

**Application Booklet
Proposed Burlington Quarry Extension,
Nelson Aggregates Co.**

Prepared by:



April 2020

**Nelson Aggregate Co.
Burlington Quarry Extension
Application Booklet
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Tab **1**



APPLICATION FOR A LICENCE under the Aggregate Resources Act

- Application requirements as outlined in the Aggregate Resources of Ontario Provincial Standards must accompany this application form.
- Questions about this information should be directed to the Aggregate Inspector at the Ministry of Natural Resources District in which the site is located.
- All information in respect to this application including written concerns/comments, 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 concern/comment an individual consents under the *Freedom of Information and Protection of Privacy Act* to its disclosure for purposes of the application.

Type of Application: Class 'A' Licence (> 20,000 tonnes per year) Class 'B' Licence (20,000 tonnes or less per year) 2 Category

Type of Operation: Pit Quarry Both Pit and Quarry

Type of material to be removed: Sand and Gravel Crushed Stone Dimensional Stone
 Clay Other _____

Licence Area: 78.3 hectares Quantity of material to be removed: 2,000,000 tonnes/yr

Applicant: Name Nelson Aggregate Co.
 Address 2433 No.2 Sideroad P.O. Box 1070
 City Burlington Prov. Ontario Postal Code L7R 4L8
 Phone No. (905) 335 - 5250 Cell No. (____) _____ - _____

Location:

UTM Zone: 17 Easting: +/- 79.900 Northing: +/- 43.396 N Datum: WGS 84

Lot:	Concession:	Geographic Twp.	Local Municipality	County/Region/ District
Pt. Lt. 17 & 18	<u>2 NDS</u>	<u>Nelson</u>	<u>City of Burlington</u>	<u>Region of Halton</u>
Pt. Lt. 1 & 2	<u>2</u>	<u>Nelson</u>	<u>City of Burlington</u>	<u>Region of Halton</u>

Signature of Applicant:  Date: May 7, 2020

Name and Title of Signing Officer: Quinn M. Moyer - President

For Office Use Only:

Application Fee: \$ _____ Receipt No.: _____ Date: _____

Tab 2

FILE # _____

(For NEC office use only)



NIAGARA ESCARPMENT COMMISSION

APPLICATION TO AMEND THE NIAGARA ESCARPMENT PLAN

(FMS #0115 – Revised August 15, 2019)

THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT, R.S.O. 1990, AS AMENDED

NIAGARA ESCARPMENT COMMISSION
232 GUELPH STREET
GEORGETOWN, ONTARIO
L7G 4B1

Phone: 905-877-5191
Fax: 905-873-7452
Email: necgeorgetown@ontario.ca
Website: <http://www.escarpment.org>

NIAGARA ESCARPMENT COMMISSION
1450 7th AVENUE
OWEN SOUND, ONTARIO
N4k 2Z1

Phone: 519-371-1001
Fax: 519-371-1009
Email: necowensound@ontario.ca
Website: <http://www.escarpment.org>

This form is intended to assist an applicant and the Niagara Escarpment Commission in considering proposed amendments to the Niagara Escarpment Plan. Not all parts of this application may be necessary or relevant to each proposal. Please attach additional pages or reports as required. Please include justification and supporting information with the application. Niagara Escarpment Commission staff would be pleased to discuss the form and assist in completing it. The Niagara Escarpment Commission may request more information after reviewing the complete submission.

1. OWNER (Required)

Name: See Schedule A Attached

Mailing Address: _____
Street/P.O. Box

City/Town _____ Province _____ Postal Code _____

Phone: _____ E-mail: _____

2. APPLICANT or AGENT (if applicable)

Name: Nelson Aggregate Co.

Mailing Address: 2433 No. 2 Side Road, P.O. Box 1070
Street/P.O. Box

Burlington ON L7R 4L8
City/Town Province Postal Code

Phone: 1 (905) 335-5250 E-mail: quinn.moyer@nelsonaggregate.com

3. PROPERTY LOCATION & INFORMATION

Municipality: See Schedule A Attached Civic/Street Address #: _____
(Fire/Emergency #)

Lot: _____ Concession: _____ and/or Lot: _____ Plan: _____

Assessment roll number or PIN: _____ Lot Size: _____

The Niagara Escarpment Plan Amendment applies to the West Extension, South Extension and Existing Quarry as noted on Schedule A.

4. PROPERTY SERVICING

Existing Road Frontage: Municipal Private

Proposed Road Frontage: Municipal Private

Existing Water Supply: Municipal Private

Proposed Water Supply: Municipal Private N/A.

Existing Sewage Disposal: Municipal Private

Proposed Sewage Disposal: Municipal Private N/A.

5. IS THE PROPOSAL THE SUBJECT OF A CURRENT APPLICATION? Please identify:

- Development Permit under Niagara Escarpment Planning and Development Act
- The Planning Act (Official Plan or Zoning By-law Amendment)
- The Aggregate Resources Act (License)
- Committee of Adjustment (Minor Variance)
- Land Division Committee (Severance)
- Other _____

6. DESCRIPTION OF THE PROPERTY

Describe the current use of the property including any existing buildings or structures:

Varied agricultural and rural land uses, including a golf course. Please see MHBC Planning Report for more information.

7. CATEGORY OF THE PROPOSED AMENDMENT:

- Change in Designation
- Change to Policy
- Request for Urban Servicing
- Change to Plan Boundary
- Other _____

8. DETAILED DESCRIPTION OF PROPOSED AMENDMENT (Please use additional page(s) as required)

Provide a detailed description of the proposed amendment:

Expansion of Nelson's Burlington Quarry. Application entails re-designation of the Subject Lands from "Escarpment Rural Area" to "Mineral Resource Extraction Area" and adding a site specific policy to the existing Burlington Quarry to allow the existing quarry to be used in conjunction with the proposed extension. See Application Booklet for a copy of the proposed Niagara Escarpment Plan Amendment.

**9. JUSTIFICATION AND RATIONALE
(INCLUDING REASONS, ARGUMENT AND EVIDENCE IN SUPPORT OF THE AMENDMENT)
(See Niagara Escarpment Plan Amendment Guidelines)**

- a) The justification submitted with the application should address the following:
1. Analysis of how the proposed amendment is consistent with the Niagara Escarpment Planning and Development Act, the Niagara Escarpment Plan, and shall be consistent with other relevant Provincial plans.
2. A justification which includes the rationale for the amendment, as well as reasons, arguments or evidence in support of the change to the Plan proposed through the amendment.

The following studies and reports may be necessary to be submitted in support of justification of the proposed amendment (The applicability of the following will depend on the nature of the application.):

- Agricultural Land Use Impacts
Air Quality Impact Assessment
Engineering Reports
Environmental Impact Study
Geological Studies
Grading Plans – Existing and proposed and Slope Stabilization Plans and Typical Cross Sections
Historical/Cultural/Archeological Impact Assessment
Hydrogeological Impact Assessment
Landscape/Visual Impact Analysis
Noise Impact Assessment
Setback from the Brow of the Escarpment
Suitable for Septic Systems
Traffic Impact Assessment
Tree Removal / Planting including Berming and Landscaping
Other:

See cover letter for list of required studies determined through pre-consultation with the NEC.

10. SITE PLAN

Please attach an accurate Site Plan drawn to scale. The Site Plan may be drawn on a blank sheet; on an attached Survey, or by using mapping software (Ontario Make a Map etc.). The Site Plan must show existing features, such as, buildings and structures, streams, changes in grades, rock outcrops, driveways, forested areas and proposed uses or changes to the property or the features.

Note: For Amendments regarding Mineral Resource Extraction Areas please provide copies of the Site Plan as required by Regulation under the Aggregates Resources Act. Enclosed are copies of the proposed Site Plans for the Burlington Quarry Extension.

11. SIGNATURES

Personal information (i.e., name, address, phone, email) is being collected under the authority of the Niagara Escarpment Planning and Development Act, RSO, 1990, as amended, and will be used to process this application, which will include site visit notifications and in some cases appeals and hearings. Questions regarding the collection and use of this personal information should be directed to the Manager, Administration at the Georgetown Office phone, email and mailing address set out on the front page of this application form.

By signing this application form below, I consent to the collection of my personal information. This information may be used in public meetings and in Public Interest Advisory Committee (PIAC) meetings. This application cannot be processed without the required signatures as set out below.

I CERTIFY THAT THIS STATEMENT IS TRUE AND CORRECT

OWNER(S): See Schedule A & B for Owners Authorization Form (Required)

DATE:

APPLICANT(S) or AGENT(S) Nelson Aggregate Co. (if different from owner)

DATE: May 7, 2020

SCHEDULE A
OWNERSHIP AND DESCRIPTION OF SUBJECT LANDS

The following properties constitute the Subject Lands within which the Nelson Burlington Quarry Extension has been proposed. The lands which form the South Extension and the Existing Quarry Site have one Registered Owner, 546958 Ontario Limited; Nelson Aggregate Co. holds signing authority for this company. The lands which form the West Extension have one Registered Owner, Bestway TV and Appliances Limited. Bestway TV and Appliances Limited has authorized Nelson Aggregate Co. to act as their agent for applications related to the quarry extension proposal; find Schedule B attached hereto.

1. The *Aggregate Resources Act License*, Region of Halton Official Plan Amendment, and City of Burlington Official Plan Amendment apply to the South Extension and the West Extension;
2. The Niagara Escarpment Plan Amendment applies to the South Extension, West Extension, and the Existing Quarry Site; and
3. The Niagara Escarpment Development Permit applies to the South Extension, West Extension, Existing Quarry Site, and the Buffer Lands.

SUBJECT LANDS

Registered Owner	Site	Civic Address	Legal Description	PIN	Approx. Area (ha)	Approx. Frontage (m)	Approx. Depth (m)	Existing Building(s) (Approx. Ground Floor Area, m ²)
546958 Ontario Limited	South Extension	2280 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990039	34.16	131 (No. 2 Side Road)	1,031	House (222) Garage/Barn (394) Shed (124)
546958 Ontario Limited	South Extension	2292 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990039	2.29	46 (No. 2 Side Road)	329	House (240) Shed 1 (105) Shed 2 (110)
546958 Ontario Limited	South Extension	2300 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990041	2.04	60 (No. 2 Side Road)	336	House (327)
546958 Ontario Limited	South Extension	2316 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990042	2.05	62 (No. 2 Side Road)	336	Shed (126)
546958 Ontario Limited	South Extension	2330 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990043	1.22	80 (No. 2 Side Road)	153	N/A
Bestway TV and Appliances Limited	West Extension	5235 Cedar Springs Road, Burlington	Part Lots 1 & 2, Concession 2	071980141	70.08	1,024 (Cedar Springs Road)	674	Clubhouse (789) Garage 1 (338) Garage 2 (301) House (416) Barn (554)
546958 Ontario Limited	Existing Quarry Site	2433 No. 2 Side Road, Burlington	Part Lots 1 & 2, Concessions 2 & 3	071980140	218.7	1,392 (No. 2 Side Road)	1,215	Various existing buildings on site; see ARA site plans.
546958 Ontario Limited	Buffer Land	2226 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990036	0.41	30 (No. 2 Side Road)	133	House (193) Shed (128)
546958 Ontario Limited	Buffer Land	2232 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990037	0.40	30 (No. 2 Side Road)	133	N/A
546958 Ontario Limited	Buffer Land	2244 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990038	0.40	50 (No. 2 Side Road)	81	House (248) Shed (24)
546958 Ontario Limited	Buffer Land	2416 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990044	39.41	314 (No. 2 Side Road)	1,035	House (309) Barn 1 (358) Barn 2 (210) Shed (74)
546958 Ontario Limited	Buffer Land	2430 No. 2 Side Road, Burlington	Part Lot 16, Concession 2 NDS	071990077	1.82	61 (No. 2 Side Road)	302	N/A
546958 Ontario Limited	Buffer Land	2473 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.45	32 (No. 2 Side Road)	142	House (130) Garage (83)
546958 Ontario Limited	Buffer Land	2479 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.43	31 (No. 2 Side Road)	142	House (154)

SCHEDULE B
BESTWAY TELEVISION AND APPLIANCES LIMITED AUTHORIZATION

I, BRADLEY BUNKOWSKY signing officer for Bestway TV and Appliances Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on lands known as 5235 Cedar Springs Road, in the City of Burlington, for which Bestway TV and Appliances Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

Bestway TV and Appliances Limited also authorizes agency staff to enter 5235 Cedar Springs Road for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature

MARCH 26/20
Date

Bestway TV and Appliances Limited

546958 ONTARIO LIMITED AUTHORIZATION

I, Quinn M. Moyer, signing officer for 546958 Ontario Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on the lands described within Schedule A attached hereto, for which 546958 Ontario Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

546958 Ontario Limited also authorizes agency staff to enter the lands described within Schedule A attached hereto for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature

May 7, 2020
Date

546958 Ontario Limited

Tab 3

FILE # _____

(For NEC office use only)

NIAGARA ESCARPMENT DEVELOPMENT PERMIT APPLICATION

(FMS #0113 - Revised August 15, 2019)

THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT, RSO, 1990, AS AMENDED

NIAGARA ESCARPMENT COMMISSION
232 Guelph Street, 3rd Floor
Georgetown, ON L7G 4B1

Phone: 905-877-5191
Fax: 905-873-7452
Website: www.escarpment.org
Email: necgeorgetown@ontario.ca

Serving the areas of:

Dufferin County (Mono)
Region of Halton
Region of Peel
Region of Niagara
City of Hamilton

NIAGARA ESCARPMENT COMMISSION
1450 7th Avenue
Owen Sound, ON N4K 2Z1

Phone: 519-371-1001
Fax: 519-371-1009
Website: www.escarpment.org
Email: necowensound@ontario.ca

Serving the areas of:

Bruce County
Grey County
Simcoe County
Dufferin County (Mulmur, Melancthon)

- Please ensure that the information you provide in this application is complete and accurate.
- Incomplete or inaccurate information will delay the processing of your application.
- Please contact your local Commission office if you have any questions about your proposal or this application.

1. OWNER (Required)

Name: See Schedule A Attached

Mailing Address: _____
Street/P.O. Box

City/Town Province Postal Code

Phone: _____ E-mail: _____

2. APPLICANT or AGENT (if applicable)

Name: Nelson Aggregate Co.

Mailing Address: 2433 No. 2 Sideroad, P.O. Box 1070
Street/P.O. Box

Burlington Ontario L7R 4L8
City/Town Province Postal Code

Phone: 1 (905) 335-5250 E-mail: quinn.moyer@nelsonaggregate.com

3. PROPERTY LOCATION & INFORMATION

Municipality: See Schedule A Attached Civic/Street Address #: _____
(Fire/Emergency #)

Lot: _____ Concession: _____ and/or Lot: _____ Plan: _____

Assessment roll number or PIN: _____ Lot Size: _____

Date the property was purchased or future date of purchase: _____

The Development Permit application applies to all lands included on Schedule 'A' (e.g. West Extension, South Extension, Existing Quarry and Buffer Lands)

4. PROPERTY SERVICING

Existing Road Frontage: Municipal Private
Existing Water Supply: Municipal Private
Existing Sewage Disposal: Municipal Private

Proposed Road Frontage: Municipal Private
Proposed Water Supply: Municipal Private N/A
Proposed Sewage Disposal: Municipal Private N/A

5. EASEMENTS, COVENANTS, AGREEMENTS

Describe the type and terms of any easements, right-of-ways, covenants, agreements or other restrictions registered on or affecting the title of the property and/or attach a copy:

Sun-Canadian Oil Pipeline Easement along the Colling Road frontage (15.24 m width, Inst. No. 83978 Q. C.).

6. EXISTING & PROPOSED DEVELOPMENT

Note: "Development" includes the construction of buildings and structures, alterations to the landscape, (e.g: placing fill, drainage alterations, pond construction or alteration), any change of use or new use (e.g: residential to commercial, new home business, etc.). If additional space is required, please include a separate attachment.

Briefly Describe the current use of the property and any existing buildings, structures, or alterations to the landscape:

Rural residential, agricultural, golf course; Please see MHBC Planning Report for additional details.

Briefly Describe any proposed changes to the use of the property and any proposed new buildings, structures, or alterations to the landscape:

The Burlington Quarry Extension is to permit aggregate extraction. The existing Burlington Quarry is to allow the existing quarry to be used in conjunction with the proposed extension and revise the rehabilitation plan. The buffer lands are for any required mitigation and monitoring. See Application Booklet for the proposed Development Permit.

Note regarding Sections 7-14:
 Depending on the type or nature of the proposed development and/or the characteristics of the property, supporting information such as Environmental Impact Studies, Landscape Plans, Lighting Plans, Visual Assessments, Grading Plans, Erosion Control Plans, Slope Stability Studies, etc., may be required in support of the following information.

7. LOT CREATION N/A

If this application involves the creation / severance of a new lot, please provide the following information:

<p>i) Existing Lot:</p> <p>Frontage _____</p> <p>Depth _____</p> <p>Size _____</p>	<p>ii) Proposed Lot:</p> <p>Frontage _____</p> <p>Depth _____</p> <p>Size _____</p>	<p>iii) Retained Lot:</p> <p>Frontage _____</p> <p>Depth _____</p> <p>Size _____</p>	<p>iv) Use of new Lot</p> <p><input type="checkbox"/> Agricultural</p> <p><input type="checkbox"/> APO</p> <p><input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Conservation</p> <p><input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Lot Addition</p> <p><input type="checkbox"/> Recreational</p> <p><input type="checkbox"/> Residential</p>
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8. CONSTRUCTION DETAILS

PLEASE NOTE

Ground Floor Area: The total exterior measurements of any building, including attached garages and enclosed decks (as applicable).

Total Floor Area: Is based on the exterior measurements of the building and includes the total of the ground floor area (including attached garages, etc), plus walkout basements, plus full or half second storeys, etc.

Maximum Height: is measured from the lowest grade (e.g., walkout side), to the peak of the roof.

Please provide a description of all existing and proposed development in the following fields:

Use of Structure	Existing, Proposed, or to be Demolished	Ground Floor Area (footprint)	Total Floor Area (all storeys and walkouts)	# of Storeys	Maximum Height (lowest grade to peak)
See Schedule A and enclosed Burlington Quarry Extension Site Plans					

Amount of fill to be imported to facilitate the proposed development (if required): _____

9. ACCESSORY FACILITIES, STRUCTURES, FILLING, GRADING, UTILITIES, INFRASTRUCTURE etc.

(e.g: Driveways, Decks, Gazebos, Swimming Pools, Tennis Courts, Lighting, Signs, Wind Turbines, Solar Panels, Hydro Poles/Lines, Retaining Walls, Placement of Fill, Cutting and Filling, Grading, Berms, Parking Areas, Tree/Site Clearing, etc.) (See next page for Ponds)

Describe and **provide information** such as: dimensions, size, height, amount of fill etc.

Accessory facilities and structures at the existing quarry will be used in conjunction with the proposed extension. See Application Booklet for the proposed Development Permit.

10. HOME BUSINESS, CHANGE OF USE, NEW USE

(e.g): Establishing a **Home Business, Home Occupation, Home Industry** or **Bed and Breakfast** business.
 Converting or changing the use or establishing a new use on a property or within any dwelling building or structure on a property.)

Describe the proposed business or new use and **provide information** such as:
 Type of business or use, size or area of building &/or land to be occupied or altered by the use, construction or alteration details, number of employees, access, parking, storage details, sales, hours of operation, signage, etc.

N/A

Note: A separate, detailed, business overview or plan should be provided.

11. PONDS – NEW POND / EXISTING POND WORK – DREDGING, MAINTAINACE, REPAIR etc.

The following information is the minimum information that is required for pond construction or alteration/maintenance. Generally, a hydrology/hydrogeology report and/or an environmental impact assessment is also required.

Pond is: Proposed Existing
Use of Pond: Recreation Irrigation/farm Other Recharge _____
Water Source: Offline (Precipitation/run-off) Online (stream, groundwater)
Size of Pond: Water Surface Area 4.3 ha Depth of Water +/- 2.5 m deep

Provide a description of the proposed pond related development:

A new pond is proposed along the western boundary of the West Extension. The pond is to provide a recharge function and will be supplied by precipitation and discharge from the existing quarry.

Note: Additional construction details including inflow, outflow, emergency outflow, spillway details, type of construction, height and width of banks, erosion/sediment control measures, placement of excavated materials, and finished grading and landscaping should be shown on the submitted site plan and building details.

See Burlington Quarry Extension Site Plans.

12. AGRICULTURAL DEVELOPMENT

Indicate and describe if your proposal involves agricultural land or uses such as:
On-farm Diversified Uses, Agricultural Related Uses, Dwelling Units Accessory to Agricultural Uses, New Dwelling in Agricultural Areas (near barns – MDS I), Livestock Facilities (MDS II), Equestrian Facilities (arenas, riding rings, events), Farm Ponds, Winery and Winery Events, 'Agricultural Purposes Only' (APO) lot creation:

N/A

Note: Additional detailed information may be required.

13. RADIO OR TELECOMMUNICATIONS FACILITY IN THE AREA OF THE NIAGARA ESCARPMENT PLAN

Provide a detailed description of the radio or telecommunications proposal including construction details/building plans and elevations (Please use additional pages or attachments as required):

N/A

Provide a justification and rationale, including reasons, argument and evidence in support of the radio telecommunications proposal. Depending on the nature of the proposal and/or characteristics of the property, supporting information such as Landscaping Plans, Visual Assessment Analysis, Erosion Control Plans, Grading Plans, Environmental Impact Studies, or A Needs Assessment/Site Alternatives Report may be required:

N/A

Note: This information in Section 13 is being collected in accordance with the Niagara Escarpment Commission's *Consultation Protocol for Radiocommunication and Broadcasting Antenna Systems in the Niagara Escarpment Plan Area*. A site visit to the property may be conducted to review this proposal, with notice to the applicant, in order to provide advice to Industry Canada on new radio and telecommunications facilities.

14. OTHER INFORMATION

Provide any additional information to clarify your proposal may be submitted here or on a separate attachment:

Please see MHBC Planning Report, Burlington Quarry Extension Site Plans and proposed Development Permit in Application Booklet.

15. SIGNATURES

Personal information (i.e., name, address, phone, email) is being collected under the authority of the *Niagara Escarpment Planning and Development Act, RSO, 1990, as amended*, and will be used to process this application, which will include site visit, notifications, and in some cases appeals and hearings. Questions regarding the collection and use of this personal information should be directed to the Manager, Administration at the Georgetown Office phone, email and mailing address set out on the front page of this application form.

By signing this application form below, I consent to the collection of my personal information. **This application cannot be processed without the required signatures as set out below.**

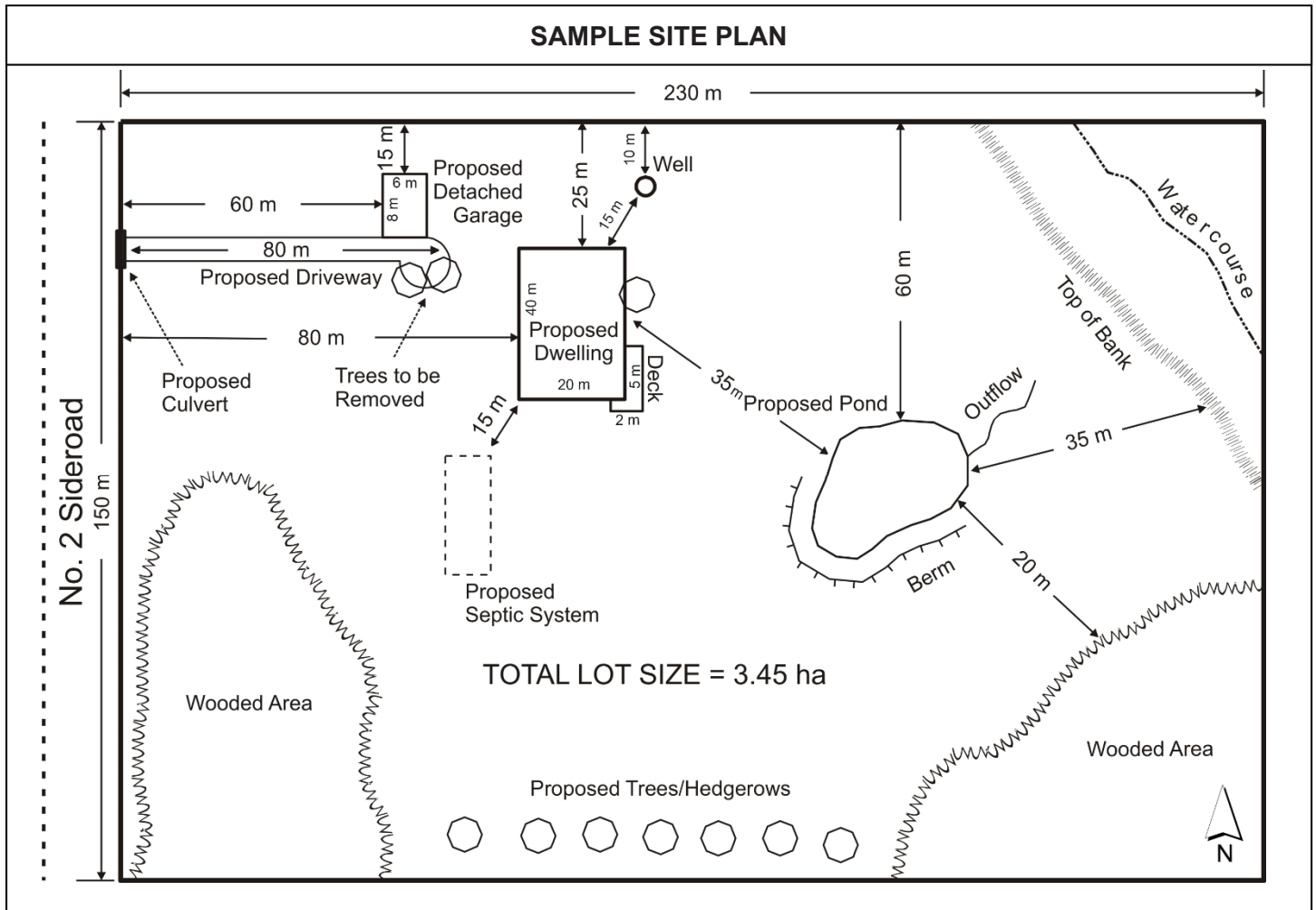
I CERTIFY THAT THIS STATEMENT IS TRUE AND CORRECT

OWNER(S): See Schedule A & B for Owners Authorization Form
(Required) _____

DATE: _____

APPLICANT(S) or AGENT(S) _____
(if different from owner) Nelson Aggregate Co.

DATE: May 7, 2020



An accurate Site Plan must be provided. The Site Plan may be drawn on a blank sheet; on an attached Survey, or by using mapping software (Ontario Make a Map etc.)

Please refer to the **SAMPLE SITE PLAN** above.

Your SITE PLAN must show the following information:

- Location of all proposed and existing development including:
 - existing and proposed main buildings, accessory buildings, facilities, structures;
 - driveway, septic system, well, hydro lines, parking areas;
 - proposed grading, cut and/or fill areas, berms, filling, retaining walls, culverts, etc.
- Measurements showing distance from all proposed development to:
 - front, side and rear lot lines;
 - streams, wetlands, ponds; woods, fence lines, cliff edges, top of slope or bank, etc;
 - nearest barn.
- Lot frontage and depth measurements and total size.
- If your application involves severance of a proposed new lot, show the location, dimension and size of the proposed lot in relation to the existing lot.
- North arrow (have the north portion of your lot located at the top of the page).

See enclosed Burlington Quarry Extension Site Plans

SCHEDULE A
OWNERSHIP AND DESCRIPTION OF SUBJECT LANDS

The following properties constitute the Subject Lands within which the Nelson Burlington Quarry Extension has been proposed. The lands which form the South Extension and the Existing Quarry Site have one Registered Owner, 546958 Ontario Limited; Nelson Aggregate Co. holds signing authority for this company. The lands which form the West Extension have one Registered Owner, Bestway TV and Appliances Limited. Bestway TV and Appliances Limited has authorized Nelson Aggregate Co. to act as their agent for applications related to the quarry extension proposal; find Schedule B attached hereto.

1. The *Aggregate Resources Act License*, Region of Halton Official Plan Amendment, and City of Burlington Official Plan Amendment apply to the South Extension and the West Extension;
2. The Niagara Escarpment Plan Amendment applies to the South Extension, West Extension, and the Existing Quarry Site; and
3. The Niagara Escarpment Development Permit applies to the South Extension, West Extension, Existing Quarry Site, and the Buffer Lands.

SUBJECT LANDS

Registered Owner	Site	Civic Address	Legal Description	PIN	Approx. Area (ha)	Approx. Frontage (m)	Approx. Depth (m)	Existing Building(s) (Approx. Ground Floor Area, m ²)
546958 Ontario Limited	South Extension	2280 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990039	34.16	131 (No. 2 Side Road)	1,031	House (222) Garage/Barn (394) Shed (124)
546958 Ontario Limited	South Extension	2292 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990039	2.29	46 (No. 2 Side Road)	329	House (240) Shed 1 (105) Shed 2 (110)
546958 Ontario Limited	South Extension	2300 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990041	2.04	60 (No. 2 Side Road)	336	House (327)
546958 Ontario Limited	South Extension	2316 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990042	2.05	62 (No. 2 Side Road)	336	Shed (126)
546958 Ontario Limited	South Extension	2330 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990043	1.22	80 (No. 2 Side Road)	153	N/A
Bestway TV and Appliances Limited	West Extension	5235 Cedar Springs Road, Burlington	Part Lots 1 & 2, Concession 2	071980141	70.08	1,024 (Cedar Springs Road)	674	Clubhouse (789) Garage 1 (338) Garage 2 (301) House (416) Barn (554)
546958 Ontario Limited	Existing Quarry Site	2433 No. 2 Side Road, Burlington	Part Lots 1 & 2, Concessions 2 & 3	071980140	218.7	1,392 (No. 2 Side Road)	1,215	Various existing buildings on site; see ARA site plans.
546958 Ontario Limited	Buffer Land	2226 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990036	0.41	30 (No. 2 Side Road)	133	House (193) Shed (128)
546958 Ontario Limited	Buffer Land	2232 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990037	0.40	30 (No. 2 Side Road)	133	N/A
546958 Ontario Limited	Buffer Land	2244 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990038	0.40	50 (No. 2 Side Road)	81	House (248) Shed (24)
546958 Ontario Limited	Buffer Land	2416 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990044	39.41	314 (No. 2 Side Road)	1,035	House (309) Barn 1 (358) Barn 2 (210) Shed (74)
546958 Ontario Limited	Buffer Land	2430 No. 2 Side Road, Burlington	Part Lot 16, Concession 2 NDS	071990077	1.82	61 (No. 2 Side Road)	302	N/A
546958 Ontario Limited	Buffer Land	2473 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.45	32 (No. 2 Side Road)	142	House (130) Garage (83)
546958 Ontario Limited	Buffer Land	2479 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.43	31 (No. 2 Side Road)	142	House (154)

SCHEDULE B
BESTWAY TELEVISION AND APPLIANCES LIMITED AUTHORIZATION

I, BRADLEY BUNKOWSKY signing officer for Bestway TV and Appliances Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on lands known as 5235 Cedar Springs Road, in the City of Burlington, for which Bestway TV and Appliances Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

Bestway TV and Appliances Limited also authorizes agency staff to enter 5235 Cedar Springs Road for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature


MARCH 26/20
Date

Bestway TV and Appliances Limited

546958 ONTARIO LIMITED AUTHORIZATION

I, Quinn M. Moyer, signing officer for 546958 Ontario Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on the lands described within Schedule A attached hereto, for which 546958 Ontario Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

546958 Ontario Limited also authorizes agency staff to enter the lands described within Schedule A attached hereto for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature

May 7, 2020
Date

546958 Ontario Limited

Tab 4



THE REGIONAL MUNICIPALITY OF HALTON

**APPLICATION FOR A
REGIONAL OFFICIAL PLAN AMENDMENT
under Subsection 22(1) of the Planning Act**

NOTE TO APPLICANTS:

This application form is to be used to request an amendment to the Regional Official Plan. In this form, the term "Subject Land" means the land that is subject of the requested amendment.

Note: This form is only to request a Regional Official Plan Amendment. For any concurrent applications for a Local Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision or Condominium approval, PLEASE USE THE LOCAL APPLICATION FORM(S) which can be obtained from the Local Municipality.

Completeness of the Application:

The information in this application form that must be provided by the applicant and which is prescribed by Ontario Regulation 543/06 of the Planning Act is indicated in *italics*. **This prescribed information must be provided in full along with the appropriate fee.**

Subsection 22(6) of the Planning Act and Regional Official Plan Amendment No. 33 also allow the Region to require additional information (eg. technical information and reports) that will assist in the planning evaluation of the proposal. This additional information is identified through a Pre-consultation Meeting with the applicant prior to submission of this application. **This additional information must also be submitted with the application.**

All applicable questions on this form should be answered or identified as Not Applicable with an explanation as to why. In accordance with subsection 22(6.1) of the Planning Act, this application will not be deemed complete/accepted and further consideration of this application will not occur until the required information and fee have been submitted.

Submission of the Application:

The Applicant must consult with Regional Planning Services staff (Pre-Consultation Meeting) prior to submission of the following:

- 1 Preconsultation Form completed by appropriate Regional Planning Services staff
- 15 copies of the completed application form (including 1 with original signatures). **Please Type or Print.**
- 3 copies of the information/reports **as required in certain sections of this application form and as identified in the Pre-consultation Meeting** (unless the applicant is requested to submit more copies at the meeting). The nature of the information/reports varies with the type of land uses proposed and the existing land use and topographic features.
- Drawing information as required by the Region (**identified in the Region's guidelines**)
- Application Fee
- 5 copies of the Proposed Amendment *See cover letter for list of required studies through pre-consultation with the Region.*

This information will be used to evaluate the application in consultation with the appropriate public bodies. Where the scale or nature of the requested amendment appear to affect the interests of a large number of public bodies, additional copies of the above-noted information may be required. Contact the Planning Services Division, Current Planning Section at the Region to set up a Pre-Consultation meeting: Region of Halton, (905) 825-6000 ext. 7764.

The Application Fee shall be used to pay all planning and associated costs covered by this application form with the exception of costs for signage (if required) relating to the Notice of Complete Application and the Notice of Public Meeting and costs for the peer review of certain studies (if required).

Office Use Only

Date Received	Date Complete	File No.	Fee(s) Paid

1. Applicant Information

1.1 Complete the information below and indicate one contact as the Prime Contact. **All communications will be directed to the Prime Contact.**

Quinn Moyer, Nelson Aggregate Co. (Name of Prime Contact).

<i>NAME</i>	<i>ADDRESS</i>	<i>PHONE/FAX/Email</i>
<i>Registered Owner(s)* See Schedule A attached.</i>		<i>Bus.</i>
		<i>Fax</i>
		<i>Email</i>
<i>Applicant(s) Nelson Aggregate Co.</i>	<i>2433 No. 2 Sideroad P.O. Box 1070 Burlington, ON L7R 4L8</i>	<i>Bus. (905) 335-5250</i>
		<i>Fax</i>
		<i>Email quinn.moyer@nelsonaggregate.com</i>
<i>Agent (e.g., Planning Consultant) Nelson Aggregate Co.</i>	<i>2433 No. 2 Sideroad P.O. Box 1070 Burlington, ON L7R 4L8</i>	<i>Bus. (905) 335-5250</i>
		<i>Fax</i>
		<i>Email quinn.moyer@nelsonaggregate.com</i>
<i>Solicitor</i>		<i>Bus.</i>
		<i>Fax</i>
		<i>Email</i>
<i>Other(Specify)</i>		<i>Bus.</i>
		<i>Fax</i>
		<i>Email</i>

* If a numbered company, please give name and phone number(s) and email address of principal owner (or president).

2. Location of Property See Schedule A attached. The Region of Halton Official Plan Amendment applies to the South Extension and West Extension.

<i>Lot(s)/Block(s)</i>	<i>Concession</i>	<i>Registered Plan #</i>	<i>Former Township</i>
<i>Reference Plan No.</i>	<i>Part(s)</i>	<i>Parcel No.</i>	<i>Assessment Roll # :</i>
<i>Municipal Address</i>			

2.1 **Particulars of the Subject Land:** (See Schedule A attached)

<i>Frontage (m)</i>	<i>Depth(m)</i>	<i>Area (sq. m)</i>

3. Existing and Previous Use(s) of the Subject Land

3.1 What is the existing use(s) of the Subject Land?

Varied agricultural and rural land uses, including a golf course; please see the MHBC's planning report for more information.

3.2 What was the previous use(s) of the Subject Land, if known?

Rural residential, agricultural, and a golf course; please see the MHBC's planning report for more information.

- 3.3 Is the Subject Land (or Buildings) subject to a Demolition Control By-law or is it either Designated or identified for possible Designation under the Ontario Heritage Act? Yes No

4. Proposed Use of the Subject Lands (attach any additional information on a separate page)

- 4.1 What is the proposed use(s) of the Subject Land?

Mineral aggregate extraction; please see the MHBC's planning report for more information.

- 4.2 Indicate Existing Land Uses on Abutting Properties

North	<i>Mineral aggregate extraction, rural (incl. rural residential), and agricultural. See MHBC's planning report for more information.</i>
South	<i>Rural (incl. rural residential), a golf course, and agricultural. See MHBC's planning report for more information.</i>
East	<i>Mineral aggregate extraction, rural (incl. rural residential), and agricultural. See MHBC's planning report for more information.</i>
West	<i>Mineral aggregate extraction, rural (incl. rural residential), a golf course, and agricultural. See MHBC's planning report for more information.</i>

5. Requested Official Plan Amendment

For Sections 5.1, 5.2 and 5.3 below, check the appropriate boxes and complete the sections. Depending on the purpose of the proposed amendment, more than one box may need to be checked.

Read Section 5.4 below and attach the required Planning Justification for the amendment.

