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File: Z-8431
Planner: Mike Davis

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: JOHNSTON BROTHERS (BOTHWELL) LTD. A PORTION OF 120 GIDEON DRIVE PLANNING & ENVIRONMENT COMMITTEE MEETING ON JANUARY 5, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Johnston Brothers (Bothwell) Ltd. relating to a portion of the property located at 120 Gideon Drive:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 13, 2015 to amend the Official Plan to change the designation of the proposed pit license area **FROM** an "Aggregate Resource Area" designation, **TO** an "Extractive Industrial" designation on Schedule B-2 – Natural Resources and Natural Hazards – to the Official Plan.
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on January 13, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the proposed pit license area **FROM** an Agricultural (AG1) Zone, a Holding Agricultural (h-2•AG1) Zone, and an Open Space (OS5) Zone **TO** a Holding Resource Extraction (h-(_)•EX) Zone, and an Open Space (OS5) Zone.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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December 15, 2014 Report to Planning and Environment Committee – 120 Gideon Drive (OZ-8365) – This report recommended approval of an Official Plan and Zoning By-law amendment application received from Johnston Brothers (Bothwell) Ltd. intended to facilitate, in part, the issuance a license under the *Aggregate Resources Act* which would permit the establishment of a Category 7, Class B pit allowing for the extraction of up to 20,000 tonnes of aggregate material annually, to a depth of 1.5 metres above the established ground water table, across a proposed 2.7 hectare extraction site. The total aggregate material available for extraction over the lifetime of the pit is estimated to be 250,000 tonnes. The recommended amendments also serve to ensure the protection of significant natural heritage features in proximity to the proposed pit through zoning amendments which provide for appropriate setbacks and open space buffers.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommended Official Plan and Zoning By-law amendments outlined in clauses (a) and (b) above is to facilitate, in part, the issuance of a license under the *Aggregate Resources Act* which would permit the establishment of a Category 7, Class B pit allowing for the extraction of up to 20,000 tonnes of aggregate material annually, to a depth of 1.5 metres above the established ground water table, across a proposed 2.7 hectare extraction site. The total aggregate material available for extraction over the lifetime of the pit is estimated to be 250,000 tonnes. The recommended amendments also serve to ensure the protection of

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significant natural heritage features in proximity to the proposed pit through zoning amendments which provide for appropriate setbacks and open space buffers.

BACKGROUND

This application was originally considered at a public participation meeting before the City's Planning and Environment Committee on December 15, 2014. At the December 15, 2014 meeting, Planning Staff presented a report which outlined the application and recommended approval of an Official Plan and Zoning By-law amendment intended to allow for the establishment of a gravel pit on a portion of the subject lands. The recommendation for approval of the Official Plan and Zoning By-law amendments was supported by: a) provincial and local planning objectives which recognize the economic importance of aggregate resources and supports their recovery in close-to-market locations; b) a series of background technical reports which informed the proposed extraction plan including recommended setbacks and mitigation measures to ensure the protection of significant natural heritage features adjacent to the site; and c) confirmation of the conclusions of various technical reports by peer-reviewers including the Upper Thames River Conservation Authority, Ministry of Natural Resources and the City's Ecologist.

Planning and Environment Committee Resolution:

Based on oral submissions at the public meeting and some outstanding concern from the Upper Thames River Conservation Authority (UTRCA) regarding operational details of the proposed pit to be considered through the pit licensing process, this application was referred back to Civic Administration. Specifically, Municipal Council resolved that:

The application of Johnston Brothers (Bothwell) Ltd., relating to a portion of the property located at 120 Gideon Drive, BE REFERRED back to the Civic Administration to undertake the following actions and to report back at the January 5, 2015, Planning and Environment Committee meeting;

- a) *address the issue of groundwater and its effects on the natural heritage feature adjacent to the site;*
- b) *pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as a public participation meeting has been held with respect to this matter;*

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the public participation meeting record made oral submissions in connection therewith.

ANALYSIS

Planning Staff rely on technical expertise from the City's Ecologist, the Upper Thames River Conservation Authority and the Ministry of Natural Resources as well as comments, opinions and feedback from Council's advisory committees in the review of background technical reports for the development of pits and quarries. As outlined in the December 15, 2014 Staff report, both the City's Ecologist and the Ministry of Natural Resources had indicated their satisfaction with the extraction setbacks and open space buffers provided by the recommended zoning as well as the various mitigation measures outlined in the pit Operational Plan.

