

## Public Open House

### Question and Response Matrix

Walker Aggregates Inc. has submitted applications to amend the Regional Official Plan, City of Niagara Falls Official Plan, and City of Niagara Falls Zoning By-Law to permit a proposed quarry. A virtual public open house was hosted by Region and City Planning staff on March 23, 2022 to allow members of the public to ask questions on the proposed amendments. Walker Aggregates and their consulting team were invited to the open house to assist in answering technical questions on their application. The following matrix includes the responses from Walker, their consulting team, and Regional and City Planning staff to questions that were not answered live during the session.

**Please note that the application is still under review and no decisions have been made. Review will continue and a statutory public meeting of City and Regional Council will occur before any decisions are made, In addition, a separate licensing process, under the Aggregate Resources Act, will be required. The Aggregate Resource Act process also includes the requirement for public consultation, including an additional public open house.**

No.	Question/Comment:	Response:
1	Given the impact of a Quarry, should publicity of the application and notice regarding these meetings and proposals extend beyond a 120 meter radius of the property?	The 120m radius is a Provincial requirement from the Planning Act and the Aggregate Resources Act for providing written notice. Niagara Falls City Council recently approved a recommendation to increase the circulation distance in the rural area to 240 metres. This would include the Uppers Quarry application. In addition, notice of a Public Meeting will be posted on the property, included on the City's "Let's Talk" webpage, and the Region's website. Broader notification includes newspaper notices, social media and web notices.
2	The existing Walker facility was put in place before the City expanded - how are you are now proposing a heavy industrial use of over 1100 acres next to existing residential uses and greenspace?	Planning decisions must meet certain tests to ensure land use compatibility between a quarry and a sensitive land use. This will be determined through the review process of the Planning Act applications.

No.	Question/Comment:	Response:
		<p>The Rolling Meadows Secondary Plan has specific policies included to ensure that residential development would be appropriately buffered and designed to prevent adverse effects on the future development of a quarry in identified aggregate resource area.</p>
3	<p>I am surprised from seeing the map that no buffers had been mapped. It would appear that the lands east west? of Townline Road could become a natural heritage buffer, since they are owned by Walker Brothers and not proposed for quarrying.</p>	<p>Within the licence area, buffers are identified on detailed Site Plans. If the quarry is approved, a 30 metre setback will be required from Thorold Townline Road and Beechwood Road. This is a regulatory setback requirement under the Aggregate Resources Act.</p> <p>The applications which are currently under review do not pertain to the additional lands owned by the applicant.</p>
4	<p>How deep is Deeprock mining (below water quarry)? How deep is normal mining?</p>	<p>According to the applicant's Site Plans, and based on the information in the Water Resources Report, the proposed depth of extraction would extend 30 – 35 metres below the shallow groundwater table.</p> <p>The depth of extraction is based on the underlying limestone resource thickness and varies at quarry locations across Ontario.</p>
5	<p>If the cities of Niagara and Thorold were aware of the proposal why would they allow the residential development so close to the area?</p>	<p>See response provided to similar comment # 2 above.</p>
6	<p>I'm afraid I still don't understand how land designated as "Environmental Protection" area can</p>	<p>The land use planning process in Ontario allows for applications to amend the Official Plan designations and zoning subject to addressing the detailed policy considerations outline in Provincial,</p>

No.	Question/Comment:	Response:
	have that overturned? What is the point in having such a designation if it can be changed?	Region and Local plans. Any development proposed within an “Environmental Protection” designation is required to complete a detailed Environmental Impact Study (EIS) and would need to demonstrate no negative impacts on the feature or function of the environmental protection area, as well as other policy test in Provincial, Regional, or Local plans.
7	my understanding was that the 3 m berm is for visual purposes rather than sound barrier	The 3 metre high berm around the perimeter of the site is outlined as a requirement for mitigation in the Noise Assessment Report submitted by the applicant. The Visual Impact Assessment report recommended additional screening in the form of tree planting at a number of locations around the perimeter of the site to mitigate visual impacts.
8	the alternative location assessment report was issued in Oct 2021, quite a bit later ~2 yrs after Walker started the zoning application change... seems strange?	The applicant has indicated that, similar to other technical assessments, data is typically collected, or measures are taken earlier than the actual report is prepared and finalized.  Also, reports are often updated to be consistent with findings or recommendations of other reports as they are being completed.
9	Did walker's buy that historic property?	Additional information is required on which property this inquiry is referring to. The subject lands are shown on the location map contained on the Let's Talk page here: <a href="https://letstalk.niagarafalls.ca/uppers-quarry">https://letstalk.niagarafalls.ca/uppers-quarry</a>
10	How will ground contamination be contained as ground water currently effects the entire waterway all the way to the canal?	The applicant has indicated that quarry operations and the proposed monitoring program have been designed in a way that will protect water systems from unacceptable effects. The proposed mitigation measures are currently being peer reviewed by the Joint Agency Review Team (JART) to determine if they are appropriate.

