



October 1, 2025

Mike Dwyer
County of Lanark
99 Christie Lake Road
Perth, ON K7H 3C6

Forbes Symon, Senior Planner Jp2g
Township of Lanark Highlands
75 George Street, P.O. Box 340
Lanark, ON K0G 1K0

**RE: Application for Amendments to the County and Township Official Plan and Township Zoning By-Law
McKinnon Pit Expansion
Part of Lot 5, Concession 10
Geographic Township of Dalhousie
Township of Lanark Highlands
Applicant: Arnott Brothers Construction Ltd.**

Dear Mr. Dwyer and Mr. Symon,

Arnott Bros. Construction Ltd. has retained Egis Canada to file applications for Amendments to the County of Lanark Sustainable Communities Official Plan (SCOP) and to the Township of Lanark Highlands Official Plan and Zoning By-law, to permit the expansion of McKinnon Pit (ARA License #609261) in Lanark Highlands. The existing Pit resides along Highland Line falling in Part of Lot 6, Concessions 10 and Part Lot 6, Concession 11. The proposed expansion will come from an abutting property measuring 25.1 hectares in size, falling in Part of Lot 5, Concession 10, and also owned by Arnott Brothers Construction Ltd. Only part of subject lands measuring 5.8 hectares will be re-zoned and re-designated for expansion of the Pit. The remaining 19.3 hectares will stay in its current zone and designation. The proposed expansion area contains the McKinnon Pit access/driveway from Highland Line as well as some additional lands with aggregate materials suitable for extraction. Arnott Brothers are seeking to make the 5.8ha of land subject to the amendments part of the licensed area for extraction.

In addition to the Pit expansion the ARA application to the ministry is proposing to change the license for the entire Pit, including the expansion area, to include extraction below the water table. The existing Arnott Brother's McKinnon Pit consists of a Class A licence for an annual extraction of 150,000 tonnes and is limited to 1.5 metres above the water table. The expansion area adds an additional 5.8 hectares to the current licence for a total area of 40.1 hectares. The extraction area would be limited to 31.6 hectares. The new ARA license will

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seek to allow aggregate to be extracted up to 20m below the water table using drag lines or dredging methods. No diversion, storage or drainage of groundwater is proposed. The entire site would be extracted below water table creating a lake and wetland environment that would complement the natural wetland swamp bordering the site to the north-west and east. The new annual tonnage condition will be limited to 250,000 tonnes. The amendment to extract below water for the current licensed operation is a provincial responsibility addressed by revisions to the Aggregate Resources Act in 2022 and is not covered by Official Plan or Zoning By-Law policies.

The proposed amendments to the County of Lanark Official Plan and the Township of Lanark Highlands Official Plan and Zoning By-Law will place a portion of the subject property into the same zone and designations as the current Pit. McKinnon Pit is designated Licensed Aggregate Extraction Operation in the County of Lanark Sustainable Communities Official Plan, designated Mineral Aggregate Resource Policy Area (Pit) in the Township’s Official Plan, and zoned Mineral Aggregate Resources Pit (MXP) in the Township’s Zoning By-law. The County and Township do not have separate designations or zones for Pits above or below water.

SUBJECT PROPERTY AND REGIONAL CONTEXT

The subject property is a vacant parcel of land, which contains the current McKinnon Pit access, falling in Part of Lot 5, Concession 10 to the south of McKinnon Pit operation (See Figure 1). Only 5.8ha of the overall parcel will be re-zoned and re-designated to facilitate the Pit expansion (See Figure 2). The remaining 19.3 hectares will stay in its current zone and designation. The property contains a mixture of open fields and woodlands, with some watercourses and wetland areas to the North and East of the parcel. There is currently no built development on the subject property aside from the access to the Pit operation off Highland Line. Highland Line is recognized as a municipal road and provides access to the current extraction operation.



Figure 1 – Aerial View of the Subject Property in Relation to McKinnon Pit



Figure 2 – Lands to be Re-Zoned and Re-Designated

The McKinnon Pit operation falls to the North and West of the lands to be re-zoned and re-designated. Further north of the Pit the lands appear mainly as vacant parcels with natural heritage features. Lands to the east of the area to be re-zoned and re-designated consist of rural residential properties on varying lot sizes. Lands to the South and southwest of the subject property are primarily rural in nature with some residential lots fronting to Highland Line with larger rural parcels behind. There are two dwellings located at 1025 and 1121 Highland Line. Wheeler’s Pancake House is located to the south of the expansion area and Pit operation.

MINISTRY OF NATURAL RESOURCES PITS AND QUARRIES MAPPING

All licensed extraction operations can be found on the Online Pits and Quarries Mapping issued by Ministry of Natural Resources. Information provided for McKinnon Pit confirms the operation is run by Arnott Brothers Construction Ltd. for a Class A Pit greater than 20,000 tonnes with a maximum annual tonnage of 150,000. The mapping shows the southern boundary of the Pit is setback from the edge of Highland Line (See Figure 3). The Existing Features Plan submitted with the ARA application also shows the boundary setback from the edge of Highland Line to maintain the 150-metre separation buffer to nearby residential uses (See Figure 4). The mapping confirms a license is already in place for McKinnon Pit.

