



## Committee of the Whole

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**Meeting Date:** February 11, 2025

**Submitted by:** Durk Vanderwerff, Director of Planning and Development

**Subject:** Thames Centre Official Plan Amendment No. 32; Brantam Excavating Inc; File No. 39-TC-OPA32

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### **BACKGROUND:**

Brantam Excavating Inc. have applied to amend the Thames Centre Official Plan for lands near the intersection of Dundas Street (County Road 2) and Elgin Road (County Road 73). Amendment No. 32 would change the designation of a portion of the subject lands from 'Agricultural' to 'Extractive Industrial' to permit the establishment of a licensed sand and gravel pit.

The 45 hectare (112 acre) property is currently in agricultural use and also contains woodlands and wetlands. Amendment No. 32 would facilitate the establishment of an aggregate operation (commonly referred to as the 'Elgin Road Pit') on approximately 21 hectares (35 acres) of the property. Access to the site is proposed from Elgin Road (County Road 73).

The submitted material indicates that the licensed area would be rehabilitated to a natural environment after use including a pond of approximately 13 hectares (32 acres) given the extraction proposed below the water table. Surrounding land uses are primarily agricultural in nature. A farm implement dealership (Huron Tractor) is located adjacent to the subject lands. There are also neighbouring residential uses and a licensed gravel pit on the east side of Elgin Road.

County Council is the Provincially delegated Approval Authority for locally adopted official plan amendments. This report summarizes the planning policy context and provides a planning recommendation for Council from the perspective of the Approval Authority. More detailed local planning analysis, as provided to Thames Centre Council, is provided within the attached local planning reports. In addition, a location map, and a copy of Amendment No. 32 are appended.

### **ANALYSIS:**

The Provincial Planning Statement (PPS) provides for the removal of land from prime agricultural areas for the extraction of aggregate resources as an interim use, provided rehabilitation of the site to an agricultural condition occurs unless the depth of the

extraction makes restoration of pre-extraction agricultural capability unfeasible and agricultural rehabilitation in remaining areas is maximized. The PPS indicates that the demonstration of need shall not be required when considering aggregate proposals. The PPS also requires that natural heritage features and areas be protected for the long term and that development occur on lands adjacent to such features only where it has been demonstrated that no negative impacts will occur.

The property is designated 'Agricultural Areas' on Schedule 'A' of the County Official Plan and the Plan permits mineral aggregate extraction within Agricultural Areas. The County Plan recognizes that aggregate deposits are a non-renewable resource and the need to balance competing priorities such as the protection of agricultural land, natural heritage features and aggregate resources. Similar to the PPS, the County Plan requires site rehabilitation to substantially the same acreage and soil capability for agriculture unless there is a substantial quantity of mineral aggregate resources below the water table. The County Plan also sets out criteria for local municipalities to consider when evaluating aggregate proposals.

The Thames Centre Official Plan contains a similar policy context to the County Official Plan including more specific criteria to be considered when evaluating aggregate extraction proposals including the impact on the natural environment, the road network, groundwater, etc. The Municipality is satisfied that those criteria have been satisfied by Amendment No. 32.

Although the County received no written submissions concerning Amendment No. 32, during the local process the Municipality received comments from area residents concerning the proposed use in relation to noise, dust, truck traffic, wells, property values, and on-site operational matters.

The establishment of an aggregate extraction operation requires licensing under the Aggregate Resources Act (ARA) from the Ministry of Natural Resources. The licensing process includes public notification, a public meeting, and the completion of studies. The applicant is working through the ARA licensing process and as such, an Aggregate Resources Act summary report, a hydrogeological report, a natural environment report, archaeological and cultural heritage screening forms, site plans, and a noise impact study have been submitted in support of the proposal. Operational matters including noise and dust can be included within an ARA site plan.

During the local municipal process, the hydrogeology, natural environment, and noise reports were subject to a consultant peer reviewed by the Municipality. The peer reviews found the studies to be generally reasonable with any required supplementary information being provided to the satisfaction of the peer review consultant. The studies require a number of mitigation measures (such as berms, setbacks, operational specifics) that would be implemented through the ARA licensing process. The Upper Thames River Conservation Authority (UTRCA) indicated no objection to Amendment No. 32.


In conclusion, Amendment No. 32 would change the designation of a portion of the subject lands from 'Agricultural' to 'Extractive Industrial' in order to permit the establishment of a licensed aggregate extraction operation. It is my opinion that Amendment No. 32 is consistent with the Provincial Planning Statement, conforms to the intent and purpose of the County and the Thames Centre Official Plans, and approving it would have regard to the decision of Council for the Municipality of Thames Centre.

**FINANCIAL IMPLICATIONS:**

The budget expense related to the provincially delegated Approval Authority responsibility for local official plans is offset, to an extent, through the collection of application fees. The approval of development and the accompanied community growth has indirect long-term financial implications.

**ALIGNMENT WITH STRATEGIC FOCUS:**

This report aligns with the following Strategic Focus, Goals, or Objectives:

Strategic Focus	Goals	Objectives
Strengthening Our Economy 	Encourage a diverse and robust economic base throughout the county	Create an environment that enables the attraction and retention of businesses, talent, and investments

**RECOMMENDATION:**

**THAT** the Thames Centre Official Plan Amendment No. 32; Brantam Excavating Inc; File No. 39-TC-OPA32 report be received for information;

**THAT** Amendment No. 32 (File No. 39-TC-OPA32) to the Municipality of Thames Centre Official Plan be approved;

**THAT** staff be directed to circulate a Notice of Decision as required by the *Planning Act*;

**AND THAT** the Notice of Decision indicate that all written submissions received on the application were considered; the effect of which helped to make an informed recommendation and decision.