognizes that the ecological functions of the natural heritage system and the biodiversity of its components are inter-related and function together to contribute to sustaining human health and economic welfare, as well as providing habitat for plant and animal communities. The City, in consultation with the Cataraqui Region Conservation Authority, the Ministry of Natural Resources and Forestry, and Fisheries and Oceans Canada, as appropriate, intends to protect significant elements of the natural heritage system, as more specifically discussed in Sections 3.10 and 6 of this Plan, and illustrated on Schedules 3, 7 and 8 and the secondary plans included in Section 10 of this Plan. It is the intent of the City to support and</p>	<p>Protection of Resources – Natural Heritage System</p>	<p>A ‘Natural Environment Technical Report: Level I and II’ was submitted by the applicant and reviewed by the CRCA to their satisfaction. The study confirmed that there will be no negative impacts to significant natural heritage features. CRCA and MNRF have reviewed the submission and have no issue with the site’s development.</p>

Policy	Category	Conformity with the Policy
participate in stewardship programs in partnership with conservation organizations.		
2.8.4. Water is a resource that must be protected. In order to maintain the quality and quantity of water, the City will restrict development and site alteration near sensitive surface water or groundwater features and in areas of medium to very high groundwater sensitivity and will implement the policies of the Cataraqui Source Protection Plan as required.	Protection of Resources – Water Quality & Quantity	See Section 2.8.1.
2.8.5. Stormwater runoff will be managed on site where feasible, and runoff may be required to be stored, treated and directed away from the natural heritage system. Its quantity will be required to be controlled to prevent impact on downstream areas. Stormwater connections are not permitted in areas where combined sewer infrastructure exists in the City.	Protection of Resources – Stormwater Management	See Section 2.8.1 and 2.7.3
2.8.7. Areas containing identified mineral deposits and mineral aggregate resources will be protected for their present or future use, and efforts will be taken to avoid any land use conflicts arising from mining or quarry operation.	Protection of Resources – Mineral Resource Areas	See Section 2.3.12
3.12.1. The City recognizes the role of Rural Lands in contributing to agricultural production, forestry and mineral resources, natural	Rural Lands - Function	The development of the proposed quarry would provide appropriate rural economic development.

Policy	Category	Conformity with the Policy
<p>areas and wildlife habitat, providing opportunities for rural economic development, outdoor recreation, and supporting the appreciation of natural areas that provide a contrast and respite from urban life.</p>		
<p>3.12.2. Permitted uses in Rural Lands include all agricultural uses, agriculture related uses, and on-farm diversified uses as permitted in the Prime Agricultural Area designation, sports and outdoor recreation activities in accordance with Section 3.12.4, and detached dwellings in accordance with Section 3.12.10 and that are compatible with adjacent land uses. Limited non-farm growth is permitted in Rural Lands if it does not limit or interfere with agricultural use, agriculture-related uses, on-farm diversified uses or a broader range of rural uses, and if it meets the environmental objectives of this Plan.</p>	<p>Rural Lands – Permitted Uses</p>	<p>The proposed quarry is compatible with the surrounding rural uses and, as described throughout meets the environmental objectives of the Plan</p>
<p>3.16.1. The general policies in this section are intended to apply to all lands designated as Mineral Resource Areas on Schedule 3. The extraction and primary processing of a mineral deposit or mineral aggregate resource is permitted on sites designated as a Mineral Resource Area on Schedule 3 of this Plan.</p>	<p>Mineral Resource Area – General Directions</p>	<p>The proposed redesignation would allow for the extraction and primary processing as planned for lands within this designation.</p>
<p>3.16.2. Prior to the initiation of mineral or aggregate extraction, a Mineral Resource</p>	<p>Mineral Resource Area – Temporary</p>	<p>Limited, existing, uses are proposed to continue until the planned phasing of the quarry</p>