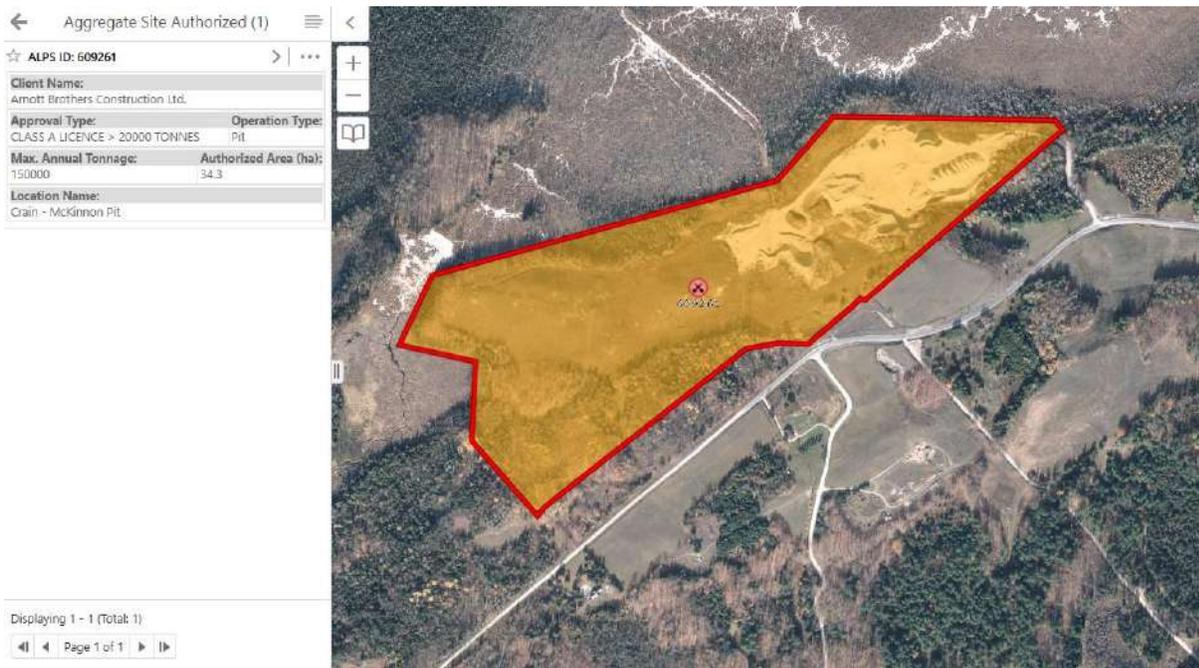


Figure 3 – Pits and Quarries Online Mapping for McKinnon Pit

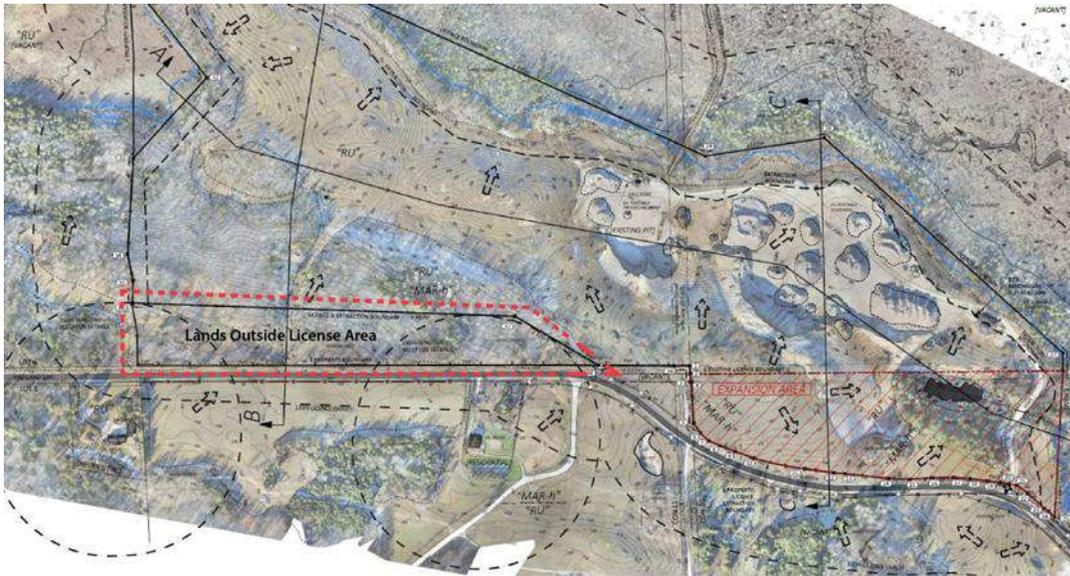


Figure 4 – Showing Lands Outside of Licensed Area abutting Highland Line

PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Provincial Planning Statement (PPS) 2024, issued under the authority of Section 3 of the Planning Act, provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Planning Statement came into effect October 20, 2024, replacing the Provincial Policy Statement that came into effect on May 1, 2020.

Chapter 2 of the PPS 2024 speaks to Building Homes, Sustaining Strong and Competitive Communities with policies for Planning for People and Homes found under **Section 2.1** and Housing policies found under **Section 2.2**. Section 2.1.3 of the PPS states “At the time of creating a new official plan and each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs.” McKinnon Pit is identified as a Licensed Aggregate Extraction Operation designation in the County of Lanark Official Plan and designated a Pit on the Township of Lanark Highlands Official Plan Schedule A - Land Use & Transportation. The expansion area is not located near any residential homes. Incorporating the expansion area into the overall McKinnon Pit property would maintain the available range and mix of land uses within the surrounding area. Residential uses are not proposed for the property as part of the Official Plan and Zoning By-Law Amendments proposed.

Section 2.5 of the PPS speaks to Rural Areas in Municipalities. Permitting the OPA and ZBA requests for the proposed expansion of the McKinnon Pit help support a healthy, integrate and viable rural area. McKinnon Pit

is an established extraction operation. Allowing for its expansion would build upon the current rural character of the area while continuing to utilize available rural assets in the form of access and servicing (PPS 2.5.1[a]). The expansion will allow for the current range and mix of housing options in the area to remain (PPS 2.5.1[c]). The existing Pit driveway access is located within the expansion area. Allowing the expansion will ensure continued efficient use of rural infrastructure (PPS 2.5.1[d]). A licenced extraction operation represents a land use with employment opportunities. The expansion of the Pit would allow for continued diversification of the economic base with employment opportunities (PPS 2.5.1[e]). The natural areas and biodiversity in the area will be maintained through the proposed expansion (PPS 2.5.1[g]). The proposed Official Plan and Zoning By-Law Amendments will support healthy, integrated and viable rural areas. Growth and development may be directed to rural lands in accordance with Section 2.6 of the PPS.

Section 2.6 of the PPS speaks to Rural Lands in Municipalities. Pursuant to Section 2.6.1[a] permitted uses include the management and use of resources which would include the existing extraction operation. The expanded Pit operation can be sustained on current rural service levels (PPS 2.6.2), and the development is appropriate for the infrastructure in place (PPS 2.6.3). The PPS directs planning authorities to support a diversified rural economy by protecting agricultural and other resource-related uses like the existing Pit operation (PPS 2.6.4). Overall, the proposed Official Plan and Zoning By-Law Amendments to facilitate the expansion of McKinnon Pit would be consistent with the policies of Sections 2.5 and 2.6 the PPS 2024.

Section 2.8 of the PPS speaks to Employment. The existing extraction operation on the property provides for both on-site and off-site employment opportunities. Off-site opportunities including jobs like truck driving and transport of aggregate materials. Allowing for expansion of the Pit will help promote economic development and competitiveness by maintaining the current range and mix of employment uses (Sec. 2.8.1[a]). Expansion of the Pit will provide continued opportunity for a diversified economic base (PPS 2.8.1[b]) and won't subtract from the available lands for rural residential development as the expansion area abuts the existing Pit where new residential uses would not be suitable. The PPS encourages intensification of employment uses (PPS 2.8.1[d]) while maintaining the current transition buffer to nearby residential uses (PPS 2.8.1[e]). The site would not be considered an Employment Area pursuant to Section 2.8.2 of the PPS.

