

**Correspondence**  
**Items for**  
**Information**  
**Purposes**



101-17078-00

February 18, 2011

Ms. Denise Holmes  
Township of Melancthon  
RR #6  
Shelburne ON L0N 1S9

Re: Schedule B Class EA  
Town of Shelburne  
Increasing Capacity of Fiddler's Glen Sewage Pumping Station

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Dear Ms. Holmes,

The Town of Shelburne has initiated a Municipal Class Environmental Assessment (CEA) to increase the capacity of the existing Fiddler's Glen Sewage Pumping Station. The Town has retained GENIVAR Inc. to complete this study in accordance with the requirements of a Schedule B project under the September, 2007 Municipal Class Environmental Assessment (CEA) document.

Please find attached a copy of the Notice of Study Commencement and Public Information Centre for this phase of the project. The Public Information Centre has been scheduled for March 8, 2011.

Your input is encouraged throughout the process. If you have any questions, concerns or comments, please contact the undersigned.

Yours truly,

**GENIVAR Inc.**

A handwritten signature in black ink, appearing to read "Tom Wylie".

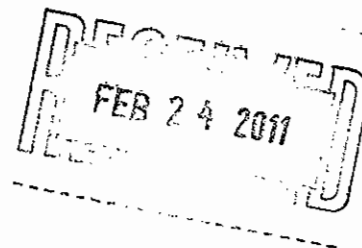
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Mr. Tom Wylie, E.I.T.

/mmo

Encl.

Cc: Mr. John Telfer, AMCT, CAO/Clerk, Town of Shelburne



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## NOTICE OF STUDY COMMENCEMENT AND PUBLIC INFORMATION CENTRE

### Increased Capacity of the Town of Shelburne's Fiddler's Glen Sewage Pumping Station

#### Municipal Class Environmental Assessment Study – Schedule B

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#### The Study

The Town of Shelburne has initiated a Municipal Class Environmental Assessment (CEA) to increase the capacity of the Fiddler's Glen Sewage Pumping Station. The capacity of the sewage pumping station is not sufficient to meet the Town's identified long-term needs. Preliminary analysis indicates that the sewage pumping station may be capable of providing more pumping capacity than is currently approved by the Certificate of Approval without significant changes to the facility. The CEA will review alternatives to increase pumping capacity.

#### The Process

The Town of Shelburne, through our consultants, GENIVAR Inc, has initiated a Municipal Class Environmental Assessment for increasing capacity of the sewage pumping station. The study is being conducted in accordance with the requirements of a Schedule B project under the September, 2007 Municipal Class Environmental Assessment (Class EA) document.

A key component of the study will be consultation with interested stakeholders (public and agencies).

#### Public Information Centre

A Public Information Centre to review the alternatives has been scheduled as follows:

Date: **Tuesday, March 8, 2011**

Time: **Afternoon: 2:00 to 4:00 p.m.**  
**Evening: 7:00 to 9:00 pm.**

Location: **Grace Tipling Hall at 203 Main Street East, (Town Hall), Shelburne**

Shelburne residents as well as other interest groups are invited to participate in the Public Information Centre.

#### Comments Invited

Comment sheets shall be provided at the meeting and shall be received by the municipality until March 29, 2011. Public input and comments received shall be incorporated into the planning and design of this project.

Mr. John Telfer, CAO/Clerk  
Town of Shelburne  
203 Main Street East  
Shelburne, ON L0N 1S0  
Tel: 519-925-2600  
Email: [jtelfer@townofshelburne.on.ca](mailto:jtelfer@townofshelburne.on.ca)

Mr. Tom Wylie, E.I.T.  
GENIVAR Inc.  
945 - 3<sup>rd</sup> Avenue East, Suite 212  
Owen Sound, ON N4K 2K8  
Tel: 519-376-7612, Ext. 236  
Email: [tom.wylie@genivar.com](mailto:tom.wylie@genivar.com)

With the exception of personal information, all comments will become part of the public record.

This Notice posted February 17, 2011



## NOTTAWASAGA VALLEY CONSERVATION AUTHORITY HIGHLIGHTS FROM BOARD MEETING ON JANUARY 28, 2011

### NVCA BOARD OF DIRECTORS MEETING – NO. 12/10 and NO. 1/11 January 28, 2011

#### **NVCA GOVERNANCE**

A report from an Ad Hoc Committee formed to develop roles and responsibilities of the Officers of the NVCA, was presented to the Board. The Chair, Vice-Chair, and Past Chair will now make up the Officers of the Corporation. Recommended roles, responsibilities and honorariums for these positions were approved unanimously. Three of the eighteen member municipalities - the City of Barrie, the Town of Innisfil, and the Township of Oro-Medonte, voluntarily reduced their members from two to one. Weighted voting however will remain in effect for budget decisions.

#### **PRESENTATIONS TO OUTGOING BOARD MEMBERS**

The NVCA thanked the following outgoing Board members for their service:

Gerald Poisson, Ron Simpson, Chris Carrier, Ron Henderson, Terry Dowdall, Debbie Fawcett, Gordon Montgomery, Tom Elliott, and Rick Archdekin. Regrets were received from the following outgoing members: Barry Ward, John McKean, Orville Brown, Robert Walker, Sonny Foley, Brian Mullin, Bill Van Berkel, Rick Milne, Harry Hughes, Reg Cowan, and Cal Patterson.

#### **ANNUAL GENERAL MEETING AND ELECTION OF OFFICERS**

Seventeen new members were welcomed at the Annual General Meeting. Mark Shoreman, Ministry of Natural Resources (MNR) District Manager, brought greetings, and gave a brief presentation recognizing the important partnership between the NVCA, their member municipalities and MNR and then presided over the elections.

Elections for the office of Chair and Vice-Chair saw Walter Benotto being acclaimed as Chair, and Joan Sutherland was elected Vice-Chair. Fred Nix continues as Past-Chair. This is Mr. Benotto's third term as Chair of the Authority.

#### **WELCOME 2011 BOARD MEMBERS**

##### Officers of the Corporation:

Chair: Walter Benotto, Town of Shelburne

Vice Chair: Joan Sutherland, Town of New Tecumseth

Past Chair: Fred Nix, Town of Mono

##### Board Members:

Mary Brett, Township of Adjala-Tosorontio

Percy Way, Township of Amaranth

Brian Jackson, City of Barrie

Gail Ardiel, The Town of the Blue Mountains

Rob Keffer, Town of Bradford West Gwillimbury

Michael Smith, Township of Essa

Keith White, Township of Essa

Paul McQueen, Municipality of Grey Highlands

Alicia Savage, Township of Clearview

Brent Preston, Township of Clearview

Mike Edwards, Town of Collingwood

Kevin Lloyd, Town of Collingwood

Dan Davidson, Town of Innisfil

Darren White, Township of Melancthon

Earl Hawkins, Township of Mulmur

Bob Marrs, Town of New Tecumseth

Ralph Hough, Township of Oro-Medonte

Perry Ritchie, Township of Springwater

Rick Webster, Township of Springwater

Nina Bifulchi, Town of Wasaga Beach

George Watson, Town of Wasaga Beach

**For more information contact:** Wayne Wilson, CAO/Secretary-Treasurer (705) 424-1479, ext. 225  
[wwilson@nvca.on.ca](mailto:wwilson@nvca.on.ca) or visit our website: [www.nvca.on.ca](http://www.nvca.on.ca)

**Future Meetings and Events** Board of Directors Meeting – Budget Meeting - February 25/11

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**Denise Holmes, AMCT**

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**From:** Jerry Jorden [jjorden@rogers.com]  
**Sent:** Tuesday, February 15, 2011 4:45 PM  
**To:** Denise Holmes  
**Subject:** Report on OMB Rockfort Quarry Decision  
**Attachments:** Rockfort Decision Report Transmittal Letter.pdf; Rockfort Decision Planning Report February 15 2011.pdf

Denise:

Attached is my report on the OMB Rockfort Quarry decision, as requested by Council, along with my transmittal letter.

Jerry Jorden  
G. W. JORDEN PLANNING CONSULTANTS LIMITED  
8 Bellevue Crescent  
Barrie Ontario L4M 2T1  
Phone: 705.722.7220  
Fax: 705.730.1353  
Email: jjorden@rogers.com

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Total Control Panel

[Login](#)

To: [dholmes@melanctontownship.ca](mailto:dholmes@melanctontownship.ca) [Remove](#) this sender from my allow list  
From: [jjorden@rogers.com](mailto:jjorden@rogers.com)

*You received this message because the sender is on your allow list.*

Information from ESET NOD32 Antivirus, version of virus signature database 5879  
(20110216)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

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**G. W. JORDEN** *Planning Consultants Limited*

8 BELLEVUE CRESCENT, BARRIE, ONTARIO L4M 2T1

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February 15, 2011

VIA EMAIL

Ms. Denise B. Holmes, AMCT  
CAO/Clerk-Treasurer  
Township of Melancthon  
157101 Highway 10  
R.R. #6  
Shelburne ON L0N 1S9

Dear Ms. Holmes:

**Planning Report on the OMB Decision  
on the Rockfort Quarry Applications**

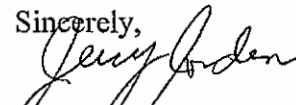
In accordance with Council's instructions, today I am providing my report on the decision of the Ontario Municipal Board concerning the planning and licensing applications for the Rockfort Quarry proposal in the Town of Caledon.

The report discusses the main components of the extensive analysis provided in this important decision and summarizes some of the possible implications for the Township and its draft Official Plan. As noted in the report, while it is essential to review and consider this major Board decision, it must be viewed as only one component in the development of planning policies for the Township.

There are, as well, some difficulties in interpreting the full effects of the decision. These may be resolved as municipalities consider appropriate revisions to their planning documents and as other aggregate resource related Board decisions are issued.

I am prepared to discuss the report with Council if that would be of assistance.

Sincerely,

  
G. W. Jorden, RPP

# **REPORT TO COUNCIL TOWNSHIP OF MELANCTHON**

## **ONTARIO MUNICIPAL BOARD DECISION ON THE ROCKFORT QUARRY PROPOSAL: REVIEW AND POSSIBLE IMPLICATIONS**

February 15, 2011

### **1.0 INTRODUCTION**

#### **1.1 Purpose and Format**

This report reviews and highlights what appear to be the key aspects of the important Ontario Municipal Board (the Board) decision refusing planning and licensing applications by James Dick Construction Limited for a proposed quarry in the Town of Caledon. It provides some analysis of the principal components of this detailed 76 page decision and outlines the possible implications for the Township, primarily in terms of its finalization of an updated Official Plan.