No.	Question/Comment:	Response:
		<p>The Ontario Water Resources Act includes a legal obligation for the proponent to ensure water quality is not adversely affected. This is regulated by the Province (Ministry of the Environment, Conservation and Parks).</p>
11	<p>Is there also a request to amend the official plan at the corner of Beaverdams and Garner to residential and if so how would that affect this application?</p>	<p>No, there is currently no application to convert the lands to residential. The lands at Beaverdams and Garner Roads are outside of the Urban Boundary. As such, the Regional Official Plan and the City's Official Plan would not support the conversion of the land for residential development.</p>
12	<p>Might I suggest/ask that Council, or Ms. Walker speak to the anxieties that many attendees are likely feeling? We're picturing a loud, dangerous eyesore moving right next door. Walk us through how we should be thinking about that?</p>	<p>The review process is designed to provide detailed information and review of the application to allow input from the community and address these concerns.</p> <p>In addition to the municipal Planning Act process, Walker is required to address community concerns and objections through the Aggregate Resources Act application process.</p> <p>Walker operates a number of other quarries in the Region and have offered to provide tours for anyone who would like to visit one of their existing active operations.</p>
13	<p>Are the proposed lakes a result of flooding from excavation below the water table?</p>	<p>If approved, once extraction is complete, dewatering will cease and the extraction areas will be allowed to fill with groundwater and precipitation which over time will provide for a series of lakes as a final end use.</p>

No.	Question/Comment:	Response:
14	Will the taxes be reduced in Fernwood Estates to account for the consistent blasts disruption for their community?	<p>Property tax assessments are updated by the Municipal Property Assessment Corporation (MPAC) and the assessment information is provided directly to landowners.</p> <p>At this time, the Region and the City do not have a specific mill rate adjustment for other aggregate locations in the Region, however, the concern is acknowledged and the JART review will be exploring this concern further.</p>
15	There is a pending application to amend the current zoning of lands directly behind the fernwood neighbourhood from agricultural to residential. Would the quarry's application approval impact this? Or vice versa.	The lands immediately behind the Fernwood neighbourhood are outside of the Urban Boundary. There are no current applications in to convert the land to Residential.
16	the alternative location assessment report was issued in Oct 2021, quite a bit later ~2 yrs after Walker started the zoning application change... seems strange... I would have expected this type of report to be issued before a zoning application change is made?	See response provided to similar comment # 8 above.
17	Would excavation impact what is called the Rochester Shale rock layer? In the past excavation on such rocks has resulted in groundwater pollution problems.	Based on the information provided in the applicant's Water Resources Report, the proposed depth of extraction is to the bottom of the Gasport Member, which is situated above the DeCew Formation. The Rochester Shale rock layer is below the DeCew Formation. Therefore, the excavation proposed will not include the Rochester Shale rock layer.

No.	Question/Comment:	Response:
18	Can you share the health ramifications and risks associated with young children, adults and seniors being so close to the quarry?	Should the application be approved, Walker is required to operate within limits prescribed by the Ministry of the Environment, Conservation and Parks (MECP) relative to noise, air quality, vibration, water quality, and their aggregate operations license, if approved. The applicant's reports indicate that no human health ramifications or risks associated with the quarry operation is expected. These reports and conclusions are currently being peer reviewed by JART and will also be reviewed by the Province.
19	Will the quarry only be on the Niagara Falls or will it be in Thorold also?	The quarry is proposed for lands in the City of Niagara Falls.
20	why is Niagara Falls only being considered when Thorold is across the street? A whole new subdivision being built one block away?	All technical studies consider potential impact based on distance from the proposed quarry and not municipal boundaries. However, the Official Plan and Zoning By-law amendment applications relate to lands that are within the City of Niagara Falls municipal boundary. The City of Thorold has been included in the consultation process and landowners within the required circulation distance have been notified.
21	What kind of studies have been done related to health related problems and dust from quarries?	<p>Studies related to health and dust have been prepared by qualified experts and submitted with the applications including:</p> <ul style="list-style-type: none"> <li>• Air Quality Assessment Report by RWDI</li> <li>• Acoustic Assessment Report by RWDI</li> <li>• Blasting Impact Assessment by Explotech</li> <li>• Level 1 and 2 Water Study Report by WSP</li> <li>• Level 1 and 2 Natural Environment Technical Report and Environmental Impact Study by Stantec</li> <li>• Agricultural Impact Assessment by Colville Consulting</li> <li>• Traffic Impact Study by TMIG</li> </ul>

