



October 27, 2020

Delivered Via Courier

<p><b>Ms. Katie O'Connell</b>  <b>Ministry of Natural Resources and Forestry Integrated Aggregate Operations Section</b>          4th Flr S, 300 Water St,          Peterborough, ON K9J 3C7</p>	<p><b>Mr. Trevor Bell</b>  <b>Project Review Unit, Environmental Assessment and Permissions Branch</b>  <b>Ministry of the Environment, Conservation and Parks</b>          5775 Yonge Street, 8th Floor          Toronto ON, M2M 4J1</p>
<p><b>Mr. John Stuart</b>  <b>Niagara Escarpment Commission</b>          232 Guelph Street          Georgetown, ON L7G 4B1</p>	<p><b>Ms. Anneleis Eckert</b>  <b>Ontario Ministry of Agriculture, Food and Rural Affairs</b>          6484 Wellington Road 7 - Unit 10          Elora, ON N0B 1S0</p>
<p><b>Ministry of the Environment, Conservation and Parks - Species at Risk – Delivered via Email Only</b>  <a href="mailto:SAROntario@ontario.ca">SAROntario@ontario.ca</a>  <a href="mailto:Christopher.martin@ontario.ca">Christopher.martin@ontario.ca</a></p>	<p><b>Ms. Lisa Wren</b>  <b>Department of Fisheries and Oceans</b>          867 Lakeshore Rd          Burlington, ON L7S 1A1</p>
<p><b>Mr. Joe Nethery</b>  <b>Halton Region</b>          1151 Bronte Road          Oakville, ON L6M 3L1</p>	<p><b>Mr. Gordon Dixon</b>  <b>City of Burlington</b>          Community Planning Department          426 Brant Street          Burlington, ON L7R 3Z6</p>
<p><b>Ms. Kellie McCormack</b>  <b>Conservation Halton</b>          2596 Britannia Road West          Burlington, ON L7P 0G3</p>	<p><b>Ms. Wendy Sutherland</b>  <b>Sun-Canadian Pipe Line Co. Ltd.</b>          2276 Denise Road          Mississauga, ON L4X 1J3</p>

Dear Sirs and Madam:

**RE: Nelson Aggregate – Burlington Quarry Extension  
 Aggregate Resources Act Licence Application –Category 2, Class A - Quarry Below Water  
 Part Lot 17 & 18, Concession 2 NDS and Part Lot 1 & 2, Concession 2, City of Burlington  
 (Geographic Township of Nelson) Region of Halton – Licence No. 626477  
 OUR FILE 9135D**

On behalf of our client, Nelson Aggregate Co. (hereinafter "Nelson"), we are pleased to provide you with the required documentation in support of an application for an Aggregate Resources Act Category 2,

Class A Licence on lands legally described as Part Lot 17 & 18, Concession 2 NDS and Part Lot 1 & 2, Concession 2, City of Burlington (Geographic Township of Nelson), Region of Halton.

The application includes a 78.4 ha expansion to the existing Burlington Quarry, of which 50.2 ha is proposed for extraction. The proposed expansion is located to both the south and west of the existing quarry. Attached, please find the following figures:

- Figure 1 – Overview of Nelson Aggregates Landholdings
- Figure 2 – Proposed Operations Sequence
- Figure 3 – Proposed Rehabilitated Landform

If approved and following the surrender of the Aggregate Resources Act licence, Nelson is proposing to convey the majority of their landholdings to the public for the purpose of a future park. See Figure 4 for the proposed after use vision for the site.

The enclosed application package includes the following technical reports and drawings:

Name of Report	
1.	Agricultural Impact Assessment prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) and dated April 2020
2.	Stage 1-3 Archaeological Assessment prepared by Archaeologix Inc. and dated August 2003
3.	Stage 4 Archaeological Assessment prepared by Archaeologix Inc. and dated August 2004
4.	Stage 1-2 Archaeological Assessment prepared by Golder Associates Ltd. and dated September 15, 2020
5.	Cultural Heritage Study (built and cultural landscape) prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) and dated April 2020
6.	Level 1 and 2 Natural Environment Technical Report prepared by Savanta and dated April 2020
7.	Financial Impact Study prepared by Nelson Aggregates Co. and dated April, 2020
8.	Air Quality Study prepared by BCX Environmental Consulting and dated March 2020
9.	Planning Justification Report and Aggregate Resources Act Summary Statement prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) and dated April 2020 Revised September 2020
10.	Traffic Study prepared by Paradigm Transportation Solutions Limited and dated February 2020
11.	Level 1 and 2 Hydrogeological and Hydrological Impact Assessment prepared by Earth FX and dated April 2020
12.	Surface Water Assessment prepared by Tatham Engineering and dated April 2020
13.	Adaptive Management Plan prepared by Earth FX, Tatham Engineering and Savanta and dated April 2020
14.	Noise Impact Assessment prepared by Howe Gastmeier Chapnik Limited and dated April 22, 2020
15.	Blasting Impact Assessment prepared by Explotech Engineering Ltd. and dated April 23, 2020
16.	Visual Impact Assessment prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) and dated April 2020
17.	Aggregate Resource Act Site Plans prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) and dated September 2020
18.	A USB containing electronic copies of the technical reports and drawings listed above.

Also enclosed are copies of Form 1 (Notice of Application for a Licence) and Form 2 (Notice of Public Information Session) for this application and MNRF's letter dated October 5, 2020 which MNRF requested be circulated with the application.

As noted in the enclosed Form 1, the last day written objections / comments to the licence application can be filed is **December 14, 2020** (Day 45). Written notices of objection are to be served upon the applicant (c/o Tecia White) and the Ministry of Natural Resources and Forestry and must state the reasons for the objection. See Form 1 for additional details.

In addition, all documents related to Nelson Aggregate Co.'s Burlington Quarry Extension are available for public and agency review at [www.mtnemoquarrypark.com](http://www.mtnemoquarrypark.com). On the homepage of this website navigate to Future Operations>Technical Documents to view materials.

During the review of the application, if you have technical questions related to any of the reports or drawings, please contact the undersigned and we can arrange a meeting with the appropriate technical expert in an effort to answer your questions.

Please do not hesitate to contact the undersigned should you have any questions or require further information.

Yours truly,

**MHBC**



Brian A. Zeman, BES, MCIP, RPP  
President

cc. *Quinn Moyer, Nelson Aggregate Co.*  
*Tecia White, Whitewater Hydrogeology Ltd.*  
*Kevin Powers, Project Advocacy Inc.*

**Attachments:**

1. Figure 1 - Overview of Nelson Aggregates Landholdings  
Figure 2 - Proposed Operations Sequence  
Figure 3 - Proposed Rehabilitated Landform  
Figure 4 - Proposed After Use Vision
2. Form 1 & Form 2
3. MNRF Letter dated October 5, 2020