The report is based on a study of the Board's decision, those policies at the provincial, regional and local levels that were referenced by the Board, and some aspects of the related legislation. The related November 22, 2010, submission by Ms. Wallace has also been reviewed.

The majority of the report is structured to principally provide brief discussions on each of the major component's of the Board's analysis used in reaching its decision along with some comments, in each case, on the possible implications primarily for the Township's draft Official Plan (OP). Section 4 provides an alternative to a review of the entire report. It discusses the key planning policy test applied by the Board and summarizes what appear to be the principal implications for the Township and its planning documents.

#### **1.2 Assessing Implications**

This decision and its comprehensive analysis of the applicable planning policies provides important insight into the Board's decision making process on a major quarry application. It merits close examination and assessment, particularly in terms of the implications for the municipality's planning documents and the related decision making processes.

Any assessment of the decision's implications for the Township's planning policies and programs should not be considered in isolation. Notwithstanding the importance of the Rockfort Quarry proposal and the Board's findings, municipal planning policies and land use regulations should not be based solely on the contents of one Board decision. Decisions of the Board do not

## Planning Report: OMB Decision on Rockfort Quarry

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create precedents. Any Board member in any hearing must make a decision based primarily on the facts and evidence presented at that hearing.

Each application or appeal is to be considered on its own merits and its compliance with the applicable legislation, policies and regulations. It is possible that another Board member considering a similar proposal to the Rockfort Quarry in a similar context could make a different decision.

This important and detailed decision should be carefully reviewed, evaluated and placed in context with all the other factors and considerations that contribute to the formulation of planning policies and decisions. It should not be viewed in isolation.

### **2.0 THE QUARRY PROPOSAL AND ITS CONTEXT**

#### **2.1 The Proposal**

The applicant sought planning approval and licensing for a 58 hectare below the water table quarry on an 89 hectare site in a rural area of Caledon. The aggregate resource on the site was estimated at 39 million tonnes and it was estimated that the extraction process and rehabilitation would involve a period of 80 years.

All but one of the five phases of the extraction process would involve extensive dewatering of the extraction cells. The rehabilitation plan would include the flooding of two of those cells to create lakes with associated natural features. The process of filling the lakes would take approximately 50 years, apparently beginning at the conclusion of 30 years of aggregate extraction.

In the Official Plans of both the Region and the Town the site is located within a High Potential Mineral Aggregate Resource Area. An Official Plan Amendment (OPA) is required to permit the development of a quarry on the subject lands. Any such OPA and the related development proposal must comply with a wide range of planning policies and requirements at the local, regional and provincial levels of government.

#### **2.2 Timing and Processing**

The applications were submitted approximately 13 years ago. There were a variety of studies undertaken and updated, sometimes more than once, by the applicant and its consultants. There were peer reviews of all the documentation provided including the related updates and additions.

## Planning Report: OMB Decision on Rockfort Quarry

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There was also extensive public and agency involvement as well as related Official Plan work by the Town of Caledon.

Ultimately the applicant company appealed the Town's refusal to enact the required amendments. The Minister of Natural Resources also referred the license application under the Aggregate Resources Act (ARA) to the Board.

### **2.3 The Policy and Regulatory Context**

In evaluating the proposal and making its decision, the Board primarily relied on the applicable policies in the Town's Official Plan (OP), the Region's Official Plan (ROP), the policies of the PPS and the provisions of section 12(1) of the ARA listing the matters the Minister or the Board must have regard to in making a decision on a license application.

In view of the date of the applications, the policies of the 1997 edition of the PPS were applied. Many of the applicable policies remain largely unchanged in the current PPS. The general requirement with the 1997 PPS is to "have regard to" its policies in making planning decisions whereas the more restrictive current requirement for the 2005 edition of the PPS is "to be consistent with" these policies. Notwithstanding this distinction, which is not referenced in the decision, the Board was clearly requiring absolute compliance with the policies in the PPS and all other planning documents.

### **3.0 THE BOARD'S ANALYSIS AND FINDINGS**

The following summarizes each of the principal components of the Board's decision, provides some general comments on each and assesses the implications for the Township's new Official Plan, the primary planning consideration at this point. These considerations could also apply to any related amendment to the existing Official Plan.

#### **3.1 Onus**

Through pages 4 to 7 in the decision the Board makes it quite clear early in its considerations of the matters before it that the applicable planning documents, including the Town's OP, places the onus or obligation on the applicant to address all the policy requirements and to demonstrate compliance. The Board finds this particularly relevant in the assessment of a proposal's conformity with the OP's criteria for approval of aggregate related OPAs.

The wording of each of the criteria in the OP begins with or includes the words "the applicant has completed", or similar wording, and then references the specific required study or

## Planning Report: OMB Decision on Rockfort Quarry

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documentation. In each case, the wording also requires the applicant to “demonstrate that the proposal will not have any unacceptable impacts”. This policy component is discussed further below, primarily in sections 3.4 and 4.1.

Conversely, the Board also is of the opinion that objectors to the proposed development do not have to demonstrate that there will be an unacceptable or negative impact. The Board does state that it will consider the evidence of objectors in making a determination as to whether or not an applicant has met the OP requirements. This would appear to imply that objectors should make every effort to demonstrate that there will be unacceptable impacts.

### **3.1.1 Implications**

There is really nothing new or unexpected in Caledon’s approach to the provision of planning justification and related documentation. All plans and planning documents place the onus on the proponent. This is apparent, for example, in section 4.7.2(j) of the Township’s draft Official Plan (OP) which contains the criteria relating to the approval of an Extractive Industrial OPA.

No changes to the draft OP are required, although this is an aspect for consideration generally throughout the process of revising and finalizing that document.

It would appear that these comments from the Board also imply that there is no onus on a municipality to undertake extensive research or planning policy formulation, either site specific or more broadly based, which is principally or solely intended to deny a forthcoming or anticipated application. Such an approach may also be viewed as being counter to the balanced approach to the evaluation of planning and development proposals endorsed and applied by the Board in its decision as discussed in section 3.2 below.

### **3.2 Balanced Approach**

Beginning with its consideration of what is now section 4.3 of the PPS, the Board notes a need to balance the various applicable planning policies in evaluating this development proposal. The PPS requirement to apply all relevant policies to each situation is viewed by the Board as requiring a balancing of what can be conflicting provisions.

On page 11 and elsewhere the Board notes a similar requirement for balance in considering the policies in the ROP. That plan also requires the local municipalities to include policies in their own plans that have “criteria to establish a clear and reasonable mechanism to permit” new or expanded aggregate extraction sites.

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The Board also finds this need for a balanced approach in the Town's OP. That plan indicates an intent to have policies that both protect the aggregate resource and also allow the use of that resource "where this use can be balanced and integrated with the ecosystem, social and economic goals of the Town". The Board concludes its summary of this general policy theme by noting that "the public interest in this case demands that the Board complete a thorough and well-reasoned balancing exercise".

Primarily in the course of its discussion of this approach to planning policy analysis, the Board commented on two other important matters.

1. The detailed applicable policies should be fully stated in the OP, as was done in section 5.11 of the Town's OP. This enables all parties to know what is expected of them and to give direction as to the required balancing exercise required in considering aggregate applications. The Board noted the Town should not request additional studies or impose standards not set out in these policies.
2. From the discussion on pages 7 and 8 of the decision, the Board clearly was not impressed by parties that did not take a reasoned and balanced approach in support of their position.

### **3.2.1 Implications**

The Township's draft OP does take a balanced approach to planning policies and their application. This is apparent on page 56 in the first paragraph of section 4.7, Extractive Industrial, and in the first paragraph of section 2.0, Planning Objectives. With regard to point 1 above, it should be noted that the Extractive Industrial section also includes a comprehensive set of policies relating to the evaluation and approval process for such uses.

Section 2.5 of the OP, Mineral Aggregate Resource Objectives, could be expanded somewhat to include references to this balanced approach to aggregate related planning. Generally, the achievement of a balanced approach should remain a constant consideration in all aspects of the document as the work proceeds toward finalizing the plan.

In light of point 1 above, it would also be appropriate to complete a general review of all components of the Township's draft OP to ensure that what is expected of all parties is clearly stated.

### **3.3 The Need for the Resource and Its Quantity and Quality**

Primarily in the context of its discussion of the essential balanced approach to the assessment of planning applications such as those for the proposed quarry, the Board stated that the issue of need for the aggregate resource is relevant to its decision. This is notwithstanding the Board's acknowledgment that there is no policy requirement compelling the applicant to demonstrate need. While the applicable 1997 edition of the PPS does not specifically reference the need issue, section 2.5.2.1 of the 2005 edition states that the demonstration of need "shall not be required".

Despite this policy framework, the Board felt that the need aspect was an important component in balancing the applicable planning policies and priorities. On this basis it accepted evidence on the need for the resource. The objectors provided no evidence to refute that information and the Board therefore determined there was a need for the site's aggregate resources.

The Board also noted a requirement under the provisions of both the ARA and the Town's OP to consider the quality and quantity or significance of the resource. This relates to the issue of need and the balanced evaluation of planning priorities.

#### **3.3.1 Implications**

Since the 1997 PPS would not apply to any future applications and since need cannot be an issue under the 2005 edition of the PPS, there is no requirement to include any related policies in the new OP. Also, the draft OP does require information on the quality and quantity of the resource.

### **3.4 The "Demonstration of No Unacceptable Impacts" Test**

The majority of the decision consists of an analysis of the proposal and the related documentation in terms of several specific and generally typical issues relating to an aggregate extraction proposal. Throughout this analysis and in the consideration of every issue the Board applied one principal test: has the applicant demonstrated that there will be no unacceptable impacts.

In the various sections of the Town's OP variations of this wording is applied to at least the following areas issues or areas of interest: traffic and roads, social impacts, environmental or natural heritage aspects, visual impacts, cultural heritage, water resources, noise and vibration, dust and other air pollutants, and land use conflicts. The Board also applied a similar interpretation to those PPS policies that require a demonstration of "no negative impact", including the policies concerning a variety of natural heritage features and functions.