No.	Question/Comment:	Response:
		Experts at agencies or retained by agencies are in the process of peer reviewing the studies submitted.
22	There are already 3-4 quarry's in the Niagara region, can you not find another location for this quarry? That is away from residential community. There is soooo much space in Ontario for you to consider. We have families with small children here and we don't want all the air and noise pollution affecting our health.	Provincial planning policy requires aggregates to be made available as close to market as possible, as the long distance transportation of aggregate material can have significant environmental and other impacts. In addition, quarries in the Region can differ in the type of material they provide.  If approved, Walker is required to operate in a manner that meets Provincial standards with respect to air quality and noise. Technical studies related to noise, air quality, and blasting were submitted as part of the applications and are currently being peer reviewed.
23	Niagara is also a tourist mecca that attracts \$\$ and having this kind of thing does not add appeal for tourists.	Thank you for the comment.
24	Are you aware that this area historically is a grape and fruit capability farming area and if accurately designated as specialty crop that the quarry would not be allowed? On the proposed quarry lands was once a vineyard to the north and a tender fruit orchard south of Uppers Lane.	The site is not within an area identified in the Region's Official Plan as a specialty crop area. An Agricultural Impact Assessment has been prepared and submitted by the applicant which will be reviewed as part of the application process.
25	will there be a new traffic study done when all the homes get built out in the new Empire community. The number of homes being built there is a big one.	The traffic study submitted with the application considers future approved or planned development in the surrounding area. As noted for the other technical reports, this study is currently being reviewed by the JART.

No.	Question/Comment:	Response:
26	Can you reconfirm the times that materials will be transported from the quarry? Will that be during the hours of operation outlined previously (0700-1900)?	Aggregate shipping to and from the quarry is proposed to be permitted 24 hours per day, should the application be approved. The Site Plans proposed that all drilling, extraction, processing and other quarry operations will be limited to 0700-1900 hours.
27	You contain the asphalt plant odor. What about the odor from transporting it	Transporting asphalt is done in tanker trucks, which are normally sealed during transport, to minimize significant emissions.
28	Can you share how far dust particles travel from the blasting? Also, will we hear and/or feel the blasting in Fernwood?	<p>An Air Quality Assessment has been submitted by the applicant to recommend how dust particles resulting from the operation can be mitigated to meet Ontario's Ambient Air Quality Criteria for sensitive land uses. Provincial regulations require quarry operators to use dust suppressants (the most common being water) on processing areas and internal haul roads. The Aggregate Resources Act also requires that dust be managed on the site. The Air Quality Assessment is currently being peer reviewed by experts retained by the Region and City.</p> <p>A Blasting Impact Assessment has been prepared by blasting professionals to ensure that there will be no impact on any structures and that vibration/noise limits prescribed by the Ministry of the Environment, Conservation and Parks will be met. The Blasting Assessment is also being peer reviewed by experts retained by the Region and City.</p>
29	Why are we just learning about this asphalt plant now? It was not in any of the first meetings we had with Walker in the beginning. I am totally opposed to that kind of plant near me.	The applicant has indicated that quarries can make appropriate sites for asphalt plants as they are typically deep and well mitigated and buffered from sensitive land uses. Also, the need to transport material between separate properties greatly reduces the carbon footprint.

No.	Question/Comment:	Response:
		<p>In this case, the asphalt plant is proposed not be introduced until extraction is complete and moved on to Phase 2 (north of Upper's Lane). This will allow the asphalt plant to be situated on the quarry floor and centrally located within the site.</p> <p>The request for the proposed asphalt use are being reviewed as part of the application.</p>
30	If these comments will be considered by Niagara, then for the record I am opposed to the quarry.	Thank you for your comment.
31	Question was misunderstood. Amenities in existing quarry when closed and rehabilitated might reduce opposition to proposed new quarry.	Thank you for your comment.
32	what impact with the quarry have on structures with the blasting what size of blast is it?	See response provided to similar comment # 28.
33	Is there not another location that is away from subdivision? I would of never built a house here knowing this quarry was being proposed. I do not care it would cost more to ship. Why should our subdivision pay for others to get the product cheaper?	See response(s) provided to similar comment(s) # 2 and # 22.
34	Why has walker been registering opposition letters to the properties that have applied for an urban boundary expansion in there proximity?	Walker has indicated they wanted to ensure deposits of mineral aggregate resources identified in the Official Plan continue to be protected from development and activities that have the potential