Although it was acknowledged that the Ministry of Natural Resources had "signed-off" on this application and that the Authority was satisfied with the 15 metre setback (from drip-line of trees) that the City of London's ecologist recommended, a December 4, 2014 memo from the

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Upper Thames River Conservation Authority identified an outstanding concern with background analysis and operational components of the proposed pit operation which were to be addressed through the Aggregate Resources Act license application. Specifically, the Upper Thames River Conservation Authority requested two additional items as follows:

Vegetation Monitoring:

Based on the analysis conducted by Novaterra (applicant’s hydrogeological consultant), the UTRCA’s ecologist is of the opinion that there is a high likelihood that the additional input of groundwater and reduced input of surface water will impact the vegetation and habitat associations of the wetland complex found to the west of the site. Therefore, we request that either:

- 1) *Further detailed information as to the quantity and timing of inputs be provided along with an acceptable analysis as to whether the change in water input will have an impact the type of vegetation community found in the area; or*
- 2) *That vegetation monitoring be conducted annually in the spring for the duration of the pit operation to document changes to the vegetation so that appropriate rehabilitation measures are developed when the pit is closed.*

This analysis is important, given that different wetland types have different hydrologic regimes. Any change in the type of wetland may not only impact the habitat and associated species, but also the ability for that wetland feature to provide flood attenuation. Based on our discussion, it is our understanding that Biologic is in agreement that vegetation monitoring should be undertaken. We would appreciate confirmation thereof along with more detail as to how the necessary monitoring will be incorporated into the planning process for the aggregate operation (i.e. pit license application).

Significant Wildlife Habitat Analysis:

As mentioned in the October 2014 UTRCA response letter, a comprehensive summary of the analysis for all Candidate SWH from the MNR 2012 SWH Criteria Schedules is required to address our concerns. We appreciate that Table 2 has been accepted by the Ministry of Natural Resources and as such Biologic is cautious about revising said table. We therefore recommend that the information be provided in a new/separate table which incorporates all SWH analysis, including analysis found in past reports that were discussed in the October 3, 2014 Biologic letter. This will ensure that all relevant summaries/conclusions regarding presence / absence of SWH is presented in one location. The new table should include the 5 categories of SWH information provided in the October 3, 2014 response letter, in addition to that found on previous reports, as part of the approval.

Although it was acknowledged by the Upper Thames River Conservation Authority that the additional information requested would not impact the recommended zone boundaries as outlined in the December 15, 2014 Staff Report, the Zoning By-law amendment application was referred back to Staff in order to provide the City with assurance that these comments had been addressed and incorporated into the license application prior to the approval of the Zoning By-law amendment.

In response to the comments from the UTRCA noted above, the applicant’s consultant responded in a memo dated December 19, 2014. A full copy of the response memo is attached as Appendix “C” to this report for further reference. In summary, the response from the applicant provides the following:

- 1) Confirmation that annual vegetation monitoring will occur for the duration of the pit to document any changes to the vegetation so that appropriate rehabilitation measures are developed when the pit is closed. The memo attached as Appendix “C” outlines the details of the proposed vegetation monitoring program.

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- 2) A revised and comprehensive summary of the analysis for all candidate significant wildlife habitat.

Planning Staff have confirmed that the details of the vegetation monitoring program have been incorporated into the pit Operational Plan which forms part of the license application under the Aggregate Resources Act and is enforceable by the MNR. As part of the annual license compliance assessment the pit operator will be required to submit the results of the vegetation monitoring to the Upper Thames River Conservation Authority and the Ministry of Natural Resources. The annual monitoring provides a mechanism to require further mitigation or halt the pit operation should adverse effects on the adjacent wetland function be observed by through vegetation changes. The revised Operational Plan is attached as Appendix "D" for further reference.

CONCLUSION

The December 19, 2014 memo from Biologic Inc. and the subsequent Operational Plan modifications have been reviewed by the UTRCA and *"UTRCA's concerns have been addressed"*. All applicable approval authorities and public agencies with an interest in Natural Heritage and Groundwater including the Upper Thames River Conservation Authority, the Ministry of Natural Resources and the City's Ecologist have no objections to the proposed pit. The recommendation for approval of the proposed Official Plan and Zoning By-law amendments has been supported by the planning analysis outlined in the December 15, 2014 Staff report and the additional information provided above. Given the foregoing, the recommended amendments represent sound land use planning.

PREPARED BY:	SUBMITTED BY:
MIKE DAVIS, B.U.R.PI. PLANNER II, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2015

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to 120 Gideon Drive.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on January 13, 2015.

Matt Brown
Mayor

Catharine Saunders
City Clerk

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**File: Z-8431
Planner: Mike Davis**

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of the proposed pit license area described herein from “Aggregate Resource Area” to “Extractive Industrial” on Schedule B-2 – Natural Resources and Natural Hazards – to the Official Plan for the City of London to facilitate, in part, the issuance of a Category 7, Class B pit license under the Aggregate Resources Act.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to a portion of the lands located at 120 Gideon Drive in the City of London.