- 5.1 An Official Plan Amendment that requests to change, delete, or replace an approved Official Plan Policy or to add a new policy to the Official Plan.
- a) Describe the purpose of the requested amendment.
- b) Identify the policy to be changed, replaced or deleted (if any).
- c) What is the current Official Plan land use designation on the subject land?
- d) What land uses are permitted by the current Official Plan designation on the subject land?
- e) What land uses would the requested amendment permit on the subject land?
- f) The text of the requested amendment must be included with this application if a policy is being changed, replaced or deleted in the Official Plan or if a new policy is being added to the Official Plan.
- Is the text attached? Yes No
- 5.2 An Official Plan Amendment that requests to change or replace the approved Official Plan land use designation on the subject land.
- a) Describe the purpose of the requested amendment.
- Expansion of Nelson's Burlington Quarry. Application entails re-designation of the Subject Lands under Maps 1, 1A, 1D, 1E, 1F, and 1G of the Region of Halton Official Plan. See Application Booklet for a copy of the proposed Region of Halton Official Plan Amendment.*
- b) What is the current Official Plan land use designation of the subject land?
- Agricultural Area and Regional Natural Heritage System; please see MHBC's planning report for more information.*

- c) What land uses are permitted by the current Official Plan land use designation on the subject land?

Varied agricultural and rural land uses as well as a golf course; please see MHBC's planning report for more information.

- d) What is the requested land use designation on the subject Land?

Mineral Resource Extraction Area; please see MHBC's planning report for more information.

- e) What land uses will be permitted by the requested designation on the subject land?

Mineral resource extraction operations; please see MHBC's planning report for more information.

- 5.3 A requested Official Plan Amendment that changes or replaces a schedule in the Official Plan.

- a) The requested schedule and the text that accompanies the requested amendment must be included with this application.

Is the schedule and text attached? Yes No *See Application Booklet*

- 5.4 Planning Justification

A Planning Justification **must** be submitted with this application to amend the Regional Official Plan (attach a separate report as directed during the Pre-consultation Meeting). The Planning Justification should address, but not be limited to, why the requested amendment is desirable and how it relates to the overall goals and objectives of the Regional Official Plan, and consistency/conformity with Provincial Policy Statements, Plans and legislation.

Is the required Planning Justification attached? Yes No

6. Status of other Planning Applications

- 6.1 *Are there any existing, (or have there been previous applications) under the Planning Act, the Ontario Planning and Development Act or the Niagara Escarpment Planning and Development Act such as for approval of (check any that are applicable):*

Local Official Plan Amendment

Zoning by-law

Minister's Zoning Order

Plan of subdivision

Plan of condominium

Minor variance

Consent

Site Plan

Development Permit

Niagara Escarpment Development Permit or Plan Amendment

Parkway Belt West Plan Amendment

a) that is the subject land? Yes No

b) that is within 120 metres of the subject land? Yes No

c) if Yes to a) or b), and if known, list below or attach on a separate page:

Nelson Aggregate Co. previously (2004) applied for an upper-tier Official Plan Amendment, lower-tier Official Plan Amendment, Niagara Escarpment Plan Amendment, and a Niagara Escarpment Development Permit which encompassed part of the South Extension land and Existing Quarry. This application would have previously facilitated the extension to the Nelson Burlington Quarry, but was denied through Joint Board Decision in October of 2012.

The existing Burlington Quarry has been subject to various Niagara Escarpment Development Permits since Development control was introduced.

The Nelson Burlington Quarry has existed in proximity to various rural residential uses and the Mount Nemo Settlement Area for 50 years. During this time, there have been various applications for consent, plan of subdivision and Niagara Escarpment Development Permits. See Figure 18 of the MHBC Planning report for an illustration of lots created since 1960.

Approval authority:

Type of application(s) and the file number(s):

Legal description of the land that is the subject of the application(s):

Purpose of the application(s) and the effect of the application(s) on the requested Official Plan Amendment:

Status of the application(s):

7. Servicing

7.1 Indicate the proposed servicing type for the subject land.

a) Water Supply

- Publicly Owned and Operated Piped Water Private Well Other, Specify: **N/A.**

b) Sewage Disposal

- Publicly Owned And Operated Sanitary Sewer Septic System* Other, Specify: **N/A.**

***Note:** If a privately owned and operated individual or communal septic system is proposed and more than 4,500 litres of effluent per day would be produced, a Servicing Options Report and a Hydrogeological Report **must** be submitted with the application.

c) Road Access and/or Frontage (please specify name and type):

Name of the Road No. 2 Side road.

- Local Municipal Road Regional Municipal Road
 Provincial Highway Private Road

d) Storm Drainage

Indicate the proposed Storm Drainage System (e.g., sewers, ditches, swales)

The existing quarry and proposed extension are dewatered and proposed to provide water to ditches, swales, watercourses and wetlands. See Burlington Quarry Extension Site Plans and Adaptive Management Plan.

7.2 Is the requested plan amendment consistent with the recommendations of the watershed plan, if any?

Yes If yes, specify name of plan: _____

No

Not Applicable

The Regional Plan requires the applicable policies of a watershed plan to be incorporated into the Region of Halton Official Plan. For this area, no specific policies have been incorporated.

7.3 Does the requested plan amendment conform to the master drainage, sub-watershed or shoreline management plan, if any?

Yes If yes, specify name of plan: _____

No

Not Applicable

The Regional Plan requires the applicable policies of a subwatershed plan to be incorporated into the Region of Halton Official Plan. For this area, no specific policies have been incorporated.

8. Provincial Policy/Provincial Plans

NOTE: The Region is responsible for protecting provincial land use policy interests (as per Memorandum of Understanding between the Province and the Region, April 1/96)

8.1 Is this application consistent with the Policy Statements issued under subsection 3(1) of the Planning Act?

Yes No

8.2 Is the subject land within an area designated under any of the following Provincial Plans?

- | | | | |
|----------------------------------|---|--|---|
| Places to Grow Growth Plan (P2G) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | (Applies to all lands in Region) |
| Greenbelt Plan | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <i>Based on the Policy framework of the Growth Plan and Greenbelt Plan, since the site is also located within the Niagara Escarpment Plan the policies of the Niagara Escarpment Plan apply to this site.</i> |
| Niagara Escarpment Plan | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Parkway Belt West Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Other (Specify) _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

8.3 Explain in the Planning Justification as required in Section 5.4 of this application, whether the requested Official Plan Amendment conforms to or does not conflict with the provincial plan or plans in Section 8.2 above. *See MHBC Planning Report*

8.4 Explain in the Planning Justification as required in Section 5.4 of this application, how the requested Official Plan Amendment is consistent with the Provincial Policy Statement (PPS). *See MHBC Planning Report*

8.5 Is this application to alter all or any part of the boundary of an area of settlement in a local municipality or to establish a new area of settlement in a local municipality?

Yes No

If Yes, provide the current Regional Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement as part of the Planning Justification as required in Section 5.4 of this application.

8.6 Is this application to remove the Subject Land from an area of employment?

Yes No

If Yes, provide the current Regional Official Plan policies, if any, dealing with the removal of land from an area of employment as part of the Planning Justification as required in Section 5.4 of this application.

9. Environmental Site Screening Questionnaire

An Environmental Site-Screening Questionnaire addressing possible soil contamination **must** be submitted with this application.

Is an Environmental Site-Screening Questionnaire attached?

Yes No

Two Site Screening Questionnaires have been attached. One for the South Extension and one for the West Extension.

10. Other Information

Is there is any other information that may be useful to the Region/Local Municipality or other public bodies in reviewing this requested Official Plan Amendment (e.g., efforts made to resolve outstanding objections or concerns, consultation with First Nations)? If so, please attach to this application.

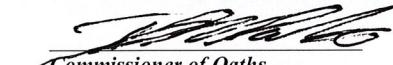
See cover letter for list of technical reports submitted with the application.

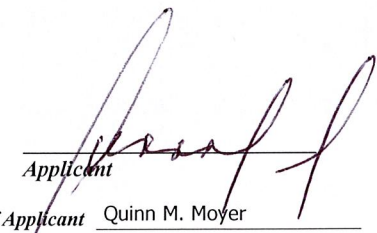
AFFIDAVIT OR SWORN DECLARATION

Affidavit or Sworn Declaration

I, Quinn M. Moyer of the KING CITY
in the TOWNSHIP OF KING
make oath and say (or solemnly declare) that the information contained in this application is true and
that the information contained in the documents that accompany this application is true, and I make this
solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and
effect as if made under oath, and by virtue of the "Canada Evidence Act".

Sworn (or declared) before me
at the CITY OF KING
in the REGION OF YORK
this 7th day of May 2020


Commissioner of Oaths
D.S. WHITE RC


Applicant
Quinn M. Moyer

Please PRINT name of Applicant Quinn M. Moyer

ACKNOWLEDGEMENT OF APPLICANT

Personal information on this form is collected under the authority of the Planning Act and will be used by the Region
in the processing of Official Plan Amendment applications. The information may be used by other departments and
public bodies for the purpose of assessing the proposal and preparing comments. This information may also be
released to the public. Questions about the collection of this information should be directed to Region's Planning
Services Division (phone number on page 1).

OWNERS AUTHORIZATION (If the Owner is NOT the Applicant)
(if multiple owners, an Authorization from each Owner is required)

See attached Schedule A and B for owners authorization

I,(we) _____, being the Registered
(name(s) of Owners(s))
Owner(s) of the subject land, hereby authorize, _____
(name of Agent)
to prepare and submit an Official Plan Amendment application for approval.

Signature Date

NOTE: If the owner is an incorporated company, the Company Seal shall be applied (if there is one).



Planning & Public Works
 Tel: 905-825-6000 Fax: 905-825-8822
 Toll Free: 1-866-4HALTON (1-866-442-5866)
 www.halton.ca

Environmental Site-Screening Questionnaire

See Schedule A;

Legal/Municipal Address West Extension Applicant: Nelson Aggregate Co.

1. Was the subject property ever used for industrial purposes? yes no uncertain
2. Was the subject property ever used for commercial purposes that may have caused contamination (e.g. gasoline station, dry cleaners, etc.)? yes no uncertain
3. Has fill ever been placed on the property? yes no uncertain
As part of golf course construction.
4. Is there any reason to believe that the subject property is potentially contaminated based on historic use of the property or a neighbouring lot located within 100m of the property? yes no uncertain
5. Are there or were there ever any above-ground or underground storage tanks or waste disposal activities on the property? yes no uncertain
Above ground storage tanks at the golf course.
6. For existing or previous buildings on the property, are there building materials that may be potentially hazardous to human health (i.e. asbestos, lead-based paints, etc.)? yes no uncertain
7. For agricultural properties, were pesticides or herbicides ever applied to the property? yes no uncertain N/A.
8. Have any of the buildings on the property been heated by fuel oil? yes no uncertain
9. Is the land use changing to a more sensitive land use (e.g. industrial/commercial to residential/institutional)? yes no uncertain
Note: Daycare uses are defined in O.Reg.153/04 as institutional.

General Information:

1. Have any environmental documents (e.g. Phase I and II Environmental Site Assessments, Records of Site Condition, etc) ever been prepared for the property? If yes, please submit these documents in digital and hardcopy format with your application together with a letter of reliance granting third party reliance on the documents to the Region of Halton. yes no
Environmental and water resource reports have been submitted as part of the application and form part of the public record. These reports can be Relied upon by the region.

Certification

I, Bestway TV and Appliances Limited am the registered owner of the land that is the subject of this document and to the best of my knowledge, the information provided in this questionnaire is true.

Sworn (or declared) and stamped before me Navid Dehghani
Commissioner of Oaths (Print Name)

in the Burlington City/Town/Municipality, this 26 Day of March Month, 2020 Year

[Signature]
 Commissioner of Oaths (Signature)

[Signature]
 Registered Owner (Signature)



Planning & Public Works
 Tel: 905-825-6000 Fax: 905-825-8822
 Toll Free: 1-866-4HALTON (1-866-442-5866)
www.halton.ca

Environmental Site-Screening Questionnaire

See Schedule A;

Legal/Municipal Address South Extension Applicant: Nelson Aggregate Co.

1. Was the subject property ever used for industrial purposes? yes no uncertain
 2. Was the subject property ever used for commercial purposes that may have caused contamination (e.g. gasoline station, dry cleaners, etc.) yes no uncertain
 3. Has fill ever been placed on the property? yes no uncertain
 4. Is there any reason to believe that the subject property is potentially contaminated based on historic use of the property or a neighbouring lot located within 100m of the property? yes no uncertain
 5. Are there or were there ever any above-ground or underground storage tanks or waste disposal activities on the property? yes no uncertain
 6. For existing or previous buildings on the property, are there building materials that may be potentially hazardous to human health (i.e. asbestos, lead-based paints, etc.)? yes no uncertain
 7. For agricultural properties, were pesticides or herbicides ever applied to the property? yes no uncertain
 8. Have any of the buildings on the property been heated by fuel oil? yes no uncertain
 9. Is the land use changing to a more sensitive land use (e.g. industrial/commercial to residential/institutional)? yes no uncertain
- Note: Daycare uses are defined in O.Reg.153/04 as institutional.

General Information:

1. Have any environmental documents (e.g. Phase I and II Environmental Site Assessments, Records of Site Condition, etc) ever been prepared for the property? If yes, please submit these documents in digital and hardcopy format with your application together with a letter of reliance granting third party reliance on the documents to the Region of Halton.

yes no

Environmental and water resource reports have been submitted as part of the application and form part of the public record. These reports can be relied upon by the Region.

Certification

I, 546958 Ontario Limited am the registered owner of the land that is the subject of this document and to the best of my knowledge, the information provided in this questionnaire is true.

Sworn (or declared) and stamped before me DAVID S. WHITE Q.C.
 Commissioner of Oaths (Print Name)

in the CITY OF KING, this 7th day of May 2020
 City/Town/Municipality Day Month Year

Commissioner of Oaths (Signature)

Registered Owner (Signature)

SCHEDULE A
OWNERSHIP AND DESCRIPTION OF SUBJECT LANDS

The following properties constitute the Subject Lands within which the Nelson Burlington Quarry Extension has been proposed. The lands which form the South Extension and the Existing Quarry Site have one Registered Owner, 546958 Ontario Limited; Nelson Aggregate Co. holds signing authority for this company. The lands which form the West Extension have one Registered Owner, Bestway TV and Appliances Limited. Bestway TV and Appliances Limited has authorized Nelson Aggregate Co. to act as their agent for applications related to the quarry extension proposal; find Schedule B attached hereto.

1. The *Aggregate Resources Act License*, Region of Halton Official Plan Amendment, and City of Burlington Official Plan Amendment apply to the South Extension and the West Extension;
2. The Niagara Escarpment Plan Amendment applies to the South Extension, West Extension, and the Existing Quarry Site; and
3. The Niagara Escarpment Development Permit applies to the South Extension, West Extension, Existing Quarry Site, and the Buffer Lands.

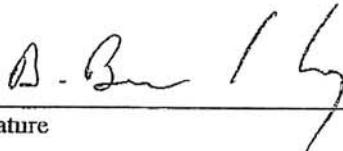
SUBJECT LANDS

Registered Owner	Site	Civic Address	Legal Description	PIN	Approx. Area (ha)	Approx. Frontage (m)	Approx. Depth (m)	Existing Building(s) (Approx. Ground Floor Area, m ²)
546958 Ontario Limited	South Extension	2280 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990039	34.16	131 (No. 2 Side Road)	1,031	House (222) Garage/Barn (394) Shed (124)
546958 Ontario Limited	South Extension	2292 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990039	2.29	46 (No. 2 Side Road)	329	House (240) Shed 1 (105) Shed 2 (110)
546958 Ontario Limited	South Extension	2300 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990041	2.04	60 (No. 2 Side Road)	336	House (327)
546958 Ontario Limited	South Extension	2316 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990042	2.05	62 (No. 2 Side Road)	336	Shed (126)
546958 Ontario Limited	South Extension	2330 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990043	1.22	80 (No. 2 Side Road)	153	N/A
Bestway TV and Appliances Limited	West Extension	5235 Cedar Springs Road, Burlington	Part Lots 1 & 2, Concession 2	071980141	70.08	1,024 (Cedar Springs Road)	674	Clubhouse (789) Garage 1 (338) Garage 2 (301) House (416) Barn (554)
546958 Ontario Limited	Existing Quarry Site	2433 No. 2 Side Road, Burlington	Part Lots 1 & 2, Concessions 2 & 3	071980140	218.7	1,392 (No. 2 Side Road)	1,215	Various existing buildings on site; see ARA site plans.
546958 Ontario Limited	Buffer Land	2226 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990036	0.41	30 (No. 2 Side Road)	133	House (193) Shed (128)
546958 Ontario Limited	Buffer Land	2232 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990037	0.40	30 (No. 2 Side Road)	133	N/A
546958 Ontario Limited	Buffer Land	2244 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990038	0.40	50 (No. 2 Side Road)	81	House (248) Shed (24)
546958 Ontario Limited	Buffer Land	2416 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990044	39.41	314 (No. 2 Side Road)	1,035	House (309) Barn 1 (358) Barn 2 (210) Shed (74)
546958 Ontario Limited	Buffer Land	2430 No. 2 Side Road, Burlington	Part Lot 16, Concession 2 NDS	071990077	1.82	61 (No. 2 Side Road)	302	N/A
546958 Ontario Limited	Buffer Land	2473 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.45	32 (No. 2 Side Road)	142	House (130) Garage (83)
546958 Ontario Limited	Buffer Land	2479 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.43	31 (No. 2 Side Road)	142	House (154)

SCHEDULE B
BESTWAY TELEVISION AND APPLIANCES LIMITED AUTHORIZATION

I, BRADLEY BUNKOWSKY signing officer for Bestway TV and Appliances Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on lands known as 5235 Cedar Springs Road, in the City of Burlington, for which Bestway TV and Appliances Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

Bestway TV and Appliances Limited also authorizes agency staff to enter 5235 Cedar Springs Road for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature

MARCH 26/20
Date

Bestway TV and Appliances Limited

546958 ONTARIO LIMITED AUTHORIZATION

I, Quinn M. Moyer, signing officer for 546958 Ontario Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on the lands described within Schedule A attached hereto, for which 546958 Ontario Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

546958 Ontario Limited also authorizes agency staff to enter the lands described within Schedule A attached hereto for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature

May 7, 2020
Date

546958 Ontario Limited

Tab 5



**APPLICATION FOR
AN OFFICIAL PLAN AMENDMENT and/or ZONING BY-LAW AMENDMENT
under Subsection 22(1) and/or 34 of the Planning Act
(A PRIVATELY INITIATED APPLICATION)**

NOTE TO APPLICANTS:

This application form is to be used to request amendments to the land use designations (City Official Plan and/or zoning) for a specific property. It is also to be used for any proposal to amend existing approved Official Plan policy. In this form, the term "subject land" means the land that is the subject of the proposed amendment.

N.B. If this application is being made concurrently with a Draft Plan of Subdivision or Condominium, PLEASE ALSO COMPLETE AND SUBMIT THE SUBDIVISION/ CONDOMINIUM APPLICATION FORM which can be obtained from the City of Burlington.

SUBMISSION OF THE APPLICATION:

The Applicant must consult with City and Regional Planning staff at a Preconsultation Meeting prior to submitting an application for Official Plan Amendment or Zoning By-law Amendment.

If no Preconsultation Meeting has occurred, please contact the Community Planning Department at (905) 335-7642 to set up a formal Preconsultation meeting before completing this application form.

COMPLETENESS OF THE APPLICATION:

If the prescribed information and fee outlined in the Preconsultation Form and meeting notes are not provided, the City will return the application or refuse to further consider the application until the prescribed information and the fee are provided.

All applicable questions on this application form should be answered or identified as Not Applicable with an explanation as to why. In the absence of the required information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result the proposal may be denied.



**Application for Planning Document Amendment:
Official Plan and Zoning By-law**

Office Use Only

Date Received	File No(s)
---------------	------------

Application For: City Official Plan
 Zoning By-law

1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate one contact as the Prime Contact (PC). All communications will be directed to the Prime Contact.

NAME	ADDRESS	PHONE/FAX
<i>Registered Owner(s)*</i> See Schedule A Attached.		<i>Bus.</i> <i>Fax</i> <i>E-Mail/www:</i> <i>Home</i>
<i>Applicant(s)</i> Nelson Aggregate Co.	2433 No. 2 Sideroad P.O. Box 1070 Burlington, ON L7R 4L8	<i>Bus.</i> (905) 335-5250 <i>Fax</i> <i>E-Mail/www:</i> quinn.moyer@nelsonaggregate.com <i>Home</i>
<i>Agent (eg. Planning Consultant)</i> Nelson Aggregate Co.	2433 No. 2 Sideroad P.O. Box 1070 Burlington, ON L7R 4L8	<i>Bus.</i> (905) 335-5250 <i>Fax</i> <i>E-Mail/www:</i> quinn.moyer@nelsonaggregate.com <i>Home</i>
<i>Solicitor</i>		<i>Bus.</i> <i>Fax</i> <i>E-Mail/www:</i>
<i>Other (Specify)</i>		<i>Bus.</i> <i>Fax</i> <i>E-Mail/www:</i>

* if a numbered company, please give name and phone number(s) of principal owner (or president)

2.0 LOCATION OF PROPERTY See Schedule A attached. The City of Burlington Official Plan Amendment applies to the South Extension and West Extension.

<i>Municipal Address</i>		
<i>Lot(s)/Block(s)</i>	<i>Concession</i>	<i>Registered Plan No.</i>
<i>Reference Plan No.</i>	<i>Part(s)</i>	<i>Parcel No.</i>
<i>Assessment Roll #:</i>		

2.1 Particulars of the Subject Land: (in metric units) See Schedule A attached.

<i>Frontage</i>	<i>Depth</i>	<i>Area</i>
-----------------	--------------	-------------

3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

- 3.1 *What is the existing use of the subject lands?* Various rural and agricultural land uses, including a Golf Course; please see MHBC's planning report for more information.
- 3.2 *What is the length of time the existing uses of the subject land have continued?* Golf course established on the West Extension in the 1960's
- 3.3 *What were the previous uses of the subject land, if known?* Agricultural

3.4 List any existing Buildings or Structures on the Property See Schedule A attached.

Buildings or Structures	Yard Setbacks				No. of Storeys	Building Height	*Ground Floor Area
	Front	Rear	Side	Side			

3.5 Is the Subject Land (or Buildings) subject to a Demolition Control By-law or is it either Designated or identified for possible Designation under the Ontario Heritage Act?

YES _____ NO X

(If yes, it is possible that a Heritage Permit Application will be required. Please consult with Planning Staff.)

4.0 PROPOSED USE OF THE SUBJECT LANDS (please attach any additional information on a separate page)

4.1 *What is the Proposed use of the Subject Lands?* _____

Mineral aggregate extraction; Please see MHBC's planning report for more information.

4.2 *List any Proposed Buildings and Structures* N/A

<i>Buildings or Structures</i>	<i>Yard Setbacks</i>				<i>No. of Storeys</i>	<i>Building Height</i>	<i>*Ground Floor Area</i>
	<i>Front</i>	<i>Rear</i>	<i>Side</i>	<i>Side</i>			

4.3 *Indicate Land Uses on Abutting Properties*

North Mineral aggregate extraction, rural (incl. rural residential) and agricultural.

South Rural (incl. rural residential) and agricultural.

East Mineral aggregate extraction, rural (incl. rural residential) and agricultural.

West Rural (incl. rural residential) and agricultural.

4.4 *Will the requested amendment or rezoning alter all or any part of the urban planning area boundary or the boundary of a rural settlement area?*

YES _____ NO x

If YES, list the current Official Plan policies dealing with the alteration or establishment of an area of settlement.

4.5 Will the requested amendment or rezoning remove the subject land from an Employment Lands or Mixed Use Corridor –Employment Oriented designation, as outlined in the Official Plan?

YES _____ NO x

If YES, list the current Official Plan policies dealing with the removal of land from an area of employment.

5. TYPE OF PROPOSED AMENDMENT N/A

Check the appropriate boxes and complete the section(s). Depending on the purpose of the proposed plan amendment, more than one box may need to be checked.

5.1 An official plan amendment that proposes to add new policy or to change, delete, or replace an approved Official Plan policy

a) Describe the purpose of the proposed amendment

b) Identify the policy to be changed, replaced or deleted

c) What is the current official plan land use designation on the subject land?

d) What land uses are permitted by the current official plan designation on the subject land?

e) What land uses would be permitted by the proposed official plan amendment on the subject land?

5.2 An official plan amendment that proposes to change or replace the approved Official Plan land use designation on the subject land.

- a) **What is the current official plan designation of the subject land?**
Escarpment Rural Area; please see MHBC's planning report for more information.

- b) **What land uses are permitted by the current designation on the subject land?**
Various rural and agricultural uses, as well as a golf course; please see MHBC's planning report for more information.

- c) **What is the proposed designation on the subject land?**
Mineral Resource Extraction Area; please see MHBC's planning report for more information.

- d) **What land uses will be permitted by the proposed designation on the subject land?**
Mineral aggregate extraction operations. Please see MHBC's planning report for more information.

5.3 Justification

Provide justification for this application to amend the Official Plan and/or Zoning By-law. (Attach a separate report if necessary). *Attach the text of any requested Official Plan amendment and the amended Official Plan schedule as required.*

In the case of an Official Plan Amendment, the applicant is required to provide complete planning evidence outlining the justification for the amendment. This should address, but not be limited to, why the proposed change is desirable and how it relates to the overall goals and objectives of the Burlington Official Plan, Region of Halton Official Plan, Comprehensive Provincial Policy Statement and any applicable Provincial Plans. Further studies may be required by the applicant depending on the nature of the application.

~~Please see MHBC's planning report for comprehensive analysis of the PPS, NEP Region of Halton Official Plan and City of Burlington Official Plan.~~

**6.0 ZONING DESIGNATION N/A - This area is subject to Development Control and Zoning does not apply.
*This Section MUST be completed when applying for Zoning By-law Amendment**

6.1 What is the existing Zoning designation on the subject lands? _____

6.2 What is the proposed Zoning designation on the subject lands? _____

6.3 What land uses will be permitted in the proposed designation? _____

6.4 What is the reason for the proposed rezoning? _____

6.5 What is the minimum and maximum density requirement in the existing zoning?

6.6 What is the minimum and maximum height requirement in the existing zoning?

6.7 Is the subject land within an area where zoning with conditions applies? Is so, explain how the application conforms to the Official Plan policies relating to zoning with conditions.

6.8 Include with your application a concept plan showing, in metric units:

- a) The boundaries and dimensions of the subject land;
- b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- c) The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of creeks, wetlands, wooded areas, wells and septic tanks) that are located on the subject land or on land that is adjacent to it, and in the applicant's opinion may affect the application;
- d) The current uses of land that is adjacent to the subject land;
- e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way; and
- f) The location of any easements affecting the subject land.

7.0 STATUS OF OTHER PLANNING APPLICATIONS

7.1 Are there any existing, or have there been previous application made under the Planning Act or the Planning and Development Act, such as for approval of an official plan amendment, zoning by-law, plan of subdivision, a minor variance, a Minister's zoning order amendment or a site plan or for a consent that involves the land:

- a) that is the subject land? YES NO
- b) that is within 120 metres of the subject land? YES NO
- c) If YES to a) or b), list below or attach on a separate page:

The type of application(s) and the file number(s) See below.

The legal description of the land that is the subject of the application(s) _____

The purpose of the application(s) and the effect of the application(s) on the proposed official plan amendment,

The status of the application(s) _____

7.2 Has the subject land ever been the subject of a Minister's Zoning Order? If so, please note the

Ontario Regulation number of that order: No

Response to 7.1 c):

Nelson Aggregate Co. previously (2004) applied for an upper-tier Official Plan Amendment, lower-tier Official Plan Amendment, Niagara Escarpment Plan Amendment, and a Niagara Escarpment Development Permit which encompassed part of the South Extension land and Existing Quarry. This application would have previously facilitated the extension to the Nelson Burlington Quarry, but was denied through Joint Board Decision in October of 2012.

The existing Burlington Quarry has been subject to various Niagara Escarpment Development Permits since Development control was introduced.

The Nelson Burlington Quarry has existed in proximity to various rural residential uses and the Mount Nemo Settlement Area for 50 years. During this time, there have been various applications for consent, plan of subdivision and Niagara Escarpment Development Permits. See Figure 18 of the MHBC Planning report for an illustration of lots created since 1960.

8.0 REGIONAL OFFICIAL PLAN

8.1 What is the current designation of the subject land in the Regional Official Plan?

Agricultural Area and Regional Natural Heritage System.

8.2 Explain how the proposed City Official Plan amendment conforms to the above plan, if applicable.

An application to re-designate the lands to Mineral Resource Extraction Area has also been submitted; please see MHBC's planning report for more information.

8.3 Has a Regional Official Plan Amendment been applied for? YES NO

9.0 PROVINCIAL PLANS AND POLICIES

9.1 Is the subject land within an area designated under any of the following Provincial Plan(s)?

Greenbelt Plan Niagara Escarpment Plan

Growth Plan for the Greater Golden Horseshoe Parkway Belt West Plan

9.2 Explain how the requested amendment or rezoning conforms to or does not conflict with the applicable Provincial Plan(s) (Incorporate as part of Planning Justification Report if possible)

Please see MHBC's planning report for a detailed policy analysis of all relevant planning documents, including Provincial Plan(s). Based on the policy framework of the Growth Plan and Greenbelt Plan, since the site is also located within the Niagara Escarpment Plan, the policies of the Niagara Escarpment Plan apply to this site.

9.3 Explain how the requested amendment or rezoning is consistent with the Comprehensive Provincial Policy Statement. (Incorporate as part of Planning Justification Report if possible)

Please see MHBC's planning report for a detailed analysis of the Provincial Policy Statement.

10.0 SERVICING N/A

10.1 Does the proposed amendment(s) conform to the approved servicing and phasing policies or servicing schedule in the Local and Regional official plans? YES ___ NO ___

10.2 Indicate the proposed servicing type for the subject land.

a. Water Supply

Piped Water Private Well Other, Specify N/A.

b. Sewage Disposal

Sanitary Sewer Septic Tank Other, Specify N/A.

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, include with this application:

- a. a servicing options report; and
- b. a hydrological report

10.3 Road Access and/or Frontage

Please Specify Road Type (eg. Open Municipal Road, Regional Road, Provincial Highway, Private Road)

Municipal Road.

Name of Road No. 2 Side road.

10.4 Storm Drainage

Indicate the proposed Storm Drainage System (eg. sewers, ditches, swales)

The existing quarry and proposed extension are dewatered and proposed to provide water to ditches, swales, watercourses and wetlands. See Burlington Quarry Extension Site Plans and Adaptive Management Plan.

10.5 Is the proposed plan amendment consistent with the recommendations of the watershed plan, if any?

YES _____ NO _____ The Regional Plan requires the applicable policies of a watershed plan to be incorporated into the Region of Halton Official Plan. For this area, no specific policies have been incorporated.

10.6 Does the proposed plan amendment conform to the master drainage, sub-watershed or shoreline management plan, if any?

YES _____ NO _____ The Regional Plan requires the applicable policies of a subwatershed plan to be incorporated into the Region of Halton Official Plan. For this area, no specific policies have been incorporated.

CITY OF BURLINGTON

DECLARATION

This must be completed by the Applicant for the proposed development site.

I, Quinn M. Moyer of the TOWNSHIP OF KING
(name of applicant) (name of City, Town, Township, etc.)


in the Region/County/District of YORK REGION do solemnly declare that all of the
statements contained in the application for Official Plan Amendment

(description)

and all supporting documents are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".


Declared before me at:

REGION OF YORK in the
Region/County/District of
(municipality)
CITY OF KING this 7th day of
May, 2020


Signature of Applicant

Quinn M. Moyer

Please Print Name of Applicant


Commissioner of Oaths

D.S. WHITE O.C.

OWNER'S AUTHORIZATION (If the Owner is NOT the Applicant)
(If Multiple Owners, An Authorization Letter From Each Owner Is Required)

PLEASE PRINT

If an agent is employed, the owner(s) must complete the following (or provide similar authorization on the face of the draft plan):

I, (we) See attached Schedule A and B for owners authorization form,
being the (name(s) of owner, individuals or company)

registered owner(s) of the subject lands, hereby authorize (name of agent)

to prepare and submit an Official Plan Amendment and/or rezoning (if applicable) for approval.

Signature

Day

Month

Year

OWNER'S PERMISSION TO ENTER SITE

I, _____ (print owner's name), being the registered property owner of the above noted property, hereby irrevocably authorize and consent to the City of Burlington staff to enter upon the above noted property at any reasonable time for the purpose of evaluating the merits of this application.

I have the authority to bind the Corporation, if applicable.

Owner's Signature *Day* *Month* *Year*

See attached Schedule A and B for owners authorization form

COMPLETE APPLICATION REQUIREMENTS

I, Nelson Aggregate Co. (name of applicant), declare that all of the following information specified has been submitted with this application.

- Pre-consultation Form completed in conjunction with appropriate Planning staff
- 8 copies of the completed application form (including 1 with original signatures)
- All required information/reports and number of copies specified on the Pre-Consultation Form including USB drives containing accessible PDF versions of all information/reports
- All digital files shall be named using the file naming protocol as specified on the Pre-Consultation Form. **Have provided the information that was determined through per-consultation with the City. See Appendix 2 of the MHBC Planning Report, the pre-consultation record and complete application requirements.**

Applicant's Signature
Quinn M. Moyer

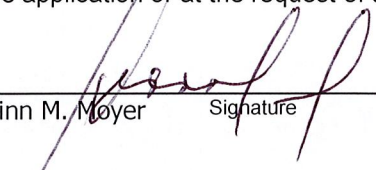
7 May 2020
Day *Month* *Year*

This information will be used to consult with various interested agencies. Where the scale or nature of the land use changes appear to require a large number of agencies to be consulted, additional copies of the application may be required.

APPLICANT'S CONSENT

In accordance with the provisions of the Planning Act, it is the policy of the City of Burlington to provide public access to all development applications and supporting documentation.

Nelson Aggregate Co. _____ (*print name of applicant or agent*) agrees and acknowledges that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, Nelson Aggregate Co. (*the applicant or agent*) hereby consents to the City photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.



Quinn M. Moyer Signature 7 May 2020
Day Month Year

AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS

if different from the Owner above

I, _____, owner of the subsurface rights for the subject property, am aware of this application and consent to it.

(signature) _____
(date)

(address)

Telephone Number Facsimile Number

See attached Schedule A and B for owners authorization form

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

City of Burlington
Community Planning Department
426 Brant Street, Second Level
P.O. Box 5013
Burlington, Ontario
L7R 3Z6

Telephone Number: (905) 335-7642
Facsimile Number: (905) 335-7880
Internet Address: www.burlington.ca

SCHEDULE A
OWNERSHIP AND DESCRIPTION OF SUBJECT LANDS

The following properties constitute the Subject Lands within which the Nelson Burlington Quarry Extension has been proposed. The lands which form the South Extension and the Existing Quarry Site have one Registered Owner, 546958 Ontario Limited; Nelson Aggregate Co. holds signing authority for this company. The lands which form the West Extension have one Registered Owner, Bestway TV and Appliances Limited. Bestway TV and Appliances Limited has authorized Nelson Aggregate Co. to act as their agent for applications related to the quarry extension proposal; find Schedule B attached hereto.

1. The *Aggregate Resources Act License*, Region of Halton Official Plan Amendment, and City of Burlington Official Plan Amendment apply to the South Extension and the West Extension;
2. The Niagara Escarpment Plan Amendment applies to the South Extension, West Extension, and the Existing Quarry Site; and
3. The Niagara Escarpment Development Permit applies to the South Extension, West Extension, Existing Quarry Site, and the Buffer Lands.

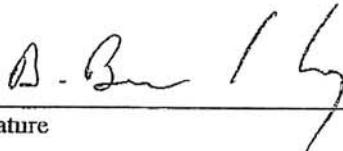
SUBJECT LANDS

Registered Owner	Site	Civic Address	Legal Description	PIN	Approx. Area (ha)	Approx. Frontage (m)	Approx. Depth (m)	Existing Building(s) (Approx. Ground Floor Area, m ²)
546958 Ontario Limited	South Extension	2280 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990039	34.16	131 (No. 2 Side Road)	1,031	House (222) Garage/Barn (394) Shed (124)
546958 Ontario Limited	South Extension	2292 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990039	2.29	46 (No. 2 Side Road)	329	House (240) Shed 1 (105) Shed 2 (110)
546958 Ontario Limited	South Extension	2300 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990041	2.04	60 (No. 2 Side Road)	336	House (327)
546958 Ontario Limited	South Extension	2316 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990042	2.05	62 (No. 2 Side Road)	336	Shed (126)
546958 Ontario Limited	South Extension	2330 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990043	1.22	80 (No. 2 Side Road)	153	N/A
Bestway TV and Appliances Limited	West Extension	5235 Cedar Springs Road, Burlington	Part Lots 1 & 2, Concession 2	071980141	70.08	1,024 (Cedar Springs Road)	674	Clubhouse (789) Garage 1 (338) Garage 2 (301) House (416) Barn (554)
546958 Ontario Limited	Existing Quarry Site	2433 No. 2 Side Road, Burlington	Part Lots 1 & 2, Concessions 2 & 3	071980140	218.7	1,392 (No. 2 Side Road)	1,215	Various existing buildings on site; see ARA site plans.
546958 Ontario Limited	Buffer Land	2226 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990036	0.41	30 (No. 2 Side Road)	133	House (193) Shed (128)
546958 Ontario Limited	Buffer Land	2232 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990037	0.40	30 (No. 2 Side Road)	133	N/A
546958 Ontario Limited	Buffer Land	2244 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990038	0.40	50 (No. 2 Side Road)	81	House (248) Shed (24)
546958 Ontario Limited	Buffer Land	2416 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990044	39.41	314 (No. 2 Side Road)	1,035	House (309) Barn 1 (358) Barn 2 (210) Shed (74)
546958 Ontario Limited	Buffer Land	2430 No. 2 Side Road, Burlington	Part Lot 16, Concession 2 NDS	071990077	1.82	61 (No. 2 Side Road)	302	N/A
546958 Ontario Limited	Buffer Land	2473 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.45	32 (No. 2 Side Road)	142	House (130) Garage (83)
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SCHEDULE B
BESTWAY TELEVISION AND APPLIANCES LIMITED AUTHORIZATION

I, BRADLEY BUNKOWSKY signing officer for Bestway TV and Appliances Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on lands known as 5235 Cedar Springs Road, in the City of Burlington, for which Bestway TV and Appliances Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

Bestway TV and Appliances Limited also authorizes agency staff to enter 5235 Cedar Springs Road for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature

MARCH 26/20
Date

Bestway TV and Appliances Limited

546958 ONTARIO LIMITED AUTHORIZATION

I, Quinn M. Moyer, signing officer for 546958 Ontario Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on the lands described within Schedule A attached hereto, for which 546958 Ontario Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

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Signature

May 7, 2020
Date

546958 Ontario Limited

Tab 6

SCHEDULE A
OWNERSHIP AND DESCRIPTION OF SUBJECT LANDS

The following properties constitute the Subject Lands within which the Nelson Burlington Quarry Extension has been proposed. The lands which form the South Extension and the Existing Quarry Site have one Registered Owner, 546958 Ontario Limited; Nelson Aggregate Co. holds signing authority for this company. The lands which form the West Extension have one Registered Owner, Bestway TV and Appliances Limited. Bestway TV and Appliances Limited has authorized Nelson Aggregate Co. to act as their agent for applications related to the quarry extension proposal; find Schedule B attached hereto.