## Planning Report: OMB Decision on Rockfort Quarry

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The Board consistently applied a very high standard in determining if this requirement had been met. It was not sufficient, for example, to prepare a report that met all the applicable technical requirements if it did not demonstrate clearly and conclusively that there would be no unacceptable impacts. The identification of recommended mitigation measures and their endorsement by the appropriate technical experts as being capable of meeting the applicable regulatory requirements was a standard component of the proponent's reports and studies. Yet these were not necessarily viewed as being compliant with the planning policies unless it was demonstrated that there would be no unacceptable impacts.

### 3.4.1 Implications

While wording similar to that used in the policies referenced by the Board is relatively common in municipal planning documents, the Board's application of such policies raises some issues for the Township. Although the Board's interpretation and application is not necessarily definitive, it should be a consideration for Council in future decision making on planning applications. Council will be applying similar policies and may want to consider its decisions in light of this ruling from the Board.

The following are some of the potential issues raised by the Board's approach to the application of the "demonstration of no unacceptable impacts" policy.

- Under what circumstances can a municipality apply a higher test than simply meeting the applicable technical standards on an issue such as noise impacts, for example?
- In going beyond those standards, where they are available, how is it to be determined that an impact is acceptable?
- What is required to clearly and conclusively demonstrate prior to planning and development approval that there will be no unacceptable impacts?
- Can a definitive pre-approval demonstration of no unacceptable effects be provided for such a long term and massive project as the Rockfort Quarry? Are references the experience of other projects in other areas an acceptable method of meeting this test?
- Does the Board's interpretation and application of this test provide a standard that can realistically be met?

In view of these uncertainties, the limitations associated with relying on a single Board decision, and the reality that there are always issues associated with the interpretation of planning policies,

## Planning Report: OMB Decision on Rockfort Quarry

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no related specific changes to the Township's draft OP are proposed at this time. The approach to this aspect of the decision is discussed further in section 4.1.

### **3.5 Transportation, Traffic and Haul Route**

Most of the remainder of the Board's decision consists of a detailed evaluation of the evidence in regard to a number of issues or issue groups. This analysis provides the foundation for the Board's decision to refuse the planning and licensing applications. This section and those that follow consider the principal components of the Board's approach to each of the issues identified in the decision.

The Board finds that the OP requires a demonstration that additional traffic and road improvements will not have unacceptable impacts on the safe and efficient use of the road network and that impacts on adjacent land uses will be satisfactorily mitigated. Further, the OP requires a comprehensive study of traffic and haul routes to identify the haul route of least impact and to assess the acceptability of impacts along the proposed haul route. The policies also require that new aggregate operations shall only be located on designated High Capacity Arterials.

A four volume traffic impact and haul route evaluation study was prepared by the applicant's consultant. The Board acknowledged that this documentation met the requirements for a traffic impact study. However, while the Board noted that the recommended technical improvements along the preferred haul route could be implemented, it found that the report did not meet the requirement for a demonstration of the acceptability of the economic, social and physical impacts along the route.

The Board noted that the proposed route is located in a rural area and a fundamental change in traffic characteristics would occur with the quarry operation. In the Board's view, the proponent should have completed some form of social impact evaluation which "considers the effect of greatly increased traffic on people" and also "demonstrates that any impacts on adjacent land uses would be satisfactorily mitigated".

The Board was of the opinion that it needs this element of local impact evaluation in order to balance the benefits of a close to market quarry location against the impacts locally. In the absence of such information, the proponent cannot simply rely on a position that gravel trucks have a right to use public roads. In summary, the Board was not convinced that the applicable tests of the planning documents had been met.

### 3.5.1 Implications

There may not be any changes required to the draft OP in terms of most of the traffic related matters discussed in the decision. The policies in the OP do require a detailed evaluation of alternative haul routes in terms of the number of sensitive uses among other criteria. There may be a need for more social impact and mitigation related provisions, depending on the current character of the road and the magnitude of the traffic impacts.

### 3.6 Noise

The OP requires a demonstration that “noise and vibration impacts will be mitigated to acceptable levels”. The OP also references compliance with provincial standards in this regard and the Board notes that the Town cannot hold the applicant to “some ill-defined higher standard which considers subjective rather than objective effects on people”.

The Board acknowledged that the technical studies demonstrated that the development could meet the provincial standards with the application of appropriate mitigation measures. However, an important noise factor involved the construction and maintenance of the proposed grout curtain, a key element in the development’s Adaptive Management Plan. There are different provincial noise standards for construction activities and for quarry operations. The latter has to meet stricter noise standards than the former.

The applicant’s studies applied the construction standard but the Board was of the opinion that the grout curtain was a component of the quarry operation and, therefore, the projected noise levels would substantially exceed the applicable provincial standard.

The issue of noise impacts along the proposed haul route was also significant. Although there are no Ministry of the Environment (MOE) standards for such noise, a memo from the MOE indicated that the route selected should result in a “minimum noise impact”. A related OP policy also requires that the proposed haul route must be the route of least impact. In addition, that policy requires an assessment of the acceptability of the impacts along that route.

While the applicant’s studies do identify the proposed route has having the least impact in terms of noise, that impact is still considered to be significant in the opinion of the Board, since, among other things, it changes “the area from a rural classification to an urban classification in terms of noise”. The Board then concluded that the application has not demonstrated either the acceptability of the impacts along the route or that a route has been selected that will result in a minimum noise impact. There is, therefore, lack of compliance with the OP even though there may be compliance with provincial standards.

### **3.6.1 Implications**

There may not be a need for any revisions to the noise related policies in the draft OP. The key policy requires compliance with the provincial guidelines and that compliance must be achieved in a manner acceptable to the Township. Assessment of impact on sensitive land uses is also required as part of the haul route selection process.

### **3.7 Air Quality**

Provincial standards, regulations and guidelines apply with regard to air quality issues such as those relating to dust emissions. The Board was satisfied that, based on the documentation provided, there would be compliance with the applicable provincial requirements.

### **3.8 Visual Impact**

The OP requires a Visual Impact Report and again applies the requirement for a demonstration of no unacceptable impacts. The report must assess impacts on significant views and changes to the natural and cultural landscape. It must also identify required mitigation measures and their visual character.

While the Board appreciated the detail provided in the applicant's study, it noted the statement in the study that the proposed berms to be used for screening portions of the development are a "significant change affecting views and heritage value". It also strongly disagreed with certain impact assessment related comments in the report such as the statement that the rehabilitation to a lake with associated natural heritage and cultural heritage features "does not devalue the overall cultural heritage and landscape of the area".

The applicant's documentation references the visual impacts in the context of what might be expected in a close to market high potential aggregate resource area. The Board did not accept this approach and indicated emphatically on page 42 that unacceptable visual impacts, including the use of berms whereby a significant view is lost, far outweigh the presence of a "much needed source of high quality aggregate, located close to market".

The Board was also of the opinion that the applicant should have undertaken a comprehensive visual impact assessment of the haul route. The lack of such an assessment and the unacceptable visual impacts at the proposed quarry site were deemed to indicate lack of compliance with the OP. Although possibly a somewhat extreme interpretation, it could be taken from the decision that if there are any high degrees of change in views or the loss of significant views at any point,

regardless of the results after rehabilitation, the proposal would not meet the test of no unacceptable impact.

### **3.8.1 Implications**

There may be a need for some revisions to the draft OP's policy referencing the impacts on views. The reference to the use of "such means as screening" may need to be generalized somewhat in light of the approach to loss of views apparent in this Board decision. There may also be a need for visual impact assessment and mitigation on haul routes, although, like the Board's approach to the application of haul route related noise policies, this may be a requirement that would be difficult to meet.

## **3.9 Cultural Heritage**

Here again the Board differentiated between a technically complete cultural heritage study and the OP test requiring a demonstration of no unacceptable impact. On that basis, the Board again found a lack of compliance with the OP, notwithstanding the technical studies' support for the proposed approach to the site's cultural heritage features and landscape.

The site's two farm building complexes and the general rural farm landscape were considered to be moderate to very important cultural heritage features. The Rockfort farmhouse complex would be preserved while the other farm building cluster would not. All of the usual cultural heritage mitigation measures would be employed.

Notwithstanding this approach, the Board found, on pages 52 and 53, that leaving the Rockfort buildings on a "small island" surrounded by an active quarry for decades would be an unacceptable cultural heritage impact.

The Board also found that the subject lands with their pattern of farm fields and fence lines are "integral parts of a significant cultural landscape". It determined that the loss of such a landscape would not conform to the OP's policies and would not be consistent with the policies of the PPS that require conservation of such landscapes.

The Board concludes on page 54 that the degree of change in a significant cultural heritage landscape must be circumscribed. It states that the "annihilation" of one of the site's farm building complexes and the destruction of the rural context of the other complex are "not the type of change that should be countenanced".

### **3.9.1 Implications**

Here again the Board took a very rigid interpretation of the applicable policies and did not accept the conclusions of the related technical studies which demonstrated that appropriate standards and measures could be implemented. The Board, like Council, has the authority to apply any interpretation of a planning document and there are no policies that can eliminate any particular interpretation. Although there are references to the need for cultural heritage impact studies in sections 3.9 and 6.13(d) of the Township's draft OP, for clarity it would be appropriate to add such a policy requirement in the Extractive Industrial section.

### **3.10 Natural Heritage, Hydrogeology, Engineering, Adaptive Management Plan**

This analysis of a number of interrelated project components and issues forms the largest section of the decision. In addressing these complex issues, the Board referenced policies dealing with natural heritage features and functions and water resources in the PPS, the ROP and the OP. In general, the policies addressed the need to protect water resources, to ensure there is no negative impact on natural heritage features and functions, and to demonstrate that a development proposal will have no unacceptable impacts.

There are no significant natural heritage features on the lands where the quarry operation is proposed. The site is near the Niagara Escarpment and there are important natural heritage features and functions in the area. The Board found that the site constitutes "adjacent lands", in PPS terms, to these environmental features and functions. The key environmental consideration is the need to maintain the groundwater features on which these various natural heritage components depend. That, in turn, largely depends on the Adaptive Management Plan (AMP) and its proper implementation on a long term basis.

On page 62 of the decision the Board summarized the principal conclusion of the applicant's environmental consultants as simply that "if the AMP works properly, the impact of the quarry on the natural heritage features and functions around the site will be acceptable". The peer reviewer for the Region and the Town raised some concerns about that conclusion. His view was that there were risks involved even if the planned mitigation works for the 80 year lifespan of the operation. He expressed concerns about the lack of pre-approval field demonstrations showing that the proposed mitigation measures, including the AMP, can and will work as planned.