C. BASIS OF THE AMENDMENT

The Provincial Policy Statement, 2014 and the City of London Official Plan recognize the importance of mineral aggregates to economic prosperity and seek to provide opportunities for their recovery in locations which are close-to-market so as to minimize the economic, environmental and social costs associated shipping aggregates long distances. The proposed pit operation, implemented by the Site Plans submitted in conjunction with the *Planning Act* and *Aggregate Resources Act* approvals processes and supported by the various technical investigations, ensures that extraction will occur in a manner which minimizes economic, environmental and social impacts.

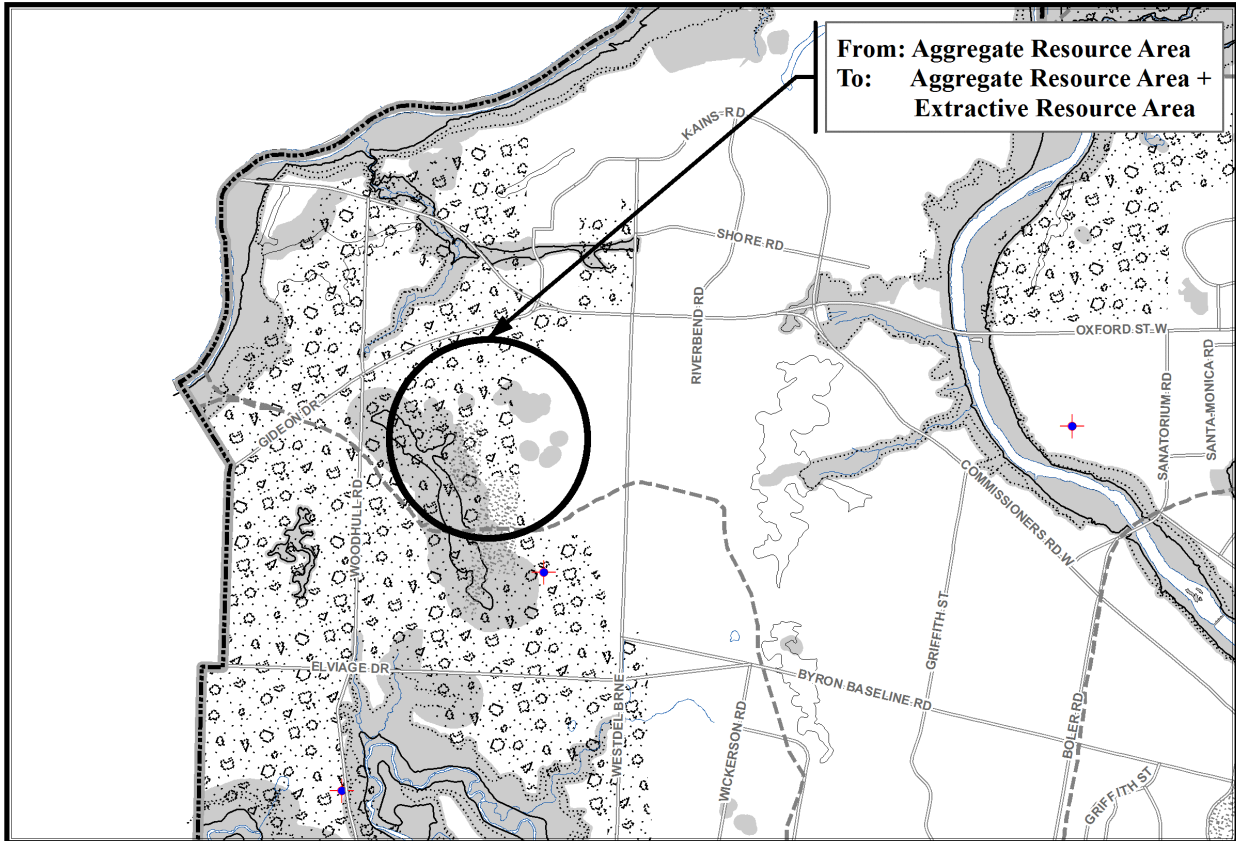
D. THE AMENDMENT

The Official Plan for the City of London is hereby amended by changing the designation for the proposed pit license area from “Aggregate Resource Area” to “Extractive Industrial” on Schedule B-2 – Natural Resources and Natural Hazards – to the Official Plan for the City of London.

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AMENDMENT NO:



NATURAL RESOURCES

- Aggregate Resource Areas
- Extractive Industrial
- Emergency Municipal Water Wells

Base Map Features

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Potential Special Policy Areas
- Special Policy Area

NATURAL HAZARDS

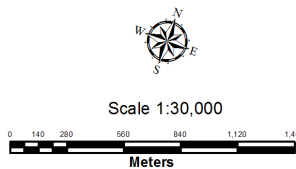
- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.
- Riverine Erosion Hazard Limit For Confined Systems
- Riverine Erosion Hazard Limit For Unconfined Systems
- Steep Slopes Outside of the Riverine Erosion Hazard Limit
- Abandoned Oil/Gas Wells
- Conservation Authority Regulation Limit

This is an excerpt from the Planning Division's working consolidation of Schedule B2 to the City of London Official Plan, with added notations.