Policy	Category	Conformity with the Policy
<p>Area may be used for agriculture, forestry, conservation, and passive recreation purposes, provided that these uses will not inhibit the removal of the resource in the future. New sensitive uses that are proposed as accessory uses to the permitted uses will be discouraged and no new residential lot will be created by way of consent in an area designated as Mineral Resource Area on Schedule 3.</p>	<p>Sensitive and Residential Uses</p>	<p>extraction requires the use stop. The proposed uses intended to continue do not require the construction of any buildings or prevent the quarry use in any way. The existing uses are planned to continue until extraction takes place based on the planned phasing do not constitute a sensitive use.</p>
<p>3.16.3. Any new mineral or mineral aggregate operation, or the expansion of a current activity in an area designated as a Mineral Resource Area, will require an amendment to the zoning by-law. When determining whether such an amendment is appropriate, the following must be considered:</p> <ul style="list-style-type: none"> a. the location of the proposed site and its impact on adjoining communities; b. the compatibility of the proposed extraction or primary processing activity with existing and planned land uses within 500 metres of a quarry or 300 metres of a pit; c. the advice of the appropriate provincial ministry with respect to resource potential; d. the size, scale, and nature of the proposed use, and any land uses 	<p>Mineral Resource Area – Zoning By-law Amendment</p>	<ul style="list-style-type: none"> a. The subject lands are located adjacent to an existing quarry operation, there is no negative impact anticipated on the surrounding communities. b. The site is compatible with the existing quarry and industrial land uses which predominate the area. c. The application has been circulated to the MNR and the MTO neither of which had any issue with the proposed application. d. The size and scale of the operation is appropriate and is to occur in phases. Existing road infrastructure is sufficient to accommodate the anticipated trips generated. e. The site has existing road frontage and would not have a negative impact on the surrounding traffic.

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<p>and activities that are accessory uses to the extractive or processing operation;</p> <p>e. the ease of access of the proposed site with respect to the location of entrances and exits, road patterns and traffic volumes;</p> <p>f. the location of proposed haulage routes and their impact on communities or residents along those routes, and the impact on the transportation system relying on those routes; and,</p> <p>g. submission of materials listed below for the purpose of information for the municipality, including:</p> <ul style="list-style-type: none"> • a detailed site development survey indicating dimensions of the site, all existing or proposed structures and their dimensions, topography and soils, and also land uses and buildings or structures within 500 metres of a quarry or 300 metres of a pit. Site plans prepared consistent with the Aggregate 		<p>f. The haul routes would not impact communities or residences.</p> <p>g. See Section 2.1.2</p>

Policy	Category	Conformity with the Policy
<p>Resources Act are acceptable for the purposes of this policy;</p> <ul style="list-style-type: none"> • the surface and groundwater characteristics of the site, its drainage, as well as the hydrogeological impact of the proposed mining or extraction use on the groundwater quality and quantity within a minimum 500 metres of the site; • confirmation that the surface water, watercourses and environmental features of the site and the surrounding area will not be adversely affected by the proposal, through the submission of an environmental impact assessment, or other studies as may be deemed necessary; • the operational plan for the proposed site including roads, driveways, the 		

Policy	Category	Conformity with the Policy
<p>location of materials storage, stockpiles of the resource, and any water diversion or storage location;</p> <ul style="list-style-type: none"> • the general conditions under which the proposed operation will function, including hours of operation, seasonality of operation, and the timing and scale of any blasting or crushing operations; and, • the proposed landscaping, screening and buffering related to the planned use of the site after rezoning. 		
<p>3.16.6. All mineral and aggregate extraction operations must conform to the provisions of the appropriate provincial legislation and must satisfy the requirements of the appropriate approval authority with respect to water supply, water pumping or diversion, disposal of liquid wastes, noise abatement measures, control of air pollution, and fencing and signage.</p>	<p>Mineral Resource Area – Other Legislation and Regulations</p>	<p>The quarry would be licensed and operated under approval from the Ministry of Natural Resources and in accordance with the Aggregate Resources Act and all other applicable legislation.</p>

Policy	Category	Conformity with the Policy
<p>3.16.7. Progressive rehabilitation is required, consistent with the provisions of the Aggregate Resource Act, or other provincial legislation. Rehabilitation of mineral and mineral aggregate resource lands is required after mining or extraction operations have ceased.</p>	<p>Mineral Resource Area – Rehabilitation</p>	<p>The site proposes progressive rehabilitation including the creation of two lakes and re-vegetation together with areas near the front of the property which are to be backfilled and repurposed to another beneficial use.</p> <p>The progressive rehabilitation has been set out in the Site Plans and is to proceed through the sloping of terminal quarry faces and backfilling at the southern portion of Phases 2 and 4 excavations to original grade, to provide for re-purposing of the quarry excavation for other beneficial land use. No physical rehabilitation will occur on the quarry floor as it will be under water.</p>
<p>3.16.9. Protection of mineral resources and mineral aggregate resources for long term use and extraction is a priority of the City and a new designation that places land in a Mineral Resource Area designation on Schedule 3 is permitted in consultation with the Province. Aggregate operations vary depending whether the operation is a pit, quarry, or a quarry below the water table, and the related scale of operation and provincial requirements will vary accordingly. Depending on the type of operation proposed, and the proximity of sensitive uses or environmental features</p>	<p>Mineral Resource Area – Official Plan Amendments</p>	<p>a. The quarry is a Category '2' <i>Aggregate Resources Act</i> (ARA) application for a Class 'A' quarry below water table. The quarry is not anticipated to have any impact on adjoining communities as the site is surrounded by existing uses which include a quarry and other industrial uses.</p> <p>b. The size and scale is appropriate for the proposed quarry as it allows for the extraction of the non-renewable resources which are known to be located in this location. The Traffic</p>