Chapter 3 of the PPS speaks to Infrastructure and Facilities with policies for Land Use Compatibility in **Section 3.5**. Pursuant to Section 3.5.1 *“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.”* While a Pit operation is not considered a “major facility” aggregate uses can have potential adverse impacts on sensitive uses. The Official Plan and Zoning By-Law Amendment applications are proposed for an expansion onto the

existing McKinnon Pit. The expansion area is well separated from nearby sensitive uses. Existing buffering built into the extraction area will be maintained to protect nearby homes from potential impacts. The OPA and ZBA to expand McKinnon Pit would be consistent with the Land Use Compatibility policies of Section 3.5.

Chapter 4 of the PPS speaks to the Wise Use and Management of Resources with Natural Heritage policies found under **Section 4.1**. Lands to the north of the existing Pit are comprised of extensive natural areas including wetlands. To the east of the expansion area the wetlands extend to Highland Line. The lands subject to the OPA and ZBA are completely outside of the natural areas to ensure their long-term protection (PPS 4.1.1). No development or site alteration is proposed within significant wetlands (PPS 4.1.4[a]). A Stage 1 and 2 Natural Environment Report has been completed by Ecological Services to ensure the Pit expansion can be supported without negative impacts on the natural features or their functions (PPS 4.1.8).

Section 4.2 of the PPS speaks to Water. There are no significant surface or groundwater features identified on or near the proposed expansion lands. Some watercourses are identified north of the existing Pit which will not be impacted by the proposed OPA and ZBA for the Pit expansion.

Section 4.3 of the PPS speaks to Agriculture. The subject property does not contain agricultural uses and there are no agricultural uses or areas near the proposed expansion lands.

Section 4.4 of the PPS speaks to Minerals and Petroleum. The site has known mineral aggregate reserves but no minerals or petroleum resources have been identified on or abutting the subject property.

Section 4.5 speaks to Mineral Aggregate Resources. The purpose of the Official Plan and Zoning By-Law Amendments is to propose an expansion onto the existing McKinnon Pit for continued mineral extraction use. The PPS states “*as much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible*” (PPS 4.5.2.1). The lands proposed for expansion have identified aggregate reserves that can be realistically extracted in a manner that minimizes social, economic, and environmental impacts (PPS 4.5.2.2). Continued use of the property for McKinnon Pit and the expansion of the operation through the OPA and ZBA would be consistent with the policies of the PPS 2024.

Section 4.6 of the PPS speaks to Cultural Heritage and Archaeology. There are no significant archaeological or cultural heritage features located within the lands to be re-zoned and re-designated. The amendments would not impact any known heritage resources.

Chapter 5.0 of the PPS speaks to Protecting Public Health and Safety with policies for Natural and Human-Made Hazards. There is no development or site alteration proposed on hazardous sites or near hazardous lands (PPS

5.2.2) or within any dynamic beach hazards, floodways, or flood prone areas (PPS 5.2.3). No mine hazards; oil, gas, and/or salt hazards; or former mineral mining operations, or petroleum resource operations have been historically located on the property (PPS 5.3.1). The site does contain a mineral aggregate operation. The OPA and ZBA proposed will facilitate the expansion of that use. The site does not contain any known sources of contamination from past uses or abutting land uses (PPS 5.3.2).

Overall, the Official Plan and Zoning By-Law Amendments proposed for the subject property to permit the expansion of McKinnon Pit would be consistent with the Provincial Planning Statement (PPS) 2024.

LANARK COUNTY SUSTAINABLE COMMUNITIES OFFICIAL PLAN (2012)

The County of Lanark released its Sustainable Community Official Plan (SCOP) in 2012, which combined an Official Plan with an Integrated Community Sustainable Plan to provide for the implementation of land use policies within the County. The subject property is currently designated Rural Area in the Lanark County Sustainable Communities Official Plan Schedule A – Land Use Designations (See Figure 5). McKinnon Pit falls in the Licensed Aggregate Extraction Operation designation on Schedule A. Of note, the delineation of the Licensed Aggregate Extraction Operation designation on Schedule A is not correct. The buffer zone along Highland Line as seen in Figure 3 earlier in this report is missing. Significant Groundwater Recharge Areas are identified on Official Plan Schedule B – Source Water Protection (See Figure 6). The proposed Amendment to the County Official Plan will seek to re-designate a 5.8ha portion of the subject property from Rural Area to Licensed Aggregate Extraction Operation to support the expansion of the McKinnon Pit.