1. The *Aggregate Resources Act License*, Region of Halton Official Plan Amendment, and City of Burlington Official Plan Amendment apply to the South Extension and the West Extension;
2. The Niagara Escarpment Plan Amendment applies to the South Extension, West Extension, and the Existing Quarry Site; and
3. The Niagara Escarpment Development Permit applies to the South Extension, West Extension, Existing Quarry Site, and the Buffer Lands.

SUBJECT LANDS

Registered Owner	Site	Civic Address	Legal Description	PIN	Approx. Area (ha)	Approx. Frontage (m)	Approx. Depth (m)	Existing Building(s) (Approx. Ground Floor Area, m ²)
546958 Ontario Limited	South Extension	2280 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990039	34.16	131 (No. 2 Side Road)	1,031	House (222) Garage/Barn (394) Shed (124)
546958 Ontario Limited	South Extension	2292 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990039	2.29	46 (No. 2 Side Road)	329	House (240) Shed 1 (105) Shed 2 (110)
546958 Ontario Limited	South Extension	2300 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990041	2.04	60 (No. 2 Side Road)	336	House (327)
546958 Ontario Limited	South Extension	2316 No. 2 Side Road, Burlington	Part Lot18, Concession 2 NDS	071990042	2.05	62 (No. 2 Side Road)	336	Shed (126)
546958 Ontario Limited	South Extension	2330 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990043	1.22	80 (No. 2 Side Road)	153	N/A
Bestway TV and Appliances Limited	West Extension	5235 Cedar Springs Road, Burlington	Part Lots 1 & 2, Concession 2	071980141	70.08	1,024 (Cedar Springs Road)	674	Clubhouse (789) Garage 1 (338) Garage 2 (301) House (416) Barn (554)
546958 Ontario Limited	Existing Quarry Site	2433 No. 2 Side Road, Burlington	Part Lots 1 & 2, Concessions 2 & 3	071980140	218.7	1,392 (No. 2 Side Road)	1,215	Various existing buildings on site; see ARA site plans.
546958 Ontario Limited	Buffer Land	2226 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990036	0.41	30 (No. 2 Side Road)	133	House (193) Shed (128)
546958 Ontario Limited	Buffer Land	2232 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990037	0.40	30 (No. 2 Side Road)	133	N/A
546958 Ontario Limited	Buffer Land	2244 No. 2 Side Road, Burlington	Part Lot 18, Concession 2 NDS	071990038	0.40	50 (No. 2 Side Road)	81	House (248) Shed (24)
546958 Ontario Limited	Buffer Land	2416 No. 2 Side Road, Burlington	Part Lot 17, Concession 2 NDS	071990044	39.41	314 (No. 2 Side Road)	1,035	House (309) Barn 1 (358) Barn 2 (210) Shed (74)
546958 Ontario Limited	Buffer Land	2430 No. 2 Side Road, Burlington	Part Lot 16, Concession 2 NDS	071990077	1.82	61 (No. 2 Side Road)	302	N/A
546958 Ontario Limited	Buffer Land	2473 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.45	32 (No. 2 Side Road)	142	House (130) Garage (83)
546958 Ontario Limited	Buffer Land	2479 No. 2 Side Road, Burlington	Part Lot 1, Concession 3	Part of 071980140	0.43	31 (No. 2 Side Road)	142	House (154)

SCHEDULE B
BESTWAY TELEVISION AND APPLIANCES LIMITED AUTHORIZATION

I, BRADLEY BUNKOWSKY signing officer for Bestway TV and Appliances Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on lands known as 5235 Cedar Springs Road, in the City of Burlington, for which Bestway TV and Appliances Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

Bestway TV and Appliances Limited also authorizes agency staff to enter 5235 Cedar Springs Road for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature

MARCH 26/20
Date

Bestway TV and Appliances Limited

546958 ONTARIO LIMITED AUTHORIZATION

I, Quinn M. Moyer, signing officer for 546958 Ontario Limited hereby authorize Nelson Aggregate Co. to prepare and submit all necessary applications to permit and operate a quarrying use on the lands described within Schedule A attached hereto, for which 546958 Ontario Limited is the registered owner, and owner of subsurface rights. Applications include, but are not limited to, application for license under the *Aggregate Resource Act*, application for amendment to the Niagara Escarpment Plan, application for development permit within the Niagara Escarpment Development Control Area, application for amendment to the Region of Halton Official Plan, and application for amendment to the City of Burlington Official Plan.

546958 Ontario Limited also authorizes agency staff to enter the lands described within Schedule A attached hereto for the purposes of evaluating the merits of an application. Prior to any entry of the property however, please contact Nelson Aggregate Co., and Nelson Aggregate Co. will accompany agency staff.


Signature

May 7, 2020
Date

546958 Ontario Limited

Tab 7

License application Agreement with the Landowner

Bestway TV and Appliances Limited the registered owner of part Lots 1&2 Concession 2 in the former Township of Nelson, in the City of Burlington, in the Region of Halton does hereby acknowledge that.

- 1) Bestway TV and Appliances Limited has entered into a letter of intent for the
the sale of the Corporation including the land to Nelson Aggregate Co.

- 2) Bestway TV authorizes Nelson Aggregate to apply for an Aggregate License prior to the closing of the purchase and sale.

- 3) the transaction will be closed and completed upon the issuance of the Aggregate License to Nelson Aggregate Co.

Dated at BURLINGTON this 25 day of MARCH 2020

Bestway TV and Appliances Limited

Per Brad Benby
President

Tab 8

Recommended Aggregate Resources Act Licence

Pursuant to the Aggregate Resources Act and Regulations hereunder, and subject to the limitations thereof and to the conditions of the licence and the requirements of the site plan, this Class A licence is issued to:

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

to operate a Quarry on a 78.3 hectare site located in Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton.

The licence is subject to the following conditions: As shown on attached Schedules "A" and "B"

SCHEDULE "A"

Prescribed Conditions

Licence #: _____

Lot: Pt. Lt. 1 & 2, Con. 2 and Pt. Lt. 17 & 18, Con. 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton

Licensee: Nelson Aggregate Co.

Category: 2 - Class "A" Quarry Below Water

This licence is subject to the following conditions:

1. Dust will be mitigated on site.
2. Water or another provincially approved dust suppressant will be applied to internal haul roads and processing areas as often as required to mitigate dust.
3. Processing equipment will be equipped with dust suppressing or collection devices, where the equipment creates dust and is being operated within 300 metres of a sensitive receptor.
4. Any recommendations and/or recommended monitoring program identified in the technical reports will be described on the site plan and all records will be retained by the licensee and made available upon request by the Ministry of Natural Resources and Forestry for audit purposes.
5. A Spills Contingency Program will be developed prior to site preparation.
6. Fuel storage tanks will be installed and maintained in accordance with the Gasoline Handling Act.
7. If required, an Environmental Compliance Approval will be obtained for the discharge system should water be discharged off site.
8. If required, an Environmental Compliance Approval will be obtained for processing equipment to be used on site.
9. If required, a Permit to Take Water will be obtained for utilizing ground and/or surface water.
10. The licensee will monitor all blasts for ground vibrations and blast overpressure and will operate to ensure compliance with current provincial guidelines.
11. Blasting will not occur on a holiday or between the hours of 6 p.m. on any day and 8 a.m. on the following day.

12. All blast monitoring reports must be retained by the licensee and made available upon request by the Ministry of Natural Resources and Forestry for audit purposes.

SCHEDULE "B"

Licence #: _____

Lot: Pt. Lt. 1 & 2, Con. 2 and Pt. Lt. 17 & 18, Con. 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton

Licensee: Nelson Aggregate Co.

Category: 2 - Class "A" Quarry Below Water

This licence is subject to the following conditions:

1. The amount of aggregate to be removed from this licensed property must be 2,000,000 tonnes or less in any calendar year.

Tab 9

Proposed Niagara Escarpment Plan Amendment No. XX

Introductory Statement

All of this part constitutes Amendment No. XX to the Niagara Escarpment Plan (2017).

DETAILS OF THE AMENDMENT

This Amendment consists of two (2) items:

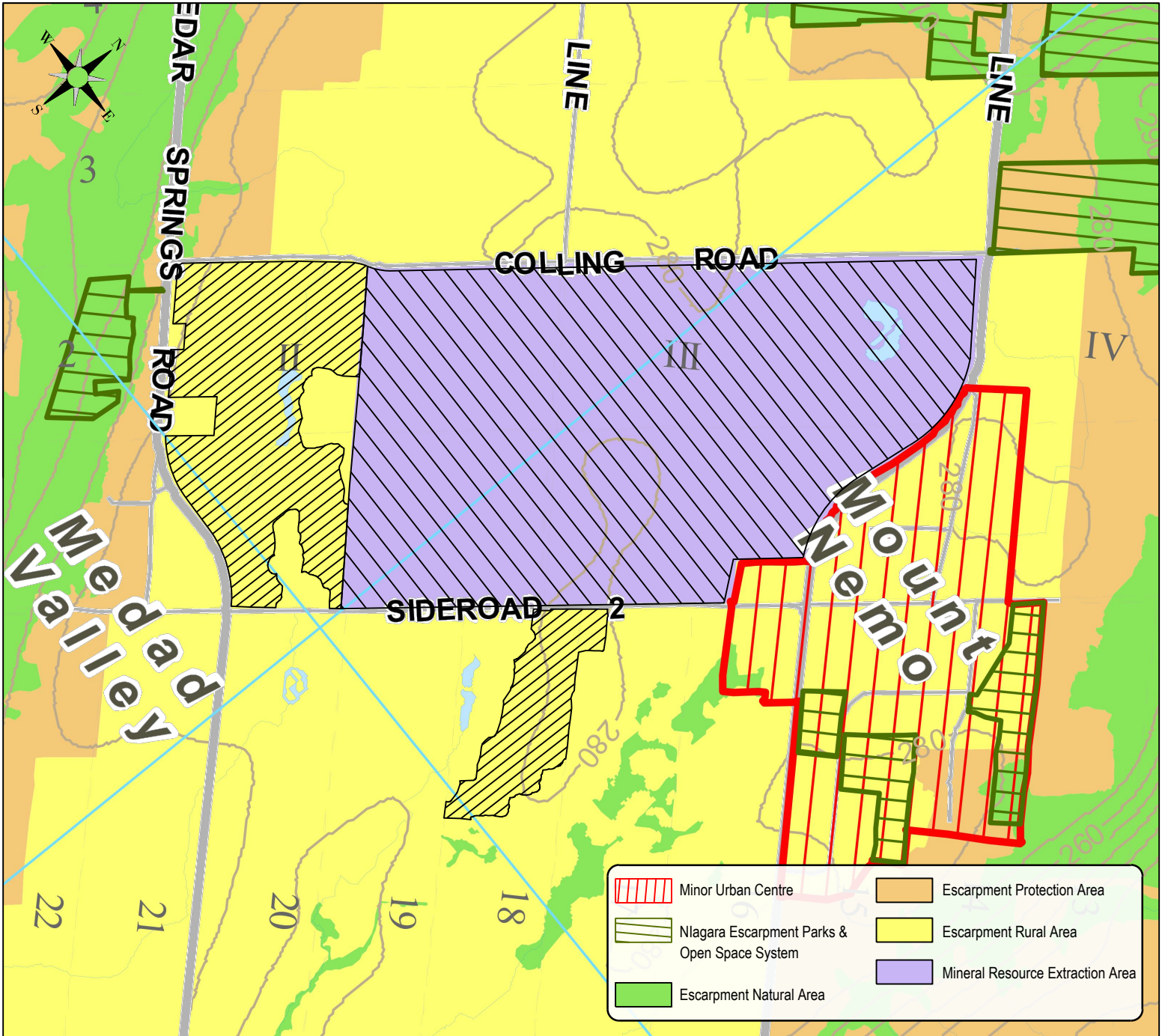
- Item 1. That the Niagara Escarpment Plan Map 3 – Halton Region, is hereby amended by redesignating 78.3 hectares of land legally described as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton from “Escarpment Rural Area” to “Mineral Resource Extraction Area” as shown on, as shown on Schedule “A” attached hereto and forming Part of this Amendment; and

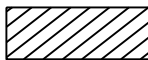
- Item 2. That Section 1.9.3.XX be added as follows:


Notwithstanding the policies of the NEP including the permitted uses under section 1.9 Mineral Resource Extraction Area and the definition of accessory use in Appendix 2 of this Plan, for the quarry operating on property described as Part of Lots 1 and 2, Concessions 2 and 3 in the City of Burlington, Regional Municipality of Halton, the office, maintenance buildings, facilities for washing, processing and stockpiling of aggregate, truck washing facility, asphalt plant, recycling facilities and the entrance may be used for the purpose of supporting the extraction of aggregate from the area approved under Amendment XX to the NEP and licences under the Aggregate Resources Act located on Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton provided, and only while the two sites are actively operated by a single licensee, as an integrated operation.

Schedule 'A'

Part Lots 1 & 2, Concession 2 and Part Lots 17 & 18, Concession 2 NDS
 (former geographic Township of Nelson)
 City of Burlington
 Region of Halton



 Land to be re-designated from Escarpment Rural Area to Mineral Resource Extraction Area

 Land subject to site specific policy 1.9.3 xx

Tab **10**

Recommended NEC Development Permit conditions of approval:

1. Non-fulfillment or breach of anyone of the conditions shall render the Development Permit void. See Schedule A for the area applicable to the Development Permit.
2. A site inspection(s) to the property may be undertaken by the Niagara Escarpment Commission to ensure that the development complies with the conditions of the Development Permit. Persons may accompany the Commission representative on the site inspection(s) who possess expert or special knowledge related to the conditions of the Development Permit.
3. No building permit or other licence, certificate, permit, or other similar permission relating to development shall be issued or be considered to be in force unless a Development Permit is in effect.
4. The Development Permit shall expire three (3) years from its date of issuance unless the development has commenced and a valid quarry licence has been issued within three (3) years.
5. Development shall take place in accordance with Operational Plans and Progressive Rehabilitation and Final Rehabilitation Plans (the "Plans"), dated April, 2020, as may be amended subject to the applicable approvals.
6. No grading of the existing contours in the area of the licence or licences is/are permitted, with the exception of that which is a necessary part of a quarry operation including (but not restricted to) stripping of overburden, construction of berms, internal haul routes, stockpiling of overburden, removal and stockpiling of aggregate, progressive and final rehabilitation.
7. Screening and landscaping of the quarry operation shall occur pursuant to the "Plans" and any general and specific notes/conditions on those "Plans" submitted for this Development Permit and for the Category 2 - Class "A" licence or licences with the Ministry of Natural Resources.
8. Prior to the issuance of a Development Permit, Niagara Escarpment Plan Amendment XX for the expansion to the Burlington Quarry shall be approved.
9. Prior to the issuance of a Development Permit, the Amendments to the Halton Regional Official Plan and the City of Burlington Official Plan to permit the expansion of the Burlington Quarry shall be approved.
10. Prior to the issuance of a Development Permit, the Niagara Escarpment Commission shall be notified that a Category 2 - Class "A" (quarry below water table) licence or licences pursuant to the Aggregate Resources Act will

be issued. Once issued, a copy of the licence or licences and all associated "Plans" shall be filed with the Niagara Escarpment Commission.

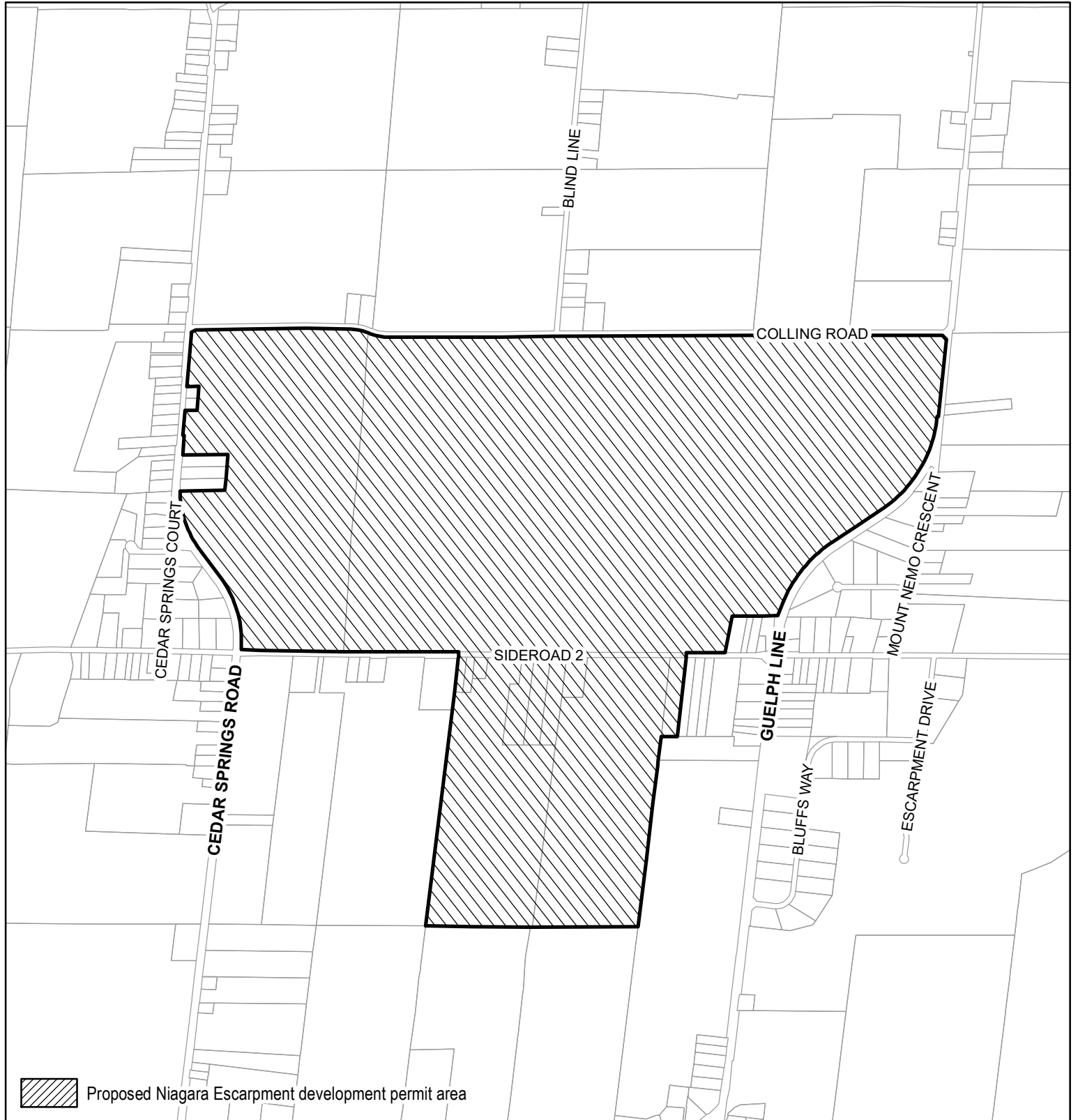
11. This Permit includes the installation of monitoring wells, ponds, ditches, piping, associated servicing and facilities and all other works related to the implementation of the water mitigation and management system both inside and outside the licensed boundary, as set out in the Adaptive Management Plan. The quarry operator shall also implement all requirements imposed by the Ministry of Natural Resources and Forestry and/or the Ministry of the Environment Conservation and Parks in respect of the on- and off-site long-term operation, management, and monitoring of this system.
12. This permit includes all works at the existing Burlington Quarry, located on as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton to facilitate a revision to the existing approved rehabilitation plan and the processing, washing and shipping of aggregate extracted from the proposed extension. These activities include: the removal of common setbacks within the West Extension; the construction of internal haul routes and access ramps; the office, maintenance buildings, truck washing facility, use of the existing entrance/exit; processing and stockpiling of aggregate material on the existing quarry; any activities in relation to the operation of the asphalt plant in relation to the production of aggregate from the proposed extension on the existing quarry; any operation of a road construction waste materials recycling and processing use; and a revision to the rehabilitated landform to create additional terrestrial habitat and maintain pumping to the north and south similar to existing conditions.
13. The Applicant shall obtain a Permit(s)-To-Take-Water and Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks, as required, for the proposed quarry dewatering and for the discharge of ground water for use in the mitigation system. The quarry operator shall comply with the terms and conditions of the Permit(s).
14. This permit includes all works on lands located outside of the licence to permit the natural heritage enhancements as described in the Natural Environment Report dated April, 2020.
15. This permit includes all works to upgrade the crossing on No. 2 Sideroad to municipal standards and maintain this crossing during the life of the South Extension.
16. This conditional approval shall be void if a Development Permit is not issued within two (2) years of the date of confirmation of the decision.

Note: Amendments to the "Plans" which form part of the licence(s) issued under the Aggregate Resources Act may be made under this Development Permit where the Niagara Escarpment Commission is satisfied following circulation of such an amendment to it by the Ministry of Natural Resources and Forestry that the amendment is minor in nature and therefore would not constitute a change to the conditions of this Permit. The approved amendments to the "Plans" must be filed with the Niagara Escarpment Commission.



Schedule 'A' Proposed Niagara Escarpment Development Permit Area

Part Lots 1 & 2, Concessions 2 & 3 and Part Lots 17 & 18, Concession 2 NDS
(former Geographic Township of Nelson)
City of Burlington
Region of Halton



Tab 11

Recommended Region of Halton Official Plan Amendment No. XX

Introductory Statement

All of this part of the document constitutes Amendment No. XX to the Halton Region Official Plan (1995).

DETAILS OF THE AMENDMENT

This Amendment consists of six (6) items;

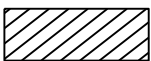
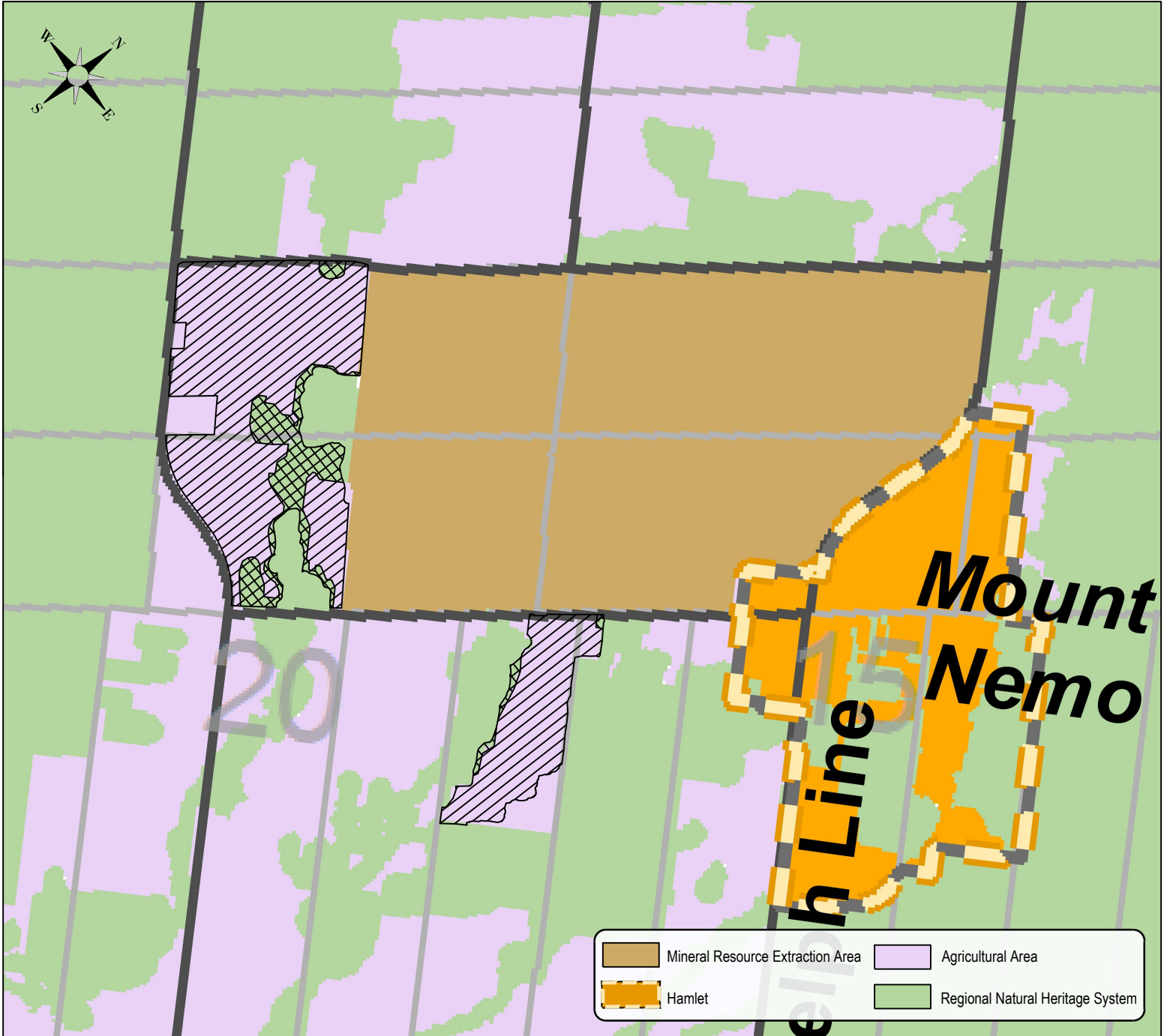
- Item 1. That Region of Halton Official Plan Map 1 – Regional Structure, is hereby amended by redesignating 78.3 hectares of land legally described as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton from “Agricultural Area” and “Regional Natural Heritage System” to “Mineral Resource Extraction Area” as shown in Schedule “A” attached hereto and forming Part of this Amendment;
- Item 2. That Region of Halton Official Plan Map 1A – Provincial Plan Areas & Land Use Designations, is hereby amended by redesignating 78.3 hectares of land legally described as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton from “Escarpment Rural Area” to “Escarpment Mineral Resource Extraction Area” as shown in Schedule “B” attached hereto and forming Part of this Amendment;
- Item 3. That Region of Halton Official Plan Map 1D – Municipal Wellhead Protection Zones, is hereby amended by designating 78.3 hectares of land legally described as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton as “Mineral Resource Extraction Area” as shown in Schedule “C” attached hereto and forming Part of this Amendment;
- Item 4. That Region of Halton Official Plan Map 1E – Agricultural System and Settlement Areas, is hereby amended by redesignating 78.3 hectares of land legally described as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton currently designated to “Prime Agricultural Area” or otherwise not designated to “Mineral Resource Extraction Area” as shown in Schedule “D” attached hereto and forming Part of this Amendment;
- Item 5. That Region of Halton Official Plan Map 1F – Identified Mineral Resource Areas, is hereby amended by redesignating 78.3 hectares of land legally described as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of

Burlington, Region of Halton to “Mineral Resource Extraction Area” as shown in Schedule “E” attached hereto and forming Part of this Amendment;
and

- Item 6. That Region of Halton Official Plan Map 1G – Key Features within the Greenbelt and Regional Natural Heritage Systems, is hereby amended by redesignating 78.3 hectares of land legally described as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton from “Prime Agricultural Areas” in the Natural Heritage System and “Key Features” to “Mineral Resource Extraction Area” as shown in Schedule “F” attached hereto and forming Part of this Amendment.

Schedule 'A'

Part Lots 1 & 2, Concession 2 and Part Lots 17 & 18, Concession 2 NDS
 (former geographic Township of Nelson)
 City of Burlington
 Region of Halton



Land to be re-designated from Agricultural Area to Mineral Resource Extraction Area



Land to be re-designated from Regional Natural Heritage System to Mineral Resource Extraction Area

	Mineral Resource Extraction Area		Agricultural Area
	Hamlet		Regional Natural Heritage System

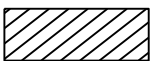
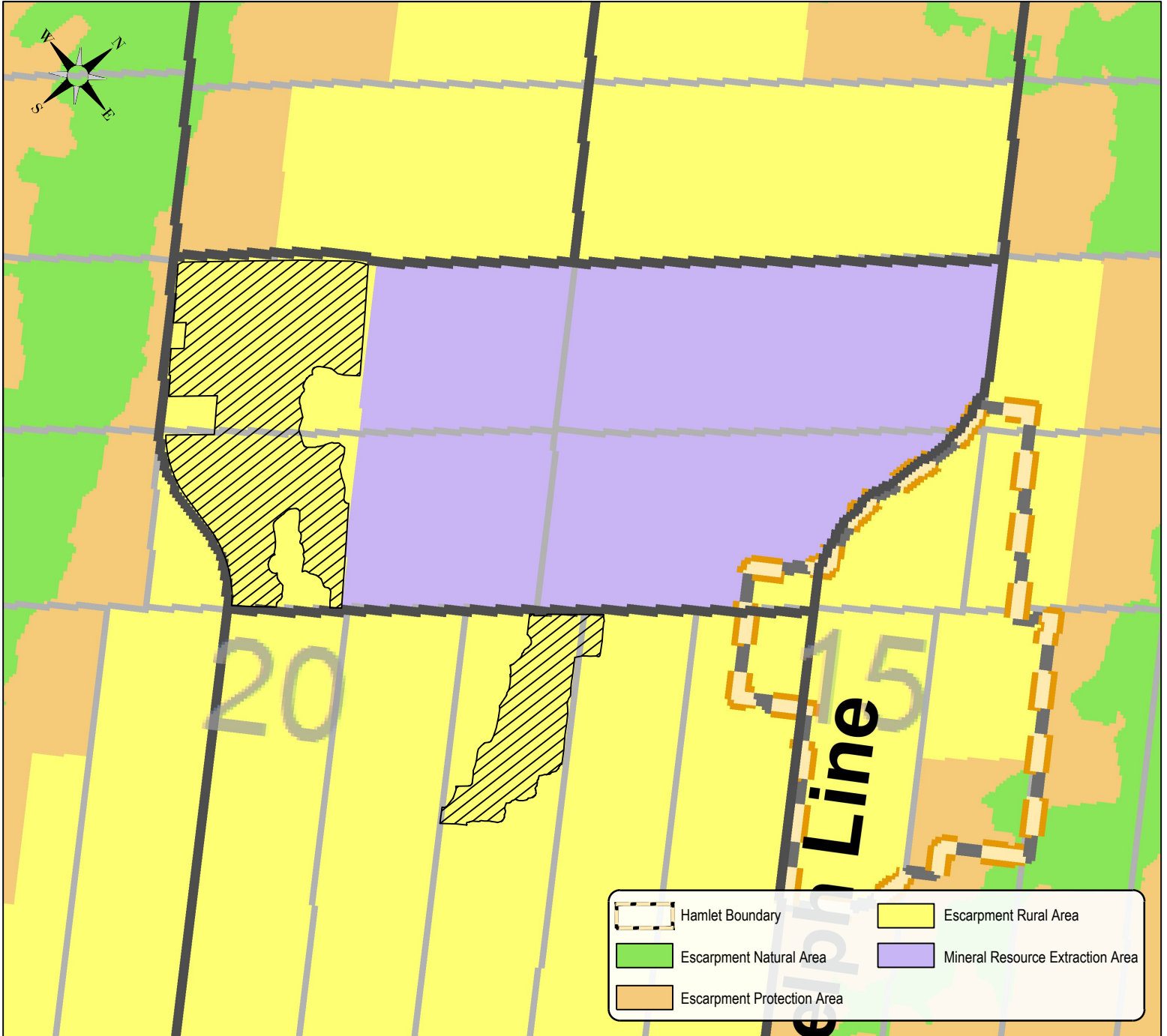
This is Schedule 'A' to
 Regional Official Plan Amendment _____
 Passed this ____ day of _____, 2020

 Regional Chair






 Regional Clerk

Schedule 'B'

Part Lots 1 & 2, Concession 2 and Part Lots 17 & 18, Concession 2 NDS
 (former geographic Township of Nelson)
 City of Burlington
 Region of Halton



Land to be re-designated from Escarpment Rural Area to Mineral Resource Extraction Area

-  Hamlet Boundary
-  Escarpment Natural Area
-  Escarpment Protection Area
-  Escarpment Rural Area
-  Mineral Resource Extraction Area

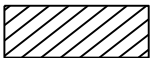
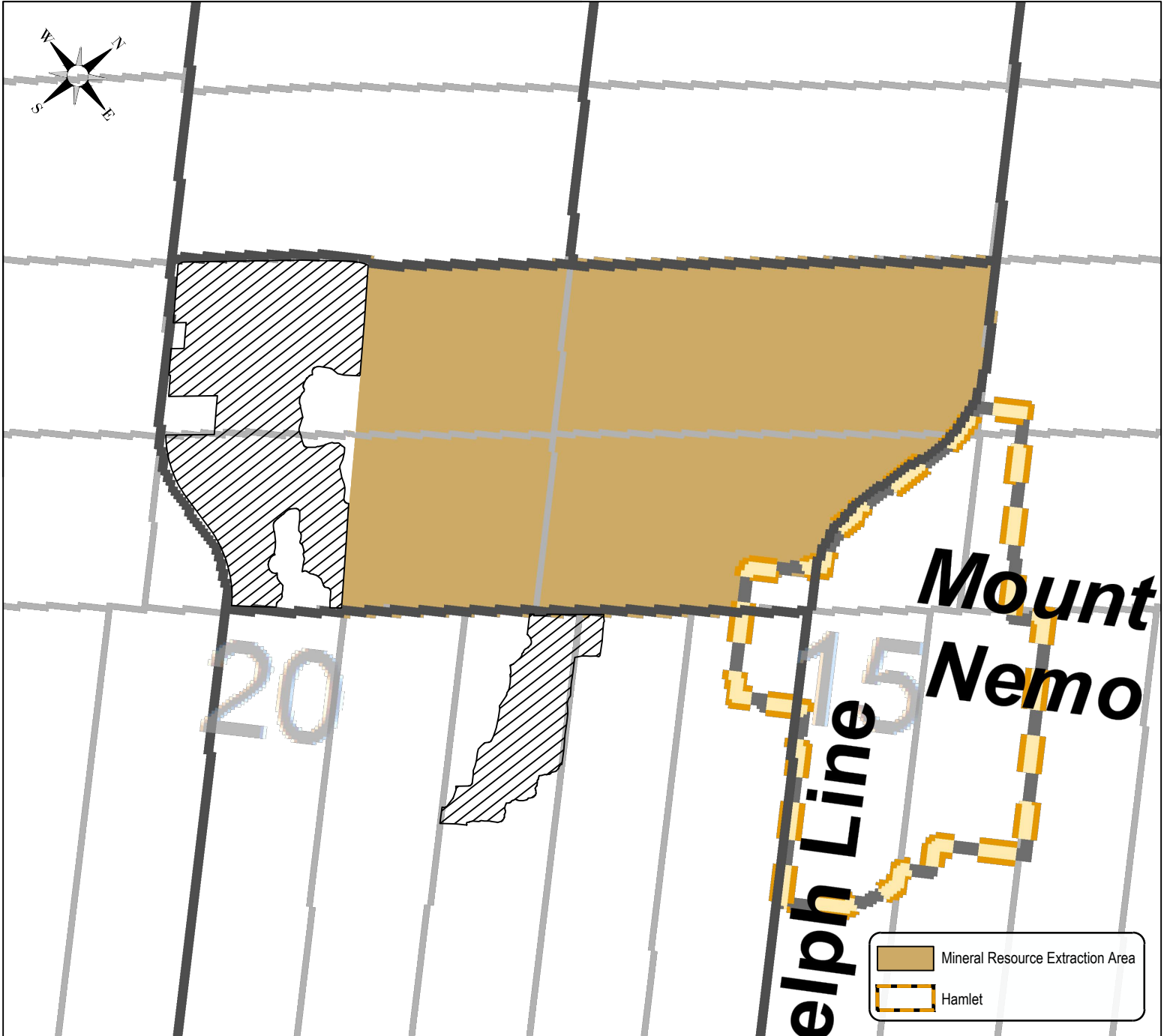
This is Schedule 'B' to
 Regional Official Plan Amendment _____
 Passed this ____ day of _____, 2020

 Regional Chair

 Regional Clerk

Schedule 'C'

Part Lots 1 & 2, Concession 2 and Part Lots 17 & 18, Concession 2 NDS
(former geographic Township of Nelson)
City of Burlington
Region of Halton