Policy	Category	Conformity with the Policy
<p>involved, the City will consider the following:</p> <ul style="list-style-type: none"> a. the location of the proposed site and its impact on adjoining communities; b. the size, scale and nature of the proposed use; c. the compatibility of the proposed use with adjacent existing and planned land uses and designations; d. the ease of access of the proposed site with respect to road patterns and traffic volumes, and the impact that increased truck traffic may have on communities or residents along those routes, and on the transportation system itself; e. the proposed landscaping and buffering to minimize the potential for adverse effects; f. the determination and assessment of potential negative impacts to natural heritage features and areas as demonstrated through the completion of an environmental impact assessment, prepared in accordance with the 		<p>Impact Study has confirmed the road network can accommodate the increased traffic.</p> <ul style="list-style-type: none"> c. The site is compatible with the surrounding uses which already includes an existing quarry as well as other industrial uses. d. The property has direct frontage on McAdoos Lane and there is not anticipated impact on the surrounding communities as a result of the traffic. e. An eight metre high berm is proposed to be landscaped to buffer the site from the surrounding area. There are no sensitive land uses, and the potential for adverse impacts would be minimal. f. Natural heritage features have been assessed and the development has been directed away from the significant woodland which occupies the far north end of the subject lands and outside of the area subject to the current application. g. The site has been cleared of archaeological potential. h. See Section 2.1.2

Policy	Category	Conformity with the Policy
<p>policies of Section 6 of this Plan;</p> <p>g. an archaeological assessment, in accordance with the Ministry of Tourism and Culture’s screening criteria; and,</p> <p>h. information and studies that demonstrate that the quantity and quality of the groundwater and surface water, as well as the natural drainage in the area, are not adversely affected.</p>		
<p>3.16.B.1. Lands designated as Mineral Resource Area are intended primarily for pits and quarries and the extraction of sand, gravel, bedrock and other aggregates. Associated operations such as crushing, blending, screening, washing, aggregate storage (stock-piling), aggregate recycling operations, weigh scales, asphalt manufacture, and concrete batching may be permitted as accessory uses to an active aggregate extraction operation.</p>	<p>Mineral Resource Areas – Pits and Quarries – Permitted Uses</p>	<p>The application proposes to redesignate the lands to the Mineral Resource Area to allow for the orderly extraction of the resource while the Zoning By-law Amendment would allow for both the mineral aggregate operation use of the lands as well as certain other uses which currently exist on the site and are permitted within the current industrial zoning of the property and have existed in harmony with the quarry which operates in the area.</p>
<p>3.16.B.2. Other uses on lands designated as Mineral Resource Area are permitted in accordance with Section 3.16.2 of this Plan.</p>	<p>Mineral Resource Areas – Pits and Quarries – Other Uses</p>	<p>See Section 3.16.2.</p>
<p>3.16.B.4. Other land use activities, particularly sensitive uses such as residential uses, proposed to be developed</p>	<p>Mineral Resource Areas – Pits and Quarries –</p>	<p>a. The proposed uses of the subject lands are not considered sensitive, and there are no dwellings</p>

