

Réponses aux questions et inquiétudes des résidents et contribuables du Canton d'Alfred et Plantagenet concernant la demande d'amendement au Plan officiel des CUPR et de modification au Règlement de zonage No. 2009-50 du Canton afin de permettre l'implantation d'une usine d'asphalte.

Answers to the questions and concerns of the residents and taxpayers of the Township of Alfred and Plantagenet concerning the application to amend the UCPR Official Plan and the Township Zoning By-Law No. 2009-50 in order to allow for the construction of an asphalt plant.

Réponse/Answer:

- Q1. The volunteer firemen can be trained for an emergency involving the products used at an asphalt plant. We can require from the proponent that the necessary equipment and products to fight a fire at the asphalt plant be available on site. The proponent will be required to submit an emergency plan in case of disaster and the clean-up is his responsibility.
- Q2. Normally, the landowner insurance covers for any cost related to clean-up should a disaster (spill or fire) occur.
- Q3. Il est possible pour le Canton d'exiger ces informations.
- Q4. The current zoning « RU- Exception 25 (RU-25) » prohibits the uses of the property for residential purposes. The landowner filed an application for a land severance and the modification to the zoning by-law was imposed as a condition for approval of this land severance application, File B-083-2008. The purpose of the exception is to prohibit the construction of a residential building on the retained portion (32.83 hectares) of the property in compliance with subsection 3.3.3 of the Official Plan which states that "*1. Lot creation for residential purposes with direct access to a primary artery (County Road 17) is not permitted.*"
- Q5. According to our records the landowner is Mr. Pierre Groulx and the application to rezone was submitted by J.L. Richards & Associates Limited, represented by Mr. Marc Rivet.
- Q6. La Zone d'Intérêt Naturel et Scientifique (ZINS) est inscrite au Plan officiel des CUPR, ce n'est pas une "zone" proprement dite au Règlement de zonage du Canton.
- Q7. The property is located under the « Rural Policy Area » in the UCPR Official Plan. Agricultural use is a permitted use in the rural area. The proponents can file an application to change the designation in the OP and the zoning category. This does not mean that the County and Township Council will agree to the proposed changes.
- Q8. It is the consortium wish to locate at this preferred location.
- Q9. The proponents need to apply for an extraction license for a quarry or sand pit at the Ministry of Natural Resources, they will need to have the Official Plan amended again to identify the "Mineral Aggregate Resources Policy Area" but it will not be required to change the zoning category if the "MX" zone is changed during the present application.

- Q10. A small portion of the property at the eastern limit is identified as being part of a larger mineral aggregate resources reserve. In order for the company to extract existing resources they have to apply and comply with the MNR requirements and amend the UCPR OP. It is undeniable that it will affect the surrounding properties which are used for residential purposes.
- Q11. La zone “Ressource d’agrégats minéraux (MX)” a été choisie parce que l’usage “usine d’asphalte” apparaît comme usage permis. Il est difficile d’évaluer l’impact de cette nouvelle catégorie de zonage sur les terrains avoisinants dans le futur mais en raison de la présence de la réserve d’agrégats, il est fort possible qu’il y aura d’autres demandes similaires.
- Q12. If the proponents need to use water, they have to prepare and submit for review and approval an hydro-geological study before they can dig a well or install a private septic system. The proponents have filed an application to amend the Official Plan which includes a removal of the regional ANSI designation on the property and they have applied for a zoning amendment. There is no application for an aggregate license filed with the MNR. According to the document entitled “Planning Rational”, there is no water in the production of hot asphalt mix but in the document entitled “Preliminary Emission Summary and Dispersion Modelling Report” water is mentioned.
- Q13. The proponent has his own reasons and may ask for an OPA and ZBA for this particular property, this doesn’t mean that his demand will be granted.
- Q14. The proponent intentions are to use the property for an asphalt plant; this does not mean that his demand will be granted.
- Q15. This is one Official Plan policy that can be used to support Council’s position against the asphalt plant.
- Q16. The Ministry of Natural Resources is responsible for the provincially significant ANSI throughout the Province. The UCPR could identify regionally significant ANSI and have the necessary documents prepared to support such a designation.
- Q17. At this point in time, no application for a license to excavate the aggregate has been asked for by the proponent at the MNR.
- Q18. De ce que nous comprenons des documents du MRN, la ZINS qui touche la propriété concernée et qui correspond à la partie boisée qui s’étend dans la partie centrale ouest du terrain a fait l’objet d’une analyse par les experts du ministère et était proposée (« candidate ») comme ZINS d’intérêt régionale. Il y a une autre ZINS d’intérêt provinciale qui réfère à la protection des cavernes.
- Q19. Yes, the Zoning By-Law has to comply with the Official Plan.
- Q20. Each year when the budget is prepared, the Council decides what the tax rate will be based on the total assessment of the properties in the Township. Depending on the amount required to balance the budget, Council can decide the tax rate for each type of property (residential, commercial, industrial, farm, etc) considering the criteria set by the Province.