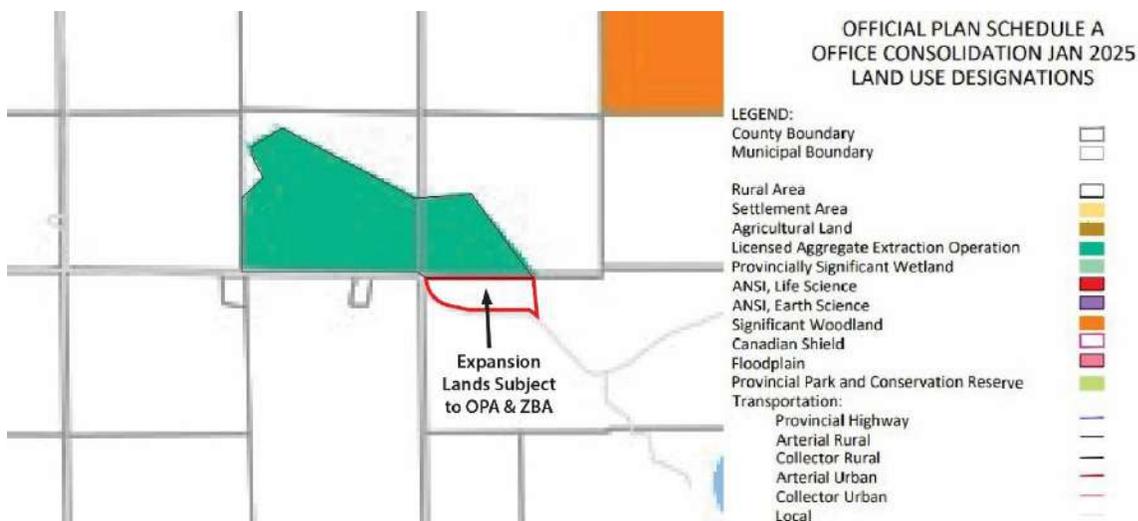


Figure 5 – Lanark County Sustainable Communities Official Plan (SCOP) Schedule A

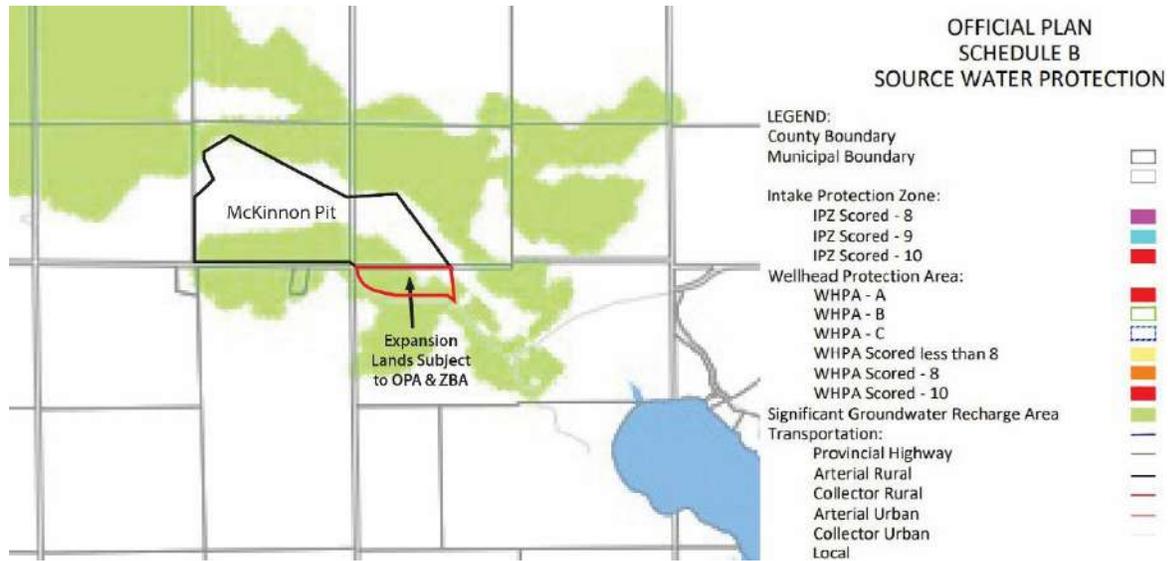


Figure 6 - Lanark County Sustainable Communities Official Plan (SCOP) Schedule B

Section 3.0 of the County of Lanark SCOP speaks to Rural Area Policies. The proposed Official Plan Amendment will apply to only part of the subject property. Areas east of the expansion lands contain natural heritage features and will remain in the Rural Area designation. **Section 3.3.1** of the SCOP outlines three distinct objectives for Rural Areas:

1. *To ensure that residential and non-residential development is consistent with rural service levels;*

The re-designation of a portion of the property to permit the McKinnon Pit expansion would be supportable on current rural service levels. Highland Line already provides access to the Pit. The lands to be re-designated include the current Pit access driveway and would be incorporated into the overall Pit boundary through the OPA. The existing McKinnon Pit is not located on private well or septic due to its mineral extraction nature.

2. *To maintain the distinct character of rural, waterfront and settlement areas;*

McKinnon Pit is an established aggregate extraction operation within Lanark Highlands. A re-designation of 5.8ha of land to expand the operation would not change or alter the character of the surrounding rural area.

3. *To ensure that development is compatible with natural heritage features and natural resource uses.*

A portion of the property beyond the lands subject to the OPA and ZBA contain natural heritage features. These lands will remain in the Rural Area designation ensuring the Pit expansion is compatible with natural heritage.

Section 3.3.2 of the Sustainable Communities Official Plan outlines General Policies for development providing four key points for consideration:

1. *Local Official Plans will contain policies that ensure that development, redevelopment and the increasing use of rural properties does not result in additional negative environmental impacts.*

The proposed re-designation to expand the McKinnon Pit would result in an increased use of rural property for aggregate extraction. To avoid negative impacts on the environment the portion of the property containing natural features will be left in the current Rural Areas designation. A Natural Environment Technical Report was prepared by Ecological Services to assess potential impacts and recommend mitigation measures to further prevent environmental impacts relating to the Pit expansion. Appropriate safety measures have been put in place through the ARA license to ensure the operation respects the safety of people and property.

2. *Local Official Plans shall include policies which will ensure that rural development will occur on appropriate water and wastewater services.*

The use of the overall property is for mineral aggregate extraction. There are no drinking water wells or wastewater services provided on the property.

3. *Rural development shall have regard for the safety of people and property and shall occur in a manner which will not result in an increased need or demand for municipal services.*

The Pit expansion will not result in a demand for increased municipal services.

4. *Local Official Plans shall ensure that development will be directed to occur in a manner that makes efficient use of existing infrastructure, allows for the maintenance of the area's character and provides for the long-term availability of the resources that make the area attractive.*

Development will make efficient use of existing infrastructure and access from Highland Line. The re-designation makes available more viable resource lands for extraction while protecting the natural features and open areas that contribute to the rural character of the area. The portion of the expansion lands containing the natural features will be left in the Rural Area designation to ensure the rural character of the area is maintained.

Section 3.3.3 of the Sustainable Communities Official Plan speaks to lot creation. There is no new lot creation proposed as part of the Official Plan and Zoning By-Law Amendments.

Section 3.3.4 of the Sustainable Communities Official Plan speaks to Planning Framework. The abutting property already contains an active mineral aggregate extraction use. A re-designation of a portion of the subject property as an expansion of the current Pit is compatible with current land uses. The expansion area is setback further from nearby residential uses than the current licensed area which will ensure no new incompatibilities or adverse impacts are introduced on existing residences (SCOP 3.3.4.1). The current Pit operation is not located on private water or wastewater systems (SCOP 3.3.4.2), there are no communal services present (SCOP 3.3.4.3), and no development is proposed on partial services (SCOP 3.3.4.4). Lot frontage, depth and area of the lands remaining in the Rural Area designation will comply with the Township's Zoning By-Law (SCOP 3.3.4.6). The proposal occurs outside of the Rideau Canal Corridor UNESCO World Heritage Site (SCOP 3.3.5.1). A partial re-designation of the property from Rural Area to Licensed Aggregate Extraction Operation is appropriate under the policies of the Lanark County Sustainable Communities Official Plan (SCOP).

Section 5.0 of the Lanark County Sustainable Communities Official Plan (SCOP) speaks to Natural Heritage including surface and ground water protection and enhancement. The subject property contains non-evaluated wetlands which have not been deemed significant (SCOP 5.2) but contain some regulated areas pursuant to the Mississippi Valley Conservation Authority GIS mapping. The wetland areas are not identified in the local Official Plan as lands requiring protection (SCOP 5.4.2). A Natural Environment Technical Report was prepared by Ecological Services to assess potential impacts and recommend mitigation measures to further prevent environmental impacts relating to the Pit expansion on nearby natural heritage. The lands subject to OPA and ZBA do not contain provincially significant wetlands, endangered or threatened species habitat, ANSI's, significant woodlands, significant wildlife habitat, significant valleylands, or fish habitat. Overall, the proposed Official Plan and Zoning By-Law Amendments would be consistent with the Natural Heritage policies of the Lanark County Sustainable Communities Official Plan (SCOP).

Section 5.5.8 speaks specifically to surface and groundwater protection and enhancement. The property does reside within a Significant Groundwater Recharge Area similar to the abutting property where the existing pit is located. A hydrogeological investigation was completed in support of the re-designation of the subject property which determined no new impacts would be created from the Pit expansion.