**SCHEDULE B2
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8365

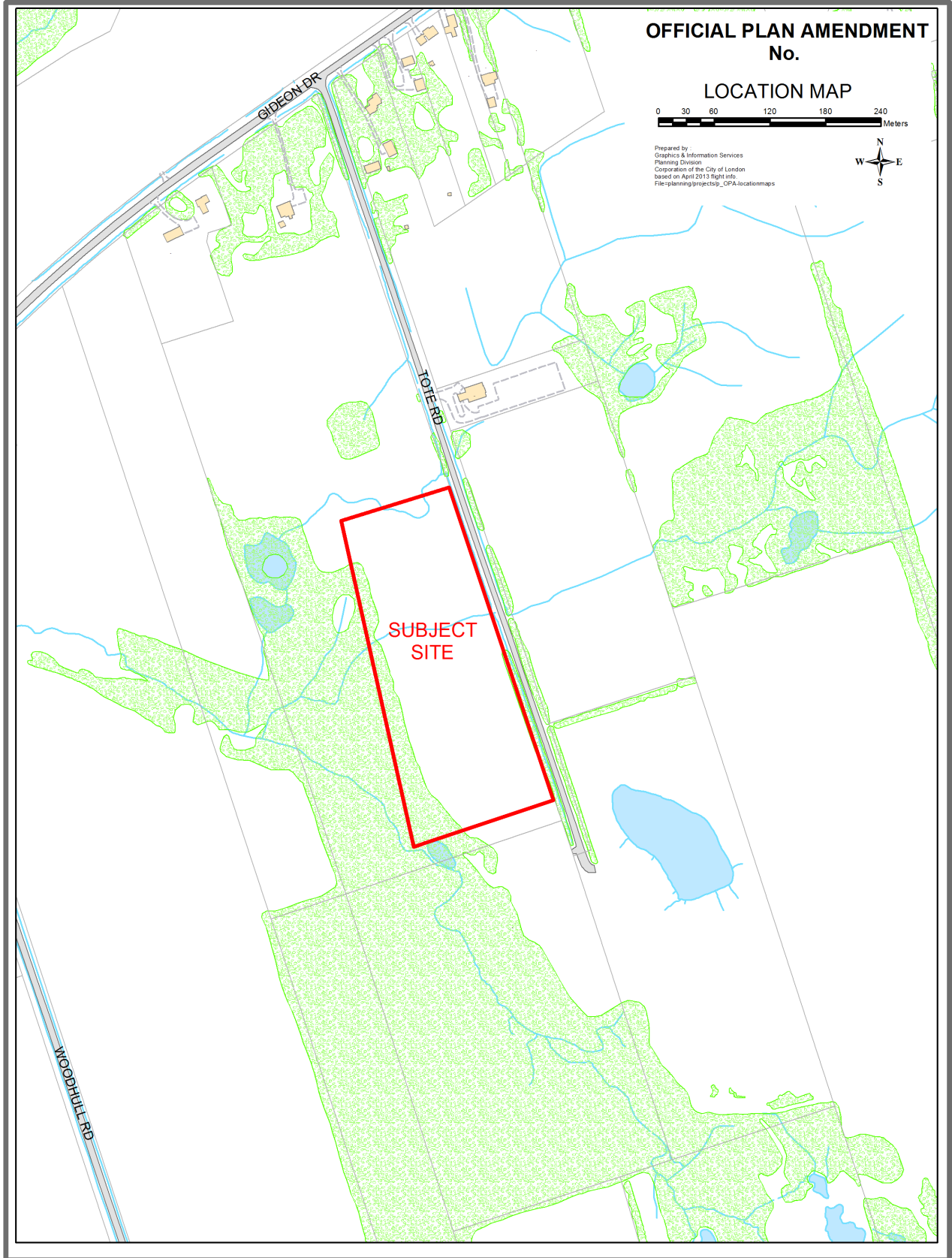
PLANNER: MD

TECHNICIAN: TT

DATE: 2014/11/25

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File: Z-8431
Planner: Mike Davis



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**File: Z-8431
Planner: Mike Davis**

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2015

By-law No. Z.-1-15_____

A by-law to amend By-law No. Z.-1 to rezone a portion of the lands located at 120 Gideon Drive.