Land to be designated Mineral Resource Extraction Area

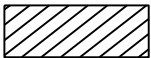
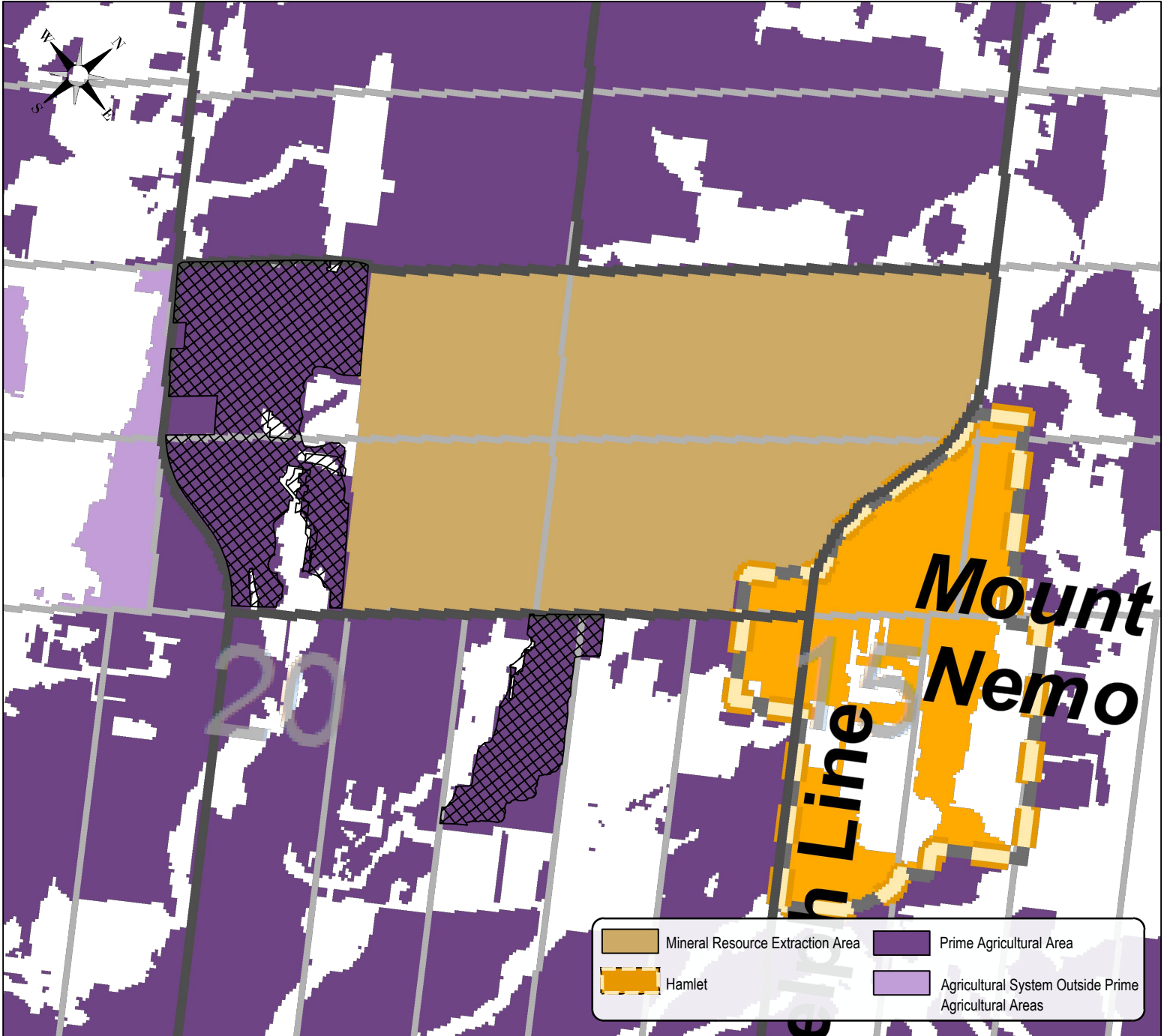
This is Schedule 'C' to
Regional Official Plan Amendment _____
Passed this ____ day of _____, 2020

Regional Chair

Regional Clerk

Schedule 'D'

Part Lots 1 & 2, Concession 2 and Part Lots 17 & 18, Concession 2 NDS
(former geographic Township of Nelson)
City of Burlington
Region of Halton



Land to be designated Mineral Resource Extraction Area



Land to be re-designated from Agricultural System Outside Prime Agricultural Area to Mineral Resource Extraction Area

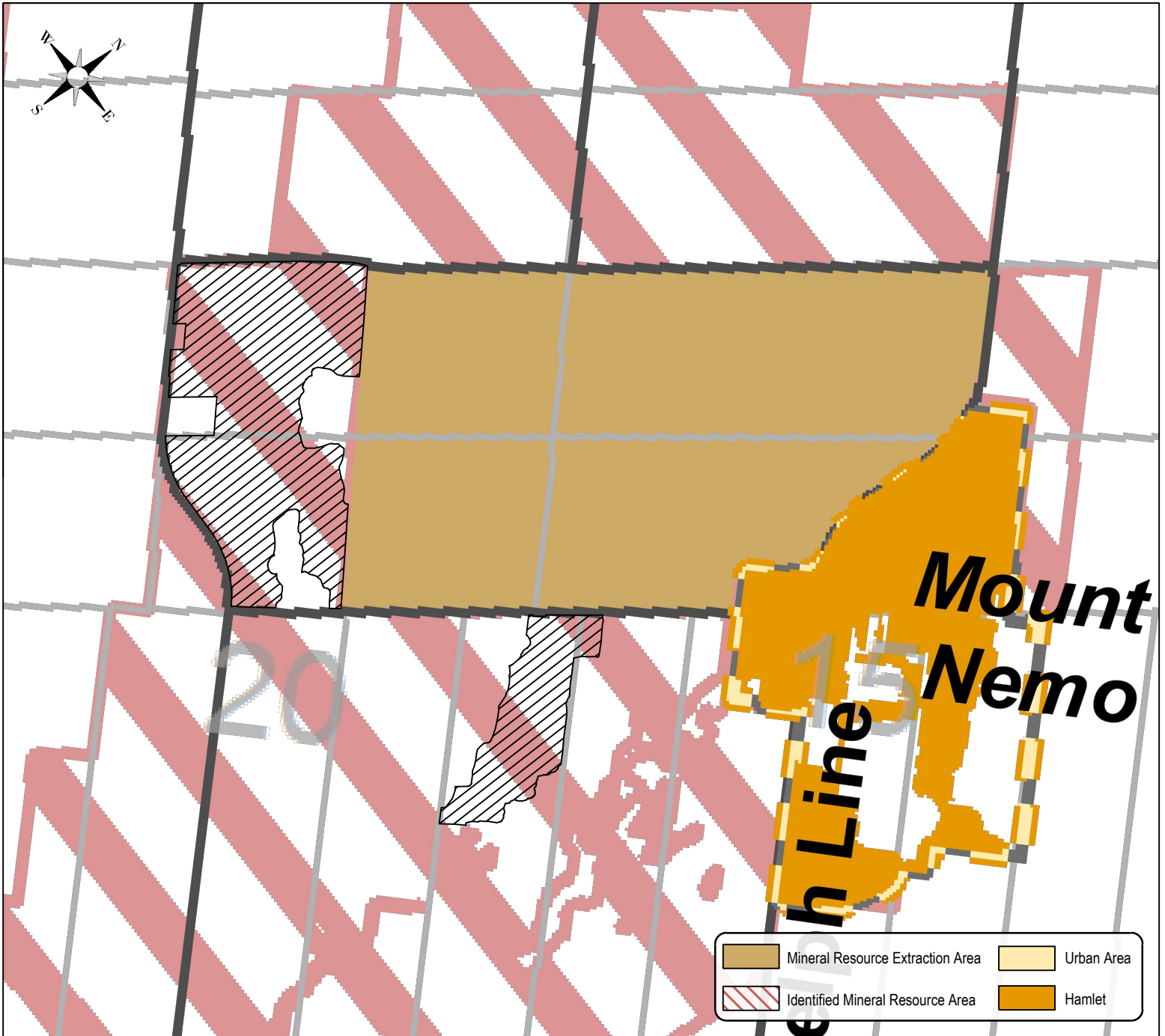
This is Schedule 'D' to
Regional Official Plan Amendment _____
Passed this ____ day of _____, 2020


Regional Chair

Regional Clerk

Schedule 'E'

Part Lots 1 & 2, Concession 2 and Part Lots 17 & 18, Concession 2 NDS
(former geographic Township of Nelson)
City of Burlington
Region of Halton



 Land to be designated Mineral Resource Extraction Area

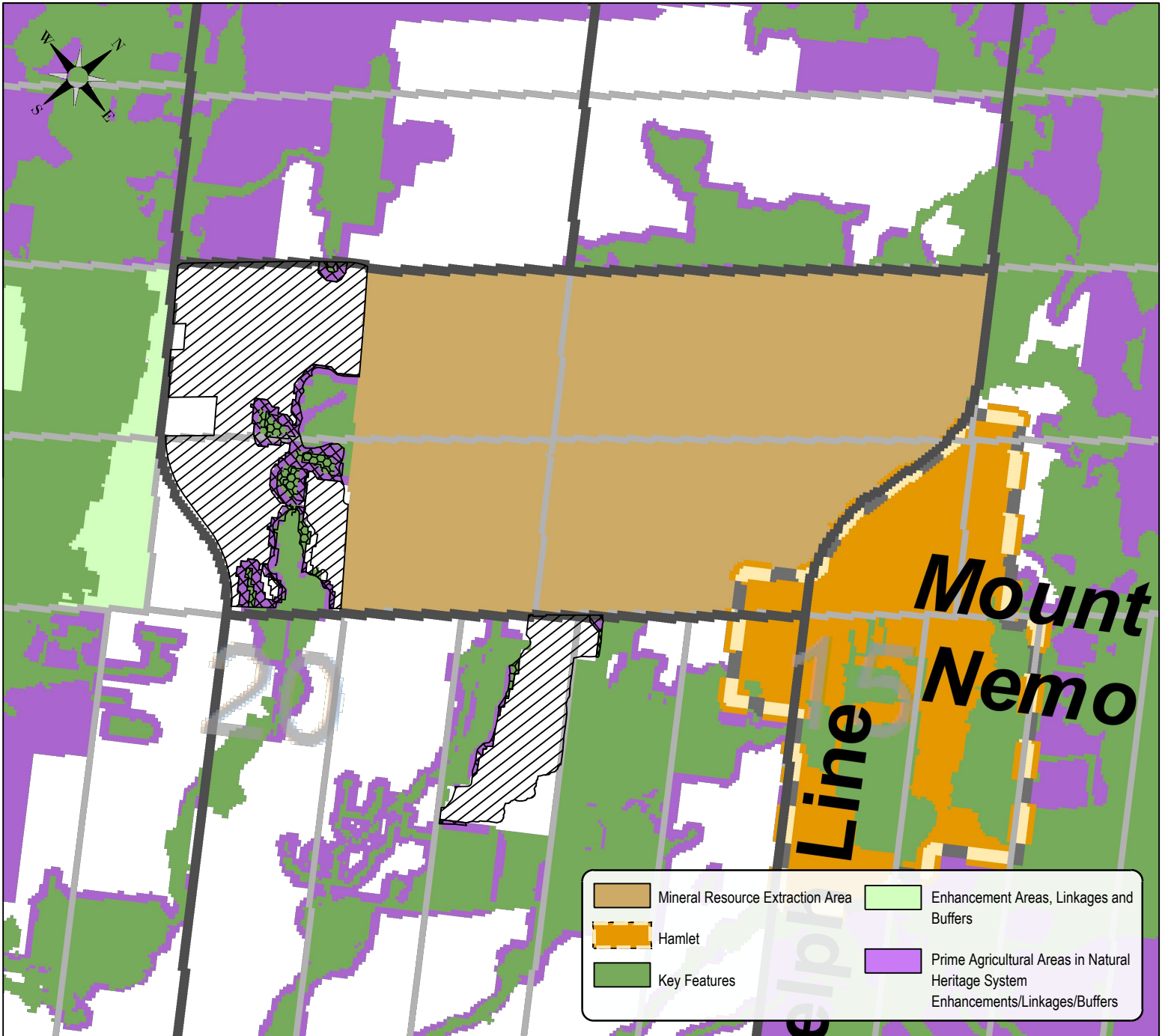
This is Schedule 'E' to
Regional Official Plan Amendment _____
Passed this ____ day of _____, 2020






Regional Chair


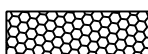

Regional Clerk

Schedule 'F'

Part Lots 1 & 2, Concession 2 and Part Lots 17 & 18, Concession 2 NDS
 (former geographic Township of Nelson)
 City of Burlington
 Region of Halton



	Mineral Resource Extraction Area		Enhancement Areas, Linkages and Buffers
	Hamlet		Prime Agricultural Areas in Natural Heritage System Enhancements/Linkages/Buffers
	Key Features		

-  Land to be designated Mineral Resource Extraction Area
-  Land to be re-designated from Key Features to Mineral Resource Extraction Area
-  Land to be re-designated from Prime Agricultural Areas in Natural Heritage System Enhancements/Linkages/Buffers to Mineral Resource Extraction Area

This is Schedule 'F' to
 Regional Official Plan Amendment _____
 Passed this ____ day of _____, 2020

 Regional Chair

 Regional Clerk

Tab **12**

Recommended Amendment to the City of Burlington Official Plan No. XX

Introductory Statement

All of this part constitutes Amendment No. XX to the City of Burlington Official Plan (1997).

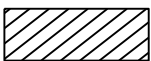
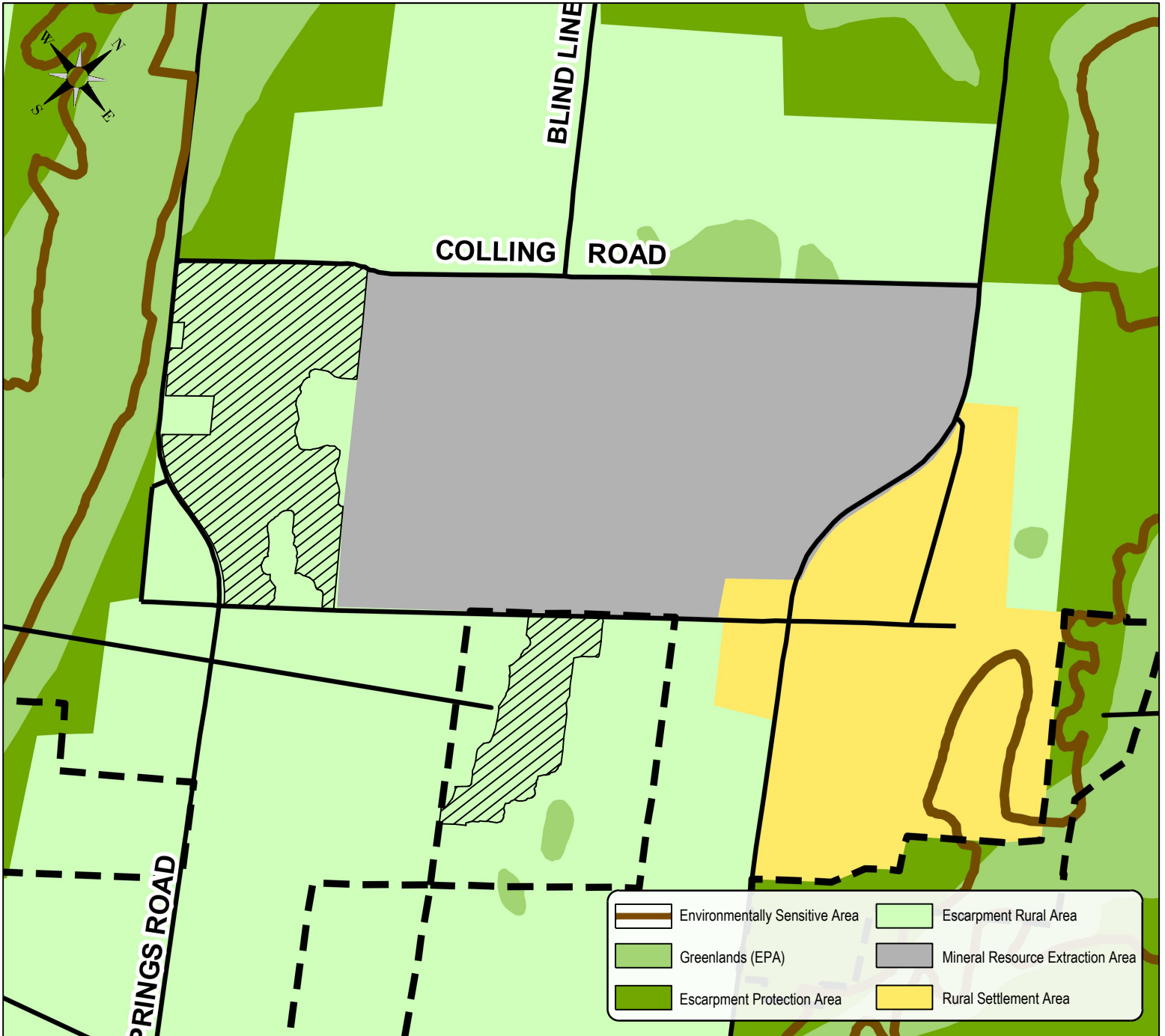
DETAILS OF THE AMENDMENT

This Amendment consists of one (1) item:

- Item 1. That the City of Burlington Official Plan Schedule C – Comprehensive Land Use Plan – Rural Planning Area, is hereby amended by re-designating 78.3 hectares of land legally described as Part of Lots 1 and 2, Concession 2 and Part of Lots 17 and 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton from “Escarpment Rural Area” to “Mineral Resource Extraction Area” as shown on, as shown in Schedule “A” attached hereto and forming Part of this Amendment.

Schedule 'A'

Part Lots 1 & 2, Concession 2 and Part Lots 17 & 18, Concession 2 NDS
(former geographic Township of Nelson)
City of Burlington
Region of Halton



Land to be re-designated from Escarpment Rural Area to Mineral Resource Extraction Area

This is Schedule 'A' to
Official Plan Amendment _____
Passed this ____ day of _____, 2020

Mayor

Clerk

Tab **13**

Pre - Application Consultation Meeting Notes April 2020

Nelson Aggregates has conducted more than 36 hours of public consultation on its expansion plans and after-use park concept prior to submission of its application.

Those consultations have included the following events:

-September 30, Meeting with Near Neighbours

-October 5, Open House and Quarry Tours

-Open House and Quarry Tours, Jan 9, 16,23,30; Feb. 6, 13, 20, 27; March 5, 12

-Pre-Application Public Consultation Meeting, Feb. 18

In addition to scheduled Public Consultation sessions, Nelson representatives went door-to-door to residences within 1-2kms of the quarry on

-June 24, 2019,

-Sept. 25 2019

-Feb. 14 2020.

In addition, Nelson established a dedicated project website on June 25 2019, which included draft plans, and a contact email address, which has since received and responded to comments from neighbours and interested parties.

Nelson has also sent out four news releases since June 25 2019, each containing contact information, and has held seven media briefings to further alert Burlington residents to its proposed plans.

In total, Nelson has met face-to-face with more than 400 Burlington residents and citizens over the course of its pre-consultation efforts, and has reached more than 135,000 through its media, publicity and advertising.

Notification Process

The following indicates the method of notification for the various events and public consultation formats that have taken place since June 2019, in advance of the March 16, 2020 formal application.

Website Launch, June 25 2019

-Prior to website launch, Nelson representatives went door-to-door to all residents within 2km of the proposed site. This included residences along No. 1 and No. 2 Sideroad, Colling Rd., Blind Line, Cedar Springs Rd., Cedar Springs Ct., Medad Springs Court, and Guelph Line.

Representatives spoke with many residents and gave an overview of the plans. Informational flyers were handed out to every doorstep with information on the proposal, and a link to the website.

Near Neighbour Open House, Sept. 30 2019, Burlington Springs Golf Course

-Representatives from Nelson went door-to-door to all residents within 1 km of the proposed site. This included residences along No. 2 Sideroad, Colling Rd., Blind Line, Cedar Springs Rd., Cedar Springs Ct., Medad Springs Court, and Guelph Line.

Informational flyers were handed out to every doorstep with information on the meeting and a link to the website.

Open House and Quarry Tours, Oct. 5 2019, Nelson Quarry

-Nelson published a news release in advance of the open house, which was picked up in the Burlington Post and the Burlington Gazette. In addition, Nelson advertised on a number of different platforms, including Tourism Burlington, The Hamilton Spectator, The Burlington Post, Insidehalton.com and Groupon. The campaign also included paid advertising on Facebook and Twitter, targeted at Burlington residents.

Open House and Quarry Tours, Every Thursday afternoon, from Jan. 7 – now, Nelson Quarry

-Nelson published a news release on January 6, which was picked up in the Burlington Post and the Burlington Gazette. In addition, Nelson has advertised on a number of different platforms, including Tourism Burlington, The Hamilton Spectator, The Burlington Post, Insidehalton.com and Groupon.

Pre-application Public Consultation Meeting, Feb. 18 2020, Burlington Springs Golf Course

-Notification for this event was handled mainly by the city. According to regulations, a formal notification was sent to all businesses and residences 350 meters from the proposed project. In addition, the city councillor's office did additional circulation.

In addition, representatives from Nelson went door-to-door on Cedar Springs Rd, Collings Rd. and No. 2 Sideroad to alert residents to the upcoming meeting.

Summary of Discussions and Comments

Discussions over the course of more than 36 hours of public consultations, plus conversations on doorsteps and at the kitchen tables of near neighbours have been wide-ranging and covered a large number of subject areas.

The following is a summary of the themes and how the Nelson proposal responds to the feedback in its development proposal:

After-Use Park Concept

-How will Nelson ensure the park actually happens? And when it says it will?

Response: Nelson's primary objective is to partner with a public entity, such as Conservation Halton, the Region of Halton or the City of Burlington on the design, financing and eventual ownership of the park. In the event it is unable to partner with a public organization, it is looking at partnering with a private, non-profit conservation organization.

Nelson is prepared to enter into legal agreements to ensure the portions of the park are conveyed to the public on schedule.

Climate Change

-Would the quarry help the city meet its goals set out in the Climate Action Plan?

-Did the quarry expansion proposal take into account climate change and effects on water?

-Did the after-use park concept take into consideration climate change?

Response: The quarry and after-use park concept are both designed to help the city meet its Climate Change targets, and to help the city of Burlington adapt to climate change-related challenges.

The Nelson quarry is the main source of aggregate for the City of Burlington and the Region of Halton. It is also the closest. Sourcing aggregate near to where it will be used, close to market, lowers its overall impact. Doing so reduces transportation costs, heavy truck traffic on roads, the environmental impacts of noise and carbon consumption; and the infrastructure costs of building and maintaining roads, bridges and municipal infrastructure.

Climate change is expected to bring both longer periods of drought and more intense rain storms. The quarry extension and the after-use concept are being designed with that in mind. Both the quarry and the park will have large water features that will contain water during heavy rainstorms, and serve as a reservoir for the city of Burlington during periods of drought. The current quarry already works with the city of Burlington in this capacity.

Closure of Quarry

-How will you guarantee the quarry will close in 30 years, if licence granted?

-How will you guarantee you will donate the land parcels to the public?

Nelson is prepared to enter into legal agreements to ensure the portions of the park are granted to the public on schedule.

Current Licence

-Why is there more than 50 years of operating life left in the current quarry?

-Nelson currently has an unlimited license for extraction. Since 2012, the quarry has slowed production. Extensive resources still exist for open pit extraction, and eventual underground mining.

If granted this licence to expand, Nelson is prepared to enter into legal agreements to ensure the facility is closed after 30 years of operation, and that the land is conveyed to the public in stages over the course of that time.

Noise

-How often will there be blasting?

-What would Nelson do to lower noise levels for near neighbours?

Response: All blasting activity is regulated and monitored by the Ministry of Natural Resources and Parks. Nelson is committed to maintaining and exceeding provincial standards. Nelson monitors all blasts at the nearest receptors.

Nelson has also begun a blasting notification program, which allows near neighbours to sign up if they want to be alerted weekly to the scheduled blast.

In response to concerns from residents on Cedar Springs Rd. Nelson has moved the extraction limit from 30 meters to 100 meters from the road. Nelson will also include berms up to 5 meters high to lower noise levels.

In addition, Nelson has proposed to use a state-of-the-art drill that lowers noise levels considerably.

Traffic

-Can you lower the amount of truck traffic as a result of the expansion?

-Will the expansion require expanded traffic routes onto No. 2 Sideroad and Cedar Springs Rd.?

Response: There is a direct correlation between the amount of aggregate extracted and the amount of truck traffic. Under Nelson's current licence, it can extract an unlimited amount of aggregate. Current operations average approximately 1.5 million tonnes of aggregate annually.

The new license application would allow for the extraction of up to 2 million tonnes annually. However, Nelson only plans to extract 1 million tonnes a year, resulting in slightly lower traffic levels.

Burlington regulations prohibit truck travel along Cedar Springs Rd. Truck travel would continue along the easternmost section of No. 2 sideroad and on Guelph Line.

During the expansion of the southern extension, trucks would travel across No. 2 Sideroad, from the extension to the existing quarry.

Dust

-Would there be a program in place to mitigate dust?

-How will Nelson measure dust levels?

Response: Nelson is preparing a Best Management Practice Plan to improve dust control.

In addition, in 2020, Nelson purchased a new street sweeper that operates every two hours along the stretch of No. 2 sideroad, from the truck entrance to Guelph Line.

Water

-Can you guarantee no changes to the quality or quantity of well water in the area?

-Will Nelson be financially responsible for any changes to the quality or quantity of the well water in the area?

-Will the quarry extension have a serious impact on the watershed and water levels?

Response: Nelson's studies show the proposed expansion and after-use park concept will not have an adverse impact on water quality or quantity in the area.

Nelson holds an Ontario Water Resources Act, Section 34 Permit to Take Water. This instrument protects private water supplies from permanent interference by legally requiring Nelson to restore any wells that have been impacted (quality or quantity) by the quarry operations.

Nelson has operated the current quarry since 1953 without any resolved impacts to local wells. In the very unlikely event of an impact to water quality or quantity, Nelson would be financially responsible for providing interim and long-term sources of potable water of like quality and quantity to their current water supply.

Aggregate producers are primarily water handlers and not consumers. The majority of the water taken under the site's Permit to Take Water is returned to the local watershed. The water collected in the Burlington Quarry is rerouted to off-site to surface water systems.

The proposed expansion would have a negligible impact on water quantity in the immediate vicinity of the quarry extension. But no adverse impact to offsite water users.

Nelson has established and promoted a well-water testing program that is available to all local residents.

Fill

-Can you guarantee the quality of the fill coming in to the quarry?

-Can you ensure harmful toxins aren't brought in?

Response: All those who create, manage, transport, receive or store excess soil are responsible for ensuring that the excess soil is managed in an environmentally sound manner. They must also meet all applicable legal requirements, including current provincial and federal regulatory requirements, such as: site alteration, noise and traffic by-laws and permitting regimes established by municipalities and Conservation Authorities; the soil management provisions in *Ontario Regulation 153/04* that relate to the submission and filing of a Record of Site Condition; and, when excavated soil and other excavated materials are being managed as a waste, the *EPA* and waste regulations.

Property Values

-Will this lower property values?

Response: A study conducted by MPAC on properties near new and expanding quarries across Ontario has shown no change to property values.

Nelson is working directly with homeowners living adjacent to the proposed expansion to mitigate the impacts of noise, dust and traffic.

Wildlife

-Will this protect the Jefferson Salamander?

-Will this protect bats?

-How will you guarantee you will not harm endangered species?

Response: The proposed licence application includes a large number of proposals intended to protect and enhance the natural habitat. Some of these include:

-A 60 percent smaller footprint on the proposed southern extension

-7 hectares of ecological enhancements to improve Jefferson Salamander habitat

-Further ecological enhancements will occur as part of progressive and final rehabilitation:

- Significant woodlands
- Wetlands
- Fish habitat
- Improved ecological connectivity
- More ecological diversity

Rehabilitation

-What prevents Nelson from abandoning the quarry?

-Who pays for the rehabilitation?

Response: Under the Aggregate Resources Act (ARA), producers are required to progressively rehabilitate their sites. Progressive rehabilitation means rehabilitation is done sequentially within a reasonable time after extraction of aggregate resources is complete. Typically, this occurs in phases: before proceeding to the next extraction phase, rehabilitation must be completed in the areas where aggregate reserves have been exhausted. Progressive rehabilitation is beneficial in many ways as it: minimizes the open areas within a pit or quarry, prevents soil erosion, reduces costs, and eliminates double-handling of soil materials.

Nelson is required to pay for the rehabilitation. Money is set aside from each tonne sold to fund the eventual rehabilitation.

Tab **14**



DEVELOPMENT APPLICATION PRECONSULTATION

Purpose:

The City of Burlington requires that preconsultation with City and Agency staff occurs prior to the submission of a development application. Applications for Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision will require additional supporting studies or information which assist with the consideration of the development proposal. The type of supporting information or material required for each application is determined by the City, Region of Halton, and if required, Conservation Halton as part of the preconsultation process.

Please note that if the prescribed information or fees identified at the preconsultation meeting are not provided when an application is submitted then the City will either return the application or refuse to further consider the application until these requirements are met.

Preconsultation Process:

Applications for Official Plan Amendment, and/or Zoning Amendment and/or Subdivision must follow these steps:

1. The applicant must submit the Preconsultation Request Form (attached) and a development concept plan to the [Coordinator of Development Review](#).
2. A preconsultation meeting is scheduled with staff from the City of Burlington, Halton Region, and (if required) Conservation Halton to discuss the development proposal.
 - During the meeting, the applicant will be advised of the planning applications and fees required and what background studies and information will be needed.
 - A Preconsultation Agreement outlining the requirements for a complete application will be signed by applicant and staff at the meeting.

Submission Standards:

Contact the Burlington City Building Department, Planning Section at 905-335-7642 or email the [Coordinator of Development Review](#) to submit your request for a preconsultation meeting.

All materials should be submitted electronically for easy distribution.

The preconsultation request should include:

- Completed preconsultation request form, signed by the owner (attached)
- Preliminary Concept Plan in 11X17 PDF format
 - Concept plans should detail as much information as possible including:
 - site dimensions
 - proposed and existing buildings
 - access points
 - parking areas
 - landscaping areas
- Any additional information that may assist in providing feedback.



PRECONSULTATION MEETING REQUEST FORM

Date: July 30, 2019	Applicant: Name, Address, Phone, Email Nelson Aggregate Co. Attention: Quinn Moyer 2433 #2 Sideroad P.O. Box 1070 Burlington, Ontario L7R 3X4
Site Address: 5235 Cedar Springs Road 2280, 2292, 2300, 2316, 2330 No. 2 Sideroad	
Property Owner Bestway Springs Golf and Country Club 546958 Ontario Ltd.	

Site Description:

1. Site Area (ha): 72.5 hectares
2. Description of Existing Development/Uses on site:

Rural Residential, Agricultural, Golf Course

3. Is the property listed in Municipal Heritage Register, designated under the Ontario Heritage Act or located adjacent to a designated property? Yes No

If Yes, please describe:

2280 No. 2 Sideroad - House built in 1830 and referred to as the Pitcher Homestead. Property is not designated under the Ontario Heritage Act. The house will be retained.

Development Proposal:

1. Brief Description of proposed development (land use, height, form, massing, density, etc.):

A proposed south and west extension of the Burlington Quarry. The proposed licence boundary of the west extension is 48.7 ha of which, 37.2 ha is proposed for extraction. The proposed licence boundary of the south extension is 23.8 ha of which, 17.1 ha is proposed for extraction. For a summary, see attached presentation prepared by MHBC dated July 4, 2019.

2. Current Official Plan Designation:

Escarpment Rural Area on Schedule C of the Burlington Official Plan Office Consolidation Oct 2017

Does the proposal conform to the Official Plan? Yes No

If no, what changes are proposed?

The Official Plan requires an Official Plan Amendment for all new or expanded mineral aggregate operations. A mapping change to mineral resource extraction area is required.

3. Current Zoning of Property:

n/a - Located within NEC development control

Does the proposal conform to the existing zoning? Yes No

If no, what changes are proposed?

n/a - Located within NEC development control

4. Applicable Secondary Plans / Design Guidelines in effect:

n/a

5. Is any part of the property regulated by Conservation Halton? Yes No

6. Please advise of any additional issues to be addressed:

Afteruse of the existing quarry and proposed extension. See attached presentation prepared by MHBC dated July 4, 2019.

7. Please list any technical studies which have been completed for the subject property:

The following studies are currently being completed:	Agricultural Impact Assessment – MHBC
Planning / ARA Site Plans –MHBC	Built Heritage Assessment – MHBC
Hydrogeological Assessment – Azimuth	Cultural Heritage Landscape Assessment - MHBC
Surface Water/Water Balance Assessment - C.C. Tatham	Archeology – Golder
Karst Assessment – D. Worthington	Traffic Study – Paradigm
Fully Integrated Groundwater and Surface Water Model – EarthFX	Noise Assessment – HGC
Natural Environment Assessment – Savanta	Air Quality Assessment – BCX Environmental
	Blasting Assessment - Exploitech

8. Do you give permission for City and Regional staff to access the property in advance of the meeting?

Yes No

****Please note: City and Regional representatives must contact Tecia White to arrange access since there are currently tenants living on the property and an active golf course operation.** Phone: (705) 888-7064 or Email: tecia@white-water.ca****

Please attach a concept plan to the application. See attached map and after use summary.

Proponent Signatures:

In signing this form, I acknowledge that that provided information is correct to the best of my knowledge.

Bestway Springs Golf and
Country Club

Property Owner



Property Owner (Signature)

20 AUG 19

Date

546958 Ontario Ltd.

Property Owner



Property Owner (Signature)

Date

Public Record Notice: Under the Planning Act, R.S.O.1990,c.P.13,s.1.0.1, all information and material that is required to be provided to the City of Burlington respecting planning applications shall be made available to the public.



**DEVELOPMENT APPLICATION PRE-CONSULTATION FORM
AGGREGATE EXTRACTION WITHIN THE NEC AREA**

Meeting Date: November 6, 2019	Site Address: 5235 Cedar Springs Road 2280, 2292, 2300, 2316 & 2330 No. 2 Side Road
Property Owner: Bestway Springs Golf & Country Club 546958 Ontario Ltd.	Applicant / Address / Phone / Email Nelson Aggregate Co. Attn: Quinn Moyer 2433 No. 2 Site Road Burlington, ON, L7R 3X4
Site Area: 72.5 ha	

APPLICATION TYPE (check applicable applications):

Niagara Escarpment Plan Amendment	<input checked="" type="checkbox"/>	Niagara Escarpment Development Permit Application	<input checked="" type="checkbox"/>	Regional Official Plan Amendment	<input checked="" type="checkbox"/>	Local Official Plan Amendment	<input type="checkbox"/>
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- Brief description of proposed development:**
Proposed south and west extension of Burlington Quarry in Mount Nemo.
Current quarry is at 2433 No. 2 Side Road
Proposed licenced boundary of the west extension at 5235 Cedar Springs Road is 48.7ha of which 37.2ha is proposed for extraction.
The proposed licence boundary of the south extension at 2280, 2292, 2300, 2316 & 2330 No. 2 Side Road is 23.8ha of which 17.1 ha is proposed for extraction.
- Existing Niagara Escarpment Plan Designation:** Escarpment Rural Area

Conformity with Niagara Escarpment land use designation? YES _____ NO x

If 'NO' what is the nature of the amendment required? Niagara Escarpment Plan Amendment, & NEC Development Permit
- Existing Regional Official Plan Designation:** Prime Agricultural Area & Natural Heritage System

Conformity with Regional Official Plan land use designation? YES _____ NO x

If 'NO' what is the nature of the ROP amendment needed? Mineral Resource Extraction Area
- Existing Official Plan Designation:** Escarpment Rural Area & Greenlands (Escarpment Plan Area)

Conformity with City Official Plan land use designation? YES _____ NO x

If 'NO' what is the nature of the OP amendment needed? Mineral Resource Extraction Area

5. Are there any properties listed in Municipal Heritage Register, designated under the Ontario Heritage Act or adjacent to a designated property?
 YES _____ NO x

6. Fees Required at Time of Application

APPLICATION	REGION	CONSERVATION HALTON	CITY
Pits/Quarries Fee	\$139,672.81	\$87,550.00 (Planning Act Technical Review) + \$18,080.00 (NEPA review)	\$59,070.00
Local Official Plan Amendment	-	-	\$21,540.00
TOTAL	\$139,672.81	\$105,630.00	\$80,610.00

Separate cheques are payable to City, Region and Conservation Halton. Fees will increase in 2020. Peer review fees will also be required during processing.

7. Additional Agencies to be contacted: NEC, MECP, MNRF, MMAH

8. Pre-Application Consultation Meeting Is a pre-application consultation meeting required?

YES x NO _____

The following steps must be completed if a Pre-Application Consultation Meeting is required by the City of Burlington:

- *The consultation meeting is to be organized by the applicant and must be held before the applications are submitted.*
- *Circulation of the meeting invitation to residents and tenants within 300 metres of the development site will be completed by the City for a fee. Provide a PDF of the meeting invitation on the applicant's letterhead for distribution. Notice must be sent a minimum of 20 days in advance of the meeting.*
- *Please notify the Ward Councillor, Mayor, and City, NEC, CH and Regional staff of the date, time & location of the meeting. Be sure your meeting location is accessible and close to the development site.*
- *During the meeting, provide a detailed overview of the development proposal and allow time for questions and comments from the public. Planning staff will provide an overview of the JART review process. Take notes of the discussion.*
- *As part of a complete application, the applicant must provide consultation meeting minutes which include a written summary of public input received at the meeting. As part of the Planning Justification Report, the applicant must explain how this public input was used to modify the development proposal.*

9. Required Information for Complete Application

The applicant shall review the Regional Official Plan Guideline, Aggregate Resources Reference Manual available online: https://www.halton.ca/Repository/Aggregate_Resources_Reference_Manual

This Aggregate Resources Reference Manual sets out the minimum requirements for each study. Terms of reference for all studies must be reviewed and confirmed by JART members prior to the commencement of the studies. Site visits will be required prior to finalizing the terms of reference for some studies. In addition, a meeting(s) must be held prior to the submission of the applications to go over the reports and materials to ensure they contain requested/needed information in a format acceptable for the review of the application.