The Board noted that the applicant's consultants in geology, hydrogeology and engineering "arrived at countless supportable conclusions". It then observed that the tests of the PPS and the

## Planning Report: OMB Decision on Rockfort Quarry

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OP relate to demonstrating no unacceptable impact and “that test goes beyond supportable conclusions”.

The Board indicated on page 65 that it will rely on the AMP, particularly the water resources protection section, to determine PPS consistency in terms of “no negative impacts” and to assess the proposal in terms of the relevant provisions of sections 2(d) and 12(1)(a) and (e) of the ARA, relating to the impacts on the environment generally and on ground and surface water resources.

The Board cited evidence from one of the applicant’s witnesses that the AMP is structured so that if mitigation objectives are not being met, response actions are provided for and the matter is subject to ongoing MNR review and approval. This is generally typical AMP structure and process. The Board outlined a number of very fundamental milestones in the AMP involving all substantive aspects of the project such as the grout curtain, the monitoring programs, excavation below the watertable and the mitigation program.

The Board expressed concern that over the life of the project any updating or revisions to the AMP to address such matters are left to be determined and approved by the MNR. The Board viewed this as an abdication of its responsibilities under the applicable legislation and planning policies. Like those of Council, the Board’s responsibilities are to determine with certainty prior to the approval of the proposal that there is compliance with the applicable policies, particularly in terms of the test of no negative or unacceptable impacts.

The Board was also concerned that the MNR did not have the resources to assume the AMP related ongoing approval responsibilities. It had evidence of excessive work levels and responsibilities for MNR staff.

The Board concluded that on this group of issues, there wasn’t a demonstration of no negative or unacceptable impacts. It also strongly stated its position that it would be abdicating its responsibilities by leaving key approvals to be handled in the future by a third party at a point subsequent to the Board’s decision.

### **3.10.1 Implications**

In projects having the magnitude and complexity of this quarry proposal, the AMP is typically the principal component of the operational and rehabilitation plans. A defining characteristic of such a plan is its flexibility. As its name implies, it is intended to be adaptive, to be capable of responding to changing circumstances on an ongoing basis over the life of the project. In the Board’s view, it must be definitively demonstrated prior to any approvals that the AMP can work to prevent any unacceptable effects as the project proceeds over its predicted lifespan.

## Planning Report: OMB Decision on Rockfort Quarry

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The Board did not specify what would constitute a satisfactory demonstration of the effectiveness of a proposed AMP in meeting all policy requirements including the lack of any unacceptable effects. There may be little that can be added to the draft OP on this point other than to ensure, as discussed previously, that the wording appropriately reflects a need for a similar policy requirement concerning no unacceptable impacts. It would appear that the OP's current wording is generally consistent with this approach. This aspect of the decision is discussed further in section 4.1 below.

There may be a need for discussions with other municipalities such as Caledon as to what they now view as being required to provide a satisfactory demonstration of the effectiveness of a proposed AMP in light of the Board's decision. As strongly stated in the Board's decision, there is a need for absolute certainty on this point prior to any approval of a proposed development of this magnitude and complexity.

The Board's concern about the apparent limitations on the MNR's ability to properly monitor, regulate and approve the AMP on an ongoing basis, while also a Township concern, is a matter beyond the municipality's jurisdiction. It was a principal consideration in the Board's findings concerning the AMP and the need for related up-front documentation on its effectiveness. That requirement could also affect the municipality's evaluation process on future extractive industrial applications.

The Board's analysis also clearly indicates that potential off-site environmental and water resource impacts are an important consideration in evaluating aggregate extractive applications. This is evident in the current wording of the draft OP and no major revisions should be needed in this regard although a general review of the relevant policies would be appropriate.

### **3.11 Fiscal Impact**

Both the Region and the Town noted the need for "appropriate financial assurances", particularly with regard to the management of the project and the prevention of unacceptable off-site impacts over its 80 year lifespan. The Board observed that there was nothing explicit in either the OP or the ARA that required an applicant to prepare a fiscal impact assessment or to provide financial guarantees to any public authority.

The Board again relied on section 12(1)(k) of the ARA, which requires it to have regard to "such other matters as are considered appropriate", to address what it referenced as "the cost of the mitigation measures" and who will bear these costs. On page 73 the Board observed that "the only thing standing between the proposed quarry and a catastrophic impact on the environment is the AMP". It goes on to state that it must be convinced that "the applicant would have the financial resources to complete all that is required by the AMP".

## Planning Report: OMB Decision on Rockfort Quarry

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Evidence at the hearing estimated those costs to be in the range of at least \$80 to \$90 million. The Board observed that no public authority should ever find itself responsible of the costs of these mitigation measures. While the applicant had previously indicated that it is prepared to post “reasonable financial assurances”, the Board found that commitment to be inadequate. It states that “the Province, the Region and the Town and their residents must have clear assurances embodied in executed legal agreements that (the applicant) will always be responsible for the costs of mitigation”.

The Board pointed to comprehensive agreements executed between Dufferin Aggregates and the Regional Municipality of Halton and the Halton Region Conservation Authority as appropriate for a quarry development of the type proposed. Under those agreements the proponent is responsible for the costs of the mitigation measures, a letter of credit and an endowment fund in relation to future operating costs. If there is a default, the securities can be used by the Conservation Authority to enter the lands and remedy the default.

The Board stated that it can find no statute or policy providing it with the authority to require any party to enter into such agreements. It concluded this portion of its analysis by stating that it cannot envision an approval for a quarry that is dependent on a complex AMP without such agreements either being in place or being a condition of approval.

### **3.11.1 Implications**

In the apparent absence of specific statutory or regulatory authority, the Board has clearly stated the need for fiscal impact analysis and related agreements ensuring the proponent is responsible for all costs associated with such a complex quarry proposal. It also references agreements that it sees as essential in which the proponent’s responsibilities are fully addressed and there are provisions for the use of securities, if necessary, to address defaults. These agreements also permit the municipality to access the site to correct those defaults. All of these findings or observations are important in terms of situations such as the Township’s current experience with Strada Aggregates where questions have been raised concerning the boundaries between the municipality’s jurisdiction and that of the MNR.

Based on the Board’s observations, there is clearly a need for municipal planning documents to provide a policy framework on all aspects of fiscal impact and the proponent’s associated fundamental responsibilities. This aspect of the draft OP should be reviewed and expanded provisions should be included. Currently there are references to an agreement but there is insufficient detail on fiscal impact generally.

In this regard, it should be noted that the Board did not consider an important provision in the Planning Act relating to matters concerning municipal finances. Section 2 of the Act requires the

Board or the municipality, in carrying out their responsibilities under the Act, to have regard to, among other things, “the protection of the financial and economic well-being of the Province and its municipalities”. The proposed quarry’s potentially devastating impact on the municipality and all affected public authorities is one of the Board’s concerns in rendering its decision.

### **3.12 The Board’s Conclusion and Decision**

The Board denied the applicant’s appeals on the basis of the principal themes underlying its analysis of the various issues. It found that, on balance, the protection of the area’s natural heritage resources and cultural heritage resources the provision of the site’s aggregate resources to the market. Again, the Board noted the potential for a “catastrophic impact” if the mitigation measures fail and the fundamental change to the area’s character, and also that of the Province, as principal considerations. In its last two sentences, the decision also returned to the main policy theme underlying all aspects of its analysis: there has not been a demonstration of no negative impacts.

## **4.0 SUMMARY OF CONSIDERATIONS FOR THE TOWNSHIP**

### **4.1 Satisfying the “Demonstrate No Unacceptable Impacts” Test**

This decision is probably more important for the thoroughness of its analysis and the rigour of its application of planning policies than for the specifics of the Rockfort site, application and issues. The principal theme of demonstrating no unacceptable or negative impacts is deeply embedded in virtually all planning and regulatory documents. This is almost invariably an essential requirement for the proponent of any major development proposal to fully and satisfactorily address.

Both the Township’s existing and proposed OP’s contain elements of this type of fundamental test of planning compliance. The draft OP in particular requires a potentially wide range of documentation with any application for aggregate related planning amendments. Whether the test is to show no significant impacts, no unacceptable impacts or no negative impacts, it is a clear requirement in these and virtually all other planning documents at all levels of government.

What may now have to be reconsidered is the determination of what constitutes compliance with that test, either in terms of the policies included in documents such as the OP or in the assessment of development proposals and, ultimately, Council’s approach to decision making on such proposals. While the Board’s decision on the Rockfort proposal provides some useful analysis as to how a proposal can fail to meet this fundamental test for planning policy compliance, it does not clearly illustrate the specifics of what is required to succeed in meeting

## Planning Report: OMB Decision on Rockfort Quarry

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that test. This will continue to be the issue that municipalities and development interests will have to confront.

While the Board sets very high, possibly unachievable standards in regard to such aspects as haul routes, noise impacts and cultural heritage features, the crucial test for a quarry proposal such as this may concern the AMP. How does a quarry proponent provide to a municipal Council, prior to its decision, a clear and certain demonstration of no unacceptable effects from an AMP that is going to be in place for eight decades? What will a Council need to ensure that not only have all the applicable technical standards have been met but there will still be no unacceptable impacts? The Board clearly differentiated between meeting standards or reaching supportable conclusions and demonstrating that there will be no unacceptable impacts.

While it will be impossible to be totally definitive in this, it may be appropriate to review the Township's draft OP with a view to the possible addition of some policy direction in terms of what an applicant would have to provide to achieve compliance with the "demonstration of no unacceptable impacts" test.

### **4.2 Summary of Other Implications**

The following summarizes some of the other potential implications, considerations or actions arising from the Board's Rockfort decision as discussed herein. These primarily relate to the Township's draft OP.

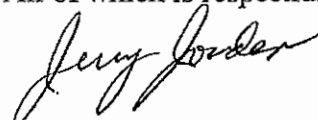
1. No significant actions are required with regard to the Board's finding that the onus for providing the required documentation concerning a development proposal rests with the proponent. This is the approach taken in the OP. A general check on this point would be an appropriate part of the current updating of that draft document.
2. The OP also embodies the Board's recommended balanced approach to the weighing of the various applicable planning requirements and objectives in assessing development proposals. It would be appropriate to expand section 2.5, Mineral Aggregate Resources Objectives, to ensure this approach is included. A general check on this point throughout the OP would be an appropriate part of the current updating of that draft document.
3. In light of the Board's emphasis on the provision of all related policies and requirements in the OP, a general check throughout the Township's OP to ensure that all applicable policies in each section are fully stated or referenced would be an appropriate part of the current updating of that draft document.