WHEREAS Johnston Brothers (Bothwell) Ltd. has applied to rezone a portion of the lands located at 120 Gideon Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of the lands located at 120 Gideon Drive, as shown on the attached map comprising part of Key Map No. A105, from an Agricultural (AG1) Zone, a Holding Agricultural (h-2●AG1) Zone, and an Open Space (OS5) Zone to a Holding Resource Extraction (h-()●EX) Zone, and an Open Space (OS5) Zone.

2) Section Number 3.8 of the Holding "h" Zones to By-law No. Z.-1 is amended by adding the following new holding provision:

_) h-() Purpose: The removal of the h-() shall not occur until such time as the Owner has entered into an agreement with the City of London to ensure that, if determined necessary through the completion of a geotechnical subsurface analysis, appropriate municipal roadway upgrades are completed to accommodate truck traffic from the proposed pit operation to the satisfaction of the City Engineer.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on January 13, 2015.

Matt Brown
Mayor

Agenda Item # Page #

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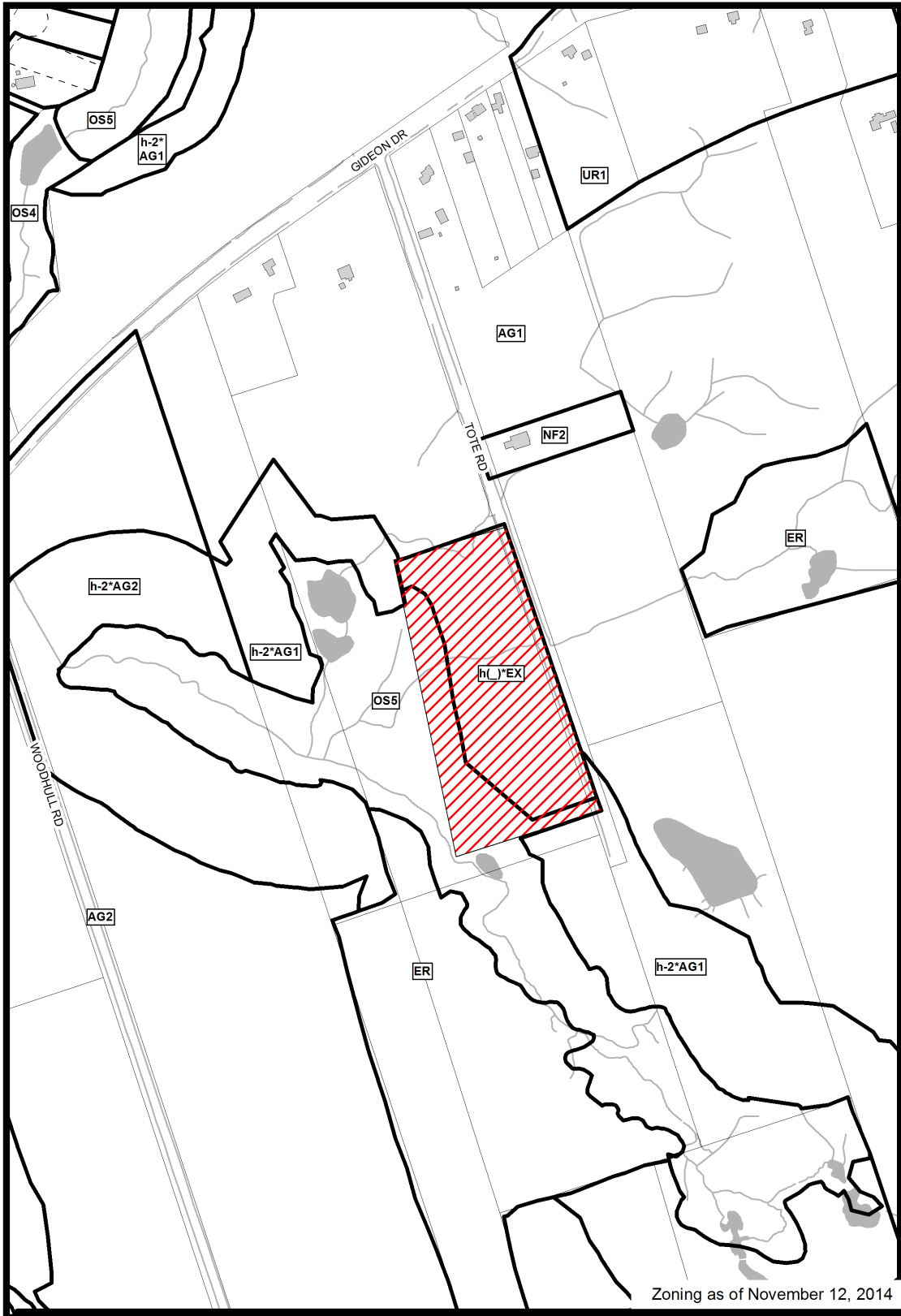
Catharine Saunders
City Clerk