# Attachment 1

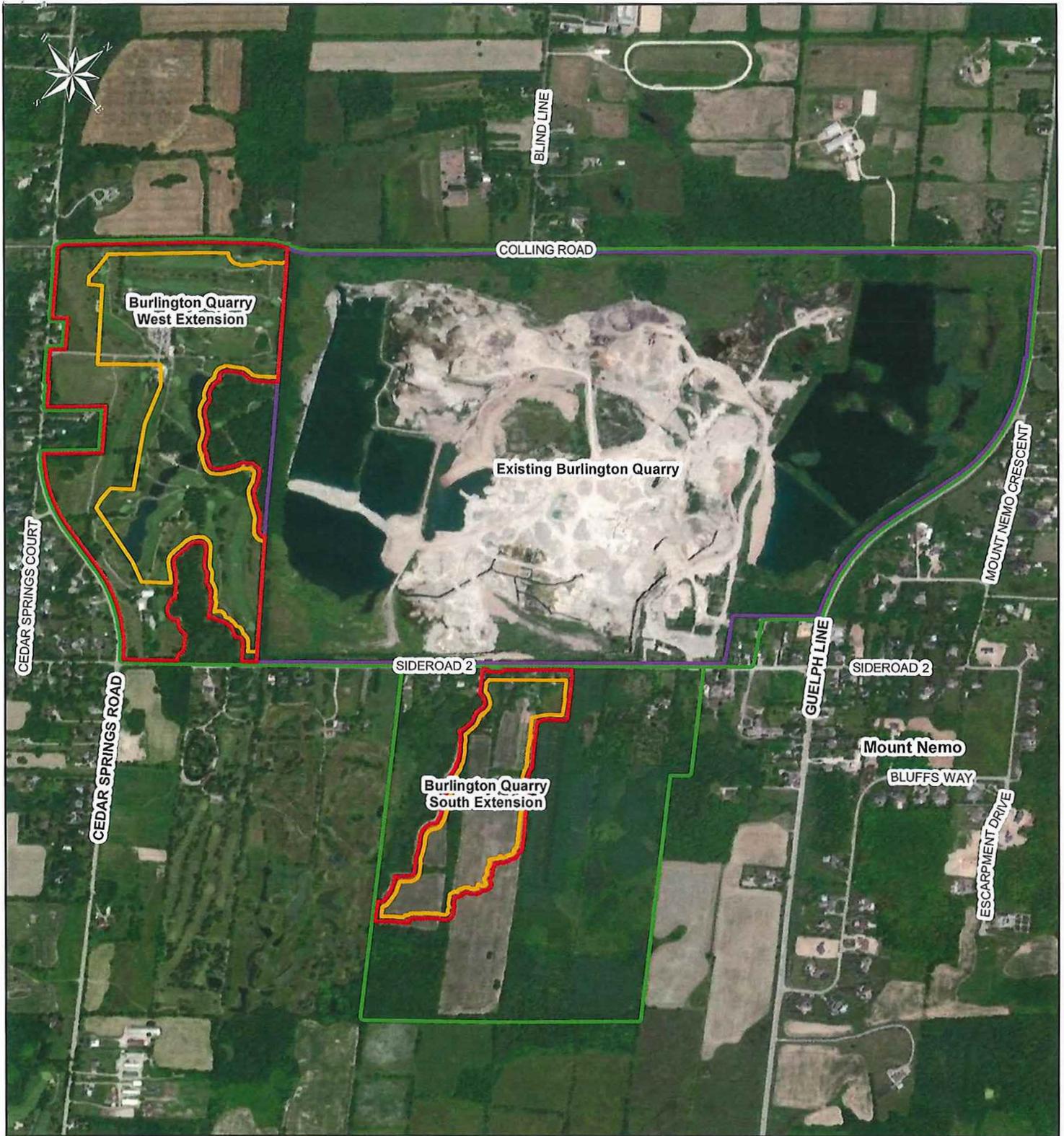


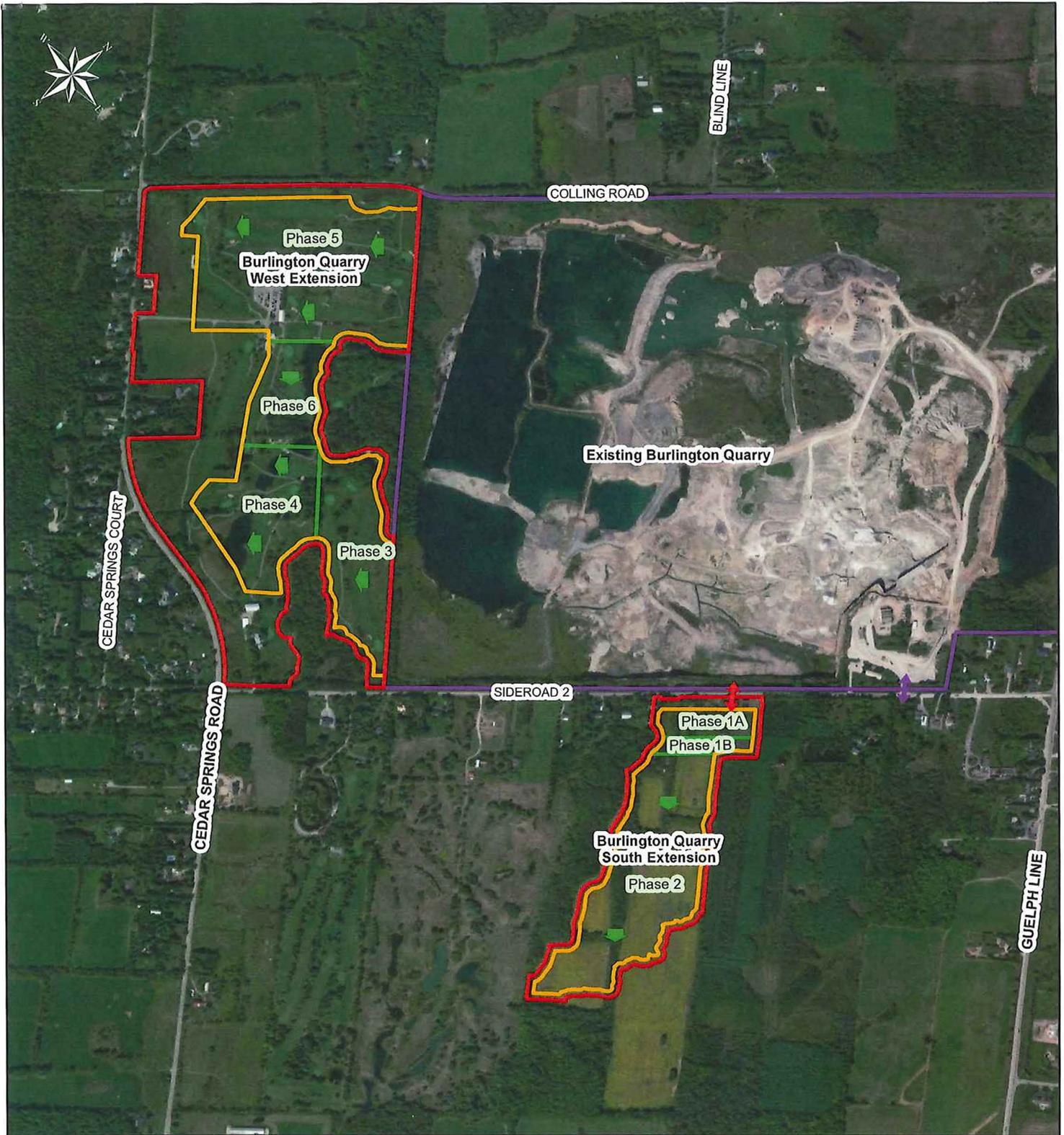
Figure # 1  
**Overview of Nelson  
 Aggregates Landholdings**