## Planning Report: OMB Decision on Rockfort Quarry

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4. As discussed in sections 3.4, 3.10 and 4.1, in view of the Board's rigorous and somewhat inflexible approach to policy interpretation, additional OP wording concerning the application and evaluation of the "demonstration of no unacceptable impacts" test may be needed along with some further research on the practices of other municipalities.
5. More mitigation related provisions and social impact components may be needed in the draft OP's haul route evaluation and selection policies.
6. There also may be a need to apply visual impact related policies in the haul route selection process. Some visual impact related wording changes may be needed with regard to the use of berms to screen extractive operations and mitigate noise, primarily in terms of ensuring the protection of significant views.
7. A specific requirement for a cultural heritage impact study may need to be added to the extractive industrial policies or a cross reference to the related OP policies added.
8. A specific requirement for a fiscal impact study should be added to the extractive industrial and complete application policies in the draft OP. There should also be expanded policies requiring the execution of an agreement specifying the proponent's responsibilities to pay all mitigation and rehabilitation costs associated with a development proposal. In addition, related provisions should be included in the OP specifically authorizing the Township or other public authority to access the subject lands as necessary to monitor and enforce any applicable agreement or policy requirements.

All of which is respectfully submitted.



G. W. Jorden, RPP



# GRCA Minutes

Grand River Conservation Authority, 400 Clyde Road, Cambridge, Ontario N1R 5W6  
Tel: 519-621-2761 Fax: 519-621-4844 Internet: www.grandriver.ca

February 2011  
Volume 16 - No. 2

## GRCA General Membership

Chair - Jane Mitchell

1st Vice-Chair - Vic Prendergast

2nd Vice-Chair - Jan d'Ailly

Townships of Amaranth, East Garafraxa, East Luther Grand Valley, Melancthon and Southgate - Tom Nevills

Townships of Mapleton and Wellington North - Pat Salter

Township of Centre Wellington - Joanne Ross-Zuj

Town of Erin, Townships of Guelph/Eramosa and Puslinch - John Brennan

City of Guelph - Bob Bell, Maggie Laidlaw

Region of Waterloo - Les Armstrong, Todd Cowan, Jan d'Ailly, Rob Deutschmann, Jean Haalboom, Ross Kelterborn, Geoff Lorentz, Claudette Miller, Jane Mitchell, Warren Stauch

Town of North Perth and Township of Perth East - George Wicke

Region of Halton - J. Barry Lee

City of Hamilton - Jeanette Jamieson

County of Oxford - Bruce Banbury

County of Brant - Brian Coleman, Steve Schmitt

City of Brantford - Robert Hillier, Vic Prendergast

Haldimand and Norfolk Counties - Lorne Boyko, Fred Morison

### Jane Mitchell is new board chair

Jane Mitchell, a member of Waterloo Regional Council from the City of Waterloo, was elected chair of the Grand River Conservation Authority for a one-year term.

She was elected by the GRCA board of directors Jan. 13. The 26-member GRCA board is composed of representatives appointed by the municipalities within the Grand River watershed. Vic Prendergast, a board member since 1999 and the former second-vice chair, was acclaimed as the first vice chair. A new representative from Waterloo Region, Jan D'Ailly was acclaimed as second-vice chair.

The November municipal elections resulted in many changes on the board with 12 new faces among the 26 representatives.

Mitchell has been on the board since 2003 and has been first vice-chair since 2007. She is the first woman to serve as chair of the GRCA.

Prendergast was acclaimed first vice-chair of the board. Jan D'Ailly of Waterloo was acclaimed second vice-chair. Elections are held for all three positions at the first board meeting of the year.

In her acceptance speech, Mitchell said "the health and safety of our river system, both in water quantity and quality, is a pressing issue as we prepare for the effects of climate change and population growth."

### Sunshine brought people to GRCA parks in 2010

Warm sunny weather in 2010 brought more visitors to GRCA conservation areas and resulted in \$450,000 more than the \$6 million

revenue that had been budgeted for the year.

Last year there were 65 days with temperatures over 25 degrees in June, July and August, compared to only 38 days in 2009, when revenue was less than expected. Warm sunny weather is never assured, so the GRCA budget continues to anticipate a moderate number of warm sunny days. Revenue in 2011 is set at \$6.3 million, representing a five per cent increase over the 2011 budget.

A gathering of 2,800 Girl Guides at Guelph Lake Conservation Area for the 100th anniversary of guiding was a big event that helped the bottom line of the park operations.

### Park user fees set for 2011

Park fees for 2011 have been set by the GRCA board and have come into effect for this calendar year.

The fees were set after comparing user fee rates from private camping operators, other conservation areas and provincial parks. These fees include the HST, which came into effect last July.

Adult park admission will be \$5.25 for all conservation areas, except Brant (\$6 including pool fee) and Rockwood (\$5.50). The vehicle season pass is set at \$115. It is the most economical way to visit conservation areas for families.

Overnight camping fees rise by \$2 for serviced and \$1.50 for unserviced sites. Seasonal camping fees also increased. Other fees have increased between seven and 20 per cent in 2011.

These fee increases will allow the GRCA to continue to provide a high level of service, maintenance and



security to park patrons.

### **New nature centre planned for Guelph Lake**

The GRCA has approved a project design to replace the Guelph Lake Nature Centre.

The Grand River Conservation Foundation has taken on this project by spearheading a community fundraising campaign.

The Guelph Lake Nature Centre is the busiest of the GRCA's five nature centres and it is also the smallest of the permanent nature centre facilities. More than 23,000 visitors are received there each year. The centre was converted from a house 30 years ago and was intended to be a temporary facility at that time.

### **Luther Marsh holdings grow**

A 48-hectare parcel of land next to Luther Marsh Wildlife Management Area was purchased by the GRCA at the end of 2010.

The piece of land is in Wellington North and includes 20 hectares of birch-poplar-cedar-fir swamp and six hectares of sugar maple forest. A 1.7-kilometre watercourse runs through the swamp area towards Luther Marsh.

Luther is one of the most significant wetland areas in southwestern Ontario, and is the largest publicly-owned natural area in the Grand River watershed. Large natural areas are especially significant for biodiversity conservation and watershed health. For the GRCA, acquiring lands next to Luther Marsh is a priority because it protects the land and enhances biodiversity.

The Blanding's turtle, listed as "threatened," has been found around Luther Marsh. Any restoration of marginal farmland and pasture will aim to benefit this and other species at risk.

### **Permit fees set to change March 1**

Fees related to planning have been

approved for 2011 and the changes come into effect March 1.

The fees are for a variety of services including permit applications, written inquiries and plan review applications. They will increase by three per cent in order to cover increased expenses.

The fees are collected under guidelines established by the Ministry of Natural Resources and are available in the Planning section of [www.grandriver.ca](http://www.grandriver.ca).

The combination of permit applications and inquiries and plan review revenue is estimated to be close to \$750,000 in 2011. These fees help cover the costs of this service and keep the levy paid by partner municipalities down.

### **Flood warning Jan. 1**

Warm temperatures of 10 degrees and 15 millimetres of rain melted much of the snow pack across the watershed on Jan. 1.

This increased the river flows and potential for flooding along the Nith River. The GRCA issued a Level 1 flood warning for parts of New Hamburg and Ayr, because there is no reservoir on the Nith River to hold back water under these conditions.

Flooding was not anticipated along the Grand River, but the river levels did rise dramatically.

Information on river flows and reservoir levels can be found on the GRCA's website at [www.grandriver.ca](http://www.grandriver.ca) in the River Data section. Information on the flood warning system can be found in the Flood Management section of the website.

Receive flood warning messages via Twitter at [www.twitter.com/grca\\_flood\\_msg](http://www.twitter.com/grca_flood_msg).

### **Cold January**

After a January thaw on New Year's Day, January was cold.

It was about one degree below the long-term average for the month at Shand Dam. But snowfall was only a

little above average, ranging from 82 per cent to 150 per cent across the watershed. Snow pack across the watershed was less than normal on Jan. 15, due to the Jan. 1 thaw.

Stream flows were at the normal summer low flow levels. Most of the river system was covered with ice by the end of the month. Small ice jams were in place on the Grand River downstream of York, through Brantford and above 10th Line above Belwood. These are being monitored.

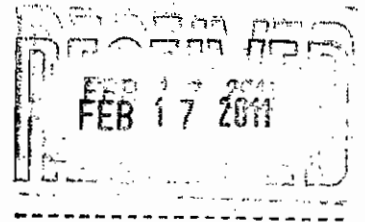
Reservoirs at Shand, Conestogo, Guelph and Luther were slightly above their normal operating range at the end of the month.

This issue of "GRCA Minutes" was published in February 2011.

It is a summary of the January 2011 business conducted by the Grand River Conservation Authority board and committees. Space permitting, other noteworthy happenings and topics of interest have been included. The Grand River Conservation Authority welcomes the photocopying and distribution of "GRCA Minutes." Reports mentioned in the GRCA Minutes are available online at [www.grandriver.ca](http://www.grandriver.ca) in the Meetings section.

Follow us on....





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## Memorandum

February 15, 2011

To: Terry Horner, CAO/Clerk, Township of Mulmur  
Keith McNenly, CAO/Clerk, Town of Mono  
Denise Holmes, CAO/Clerk-Treasurer, Township of Melancthon  
Jane Wilson, CAO/Clerk-Treasurer, Township of East Luther Grand Valley  
Susan Stone, CAO/Clerk-Treasurer, Township of East Garafraxa & Township of Amaranth  
Rick Schwarzer, CAO, Town of Orangeville  
John Telfer, CAO/Clerk, Town of Shelburne

From: Caroline Mach, County Forest Manager

Re: Annual Report for the Dufferin County Forest

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Enclosed you will find a copy of the most recent annual report for the Dufferin County Forest to be produced by the County. The report covers the period from January 1, 2010 to December 31, 2010. A work schedule for 2011 is also included.

Please make this report available to any members of the public who may wish to read it.

I have also enclosed some brochures about the Dufferin County Forest for distribution to the public.

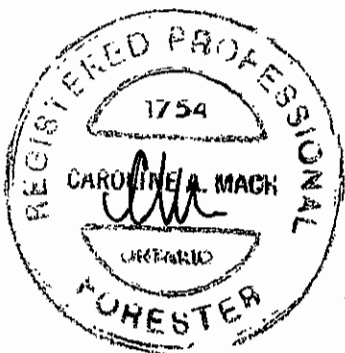
If you have any questions, don't hesitate to contact me by phone at 705-435-1881 or 877-941-7787 or by e-mail at [forestmanager@dufferinmuseum.com](mailto:forestmanager@dufferinmuseum.com).