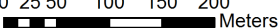

First Reading – January 13, 2015
Second Reading – January 13, 2015
Third Reading – January 13, 2015

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File: Z-8431
Planner: Mike Davis

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: OZ-8365 Planner: MD Date Prepared: 2014/11/25 Technician: TT By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:5,500</p> <p>0 25 50 100 150 200  Meters</p> <p></p>
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Geodatabase

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File: Z-8431
Planner: Mike Davis

Appendix "C"

December 19, 2014 Biologic Inc. Response Memo



Christine Creighton,
UTRCA
1424 Clarke Road
London, ON,
N5V 5B9

December 19, 2014

Dear Christine:

**Re: OZ-8365 UTRCA Review Comments of December 4, 2014
Johnston Brothers (Bothwell) Limited, 120 Gideon Drive**

This letter is in response to the UTRCA letter of December 4, 2014 which followed the discussion with BioLogic regarding UTRCA's remaining concerns of a potential increase in groundwater as a result of the aggregate extraction.

The UTRCA is requesting that either:

- 1) further detailed information regarding quantity and timing of inputs be provided with analysis as to whether the change in water input will have an impact on the vegetation community found in the area;
- or
- 2) vegetation monitoring be conducted annually in the spring for the duration of the pit operation to document changes in vegetation so that appropriate rehabilitation measures are developed when the pit is closed.

We remain of the opinion that:

- 1) The surface water that enters the extraction limit, does not reach the wetland features, rather it dissipates to the groundwater;
- 2) The prevailing direction of groundwater flow is in the westerly-southwesterly;
- 3) Groundwater level in the extraction area is 3-4m below the ground level at the wetlands, and the wetland may not represent a groundwater discharge area;
- 4) The licence is for an above groundwater extraction, and therefore no changes to groundwater flow are expected.

The above is supported by the hydrogeologist that studied this site for the proponent (Novaterra, 2014).

However, the client has agreed that vegetation monitoring at the wetlands will take place. We would propose the following terms be part of the permitting approval:

- 1) Wetland monitoring take place in mid-July each year for duration of extraction.

BioLogic Incorporated
110 Riverside Drive, Suite 201
London, Ontario N6H 4S5
Telephone: 519-434-1516
Fax: 519-434-0575

www.biologic.ca

Windsor Office
2280 Ambassador Drive
Windsor, Ontario N9G 4E4
Telephone: 519-966-1645
Fax: 519-966-1645

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...page 2

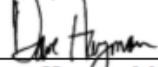
- 2) GPS coordinates be taken of the wetland boundary.
- 3) Two 1m² vegetation plots be inventoried at the wetland edge.
- 4) Plot results and boundary will be submitted to the UTRCA following each sample event.

Water levels will fluctuate annually and seasonally as has been the case prior to this application. Vegetative response is the best method to track long term changes in this fluctuating pattern. There will be several years of data collected by the end of the extraction process prior to rehabilitation of the pit.

As requested, Table A has been updated to incorporate all SWH. The table sent earlier this week was two pages. On these two pages, all SWH was discussed. However, we did miss duplicating the SWH when applicable to both woodland and wetland communities when it was determined candidate SWH was not met. This updated table has now include all candidate SWH criterion under each ELC category.

Further wildlife habitat discussions were provided to MNR following the submission of the Natural Environment Report (BioLogic, 2013). The wildlife habitat was also discussed in the Subject Lands Status Report (BioLogic, 2013). At that time the review of wildlife habitat determined there was candidate significant wildlife habitat in the adjacent lands. As discussed in these reports, the licence boundary set back of 15m from the westerly woodland edge, and 15m from the ANSI boundary, protects all candidate significant wildlife habitat. Additionally works within the licence boundary is sufficiently set back from the dug pond at the southeast corner of the 120m adjacent lands; no impacts to candidate significant wildlife habitat in the pond, or possible linkages between the pond and the woodland to the west are anticipated.

Yours truly,
BioLogic



Dave Hayman MSc.

Johnston Response to UTRCA doc12_2014Final.wpd

Attachment: Table A: Update to Table 2

BioLogic Incorporated
110 Riverside Drive, Suite 201
London, Ontario N6H 4S5
Telephone: 519-434-1516
Fax: 519-434-0575

www.biologic.ca

Windsor Office
2280 Ambassador Drive
Windsor, Ontario N9G 4E4
Telephone: 519-966-1645
Fax: 519-966-1645

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Table A: Update to Table 2 as requested by UTRCA