Section 6.0 of the Lanark County Sustainable Communities Official Plan (SCOP) speaks to Resources with policies for Mineral Resources found under Section 6.2. Section 6.2.2 speaks to Mineral Aggregates stating "*mineral and aggregate resources are important to all facets of development in the County as these materials are used in the construction of roads, water and sewer infrastructures, homes, schools and commercial buildings and landscaping projects. As such the identification and long-term protection of aggregate resources is important to the County's well-being.*" The proposed Official Plan Amendment will seek to place part of the subject property in the Licensed Aggregate Extraction Operation designation similar to the existing McKinnon Pit. The overall

area is identified as containing aggregate deposits demonstrating the existence of known sources of aggregate material on the site (SCOP 6.2.2.1). Licensed Pits and Quarries are permitted uses in areas of mineral aggregate resources (SCOP 6.2.2.2.1). No prohibited uses are proposed within the lands to be re-designated (SCOP 6.2.2.3) and no prohibitive uses are proposed on the adjacent lands remaining in the Rural Area designation (SCOP 6.2.2.4). A re-designation from Rural Area to Licensed Aggregate Extraction Operation to bring a 5.8ha area of land into the Pit operation would be permitted under the policies of Section 6.2.2.

Section 6.2.2.5 addresses Zoning and Development Control of Mineral Aggregates. All new or expanding extraction operations require an Amendment to the County Official Plan and to the local Official Plan of the Township and zoned for extraction. Concurrent Township Official Plan and Zoning Amendments will be submitted to ensure the licensed area is recognized in local planning documents. All studies and reports required in accordance with the Aggregate Resources Act will be provided to the Ministry for review in support of the re-designation to a Licensed Aggregate Extraction Operation.

Section 7.0 of the Lanark County Sustainable Communities Official Plan (SCOP) speaks to Public Health and Safety. There are no hazardous lands identified on or abutting the property (SCOP 7.2) and no flooding or erosion hazards have been identified (SCOP 7.3). No evidence of hazardous geological formations are present (SCOP 7.4). There are no closed waste disposal sites (SCOP 7.5), no contaminated sites (SCOP 7.6), no abandoned uses (SCOP 7.7), and no incompatible uses (SCOP 7.9) near the proposed expansion area that would preclude the Official Plan and Zoning By-Law Amendments from progressing.

Overall, only a portion of the property will undergo a re-designation under the County and Township Official Plans and re-zoning under the Township Zoning By-law. The proposed amendment to the Lanark County Sustainable Communities Official Plan to re-designate a 5.8ha portion of lands from Rural Area to Licensed Aggregate Extraction Operation is consistent with the policies and objectives as found in the County of Lanark Sustainable Communities Official Plan (2012).

LANARK HIGHLANDS OFFICIAL PLAN (2024)

The Lanark Highlands Official Plan shows the subject property in the Rural Communities designation with the abutting McKinnon Pit falling in the Pit designation on Schedule A – Land Use & Transportation (See Figure 7). The lands to be re-zoned and re-designated are partially identified as having Sand and Gravel Reserves pursuant to the Official Plan schedule B (See Figure 8). There are no natural heritage features on the property pursuant to the Official Plan Schedule C – Natural Heritage Features (See Figure 9). Wetlands are identified abutting the expansion lands to the east and are located to the north of McKinnon Pit. The Official Plan Amendment is seeking to re-designate a portion of the subject property from Rural Communities to Mineral Aggregate Resource Policy

Area (Pit) to permit the expansion of the McKinnon Pit operation. The lands to be re-designated will measure 5.80ha with 494.6 metres of frontage on Highland Line.

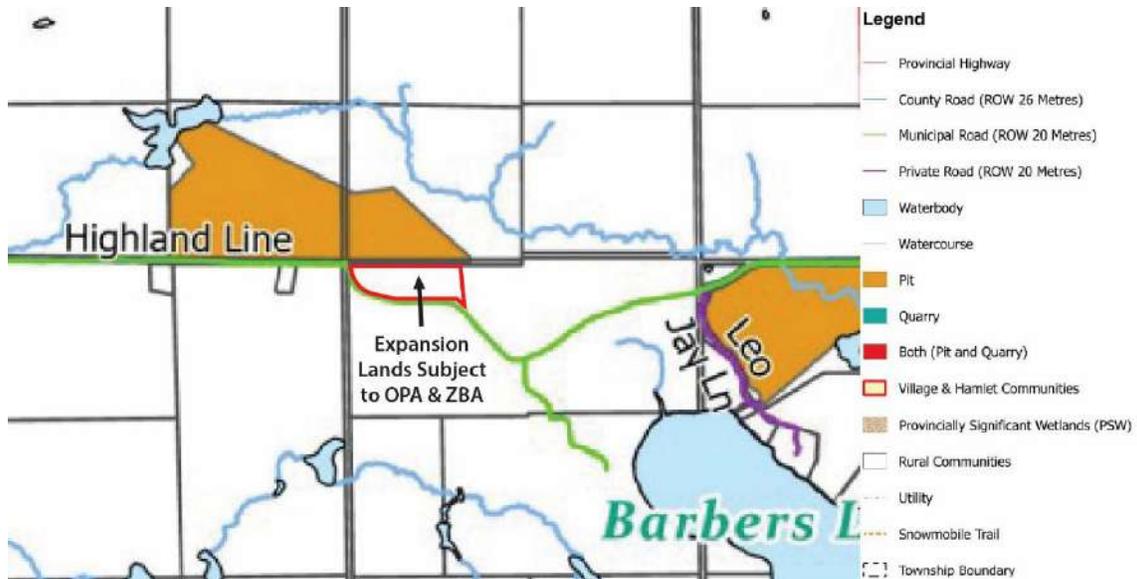


Figure 7 – Lanark Highlands Official Plan Schedule A – Land Use and Transportation