Reports, Studies, Plans		Number of Paper Copies (plus copies in accessible electronic PDF form on 4 USB keys)
All identified reports must be submitted in Accessible PDF format with contents as outlined in an approved Terms of Reference before an application is deemed complete.		
1.	Agricultural Impact Assessment	8
2.	Archaeological Study	8
3.	Cultural Heritage Study (built and cultural landscape)	8
4.	Environmental Impact Study	11
5.	Financial Impact Study (including life cycle asset management for municipal infrastructure)	8
6.	Air Quality Assessment	8
7.	Planning Justification Report	11
8.	Progressive & Final Rehabilitation/Monitoring Study	12
9.	Transportation/Haul Route Study	10
10.	Water Resource Study (including hazard assessment, hydrogeological assessment)	12
11.	Adaptive Environmental Management Plan	12
12.	Pre-Application Consultation Meeting Notes	8
13.	Karst Assessment	11
14.	Noise and Vibration Study	8
15.	Blasting Impact Assessment	8
16.	Visual Impact Assessment	8
17.	ARA Site Plans including Notes & Rehabilitation	12
18.	Reference Plan & PIN Report (including widening on Cedar Springs Road)	10
19.	Tree Inventory and Preservation/Compensation Plan	10
20.	Public Consultation Strategy (including First Nations)	8
22.	Draft NEPA Regional and Local Official Plan Amendments	8
23.	Phase One & Two ESA	8

NOTES:

1. Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-laws in effect on the date the payment is made. Further peer review fees will be required at a later date.
2. The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act, and all applicable legislation. Pre-consultation does not imply or suggest any decision whatsoever on behalf of NEC, CH, City or Regional staff or the Corporations of the City of Burlington or Regional Municipality of Halton or the Niagara Escarpment Commission to either support or refuse the applications.
3. This document expires 180 days from the date of signing or at the discretion of the City of Burlington. Please note that development application fees may change during this period and it is the applicant's responsibility to ensure that the correct fees are paid at time of application.
4. In the event this Pre-consultation Document expires prior to the applications being accepted by the City, Region or relevant agency, another document will be required.
5. Application materials submitted without the information identified in this Pre-consultation Document, or without the supporting technical studies completed in accordance with the JART approved terms of reference, will be returned to the applicant based on insufficient information to properly evaluate the applications.
6. **Acknowledgement of Public Information:**
The applicant acknowledges that the City and Region consider the application forms and all supporting materials, including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the City and Region photocopying and releasing the application and any supporting materials either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.
7. It may be determined during the review of the applications that additional studies or information will be required as a result of issues arising during the processing of the applications.
8. The applicant must grant permission for municipal and agency staff to visit and access the property while the application is being processed. Multiple site visits will be required. Adequate notice will be provided.
9. There may also be financial requirements arising from the application, including, but not limited to, park dedication, development charges, payment of outstanding property taxes, deferred local improvement charges, costs for lifting 0.3-metre reserves, and reimbursement for road widening acquisition or road improvements.

Staff and Agency Signatures:

<hr/> <p>Region of Halton Staff</p> <p><u>Joe Nethery</u></p> <hr/>	<hr/> <p>Region of Halton Staff (Signature)</p> <p><u>Joe Nethery</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov 6 /19</u></p> <hr/>
<hr/> <p>Region of Halton Staff</p> <p><u>Brian Hudson</u></p> <hr/>	<hr/> <p>Region of Halton Staff (Signature)</p> <p><u>Brian Hudson</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov. 6, 2019</u></p> <hr/>
<hr/> <p>Niagara Escarpment Staff</p> <p><u>JOHN STUART</u></p> <hr/>	<hr/> <p>Niagara Escarpment Staff (Signature)</p> <p><u>John Stuart</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov. 6, 2019</u></p> <hr/>
<hr/> <p>Conservation Halton Staff</p> <p><u>Kellie McCormack</u></p> <hr/>	<hr/> <p>Conservation Halton Staff (Signature)</p> <p><u>Kellie McCormack</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov. 6, 2019</u></p> <hr/>
<hr/> <p>Conservation Halton Staff</p> <p><u>JACEK STRAKOWSKI</u></p> <hr/>	<hr/> <p>Conservation Halton Staff (Signature)</p> <p><u>J Strakowski</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov. 6, 2019</u></p> <hr/>
<hr/> <p>Conservation Halton Staff</p> <p><u>Janette Brenner</u></p> <hr/>	<hr/> <p>Conservation Halton Staff (Signature)</p> <p><u>J Brenner</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov. 6, 2019</u></p> <hr/>
<hr/> <p>Conservation Halton Staff</p> <p><u>Lestey Mather</u></p> <hr/>	<hr/> <p>Conservation Halton Staff (Signature)</p> <p><u>Lestey Mather</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov. 6 /19</u></p> <hr/>
<hr/> <p>City of Burlington Staff</p> <p><u>Rosalind Mungai</u></p> <hr/>	<hr/> <p>City of Burlington Staff (Signature)</p> <p><u>R Mungai</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov 6, 2019</u></p> <hr/>
<hr/> <p>City of Burlington Staff</p> <p><u>Andreas Houlis</u></p> <hr/>	<hr/> <p>City of Burlington Staff (Signature)</p> <p><u>A Houlis</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov 6 /19</u></p> <hr/>
<hr/> <p>City of Burlington Staff</p> <p><u>CARY CLARK</u></p> <hr/>	<hr/> <p>City of Burlington Staff (Signature)</p> <p><u>Cary Clark</u></p> <hr/>	<hr/> <p>Date</p> <p><u>Nov. 6, 2019</u></p> <hr/>



November 14, 2019

Mr. Joe Nethery
Manager, Community Planning
Planning Services
Legislative & Planning Services
Halton Region
1151 Bronte Road
Oakville, Ontario
L6M 3L1

Dear Mr. Nethery:

RE: Nelson Burlington Quarry Extension – Pre-consultation

Thank you for meeting with Nelson Aggregate Co. (Nelson) on November 6, 2019 and providing a copy of the pre-consultation form.

As requested our consulting team is in the process of preparing terms of reference for the requested reports and they will refer to the Halton Aggregate Resources Reference Manual for guidance. As a follow up to our meeting we wanted to continue to discuss and seek clarification from the agencies on the following:

1. Requirement for a Phase 1 and 2 Environmental Site Assessment – Based on our discussions at the meeting, these studies were being requested by the Region as it related to the potential after use. As confirmed by the NEC, proposed after uses will still be subject to a subsequent approval process once the quarry is complete. In addition, Nelson is not aware of any quarry application in Ontario, including recent applications in Halton, having to provide such studies. As the agencies are aware, the quarry application will be subject to extensive environmental and water resources study to characterize the site conditions.
2. Requirement for a Tree Inventory and Preservation/Compensation Plan – As discussed at the meeting, the application already requires an Environmental Impact Study (EIS) that will characterize all woodlands on the property, including hedgerows and individual tree species that are endangered or threatened. The EIS will provide recommendations, mitigation and compensation measures to ensure no negative impacts to significant woodlands as defined by the Official Plans and prohibit extraction within significant woodlands as defined by criteria established by MNR unless the woodlands are early successional or young plantation. There appears to be no policy basis to protect all woodlands that are not considered significant and to request a tree inventory for all trees located within the proposed extraction area (e.g. GPS individual trees, size width and type). At the meeting, the City of Burlington clarified this request was based on a Tree By-law for the City. Based on further review, it is our understanding that the By-law has not been drafted to date. In addition once

HEAD OFFICE

P.O. Box 1070, Burlington, Ontario, L7R 4L8
Telephone: 905-335-5250 1-800-263-6320 Fax: 905-332-4484



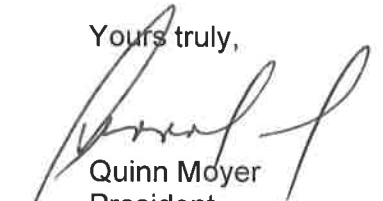
approved, it would not be applicable to the site since no trees would be removed until the site is licensed under the Aggregate Resources Act (ARA) and the permissions under the Act would prevail over local By-laws (Section 66 of the ARA).

3. Reference Plan & PIN Report (including widening on Cedar Springs Road) - As discussed at the meeting, the application includes only a portion of the Burlington Springs property and does not include frontage along Cedar Springs Road and does not propose any access along Cedar Springs Road. It is our understanding from feedback at the meeting that based on these facts, the agencies did not require a reference plan showing widening on Cedar Springs Road.
4. Financial Impact Study (including life cycle asset management for municipal infrastructure) - Based on our meeting, it is Nelson's understanding that this study was based on a request from the City of Burlington. Nelson will be meeting with Mr. Cary Clark and Mr. Andrew Moss from the City of Burlington to further discuss the scope and necessity of such a study.
5. Peer Reviews – Nelson supports the use of peer reviews to assist the agencies where they collectively do not have expertise to complete the technical review or to streamline agency review of the application. Nelson understands that a peer review request will be supported by the rationale to conduct the study and a peer review agreement with Nelson to determine the nature of the review, timing to complete the review and cost to complete the review since Nelson is being asked to cover the cost of the review in addition to the \$325,912.81 of application fees being requested. For example, the following studies will already be reviewed by the following agencies that have the technical expertise to conduct the review:

Report/Study	Agency Expertise to Review
Agricultural Impact Assessment	OMAF
Archaeological Study	MCTS
Environmental Impact Study	Region, CH, MNRF, MECP
Air Quality Assessment	MECP (TBC)
Planning Justification Report	Region, City, MNRF, NEC
Transportation/Haul Route Study	Region, City
Water Resource Study (including hazard assessment, hydrogeological assessment)	MECP, MNRF, CH, Region
Noise and Vibration Study	MECP (TBC)
Blasting Impact Assessment	MECP (TBC)

Thank you for consideration of the above. Nelson is also in the process of organizing the public meeting with the City prior to submission of the application.

Yours truly,



Quinn Moyer
President
Nelson Aggregate Co.

cc. *Brian Hudson, Region of Halton*
John Stuart, NEC
Steve Strong, MNRF
Kellie McCormack, Conservation Halton
Jacek Strakowski, Conservation Halton
Janette Brenner, Conservation Halton
Lesley Matich, Conservation Halton
Rosalind Minaji, City of Burlington
Andreas Houlios, City of Burlington
Cary Clark, City of Burlington
Tecia White, Whitewater Hydrogeology Ltd.
Brian Zeman, MHBC
Kevin Powers, Project Advocacy Inc.

From: Brian Zeman
Sent: December 3, 2019 11:38 AM
To: Nethery, Joe <Joe.Nethery@halton.ca>
Cc: Quinn Moyer - Nelson Aggregate (quinn.moyer@nelsonaggregate.com) <quinn.moyer@nelsonaggregate.com>; Tecia White <tecia@white-water.ca>; 'Kevin Powers' <kevin.powers@projectadvocacy.ca>; Tyler Searls (tsearls@mhbcplan.com) <tsearls@mhbcplan.com>; Christopher Poole
Subject: RE: Nelson Pre-Consultation

Good morning Joe

Thank you for the email confirming that a Phase 1 and 2 ESA is not required as set out in the pre-consultation form dated "November 6, 2019". To address the comment below Nelson Aggregate Co. commits to adding the following requirement to the proposed Aggregate Resources Act Site Plans:

"The Licensee prior to the surrender of the license shall complete a Record of Site Condition for the property in accordance with the Environmental Protection Act."

Regards,

BRIAN ZEMAN, BES, MCIP, RPP | President

MHBC Planning, Urban Design & Landscape Architecture
113 Collier Street | Barrie | ON | L4M 1H2 | T 705 728 0045 x 226 | F 705 728 2010 | C 705 627 9004 | bzeman@mhbcplan.com

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From: Nethery, Joe [<mailto:Joe.Nethery@halton.ca>]
Sent: December-02-19 3:02 PM
To: Brian Zeman <bzeman@mhbcplan.com>
Cc: Quinn Moyer - Nelson Aggregate (quinn.moyer@nelsonaggregate.com) <quinn.moyer@nelsonaggregate.com>; Tecia White <tecia@white-water.ca>; 'Kevin Powers' <kevin.powers@projectadvocacy.ca>
Subject: RE: Nelson Pre-Consultation

I don't think the conversation is needed.

The main intent behind the comment raised at pre-con is that if the plan is for the end use of the site to be a park (in the ownership of some public agency, whatever that may be), how is it that the future owner will be guaranteed a clean site? The *Environmental Protection Act* does speak to requiring Records of Site Condition for when a use transitions from industrial to open space.

Obviously we can't seek out an RSC or guidance on that today, and there will be an overall rehabilitation plan coming in for the totality of the site. I would suggest that the JART will be looking for Nelson's submission and plans on guaranteeing a clean site in compliance with the

Environmental Protection Act—it will be one of many major points of interest in the review of any future application. That can be addressed in some other report and not an ESA.

Does that work?

Joe

Joe Nethery, MCIP, RPP
Manager, Community Planning
Planning Services
Legislative & Planning Services
Halton Region
905-825-6000, ext. 3035 | 1-866-442-5866



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From: Brian Zeman <bzeman@mhbcplan.com>
Sent: Monday, December 2, 2019 1:22 PM
To: Nethery, Joe <Joe.Nethery@halton.ca>
Cc: Quinn Moyer - Nelson Aggregate (quinn.moyer@nelsonaggregate.com) <quinn.moyer@nelsonaggregate.com>; Tecia White <tecia@white-water.ca>; 'Kevin Powers' <kevin.powers@projectadvocacy.ca>
Subject: Nelson Pre-Consultation

Good afternoon Joe

Further to Nelson's letter of November 14, do you have time on Wednesday, December 4 in the afternoon to discuss item #1? Please see attached letter.

Please let me know.

Regards,

BRIAN ZEMAN, BES, MCIP, RPP | President

MHBC Planning, Urban Design & Landscape Architecture
113 Collier Street | Barrie | ON | L4M 1H2 | T 705 728 0045 x 226 | F 705 728 2010 | C 705 627 9004 | bzeman@mhbcplan.com

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Mr. Quinn Moyer
President
Nelson Aggregates Co. PO Box 470
Bolton, ON

Legislative and Planning Services
Planning Services Department
Halton Region
1151 Bronte Road
Oakville, ON L6M 3L1

March 17, 2020

RE: Burlington Quarry Extension – Pre-consultation

Dear Mr. Moyer:

I am writing in response to your correspondence dated November 14, 2019, on the pre-consultation meeting held on November 6.

As discussed, a Joint Agency Review Team (JART) is being established for the expansion of the Burlington Quarry. The JART partners include staff from the City of Burlington, Region of Halton, Conservation Halton and the Niagara Escarpment Commission. The Region will serve as JART chair for the Burlington Quarry extension. The JART approach will ensure that members assess technical information and respond in a coordinated manner. Halton Region will retain technical expertise in a number of disciplines to complement JART members' expertise.

The Region's Aggregate Resources Reference Manual is the primary guidance document for proponents of aggregate applications, including expectations on Terms of Reference for technical studies in support of applications for new or expanded mineral resource extraction uses. On December 10, 2019, Regional, Conservation Halton, and Niagara Escarpment Commission staff provided comments on Terms of Reference for the Surface Water Assessment, Hydrogeologic and Hydrologic Assessments and the Natural Heritage Report.

Responses to points raised in your letter of November 14, 2019, are below.

1. A Phase 1 or 2 Environmental Site Assessment will not be required. Per Brian Zeman's email of December 3, 2019, a clause shall be added to the *Aggregate Resources Act* site plan notes requiring, "The Licensee prior to the surrender of the license shall complete a Record of Site Condition for the property in accordance with the *Environmental Protection Act*."
2. City of Burlington staff will not require a Tree Inventory and Preservation/Compensation Plan, per correspondence from them dated December 20, 2019. Halton Region staff note the Environmental Impact Study will need to demonstrate compliance with the no negative impact tests of the Provincial Policy Statement and Regional Official Plan (among other requirements).
3. City of Burlington staff continue to advise that a Reference Plan and PIN Report is required.
4. City of Burlington staff will not require a Financial Impact Study, per correspondence from them dated January 15, 2020. Halton Region staff continue to require such a report, per Section 4.5 of the Region's Aggregate Resources Reference Manual.
5. JART members typically retain peer services for reviewing technical studies in support of aggregate applications. Third-party reviews provide independent advice and opinions to agency staff in reviewing aggregate-related proposals. This procedure is defined in the

Regional Municipality of Halton

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Region's Aggregate Resources Reference Manual. The JART Chair co-ordinates the reviews to minimize duplication of work and resources in order to achieve a cohesive and comprehensive response on technical matters.

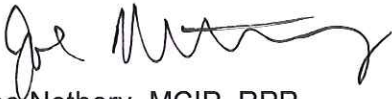
Section 187 of the Regional Official Plan notes that the Region may require a peer review of any report at the proponent's expense. Regional By-law 92-19, which establishes 2020 fees and charges for services provided by Halton Region, also references this requirement and provides for the recovery of the cost of peer reviews.

The scope of the peer review will be determined by the public agency partners or JART members. In many years of practice, Halton Region does not secure peer reviews through proponents, nor does it enter into peer review agreements with proponents of quarry applications. Generally speaking, peer review must be independent and objective in reviewing the applicant-supplied information, providing written comment and technical opinion to the JART members and the applicant. Logistics related to the peer reviews and potential meeting times for discussions on technical issues will be determined and communicated to you through the process.

Please be advised that the steps that need to be followed for a complete application are contained within Regional Official Plan Sections 107 to 110. Specific studies that are necessary to support a Regional Official Plan Amendment application are identified in Regional Official Plan Section 187(10). Timelines for ROPA processing may be impacted by approvals required under other *Acts*.

Should you require further assistance please do not hesitate to contact me.

Sincerely,



Joe Nethery, MCIP, RPP
Manager of Community Planning

cc: *John Stuart, Niagara Escarpment Commission*
Kellie McCormack, Conservation Halton
Brynn Nheiley, City of Burlington
Tecia White, Whitewater Hydrogeology Ltd.
Brian Zeman, MHBC
Kevin Powers, Project Advocacy Inc.

Tab **15**

From: Tecia White [<mailto:tecia@white-water.ca>]
Sent: February-25-20 2:00 PM
To: Nethery, Joe <Joe.Nethery@halton.ca>
Cc: Brian Zeman <bzeman@mhbcpplan.com>
Subject: Nelson Aggregates: Terms of Reference for the Proposed Burlington Quarry Expansion

Good afternoon Joe,

Please accept the attached Terms of References for the Proposed Burlington Quarry Expansion. The zip file contains the TofR for the following studies:

1. Hydrogeology (including groundwater, surface water, and karst)
2. Natural Heritage
3. Adaptive Management Plan
4. Cultural Heritage
5. Visual Impact
6. Traffic
7. Planning
8. Financial

We will follow-up with a second submission by the end of the week, which will contain the outstanding Terms of References, which include:

1. Archaeology
2. Blasting
3. Noise
4. Air
5. Agricultural

Regards,
Tecia White M.Sc. P.Geo.
Senior Hydrogeologist/President
Whitewater Hydrogeology Ltd.
Cell: 705-888-7064

Terms of Reference:

Level 1 and 2 Hydrogeologic and Hydrologic Impact Assessment of the Proposed Burlington Quarry Extension, Nelson Aggregates Co.



Environmental Assessments & Approvals



Worthington Groundwater

February 2020
Version 2.0

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1 PROJECT UNDERSTANDING

1.1 *Introduction*

Nelson Aggregates owns and operates the Burlington Quarry near the intersection of Side Road 2 and Guelph Line, in the City of Burlington, Region of Halton. The quarry is 218.7 ha in size and is located on the watershed divide between the Bronte Creek and Grindstone Creek near Mount Nemo. The quarry has been in existence since 1953 and has been operated by Nelson since 1983.

Nelson will be submitting applications for an extension to the Burlington Quarry. This proposal requires the continued de-watering to allow the quarry floor to remain dry during excavation. The proposal includes having rock from the expansion areas to be extracted for processing in the existing quarry, utilizing the existing infrastructure.

To support the applications, a Level 1 and 2 Hydrogeological Assessment and Adaptive Management Plan will be prepared to demonstrate how:

1. Municipal and private drinking water supplies for people and livestock and designated vulnerable areas such as wellhead protection areas will be protected.
2. Vulnerable surface and ground water, sensitive surface water features and sensitive ground water features and their hydrologic functions will be protected, improved or restored.
3. The water resource system will be protected or enhanced.
4. The proposal conforms to approved watershed and sub-watershed studies.

The Level 1 and 2 Hydrogeological Assessment and Adaptive Management Plan will be completed to exceed the minimum requirements of the relevant legislation and agency standards, including:

1. The Provincial Standards, which support the Aggregate Resources Act.
2. The Provincial Policy Statement.
3. The Niagara Escarpment Plan.
4. Region of Halton Official Plan
5. Halton Region's Aggregate Resources Reference Manual Guidelines
6. City of Burlington Official Plan

In order to develop a detailed understanding of the surface and groundwater processes and interactions at the site and the potential impacts associated with the quarry expansion, a comprehensive hydrogeological and hydrological assessment is required. The study team is proposing that the assessment includes the application of the numerical model: GSFLOW. GSFLOW is fully integrated SW/GW model that can represent all surface water bodies (streams, wetlands, lakes, and ponds) and subsurface geologic and hydrogeologic features in the area.

A fully transient simulation approach will be used to represent actual water takings and impacts daily. Once the baseline model is constructed, the expansion plans can be represented in the model, and simulations can be undertaken to evaluate and minimize the impacts of the proposed expansion.

2 STUDY TEAM

The team includes:

1. Earthfx Inc.
2. Azimuth Environmental Consulting Inc. (Azimuth)

3. Tatham Engineering (Tatham)
4. Worthington Groundwater (Worthington)

The following sections summarize the team's involvement in the project and in the completion of the Hydrogeologic and Hydrologic Impact Assessment of the Proposed Burlington Quarry Extension.

2.1 Earthfx Inc.

Earthfx will act as project lead as well as the numerical modelers for the project. Their work plan presents a state-of-the-art approach for the assessment of the impacts of the proposed quarry expansion. Earthfx has used this GSFLOW approach to complete Ministry of Natural Resources and Forestry and Ministry of the Environment, Conservation and Parks Source Water Protection studies. Nearby, the City of Hamilton used GSFLOW for the Tier 3 Water Quantity Risk Assessment in Greensville, and the Region of Halton used GSFLOW for a similar Tier 3 assessment of the Kelso Wellfield (both by Earthfx). This approach is clearly the preferred methodology for integrated cumulative impact and water quantity risk evaluation.

2.2 Azimuth Environmental Consulting Inc.

Azimuth is an integral part of the hydrogeological team with their expertise in environmental planning, regulation/policy development, agriculture, hydrogeology, hydrogeology of fractured rock, and geochemistry.

Azimuth's work plan focuses on three main aspects which will support the development of the fully integrated GW/SW flow model:

- geological and hydrogeological characterization of overburden and bedrock;
- description of the ground water regime and ground water budget, including infiltration, migration rates and directions, and discharge to the surface environment. This is particularly relevant to the south expansion due to the potential interaction with the water budget of nearby wetlands and wetland pockets that can provide habitat function. The hydrogeological information is a basis for evaluation of wetland hydraulics and the ecological evaluation;
- description of existing users and natural receivers and impact analysis related to the expansion activities. This is particularly relevant for the west expansion due to the number of private wells along Cedar Springs Road to define the potential zone of influence for the quarry to the west. It is also relevant to the south but there are fewer homes and the influence of the existing quarry provides a boundary towards the northeast.

The field work program includes the following tasks:

- drilling and constructing groundwater monitoring wells (both bedrock and overburden) to supplement the existing groundwater monitoring network, which brings the number of monitoring wells to over 100;
- complete downhole geophysical methods (televiwer – acoustic and/or visual), dynamic flow metering, and gamma);
- to assess the bedrock hydraulic characteristics, Azimuth will complete a comprehensive packer testing program and a long-term aquifer test (24-72 hours depending on aquifer response);
- to assess the overburden hydraulic characteristics, Azimuth will complete a slug testing program on the overburden wells;
- water level monitoring (manual and continuous) at the groundwater monitoring wells;
- water quality analyses of the bedrock aquifer; and

- analysis/interpretation of all hydrogeological data and assistance with preparation of the Hydrogeological Level 1 and 2 Numerical Modelling Report.

In addition, a domestic water well survey and monitoring program will be offered to residents within 1 km of the expansion lands. This survey will be completed in the summer of 2019 and residents will be offered the opportunity to have their well included in the groundwater monitoring program (both water levels and water quality).

2.3 Tatham Engineering

Tatham are experts in surface water resources, including but not limited to surface water monitoring, hydrologic and hydraulic modelling, stormwater management planning, water quality and quantity control, and low impact development features.

Tatham's work plan is intended to provide the necessary surface water and hydrologic input to the hydrogeological team (Azimuth and Earthfx) such that the various studies and models can be developed to support applications for both expansion sites being considered. Tatham will be assisting the hydrogeological team with surface water work covering two primary areas:

1. consolidation of the existing surface water monitoring data and expand on the surface water monitoring program for the expansion areas;
2. to develop existing and proposed condition monthly surface water balances for the surface and groundwater catchments potentially impacted by the expansion area;
3. Preparation of a Surface Water Management Strategy that details how the quarry will manage and discharge its surface water; and
4. Preparation of a Flood and Erosion Hazard Delineation Study for the West Tributary of the West Branch of Mount Nemo Tributary.

2.4 Worthington Groundwater.

Worthington specializes in evaluating preferential flow and transport in bedrock aquifers (i.e. karst).

Worthington's work plan involves:

- a detailed evaluation of the proposed extraction areas to identify any karst features;
- review new hydrology and hydrogeology results to determine whether there are any inconsistencies with the existing hydrogeological interpretation. This include streamflow data, well logs, well water levels, water chemistry data, pumping and packer test results;
- carry out tracer tests from observation wells in the West Extension to a pumping well during a long-term aquifer test and calculate apertures of enlarged fractures from results;
- use results from downhole flowmeter and video/televiwer to interpret extent of solutional enlargement of fractures and resultant preferential flow. If available, electrical conductivity, temperature, and gamma logs would assist this interpretation; and
- prepare a report on the extent and nature of karstic development in the aquifer at the site. This will utilize and expand on my previous report on karst at the site.

3 STUDY OBJECTIVES

The quarry assessment requires a technically defensible platform on which the interpretation, model development, and predictive simulations can be based. *Models are only as good as the data foundation.* The study team has been assembled to ensure a comprehensive database of groundwater and surface water information has been compiled to form this data foundation. Specifically, the field data collected

as part of the quarry expansion will be relied upon to develop/characterize the local conditions in the conceptual and numerical models (including but not limited to: climatic conditions, surface water conditions [peak and low stream flows, surface water flow response to precipitation and snowmelt conditions, wetland hydro-periods], karst flow, geological conditions from drilling results, aquifer characterization from hydraulic testing and geophysics). The hydrogeological and hydrologic data will be used for model calibration.

The model will provide a unified framework for analysis of surface water and groundwater issues and will be a critical element of the site characterization report.

1. The integrated model will be used to evaluate and characterize the site function and model scenarios will be undertaken to assess different aspects of the plan. The model will provide detailed information on predicted flows and levels and will support wetland hydroperiod analysis, seasonality of response, and climate sensitivity.
2. The final phase of the analysis is the detailed impact analysis of the proposed quarry design for inclusion in the applications. In this phase long term (25 year) transient baseline and closure simulations will run to demonstrate that the effects of site development under the full range of natural climate conditions.

4 PROPOSED APPROACH

4.1 *Model Selection*

We propose the development of a fully integrated SW/GW model based on U.S. Geological Survey GSFLOW code. This open source model fully integrates the well-recognized MODFLOW-NWT groundwater flow code and the USGS PRMS hydrologic model, both established models. We have used GSFLOW on more than 15 modelling projects in Ontario, including major Tier 3 Source Water Protection Studies for MNRF, MECP and Conservation Authorities. We have also used GSFLOW for models of Lafarge and Dufferin Aggregates quarries and major mines including Detour Gold Corporation and oil sand mining operations. GSFLOW is widely accepted as the premiere modelling assessment tool.

Most significantly, we used GSFLOW in the Greensville Tier 3 study, covering the municipal wellfield and the nearby Lafarge and Dufferin quarries of North Hamilton. The Greensville Tier 3 model builds on our extensive North Hamilton model. The Greensville GSFLOW model represents all aspects of quarry operations and has set a new standard for high resolution assessment of cumulative impact analysis. All aspects of the development and calibration of the Greensville GSFLOW model are presented in the Tier 3 Model Development and Calibration Report (Earthfx, 2014).

The main technical features and benefits of a GSFLOW model include:

- fully integrated simulation of all surface water and groundwater processes;
- fully transient (i.e., time-dependent) simulations and calibration to observed flows and levels;
- boundary conditions extended to natural flow divides;
- simulation of all hydrologic processes (rainfall, runoff, snowmelt, ET, overland runoff, and groundwater discharge to streams);
- full representation of wetlands and streams, with total flow stream routing;
- representation of internal quarry water management and reservoir operation;

- representation of all surface and groundwater takings using data from the MOE WTRS database; and
- improved representation of groundwater flow across the Niagara Escarpment.

5 WORK PLANS

5.1 *Surface Water Management Assessment*

Tatham has developed the following work plan to define the components of the surface water assessment necessary to support the requisite approval applications for the Burlington quarry expansion. Specifically, the work plan has been developed to provide the necessary surface water and hydrologic input to the project team in support of the quarry expansion applications. We have divided the surface water assessment into four components as follows:

1. Surface water monitoring;
2. Water balance assessment (existing and proposed conditions);
3. Flood and erosion hazard study; and
4. Surface water management strategy (to be incorporated into the Final Adaptive Management Plan).

The specific terms of reference for each component of the surface water management assessment are presented in the following sections.

5.1.1 *Surface Water Monitoring*

To understand the surface water systems and surface water/groundwater interactions in the proposed expansion areas and the surrounding lands, a network of surface water monitoring stations has been established; including streamflow, wetland hydroperiod and shallow groundwater monitoring stations. In total, 21 streamflow, seven (7) wetland hydroperiod and seven (7) shallow groundwater continuously recording monitoring stations have been established on-site and in the surrounding area. Manual streamflow measurements are collected quarterly from an additional 35 surface water features surrounding the existing quarry and the proposed expansion lands.

Water quality samples are also collected four times per year from 13 select surface water monitoring locations to characterized existing surface water quality in the area. The parameters analyzed in each surface water sampled collected are presented in the following table:

Table 1: Water Quality Parameter Summary

WATER QUALITY PARAMETER	
Dissolved Organic Carbon	Ammonia/Ammonium
Alkalinity	Biochemical Oxygen Demand
Chemical Oxygen Demand	Conductivity
Total Hardness	Metals

WATER QUALITY PARAMETER	
Turbidity	Total Dissolved Solids
Total Suspended Solids	pH
Carbonate and Bicarbonate	Temperature

Monthly field visits are conducted to collect in-situ surface water measurements and to download data from the respective continuous recording monitoring devices. The in-situ field measurements are used to calibrate and validate the data collected by the continuous recording monitoring devices.

The surface water monitoring data will be used to calibrate and validate the existing condition water balances and the integrated surface water/groundwater model (being completed by others). The data will also be used to evaluate potential impacts and develop mitigation strategies that will address any potential impacts resulting from the expansion of the existing quarry.

The current surface water monitoring program will be undertaken throughout the duration of the approvals process of the proposed quarry expansion. It is anticipated that the surface water monitoring program will be adjusted (monitoring locations added and/or removed) during the approvals process through consultation with the requisite approval agencies. Also, it is anticipated that the surface water monitoring program will be refined for the operational lifespan of the quarry post approvals as part of the surface water assessment and approvals process to focus on the key receptors and waterbodies considering potential impacts.

5.1.2 Water Balance Assessment

Existing condition water balances are being developed for the various surface water catchment areas to understand how the existing surface water features function so we can predict wetland hydroperiod and streamflow under different climatic conditions. Detailed existing condition daily and monthly water balances are being prepared for each sub-catchment potentially impacted by the proposed quarry expansion and the areas include the existing quarry operations. Over a 20-year period of climate data is available for the area which will be analyzed to predict the range of streamflow and wetland hydroperiods expected under existing conditions.

The same climate data analyzed through the integrated surface water / groundwater model will be analyzed in the water balance assessment. The climate data will be an interpolation of climate data from the available Environment Canada climate stations surrounding Burlington Quarry. The climate data will cover a period of October 1997 to September 2019.

As discussed, the surface water monitoring data collected will be used to calibrate and verify the existing condition daily water balance. The results of the daily water balance will be compared against the available streamflow, wetland hydroperiod and shallow groundwater monitoring data. The daily water balance input parameters will be adjusted within acceptable ranges to calibrate the daily water balance to the surface water monitoring data for a specified period. The calibrated daily water balance results will then be compared against the surface water monitoring data for a different period to validate the results.

The monthly water balance will be updated to include the calibrated daily water balance input parameters.

After calibrating and validating the existing condition water balances, proposed condition water balances will be prepared to evaluate the potential impacts from the various phases of the proposed quarry expansions. The same climate data will be analyzed through the proposed condition water balances to predict the range of streamflow's and wetland hydroperiods that would be expected under proposed conditions. The results of the proposed condition water balances will then be compared against the results of the existing condition water balances to determine what, if any, impacts the proposed quarry expansions could have on the surface water features in the area.

The results of the proposed condition water balances will be used to develop mitigation strategies to address potential impacts, if any, from the proposed quarry expansions. The water balance assessment, both existing and proposed conditions, will be relied upon in the integrated surface water/groundwater model (being completed by Earthfx).

5.1.3 Flood and Erosion Hazard Study

The West Tributary of the West Branch of the Mount Nemo Tributary runs southeast from No. 2 Sideroad downstream parallel to the proposed extraction limit of the south expansion. A flood and erosion hazard study is required to confirm the proposed extraction limits are located outside the natural hazards associates with the tributary. Flood and erosion thresholds are also required to establish the quarry discharge (both quantity and quality) targets to the tributary.

To complete the flood and erosion hazard study, a topographic survey of the tributary downstream of No. 2 Sideroad to the studies downstream limit is required. A detailed topographic survey of the tributary watercourse (cross-sections, sinuosity, longitudinal slope, etc.) and any structures (culverts, bridges, ponds) within the study limits is required. Based on the mapping available, we feel the study should extend approximately 750 m downstream of No. 2 Sideroad. As such, we will complete the detailed topographic survey of the tributary through this area.

A HEC-RAS hydraulic model of the watercourse through the study area will be created to delineate the flood hazard limit associated with the tributary. The topographic survey of the watercourse will be used to generate the geometry data for the watercourse. A hydrologic model of the tributaries contributing drainage area will be generated to establish the design storm and Regional Storm peak flows through the study reach. The calculated flow data plus the quarry discharge will be routed through the HEC-RAS hydraulic model to establish the tributaries flood hazard limit. The flood hazard limit will be delineated on a Natural Hazards Plan for inclusion in the Surface Water Assessment.

The erosion hazard limit for the tributary will be established following the erosion hazard guidelines defined in the MNR Technical Guide – River and Stream Systems: Erosion Hazard Limit. Based on our knowledge of the tributary, we believe the watercourse is defined as an unconfined watercourse through the study area. As such, the erosion hazard limit is defined as the greater of 20 times the bankfull channel width centered over the meander belt axis (meander belt allowance) or the flood hazard limit plus a 6 m erosion access allowance. We will establish the bankfull channel width and meander belt axis from the topographic survey of the watercourse and delineate the meander belt allowance on the Natural Hazards

Plan previously discussed. A 6 m erosion access will be added to the greater of the meander belt allowance or flood hazard limit to establish the erosion hazard limit.

5.1.4 Surface Water Management Strategy

At the conclusion of the water balance work a surface water management strategy will be developed for each expansion area and phase of extraction. The surface water management strategy will establish appropriate water quantity and quality targets for the off-site discharge from the existing quarry and future quarry expansions. The water quantity and quality targets will be developed to maintain existing streamflow, wetland hydroperiods and water quality in the areas surrounding surface water features. The surface water management strategy will specify discharge locations and the on-site storage requirements to satisfy the water quantity and quality targets while maintaining appropriate operating conditions for the quarry. The surface water management strategy will be integrated with the integrated surface/groundwater modeling work being completed by others.

The surface water management strategy will also establish appropriate long-term water quantity and quality targets for off-site discharge from the rehabilitated quarry after extraction has ceased. The surface water management strategy will specify the long-term discharge locations and the on-site storage requirements to satisfy the water quantity and quality targets for the rehabilitated site.

As part of the surface water management strategy, mitigative measures will be developed to address potential changes, if any, from the proposed quarry expansions. Long-term surface water monitoring stations that evaluate potential changes from the quarry expansions will be identified as part of the surface water management strategy. The existing surface water monitoring data and background baseline data will be evaluated to identify thresholds that can be used to signal potential changes during future extraction. When the thresholds are triggered, the surface water management strategy will outline the investigative measures to be undertaken to establish the cause of the trigger. Depending on the cause, (climate, quarry extraction, etc.) mitigation measures will be specified to address the change. The monitoring and proposed mitigation measures will be incorporated into the Adaptive Management Plan for the Burlington Quarry.