**Burlington Quarry Extension**  
 Part Lots 1 & 2, Concession 2 and  
 Part Lot 17 & 18, Concession 2 NDS  
 City of Burlington  
 Region of Halton

**Legend**

- Proposed Licence Boundaries
- Proposed Limit of Extraction
- Existing Burlington Quarry
- Land Owned or Controlled by Nelson Aggregates

<b>DATE</b>	October 2020
<b>SOURCES</b>	Land Information Ontario Contains information licensed under the Open Government Licence - Ontario
N:\Brian\9135D - Nelson - Project Sideways\Drawings Figures\Planning Regs 1 Figures IGIS	
<b>PLANNING          URBAN DESIGN          &amp; LANDSCAPE          ARCHITECTURE</b>	



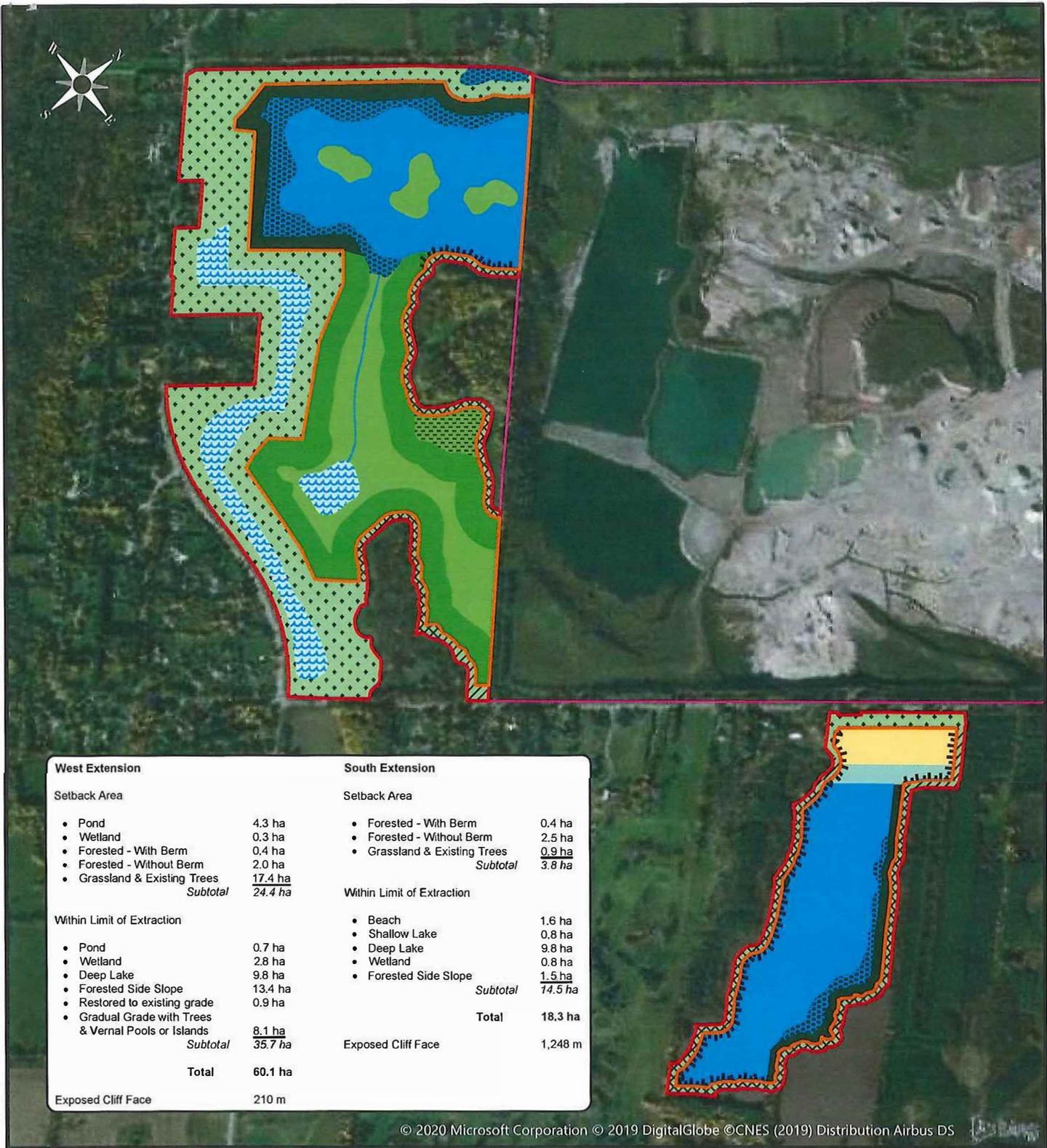
**Figure # 2**  
**Proposed**  
**Operations Sequence**