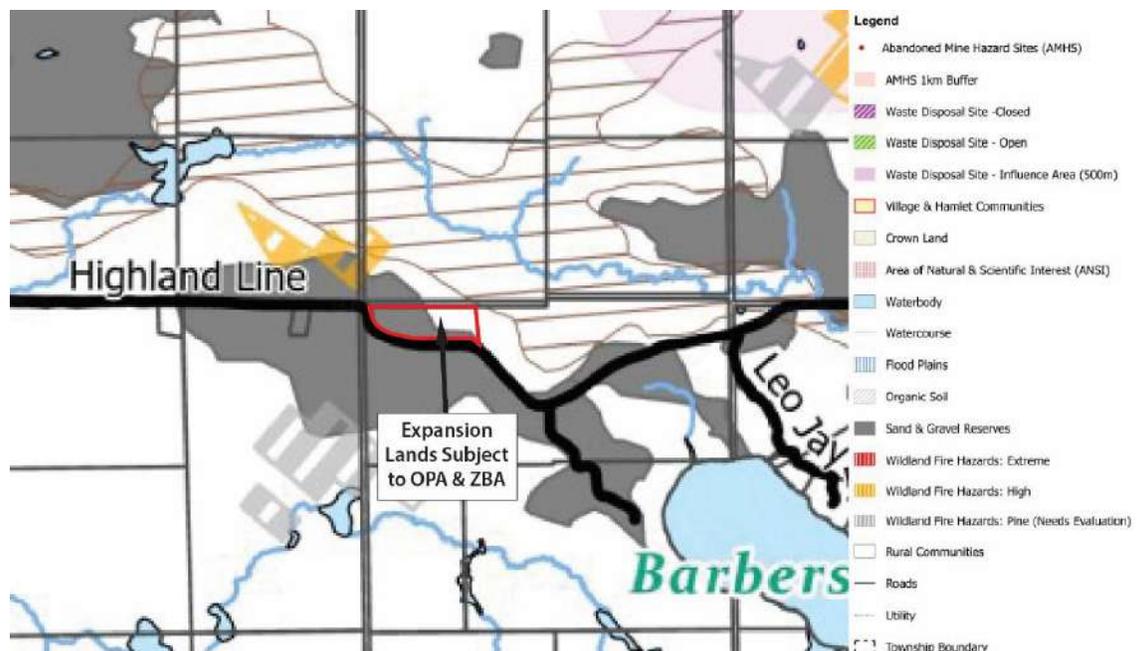


Figure 8 – Lanark Highlands Official Plan Schedule B – Development Constraints

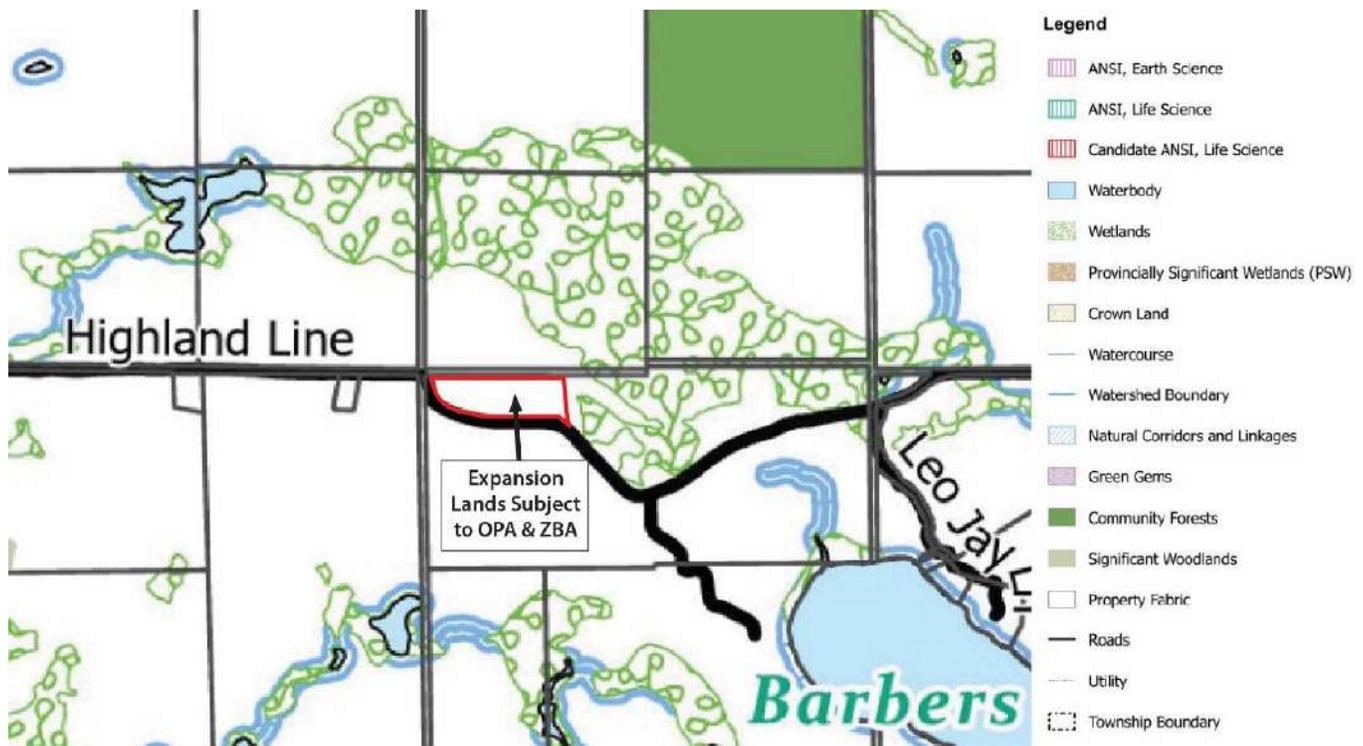


Figure 9 – Lanark Highlands Official Plan Schedule C – Natural Heritage Features

Section 2 of the Official Plan speaks to Vision, Guiding Principles and the Planning Context with the Guiding Principles outlined under **Section 2.3**. Eleven (11) Guiding Principles forming the core of the Official Plan’s policies are outlined in Section 2.3. Guiding principle four states “*we value and protect our resource lands and encourage development and expansion to occur in a manner which respects long term assets and avoids potential land use conflicts.*” The proposed Official Plan and Zoning Amendments to expand McKinnon Pit through the incorporation of 5.8ha of land would be in keeping with the guiding principles of the Official Plan. The expansion lands are well separated from sensitive uses to help avoid potential land use conflicts.

Section 3.0 of the Official Plan speaks to Planning Sustainable Communities with Rural Communities policies located in **Section 3.3**. Part of the subject property will remain in the Rural Communities designation which will help minimize impacts on abutting uses and mitigate impacts on natural heritage features by keeping them out of the licensed area to be re-designated (OP 3.3.1.3). Within the rural areas of the Township permitted uses and activities will include management or use of resources (OP 3.3.1.4). Expansion of McKinnon Pit through an OPA and ZBA would align with the General Policies of the Rural Communities designation. No new lot creation is proposed pursuant to the policies of Section 3.3.3. No residential or non-residential development is proposed for the lands remaining Rural Communities pursuant to Sections 3.3.5 and 3.0.2.

Section 3.3.6 of the Official Plan speaks to Minimum Lot Requirements. While there is no development proposed for the lands remaining Rural Communities it is possible the lands could be developed in the future. More than 0.8ha of land will remain in the Rural Communities designation to ensure it complies with minimum lot sizes (OP 3.3.6.1) and a minimum of 60 metres of frontage will remain to meet the minimum frontage required (OP 3.3.6.2). Leaving greater than 0.8ha of land and 60 metres frontage will ensure once the licensed area is re-zoned under a concurrent Zoning By-Law Amendment the portion remaining in the Rural zone will meet minimum zone standards. No development or site alteration is proposed for the lands to remain in the Rural Communities designation.