Policy	Category	Conformity with the Policy
<p>within land use designations abutting a Mineral Resource Area designation on Schedule 3, must be separated from lands designated Mineral Resource Area by the following distances:</p> <ul style="list-style-type: none"> a. 300 metres from a known unconsolidated deposit (e.g., sand, gravel, clay) or a mineral aggregate pit operation; and b. 500 metres from a known bedrock deposit or a bedrock quarry operation. The protection of the Mineral Resource Area designation for long term use is a priority of this Plan. However, in approving new pits or quarries, the number and proximity of existing sensitive uses in the immediate area of the proposed new use must be considered. 	<p>Minimum Distance Separation</p>	<p>within 550 metres of the proposed quarry.</p> <ul style="list-style-type: none"> b. See (a) above.
<p>3.16.B.5. The above separation distances may be altered to reflect site-specific conditions related to such matters as land use compatibility, groundwater, noise, dust, vibration, and other appropriate matters without amendment to this Plan. In contemplating the reduction of the minimum distance separation, the appropriate assessment is required to establish an appropriate</p>	<p>Mineral Resource Areas – Pits and Quarries – Minimum Distance Separation</p>	<p>The separation distances identified in Section 3.16.B.4. are exceeded.</p>

Policy	Category	Conformity with the Policy
<p>distance, and investigate all of the potential impacts on the pit or quarry operation. Separation distances will be reflected in the zoning by-law.</p>		
<p>4.3.3. The City requires that stormwater management be adequately studied and appropriately addressed in any development proposal in order to:</p> <ul style="list-style-type: none"> a. ensure flood elevation or velocities upstream or downstream to the receiving waterbody are not increased, or are properly mitigated; b. maintain base flow in receiving watercourses; c. ensure erosion is not increased and sediment is not increased in the water column or the bed of the receiving waterbody during and after construction; d. meet water quantity flow targets and water quality sediment, nutrient, bacterial, chemical and temperature targets, where identified; e. ensure fish habitat, wetlands or other environmental features are not degraded; and, f. increase, where possible, groundwater recharge in a manner that will not contaminate the resource. 	<p>Stormwater Management</p>	<ul style="list-style-type: none"> a. No further development of the property is proposed and the Currently, surface runoff from the site crosses onto the Lafarge McAdoo Quarry to the west. Based on local topography, there is a very limited upstream catchment for runoff at the site. b. There is no defined watercourse associated with this overland flow. See also Section 2.1.2. c. See (b) above. d. See Section 2.1.2. e. See (b) above. f. See Section 2.1.2.

Policy	Category	Conformity with the Policy
<p>4.4.1. A Groundwater Supply Assessment in accordance with Ministry of the Environment and Climate Change guidelines and the City's standards for Hydrogeological Assessments will be required for any development that is proposed for an area without municipal services.</p>	<p>Individual On-Site Services – Groundwater Supply Assessment</p>	<p>See Section 2.1.2.</p>
<p>4.4.3. The City may request that a hydrogeological study be undertaken in any location and will provide guidance on the scope of the study. The hydrogeological study must be submitted to the City for approval and must satisfy provincial regulations, guidelines and municipal policies, as amended. Where a property has been identified with more than one level of constraint due to groundwater sensitivity, the more stringent level must apply.</p>	<p>Individual On-Site Services – Hydrogeological Study Required</p>	<p>See Section 2.1.2.</p>
<p>4.6.11. The City may require the proponent of any development to prepare a traffic impact analysis or a transportation study to the satisfaction of the City to address the requirements of Sections 4.6.1 through 4.6.10, and to assess the influence of development on active transportation movement, vehicular flows and traffic volumes, and transportation demand management. Any such analyses will assess the impact of the proposal on the roadways and, if needed, will</p>	<p>Transportation – Transportation Impact Study Requirements</p>	<p>See Section 2.1.2.</p>

Policy	Category	Conformity with the Policy
<p>recommend improvements necessary to accommodate the proposal, to discourage excessive through traffic, provide traffic calming measures, and maintain satisfactory service levels for all modes of transportation on public streets. The City may determine that such analyses may be subject to a peer review at the cost of the proponent. In addition, the Ministry of Transportation may require a property owner and/or the City to undertake, at their cost, a traffic impact analysis and subsequently the design and construction of warranted highway improvements related to a proposed development, as a requirement for the issuance of Ministry permits.</p>		
<p>5.17. Any development proposal (including severance applications) proposed within 500 metres of the fill area of an existing or former landfill site that was or has been licensed for operation and/or closure as a waste disposal site by the Ministry of the Environment and Climate Change, must be supported by a study to determine adverse effects or risks to health. The study must address the following for operating landfill sites: landfill generated gases, ground and surface water contamination by leachate, odour, litter, contaminant discharges from associated vehicular traffic,</p>	<p>Protection of Health & Safety – Existing or Former Landfill Sites</p>	<p>The Hydrogeological Assessment noted the proximity to the former Kingston West Waste Disposal Site. The Assessment notes the groundwater monitoring which continues at this site, and observes that groundwater flow directions within the upper limestone aquifer are interpreted to be northwesterly towards the adjacent valley. The groundwater flow direction within the deep bedrock aquifer has been interpreted to be southwesterly. Groundwater flowing through the upper portion of the</p>