The surface water monitoring, water balance assessment, flood and erosion hazard study and surface water management strategy will be presented in a Surface Water Assessment Report distributed as part of the quarry expansion applications. The Surface Water Assessment Report will document the work undertaken, the results of the surface water monitoring, water balance assessment, and flood and erosion hazard study, the surface water management strategy for each extraction area and phase of extraction including rehabilitation of the site, any potential surface water changes resulting from extraction, and the mitigation measures recommended to address potential impacts.

5.2 GSFlow Model

5.2.1 Database Compilation

The Earthfx approach to all projects is founded on the development of a fully integrated database of groundwater, surface water, geology, and climate data to support the analysis phases of projects. The proposed approach for this project places a significant emphasis on data compilation and interpretation prior to the construction and calibration of the integrated model.

Considerable data has been collected at the Nelson site and based on our experience in the area we have an excellent understanding the regional information that is available. For example, cross sections through the eastern portion of the North Hamilton model, developed by Earthfx, will identify what data are available based on interrogating a number of sources including previous study reports, available mapping, data compilations created for earlier studies, and publicly accessible databases. The latter would include the MECP Water Well Information System (WWIS) for borehole data, the MOE Water Taking Reporting System (WTRS), the Permit to Take Water (PPTW) database, OGS borehole data, Provincial Water Quantity Geodatabase, and the Environment Canada climate and streamflow databases. A georeferenced digital library of all reports and investigations conducted in the study area will also be compiled.

a. Hydrologic Data:

- Climate data will be obtained from Environment Canada and MNRF.
- Streamflow data will be obtained from the WSC and Tatham on an hourly and daily time step for the stream gauges in and around the study area.

b. Geologic Data:

- Borehole data from a wide variety of sources including the Nelson's own drilling, WWIS borehole data and OGS boreholes will be assembled. Other sources may include municipal water well exploration studies, golf courses, landfill studies, and MTO geotechnical data.
- More importantly, we will include our insights and understanding from the three-dimensional geologic model that we created for the City of Hamilton.

c. Hydrogeologic Data:

- Hydrogeologic data sets will incorporate static water levels from the MOE Water Well Records database, as well as transient groundwater monitoring data from the Provincial Groundwater Monitoring Network (PGMN), municipal monitoring wells, and from the comprehensive site monitoring. Nelson has over 100 monitoring wells in its network.
- Previous studies will be reviewed to extract information on the hydraulic properties (i.e., hydraulic conductivity, anisotropy, and storage coefficients) of the aquifers and aquitards in the study area. These will include aquifer testing data, hydrogeological investigations, and modelling studies. This data will be compared to similar data collected by Azimuth to ensure consistency and completeness.
- Earthfx staff will use a combination of visual and statistical tools to spot errors in the time-series and geologic data. Our experience in the other studies showed that investigating discrepancies between observations and model results often helped spot outliers and data shifts and, in some cases, forced a re-examination of our understanding of the local hydrogeology.

d. Conceptual Groundwater Model Surface Update:

- The conceptual hydrostratigraphic model is a three-dimensional representation of the complex geologic and hydrogeologic setting in the subsurface. The conceptual hydrostratigraphic model describes the stratigraphy, hydrostratigraphy, and aquifer and aquitard properties.
- Regional conceptual hydrogeologic model will be updated with local data. When converting to a fully integrated SW/GW model, however, there are frequently changes needed to better represent the shallow subsurface. GSFLOW is very robust at simulating shallow subsurface aquifers that only transmit water during the spring wet period, and refinement of this critical layer is necessary to simulate SW interaction and impacts. Updated model surfaces, including the upper layers, will be generated. Quarry drains, sumps, pipe network systems, quarry lakes and other water storage systems will also be represented in the model.

e. Conceptual Surface Water Model Development

- A soil zone (and shallow unsaturated zone) model will be constructed to represent all the surface hydrology processes. Vegetation, land cover, soil properties, wetland attributes, and climate data will be compiled and represented in the model. Key data and processes will be evaluated to develop an understanding of the local SW processes that are significant to the impact assessment. For example, the role of shallow wetlands in the vicinity of the proposed expansion will be evaluated, along with other issues such as regional discharge patterns to the Provincially Significant Wetlands in the Medad valley. Golf course water use and the collaborative water management between the quarry and adjacent courses will be reviewed and prepared for simulation.
- Other aspects of the conceptual surface water model include:
 - the soil water balance (i.e., precipitation, overland runoff, infiltration, evapotranspiration and groundwater recharge) and the underlying processes that affect these rates including groundwater feedback mechanisms (e.g., Dunnian runoff);
 - properties of the surface-water system and factors controlling GW/SW interaction;
 - anthropogenic inputs and outputs from the surface water and groundwater system (pumping rates, return flows, water takings, diversions, and on/off-line storage); and
 - other significant features (e.g., soil properties, surficial geology, topographic features, and land use that may affect recharge and discharge).
- Hydrologic processes in the study area will be simulated using the Precipitation-Runoff Modeling System (PRMS) as implemented in GSFLOW. The PRMS model is fully distributed and soil water balances are calculated on a grid mesh which can be different than that used for the groundwater model. The use of multi-grid resolution is an innovation introduced by Earthfx in recent SWP studies. For example, the Kelso/Campbellville Tier 3 study used a uniform 20-m mesh to represent the spatial variability in topography, soil properties, vegetative cover, and land-use. The groundwater model used fine-resolution in the wellfields (10 m) and coarser resolution (80-m) outside. Climate data (NEXRAD) was interpolated over a 500-m mesh. This multi-grid approach allows us to add detail where necessary, providing high resolution modelling analysis within a larger sub-catchment basis. This approach was also used in the Greensville Tier 3 study to represent the Lafarge and Dufferin quarry operations.

5.2.2 Model Calibration

Our experience has shown that an integrated model is best developed in a staged approach in which we initially develop a preliminary calibration of the SW hydrologic and groundwater components and then link these components within the integrated model. Subtasks in the staged approach are outlined below.

a. Surface Water Model Development

- Model inputs for the PRMS hydrologic model include daily climate data (precipitation, temperature, and solar radiation). Model parameters will include soil properties, land use properties (e.g., vegetative cover and imperviousness), and topography. The preliminary model will be calibrated to match observed flow at the gauges, but refined during the integrated final calibration. Initial PRMS calibration will provide estimates of daily groundwater recharge over a 20-year period for use in as a recharge estimate for the groundwater model. The surface water model will rely on input and findings of Tatham's surface water monitoring and water balance results.

b. Preliminary Steady-State Groundwater Calibration

- Earthfx will construct, concurrently with the development of the PRMS hydrologic model, the groundwater component based on the MODFLOW-NWT sub-model in GSFLOW. The numerical model will utilize the hydrostratigraphic layers derived from the conceptual model update as described previously. Model boundaries and initial aquifer and aquitard properties will also be derived from results of Task 1. The purpose of the initial steady state GW development task is to set the stage for subsequent transient and integrated modelling.
- The initial model will be run for steady-state conditions using the estimates of long-term average recharge derived from PRMS model results and average annual pumping rates. These conditions will be assumed to be representative of “simplified current conditions”, but subject to many of the limitation as previously discussed. Results will be compared against average observed water levels at monitoring wells and against MECP static water levels where monitoring data are lacking. Simulated baseflow to streams will be compared to estimated annual average baseflow values that will be determined by applying hydrograph separation technique to gauges with long-term record. In addition to absolute discharge values, the spatial distribution of groundwater discharge will be assessed, and this spatial distribution will be compared against spot flows as a qualitative calibration target.
- Model parameters, primarily hydraulic conductivity estimates for the aquifers and aquitards, will be adjusted in a consistent manner to improve the match between the simulated values and the calibration targets. Automated parameter estimation techniques may be applied to refine the calibration if warranted. Steady State calibration efforts will stop when it is felt that additional improvements can best be made with the fully integrated model.
- The end of this subtask is a good point to verify that the model conceptualization is reasonable. Water balance results from the steady-state model will be compared against water balance output generated from previous models and simplified calculations. Where significant differences in output are observed, likely reasons for the differences will be documented and resolved as needed.

c. Integrated Transient Model Calibration

- Once the two sub-models (PRMS and MODFLOW-NWT) are configured and reasonably well calibrated independently, we will use the GSFLOW code to run the integrated sub-models simultaneously. With an integrated model, feedback between the hydrologic and groundwater systems becomes instantaneous.
- Data sets needed to run the integrated model, including the cascading overland flow routing network, will be generated. Post-processing of model outputs and summations needed for the water budget analyses will be conducted using VIEWLOG.
- Daily and seasonal patterns in quarry water management will be compiled and represent in the transient model.
- Calibration will be done to match daily, seasonal, and year-to-year variation in water levels as seen in monitoring wells for the calibration period. The calibration period will be selected based on data availability. Matching historic groundwater response will be a good test of the integrated model's ability to predict the timing and magnitude of the groundwater response to elevated recharge in the fall, frozen ground and snowmelt events in the winter, the spring freshet, and summer low-recharge conditions.

5.2.3 Application Plan Assessment

The final phase of the project is to complete a full assessment of the proposed expansion plan. The assessment will follow a similar pattern to the Baseline Operations task, but with the incorporation of the proposed modifications to the GW and SW systems, as follows:

Simulation of Baseline Conditions - Once the design is finalized, a baseline time period will be selected for reference and subsequent impact assessment. For example, a 25-year baseline operation period will be simulated, and the daily results processed to present a complete picture of quarry operations under dry year (2007) wet year (2008) and average year conditions (2009). This will illustrate the overall behavior of the current operations and provide multiple seasonal points of reference for subsequent impact assessment.

Integrated Simulation of Planned Expansion - Changes to the stream network (diversions), wetlands and quarry drain configurations, as required by the proposed extension, will be incorporated into the model. Operational issues such as quarry water management, temporary storage ponds, spring dewatering rates and other surface water management issues will be identified and converted into a model representation of the operations plan.

Changes to the model layers will be incorporated into the model to represent the new excavation and sump details. Additional toe drains may be added to route groundwater seepage and runoff into new sump locations. The effects of blast damage to the geologic units may be incorporated if necessary. Operational details and closure plans in the existing quarry will also be represented in the model.

Once the changes to the model have been incorporated and tested, a multi-year integrated transient simulation will be completed. A simulation time frame consistent with the baseline operations scenario will be simulated to provide a consistent point of reference.

Impact Assessment - Finally, the impact assessment will be completed by comparing the baseline Scenario to the Planned Expansion Scenario. Seasonal changes in the surface water and groundwater system will be determined by comparing detailed outputs from each scenario. Impacts during dry years and wet years will also be evaluated.

5.2.4 Groundwater Management Strategy

Based on the findings of the Impact Assessment a groundwater management strategy will be developed for each expansion area and phase of extraction. The groundwater management strategy will establish an appropriate groundwater monitoring program to ensure that changes to the groundwater levels will have no adverse impact to domestic water wells, surface water and natural heritage features.

As part of the groundwater management strategy, mitigative measures will be developed to address potential changes, if any, from the proposed quarry expansions. Long-term groundwater monitoring stations that evaluate potential changes from the quarry expansions will be identified as part of the groundwater management strategy. The existing groundwater monitoring data and background baseline data will be evaluated to identify changes in water level trends that can be used to signal potential changes during future extraction. When the changes to groundwater level trends, the groundwater management strategy will outline the investigative measures to be undertaken to establish the cause of the change. Depending on the cause, (climate, quarry extraction, etc.) mitigation measures will be specified to address

the change. The monitoring and proposed mitigation measures will be incorporated into the Adaptive Management Plan for the Burlington Quarry.

5.3 Reporting

The reports that will be prepared to support the quarry applications will include:

1. Level 1 and 2 Hydrogeological and Hydrological Impact Assessment (Co-Authored Earthfx and Azimuth)
2. Surface Water and Groundwater Management Plan (Co-Authored: Earthfx and Tatham)

The monitoring and mitigation recommendations set out in the Surface Water and Groundwater Management Plan will be developed based on the identification of potential receptors (e.g., local domestic water wells and environmental features such as wetlands and fish habitat). These programs will form the basis of the Adaptive Management Plan, which will be prepared by Nelson Aggregates.

The Terms of Reference for the Adaptive Management Plan is provided under a separate cover.

January 2020

**RE: Nelson Aggregate Company - Burlington Quarry Extensions
Natural Heritage Work Program: Policy and Methods (to be incorporated in overall Terms of Reference, prepared by Tecia White, Whitewater Hydrogeology)**

The Level 1 and 2 Natural Environment Technical Report (NETR) will be completed in accordance with the requirements of the Aggregate Resources Act, 1997. It will address both provincial and regional natural environment assessments through the application of relevant pieces of the Provincial Policy Statement (MMAH 2014) and related guidance presented in the Natural Heritage Reference Manual (MNR 2010), as well as the Niagara Escarpment Plan (specifically addressing requirements of Parts 2.7.3 through 2.7.8 and Part 2.7.12), the Region of Halton Official Plan, the Aggregate Resources Reference Manual Guidelines (Section 4.4; Halton Region) and the City of Burlington Official Plan.

The NETR will meet the technical requirements of an Environmental Impact Study (EIS) and will be complemented by planning reporting completed by other specialist members of the applicant's consulting team. It will identify, evaluate and assess direct, indirect and cumulative impacts to those natural heritage features that are present both within and adjacent to the Subject Lands. Rehabilitation and required mitigation measures will also be discussed in detail.

Savanta was involved in the previous application and is able to rely upon field data and information obtained during that process to enhance the background data collection review.

1. NATURAL HERITAGE POLICY OVERVIEW

An assessment of the quality and extent of natural heritage features found on, and adjacent to, the Subject Lands and the potential impacts to these features from the proposed aggregate application will be undertaken in association with the following legislation and policies:

- Provincial Policy Statement (PPS; MMAH 2014);
- Niagara Escarpment Plan (MNRF 2017);
- Halton Region Official Plan (2015);
 - Halton Region Official Plan Guidelines – Aggregate Resources Reference Manual
- City of Burlington Official Plan (2018);
- Provincial *Endangered Species Act*, (ESA; 2007);
- Federal *Fisheries Act* (2019); and
- Conservation Halton (O. Reg. 162/06).

1.1 Provincial Policy Statement

The NETR will address those policies that are specific to Natural Heritage (section 2.1) with some reference to other policies with relevance to Natural Heritage and impact assessment considerations.

Eight types of natural heritage features are defined in the PPS, as follows:

- Significant wetlands;
- Significant coastal wetlands;
- Significant woodlands;
- Significant valleylands;
- Significant wildlife habitat (SWH);
- Fish habitat;
- Habitat of endangered and threatened species; and
- Significant areas of natural and scientific interest (ANSIs).

Development and site alteration shall not be permitted in Significant Wetlands or in Significant Coastal Wetlands. Development and site alteration shall not be permitted in Significant Woodlands, Significant Valleylands, SWH or significant ANSIs, unless it is demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Development and site alteration shall not be permitted in the habitat of Endangered and Threatened species or in fish habitat, except in accordance with provincial and federal requirements. Development and site alteration may be permitted on lands adjacent to significant natural heritage features (i.e., within 120 m of the Subject Lands, as identified in the NHRM (MNR 2010) provided it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

1.2 Niagara Escarpment Plan

The Niagara Escarpment Planning and Development Act was first drafted in 1990 and was last amended in 2017 and is enforced by the NEC. The objectives of the Niagara Escarpment Plan (NEP) specific to this Proposal focus on Sections 2.7.3 through 2.7.8 and Section 2.7.12 which include:

- 2.7.3. The diversity and connectivity between key natural heritage features and key hydrologic features shall be maintained, and where possible, enhanced for the movement of native plants and animals across the landscape.*
- 2.7.4. Development in the other natural features not identified as key natural heritage features or key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible, and the impact of the development on the natural feature and its functions shall be minimized.*
- 2.7.5 Where policies or standards of other public bodies or levels of government exceed the policies related to key natural heritage features or key hydrologic features in this Plan, such as may occur*

with habitat of endangered species and threatened species under the Endangered Species Act, 2007; with natural hazards where section 28 regulations of the Conservation Authorities Act apply; or with fisheries under the Federal Fisheries Act, the most restrictive provision or standard applies.

- d) 2.7.6 *If in the opinion of the implementing authority, a proposal for development within 120 metres of a key natural heritage feature has the potential to result in a negative impact on the feature and/or its functions, or on the connectivity between key natural heritage features and key hydrologic features, a natural heritage evaluation will be required that:*
- a. *Demonstrates that the development, including any alteration of the natural grade or drainage, will protect the key natural heritage feature or the related functions of that feature;*
 - b. *Identifies planning, design and construction practices that will minimize erosion, sedimentation and the introduction of nutrients or pollutants and protect and, where possible, enhance or restore the health, diversity and size of the key natural heritage feature;*
 - c. *Determines the minimum vegetation protection zone required to protect and where possible enhance the key natural heritage feature and its functions; and*
 - d. *Demonstrates that the connectivity between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained and where possible enhanced for the movement of native plants and animals across the landscape.*

Except with respect to a key natural heritage feature that is solely the habitat of endangered species or threatened species, which is subject to Par 2.7.8 below.

- e) 2.7.7 *For the purposes of 2.7.6, a vegetation protection zone shall:*
- a. *Be of sufficient width to protect and where possible enhance the key natural heritage feature and its functions from the impacts of the proposed change and associated activities that may occur before, during, and after, construction;*
 - b. *Be established to achieve, and be maintained as, natural self-sustaining vegetation; and*
 - c. *In the case of Areas of Natural and Scientific Interest (Earth Science and Life Science), include without limitation an analysis of land use, soil type and slope class.*
- f) 2.7.8 *Development within the habitat of endangered species and threatened species:*
- a. *Located within Escarpment Natural Areas and Escarpment Protection Areas, is not permitted, except for development referred to in Parts 2.7.2 a) b) c) d) or e) which may be permitted provided it is in compliance with the Endangered species Act, 2007; and*
 - b. *Located within Escarpment Rural Areas, Mineral Resource Extraction Areas, Urban Areas, Minor Urban Centres and Escarpment Recreation Areas, is not permitted unless it is in compliance with the Endangered Species Act, 2007.*

- g) 2.7.12 Development where permitted in woodlands should protect and where possible enhance the woodland and associated wildlife habitat. All development involving the cutting of trees requires approval from the implementing authority, subject to the following criteria:
- a. Cutting of trees and removal of vegetation shall be limited to the minimum necessary to accommodate the permitted use;
 - b. Using tree-cutting methods designed to minimize negative impacts on the natural environment, including surface drainage and groundwater;
 - c. Minimizing disruption to wildlife habitat in the area;
 - d. Retaining the diversity of native species;
 - e. Aiming over the long term to protect and where possible enhance the quality and biodiversity of the woodland;
 - f. Protecting trees and vegetation to be retained by acceptable means during construction; and
 - g. Maintaining existing tree cover of other stabilizing vegetation, on steep slopes in excess of 25 per cent (1:4 slope).

Section 2.9 states that mineral aggregate operations may be permitted in key natural heritage features and any vegetation protection zone (VPZ) associated therewith, except for wetlands and significant woodlands, that are not young plantation or early successional habitat (as defined by the MNRF).

Mineral aggregate operations may be permitted in a key natural heritage feature or its VPZ, which is solely the habitat of endangered or threatened species and not any other key natural heritage feature, provided it is in compliance with the Endangered Species Act, 2007.

1.3 Halton Region Official Plan

The Regional Official Plan (OP) sets its own Natural Heritage System (NHS) policies.

The Limit of Extraction and the 120 m Adjacent Lands contain Key Features (**Figure 2b, Appendix A**). Given that the Limit of Extraction is within the RNHS, the following Regional OP policies apply:

Require the proponent of any development or site alteration that meets the criteria set out in Section 118(3.1) to carry out an Environmental Impact Assessment (EIA)...The purpose of an EIA is to demonstrate that the proposed development or site alteration will result in no negative impacts to that portion of the Regional Natural Heritage System or unmapped Key Features affected by the development or site alteration by identifying components of the Regional Natural Heritage System as listed in Section 115.3 and their associated ecological functions and assessing the potential environmental impacts, requirements for impact avoidance and mitigation measures, and opportunities for enhancement. The EIA shall, as a first step, identify Key Features on or near the subject site that are not mapped on Map 1G (Section 118(3)).

As noted in Section 118(3) of the Regional OP, Section 115.3 lists the components of the RNHS as follows:

115.3 *The Regional Natural Heritage System is a systems approach to protecting and enhancing natural features and functions and is scientifically structured on the basis of the following components:*

- (1) *Key Features, which include:*
 - a. *Significant habitat of endangered and threatened species;*
 - b. *Significant wetlands;*
 - c. *Significant coastal wetlands;*
 - d. *Significant woodlands;*
 - e. *Significant valleylands;*
 - f. *Significant wildlife habitat;*
 - g. *Significant areas of natural and scientific interest; and*
 - h. *Fish habitat;*
- (2) *Enhancements to the Key Features including Centres for Biodiversity;*
- (3) *Linkages;*
- (4) *Buffers;*
- (5) *Watercourses within a Conservation Authority Regulation Limit or that provide a linkage to a wetland or a significant woodland; and*
- (6) *Wetlands other than those considered significant under Section 115.3(1)b.*

Key Features are not mapped individually on Map 1G. Assessment of features present within the Study Area, with respect to applicable Regional policies, is presented in this report.

1.3.1 Regional Official Plan Guidelines - Aggregate Resources Reference Manual

These Guidelines have been prepared to clarify, inform and aid in the implementation of the Halton Region Official Plan's policies. They are meant to provide direction and outline approaches that can be used to satisfy the relevant policies of the Plan. They are not meant to introduce additional policy requirements.

Section 4.4, Environmental Impact Study, is the relevant section that will provide guidance to this Report submission. The intent of the Guidelines is to demonstrate that the Proposal will not have a negative impact on natural features or their ecological functions; that extraction will occur in a manner that minimizes environmental impacts; that long-term ecological function and biodiversity of the natural heritage system can be maintained, restored or even improved; and within the NEP area, that the Proposal will maintain the Niagara Escarpment land in its vicinity as a continuous natural environment and will be compatible with the Niagara Escarpment and the lands in its vicinity.

The objectives of the Proposal when applying the Guidelines include the following:

1. *To identify all natural heritage features that have the potential to be impacted by the proposed aggregate operations.*

2. *To identify the connections and linkages between natural heritage features and areas, surface water features and groundwater features.*
3. *To determine how the diversity and connectivity of the natural features in an area and the long-term ecological function and biodiversity of the natural heritage system can be maintained, resorted or where possible improved.*
4. *Identify all potential impacts on significant natural heritage features and/or key natural heritage features.*
5. *Determine whether the proposal will have negative impacts on significant natural heritage features and/or key natural heritage features.*
6. *Determine what mitigation and monitoring measures, if required, are necessary to ensure that environmental impacts are minimized.*
7. *To determine and make recommendations on how net environmental gain can be provided in the short term and in the longer term both on the site and for the surrounding area.*
8. *Within the NEP area, identify all potential individual and cumulative impacts on the natural environment.*

1.4 City of Burlington Official Plan

The City of Burlington Official Plan (OP) describes the City's land-use approach and is used to help with future planning and development.

The City's Natural Heritage System embodies a systems approach to protecting and enhancing natural heritage features and areas and ecological and hydrologic functions and is scientifically structured on the basis of the following components:

- (1) *Key Natural Features, which include:*
 - a. *habitat of endangered species and threatened species;*
 - b. *significant wetlands;*
 - c. *significant coastal wetlands;*
 - d. *significant woodlands;*
 - e. *significant valleylands;*
 - f. *significant wildlife habitat;*
 - g. *significant areas of natural and scientific interest; and*
 - h. *fish habitat;*
- (2) *Enhancements to the Key Natural Features including Centres for Biodiversity;*
- (3) *Linkages;*
- (4) *Buffers;*
- (5) *Watercourses within a Conservation Halton Regulation Limit or that provide a linkage to a wetland or a significant woodland; and*
- (6) *Wetlands other than those considered significant under Subsection 4.2.2e)(i) of this Plan.*

Development and site alteration are prohibited within significant wetlands and significant coastal wetlands; nor within fish habitat or habitat of endangered or threatened species except in accordance with Provincial and Federal legislation or regulations.

It must be demonstrated through an Environmental Impact Assessment or equivalent study that there will be no negative impacts on the City's NHS or on natural heritage features and areas or their ecological and hydrologic functions or linkages.

1.5 Provincial *Endangered Species Act (ESA)*, 2007

The provincial ESA was developed to:

- Identify species at risk, based upon best available science;
- Protect species at risk and their habitats and to promote the recovery of species at risk; and
- Promote stewardship activities that would support those protection and recovery efforts.

The ESA protects all threatened, endangered and extirpated species listed on the Species at Risk in Ontario (SARO) list. These species are legally protected from harm or harassment and their associated habitats are legally protected from damage or destruction, as defined under the ESA.

1.6 Federal *Fisheries Act*

The Department of Fisheries and Oceans Canada (DFO) administers the federal *Fisheries Act* which defines fish habitat as “*spawning grounds and other areas, including nursery, rearing, food supply and migration areas, on which fish depend directly or indirectly in order to carry out their life processes*” [subsection (2)1]. The *Fisheries Act* prohibits the death of fish by means other than fishing [subsection 34.4 (1)] and the harmful alteration, disruption or destruction of fish habitat [HADD; subsection 35. (1)]. A HADD is defined as “*any temporary or permanent change to fish habitat that directly or indirectly impairs the habitat's capacity to support one or more life processes*” (DFO 2019a).

Some projects may be eligible for exemption from the DFO review process, as specified under Step 3 of the DFO Fish and Fish Habitat Protection Program review process (DFO 2019b; e.g., artificial waterbodies with no hydrological connection to occupied fish habitat). All other projects or activities that have the potential to impact fish or fish habitat should be submitted to DFO through the “Request for Review” process to determine whether there is potential to (1) impact an aquatic species at risk, (2) cause the death of fish or (3) result in HADD of fish habitat. The death of fish by means other than fishing or a HADD of fish habitat can be authorized by DFO under paragraphs 34.4(2)(b) or 35(2)(b) of the *Fisheries Act*. Authorizations require the preparation and submission of an application package identifying the impacts on fish and fish habitat as well as the avoidance, mitigation and offsetting measures that will be implemented as well as any monitoring that is proposed.

1.7 Conservation Halton

Conservation Halton (CH) administers the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (O. Reg.) 162/06, which defines the areas of interest that allow CH to:

- Prohibit, regulate, or provide permission for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, watercourse or changing or interfering with a wetland; and
- Prohibit, regulate, or provide permission for development if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

In addition to their regulatory role, CH provides peer review comments for Natural Heritage, Natural Hazard and Mineral Aggregate Resource sections of the PPS (MMAH 2014) under Memoranda of Understanding with its municipal partners.

2. FIELD INVESTIGATIONS

An initial site reconnaissance survey was undertaken by fisheries biologists and wildlife and vegetation ecologists in November 2018, which included preliminary and high-level identification of aquatic habitats and classification of vegetation communities, botanical species and suitable wildlife habitat observations. This information was assessed to inform a comprehensive 2019 field program. All surveys were completed during appropriate weather conditions and times of the year/season relevant to that survey type.

2.1 Vegetation Surveys

Vegetation surveys consisted of a multi-season ecological land classification assessment (Lee et al. 1998), vascular plant inventories, a Butternut (*Juglans cinerea*) stem inventory and health assessment (completed by a certified Butternut Health Assessor) and a tree density survey.

2.1.1 Three-season Ecological Land Classification Survey

Vegetation communities were first identified on aerial imagery and then verified in the field. Vegetation community types were confirmed, sampled and revised, if necessary, using the sampling protocol of the ecological land classification (ELC) for Southern Ontario (Lee et al. 1998). ELC was completed to the finest level of resolution (Vegetation Type) where feasible.

2.1.2 Three-season Vascular Plant Inventory

Species names generally follow nomenclature from the Database of Vascular Plants of Canada (Brouillet et al. 2010+). The provincial status of all plant species and vegetation communities is based on NHIC (2018 and 2016, respectively). Identification of potentially sensitive native plant species is based on their assigned coefficient of conservatism (CC) value, as determined by Oldham et al. (1995). This CC value, ranging from 0 (low) to 10 (high), is based on a species tolerance of disturbance and fidelity to a specific natural habitat. Species with a CC value of 9 or 10 generally exhibit a high degree of fidelity to a narrow

range of habitat parameters.

2.1.3 Butternut Stem Survey

Butternut is listed as Endangered under the Ontario Endangered Species Act (ESA) and therefore requires specific survey effort. Butternut is intolerant of shade and is generally found growing individually or in small populations within hardwood stands, along hedgerows or in open fields (Farrar 1995). Survey effort focused on forests, as well as all cultural habitats (e.g., cultural woodlands, meadows, hedgerows, etc.). Habitat adjacent to the proposed Extraction Footprint was scanned using binoculars since Butternuts are afforded up to 25 m of protected buffers. Surveys were completed by a certified Butternut Health Assessor; where observed, a Butternut health assessment was completed for each tree during the leaf-on period.

2.1.4 Tree Density Survey

Tree density surveys were completed in thicket communities (e.g., cultural or swamp thickets) to determine if the thicket area, as defined by ELC codes using the percent canopy cover, meets the woodland definition using stem density values, as required by the Halton Region Official Plan (2015). These surveys were also completed in any cultural woodland community types if tree densities appeared relatively sparse.

These surveys were completed using circular plots, the size of which were selected based on the size of the overall community as well as variability of species and density within the feature and ranged between a 5 m and 15 m radii. A minimum of 8% of each treed feature was surveyed. Trees within plots were categorized as having a DBH of > 20 cm, 13 - 20 cm, 6 - 12 cm or ≤ 5 cm.

2.2 Wildlife Surveys

Wildlife surveys included detailed species and habitat inventories and investigations for insects, amphibians, reptiles, breeding birds and bats. Wildlife survey methodologies, as well as species and habitat specific species at risk methodologies, were applied to each survey type as appropriate.

2.2.1 Insects (Odonata and Lepidoptera)

Insect surveys do not currently have a set protocol in Ontario. Species detection is dependent on repeated visits during the appropriate flight times for a given species in suitable habitat. Dragonflies and butterflies are conspicuous, easily observed and have plentiful resources to aid in identification of Ontario species and as a result, focus is on these groups during surveying.

Surveys were conducted between mid-morning and noon with mostly sunny skies, suitable low wind conditions and no fog or precipitation. Temperatures were between 22°C and 30°C, such that insect activity was optimal. Area searches were completed within all suitable habitats within the Subject Lands to help determine the presence, variety and abundance of insect species. In order to provide comprehensive coverage of all insect species flight periods, three survey periods were chosen:

- Early May to mid-June;
- Mid-June to mid-July; and
- Late July to late August

2.2.2 Salamander Habitat Assessment and Hydro-period Monitoring

Survey protocols were based on those prepared by the Jefferson Salamander Recovery Team (2013) and on general correspondence with the MNRF over the years at various locations in southern Ontario.

Wetland habitats were initially identified through orthophotograph interpretation and Provincial wetland mapping (LIO 2018). Identified wetlands were verified during a full site reconnaissance survey in November 2018 and further assessed for suitability throughout the spring and summer, 2019

The surveys recorded micro-habitat characteristics including water presence/absence, water depth, wetland shape, canopy cover, in-feature vegetation, presence of suitable egg attachment sites and observations of predatory fish, as well as hydroperiod monitoring.

2.2.3 Salamander Minnow Trapping Survey

Survey protocols were based on those prepared by the Jefferson Salamander Recovery Team (2013) and on general correspondence with the MNRF over the years at various locations in southern Ontario. Survey protocols were also approved by the MNRF as part of the 17(2)(b) permit application process, which is required to complete salamander trapping surveys in suitable habitat within the Jefferson Salamander habitat range.

Salamander movement in southern Ontario is closely monitored and reported by the MNRF, conservation authorities, private sector ecologists and the general public on a widely used message forum. These updates were monitored to optimize trapping opportunities by setting the traps on dates during noted migration movement periods.

Salamander minnow traps were set throughout potentially suitable habitats identified during the Salamander Habitat Assessment surveys. Each minnow trap was anchored to a fixed feature, flagged, labeled and mapped (UTM coordinates). The minnow traps were set for five evenings with approximately 85% of the trap submerged (both entrances/exits of the trap were submerged), and if possible, the traps were positioned horizontally at the bottom of the feature. The traps were collected early each morning, and the contents of the traps were documented and released.

2.2.4 Egg Mass Survey

An amphibian egg mass survey was conducted in the suitable habitats identified during the Salamander Habitat Assessment surveys. Survey effort included walking the perimeter of the vernal pool/wetland while scanning for egg masses. Submerged sticks, emergent vegetation and shrubs were carefully checked for eggs/egg masses, with minimal intrusion into the vernal pool/wetland. Logs or debris in the vicinity of

each feature were also checked for presence of adult salamanders (all items were returned to their original location/position to maintain microhabitat conditions).

2.2.5 Amphibian Call Count Survey

Survey protocols were based on the 'Marsh Monitoring Program' (Bird Studies Canada (BSC), 2014).

Survey station locations were determined through an assessment of orthophotography and Provincial wetland mapping (LIO 2018) and verified with a full-site vegetation and habitat reconnaissance survey.

The call count surveys were conducted at night within the appropriate timing window from approximately 30 minutes after sunset until midnight. Each station was surveyed three times during optimal weather conditions (i.e., low wind levels, no heavy rain). Minimum night air temperatures of 5°C, 10°C and 17°C were applied to each of the respective survey rounds. Surveys were conducted a minimum of 15 days apart.

2.2.6 Turtle Basking Habitat and Nesting Survey

Survey protocols were created with the consideration of MNRF (2012) and Toronto Zoo (Caverhill et al. 2011) turtle survey methods.

Survey station locations were identified using aerial photography (i.e., ponds, open wetlands) and Provincial wetland mapping (LIO 2018) and verified with a full-site vegetation and habitat reconnaissance survey.

Surveys were conducted, starting in April, shortly after spring thaw conditions, through mid-June. The surveys were conducted during optimal weather conditions (i.e., sunny/partly sunny days between 9 am and 5 pm with low/no wind and air temperatures between 6 to 25°C, or if cloudy with temperatures above 15°C).

Binoculars were used to scan, from a distance, for thirty minutes, the edge and surface of each feature for basking turtles. Once scanning was completed, feature micro-habitat data was collected, which included water and air temperatures, water depth, adjacent vegetation composition, percent slope leading to water edge, percent coverage of basking features (i.e., logs, floating vegetation mats, floating/emergent debris like tires) and percent canopy cover.

Turtle nesting habitat was assessed where basking turtles had been observed, as well as adjacent habitat to wetland features.

2.2.7 Snake Habitat and Visual Encounter Survey

Survey methods are based on MNRF Species at Risk protocols (2016) and Toronto Zoo snake survey protocols (Caverhill et al. 2011). Species at risk protocols were used as a general guide to inform surveys.

Snake visual encounter surveys were conducted on mild spring mornings (i.e., minimum 8°C on sunny days or 15°C on overcast days, no greater than 25°C) between 8 am and 5 pm. Data recorded during snake surveys included species observed and locations (UTM coordinates), air temperature and weather conditions.

Visual encounter surveys for basking snakes were conducted throughout various vegetation communities by scanning rock outcrops, debris piles, trails and paths, as well as transition areas between vegetation communities (i.e., agricultural fields that abut woodland).

2.2.8 Breeding Bird Survey

Breeding bird surveys were conducted following protocols by the Ontario Breeding Bird Atlas (Cadman et al. 2007), the Ontario Forest Bird Monitoring Program (Cadman et al. 1998) and the Marsh Monitoring Program (Bird Studies Canada 2014).

Surveys were conducted between dawn and five hours after dawn with suitable wind conditions, no thick fog or precipitation (Cadman et al. 2007). Point count stations were located in various habitat types and combined with area searches to help determine the presence, diversity and abundance of bird species. Each point count station was surveyed for 10 minutes. All species recorded at a point-count were mapped to provide specific spatial information and were observed for signs of breeding behaviour.

Cultural meadow (CUM1-1) habitat was surveyed according to the MNR (2012) Guidelines for Bobolink and Eastern Meadowlark.

In addition to breeding bird surveys, Barn Swallow nest habitat assessments and searches were completed within all structures within the proposed Extraction Footprint. The interior and/or exterior of each anthropogenic structure (i.e., maintenance facilities, sheds, residences, etc.) was visually inspected for intact and remnant Barn Swallow nests.

2.2.9 Bat Habitat Assessment Surveys

Bat roosting tree density surveys were completed in all appropriate ELC communities present on the Subject Lands using a combination of MNRF survey guidelines as outlined in “Bats and Bat Habitats: Guidelines for Wind Power Projects” (MNR 2011) and “Survey Protocols for Species at Risk Bats within Treed Habitats: Little Brown Myotis, Northern Myotis, and Tri-Coloured Bat” (MNRF 2017) and professional experience.

Surveys were completed during leaf-off season using either a transect approach in areas less than 1 ha, where transects ranged from 5 m to 20 m apart (depending on visibility) or a plot based approach in areas greater than 1 ha. All trees greater than or equal to 10 cm DBH were visually inspected using binoculars to document any cavities that may or may not be present along the trunk or large branches. Each tree containing suitable cavities or peeling bark had the following information recorded: UTM, species, DBH, height class and snag attributes (i.e., peeling bark, decay class, presence of cavities, etc.). Additional rocky outcrop habitat information was recorded where present on the Subject Lands to identify any potential habitat present for the Small-footed Myotis species, which do not roost in trees (MECP 2019). The amount

of rocky habitat and the potential for sun permeation were considerations when assessing habitat potential.

2.2.10 Bat Acoustic Surveys

Survey methods were developed based on professional experience and using a combination of MNRF survey guidelines as outlined in “Bats and Bat Habitats: Guidelines for Wind Power Projects” (MNRF 2011) and “MNRF Survey Protocols for Species at Risks Bats within Treed Habitats: Little Brown Myotis, Northern Myotis, and Tri-Coloured Bat” (MNRF 2017).