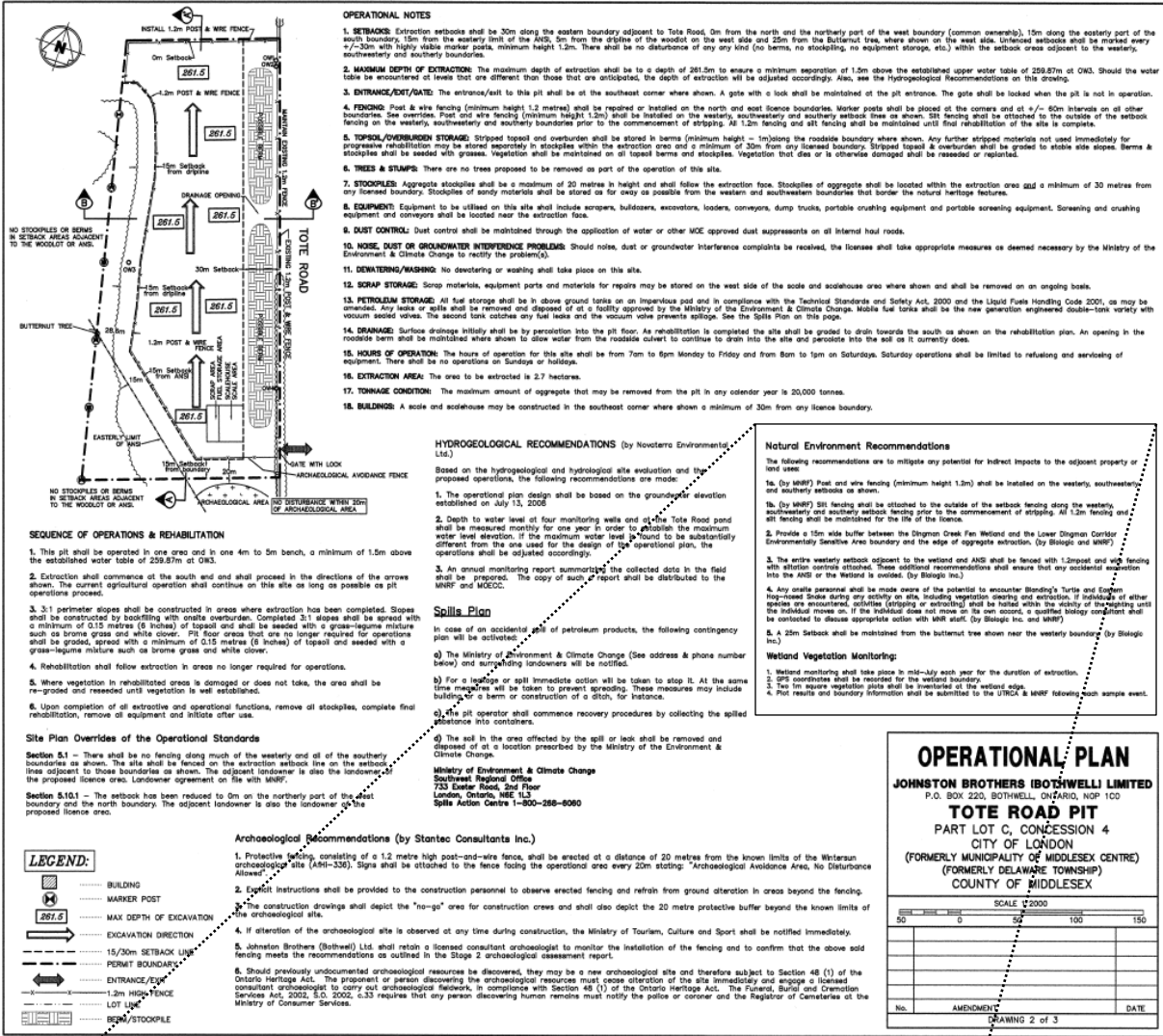
Candidate Significant Wildlife Habitat from MNR 2012 SWH Criteria Schedules