No.	Question/Comment:	Response:
		to preclude or hinder the establishment of new operations or access to the resources.
35	I live on Garner Rd., Are you able yet to tell us if the huge depth you will be digging down to will dry up our 30 and 40 foot farm wells?	The Water Resources Study addresses how water wells and the natural environment will be protected. A detailed water well inference mitigation plan has been prepared for each parcel that will allow proactive mitigation in advance of any well being adversely impacted as a result of the proposed quarry. The Water Resources Study also sets out an extensive monitoring program that will be required to be implemented if the applications are approved. This is being reviewed by the JART.
36	Do the City Council members and the Planning department really think that the neighborhoods around Uppers Lane, Lundy's Lane, Garner, Fernwood Estates, Beaverdams are not going to be affected? Right now there are so many people moving into Niagara Falls, for what? Just to realize the City doesn't really care about their own communities or even care what the people really want. New residents are already complaining about it and also the residents who have lived here for years don't want it to be approved. If the City doesn't listen, then what does City Council and all its planning employees represent? Definitely not the majority of the people in the community. If the City Council members and the planning department want to continue to be ignorant to what the residents actually want, then fine, I don't suffer but the people in the community will continue to, like they have	Thank you for the comment.

No.	Question/Comment:	Response:
	been for years and as a result, morale in this City will continue to decrease.	
37	Only part of Fernwood was owned by the City of Niagara Falls. Most of this land is now part of Fernwood Park.	Thank you for the comment.
38	Has the city considered improving the surrounding roads around the proposed quarry and the surrounding residential communities? Currently these roads are absolutely unacceptable, the lanes are becoming more narrow in time as the roads continue to erode, pot holes everywhere and my concern is with the increase in traffic in the near future as the quarry comes into existence will this be considered by the city of Niagara Falls...with the very large trucks and other large and heavy vehicles about to increase the traffic in these areas.	<p>The Transportation Impact Study has identified road improvements at the intersection of Upper's Lane and Thorold Townline Road. If the quarry is approved, these improvements included as a condition of approval to handle traffic from the quarry.</p> <p>If approved, trucks would be directed to travel northbound on Thorold Townline Road. Heavy vehicles will not access the proposed quarry via Beechwood Road and no other ancillary roads are included in the proposed haul route.</p>
39	Let me rephrase...why doesn't the Environmental Protection designation prevent this?	See response provided to similar comment # 6.
40	As you can appreciate it is somewhat a "hostile audience", a very nice alternative location report was prepared recently. The timing of it raises a few questions so, to alleviate some suspicions, can you indicate what the history is between Walker family and this consultant...i.e., was it competitively bid or given to this firm	Thank you for your comment.

No.	Question/Comment:	Response:
41	my question on the aggregate estimate needs for the region that indicated a new quarry was required was not answered. the answer provided just indicated the amount of aggregate expected to be extracted from the site	The applicant indicates that the proposed quarry is intended to replace supply provided by their other nearby operations near depletion.
42	Proximity has been specific to the quarry. What about the proximity with the concrete and asphalt recycling and mixing?	All technical studies factor in concrete and asphalt recycling and mixing when assessing potential impact and making recommendations on mitigation requirements.
43	If Walker's is not granted a license to operate, what are their plans for the land going forward?	Unknown.
44	Would you recommend that we have our homes looked at right now by a Home Inspector/Engineer to get a base line of structure issues before the quarry goes online.	Vibration levels of all blasts to be monitored at the quarry property line to ensure levels are maintained well within the provincial guideline limits.  The Region and City cannot make recommendations relative to privately owned structures.
45	How many times a day or a week will there be blasting?	Walker has indicated that generally no more than 1 to 2 blasts will occur in one day.  Blasting will not take place on Saturdays or Sundays and will be limited to daytime hours (8:00 am to 6:00 pm) on weekdays.
46	When will the next Zoom meeting be held?	The timing of the next public session is dependent on the speed in which the application is processed. Notification will be provided through various means.

<b>No.</b>	<b>Question/Comment:</b>	<b>Response:</b>
47	What is your plan to protect the core aquifers and residential wells in the area?	See response provided to similar comment # 35.
48	Can new meetings be held in person?	The format of the meeting will be dependent on the rules and any public health measures that are in place at that time.
49	If quarries are so far from urban areas deallocation growth from Thorold and Port Colborne to other municipalities was an error. Closeness to quarries was used to legitimate urban boundary expansions in Niagara Falls, Fort Erie and West Lincoln.	Thank you for the comment.