**Burlington Quarry Extension**  
 Part Lots 1 & 2, Concession 2 and  
 Part Lot 17 & 18, Concession 2 NDS  
 City of Burlington  
 Region of Halton

**Legend**

- Proposed Licence Boundaries
- Proposed Limit of Extraction
- Existing Burlington Quarry
- Extraction Sequence Boundary
- ↕ Main Entrance/Exit
- ↔ Roadway Crossing

<b>DATE</b>	October 2020
<b>SOURCES</b>	Land Information Ontario Contains information licensed under the Open Government Licence - Ontario
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<b>PLANNING          URBAN DESIGN          &amp; LANDSCAPE          ARCHITECTURE</b>	



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**Figure # 3**  
**Proposed Rehabilitated Land Formation**

**Burlington Quarry Extension**  
Part Lots 1 & 2, Concession 2 and  
Part Lots 17 & 18, Concession 2 NDS  
City of Burlington  
Region of Halton

**Legend**

- Proposed Licence Boundaries
- Proposed Limit of Extraction
- Beach
- Pond / Wetland
- Shallow / Deep Lake
- Grassland & Existing Trees
- Gradual Grade/Side Slope with Trees
- Forested Setback - During Operation
- Forested Setback - Post Berm
- Restored to Existing Grade & Forested
- Exposed Cliff Face

Date	October 2020
Sources	Nelson Aggregate's Burlington Quarry Extension Site Plan, Rehabilitation Plan, updated April 20, 2020.
Scale	 Meters (1:10,000)
<small>H:\Brian\9135D - Nelson - Project Sideways\Drawings\Figures\Planning Report\Figures\CAD\9135D - Figure 4 - Rehabilitated Land Formation.dwg</small>	
 <b>PLANNING URBAN DESIGN &amp; LANDSCAPE ARCHITECTURE</b>	



Figure # 4  
**Proposed  
 After-Use Vision**

**Burlington Quarry Extension**  
 Part Lots 1 & 2, Concession 2 and  
 Part Lots 17 & 18, Concession 2 NDS  
 City of Burlington  
 Region of Halton

**Legend**

- Conservation Halton - Managed Lands
- Existing Bruce Trail

Date **October 2020**

Sources  
 Google Earth Pro aerial photography  
 Captured September 10, 2016

Scale  


U:\Burlington\1350-103con - Pittsct Sideways\Drawings\Figures\Planning Report  
 Figures\CAD\01350 - Planning Report Figures - Rehab Renderings - April 2020.dwg



# Attachment **2**

**Aggregate Resources Act**

**Form 1 - Notice of Application for a Licence**

I, Nelson Aggregate Co.