- Q21. Any additional costs is required from the proponent before approval (additional studies or analysis by consultants) to ensure compliance.
- Q22. This is another aspect of the efforts developed by the Counties (tourism promotion) that can be used to support Council's position against the proposed asphalt plant.
- Q23. The UCPR are responsible for the maintenance of all County roads including the bridges and culverts. Every taxpayer in the UCPR contributes to the maintenance of the County roads.
- Q24. Le Conseil des CUPR et le Conseil du Canton allouent des sommes d'argent à chaque année pour la réfection et l'entretien des chemins qui relèvent de leur responsabilité.
- Q25. Any landowner can appeal the assessment of their property. When the decision is made, the municipality is required to make the necessary adjustments to the tax bill. When the budget is being prepared, Council decides what the tax rate will be to balance the budget. The same process is made at the County level.
- Q26. The proponent will likely be required to prepare a hydro-geological study and a Karst Investigation.
- Q27. We do not know if hydro-geological tests were done on the property.
- Q28. The property has been identified in Schedule "C" of the UCPR Official Plan as having unstable bedrock (karst topography). Development may be permitted in circumstances where the hazard can be overcome using acceptable engineering techniques and where the access standard can be met and no other environmental hazards will be created. South Nation Conservation has recommended the preparation of a Karst Investigation in support of any new development in this area indicating how the hazard may be addressed.
- Q29. The atmospheric emissions at the asphalt plant are monitored by equipment installed by the proponent. The monitored information is supplied to the MoE on regular basis to ensure compliance *with the corresponding standards published in Ontario Regulation 419/05.*
- Q30. Measures can be required at the Site Plan level to have the storm water run-off directed into a retention pond.
- Q31. Les promoteurs ont déposé les études requises avec leur demande d'approbation. Si d'autres mesures sont requises, les ministères et les agences pourront les exiger et mettre en place les mesures de contrôle nécessaires.
- Q32. The issues concerning noise, traffic and pollution have been addressed by the consulting engineers for the proponents and their reports will be reviewed and commented by the concerned authority in each field.
- Q33. County road 17 is not a public highway where half loads apply during the thawing period.

- Q34. There is no mention in the studies submitted by the proponents that road salt, gasoline, oil, lubricants and solvents will be used in the asphalt production process. Road salt is used during the winter months on public highways everywhere.
- Q35. MNR may have additional information on the bat population living in the caves of the ANSI.
- Q36. The document entitled "Natural Environment Impact Assessment" prepared by Levac Robichaud Leclerc, dated March 2012, contains material pertaining to the Significant Habitat of Endangered and Threatened Species At Risk (SAR Flore and Fauna). I do not know if a study was made to determine the effects on migratory birds that use the South Nation and Ottawa rivers as breeding grounds.
- Q37. There is no mention of residues from the asphalt plant production flowing toward the Nation or Ottawa River in the studies submitted by the proponents. The asphalt plant will produce hot mix asphalt from mixing and heating aggregates (gravel, sand and gravel dust), recycled asphalt and bitumen.
- Q38. The Ministry of Natural Resources may require that the information or the data be updated.
- Q39. The Ministry of Natural Resources is in a better position than the Township to comment or provide an answer to this concern/question.
- Q40. Before the project can proceed, all of the issues concerning the environment have to be addressed in order to avoid any negative impact.
- Q41. The Public Works Department at the UCPR is in a better position than the Township to comment or provide an answer to this concern/question.
- Q42. Additional measures (berm, evergreen screening, sound barriers, etc.) can be required in the Site Plan Agreement to reduce the noise originating from the asphalt plant.
- Q43. The Ministry of the Environment is in a better position than the Township to comment or provide an answer to this concern/question.
- Q44. The document entitled "Preliminary Emission Summary and Dispersion Modelling Report" provides the information concerning the atmospheric emission. The Ministry of the Environment was asked to review, comment and provide a recommendation on this matter.
- Q45. We cannot provide an answer to this comment.
- Q46. Les coûts mentionnés n'ont pas été évalués. Si ce point est démontré, il pourrait être utilisé comme argument devant la Commission des Affaires municipales.
- Q47. The Public Works Department at the UCPR can require modifications to the County road 17 profile to increase safety at the asphalt plant.