ELC code	Corresponding Candidate Significant Wildlife Habitat																	
FOD	Raptor Wintering	Bat Maternity	Snake Hibernaculum	no congregations of snakes observed during target spring emergence studies for Species of provincial interest	no bats observed, possible wildlife trees (>10ha of large diameter >25cm dbh) Treat as significant	no congregations of snakes observed during target spring emergence studies for Species of provincial interest	no bats observed, possible wildlife trees (>10ha of large diameter >25cm dbh) Treat as significant	Landbird migratory stopover	Landbird migratory stopover	Deer winter congregation	Bald eagle + Osprey	Woodland raptor	Amphibian breeding - woodland	Amphibian breeding - wetland	Animal Movement Corridors - amphibian	Woodland Raptor	Amphibian breeding - woodland	woodland Area Sensitive bird
	only red tailed hawk observed - need 10 or more of two species	no congregations of snakes observed during target spring emergence studies for Species of provincial interest	no bats observed, possible wildlife trees (>10ha of large diameter >25cm dbh) Treat as significant	no congregations of snakes observed during target spring emergence studies for Species of provincial interest	no bats observed, possible wildlife trees (>10ha of large diameter >25cm dbh) Treat as significant	no congregations of snakes observed during target spring emergence studies for Species of provincial interest	no bats observed, possible wildlife trees (>10ha of large diameter >25cm dbh) Treat as significant	Landbird migratory stopover	Landbird migratory stopover	Deer winter congregation	Bald eagle + Osprey	Woodland raptor	Amphibian breeding - woodland	Amphibian breeding - wetland	Animal Movement Corridors - amphibian	Woodland Raptor	Amphibian breeding - woodland	woodland Area Sensitive bird
all SWD	Turtle Wintering	Landbird migratory stopover	Deer winter congregation	Community 5 is large enough and there may be deep water in areas; No turtles observed in targeted studies for species of provincial interest. Treat as significant	over 5km from Lake Erie	there is sufficient winter feeding areas for deer	neither species observed	no interior habitat as the adjacent feature is narrow. No stick nests found	candidate amphibian breeding in ponds in the adjacent 120m #s and location of frogs unknown. Treat as significant	candidate amphibian breeding in ponds in the adjacent 120m #s and location of frogs unknown. Treat as significant	no corridors on farmland but potential candidate adjacent to site along west and south boundary	none observed	area sensitive bird species were not observed					
				Community 5 is large enough and there may be deep water in areas; No turtles observed in targeted studies for species of provincial interest. Treat as significant	over 5km from Lake Erie	there is sufficient winter feeding areas for deer	neither species observed	no interior habitat as the adjacent feature is narrow. No stick nests found	candidate amphibian breeding in ponds in the adjacent 120m #s and location of frogs unknown. Treat as significant	candidate amphibian breeding in ponds in the adjacent 120m #s and location of frogs unknown. Treat as significant	no corridors on farmland but potential candidate adjacent to site along west and south boundary	none observed	area sensitive bird species were not observed					
SWD2 & SWD4*	Waterfowl - Aquatic	Colonial nesting bird - tree/strub	Waterfowl nesting	Waterfowl - Aquatic	no colonial nesting birds observed	no colonial nesting birds observed												
				Waterfowl - Aquatic	no colonial nesting birds observed	no colonial nesting birds observed												
SWD6*	Waterfowl - Aquatic	Colonial nesting bird - tree/strub		Waterfowl - Aquatic	no colonial nesting birds observed													
				Waterfowl - Aquatic	no colonial nesting birds observed													
OA	Turtle Wintering			Waterfowl - Aquatic	no colonial nesting birds observed													
				Waterfowl - Aquatic	no colonial nesting birds observed													
				Waterfowl - Aquatic	no colonial nesting birds observed													

note: yellow highlight indicates confirmed/assumed Significant Wildlife Habitat
* - SWD covers all Swamp Communities with some additional considerations for these specific vegetation types
produced December 2014

Appendix "D"

Revised Operational Plan



Natural Environment Recommendations

The following recommendations are to mitigate any potential for indirect impacts to the adjacent property or land uses:

- (by MNR) Post and wire fencing (minimum height 1.2m) shall be installed on the westerly, southwesterly and southerly setbacks as shown.
- (by MNR) Silt fencing shall be attached to the outside of the setback fencing along the westerly, southwesterly and southerly setbacks prior to the commencement of stripping. All 1.2m fencing and silt fencing shall be maintained for the life of the licence.
- Provide a 15m wide buffer between the Dingman Creek Fen Wetland and the Lower Dingman Corridor Environmentally Sensitive Area boundary and the edge of aggregate extraction. (by Biologic and MNR)
- The entire westerly setback adjacent to the wetland and ANSI shall be fenced with 1.2m post and wire fencing with siltation controls attached. These additional recommendations shall ensure that any accidental excavation into the ANSI or the Wetland is avoided. (by Biologic Inc.)
- Any onsite personnel shall be made aware of the potential to encounter Blanding's Turtle and Eastern Hog-nosed Snake during any activity on site, including vegetation clearing and extraction. If individuals of either species are encountered, activities (stripping or extracting) shall be halted within the vicinity of the sighting until the individual moves on. If the individual does not move on its own accord, a qualified biology consultant shall be contacted to discuss appropriate action with MNR staff. (by Biologic Inc. and MNR)
- A 25m Setback shall be maintained from the butternut tree shown near the westerly boundary. (by Biologic Inc.)

Wetland Vegetation Monitoring:

- Wetland monitoring shall take place in mid-July each year for the duration of extraction.
- GPS coordinates shall be recorded for the wetland boundary.
- Two 1m square vegetation plots shall be inventoried at the wetland edge.
- Plot results and boundary information shall be submitted to the UTRCA & MNR following each sample event.