**Annual Report  
January 1, 2010 - December 31, 2010**



**Annual Work Schedule  
January 1, 2011 - December 31, 2011**



**Caroline Mach, R.P.F.  
County Forest Manager  
January 19, 2011**

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## EXECUTIVE SUMMARY

The Dufferin County Forest is a 1,050 hectare (2,596 acre) forested area owned and managed by the County of Dufferin. The Forest has many important functions, including erosion and water control, natural heritage protection, biodiversity, wildlife habitat, recreational opportunities, and support of the rural economy through timber production.

From the first purchase of land in 1930 until 1991 the Forest was managed by the Ministry of Natural Resources (MNR) through agreements made under the *Forestry Act*. In 1995, the County completed a long-term, comprehensive management plan for the Forest properties, the first County in Ontario to do so. Following completion of the plan, a County Forest Manager was hired to implement it.

On March 13, 1997, the County signed a Memorandum of Understanding with the Ministry of Natural Resources (MNR). This Memorandum, which expired in 2002, outlined the County's and the Ministry's responsibilities in the management of the Dufferin County Forest. Since the expiration of that agreement, the County has been responsible for all aspects of the management of the Dufferin County Forest.

The following are some highlights from the past year within each of the objective streams outlined in the management and operating plans: Public Use and Relations, Environmental and Resource Management, and Administration.

### Public Use and Relations

- i. ongoing repair and replacement of gates and signs in the Forest;
- ii. seven larger-scale recreational events;
- iii. two forest walks (wildflower identification and tree identification);
- iv. enforcement of the County Forest by-law (2003-50) by off-duty OPP officers from September to December in the Main Tract and;
- v. continued cooperation on programs and events with the Dufferin County Museum & Archives and the Dufferin South Simcoe Land Stewardship Network

### Environmental and Resource Management

- i. two public tenders of red pine and hardwoods generating a total revenue of over \$80,000 and;
- ii. marking of 36 hectares of conifer plantations and hardwood stands.

### Administration

- i. no property was acquired or disposed of in 2010.

Next year, 2011, will see the continuation of various activities. There will be signs posted, forest walks, tendered timber sales, monitoring of harvesting operations, enforcement of the County Forest by-law (2003-50), several larger-scale recreational events, and a land use agreement with the Mansfield Outdoor Centre.

## **1.0 INTRODUCTION**

The Dufferin County Forest is a 1,050 hectare (2,596 acre) forested area owned and managed by the County of Dufferin. The Forest has many important functions including erosion and water control, natural heritage protection, biodiversity, wildlife habitat, recreational opportunities, and support of the rural economy through timber production.

From the first purchase of property in 1930 until 1991, the Forest was managed on behalf of the County by the Ministry of Natural Resources (MNR). This relationship was governed by twenty-year agreements made under the *Forestry Act*. In 1991, the most recent of these agreements expired. This fact, combined with changes to the MNR's private land forestry policy, resulted in the development of a new management plan for the Forest in which the County took the lead role, assisted by MNR. Dufferin was the first County in Ontario to take the lead in developing a management plan for its forest properties. The process to develop the plan started in earnest in July, 1994 with the hiring of a Forest Management Plan Author. Less than one year later, on June 8, 1995, Dufferin County Council approved the final draft of the plan. Throughout the process, there was participation from the MNR, a Forest Advisory Team, and the general public, all of whom provided valuable input and comments.

In 1995, the County took over the control and co-ordination of all activities having to do with the Dufferin County Forest. In order to fulfill this new role, Dufferin hired a County Forest Manager, the first County in Ontario to do so.

On March 13, 1997, the County signed a Memorandum of Understanding with the Ministry of Natural Resources (MNR). This Memorandum, which expired in 2002, outlined the County's and the Ministry's responsibilities in the management of the Dufferin County Forest. A new Memorandum will not be signed, thus terminating the formal relationship between the MNR and the County in the management of the Dufferin County Forest.

In 2005, the Dufferin County Forest celebrated its 75th anniversary.

In 2009, County Council approved a new five-year operating plan (2010-2015) for the Forest.

This annual report is divided into sections that correspond with those in *Our Forest, Our Future: Dufferin County Forest Management Plan 1995-2015* and the operating plan (2005-2010) and coincides with the County's fiscal year, January 1 to December 31.

## **2.0 PUBLIC USE AND RELATIONS**

In 2010, public use and relations continued to be an important part of the management of the Dufferin County Forest. A number of the public relations activities were conducted in co-operation with the Dufferin County Museum & Archives and/or the Dufferin South Simcoe Land Stewardship Network.

### **2.1 Partnerships**

An important element in the County's taking over the management of the Dufferin County Forest was the creation of partnerships that would enable the County to achieve the goal and objectives of the long-term forest management plan (1995-2015), which were reiterated in the operating plan for 2005-2010. The potential relationships were outlined in section 8.0 (pgs. 34-36) of the management plan. In accordance with

the general intent of that section, the County Forest has developed two very important partnerships; with the Dufferin County Museum & Archives and with the Dufferin South Simcoe Land Stewardship Network. These partnerships have enabled the County to achieve some of the objectives of the management plan that do not necessarily involve work on the ground in the Forest.

In the long-term forest management plan and in the new operating plan, the County made a significant commitment to inform and educate the public about the Dufferin County Forest and forests and forestry in general. The specific objectives can be found on pgs. 43 and 44 of the management plan and pgs. 15 to 19 of the operating plan. They include all ages and sectors of the population. The activities that the County partners on with the Museum and the Land Stewardship Network are chosen to achieve these public use and relations objectives. Generally speaking, they include regular contributions to the Museum's *Museletter*, forest walks, and participation in various workshops, displays, and events for the general public.

The County Forest Manager has been a member of the Dufferin South Simcoe Land Stewardship Network since its formation in 1995; the Dufferin County Museum & Archives hosts the meetings of the Land Stewardship Network.

By partnering with the Dufferin County Museum & Archives and the Land Stewardship Network in seeking to achieve its public use and relations objectives for the County Forest, the County is able to make more efficient use of its resources in this area.

## **2.2 Signs**

In the past year, fewer than ten metal "No motorized vehicles" signs had to be replaced due to vandalism/theft. "No motorized vehicle" signs are used to supplement the County Forest by-law signs at several locations where there are ongoing issues with entry by motorized vehicles.

The local Ontario Federation of Snowmobile Clubs (OFSC) member clubs (Dufferin, Orangeville, and Alliston & District) posted signs indicating the location of the OFSC trails through the Main, Randwick, Simmons, Riverview, and Mono Tracts of the Dufferin County Forest.

Temporary signs were posted at a number of the tracts showing the dates of the spring wild turkey hunt, the fall wild turkey hunt and the two five-day periods of the fall deer shotgun hunt. This was done to inform users that there would be a concentration of hunters in the Forest during those periods. Additional signs urging hunters to "Exercise Extreme Caution" were posted around the southern section of the Randwick Tract prior to the spring wild turkey hunt, the fall wild turkey hunt and the two five-day periods of the deer shotgun hunt. The "No hunting" signs that were posted along the boundary between the southern section of the Randwick Tract and the private land to the west in 1999 were monitored and new signs were posted where necessary.

Signs were posted at the Main Tract showing the dates of the seven larger-scale recreational events. As with the signs indicating the primary hunting seasons, this was done to alert the users of the Forest.

## **2.3 Advertising and Promotion**

In order to make non-hunting users of the Dufferin County Forest aware of the hunting seasons, a series of three notices was placed in the Orangeville, Shelburne, Creemore, and Alliston newspapers in conjunction with the fall deer hunt. Notices were placed prior to the beginning of the bow hunt, prior to the first five-day

period of the shotgun hunt, and prior to the second five-day period of the shotgun hunt. These choices were made based on the fact that the two five-day periods of shotgun hunt (as opposed to the bow hunt) draw more hunters in a shorter period of time. Similar notices were also placed prior to the start of the spring wild turkey hunt and the fall wild turkey hunt.

The "Hunting in the Dufferin County Forest" information package was distributed to the 161 hunters who purchased forest use permits, as well as on a request basis. Email inquiries were first directed to the website for information.

Numerous phone and e-mail requests for information on the Dufferin County Forest and forests and forestry in general were answered. The information that was distributed consisted mostly of Dufferin County Forest pamphlets, maps of the Main Tract, executive summaries of the operating plan, and information on various aspects of managing your woodland.

A news release was produced and distributed in conjunction with the release of the annual report for 2009.

The County Forest website ([www.dufferinmuseum.com/forest](http://www.dufferinmuseum.com/forest)) was updated throughout the year to provide forest users and other interested members of the public with timely information about events and activities. Information about the County Forest was also maintained on the County of Dufferin's website at [www.dufferincounty.on.ca](http://www.dufferincounty.on.ca).

The County Forest was part of the County of Dufferin's displays at both the spring and fall home shows held at the Orangeville Fairgrounds.

## **2.4 Forest Walks**

The County held two guided forest walks in the Little Tract in co-operation with the Dufferin South Simcoe Land Stewardship Network. On May 15, a wildflower identification walk was held with 6 participants. On July 10, a tree identification walk was held with 11 participants.

## **2.5 Demonstration Area**

To assist in public education, a conifer plantation thinning demonstration area was established adjacent to the Main Tract parking lot in 1997. The area (2.5 hectares) was planted with red pine and some spruce in 1967. It has been divided into four sections that were thinned in 1998 as follows: 50% removal, 25% removal, 33% removal, and 0% removal. This will enable the public to observe the impact of various thinning regimes on the growth of the trees and on the development of regeneration and understorey plants. The second thinning in half of each of the original four sections took place in 2009; this will further demonstrate the effect of one as opposed to two thinnings. Disks were collected from the trees at the time of both thinnings so that comparisons in annual ring growth can be made. The demonstration area is a valuable tool in the education of landowners and the general public on the effects of conifer plantation thinning.

## **2.6 Hunting**

Table 1 shows the number of Forest Use Permits (Hunting) that have been issued over the past five years. In 2010, these permits generated revenue of \$4,830 for the County. Monitoring of hunting will continue, particularly during the fall deer shotgun hunts, which are traditionally of most concern because they attract a

large number of hunters in a short space of time.