- Q48. The notice of the public meeting for the OPA and ZBA were sent to the landowners in a radius of 120 meters of the concerned parcel of land and sign were posted on the site in compliance with the provisions of the Planning Act.
- Q49. The application and reports filed by the proponent are available at the Municipal offices and on the UCPR web site. Members of Council can consult the document if they wish to familiarize themselves with the issues. The Planning Department for the Township will prepare a report to Council on all relevant matters and issues and make a recommendation on the application.
- Q50. The Planning Department report will be in both official languages.
- Q51. Les documents déposés par les promoteurs du projet sont disponibles pour consultation au bureau municipal et sur le site web des CUPR.
- Q52. We do not recall publishing in the Droit and in the Sun newspaper any notice concerning this OPA or ZBA application.
- Q53. Different laws and provisions apply for the sale of land. Notice for an OPA or ZBA can be either published in a newspaper and posted on the site or sent to landowners in a radius of 120 meters and posted on the site.

In 2009, before Zoning By-Law No. 2009-50, the current zoning by-law for the Township, was to be adopted by Council on June 1st, we published a notice for three open houses and one public meeting in five newspaper and posted notices in the community halls and libraries. We had one individual attending the open house held at the Recreation Hall in Alfred, none attended the open house at the Community Hall in Plantagenet and about ten persons attended the open house at the Lucien Delorme Community Hall in Wendover. No one attended the public meeting when the new Zoning By-law was adopted.

In 2010, before Council adopted By-Law No. 2010-74 on July 5th, we published a notice for three open houses and one public meeting for the Official Plan of the Urban Areas of the Township of Alfred and Plantagenet (the villages of Alfred, Plantagenet and Wendover). We had the same outcome.

- Q54. The Planning and Forestry Department at the UCPR is in a better position than the Township to comment or provide an answer to this concern/question.
- Q55. The UCPR and the Township's role in this matter is to present the OPA and ZBA application filed by the proponents and require that the necessary documents, studies, analysis, etc. are submitted in order to form an opinion and make a recommendation to their respective Council for decision (for or against the application). The Township has no vested interest in the proposed asphalt plant. B.P. Paving and Landscaping are the only proponents known by the Township.
- Q56. All the documents can be consulted at the municipal offices or on the UCPR web site.
- Q57. Les rapports qui seront présentés aux Conseils du Canton et des Comtés par leur service respectif vont faire état des commentaires reçus lors de la réunion publique du 16 juillet.

- Q58. Le Ministère des Ressources Naturelles exige la conclusion d'une entente de réhabilitation avant d'émettre une licence d'extraction de sable ou de roche. Nous ignorons si une telle condition peut être imposée dans le cadre des dispositions de la Loi sur l'aménagement du territoire (Entente de Plan d'implantation).
- Q59. Les études seront circulées auprès des ministères et des agences (CNS), pour révision, commentaire et recommandation. Le Conseil des Comtés (autorité approbatrice) pourrait même demander à ce que les études soient révisées par un consultant indépendant.
- Q60. During the August 13th meeting the Township Council adopted a resolution requesting a Karst Investigation. Copy of the resolution was sent to the Planning and Forestry Department of the UCPR.
- Q61. Le Conseil prendra une décision sur la demande de modification au Règlement de zonage prochainement.
- Q62. The reports, studies, analysis, filed with the application will be reviewed and commented by the ministries and agencies. Their comments and recommendations will assist the Township Council in taking a decision on the ZBA. The other part of the question could be answered by the proponents.
- Q63. Monsieur Pierre Bernard est président de la compagnie PB Paving & Landscaping.
- Q64. The Township and the County rely on the experts at the Ministry of Natural Resources, Ministry of the Environment and South Nation Conservation for the review of the environmental impact assessment studies.
- Q65. This argument (i.e.: locating the asphalt plant in an industrial park) can be used to support Council's decision on the ZBA.
- Q66. The Township of Champlain refused an application to its zoning by-law for a concrete wall production plant.
- Q67. Part of the property is identified as a Significant Woodland and was investigated and reported in the document entitled "Natural Environment Impact Assessment" prepared by Levac Robichaud Leclerc, dated March 2012. SNC has provided comments and recommendations on this matter.
- Q68. The environment and its protection are key elements in the Council's decision.
- Q69. Any landowner would be concerned if an asphalt plant was proposed next door or in the near proximity of their home.
- Q70. Idem.
- Q71. Mr. Raymond Fredette, councilor for Ward 2 has declared a conflict of interest in this matter and has been removed from the Council's table every time the subject was discussed.

