

# UPPER'S QUARRY INFORMATION SHEET

## GENERAL INFORMATION

- There are two separate processes the quarry must receive approval from to operate. One is under the Planning Act, which requires approval from the Niagara Region and City of Niagara Falls. The second is under the Aggregate Resources Act (ARA), which requires approval is received from the Ministry of Natural Resources and Forestry.
- The ARA process typically takes 2 years to complete. Given the complex technical nature of the applications and the level of community interest, the review of the Planning Act applications will require several months and may extend into 2024 before there are any decisions made by Council.
- Once the Decisions on the Planning Act applications are made, there may be appeals to the Ontario Land Tribunal for further review and decision. Appeals could be made by the applicant (in the case of a refusal), or anyone who has submitted written comments or made comments at a Public Meeting of Council.

Decisions on development applications such as the quarry are to have regard for matters of Provincial interest, including the protection of public health and safety. The applicant's studies are being peer reviewed with this in mind to ensure impacts will be mitigated, if approved.

In addition, the quarry must meet all applicable Provincial standards including, but not limited to, air quality, noise and blasting, if approved.

**The City would like to stress that no approval has been granted for the quarry applications.** There will be a resubmission of the applications and related studies. The following information is based on the studies submitted to date. Once review is complete a report will be provided for Council's consideration which will evaluate if the application meets all applicable policies and standards. Prior to making a decision, a public meeting of Council, where an member of the public can make oral or written comments, shall be held.

## THE PROPOSED QUARRY OPERATION

- The quarry as proposed would require the construction of berms around the perimeter of the site for noise attenuation. The proposed quarry operations would include drilling, blasting, extraction, processing, washing, stockpiling, and transportation of aggregate internally within the site, as well as shipping aggregate off-site.
- The applicant has estimated the quarry would remain active for 40 to 50 years.
- The proposed depth of extraction is 30-35 metres.
- The quarry as proposed would be extracted in 5 phases.

## **AIR QUALITY**

- Provincial legislation mandates that quarry operators do not permit dust to leave the quarry site. This is a mandatory condition on every Aggregate Resources Act license in Ontario.
- Walkers has proposed dust suppressants (i.e. water sprayers and covers/enclosures on equipment) to help ensure dust does not leave the site.
- Water is required to be applied to the site to mitigate dust in accordance with a Best Management Practices developed under the guidelines established by the Ministry of Environment Conservation and Parks (MECP).
- If approved, the site will be required to operate in accordance with a Best Management Practices Plan for Fugitive Dust Emissions.
- The Air Quality Assessment was prepared by a professional engineer and is now being reviewed by the peer review engineer retained by the Region and the City to evaluate the methodology in the report and determine whether the recommendations are appropriate to ensure that dust is managed on site and air quality considerations have been adequately addressed.

## **BLASTING & VIBRATIONS**

- Legislation limits blasting vibrations to 12.5mm/s to mitigate impact on surrounding uses and structures.
- Blast monitors are used to measure vibration in the ground and pressures waves travelling through the air.
- A Trans Canada Pipeline is located at the northwest corner of the subject lands. Any blasting must meet safety requirements for pipelines. The proposal is being reviewed by Trans Canada Pipelines.
- Walkers has indicated that no more than 1 or 2 blasts will occur in one day.
- Blasting will be limited to the daytime hours of 8am to 6pm on weekdays. These hours are included on the draft site plan. If a license is obtained from the Province, these hours will be part of the operation license. Blasting will not be permitted to take place outside of these hours.

## **ENVIRONMENT**

- An Environmental Impact Study (EIS) was required as part of the quarry application package and includes an assessment of the natural heritage features and functions on and near the Walkers property together with an evaluation of potential impacts.
- If approved, rehabilitation of the creek would occur before extraction and the remainder of the rehabilitation of the quarry would occur progressively.
- The EIS report is being peer reviewed to determine if the methodology and conclusions are complete and appropriate. In addition to the municipal peer review process, the EIS is being reviewed by MNRF and the MECP Species at Risk Branch to evaluate whether the potential impacts on natural heritage and species at risk have been adequately addressed.

## **GROUND WATER**

- The Water Resources Study provides a detailed assessment of the groundwater conditions on the site and surrounding lands with a prediction of any potential impacts on well water users as well as any potential environmental impacts.
- A “Well Water Interference Plan” is proposed and this would be a required condition if the applications are approved
- The Water Resources Study, like the other technical reports, is currently being peer reviewed.

## **HEALTH**

- The Planning Act requires that development applications have regard for public health and safety. Provincial regulations and guidelines are in place for air quality and noise limits and are designed to protect human health. The applicant must demonstrate through their technical reports that these limits will not be exceeded.
- These reports and conclusions are currently being peer reviewed by the review team and will also be reviewed by the Province as part of the Aggregate Resources Act permit process.

## **NOISE**

- Legislation limits noise emission levels to 50 decibels during the day and 45 decibels at night. This is typical of sounds in a residential area..
- To meet legislation requirements, Walkers is proposing to:
  - Have a 30m setback for extraction from Beechwood and Thorold Townline Road.
  - Construct a 3 metre berm around the site prior to extraction.
  - Have the primary crusher within 30 metres of the quarry wall to shield noise.
  - Have the asphalt plant located in a fixed location on the quarry floor.
  - Maintain an 8 metre tall noise barrier during Phase 4 of extraction as shown on the submitted Operational Plan.
  - The Report Recommendations Site Plan contains a list of mitigation measures that will be required as part of the operation license, if approved.

## **TRAFFIC/TRANSPORTATION**

- The Traffic Impact Study (TIS) recommended a haul route for trucks to travel to avoid local residential uses:
  - North along Thorold Townline Road to Thorold Stone Road,
  - Then west to Highway 406 via Thorold Stone Road, or
  - East to the QEW via Thorold Stone Road, or
  - North to the QEW via Taylor Road.

- The TIS estimated that the quarry will generate approximately 1-2 vehicles every minute during the busiest AM hour.
- The TIS estimated that the quarry will generate approximately 1 vehicles every minute during the busiest PM hour.
- Road improvements have been identified in the submitted Traffic Impact Study at Upper's Lane and Thorold Townline Road. If approved, these improvements will be included as a condition of approval.
- These findings were identified in the applicant's study submission and are subject to review.

Last Updated: March 2023