**Table 1: Forest Use Permits (Hunting) Issued for the Dufferin County Forest 2006-2010**

| Year              | 2010 | 2009 | 2008 | 2007 | 2006 |
|-------------------|------|------|------|------|------|
| Number of Permits | 161  | 161  | 164  | 161  | 170  |

## **2.7 Recreational Events**

Besides recreational use by individuals, the Main Tract of the County Forest hosted seven larger-scale recreational events in 2010. The Ontario Competitive Trail Riding Association (OCTRA) held four horseback rides, in April, May, June, and October. Each event attracted between 60 and 80 riders, generating total revenue of almost \$800 for the County. Two mountain biking events were held in April and September, attracting close to 150 participants, and generating revenue of almost \$400 for the County. An orienteering event at the end of October had over 100 participants, and generated revenue of just over \$400 for the County. The events progressed without problems.

## **2.8 Mansfield Outdoor Centre**

In 2010, the Mansfield Outdoor Centre once again leased cross-country ski trails in the south portion of the Main Tract, generating revenue of \$1,000 for the County.

## **2.9 Access Maintenance**

The Mansfield Outdoor Centre placed, at its own expense, orange plastic snow fencing at several strategic locations in the Main Tract. This was done to prevent snowmobiles from accessing the cross-country ski trails leased by the Mansfield Outdoor Centre.

In 2010, for the first time, it was not necessary to replace or repair any gates.

## **2.10 Garbage Removal**

The amount of garbage in most areas of the Forest has not reached a critical state, but it is important to be proactive so that members of the public do not begin to feel that the Forest is a free landfill. Litter is collected by the County Forest Manager, as time permits. Large pieces of garbage, such as appliances and tires, are removed by staff from the County Operations Centre.

## **2.11 Research**

### **Red Oak Management**

The area in the Main Tract (Compartment 27, 25 ha) that was established as a red oak research project in 1994 will not be continued as a formal research project. However, management activities will continue in such a way as to promote the establishment and growth of red oak on the site.

In the spring of 2009 the area underwent a prescribed burn to control vegetation that was competing with

the small red oak seedlings on the site. Unfortunately, due largely to a change in the predicted weather, the burn did not control as much of the competing vegetation as was hoped. A detailed plan on how to proceed with management of this site is being developed.

### Biodiversity Plots

In 2000, the County established its first research plot, the Beaton Plot. This plot was established in Compartment 25 of the Main Tract on part of the former site of Camp Dufferin. The protocol used to establish the plot was developed through the Smithsonian Institute and is recognized and used around the world. This will allow for data comparisons (e.g. number of plant species present) between the Beaton Plot and other local, national, and international plots. The purpose of the Beaton Plot is to study the natural succession on the site. In 2001, a sign was placed at the site to inform forest users about the history and purpose of the plot.

A second plot, using the same international protocol, was established at the Mono Tract. This plot is a "twin" to a plot that was established at the Mono Cliffs Outdoor Education Centre. While the plot at the outdoor education centre is accessible to students and the general public, the plot at the Mono Tract will be accessible to scientists only. This will allow for future assessments of how the activity of measuring impacts on the plot.

## 3.0 ENVIRONMENTAL AND RESOURCE MANAGEMENT

In accordance with the long-term forest management plan and the new operating plan, the County manages the biological components of the Forest using an ecosystem management approach. Table 2 shows a summary of resource management activities undertaken in the Dufferin County Forest over the last five years.

**Table 2: Environmental and Resource Mgmt Activities for the Dufferin County Forest 2006-2010**

| Activity                                | 2010  | 2009  | 2008  | 2007  | 2006 |
|---|-------|-------|-------|-------|------|
| Site preparation (hectares)             | 0     | 0     | 0     | 0     | 0    |
| Reforestation (hectares)                | 0     | 0     | 0     | 0     | 0    |
| Marking (hectares)                      | 36    | 58    | 60.0  | 44.0  | 35.0 |
| Non-commercial tending (hectares)       | 0     | 0     | 0     | 0     | 0    |
| Commercial harvesting (hectares)        | 36    | 58    | 60.0  | 47.0  | 35.0 |
| Commercial harvesting (m <sup>3</sup> ) | 1,308 | 2,436 | 2,235 | 1,911 | 972  |
| Borax application (hectares)            | 0     | 0     | 0     | 0     | 0    |

### 3.1 Site Preparation

Site preparation is a mechanical, fire, chemical, or hand treatment that modifies a site to provide favourable conditions for natural or artificial regeneration. There was no site preparation necessary in 2010.

### 3.2 Reforestation

Reforestation refers to the establishment of a forest through artificial means, usually by planting or direct seeding. There was no reforestation necessary in 2010.

### 3.3 Marking

Marking is the operation that designates the trees within a stand that are to be commercially harvested. The marking follows a silvicultural prescription written specifically for the stand. The prescription and the marking that follows it are the most important functions in determining the future structure and composition of any forest stand. The number, size, and species of trees that are removed has a significant impact on the growth and development of the remaining trees. Since all harvesting in the Dufferin County Forest is done by some variation of the selection cutting system, all stands must be marked prior to harvesting. The marking is done by a crew hired on contract.

The stands that were tendered in 2010 were marked on contract at a cost of just under \$3,000. This modest investment ensured the healthy growth and development of the forest stands that were thinned and generated timber sale revenue of over \$80,000.

### 3.4 Non-Commercial Tending

In order to achieve forest management objectives, it is sometimes necessary to conduct non-commercial tending operations such as pruning, thinning (removal of trees in an immature stand to accelerate diameter growth and improve form of remaining trees), improvement cutting (removal of less desirable trees to improve the composition and quality of a stand), or cleaning (removal of less desirable species of the same age to free the favoured trees in a stand not past the sapling stage). As the name implies, this type of tending does not produce revenue; it is done at some cost to the County. In general, non-commercial tending operations are associated with young plantations or with stands that are of low commercial quality. Currently, the Dufferin County Forest does not have many of either of these types of stands. There was no non-commercial tending necessary in 2010.

### 3.5 Commercial Harvesting

Annually, wood is harvested on a sustainable basis from the Dufferin County Forest. The majority of the wood is sold by open public tender. Occasionally, a small amount of wood is sold to the public for personal use or as a negotiated sale. Table 3 summarizes the tendered timber sales for 2010 for the Dufferin County Forest.

**Table 3: Tendered Timber Sales for the Dufferin County Forest 2010**

| Tender Number | Tract and Compartments | Volume (m <sup>3</sup> ) | Number of Trees | Species         | Area (ha)   | Value              |
|---------------|------------------------|--------------------------|-----------------|-----------------|-------------|--------------------|
| DCF 10-09-001 | Main (28a)             | 472                      | 497             | mixed hardwoods | 16.0        | \$56,300.00        |
| DCF 10-09-002 | Mono (41a & 41b)       | 836                      | 1,119           | mixed conifers  | 20.0        | \$26,500.00        |
| <b>Total</b>  |                        | <b>1,308</b>             | <b>1,616</b>    |                 | <b>36.0</b> | <b>\$82,800.00</b> |

Tender DCF 10-09-001 was awarded to Folmer & Phillipi Sawmill and tender DCF 10-09-002 was awarded to Moggie Valley Timber. In 2010, a number of the bidders did not submit the required WSIB-related paperwork with their tender and had to be disqualified. Tenders may not be awarded to the highest bidder in situations where the highest bidder's reputation is poor or unknown.

### **3.6 Pests and Diseases**

Outbreaks of insects and diseases in the Dufferin County Forest are managed using an integrated pest management approach. If levels of pests and/or diseases reach intolerable levels, integrated pest management techniques may include the use of natural predators and parasites, genetically resistant hosts, environmental modifications and, when necessary and appropriate, chemical pesticides and herbicides.

Information on insect and disease populations is provided by the Canadian Forest Service, the Ministry of Natural Resources, the Canadian Food Inspection Agency, and other partners.

Although there has been much in the media about both Asian Longhorned Beetle and Emerald Ash Borer, these insects are not an immediate threat to the Dufferin County Forest. To promote awareness in the community, information about these insects was distributed at public events and at the Dufferin County Museum & Archives in 2010.

### **3.7 Forest Fire Management**

Forest fire management involves the maintenance of fire roads, trimming of brush to provide access for fire suppression, and the actual suppression of forest fires. The County is responsible for the maintenance of fire roads and the trimming of brush, while fire suppression is conducted by the local fire departments. In cooperation with Emergency Management Services and Public Works, a forest fire management plan for the County Forest is being developed. A series of forest fires was the subject of the County of Dufferin's emergency exercise in 2010.

## **4.0 ADMINISTRATION**

### **4.1 Budget Summary - 2010**

Besides staff, the majority of expenses in 2010 included contract enforcement, advertising and promotion, tree marking, and signs. The majority of revenues were generated from timber sales. These were supplemented by land use, forest use, and special event permits. In 2010, timber sales were over \$80,000. There are many factors that affect the value of the timber sold from the Dufferin County Forest, some of which are difficult to predict from year to year. These factors include the price of wood locally and regionally, the location, size and species of trees offered for sale, and the supply of wood of various species and sizes in a given year. For details of the budget, please refer to the County of Dufferin's Financial Operating Statement for 2010.

### **4.2 Grants Under the *Forestry Act***

In the past, the provincial government provided grants for the purchase of Dufferin County Forest properties. Since the Memorandum of Understanding signed between the County and the Ministry of Natural Resources

has expired, the re-payment of the grants is governed by the following excerpts from the *Forestry Act*:

"forestry purposes" includes the production of wood and wood products, provision of proper environmental conditions for wild life, protection against floods and erosion, recreation, and protection and production of water supplies; ("fins forestières")

2. (1) The Minister may enter into agreements with owners of land suitable for forestry purposes that provide for the management or improvement of the land for these purposes upon such conditions as the Minister considers proper. 1998, c. 18, Sched. I, s. 20.

**Grants**

(2) The Minister may make grants of the sums provided for in the agreement, on such conditions as the Minister considers appropriate, out of the money appropriated by the Legislature to any conservation authority or municipality for the purpose of assisting it in the acquisition of land that is suitable for forestry purposes and that is to be managed under an agreement. 1998, c. 18, Sched. I, s. 20.

**Forestry purposes only**

(3) A conservation authority or municipality that has entered into an agreement under subsection (1) or a predecessor provision shall not, without the approval of the Minister, use any land in respect of which grants have been made under subsection (2) or a predecessor provision for any purpose that is inconsistent with forestry purposes at any time during or after the term of the agreement. 1998, c. 18, Sched. I, s. 20.