Section 4.0 of the Official Plan speaks to Our Resource Lands stating *“resource lands make up a significant component of land uses in Lanark Highlands. Mineral Resources and forestry are important to the overall economic base of the Township. Aggregate resources such as sand, gravel and limestone have been evaluated and appropriate land use policies have been developed to ensure the wise use and conservation of these resources for future generations.”* The proposed OPA and ZBA for the expansion of McKinnon Pit will ensure available mineral aggregate resources within the expansion lands can be extracted.

Section 4.1 provides Mineral Aggregates policies pertaining to the lands designated for mineral resource and mineral aggregate extraction, categorized in accordance with extraction type (“pit”, “quarry” or “pit and quarry”) on Schedule A to the Official Plan. The proposal is to re-designate the 5.8ha of land from Rural Communities to Mineral Aggregate Resource Policy Area (Pit). Both Pits and Quarries are permitted uses within the Mineral Aggregate Resource Policy Area (OP 4.1.1). The re-designation will ensure the existing Pit can continue operation into the proposed expansion area by placing the lands in the proper designation (OP 4.1.3.1).

The Official Plan Amendment will facilitate the establishment or addition of previously unlicensed area to the licensed extraction area of McKinnon Pit under the Aggregate Resources Act. The limits of the expansion lands will be located within 300 metres of 1025 Highland Line, a residential use, pursuant to Section 4.1.3.2 of the Official Plan. The existing Pit operation is already located within 300 metres of 1025 Highland Line and the nearby property at 1121 Highland Line. The Existing Features Plan shows a buffer of 150 metres from these residential dwellings to the existing licensed boundary. The lands to be re-designated are located further from these uses than the licensed boundary of McKinnon Pit (See Figures 9 & 10). The lands to be re-designated fall approximately 253 metres from the dwelling at 1025 Highland Line and approximately 700 metres from 1121 Highland Line. Each dwelling is 150m from the current licensed boundary.



Figure 9 – Existing and Proposed Residential Setbacks to 1025 Highland Line



Figure 10 – Existing and Proposed Residential Setbacks to 1121 Highland Line

Given the limits of the extraction operation will be located within 300 metres (984 feet) of a residential use on another lot a hydrogeological investigation has been completed which supports the re-designation and extraction below water (OP 4.1.3.2.1). An Environmental Impact Statement and Archaeological Assessment were also completed in support of the re-designation and will be submitted with the amendment applications (OP 4.1.3.2.2). An application under the Aggregate Resources Act has been submitted with a public consultation held July 12, 2023. The 5.8ha expansion area will undergo a concurrent ZBA (OP 4.1.9). The re-designation of a portion of the subject property to Mineral Aggregate Resource Policy Area (Pit) would be a permitted use and supported by the aggregate policies of Section 4.4.1 of the Official Plan.

Section 5.0 of the Official Plan speak to Our Environment – Planning for Ecosystem Balance which includes the Township’s natural heritage policies. The portion of the subject property to be re-zoned and re-designated for expansion does not contain any natural heritage features. The portion of the property containing natural heritage will be left in the current Rural Communities designation. Lands to the north of the current Pit containing natural features will not be impacted by the proposed Official Plan Amendment. A Natural Environment Technical Report was prepared by Ecological Services to assess potential impacts and recommend mitigation measures relating to the Pit expansion which demonstrated no negative impacts.

Section 6.0 of the Official Plan speaks to Planning for Public Health and Safety. There are no flooding or erosion hazards located within the lands to be re-designated pursuant to Section 6.4 of the Official Plan. The sloping nature of the lands is due to the presence of aggregate materials which will be extracted for various purposes. No construction that would be impacted by unstable slopes or organic soils, pursuant to Section 6.5, is proposed. The sites are not considered contaminated pursuant to Section 6.6.

Section 6.7 of the Official Plan speaks to Other Health and Safety Concerns. Abandoned Pits and Quarries are addressed in **Section 6.7.1**. McKinnon Pit is an active extraction operation with safety measures in place to prevent access to the Pit area. Redesignating the additional 5.8ha of land to permit the Pit expansion will not result in increased noise or vibration. The Pit access travels through the lands to be re-designated. Any noise or vibrational impacts will not be worsened from the inclusion of the lands (OP 6.7.2). The existing Pit is already in proximity to residential dwellings. No additional foreseen impacts regarding noise and vibration are expected from the expansion of McKinnon Pit.

The proposed Official Plan Amendment to re-designate a portion of the subject property from Rural Communities to Mineral Aggregate Resource Policy Area (Pit) to permit the proposed expansion of the McKinnon Pit extraction operation would be consistent with the policies of the Township of Lanark Highlands Official Plan.

LANARK HIGHLANDS ZONING BY-LAW (2003-451)

The subject property is currently zoned Rural (RU) and Mineral Aggregate Resources – holding (MAR-h) on the Township’s Zoning By-law Schedule A2 - Dalhousie/North Sherbrooke (See Figure 11). The abutting property to the North containing McKinnon Pit is zoned Mineral Aggregate Resource Pit (MXP) despite the zoning schedule showing it as Rural (RU).

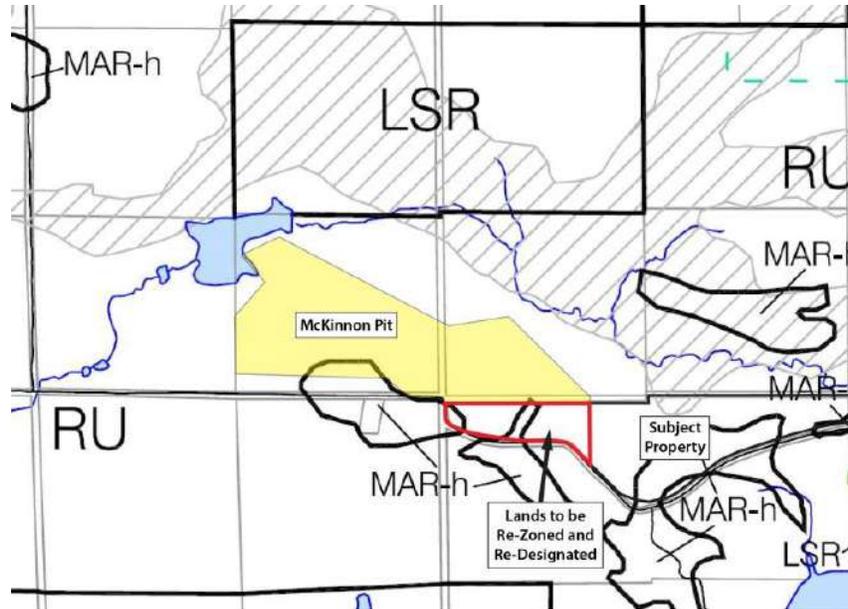


Figure 11 – Excerpt of Zoning By-Law Schedule A2 (McKinnon Pit Boundary Inserted)