Policy	Category	Conformity with the Policy
<p>visual impact, dust, noise, other air emissions, fires, surface runoff and vectors and vermin. Studies of sites that are not operating must consider: ground and surface water contamination by leachate, surface runoff, ground settlement, visual impact, soil contamination and hazardous waste, and landfill generated gases. If previous studies have confirmed that the influence area of the former landfill site is less than 500 metres, the lesser distance authorized by the City may be used in the study. The requirement for a study, or the scope of the study may be reduced by the City if the development site is supported by a Record of Site Condition supporting the proposed development or use.</p>		<p>limestone in the vicinity of the landfill discharges as surface water into ephemeral streams at the base of Tuttle's Hill. The Analysis concludes that offsite impacts are not predicted.</p>
<p>5.26. Any use, including industrial, commercial, institutional or high density residential, proposed to generate a stationary source of noise or vibration may be required to undertake a detailed noise and/or vibration study, to the satisfaction of the City. The study must be conducted by a qualified person in accordance with Ministry of the Environment and Climate Change guidelines, address all sources of noise and vibration, include recommendations for mitigation to meet the applicable criteria, and ensure that there is no</p>	<p>Protection of Health & Safety – Noise from Stationary Sources</p>	<p>The applicant submitted an Environmental Noise and Blasting Impact Assessment Report which concluded that, the proposed quarry can operate within acceptable sound level limits and within acceptable blast overpressure and vibration thresholds as defined respectively in MECP publications NPC-300 and NPC-119 subject to recommendations made in the report.</p>

Policy	Category	Conformity with the Policy
adverse effect on an existing or planned sensitive use.		
7.4.2. The City will permit development and site alteration on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved.	Archaeological Resource Conservation – Conservation of Archaeological Resources	The site has been cleared of archaeological potential
<p>9.3.2. Every application for amendment to this Plan will be evaluated on the basis of the following general considerations and any others that are pertinent to the particular application:</p> <ul style="list-style-type: none"> a. the conformity of the proposed amendment to the general intent and philosophy of this Plan, particularly the vision and planning principles, including sustainability, stability and compatibility outlined in Section 2, and consistency with provincial policy; b. the availability and suitability of land already designated for the proposed use, and the need for (or market feasibility of) the proposed use; c. the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and 	Official Plan Amendments – Criteria	<ul style="list-style-type: none"> a. As set out throughout the body of the Report and the associated Provincial Policy Statement (2020) and Official Plan Conformity Tables, the proposed development maintains the general intent of these documents by extracting a non-renewable aggregate resource in a manner which will not impact the surrounding activities. The continuation of existing employment uses will allow for compatible uses to occupy portions of the site until extraction ultimately takes place based on the planned phasing and schedule for progressive rehabilitation. b. The aggregate resources located on the site are non-renewable and limited in their availability based on geological processes. The resource is located close to market and are a necessary component of almost all construction activities.

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<p>planned uses, including cultural heritage resources and natural heritage features and areas;</p> <p>d. the potential of the proposal to cause instability within an area intended to remain stable;</p> <p>e. the ability of the City's infrastructure to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure improvements in other areas of the City;</p> <p>f. the financial implications (both costs and revenues) to the City;</p> <p>g. the degree to which approval of the amendment would establish an undesirable precedent; and,</p> <p>h. consistency with the Provincial Policy Statement and provincial legislation and guidelines.</p>		<p>c. The site avoids natural heritage features and is compatible with the surrounding area which already includes aggregate resource extraction as well as industrial uses.</p> <p>d. The development of the site and extraction of the natural resource is not anticipated to cause any instability given the existence of both of these uses within the immediate area surrounding the subject lands.</p> <p>e. The Traffic Impact Study was prepared by the applicant and anticipates an average of 10 triaxles trucks per hour which would have only a nominal impact on the surrounding transportation network even when applying a 40% "peaking factor".</p> <p>f. There is no expected financial impacts associated with the proposed development as no municipal services are required and the road network is sufficient to accommodate the anticipated traffic volumes.</p> <p>g. The approval of the amendment would not create an undesirable precedent.</p>