Surveys to detect bat species were carried out in June and early July 2019 using Wildlife Acoustics Song Meter SM3BAT/SM4BAT recording devices over a duration of ten consecutive evenings.

Acoustic survey stations were selected based on identification of suitable bat micro-habitat, such as clusters of ≥ 10 cm DBH trees with peeling bark, leaf clusters and cavities.

Passive acoustic recorders were programmed to begin recording at sunset and to end recording at sunrise. In addition, the SM3BAT/SM4BAT passive recorder microphones were elevated approximately 2 m above the ground to reduce background noise and echo. All ultrasonic recordings were filtered to eliminate recordings with high levels of noise or those with no bat calls and then further analyzed using SonoBat’s auto-classification tool. Any calls with a positive identification were manually vetted by a wildlife ecologist with training in bat species identification by sonogram.

2.3 Headwater Drainage Feature Assessment

Per the requirements of the Evaluation, Classification and Management of Headwater Drainage Feature Guidelines (H DFA Guidelines; CVC and TRCA 2014), Savanta completed three site visits to assess headwater drainage features.

During the first site visit, all areas of the Subject Lands and portions of the Adjacent Lands where access was possible, were walked to identify potential headwater drainage features, as defined in the H DFA Guidelines. Each headwater drainage feature observed was separated into specific reaches, per the guidance on reach delineation in the H DFA Guidelines, and data collection was completed for each reach based on Ontario Stream Assessment Protocols for Unconstrained Headwater Sampling, Section 4: Module 11 (Stanfield, ed. 2017). A photographic record of each headwater drainage feature was collected during each survey event.

2.4 Aquatic Habitat Assessment

The aquatic habitat assessment consisted of a visual survey of existing instream and riparian habitat conditions along and adjacent to watercourses running through the Subject lands and the Adjacent Lands (where access was possible). The assessment took note of any of the following features:

- Hydrology (e.g. flowing or standing water)
- General watercourse morphology (e.g. riffle, run, pools)

- Wetted width and depth (at time of survey)
- Bed and bank substrate
- Instream habitat (e.g. woody debris, aquatic vegetation, undercut banks)
- Presence of obstructions to fish movement (e.g. culverts, debris dams)
- Evidence of groundwater inputs (e.g. seeps or springs, iron flocculation/staining)
- Riparian habitat (e.g., vegetation community type, land use).

2.5 Fish Community

All watercourses and surface water drainage features within the Subject Lands and Adjacent Lands (provided access was available) that had a water depth of at least 2 cm had a minimum of one fish community sampling station. Backpack electrofishing (using a Halltech HT-2000 electrofishing unit) and seine netting (using a 30.5-m long by 1.83-m high, small mesh seine net) were used in combination to survey all habitats present.

Electrofishing was conducted according to the single-pass survey methodology guidelines presented in the Ontario Stream Assessment Protocol Manual (Stanfield, ed. 2017). Prior to electrofishing within the reach to be sampled, the appropriate electrofisher settings (i.e., voltage and frequency) were determined by shocking in a downstream area to ensure that the power of the unit was sufficient to stun fish without inducing mortality or injury. Electrofishing in each sampled reach was conducted moving upstream in a grid-like fashion. Any fish that were stunned were recovered with dip nets, placed in recovery buckets and taken to shore for processing.

Seine netting was conducted according to the guidelines presented in Protocols Manual for Water Quality Sampling in Canada (CCME 2011) where electrofishing was not an appropriate method due to water depth. Once the net was carefully hauled in, the captured fish were extracted by hand, placed in recovery buckets and processed.

All fish captured were recorded by capture method, station, species, number of individuals and total weight. Maximum, minimum and average lengths of all fish caught were measured prior to their return to the sampling location.

Yours truly,

SAVANTA INC.
A GEI Company



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Terms of Reference:

Adaptive Management Plan Proposed Burlington Quarry Extension, Nelson Aggregates Co.

Prepared by:



February 2020

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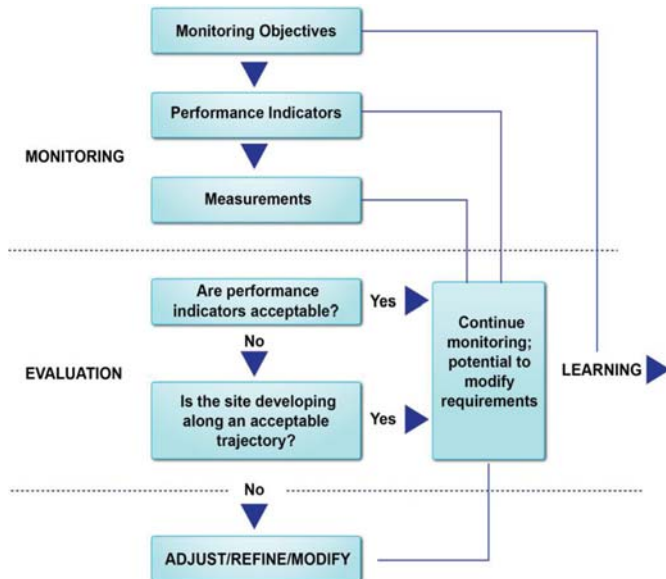
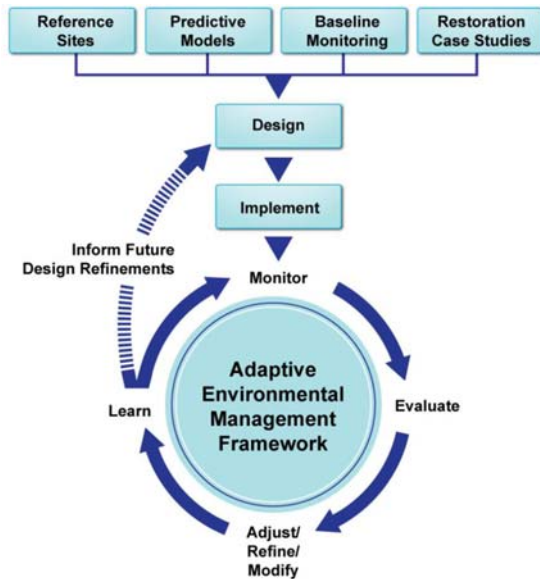
1 INTRODUCTION

The Adaptive Management Plan (AMP) for the proposed expansion of the Burlington Quarry will be developed to meet the technical requirements outlined in Halton Regions Aggregate Resources Reference Manual. It is recommended that the development of the AMP (including trigger values and mitigation options) be completed in consultation with the Ministry of Natural Resources and Forestry (MNRF), Conservation Halton (CA), and the Ministry of the Environment, Conservation and Parks (MECP).

The AMP shall provide Nelson Aggregates Co. (Nelson) with the information needed to verify that the quarry is operating without causing any negative impacts on the natural environment or adverse impacts to private wells. The AMP will establish a process to monitor operations and make operational adjustments if necessary. The monitoring results will be reported to the MNRF, the principal reviewing/approval agency responsible for ensuring that the operator complies with the terms and conditions of the aggregate license, including enforcing the contents of the AMP. All other interested parties will have an opportunity to review and comment on monitoring data through their participation in the Stakeholders Liaison Committee.

The AMP will allow for strategic decision-making with respect to quarry operations so that potential impacts to the natural environment and private wells can be fully assessed and mitigated prior to any adverse impact. To be effective, the AMP will:

1. identify receptors to be monitored during extraction and for a period after final rehabilitation has been completed;
2. facilitate the collection of monitoring data on the natural environment so that it can be used to evaluate the environmental impact of the expansion on the function of natural features;
3. identifies trigger values (surface water) and trend analysis (groundwater) that, if exceeded, will initiate action by Nelson so that mitigation can occur before any negative effects to the natural environment can occur;
4. establish a link between Nelson, the public, stakeholders, and government ministries so that the monitoring data collected can be shared in a transparent and understandable manner;
5. define the roles and responsibilities of Nelson, stakeholders, and governing agencies; and
6. outlines the reporting requirements under the AMP.



2 ADAPTIVE MANAGEMENT PLAN OUTLINE

2.1 Groundwater Monitoring Program

2.1.1 On-Site Monitoring Wells

Based on the findings of the impact assessment, key sentry groundwater monitoring wells will be selected and incorporated into the long-term groundwater monitoring program. The groundwater monitoring program will consist of water level and water quality monitoring. Water levels will be collected manually on a monthly basis as well as continuous with automatic water level transducers. The manual measurements are used to calibrate the continuous data, which allows for a comprehensive assessment of the water level responses and trends.

Water quality will be completed on a semi-annual basis at selected wells. Parameters will include general water quality parameters, metals, major and minor ions and cations, and hydrocarbons (F1-F4 and VOCs).

2.1.2 Off-Site Domestic Water Wells

A pre-construction monitoring program will be offered to residents within the immediate vicinity of the expansion lands. This monitoring program will be completed by a qualified well technician and will be designed to characterize the current conditions of existing domestic water wells. On-going monitoring will be completed to document any changes in the quality and quantity of groundwater sourcing the wells.

This monitoring program will be completed only at locations where permission has been granted by the property owner. Furthermore, the domestic water wells, which will be incorporated into the AMP shall be constructed to comply with Ontario Regulation 903 (as amended).

2.1.3 Comprehensive Groundwater Elevation Trend Analysis

The intent of the AMP is to implement a system that allows for a comprehensive evaluation of how the groundwater regime behaves with quarry development, and to identify unforeseen changes in this system early so that there is enough time to implement the appropriate mitigation strategies to protect local water use.

Nelson proposes to develop robust methodologies for the quantitative analysis of data yielded from its groundwater monitoring network. An appropriate method for analysing data trends against a baseline requires accurate identification of potential quarry related impacts and procedures for measuring changes. These trend analysis methodologies have three elements to this process:

1. Identification of domestic water wells that may be impacted by quarry development and the available drawdown at each location; specific threshold values for water pressure, the exceedance of which will initiate various response actions;
2. Identification of a baseline dataset for each monitoring site against which changes can be compared; and
3. Development and implementation of a methodology to assess trends in monitoring data. The elements are interrelated as follows:
 - a. threshold values are developed from monitoring and/or modelling data and are relevant to the aquifer or water related feature (e.g., monitoring well or domestic well that is being managed or protected);
 - b. baseline data are collected over a period prior to the commencement of extraction within expansion areas. Such a period to be long enough to produce a meaningful dataset;
 - c. trend analysis is applied to the baseline dataset (if required) to produce a baseline trend or single value against which changes can be compared;
 - d. ongoing monitoring takes place and is also subjected to a trend analysis to produce a dataset which will show only changes due to quarry development; and
 - e. the baseline and ongoing data are checked against the predicted water level response.

2.1.4 Proposed Groundwater Mitigation Measures

Nelson acknowledges and endorses this responsibility under Section 34 of the OWRA for the replacement of the water supply, which must be of equivalent quality and quantity. To ensure a cooperative and fair treatment with all concerns, Nelson will work diligently with their neighbours on these issues.

Using the well depth, depth to which water was found, pump setting, and the water levels measured from each domestic well, Nelson will determine the level of risk based on the total available drawdown (depth to where water was found – static water level) and current available drawdown (pump setting – static water level) for each well identified within the predicted area of influence. Data collected from existing domestic water wells, which are within 80 m of the quarry, show that wells constructed in the dolostone can meet peak domestic water demands with approximately 5 m of available drawdown.

Although the trend analysis will be completed on the on-site groundwater monitoring wells to ensure any unforeseen off-site impacts are avoided, a trend analysis will also be completed on those domestic wells where permission to monitor has been granted. Unforeseen trends will trigger mitigation measures before domestic wells are impacted. If these trends are observed and threaten the available drawdown of each domestic water well, Nelson will commence with the required compensation. Compensation must be acceptable to the homeowner and the quarry operator and could include all or part of the costs associated with drilling of a new well, well deepening, abandonment of the old well.

2.2 Water Well Interference Complaint Protocol

The Nelson Well Interference Complaint process is provided on Nelson's website.

<https://www.nelsonaggregate.com/copy-of-licensing-1>

A review of this process will be completed in consultation with the review agencies and updated, where deemed necessary.

2.3 Surface Water Monitoring Program

2.3.1 Stream Flow and Wetland Monitoring Program

A surface water and wetland (hydroperiod and shallow groundwater) monitoring program has been undertaken in support of the ARA license application. The surface water and wetland monitoring program will be refined during the approval process and post approvals through consultation with the requisite approval agencies and natural heritage consultants to focus on key receptors, waterbodies and natural heritage features considering potential impacts resulting from the proposed quarry expansion. The surface water monitoring data will be used moving forward to evaluate potential impacts and develop mitigation strategies that will address potential impacts, if any, resulting from the expansion of the existing quarry.

2.3.2 Surface Water Triggers

Precautionary investigative triggers will be assigned to each key receptor, waterbody and natural heritage feature considering the potential impacts resulting from the proposed quarry expansion. The precautionary investigative triggers will be established from the surface water monitoring data collected prior to expansion while respecting the form, function, and ecology of the surface water features. The precautionary triggers will be developed to ensure no unforeseen impacts occur to the areas surface water features as a result of extraction and to provide enough time to implement mitigation measures should changes occur. The precautionary investigative triggers will be developed during the approval process through consultation with the requisite approval agencies and natural heritage consultants including Conservation Halton and the MNRF.

2.3.3 Proposed Surface Water Mitigation Measures

Mitigative measures will be developed during the approval process through consultation with the requisite approval agencies and natural heritage consultants to address all potential impacts associated with the quarry expansion, if any. In addition to the mitigative measures, a protocol outlining the investigation of triggers and implementation of mitigative measures will be developed prior to expansion. The protocol will include notifying the requisite agencies and stakeholders, identifying potential causes of the precautionary investigative trigger exceedance, and the steps needed to mitigate impacts caused by expansion.

February 25th, 2020

Tecia White, Senior Hydrogeologist
Whitewater Hydrogeology Inc.
80 Chamberlain Crescent
Collingwood, ON L9Y 0C8

Dear Ms. White:

**RE: NELSON AGGREGATES BURLINGTON QUARRY EXTENSION – CULTURAL HERITAGE STUDY
TERMS OF REFERENCE, OUR FILE “9135 P”**

The following represents our proposed Terms of Reference related to the required Cultural Heritage Study / Impact Statement related to the above-noted development.

Background

Nelson aggregates is proposing to extend operations at the Burlington Quarry to include two new extraction areas located generally south and west of the existing quarry operations. A number of background studies are underway with respect to the proposed development, relating to both the required *Aggregate Resources Act* and *Planning Act* application submissions.

In accordance with the requirements of the Region of Halton Aggregate Resources Reference Manual and other applicable legislation, a study of cultural heritage resources is required to be completed. The purpose of the study is to develop an understanding of the presence of built cultural heritage resources and cultural heritage landscapes onsite and adjacent, as well as evaluate potential impacts on any identified resources. If impacts are identified, mitigation measures and conservation strategies may be recommended as appropriate in order to ensure that any significant resources are conserved.

Policy context

There are a number of applicable policy documents that provide direction as it relates to cultural heritage resources. They are described herein.

The Planning Act

The *Planning Act* makes a number of provisions respecting cultural heritage, either directly in Section 2 of the *Act* or Section 3 respecting policy statements and provincial plans. In Section 2, the *Planning Act* outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. One of the intentions of the *Planning Act* is to “encourage the co-operation and co-ordination among the various interests”.

Regarding cultural heritage, Subsection 2(d) of the Act provides that:

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, ...

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

The *Planning Act* therefore provides for the overall broad consideration of cultural heritage resources through the land use planning process.

The Ontario Heritage Act and Ontario Heritage Toolkit

The *Ontario Heritage Act*, R.S.O., 1990, c.0.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. This cultural heritage report will be guided by the criteria provided with *Regulation 9/06* of the *Ontario Heritage Act* which outlines the mechanism for determining cultural heritage value or interest. The regulation sets forth categories of criteria and several sub-criteria and will be utilized to evaluate the subject site and surrounding lands as appropriate.

Ontario Regulation 9/06 prescribes that a property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. *The property has design value or physical value because it,*
 - i. *is a rare, unique, representative or early example of a style, type, expression, material or construction method,*
 - ii. *displays a high degree of craftsmanship or artistic merit, or*
 - iii. *demonstrates a high degree of technical or scientific achievement.*
2. *The property has historical value or associative value because it,*
 - i. *has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,*
 - ii. *yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or*
 - iii. *demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
3. *The property has contextual value because it*
 - i. *is important in defining, maintaining or supporting the character of an area,*
 - ii. *is physically, functionally, visually or historically linked to its surroundings, or*
 - iii. *is a landmark.*

The Province has published several resources containing information related to cultural heritage resources, and compiled the information into the Ontario Heritage Toolkit. This compilation is a collection of documents authored by the Province (Ministry of Tourism, Culture and Sport), that provide guidance related to a variety of cultural heritage planning matters. The documents contained within the Heritage Resources in the Land Use Planning Process compilation will provide specific guidance for the preparation of the report.

Provincial Policy Statement

In support of the provincial interest identified in Subsection 2 (d) of the *Planning Act*, and as provided for in Section 3, the Province has refined policy guidance for land use planning and development matters in the *Provincial Policy Statement, 2014* (PPS). The PPS is “intended to be read in its entirety and the relevant policy areas are to be applied in each situation”. This provides a weighting and balancing of issues within the planning process. When addressing cultural heritage planning, the PPS provides for the following:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Significant: e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Built heritage resource: means a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, railways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Niagara Escarpment Plan

Section 2.10 of the 2017 Niagara Escarpment Plan provides policy direction for managing cultural heritage resources. Specifically:

- 1. The objective is to conserve the Escarpment’s cultural heritage resources, including significant built heritage resources, cultural heritage landscapes, and archaeological resources.*
- 2. Development shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources are conserved.*
- 3. Where proposed development is likely to impact cultural heritage resources or areas of archaeological potential, the proponent shall undertake a heritage impact assessment and/or*

archaeological assessment. The proponent must demonstrate that heritage attributes will be conserved through implementation of proposed mitigative measures and/or alternative development approaches.

Halton Region

The Halton Region Aggregate Resources Reference Manual contains information regarding the various study requirements for aggregate applications. Specific to cultural heritage resources, the document notes that the study has the following objectives:

1. *To identify and document significant built heritage resources and significant cultural heritage landscapes on the site and along the proposed haul route(s).*
2. *To make recommendations on how to conserve significant built heritage resources and significant cultural heritage landscapes.*
3. *To identify how sensitive significant built heritage resources and significant cultural heritage landscapes are to the use of adjacent roads as a haul route.*
4. *To make recommendations on mitigation measures to protect identified significant built heritage resources and significant cultural heritage landscapes.*
5. *To identify requirements for site rehabilitation that takes into account the significant cultural heritage resources that exist on site or in the area.*

City of Burlington Official Plan (2004)

The City of Burlington Official Plan identifies and supports cultural heritage resources located within the City's perimeter. Part II, Section 7.0, "Heritage Resources" outlines the types of cultural heritage resources defined by the OP,

Cultural heritage resources include buildings, structures, monuments, natural features, or remains, either individually or in groups, which are considered by City Council to be of architectural and/or historical significance.

This Section also identifies the conservation of these cultural heritage resources as an important part of the mandate of the City,

Within the City, heritage resources provide physical and cultural links to the original settlement of the area and to specific periods or events in the development of the City. These heritage resources contribute significantly to the identity of the City. They also assist in instilling civic pride, benefit the local economy by attracting visitors to the City, and favourably influence the decisions of those contemplating new investment or residence in the City.

As part of the Official Plan in Section 7.2, an overall objective is to conserve built heritage (including buildings and structures, landscaping and planting, areas and districts) and the physical character of these areas. It is identified that development must consider heritage resources. Sub-section 7.2 (f) states the following:

To ensure that all development considers heritage resources and, wherever feasible, includes these resources into any development plans in a way that preserves and enhances the physical character of the heritage resources in terms of scale, form, colour, texture, material and the relation between structures, open space and landforms.

Objectives are also included which related to matters such as coordinating heritage plans and programs, identifying heritage landscapes within the City, controlling demolition of built heritage, and archaeology.

Section 7.5 contains policies related to planning, and development / redevelopment. It is noted that development in areas of historic, architectural, or landscape value shall be encouraged to be compatible with the overall character of the area.

Report Terms of Reference

The required Cultural Heritage Study / Impact Statement will take into account the above guidance from the Province, Halton Region, City of Burlington and best practices in the field in order to ensure that a thorough assessment of built heritage resources and cultural heritage landscapes is undertaken. The report will document onsite and surrounding heritage resources, provide an assessment of significance of resources, assess potential for impacts, and provide recommendations as applicable and appropriate. Specific tasks to be undertaken are as follows:

1. Background Review: Available information will be used in order to develop an understanding of the details of the proposed site development, as well as the presence of any existing recognized cultural heritage resources and cultural heritage landscapes onsite or within the surrounding area.
2. Site visit: Undertake a site visit to review the subject lands and surrounding areas. This will include photographs of site conditions and features, and photos of onsite and nearby heritage resources.
3. Historical research: Primary and secondary sources, maps / aerial photos and any other locally available materials will be used in order to develop an understanding of the evolution of the subject properties, area and related historical themes.
4. Description of subject site and surrounding lands: Describe the site including any significant features (built heritage or cultural heritage landscape). Identify cultural heritage resources at the site and adjacent to the proposed development. Prepare a concise description of resources and existing heritage recognition, including the use of listing information from the heritage register and designating by-laws where appropriate.
5. Evaluation of cultural heritage value: Using the guidance provided in the Ontario Heritage Act (i.e. O.Reg. 9/06), Ontario Heritage Toolkit, City of Burlington Official Plan, and Halton Region Aggregate Resources Manual, identified resources will be evaluated in order to determine significance. This will include preparing statements of significance of cultural heritage value and heritage attributes for any identified cultural heritage resources.
6. Description of proposed development: A fulsome description of the proposed site development will be included, including reference to development plans, in order to provide context for the evaluation of any potential impacts as a result of the proposal.
7. Assessment of potential impacts: Based on the evaluation and description provided, potential impacts of the proposed development on identified cultural heritage resources will be identified and evaluated. The assessment of impacts will be based on the criteria found in the Ontario Heritage Toolkit and guidance provided by local municipalities.
8. Development of mitigation recommendations: Various mitigation measures, alternative development options and conservation strategies will be reviewed and identified. Measures to mitigate any adverse effects of the development on the significant built heritage resources and

cultural heritage landscapes and their attributes will be reviewed. A preferred option will be identified and justification provided.

9. Final reporting: A report will be prepared including the above noted information, evaluation and assessment of cultural heritage resources and potential impacts. Implementation recommendations will be provided where applicable. The report will be provided for agency review as part of a complete application.

Closing

We trust this information addresses the requirements for a Terms of Reference related to this report. However, we would be pleased to discuss further if there are any questions or additional information needed.

Yours truly,

MHBC



Dan Currie, MA, MCIP, RPP, CAHP
Partner



Nicholas Bogaert, BES, MCIP, RPP, CAHP
Associate

TERMS OF REFERENCE

BURLINGTON QUARRY EXTENSION, VISUAL IMPACT ASSESSMENT REPORT

Date Prepared: December 13, 2019

Background and Professional Expertise

MHBC was retained by Nelson Aggregate Co. to prepare a Visual impact Assessment (VIA) Report for Nelson's proposed Burlington Quarry Extension. The Terms of Reference for this study have been prepared based on past experience with aggregate applications in the Region of Halton including the Milton Quarry and Acton Quarry, as well as other VIA reports prepared for numerous telecommunication towers within the Niagara Escarpment Plan (NEP) area. The 2019 NEC Visual Impact Assessment Technical Criteria has been considered in the preparation of this Terms of Reference.

Details of Stages, Methodology, and Study Parameters:

MHBC's proposed methodology is as follows:

Preliminary Project Investigation:

- Background information including related reports and digital base materials will be collected and reviewed.
- Coordinate with governing agencies (NEC) and any stakeholder groups to define expectations and key considerations.
- Synthesis of all collected data and summarization of this information for project team followed by submission of a detailed methodology for approval by the NEC.

Field Work and Data Collection:

- Field work will be completed during leaf-off conditions to illustrate worst case scenario and will include on-site observation complete with both written and photo documentation.
- A basic vegetative summary will be included as part of the field work and will include coordination of data from related reports from other consultants within the project team. Follow up field work will be completed in the following spring (leaf-on conditions). Photo documentation of these conditions will be included in the report as support for the provision or absence of proposed visual mitigation.

Preparation of the Draft VIA Report:

- Data collected from the field reviews will be compiled into a report which will summarize pertinent receptors, significant views and proposed visual mitigation. The report will contain a combination of plans, cross sections, aerial and ground photography (including panoramic photos), as required to clearly and objectively illustrate existing conditions.
- If required, digitally rendered visual simulations will be provided in order to illustrate the existing and proposed conditions.

- The draft report will be submitted to pertinent team members for review, comment and coordination. Comments will be received for consideration and incorporated as part of a revision for the Final Report.

Preparation of the Final VIA Report:

- Data collected from leaf-on field reviews will be incorporated into the report at this stage along with any comments that were received as part of the Draft Report Review.
- The report will include suggestions for visual mitigation, which will take into account any structures (berms, etc.), that may be proposed as part of other disciplines' recommendations. Final recommendations for mitigation will be summarized with both text and supporting graphics.

NEP Policies to be Considered:

The following sections of the Niagara Escarpment Plan (2017) will be considered:

Introduction:

Landscape Approach

Purpose and Objectives

Part 1 – Land Use Policies:

- 1.2, 1.5, 1.9

Part 2 – Development Criteria:

- 2.2, 2.7, 2.8, 2.9, 2.10, 2.13

Part 3 – The Niagara Escarpment Plan and Open Space System:

- 3.1.1, 3.2

Details of the VIA Study Process That are Objective and Reproducible:

In order to illustrate objective and reproducible results, the VIA study and report will contain information such as:

- GPS coordinates;
- Detailed description of photo equipment and settings used;
- Detailed description of software products, methods and settings used;
- Detailed methodology used in the production of any digital renderings or photo simulations;
- Listing of all base material used, including sources.

30 September 2019
Project 180311 Nelson Aggregate Co Traffic Study Update

Quinn Moyer, President
Nelson Aggregate Co.
2433 No. 2 Sideroad.
Burlington ON
L7P 0G8
c/o Tecia White, Whitewater Hydrogeology Ltd.

Dear Mr. Moyer:

**RE: TERMS OF REFERENCE –NELSON AGGREGATE COMPANY QUARRY
EXTENSION TRAFFIC STUDY**

Paradigm Transportation Solutions Limited (Paradigm) has been retained by Nelson Aggregate Company to provide a traffic study report for the proposed extensions of the existing aggregate quarry on No. 2 Sideroad in Burlington, Ontario. This letter outlines the Terms of Reference for this traffic study.

Traffic Study Purpose

In 2005, Paradigm prepared a traffic study¹ for an expansion of the existing Nelson Aggregate Company quarry that was being contemplated at that time. Following the study report, Paradigm participated in assisting Nelson Aggregate Company (Nelson) in follow-up discussions regarding the then proposed expansion, including an update² of the initial traffic study in 2009. We understand that the application for the quarry expansion contemplated at that time was not approved.

In 2019, Nelson retained Paradigm to undertake a further traffic study for a new plan for extensions to the existing quarry. It is intended that this study will make use of the earlier studies but will address the current plan for extensions of the existing quarry. The objectives of this traffic study are as follows:

¹ Nelson Aggregate Co Burlington Quarry Extension Traffic Study, Prepared for Nelson Aggregate Co by Paradigm Transportation Solutions Ltd, June 2005.

² Nelson Aggregate Burlington Quarry Extension Traffic Study Update, Prepared for Nelson Aggregate Company by Paradigm Transportation Solutions Ltd, May 2009.

- ▶ To determine the amount of traffic generated by the quarry operations at present and in the future;
- ▶ To assess the impact of the quarry traffic on the area transportation network; and
- ▶ To determine the need for transportation improvements to accommodate traffic related to the proposed quarry extension project.

Work Plan

The following summarizes the proposed work plan to carry out this assignment:

- ▶ The plans for the extension of the quarry will be reviewed in detail and discussed with representatives of Nelson. A visit to the quarry will be undertaken to observe the daily quarry operations and this will include visiting the planned quarry extension areas to observe the layout and the planned interface with the existing quarry. The ongoing quarry trucking activity will be reviewed with Nelson representatives to ensure a full understanding of the operations.
- ▶ The work undertaken by Paradigm in 2005 and 2009 will be reviewed to determine if any changes in the quarry operations and trucking activity have occurred since that time.
- ▶ The local area roadways will be reviewed to confirm the local conditions. Traffic data will be obtained from the Region of Halton and the City of Burlington for the local area roadways. Detailed records of truck traffic for the past five years will be obtained from Nelson for analyses.
- ▶ The truck traffic data will be analyzed in detail to gain a full understanding of the ongoing variations in truck traffic levels from year to year, month to month and at a daily level. The geographic patterns of truck traffic will be reviewed using the Nelson data as well as the traffic count data provided by the Region and City.
- ▶ The weekday AM and PM peak hour traffic operating conditions on the surrounding local roadway network for the existing (i.e., 2019) will be analyzed in detail using Synchro 9 traffic analyses software and standard industry practices. Estimates of the five-year future background traffic will be prepared using accepted background traffic growth rates to establish future weekday peak hour traffic estimates. The future traffic operating conditions will be estimated using Synchro 9 traffic operations software.
- ▶ The need for any roadway improvements to accommodate the Nelson quarry truck traffic will be assessed. This assessment will consider the Region of Halton planned transportation improvements as outlined in the Region's Transportation Master Plan.
- ▶ The need for specific improvements to public roads to accommodate the truck movements in the immediate vicinity of the quarry will be reviewed and assessed.
- ▶ A report will be prepared documenting the findings of the study for submission to the appropriate public agencies considering the plans for the Nelson quarry extension.

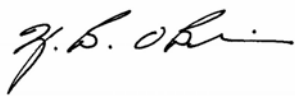


- ▶ The Paradigm study team members will maintain contacts with the overall Quarry Extension Study Team to ensure the traffic study is fully coordinated with the overall quarry extension investigations.
- ▶ Further work will be undertaken as required during the quarry extension planning and review process.

We trust the foregoing outlines our Study Terms of Reference fully. Please do not hesitate to contact the undersigned if there are any comments or questions.

Yours truly,

PARADIGM TRANSPORTATION SOLUTIONS LIMITED



W. B. O'Brien, P. Eng.
Senior Transportation Consultant



Stew Elkins, Vice President
B. E. S, MITE



Terms of Reference

Burlington Quarry Extension Planning Report

December 13, 2019

MHBC was retained by Nelson Aggregate Co. to conduct a planning analysis on Nelson's proposed Burlington Quarry Extension. The Terms of Reference for this study have been prepared based on past experience with aggregate applications in the Region of Halton including the Milton Quarry, Acton Quarry and Burlington Quarry Extension. In addition, the Halton Aggregate Resources Reference Manual has also been considered.

PURPOSE OF THE REPORT:

1. To review whether the proposed development is in the public interest;
2. To determine whether the proposed land use and after use is appropriate for the site and represents good land use planning; and,
3. To provide an opinion on whether a decision to approve the application is consistent with the Provincial Policy Statement, conforms to the Growth Plan, conforms to the Niagara Escarpment Plan, conforms with the Halton Region Official Plan and the City of Burlington Official Plan.

OBJECTIVES OF THE REPORT:

1. To provide a complete description of the proposal;
2. To review and summarize all background reports prepared in support of the proposal;
3. To identify all applicable Provincial and municipal policy that has an impact on the proposal and its consideration by the approval authorities and commenting agencies;
4. To review all applicable Provincial and municipal policy and make a determination on whether the application is consistent with or conforms to applicable policy and why;
5. To recommend what conditions of approval should be applied in order to minimize social and environmental impacts among other matters; and,
6. To identify and review all proposed mitigation and monitoring measures and make a determination if they are necessary, appropriate and implementable.

PHASE 1: BACKGROUND RESEARCH

- Review previous application and associated material including Joint Board Decision;
- Site visits of the subject site;
- Field inventory and mapping of surrounding land uses within 1 km of the subject site;
- Review pertinent policy and mapping information from Provincial Policy Statement, Niagara Escarpment Plan, Growth Plan, Region of Halton Official Plan and City of Burlington Official Plan; and,
- Review other available background information including the development history of the existing quarry and other developments in the area.

PHASE 2: PREPARATION OF PLANNING REPORT

- Project team meetings to discuss findings and ensure co-ordinated project team approach;
- Pre-consultation with the approval agencies;
- Review findings/ technical reports prepared by various subconsultants. The disciplines studied included:
 - Agricultural Impact Assessment;
 - Archaeological Study;
 - Cultural Heritage Study (built and cultural landscape);
 - Environmental Impact Study;
 - Air Quality Assessment;
 - Progressive & Final Rehabilitation/Monitoring Study;
 - Transportation/Haul Route Study;
 - Water Resources Study;
 - Adaptive Environmental Management Plan;
 - Karst Assessment;
 - Noise and Vibration Study;
 - Blasting Impact Assessment; and,
 - Visual Impact Assessment.
- Assess conclusions/ recommendations of the various sub-consultants to evaluate if the application is consistent with and/or conforms to the:

Provincial Policy Statement (2014)

The following sections will be considered:

- 1.0 (1.1.1, 1.1.4, 1.1.5, 1.2, 1.2.6, 1.5, 1.6.7, 1.7)
- 2.0 (2.1, 2.2, 2.3, 2.5, 2.6)
- 3.0 (3.1, 3.2)

Niagara Escarpment Plan (2017)

The following sections will be considered:

Part 1:

- Purpose and Objectives
- 1.2.1, 1.2.2, 1.5, 1.9

Part 2:

- 2.2, 2.6, 2.7, 2.8, 2.9, 2.10, 2.13

Part 3:

- 3.1.1, 3.2

Growth Plan (2019)

The following sections will be considered:

- 1.2.3 (Relationship with other Provincial Plans). Based on the provisions of the Growth Plan, the policies of the NEP will apply to this application.
- 4.1

Region of Halton Official Plan – (Office Consolidation June 19, 2018)

The following sections will be considered:

- 25, 26, 27, 29, 30, 33, 39, 40, 57, 62, 91, 99, 107, 109, 110, 111, 112, 113, 114, 116.1, 118, 139.8, 139.9, 139.9.1, 139.9.2, 139.10, 139.11, 142, 144, 145, 146, 147, 165, 166, 167, Table 3, 173.

City of Burlington Official Plan (Office Consolidation October 2017)

The following sections of the City of Burlington Official Plan were deferred on 08/10/24 based on a request from Nelson Aggregate Co. (Explanatory Notes, Page iv Deferral No. D53):

- Part I – 1.0, 3.0(b), 4.2.5.3
- Part II – 1.0, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.7, 2.10, 2.11, 8.0, 8.2, 8.3, 8.4, 13.1, 13.3 (a)(d)
- Part IV – 2.0, 2.1, 2.4, 2.5, 2.8
- Part VI – 1.3(f)(h)
- Part VIII – compatible, environmental evaluation, interim land use, mineral aggregate resources.

The City of Burlington also requested that Part II Subsection 2.12, Mineral Aggregates Resources in its entirety be deferred on 08/01/04 (Explanatory Notes, Page iv Deferral No. D33):

As a result, the applicable policies of the Official Plan that will be addressed include:

- Part I – 4.3
- Part II – 3.2.2, 3.8.1, 3.8.2, 8.1, 13.2, 13.3
- Part IV – 2.2.1, 2.3.1

As a result of the deferred policies in the October 2017 Office Consolidation, the following sections of the 1994 Official Plan (Certified copy from the City Clerk dated June 30, 2004) will be considered:

- Part I – 1.0, 3.0
- Part II – 2.0, 2.1, 2.2, 2.4, 2.5, 7.2, 7.5, 9.1, 9.2.1, 9.2.3, 9.3
- Part III – 2.0, 2.1.1, 2.1.2, 2.1.3, 2.3.1, 2.5.1, 2.5.2
- Part IV – 2.7.1, 2.7.2.

PHASE 3 – PLANNING REPORT STRUCTURE

The planning report will include information on the following:

- 1.0 Executive Summary
- 2.0 Nelson Aggregate Co.
- 3.0 Existing Burlington Quarry
- 4.0 Proposed Burlington Quarry Extension (Operations and After Use)
- 5.0 Required Land Use Applications
- 6.0 List of Technical Reports
- 7.0 Planning Considerations to Locate a New or Expanded Mineral Aggregate Operation
- 8.0 Description of Subject Site and All On-site Resources

- 9.0 Surrounding Land Uses and Mitigation/Monitoring Measures to Minimize Impacts (including Agricultural)
- 10.0 Surrounding Natural Heritage, Water Resources and Mitigation and Monitoring Requirements
- 11.0 Policy Review
- 12.0 Conclusion and Recommendations

Nelson Burlington Quarry Extension Financial Impact Study Terms of Reference February 7, 2020

At the JART Pre-consultation meeting on November 6, 2019 a Financial Impact Study was requested. At the meeting, Nelson requested clarification on the scope of this study and JART clarified the request for the study was from the City of Burlington and it was agreed Nelson would have a follow up meeting with the City of Burlington.

The meeting took place on December 18, 2019. The City's primary concern was impacts on No. 2 Sideroad based on the misunderstanding that Nelson's quarry trucks were going to travel from the South Quarry Extension to the existing Burlington Quarry entrance/exit. The City now understands that Nelson is proposing to drive straight across No. 2 Sideroad to the existing quarry.

As part of the Financial Impact Study, the City wants an undertaking that Nelson will:

- Cover the costs to either install lights or implement a flag person to regulate trucks crossing No. 2 Sideroad. The required mitigation for this crossing will be based on the recommendations of the Traffic Impact Assessment;
- Cover the costs to upgrade and maintain the crossing on No. 2 Sideroad to municipal standards during the life cycle of the south extension;
- Complete the mitigation, monitoring and rehabilitation requirements, which will form a legislated requirement of the Aggregate Resources Act and therefore do not represent a public cost;
- Identify the potential cost of any long-term monitoring and mitigation and to confirm measures to ensure there is no financial liability to the public; and
- Cover the cost of any replacement water supply that has been impacted by the quarry.