Through consultation with planning staff it was confirmed a Zoning By-Law Amendment was obtained concurrently with the Official Plan Amendment for McKinnon Pit. The OPA was adopted through by-law No. 2008-871 in March of 2008. The Zoning By-Law Amendment was adopted through by-law No. 2008-872 in March of 2008. Part of the concession road between Concessions 10 and 11 in Lot 6 and part of the road allowance between Lots 5 and 6 in Concession 10 have been closed. These road closures were enacted by By-law 2007-873 and are part of the current licence area. McKinnon Pit was rezoned to Mineral Aggregate Resources Pit – Exception 1 which prohibits the use of asphalt and concrete batching plants. Since the intent in 2008 was not to have these as permitted uses it would be appropriate to re-zone a portion of the subject property to MXP-1 to ensure the expansion lands cannot have these uses on-site. Therefore, the proposed Zoning By-law Amendment would seek to re-zone a portion of the subject property from Rural (RU) and Mineral Aggregate Resources – holding (MAR-h) to Mineral Aggregate Resources Pit – Exception 1 (MXP-1), the current McKinnon Pit zoning, to permit the Pit expansion. The hold removal will also be sought through the Zoning By-Law Amendment.

Section 4 of the Townships Zoning By-law outlines the General Provisions for development. Specifically, Section 4.32.3 deals with the Influence Areas surrounding Pits and Quarries stating:

- a) *The minimum setback distances for pits and quarries from property lines shall be as set out in the Aggregate Resources Act.*
- b) *Within an influence area of 150m (492.1ft.) of a pit excavated above the water table or aggregate reserve, or 300 m (984 ft.) of a pit excavated below the water table, measured from the zone boundary of a Mineral Aggregate (MXP or MAR) Zone, or 500 m (1,640 ft.) from the zone boundary for a quarry (MXQ Zone), or 750 m (2,460 ft.) from the zone boundary of the Tatlock Quarry respectively, the proponent of any sensitive land use shall be required to demonstrate that there will be no adverse or potential impacts (i.e. visual impacts, noise, dust, traffic or ground water quality or quantity) created on the sensitive land use, or impacts that cannot otherwise be appropriately mitigated by the proponent from an existing or proposed aggregate operation. Adverse impacts may be addressed by means of a phasing plan, rehabilitation plan, landscaping berming, specified truck routes or other measures acceptable to Council.*
- c) *A pit or quarry or wayside pit or wayside quarry shall be set back a minimum of 30 m (98.4 ft.) from the high water mark of a water body or a distance prescribed or required by regulation or condition(s) of the license under the Aggregate Resources Act.*

The current Pit operation is permitted to extract to within 1.5m of the water table making it a Pit above water. Under the previous ARA approval the license boundary was established a minimum of 150 metres from two nearby dwellings at #1025 and #1121 Highland Line. The new ARA application is proposing to allow extraction up to 20 metres below the water table, making it a Pit below water, which typically carries a 300m setback. Pursuant to 4.32.3[a] minimum setback distances for pits and quarries from property lines shall be set out in the Aggregate Resources Act. Changing the license from extraction above water to extraction below water does not trigger additional setback requirements per the Township's Zoning By-Law.

Section 6.0 of the Zoning By-Law speaks to the Rural (RU) zone which will remain on the portion of the subject property beyond the proposed amendment lands. No development or site alteration is proposed within the lands remaining Rural. Complying lot area and frontage will be provided pursuant to Section 6.2.1. The policies of Section 6.0 will not be addressed further as no development is proposed for the portion of the property remaining in the RU zone.

Section 18.0 of the Zoning By-Law speaks to Mineral Aggregate Resource Zones. Permitted uses pursuant to Section 18.1 include extractive operations including pits where licensed under the Aggregate Resources Act. Zone requirements pursuant to Section 18.2 are minimal but include a 15-metre setback for all yards from the

property line. The Existing Features Plan for the proposed Pit shows the Licensed boundary at a zero-metre setback from the front, side and rear lot lines. The proposed extraction area is intended to be an expansion of the existing operation, where the exception will allow for continuance into the proposed area from the rear of the lot. The front and side lot line setbacks shall be reviewed through the ARA application in regard to the specific extraction area of the site. An additional exception to Section 18.2 to the MXP-1 zone will be required to reduce the minimum yard requirements from 15 metres to zero (0) metres along the rear lot line and other potential lot lines.

Section 18.3 of the Zoning By-Law sets forth Additional Provisions. Pursuant to Section 18.3.1 *“despite the yard requirements stated above, a minimum of 30 m (98.4 ft.) setback will be required from lot lines adjacent to public roads or subject to such condition(s) as required by a license under the Aggregate Resources Act.”* The proposed Zoning By-Law Amendment will seek an exception to Section 18.3.1 of the Zoning By-Law to permit extraction within the required 30m setback.

SUMMARY OF TECHNICAL REPORTS

The Summary Report completed in support of the Pit expansion by Milestone Aggregate Consulting Services Inc. includes summaries of the technical reports submitted in support of the OPA and ZBA applications. Please refer to the Summary Report for summaries of the various studies completed including:

1. Hydrogeological Level 1
2. Hydrogeological Level 2
3. Cultural Heritage Resource Report - Stage 1
4. Cultural Heritage Resource Report - Stage 2
5. Acoustical (Noise) Report

SUMMARY

The Provincial Planning Statement, the Lanark County Sustainable Communities Official Plan and the Township of Lanark Highlands Official Plan & Zoning By-Law encourage the extraction of aggregate material and recognize its importance to the local economy. The subject property is located on a local transportation route, abuts an active Pit operation, and contains mineral aggregate reserves on site supporting market demand. Various studies and reports have been completed previously in support of the original ARA Application for the existing operation, where the amendments to the County and Township Official Plans and Zoning By-law are now sought for further expansion. The County Sustainable Communities Official Plan Amendment would re-designate a portion of the subject property from Rural Area to Licensed Aggregate Extraction Operation. The Township



Official Plan Amendment would re-designate a portion of the subject property from Rural Communities to Mineral Aggregate Resource Policy Area (Pit) to permit the McKinnon Pit expansion. The proposed Zoning By-law Amendment would seek to re-zone a portion of the property from Rural (RU) and Mineral Aggregate Reserve - holding (MAR-h) to Mineral Aggregate Resources Pit - Exception 1 (MXP-1) to permit the Pit expansion. An additional exception to the MXP-1 zone may be required to reduce the minimum yard requirements from 15 metres to zero (0) metres along the rear lot line and other potential lot lines

Should you have further questions or require additional information in support of the proposed amendments please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink that reads "Chris Clarke".

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