Policy	Category	Conformity with the Policy
		<p>h. The proposal is consistent with the Provincial Policy Statement (2020) as outlined in the Conformity Table (Exhibit E). Subject to approval, the proposal would require approvals under other applicable legislation (e.g., <i>Aggregate Resources Act</i>).</p>
<p>9.5.9 When considering an application to amend the zoning by-law, the Planning Committee and Council will have regard to such matters as:</p> <ul style="list-style-type: none"> a. conformity of the proposal with the intent of the Official Plan policies and schedules; b. compatibility of the proposal with existing uses and zones, sensitive uses, the natural heritage system, cultural heritage resources, and compatibility with future planned uses in accordance with this Plan; c. compatibility of proposed buildings or structures with existing buildings and structures, with zoning standards of adjacent sites, with any future planned standards as provided in this Plan, and with any urban design guidelines 	<p>By-Laws – Planning Committee/Council Considerations</p>	<ul style="list-style-type: none"> a. As set out throughout the body of the Report and the Official Plan Conformity Table, the proposed development maintains the general intent by allowing for the extraction of a non-renewable aggregate resource in a manner which will not impact the surrounding activities. The continuation of existing employment uses will allow for compatible uses to occupy portions of the site until extraction ultimately takes place based on the planned phasing and schedule for progressive rehabilitation. b. The proposed development is compatible with the existing uses and which has existed in this area as a mix of uses which form a part of the uses sought in the current application. There are no sensitive uses within the area and the proposed development avoids the

Policy	Category	Conformity with the Policy
<p>adopted by the City for the area;</p> <p>d. the extent to which the proposal is warranted in this location and the extent to which areas zoned for the proposed use are available for development;</p> <p>e. the suitability of the site for the proposal, including its ability to meet all required standards of loading, parking, open space or amenity areas;</p> <p>f. the suitability of the density relative to the neighbourhood and/or district, in terms of units per hectare, bedrooms per hectare, floor space index, and/or employees per hectare, as applicable;</p> <p>g. the impact on municipal infrastructure, services and traffic;</p> <p>h. comments and submissions of staff, agencies and the public; and,</p> <p>i. the degree to which the proposal creates a precedent.</p>		<p>natural heritage system within the area.</p> <p>c. The proposed development is compatible with the surrounding uses and the zoning setbacks ensure that the noise and dust do not have adverse impacts on the surrounding area.</p> <p>d. The proposal is warranted in this location as it takes advantage of the geological processes which laid these non-renewable resources at this location and extraction is possible without undue impact on the surrounding uses which have evolved since that time.</p> <p>e. The site avoids natural heritage features and is compatible with the surrounding area and all requirements for parking and loading spaces can be met on site.</p> <p>f. The density of the proposed development is appropriate and would not exceed that which currently exists on the site.</p> <p>g. There is no anticipated impact on municipal services, and the Traffic Study has confirmed that the existing road network can accommodate the forecast demand.</p>

Policy	Category	Conformity with the Policy
		<p>h. No comments have been received at the time of writing.</p> <p>i. The proposed development does not create an undue precedent.</p>



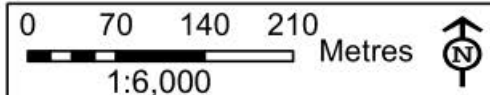
CITY OF KINGSTON Reference Kingston Zoning Bylaw