2433 No. 2 Sideroad  
P.O. Box 1070  
Burlington, ON L7R 4L8

Hereby, give notice that application has been made for a Category 2, Class A Quarry Below Water to excavate aggregate from a quarry of 78.4 hectares, located in:

Part Lot 17 & 18, Concession 2 NDS, and Part Lot 1 & 2, Concession 2  
City of Burlington (Geographic Township of Nelson)  
Region of Halton

Application is for: An expansion to the established Burlington Quarry.

Annual Tonnage Condition applied for is 2,000,000 tonnes / annum.

A detailed site plan and report(s) for the proposal can be viewed at: [www.mtnemoquarrypark.com](http://www.mtnemoquarrypark.com). From the website home page, navigate to Future Operations > Technical Documents.

Any person(s) wishing to object to this application must send, in writing, their objection with reason(s) to the **Applicant** and to the office of the **Ministry of Natural Resources and Forestry** at the addresses below. Note: E-mail submissions are acceptable however they must contain the objector's complete postal mailing address where a response can be delivered. **E-mail objections which do not contain a postal address will not be considered acceptable.**

The Applicant: Nelson Aggregate Co. Attn: Tecia White  
2433 No. 2 Sideroad  
P.O. Box 1070  
Burlington, ON L7R 4L8  
[tecia@white-water.ca](mailto:tecia@white-water.ca)

MNRF: Ministry of Natural Resources & Forestry  
Integrated Aggregate Operations Section  
4th Floor S, 300 Water Street  
Peterborough, ON K9J 3C7  
[ARAApprovals@ontario.ca](mailto:ARAApprovals@ontario.ca)

The last day on which objections may be filed with the **Applicant** and **Ministry** is Monday December 14, 2020.

**Note:** *All information in respect to this application including written objections, the names and address of any objector(s) is available for public review for the purpose of this application under the Aggregate Resources Act. In submitting a written objection an objector consents under the Freedom of Information and Protection of Privacy Act to its disclosure for purposes of the application.*

Revised 2020/09/12

***Aggregate Resources Act***

**Form 2 - Notice of Public Information Session**

I, Nelson Aggregate Co.

2433 No. 2 Sideroad  
P.O. Box 1070  
Burlington, ON L7R 4L8

Hereby give notice that all documents related to Nelson Aggregate Co.'s Burlington Quarry Extension are available for public and agency review at [www.mtnemoquarrypark.com](http://www.mtnemoquarrypark.com). On the homepage of this website navigate to Future Operations>Technical Documents to view materials.

Due to the ongoing COVID-19 pandemic, a Public information session will not be held. The applicant is however available from November 17<sup>th</sup> to December 2<sup>nd</sup>, excluding weekends, to discuss details and answer questions related to the application. Please email Tecia White at [tecia@white-water.ca](mailto:tecia@white-water.ca) to organize a time for a call.

The purpose of the public website and the applicant's availability via conference call is to present, to the public, the details of the application for a Category 2, Class A Quarry Below Water.

The location of the proposed quarry is:

Part Lot 17 & 18, Concession 2 NDS, and  
Part Lot 1 & 2, Concession 2  
City of Burlington (Geographic Township of Nelson)  
Region of Halton

# Attachment **3**

Ministry of Natural Resources and  
Forestry

Ministère des Richesses naturelles et des  
Forêts



Integrated Aggregate Operations Section    Section de la gestion intégrée des agrégats

Regional Operations Division  
300 Water Street  
Peterborough, ON K9J 3C7

Division des opérations régionales  
300, rue Water  
Peterborough (ON) K9J 3C7

E: ARAApprovals@ontario.ca

E : ARAApprovals@ontario.ca

Oct 5, 2020

Nelson Aggregate Co.  
2433 No. 2 Sideroad  
P.O. Box 1070  
Burlington ON, L7R 4L8

Dear Mr. Moyer:

Subject: *Aggregate Resources Act* (ARA) Licence Application  
Nelson Aggregate Co. (Burlington Quarry Extension)  
Class "A", Category 2 – Quarry Below Water  
Pt. Lots 17 & 18, Conc. 2 NDS, and Pt. Lots 1 & 2 Conc. 2  
Geographic Township of Nelson, City of Burlington, Halton Region

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I am writing to inform you that the Ministry of Natural Resources and Forestry (MNRF) has completed its review of the above noted application which includes the application form, summary statement, technical reports and site plan received on September 15, 2020. This application has been deemed complete in accordance with the requirements of the Aggregate Resources of Ontario Provincial Standards (AROPS) and is assigned **#626477**. Please reference this number in all future correspondence with the Ministry about this application.