- Q72. The Planning Rational was prepared by Mr. Marc Rivet and Mr. Mario Elie, at J.L. Richards & Associates for PB Paving and Landscaping based on their criteria for selecting the concerned property.
- Q73. La demande ne fait pas mention d'une deuxième phase au projet ou de l'intention des propriétaires d'exploiter la ressource d'agrégats.
- Q74. Given the size recommended for the berm, I guess that most of the material to build it may be imported.
- Q75. If the proponents are to use water to damp down the dust from the aggregate stockpiles, they will need a well and if they use water from a well they need to submit a hydro-geological study. The information in the Planning Rational and other studies indicate that there will be no water used in the production of the asphalt process. The waste water or the rain water can be directed to a retention pond where sediments are collected and not directed to a creek or water course.
- Q76. The Township and the Counties rely on the experts at the MoE, MNR and SNC to review, comment and provide recommendations on the various studies filed by the proponents.
- Q77. Les CUPR, le Canton, les ministères ou les agences concernés peuvent exiger une étude hydro géologique. La Loi sur le drainage commande que les eaux de surface soient captées et gérées sur la propriété. La situation qui prévaut avant le développement sur le site doit être la même après la construction ou le développement.
- Q78. Les CUPR, le Canton, les ministères ou les agences concernés peuvent exiger des études additionnelles s'il considère que celles-ci s'avèrent nécessaires pour répondre à des inquiétudes.
- Q79. Ce commentaire pourrait être présenté devant la CAMO pour justifier une objection au projet.
- Q80. Idem.
- Q81. Idem.
- Q82. Idem.
- Q83. MoE requires that the atmospheric emissions comply with the current regulations and they use computer modeling to ensure that the emissions are in compliance with the regulation. The proponents will need to file an application for a Certificate of Approval for Air. If necessary the ministry will perform test at the plant.
- Q84. SNC provided a different opinion on the matter. The Wilfrid Groulx municipal drain is considered as an indirect fish habitat in the opinion of SNC.
- Q85. These questions can be addressed to the UCPR or the MoE for consideration.
- Q86. Other issues concerning noise or dust can be addressed through the Site Plan Control By-Law and Site Plan Agreement. Additional measures (berm, evergreen screening,

sound barriers, etc.) can be required in the Site Plan Agreement to reduce the noise originating from the asphalt plant or the truck travelling to and from the plant.

- Q87. The asterisk refers to the following text: “The height, extent and location of any berm are to be reviewed by a qualified acoustical consultant once noise characteristics of the purchased asphalt plant are known.” This means that the final configurations of the berm will be determined when the plant is in place, there will be some fine tuning to comply with the noise assessment of the actual plant.
- Q88. The acoustic assessment was required and will be reviewed by the concerned ministry or by an independent consultant for comments and recommendations.
- Q89. Le Département des Travaux publics des CUPR se charge de réviser, de commenter et de soumettre des recommandations au sujet de l'étude d'impact sur le transport.
- Q90. The Natural Environmental Impact Assessment states the following at paragraph 5.4.3: *“Based on the above, it appears that the Plantagenet Caves ANSI was briefly studied at best. It clearly states that the selected ANSI boundaries are greater than what has been studied and therefore may not be entirely representative or accurate and would require further studying to properly define the limits of the boundaries.”*
- The Township Council has adopted a resolution on August 13th, requesting a Karst Investigation. A copy of the resolution was sent to the UCPR and the proponents have been informed of this additional requirement.
- Q91. The 500 meters criteria come from the Provincial Policy Statement. If a Provincially Significant Wetland was to be located within a 500 meters radius from the concerned property, the proponents would have to address the issue of the impact of the proposed development on the wetland.
- Q92. MoE, MNR and SNC will review, comment and provide recommendations on the studies.
- Q93. We can ask Mr. Brunton to provide an answer to this question.
- Q94. This comment can be used to support the Township's position against this proposed development.
- Q95. We will have to investigate the other site to determine the issues and concern affecting them.
- Q96. The question can be answered by a representative of the MNR.
- Q97. The question can be answered by a representative of SNC.

Marc Daigneault
Directeur général – Greffier

4 septembre 2012