Address: 1248-1320 McAdoos Lane
File Number: D35-002-2022

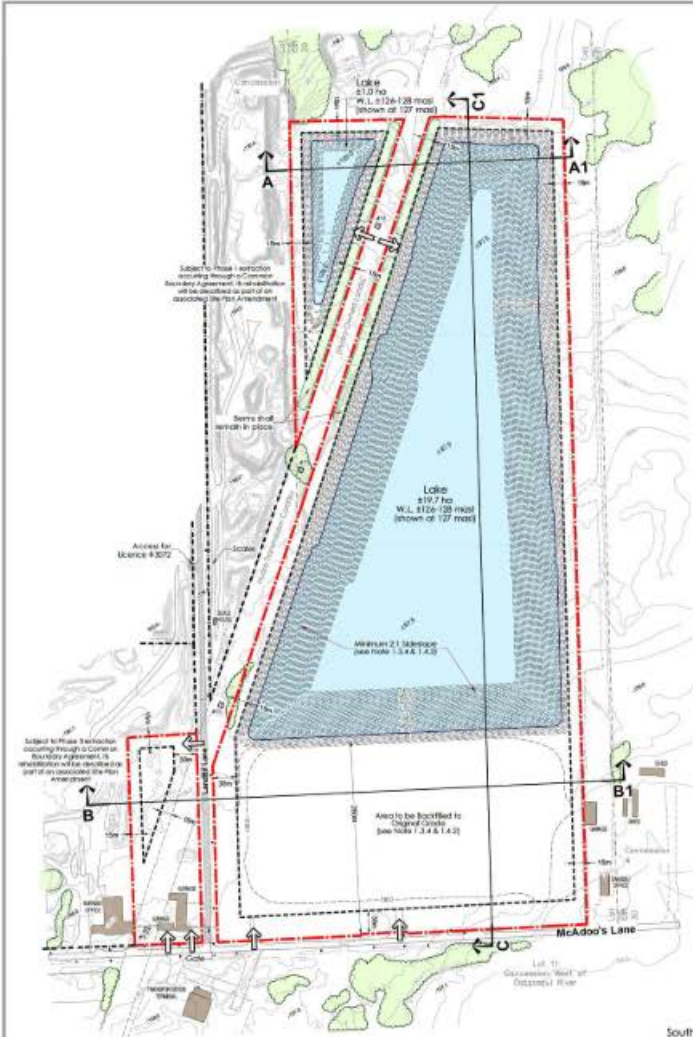
- Subject Lands
- Zone
- Holding Overlay (HXXX)
- Not Subject to the Kingston Zoning By-law
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)



Prepared By: gronan
Date: Apr-27-2022



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Marking criteria used for operational sites to Aggregate Remediation of Certain Products (OARPs) under the Ontario Aggregate Remediation Act (ARA) license application - Class 4 Quarry license type

1.1 - Quarry Rehabilitation
The sequence and direction of rehabilitation will follow that of existing operations on surface areas of the quarry site located to the east of the excavation front on a 30m grid (shown on page 2 of 3) and the page).

Progressive rehabilitation will occur through:
a. clearing of material from areas where such clearing will not interfere with other critical aspects of an operation (e.g., access to the site, drainage and processing areas, drainage ditches);
b. final rehabilitation will occur on the quarry floor of the site under water;
c. backfilling of the southern portion of the quarry to original grade to provide for re-creation of the quarry sections for other beneficial uses.

1.2 - Use of Hazardous/Contaminated
Over time, quarry materials (e.g., waste and slag) and other materials (e.g., waste and slag) may be present in the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.3 and 1.4 - Proposed Vegetation
Appropriate vegetation will be established and maintained to prevent erosion and ensure stability of rehabilitated slopes on the upper portion of the quarry site. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.1 - 1.4.5 - Slope Creation
Slopes will be created in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.6 - 1.4.8 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.9 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.10 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.11 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.12 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.13 - Final Rehabilitation / Stabilized Land
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1.4.14 - Final Rehabilitation / Stabilized Land
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1.4.15 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.16 - Final Rehabilitation / Stabilized Land
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1.4.17 - Final Rehabilitation / Stabilized Land
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1.4.18 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.19 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4.20 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated. The presence of these materials will be investigated and, if necessary, remediated.

1.4 - Buildings & Structures
Buildings or structures associated with aggregate operations and other commercial or public occurring on the site will remain during progressive rehabilitation. At final rehabilitation, buildings and structures located on the backfilled to grade area of the southern part of Phase 2 and 4 will remain.

1.4.1 - General Water Table
The water table elevation will be determined by the degree of saturation of the site to original grade conditions of Phase 2 and 4, and location of buildings/structures on the site for post-quarry land use and activities.

1.4.2 - Surface Water Drainage & Discharge
There will be no surface water drainage and discharge on the site that will exceed the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated.

1.4.3 - Final Rehabilitation / Stabilized Land
The final rehabilitation will be completed in accordance with the design of the quarry. The presence of these materials will be investigated and, if necessary, remediated.