For this application we note that as the West Extension portion of this application is located on property not currently owned by your company, the MNRF will require proof of ownership or an extraction agreement for this property prior to a licence being issued.

#### **Notification/Circulation/Consultation**

You may proceed with Notification and Consultation as outlined in the [Notification and Consultation Standards for Category 2 Applications](#). Please also find attached the Aggregate Resources Program Bulletin entitled: *Resuming aggregate application timelines and public consultation under the Aggregate Resources Act (Post Covid-19)*. If the company's website ([technical documents](#)) will be the location where the public can view the application package documents, please ensure the documents which were deemed complete as part of the ARA submission are updated and available on that website.

A copy of Form 1 (Notice of Application) containing the MNRF contact information that is to be advertised for this application is attached. In order to include the consultation

details for this new licence application in the Environmental Registry of Ontario (ERO) proposal notice, please provide to the Ministry as soon as possible the following:

- the date the 45 day notification period will commence for this application;
- the name of the newspaper(s) in which notice will be published; and
- Completed Form 1 and 2 with applicant and consultation information.

The following information is provided to clarify certain aspects regarding circulation of the complete application package to agencies during the 45 day notification:

4.1.3.1 – the local Ministry of Natural Resources office to be circulated is:  
Ministry of Natural Resources and Forestry – Integrated Aggregate Operations Section  
4th Floor South, 300 Water Street, Peterborough, ON K9J 3C7  
Attention: Katie O’Connell a/Aggregate Resources Manager

4.1.3.8 – the Ministry of the Environment, Conservation and Parks:  
As of April 1, 2019 in addition to the agencies specified in 4.1.3 of the Provincial Standards, circulation of the application package should also be sent to SAROntario@ontario.ca regarding review of Species at Risk and the applicability of the Endangered Species Act which is administered by the Ministry of Environment, Conservation and Parks.

Please note that the above is in addition to the requirement to circulate the application package to the appropriate MECP office and person to ensure review of the hydrogeological report for this application which is proposed to extract below the water table. A copy of this letter along with the application package will be required to initiate MECP review.

It is recommended that the complete application package be circulated to the Department of Fisheries and Oceans.

### **Indigenous Consultation**

The MNRF has a constitutional obligation to consult and where appropriate, accommodate Aboriginal communities when considering an action or decision that may have an adverse impact on Aboriginal and/or treaty rights. During the review of this ARA application, if necessary, MNRF will provide further direction regarding engagement or consultation with Aboriginal communities that may be impacted.

### **Next Steps and MNRF Contact Information**

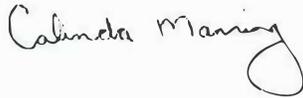
The MNRF review at this time is with regard to the completeness of the application. During the 45 day consultation period, the MNRF will be reviewing in detail the contents of the reports and associated recommendations along with how the site will be operated and rehabilitated to ensure compliance with legislation and policies that are the responsibility of the MNRF.

Once the 45 day ARA period has concluded, we request that a table outlining all written comments/objections received be prepared and submitted to MNRF. Upon receipt, we will compare the table to Ministry's records and identify to any comments received on the ERO. A telephone conversation can also be arranged at that time to discuss the next stage of the ARA process involving Resolution of Objections.

All correspondence for this application should be directed to my attention at the contact information provided below.

If you have any questions, or require additional information, feel free to contact me at 807-620-6334 or by e-mail at [Calinda.manning@Ontario.ca](mailto:Calinda.manning@Ontario.ca).

Sincerely

A handwritten signature in cursive script that reads "Calinda Manning". The signature is written in black ink and is positioned above the typed name.

Calinda Manning  
Aggregate Specialist  
Integrated Aggregate Operations Section

Attachments:

- Form 1
- Aggregate Resources Program Bulletin - Resuming aggregate application timelines and public consultation under the *Aggregate Resources Act* (Post Covid-19)
- Application Standards for a Category 2 licence (AROPS)

Cc: Brian Zeaman, MHBC Consulting