**Repayment**

(4) A conservation authority or municipality that uses land covered by an agreement authorized under subsection (1) or a predecessor provision for a purpose that is inconsistent with forestry purposes shall repay to the Province of Ontario all grants that it received under the agreement to acquire the land unless the Minister provides that the grants need not be repaid. 1998, c. 18, Sched. I, s. 20.

**Sale of land**

(5) Land in respect of which grants have been made under subsection (2) or a predecessor provision shall not, without the approval of the Minister, be sold, leased or otherwise disposed of during or after the term of the agreement. 1998, c. 18, Sched. I, s. 20.

**Proceeds shared**

(6) The proceeds from any sale, lease or other disposition of land in respect of which grants have been made under subsection (2) or a predecessor provision shall be divided as the Minister directs between the conservation authority or municipality, as the case may be, and the Province of Ontario, with the conservation authority or municipality receiving not less than 50 per cent of the proceeds. 2000, c. 26, Sched. L, s. 4 (2).

**Exception**

(7) Subsection (6) does not apply to a sale, lease or other disposition for the use of the Province of Ontario. 1998, c. 18, Sched. I, s. 20.

These provisions are not substantially different from those under previous *Forestry Act* agreements or the Memorandum of Understanding.

The following Dufferin County Forest properties were bought partially with grants from the province (the amount of the grant is shown in brackets):

- i. compartments 15, 16, 17, and 18 of the Main Tract (\$4,603.67); purchased in 1963
- ii. the south half of compartment 25 of the Main Tract (\$468.80); purchased in 1961
- iii. compartment 46 of the Mono Tract (\$327.25); purchased in 1960
- iv. Simmons Tract (\$3,884.83); purchased in 1967
- v. Little Tract (\$19,012.65); purchased in 1971

Due to the size and location of these properties, it is unlikely that the County will be disposing of any of them or using them for other than "forestry purposes".

### 4.3 Property Acquisition and Disposal

There was no property acquisition or disposal during 2010.

### 5.0 MONITORING

In 2010, the primary monitoring activities were cut inspections conducted during commercial harvesting operations, monitoring of hunting activity (particularly during the two five-day deer shotgun hunt periods), and enforcement of the County Forest by-law (2003-50). To improve enforcement of the County Forest by-law, off-duty OPP officers were hired to patrol the Main Tract from September to December.

Cut inspections were done to ensure that the loggers complied with the terms and conditions of the Agreement for the Sale of Timber. There were no significant violations of timber sale agreements in 2010.

Other monitoring activities included:

- i. general observation of, and communication with, users of the Forest and;
- ii. surveying signs and gates at the forest properties and arranging for replacement when and where necessary.

## **6.0 MANAGEMENT PLAN**

While the management plan (*Our Forest, Our Future*; Dufferin County Forest Management Plan 1995-2015) continues to provide the overall goal and objectives for the management of the County Forest, the operating plan (2010-2015) provides more details on current management activities.

## **7.0 STAFF**

The Forest is included in the activities of the Dufferin County Museum & Archives and Heritage Lands Department headed by Director/Curator Wayne Townsend. The day-to-day activities involving the Forest are conducted and co-ordinated by the County Forest Manager, Caroline Mach and supervised by Darrell Keenie, Assistant Director/General Manager. Activities and issues dealing with the Forest are presented to the Dufferin County Museum & Archives and Heritage Lands Board, and subsequently to Dufferin County Council.

County Operations Supervisor Scott Martin and his staff must also be acknowledged for their work in posting signs, cutting hazard trees, and cleaning up garbage.

## **8.0 ANNUAL WORK SCHEDULE - 2011**

The annual work schedule for the Dufferin County Forest will follow the outline in the new operating plan (2010-2015). The specific activities for 2011 are described in the following sections.

### **8.1 Public Use and Relations**

Although no new signs are planned, sign replacement will continue to be a part of public use and relations in 2011.

In 2011, it is anticipated that the Mansfield Outdoor Centre will lease cross-country ski trails in the Main Tract as they have done in the past.

It is expected that the Main Tract will host two Ontario Competitive Trail Riding Association horseback rides and two Substance Projects mountain bike rides in 2011.

Public relations activities will continue to be conducted in partnership with the Dufferin County Museum & Archives and the Dufferin South Simcoe Land Stewardship Network. These will include two educational walks (tree identification and wildflower identification).

The County Forest will participate in the County of Dufferin's displays at the spring and fall home shows at the Orangeville Fairgrounds.

## 8.2 Environmental and Resource Management

It is anticipated that there will be 34 hectares of conifer plantations and natural hardwoods marked to be tendered for sale in 2011. The breakdown of the areas is shown in Table 4.

**Table 4: Areas Planned to be Marked in the Dufferin County Forest 2011**

| Tract (Compartment) | Species                              | Area (hectares) |
|---------------------|--------------------------------------|-----------------|
| Main (8b, 12b, 13d) | red oak, white pine, other hardwoods | 19              |
| Main (22b)          | white pine                           | 15              |
| <b>Total Area</b>   |                                      | <b>34</b>       |

As in the past, the number of trees and the volume to be harvested will be known in the spring of 2011 once the tree marking is completed. The stands will be publicly tendered in August, 2011.

## 8.3 Administration

For details of the budget, refer to the County of Dufferin's Operating Budget for 2011.

## 8.4 Monitoring

In 2011, the monitoring program will continue to focus on three broad areas:

- i. conducting regular cut inspections of ongoing logging operations;
- ii. enforcing the County Forest by-law (2003-50) through the hiring of off-duty OPP officers and;
- iii. monitoring of hunting activity, particularly during the two five-day deer shotgun hunts.

## 8.5 Management Plan

The existing management plan (*Our Forest, Our Future*: Dufferin County Forest Management Plan 1995-2015) and the new operating plan (2010-2015) will continue to be monitored to ensure that they are relevant to the management of the Forest.

### For more information:

Caroline Mach, R.P.F., County Forest Manager  
c/o Dufferin County Museum & Archives  
PO Box 120 (Airport Rd. and Highway 89)  
Rosemont, ON L0N 1R0

Phone: 705-435-1881 or 877-941-7787  
Fax: 705-435-9876  
forestmanager@dufferinmuseum.com  
www.dufferinmuseum.com/forest



# THE CORPORATION OF THE TOWNSHIP OF AMARANTH

NUMBER \_\_\_\_\_

MOVED BY:

B. Besley

DATE: FEBRUARY 16, 2011

SECONDED BY:

Aultman

BE IT RESOLVED THAT:

COUNCIL DO HEREBY RECOMMEND THE APPOINTMENT OF Don MacIver, AS MUNICIPAL REPRESENTATIVE FOR THE TOWNSHIP OF AMARANTH, TOWNSHIP OF EAST GARAFRAXA, TOWNSHIP OF EAST LUTHER GRAND VALLEY, TOWNSHIP OF MELANCTHON AND TOWNSHIP OF SOUTHGATE ON THE GRAND RIVER CONSERVATION AUTHORITY BOARD FOR THIS TERM OF COUNCIL.

Defeated

Carried

Head of Council

Carried  
[Signature]

Recorded Vote

Yea

Nay

Abstain

Deputy-Mayor Walter Kolodziechuk

Councillor Jane Aultman

Councillor Brian Besley

Councillor Heather Foster

Mayor Don MacIver

(6)

MAR - 3 2011



# THE CORPORATION OF THE TOWNSHIP OF EAST LUTHER GRAND VALLEY

NUMBER 2011-02 - 36

DATE: February 22<sup>nd</sup>, 2011

MOVED BY:

[Signature]

SECONDED BY:

[Signature]

BE IT RESOLVED THAT *Council do hereby recommend the appointment of*  
DON M'QUIAR, *as Municipal Representative for the Township of Amaranth,*  
*Township of East Garafraxa, Township of East Luther Grand Valley, Township of Melancthon and*  
*Township of Southgate on the Grand River Conservation Authority Board for this Term of*  
*Council.*

Defeated [ ]

Carried []

Head of Council [Signature]

Recorded Vote

Yea

Nay

Abstain

Mayor John Oosterhof

[ ]

[ ]

[ ]

Councillor Myrna Roberts

[ ]

[ ]

[ ]

Deputy-Mayor Steve Soloman

[ ]

[ ]

[ ]

Councillor Elizabeth Taylor

[ ]

[ ]

[ ]

Councillor Rick Taylor

[ ]

[ ]

[ ]

(7)

MAR - 3 2011

**Denise Holmes, AMCT**

**From:** Steve and Marni from Baker Magic Shows.com [steve@bakermagicshows.com]  
**Sent:** Friday, February 18, 2011 9:21 AM  
**To:** Denise Holmes, Melancthon Township  
**Subject:** ROMA  
 Hi Denise,

Please forward this to Melancthon Council and also include it on the agenda for next council meeting.

Melancthon Council,

The ROMA annual conference begins February 27th. Please insure that as many council members as are allowed attend this vital opportunity to discuss aggregate issues in Melancthon. Please bring up the following issues and make a full public report to your ratepayers.

Thank you,

Marni Walsh

1. **Increase royalties payable to municipalities** to help offset costs related to aggregate operations, and / or require applicants to pay the costs of peer reviews required by the municipality. Unless specifically required in the municipality's Official Plan, current processes place the cost of these reviews on municipalities and residents' groups who have inadequate resources to fund them.
2. **Establish minimum separation distances between aggregate operations and settlements.** The current required setback does not allow adequate protection of residential areas from negative impacts.
3. **Do not allow MNR to unilaterally, without approval of the municipality, approve amendments to conditions on licenses and site plans that were set during the public process.** Current policy allows MNR approval of many significant amendments, including changes of licenses from 'above water' to 'below water', without approval by the municipality.
4. **Require better enforcement of site plans and regulations, including rehabilitation.** The MNR is understaffed and unable to adequately monitor operations. Pits and quarries are inspected, on average, once every five to seven years. Further, it is estimated that less than half of excavated lands are being rehabilitated.

Total Control Panel

[Login](#)

To: [dholmes@melancthontownship.ca](mailto:dholmes@melancthontownship.ca) [Remove this sender from my allow list](#)  
 From: [steve@bakermagicshows.com](mailto:steve@bakermagicshows.com)

*You received this message because the sender is on your allow list.*

Information from ESET NOD32 Antivirus, version of virus signature database 5885 (20110218)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

2/28/2011

MAR - 3 2011

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