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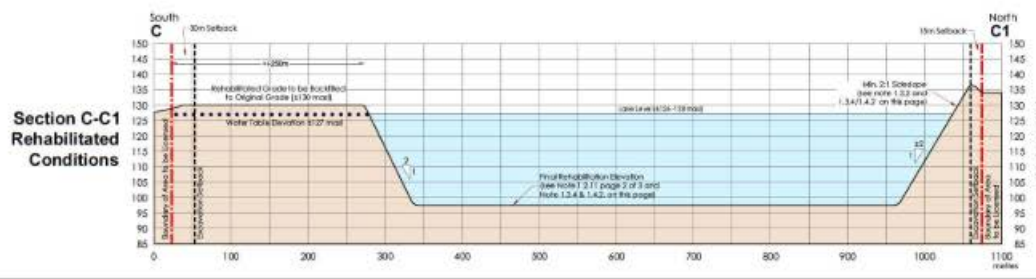
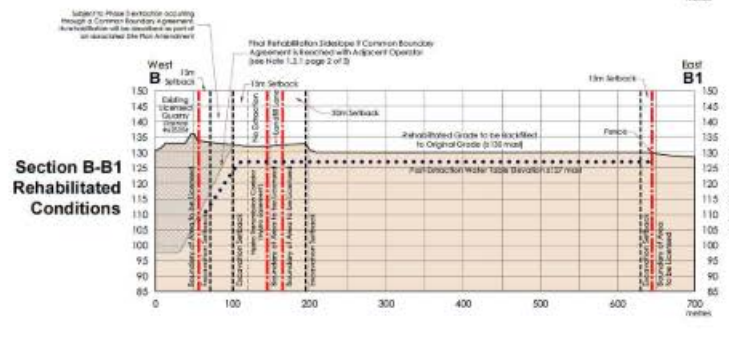
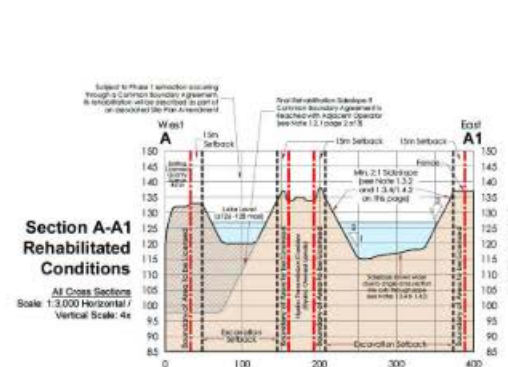
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1.4.20 - Final Rehabilitation / Stabilized Land
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Legal Description
Part of Lots 28 and 29, Concession 4 (Geographic Township of Kingston) City of Kingston

Legend

- Boundary of Area to be Licensed
- Existing Licensed Boundaries
- Contour with Elevation
- Existing Spot Elevation
- Existing Fence
- Building/Structure
- Existing Vegetation
- Hydro Poles (Wood)
- Hydro Tower (Steel)
- Field Access
- Cross Sections

Excavation Setback
10 METERS ABOVE GRADE TO 15 METERS ABOVE GRADE

Proposed Contour
10 METERS ABOVE SEA LEVEL

Proposed Elevation
110.0 METERS ABOVE SEA LEVEL

Proposed Lake

Site Plan Amendments

No.	Date	Description	By

MHBC
PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
1600 MIDLAND AVE. SUITE 101, KINGSTON, ONT. K7L 3N7
TEL: (613) 398-1111 FAX: (613) 398-1112 WWW.MHBCARCH.COM

MNR Approval Stamp

Applicant
K. Mulrooney Trucking Limited
1280 McAdoo's Lane, Kingston, Ontario, K7H 1S0, Tel: (613) 548-4427

Applicant's Signature
Dan Mulrooney, President

Project
Mulrooney McAdoo Quarry
Part of Lots 28 and 29, Concession 4 (Geographic Township of Kingston) City of Kingston

MNR Licence Reference No.
10100A

Re-approval review
Approved: JUN 31, 2022
MNR Fieldwork Complete: March 19, 2021

Plan Scale
SCALE: 1:3 (1mm = 3 units) MODEL

Drawn by
D.G.S.

Checked by
A.S.

File No.
10100A

File Name
REHABILITATION PLAN

Drawing No.
3 OF 3

© 2022 MULROONEY TRUCKING URBAN DESIGN & LANDSCAPE ARCHITECTURE

Site Photos



Looking Northwest toward 1248 McAdoo's Lane (eastern end of subject lands)



Looking Northeast toward 1280 McAdoo's Lane (central portion of subject lands)



Looking Northwest toward 1320 McAdoo's Lane (western end of subject lands)



CITY OF KINGSTON
Public Notice Notification Map
Address: 1248-1320 McAdoos Lane
File Number: D35-002-2022

- 120m Public Notification Boundary
- Subject Lands
- Property Boundaries
- Proposed Parcels
- 22 Properties in Receipt of Notice (MPAC)