Taking into consideration the Region's Aggregate Resources Reference Manual and the meeting with the City of Burlington, the Financial Impact Study will also:

- Include examples of other road crossings for mineral aggregate operations in the Region of Halton;
- Identify how much TOARC fees will be provided to the Region of Halton and City of Burlington which the Region of Halton Aggregate Resources Reference Manual notes are "*payments for road improvements*";
- Include provisions from the Municipal Act and Aggregate Resources Act that prohibit municipalities from charging fees for the on-going maintenance of haul routes;
- Estimate of TOARC fees paid by Nelson to the City of Burlington and Region of Halton since Nelson took ownership of the quarry in 1983;
- Quantify the taxes that will be paid to Region, City of Burlington and school boards as a result of the Burlington Quarry Extension; and
- Quantify direct and indirect economic impacts of jobs and spending at the Burlington Quarry Extension.

From: Tecia White [<mailto:tecia@white-water.ca>]
Sent: March-01-20 2:06 PM
To: 'Nethery, Joe' <Joe.Nethery@halton.ca>
Cc: Brian Zeman <bzeman@mhbcplan.com>
Subject: RE: Nelson Aggregates: Terms of Reference for the Proposed Burlington Quarry Expansion

Good afternoon Joe,
Please see the attached zip file, which contains the remaining Terms of References discussed below.
If you have any questions or concerns, please do not hesitate to call any time.
Regards,

Tecia White M.Sc. P.Geo.
Senior Hydrogeologist/President
Whitewater Hydrogeology Ltd.
Cell: 705-888-7064

From: Tecia White <tecia@white-water.ca>
Sent: Tuesday, February 25, 2020 2:00 PM
To: Nethery, Joe <Joe.Nethery@halton.ca>
Cc: 'Brian Zeman' <bzeman@mhbcplan.com>
Subject: Nelson Aggregates: Terms of Reference for the Proposed Burlington Quarry Expansion

Good afternoon Joe,
Please accept the attached Terms of References for the Proposed Burlington Quarry Expansion. The zip file contains the TofR for the following studies:

1. Hydrogeology (including groundwater, surface water, and karst)
2. Natural Heritage
3. Adaptive Management Plan
4. Cultural Heritage
5. Visual Impact
6. Traffic
7. Planning
8. Financial

We will follow-up with a second submission by the end of the week, which will contain the outstanding Terms of References, which include:

1. Archaeology

2. Blasting
3. Noise
4. Air
5. Agricultural

Regards,
Tecia White M.Sc. P.Geo.
Senior Hydrogeologist/President
Whitewater Hydrogeology Ltd.
Cell: 705-888-7064

TECHNICAL MEMORANDUM

DATE 28 February 2020 **Project No.** 18104957

TO Quinn Moyer, President
Nelson Aggregate Co.

CC Tecia White, Whitewater Hydrogeology Ltd.; Michael Teal, MA

FROM Ragavan Nithiyantham, MA, CAHP **EMAIL** Ragavan_Nithiyantham@golder.com

STAGE 1-2 ARCHAEOLOGICAL ASSESSMENT TERMS OF REFERENCE FOR THE PROPOSED WEST EXTENSION OF THE BURLINGTON QUARRY, MUNICIPALITY OF HALTON, ONTARIO

1.0 INTRODUCTION

As requested via email between Golder Associates Ltd. (Golder) and Nelson Aggregate Co. (the Client) on February 25, 2020, this technical memorandum provides Terms of Reference for the Stage 1 and 2 Archaeological Assessment for the proposed West Extension of the Burlington Quarry located at 5235 Cedar Springs Road in the City of Burlington, Regional Municipality of Halton, Ontario ('the Project Area').

2.0 STAGE 1 AND 2 ARCHAEOLOGICAL ASSESSMENT

The Stage 1 and 2 Archaeological Assessment is informed by guidance provided in the Ministry of Heritage, Sport, Tourism and Culture Industries' (MHSTCI) *Standards and Guidelines for Consultant Archaeologists* (2011).

2.1 Stage 1 Archaeological Assessment

The objectives of a Stage 1 archaeological assessment are to gather information about the Project Area's geography, history, current land conditions and previous archaeological research within the vicinity. This assessment will provide an evaluation of the Project Area's archaeological potential and determine whether further archaeological assessment (Stage 2) is required. The Stage 1 archaeological assessment will include the following tasks:

- Review of relevant archaeological, historical and environmental literature pertaining to the Project Area;
- Review of relevant historical mapping and images of the Project Area;
- Review of relevant aerial photographs and satellite imagery of the Project Area;
- Review of registered archaeological sites within a 1-kilometre (km) radius of the Project Area;
- Review of previous archaeological assessments within a 50-metre (m) radius of the Project Area; and
- When possible, consultation with individuals knowledgeable (i.e., Burlington Springs Golf and Country Club) about the Project Area.

2.2 Stage 2 Archaeological Assessment

The objectives of the Stage 2 archaeological assessment are to determine if there are archaeological resources present within the Project Area and to assess whether any identified archaeological resources are of significant cultural heritage value or interest to require further archaeological assessment (Stage 3 and possibly Stage 4).

There are two methods of assessment for the Stage 2 field investigation: pedestrian survey and test pit survey. Pedestrian survey is conducted where ploughing is viable (i.e., agricultural fields), and test pit assessment is conducted where ploughing is not viable (i.e., woodlots, urban areas, areas of existing infrastructure).

For this Project Area, ploughing is not a viable option. Therefore, the Stage 2 archaeological assessment will consist of a test pit survey.

A test pit survey involves the hand excavation of test pits every 5 m along survey transects spaced 5 m from each other creating a 5 m grid of test pits. Each test pit will be excavated employing a shovel and be approximately 30 cm in diameter. Where possible, test pits will be excavated at least 5 cm into subsoil, usually a depth between 30 cm and 50 cm. Soil from all test pits will be screened through a 6-millimetre (mm) hardware mesh to facilitate the identification and recovery of archaeological resources.

In the event that archaeological resources are recovered during the test pit survey, the artifacts will be systematically inventoried and collected for processing, including washing, identification, cataloguing and analysis. The location of all artifact bearing test pits ('positive test pit') will be recorded using a hand-held GPS unit. If the cultural heritage value or interest of an identified site is not evident, an intensified test pit survey will be undertaken around the positive test pit, which involves the excavation of eight additional test pits spaced at 2.5m around the positive test pit and the excavation of a one-metre square test unit over the positive test pit to collect additional data to determine whether the archaeological resources contain sufficient cultural heritage value or interest to require further archaeological assessment. All test pits and test unit(s) will be backfilled and returned to an "as found" condition.

Areas of disturbance (i.e., paved parking areas/access routes, buildings) and physiographic areas (i.e., permanently wet areas) of no or low archaeological potential within the Project Area will be mapped and photo-documented but, these areas will not be subject to further Stage 2 archaeological assessment.

If an identified site is determined to have cultural heritage value or interest per Section 2.2 of the MHSTCI' *Standards and Guidelines for Consultant Archaeologists* (2011), a Stage 3 archaeological assessment is recommended.

2.3 Deliverables

A single report will be prepared detailing the results of the Stage 1 and 2 Archaeological Assessment. The report will include an overview of the Stage 1 Archaeological Assessment background research and provide the results of the Stage 2 Archaeological Assessment and make recommendations as to whether additional archaeological investigations (i.e., Stage 3 Archaeological Assessment) are recommended. One electronic copy will be submitted to the MHSTCI for review and entry into the Ontario Public Register of Archaeological Reports. In accordance with the *Ontario Heritage Act*, the licensee is obligated to file a Stage 1 and 2 Archaeological Assessment report with the Ministry within 1 year from submission of Project Information Form (PIF). Should the project extend beyond the 1-year timeframe, an extension may be requested from the MHSTCI.

The Stage 1 and 2 Archaeological Assessment reporting will follow an outline informed by guidance provided in the MHSTCI *Standards and Guidelines for Consultant Archaeologists* (2011). The Stage 1 and 2 Archaeological Assessment report will include the following content:

1. Project Context
 - a. Development Context
 - b. Historical Context
 - i. Pre-Contact Indigenous Settlement
 - ii. Contact Period Indigenous Settlement
 - iii. Post-Contact Indigenous Settlement
 - iv. Euro-Canadian Settlement
 - c. Archaeological Context
 - i. Geographic Context
 - ii. Existing Conditions
 - iii. Registered Archaeological Sites
 - iv. Previous Archaeological Assessments
 - v. Date of Fieldwork
2. Field Methods
 - a. Disturbances & Physical Features
 - b. Test Pit Survey
3. Record of Finds
4. Analysis and Conclusions
 - a. Potential for Indigenous Archaeological Resources
 - b. Potential for Historic Euro-Canadian Resources
 - c. Archaeological Integrity
 - d. Stage 2 Archaeological Survey
 - e. Conclusions
5. Recommendations
6. Advice on Compliance with Legislation
7. Bibliography

Appendices

Images

Maps

GOLDER ASSOCIATES LTD.



Ragavan Nithiyantham, MA, CAHP
Archaeologist & Cultural Heritage Specialist

RN/BD/ly



Bradley Drouin, MA
Associate, Senior Archaeologist

[https://golderassociates.sharepoint.com/sites/29533g/deliverables/terms of reference/18104957_tor_stage12_28feb2020_nelsonaggregate.docx](https://golderassociates.sharepoint.com/sites/29533g/deliverables/terms%20of%20reference/18104957_tor_stage12_28feb2020_nelsonaggregate.docx)



Specialists in Explosives, Blasting and Vibration
Consulting Engineers

February 27, 2020

Nelson Aggregate
2433 No.2 Side Road
Burlington, ON,
L7P 0G8

Re: Terms of Reference Report
Burlington Quarry Extension Project

Dear Ms. White,

Explotech Engineering Ltd. (Explotech) has been requested by Nelson Aggregates to prepare a Terms of Reference as it pertains to the Blast Impact Analysis for the proposed Nelson Aggregate – Burlington Quarry Extension operation located on Concession 2, Part Lot 1,2,17 and 18 – geographical City of Burlington, Ontario. This brief report is constructed to outline the purpose and methodology in completing the blast impact analysis as well as to address any potential impacts blasting operations may have on structures surrounding the proposed Burlington Quarry Extension areas.

The purpose of the blast impact analysis is to determine if blasting operations for the proposed Burlington Quarry Extension can be performed safely and within Ministry of Environment, Conservation and Parks Model Municipal Noise Control By-law (NPC 119) with regard to the guidelines for blasting in Mines and Quarries. The study is completed in numerous stages. Initially, the area is assessed using aerial imagery to determine the location of any sensitive receptors (as described in NPC 119) in relation to the proposed blasting operations. Once completed, a site visit to the area is performed to verify the results of the assessment made through the aerial imagery. Once the sensitive receptors in the area are identified, current blasting operations are reviewed and site specific attenuation data is reviewed/collected to determine if current blasting operations will have to be modified in order to be performed safely and remain compliant with NPC 119 ground and air vibration guidelines.

All blasts performed at the proposed Burlington Quarry Extension will be monitored by a minimum of two (2) instruments at the closest sensitive receptors; one installed in front of the blast and one installed behind the blast. The results of the monitoring program will be continually reviewed and blast plans will be adjusted to ensure all blasting operations remain compliant with current applicable guidelines thereby mitigating risk associated with damage to adjacent structures.

EXPLOTECH

Although not strictly required as part of the scope as required under the Aggregate Resource Act, the blast impact analysis will also touch on potential impacts of blasting on residential water wells, adjacent pipelines as well as flyrock. The following paragraphs describe these potential impacts and the associated mitigation measures for blasting operations required for the proposed Burlington Quarry Extension.

There is an intuitive belief that blasting operations have dramatic and disastrous impacts on residential water wells for large distances around such operations. Studies have been performed when blasting near residential water wells leading to a conclusion that an accepted limit of 50mm/s PPV level is adequate to protect wells from any damage. Given the more restrictive NPC 119 vibration guideline limits, no additional mitigation methods should be required to ensure damage does not occur at wells surrounding the proposed quarry operations.

The MECP guideline for blast-induced vibration (12.5mm/s) does not apply to pipelines as they are not classified as sensitive receptors. In the presence of a pipeline, blasting operations are generally guided by blasting specifications provided by the pipeline owner in addition to NPC 119. These specifications outline the maximum vibrations (PPV) to be imparted on the pipeline. As well, these specifications often require blast plans to be submitted to the pipeline company prior to blasting adjacent to the pipeline. In some instances, the quarry may be required to retain a third party engineer to design and monitor blasts within a pre-determined radius of the pipeline. These safeguards are put in place to minimize the potential impact on the adjacent pipeline.

Flyrock is the term used to define rocks which are propelled from the blast area by the force of the explosion. The blast impact analysis suggests rudimentary blast design criteria to demonstrate the impacts of certain parameters such as burden and stemming depth on the projection of flyrock. Given the influences of blast design, local geology and field accuracy, flyrock control will be addressed at the operational level to ensure the potential risks are properly mitigated.

Should you require any additional information related to the brief report, please do not hesitate to contact our office at your leisure.

Regards,

Michael Tobin, B.A.Sc.
Explotech Engineering Ltd

February 26, 2020

Via Email c/o Tecia White, Whitewater Hydrology Ltd.: tecia@white-water.com

Quinn Moyer
Nelson Aggregate Co.
2433 No. 2 Side Road
Burlington, Ontario
L7P 0G8

Re: Terms of Reference for a Noise Impact Assessment
Nelson Aggregate Quarry Extension, Burlington, Ontario

Dear Tecia,

As requested, we have prepared this Terms of Reference document to outline the work plan for our Noise Impact Assessment of the proposed Extension of the Nelson Aggregate Quarry in Burlington.

The Noise Impact Assessment is needed to support an application for a Class 'A' License (Category 2) to the Ministry of Natural Resources and Forestry ("MNR"), under the Aggregate Resources Act and its regulations. It can be also used for planning approvals from the local municipalities. The purpose of the study is to assess noise from the proposed aggregate extraction, processing, and shipping activities with respect to the guidelines of the MNR and the Ontario Ministry of the Environment, Conservation and Parks ("MECP"). The study comprises the following components.

Information from Nelson Aggregate

The following information, received from Nelson Aggregate, represents the primary inputs to the study with regard to planned operations at the proposed extension:

- A list of the proposed equipment;
- An estimate of the number and type of trucks expected to visit the extension on a typically busy day;
- Detailed topographical data for the existing pit and proposed extension, and the surrounding vicinity, in digital form;
- A copy of the site plans, outlining the phases of extraction and operations within each phase.

Field Work

HGC Engineering personnel have visited the site and the surrounding area and measured sound level emissions from the equipment to be used as part of the proposed extension. During the visit, our personnel also identified the locations of noise-sensitive receptors from the standpoint of potential noise impact, and observed the acoustical environment. Measurements of background sound have been conducted, for the purposes of the appropriate classification of the acoustic environment, in accordance with the MECP noise guidelines.



Establishment of Applicable Sound Level Limits

MECP publication NPC-300 is the noise assessment guideline that is applicable to the proposed extension. The sound level limits specified therein are site-specific and vary depending on the background sound levels at the receptors (due to traffic, etc., but excluding sound from the site under assessment).

Prediction methods for traffic noise were utilized in order to determine the background sound levels at the receptors. For this purpose, hourly traffic data for No. 2 Side Road, Cedar Springs Road, and Colling Road were collected, and used as input in STAMSON, version 5.04, a computer algorithm developed by the MECP.

Based on a combination of the background sound levels determined as above and the observed acoustical environment, the applicable sound level limits have been established in accordance with NPC-300.

Acoustical Modelling & Assessment

A detailed review of the extension pit plans has been undertaken and, in conjunction with the requested information regarding shipping activities, predictable worst-case operating scenarios for each phase of extraction have been developed, in terms of the greatest potential to impact the offsite receptors.

The measured equipment source sound levels have been used as input to a predictive computer model of the proposed quarry operations and the surrounding area. The resulting predicted sound levels at the receptors have been compared against the applicable sound level limits of the MECP.

Recommendations & Reporting

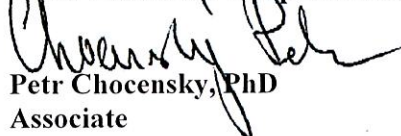
Recommendations for noise control measures (e.g. onsite berms/barriers, limiting the operating times of various sources, etc.) will be developed, such that the sound levels resulting from the proposed quarry operations will be predicted to comply with the applicable noise limits.

The results of the analysis and recommendations will be summarized in a report suitable for submission to the Approval Authorities.

Trusting this is satisfactory, please do not hesitate to contact me if you have any questions or concerns.

Best regards,

~~Howe Gastmeier~~ Chapnik Limited



Petr Chocensky, PhD
Associate



ACOUSTICS



NOISE



VIBRATION

Air Quality Study – Terms of Reference

Study	Air Quality Study
Description	<p>A study to produce a technical report that provides a written description of air quality impacts as a result of extending the Burlington Quarry. The study should include air dispersion modelling performed in AERMOD and should include maximum emissions scenarios that may occur should Nelson Aggregate Co. (Nelson) be granted a permit for extensions to their existing Burlington Quarry.</p> <p>The Air Quality Study should be prepared by a Consultant that is either an Air Quality Expert or a qualified Professional Engineer.</p>
When Required	An Air Quality Study is required for Nelson’s application for a license under the Aggregate Resource Act to permit extensions to their existing Burlington Quarry.
Required Contents	<p>The Study should include:</p> <ul style="list-style-type: none"> • A description of current and proposed future quarry operations; • Identification of nearby sensitive receptors in the vicinity of the existing quarry and the proposed extensions; • An emissions inventory and air dispersion modelling that includes all significant on-site sources (both stationary and mobile) in accordance to the Ontario Ministry Environment, Conservation, and Parks (Ministry) guidelines; • Identification of Contaminants of Potential Concern (CoPCs); • An assessment of cumulative air quality impacts with the incorporation of representative background concentrations; • An assessment of health and nuisance impacts at sensitive receptors by comparing the modelled CoPCs results to the Ontario Ministry of the Environment, Conservation and Parks (Ministry) Ambient Air Quality Criteria (AAQC) and, where applicable, Canadian Ambient Air Quality Standards (CAAQS) in the absence of provincial AAQCs; • Provide recommendations on air quality mitigation if required; and • Development of a Best Management Practices Plan for the Control of Fugitive Dust.

February 25, 2020

**RE: Nelson Aggregate Co. – Burlington Quarry Expansion – Agricultural Impact Assessment
Terms of Reference
MHBC FILE 9135J**

Further to the Pre-Consultation meeting on November 7, 2019 with the City of Burlington and Region of Halton, we are pleased to provide a Terms of Reference associated with the Agricultural Impact Assessment. The purpose of this Agricultural Impact Assessment is to evaluate potential impacts on agriculture from the proposed aggregate extraction operation extension and identify mitigation measures to abate these impacts to the extent feasible.

It is our understanding that the City of Burlington and Region of Halton require an AIA as part of an Aggregate Resources Act (ARA) and associated planning applications. The AIA is intended to satisfy the criteria for an Agricultural Impact Assessment as per the section 101.2(e) of the Region of Halton's Official Plan and Section 13.3 (e) of the City of Burlington's Official Plan. The Niagara Escarpment Plan (2017) also requires an AIA for aggregate applications in prime agricultural areas (Section 2.9.3 (f)).

The AIA will be prepared to be consistent with the Province's *Draft Agricultural Impact Assessment Guidelines*, released in March 2018 by the Ministry of Agriculture, Food and Rural Affairs and the Region of Halton's AIA Guidelines, 2014.

The subject lands are located east of Guelph Line, and north of 2nd Sideroad in the City of Burlington (2433 No. 2 Sideroad). The proposed expansion is comprised of two expansion areas: the agricultural lands south of the existing quarry (south of 2nd Sideroad); and the golf course located west of the existing quarry (Burlington Springs Golf and Country Club). For ease of reference, the agricultural area shall be referred to as the *South Extension* and the golf course lands shall be referred to as *West Extension*. Both expansion areas are located adjacent to the existing Burlington Quarry (Licences #5499 and #5657) which are owned and operated by Nelson Aggregate Inc. The subject lands will act as an extension to these existing Licences.

The lands are designated in the City of Burlington Official Plan as "Escarpment Rural Area" (Schedule C) and 'Prime Agricultural Area' under the Province's Agricultural Land Base Map. As the expansion is for a quarry operation, the proposed expansions will operate below the water table. The applicant is proposing to rehabilitate the lands to a lake and recreational areas.

The area to be assessed includes approximately 78.3 hectares of land. The Southern portion of these lands (18.3 hectares) is currently in agricultural production, while the western portion (60 hectares) is used as a golf course. The AIA would assess all lands proposed for expansion, with a particular focus on the lands currently in agricultural production.

The following tasks are assumed to be required for the purposes of this Agricultural Impact Assessment.

1. Visit site and surrounding area to document agricultural land uses on site and within primary study area (120 m) and secondary study area (1 km from site). The site visit will inform a detailed review of on-site features such as current farming practices, existing farm management and capital investments in agriculture. This will also include an evaluation of off-site land features such as surrounding land use types, Regional land use and lot/tenure patterns. Potential haul route impacts will also be assessed.
2. Review agricultural census data (2016) relative to crop/commodity types, parcel size, land tenure, etc. in the Region and more particularly, the City of Burlington.
3. Document/map/report on existing agricultural uses, cropping practices, investment in land, drainage/hydrology, topography, etc.
4. Complete a detailed assessment of the existing soil capability in order to provide a 'benchmark' of the existing resources and provide direction on quantities and handling of soil materials during site preparation and rehabilitation, as required. The detailed soil survey will follow the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Guidelines for Detailed Soil Surveys for Agricultural Land Use Planning (May 31, 2004). The soil survey is only being completed for the South Extension lands as the golf course lands have already been significantly altered and removed from agricultural production. The soil survey will include the following tasks:
 - i. Completion of a review of published soil information – County Soil Report of the Ontario Soil Survey (Ontario Ministry of Agriculture and Food and Rural Affairs (OMAFRA)).
 - ii. Conduct a review of published Canada Land Inventory (CLI) ratings for the soils of this area.
 - iii. Conduct an aerial photographic review and interpretation of the soil polygons, disturbed soil areas and miscellaneous landscape units (e.g.: streams, pits).
 - iv. Conduct an onsite soil survey at an appropriate scale and survey density.
 - v. Completion of mapping to illustrate the location of the property, the occurrence of the OMAFRA soil polygons and appropriate CLI capability ratings.
 - vi. Completion of a report outlining the methodologies employed, findings (including a discussion of relevant features identified) and a conclusion as to the relevance of the CLI classifications for the soil polygons on the property and how they relate to the Provincial Policy Statement.
 - vii. The report will include a description of the methodologies, findings and tables that outline the soil characteristics at each inspection point and the percent occurrence of

the Canada Land Inventory ratings for the soils on the subject property. Relevant mapping will be included and will illustrate the location of the soil inspection sites and the onsite soil polygon configuration.

5. Review climate data and cropping data (if available), as well as on-site drainage.
6. Review and assess proposal relative to provincial, regional and local land use planning policies with respect to agricultural resources.
7. Assess agricultural viability in both local and regional context, and prepare overview of net impacts on the adjacent lands and broader agricultural community.
8. Review application materials and studies which may have implications on agricultural uses (e.g. hydrogeology, dust management plan, noise, etc.) and impact mitigation. Review ARA Site Plans.
9. Prepare AIA which will include a summary of above as well as recommended mitigation measures during operation and post-extraction rehabilitation efforts.

Please note, the Planning Justification Report associated with this application will provide a fulsome policy analysis, including an assessment of alternative locations. It is anticipated that the Halton Agricultural Advisory Committee will review the application and may request a meeting to discuss the application and AIA report.

I trust the forgoing meets the requirements of the Province's Draft AIA Guidelines, as well as the Region of Halton's Guidelines. If you have any questions regarding this Terms of Reference, please do not hesitate to contact the undersigned.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'P. Chauvin', with a large, sweeping flourish extending to the right.

Pierre J. Chauvin, BSc (Agr), MA, MCIP, RPP
Partner

From: Brian Zeman

Sent: March 2, 2020 3:05 PM

To: Tecia White <tecia@white-water.ca>; 'Nethery, Joe' <Joe.Nethery@halton.ca>

Subject: RE: Nelson Aggregates: Terms of Reference for the Proposed Burlington Quarry Expansion

Good afternoon Joe

Further to Tecia's emails, attached please find the terms of reference for the "Rehabilitation and Monitoring Study".

Regards,

BRIAN ZEMAN, BES, MCIP, RPP | President

MHBC Planning, Urban Design & Landscape Architecture

113 Collier Street | Barrie | ON | L4M 1H2 | T 705 728 0045 x 226 | F 705 728 2010 | C 705 627 9004 | bzeman@mhbcplan.com

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From: Tecia White [<mailto:tecia@white-water.ca>]

Sent: March-01-20 2:06 PM

To: 'Nethery, Joe' <Joe.Nethery@halton.ca>

Cc: Brian Zeman <bzeman@mhbcplan.com>

Subject: RE: Nelson Aggregates: Terms of Reference for the Proposed Burlington Quarry Expansion

Good afternoon Joe,

Please see the attached zip file, which contains the remaining Terms of References discussed below.

If you have any questions or concerns, please do not hesitate to call any time.

Regards,

Tecia White M.Sc. P.Geo.

Senior Hydrogeologist/President

Whitewater Hydrogeology Ltd.

Cell: 705-888-7064

From: Tecia White <tecia@white-water.ca>

Sent: Tuesday, February 25, 2020 2:00 PM

To: Nethery, Joe <Joe.Nethery@halton.ca>

Cc: 'Brian Zeman' <bzeman@mhbcplan.com>

Subject: Nelson Aggregates: Terms of Reference for the Proposed Burlington Quarry Expansion

Good afternoon Joe,

Please accept the attached Terms of References for the Proposed Burlington Quarry Expansion. The zip file contains the TofR for the following studies:

1. Hydrogeology (including groundwater, surface water, and karst)
2. Natural Heritage
3. Adaptive Management Plan
4. Cultural Heritage
5. Visual Impact
6. Traffic
7. Planning
8. Financial

We will follow-up with a second submission by the end of the week, which will contain the outstanding Terms of References, which include:

1. Archaeology
2. Blasting
3. Noise
4. Air
5. Agricultural

Regards,

Tecia White M.Sc. P.Geo.

Senior Hydrogeologist/President

Whitewater Hydrogeology Ltd.

Cell: 705-888-7064

**Terms of Reference
Nelson Burlington Quarry Extension
Rehabilitation and Monitoring Study
March 2, 2020**

MHBC will prepare a rehabilitation and monitoring study. The following are the terms of reference for the study.

PURPOSE OF THE STUDY:

1. To demonstrate how the subject lands will be rehabilitated to a land use that is compatible with the land use of the area and in conformity with Provincial, Regional and local policy.
2. Identify requirements for monitoring and rehabilitation to ensure that the rehabilitation of the site is consistent with the requirements of applicable policy documents.

OBJECTIVES OF THE REHABILITATION/MONITORING STUDY:

1. To identify and document the specific elements of a plan for the progressive and timely rehabilitation of the site.
2. To recommend a rehabilitation strategy for progressive rehabilitation, monitoring and post development rehabilitation.
3. To prepare a strategy to rehabilitate sites to a state of greater or equal ecological value.
4. To identify potential after-uses that are compatible with surrounding land uses.
5. To identify ongoing monitoring milestones for monitoring site impacts and rehabilitation requirements.
6. Identify any further planning approvals that may be necessary to facilitate the final end use.

THE STUDY WILL INCLUDE:

- A summary of the proposed rehabilitated landform;
- An analysis of the Niagara Escarpment Plan, Provincial Policy Statement, Region of Halton Official Plan and City of Burlington Official Plan to determine if the land use is compatible with surrounding land uses;
- All of the monitoring and rehabilitation requirements for the site based on the technical recommendations from the water resources report, natural environment report and MNRF requirements;
- The proposed phasing plan to ensure timely rehabilitation;
- A rehabilitation plan that includes woodlands, wetlands, ponds, lakes, vernal pools and grasslands to rehabilitate the site to a state of greater or equal ecological value; and
- An after use plan that is designed to be compatible with surrounding land uses. The after use plan includes a proposal to convey the lands into public ownership in phases. A summary of further planning approvals that may be necessary to facilitate the final end use will be included.

Tab **16**

2244 NO 2 SIDEROAD - NO SURVEY

LRO # 20 **Transfer**
The applicant(s) hereby applies to the Land Registrar.

Received as HR182882 on 2003 03 06 at 13:10
yyyy mm dd Page 1 of 2

Properties

PIN 07199 - 0038 LT Estate/Qualifier Fee Simple Lt Conversion Qualified
Description PT LT 18 , CON 2 NDS . AS IN 791708 ; BURLINGTON/NELSON TWP
Address 02244 2 SIDE RD
BURLINGTON

Consideration

Consideration \$ 451,000.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name VAN GEEST, CORNELIS
Address for Service 2244 No. 2 Sideroad
Burlington, Ontario

I am at least 18 years of age.

MARIAN IRENE VAN GEEST and I are spouses of one another and are both parties to this document

This document is not authorized under Power of Attorney by this party.

Name VAN GEEST, MARIAN IRENE
Address for Service 2244 No. 2 Sideroad
Burlington, Ontario

I am at least 18 years of age.

CORNELIS VAN GEEST and I are spouses of one another and are both parties to this document

This document is not authorized under Power of Attorney by this party.

Transferee(s) Capacity Share

Name 546958 ONTARIO LIMITED Capacity: N/A
Address for Service P.O. Box 1070 Burlington, Ontario L7R 4L8

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEEE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

Henri Joseph Charlebois 3513 Mainway Drive acting for Transferor(s) Signed 2003 03 06
Burlington L7M 1A9
Tel 9053321888
Fax 9053320021
Wade Lawrence Williams 20 Queen St., Suite 2500 acting for Transferee(s) Signed 2003 03 03
Toronto M5H 3S1
Tel 4165958500
Fax 4165958695

_RO # 20 **Transfer**
The applicant(s) hereby applies to the Land Registrar.

Received as HR182882 on 2003 03 06 at 13:10
yyyy mm dd Page 2 of 2

Submitted By

MILLER THOMSON 20 Queen St., Suite 2500 2003 03 06
Toronto M5H 3S1
Tel 4165958500
Fax 4165958695

Fees/Taxes/Payment

Statutory Registration Fee \$60.00
Land Transfer Tax \$5,495.00
Total Paid \$5,555.00

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Transfer/Deed of Land

A

Form 1 — Land Registration Reform Act, 1984

FOR OFFICE USE ONLY

649060

SEP 2 12 13 PM '86

New Property Identifiers

Additional:
See
Schedule

Executions

Additional:
See
Schedule

(1) Registry Land Titles (2) Page 1 of 5 pages

(3) Property Identifier(s) Block Property Additional: See Schedule

(4) Consideration
TWO HUNDRED & NINETY FIVE THOUSAND Dollars \$295,000.00

(5) Description This is a: Property Division Property Consolidation
Part Lot 18, Concession 2, N.D.S. (formerly Township of Nelson) City of Burlington Regional Municipality of Halton Registry Division of Halton (NO. 20)

(6) This Document Contains (a) Redescription New Easement Plan/Sketch (b) Schedule for: Description Additional Parties Other (7) Interest/Estate Transferred Fee Simple

(8) Transferor(s) The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that we are spouses of one another.

Name(s)	Signature(s)	Date of Signature Y M D
MILLAR, Bruce		1986 08 29
MILLAR, Jean		1986 08 29
Joint Tenants		

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction

Name(s)	Signature(s)	Date of Signature Y M D

(10) Transferor(s) Address for Service R.R. 3 Campbellville, Ontario LOP 1B0

(11) Transferee(s)

Name(s)	Date of Birth Y M D
COYNE, Kenneth Michael IN TRUST	1954 10 09

(12) Transferee(s) Address for Service 7061 Yonge Street, Thornhill, Ontario L3T 2A6

(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 49 of the Planning Act, 1983.

Signature:	Date of Signature Y M D	Signature:	Date of Signature Y M D
	1986 08 29		1986 08 29

Solicitor for Transferor(s) I have explained the effect of section 49 of the Planning Act, 1983 to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.

Name and Address of Solicitor: G.A. BRECHIN, 3540 Commerce Court, Burlington

Signature: Date of Signature: 1986 08 29

(14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 49 (21a) (c) (ii) of the Planning Act, 1983 and that to the best of my knowledge and belief this transfer does not contravene section 49 of the Planning Act 1983. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Name and Address of Solicitor: K. Michael Coyne, 7061 Yonge Street, Thornhill, Ontario L3T 2A6

Signature: Date of Signature: 1986 09 02

(15) Assessment Roll Number of Property

Cty.	Mun.	Map	Sub.	Par.
24	02	030	308	11700

(16) Municipal Address of Property: 2280 #2 Side Road, BURLINGTON, Ontario

(17) Document Prepared by: BRECHIN & HUFFMAN, Barristers & Solicitors, 3540 Commerce Court, BURLINGTON, Ontario, L7N 3L7

Fees and Tax	
Registration Fee	
Land Transfer Tax	
Total	

FOR OFFICE USE ONLY

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part Lot 18, Concession 2, North of Dundas Street, City of Burlington

BY (print names of all transferors in full) BRUCE MILLAR and JEAN MILLAR

TO (see instruction 1 and print names of all transferees in full) KENNETH MICHAEL COYNE IN TRUST

I, (see instruction 2 and print name(s) in full) KENNETH MICHAEL COYNE

MAKE OATH AND SAY THAT:

1. I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)): (see instruction 2)
- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
 - (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
 - (c) A transferee named in the above-described conveyance;
 - (d) The authorized agent or solicitor acting in this transaction for (insert name(s) of principal(s)) _____
- _____ described in paragraph(s) (a), (b), (c) above; (strike out references to inapplicable paragraphs)
- (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for (insert name(s) of corporation(s)) _____
 - _____ described in paragraph(s) (a), (b), (c) above; (strike out references to inapplicable paragraphs)
 - (f) A transferee described in paragraph() (insert only one of paragraph (a), (b) or (c) above, as applicable) and am making this affidavit on my own behalf and on behalf of (insert name of spouse) _____ who is my spouse described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and as such, I have personal knowledge of the facts herein deposed to.
2. (To be completed where the value of the consideration for the conveyance exceeds \$250,000.)
 I have read and considered the definition of "single family residence" set out in clause 1(1)(j) of the Act. The land conveyed in the above-described conveyance
- contains at least one and not more than two single family residences
 - does not contain a single family residence.
 - contains more than two single family residences. (see instruction 3)
- Note: Clause 2(1) (d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of \$250,000 where the conveyance contains at least one and not more than two single family residences.
3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(f) and (g) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. (see instructions 4 and 5) none

4. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

(a) Monies paid or to be paid in cash	\$ 295,000.00	
(b) Mortgages (i) Assumed (show principal and interest to be credited against purchase price)	\$ nil	
(ii) Given back to vendor	\$ nil	
(c) Property transferred in exchange (detail below)	\$ nil	
(d) Securities transferred to the value of (detail below)	\$ nil	
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$ nil	
(f) Other valuable consideration subject to land transfer tax (detail below)	\$ nil	
(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (Total of (a) to (f))	\$ 295,000.00	\$ 295,000.00
(h) VALUE OF ALL CHATTELS - items of tangible personal property (Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the "Retail Sales Tax Act", R.S.O. 1980, c.454, as amended)	\$ nil	\$ nil
(i) Other consideration for transaction not included in (g) or (h) above	\$	\$ 295,000.00
(j) TOTAL CONSIDERATION		\$ 295,000.00

All Blanks
Must Be
Filled In.
Insert "Nil"
Where
Applicable.

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 6) n/a
6. If the consideration is nominal, is the land subject to any encumbrance? n/a
7. Other remarks and explanations, if necessary, n/a

Sworn before me at the Town of Markham
 in the Regional Municipality of York
 this 2nd day of September 19 86
John D.V. Drew
 A Commissioner for taking Affidavits, etc.

[Signature]
 signature(s)

Property Information Record

- A. Describe nature of instrument: Deed
- B. (i) Address of property being conveyed (if available) 2280 #2 Side Road
Burlington, Ontario
24-02-030-308-11700
- (ii) Assessment Roll No. (if available) _____
- C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 7) 7061 Yonge Street
Thornhill, Ontario L3T 2A6
not available
- D. (i) Registration number for last conveyance of property being conveyed (if available) _____
- (ii) Legal description of property conveyed: Same as in D.(i) above. Yes No Not known

E. Name(s) and address(es) of each transferee's solicitor
K. Michael Coyne
Barrister & Solicitor
7061 Yonge Street
Thornhill, Ontario
L3T 2A6

For Land Registry Office use only

REGISTRATION NO. _____

Land Registry Office No. _____

Registration Date _____

FOR OFFICE USE ONLY

HR 42663 1308

01 MAR 30

CERTIFICATE OF RECEIPT
HALTON NO. 20 MILTON
[Signature] LAND REGISTRAR

(1) Registry Land Titles (2) Page 1 of 2 pages

(3) Property Identifier(s) Block 07199 Property 0040 (LT) Additional: See Schedule

(4) Consideration Four hundred thirty five thousand dollars Dollar \$ 435,000.00

(5) Description This is a: Property Division Property Consolidation
Part Lot 18, Concession 2
North Dundas Street
as in 621598
City of Burlington, Regional Municipality of Halton
Land Titles Division of Halton, (No. 20)

New Property Identifiers Additional: See Schedule

Executions Additional: See Schedule

(6) This Document Contains (a) Redescription New Easement Plan/Sketch (b) Schedule for: Description Additional Parties Other (7) Interest/Estate Transferred Fee Simple

(8) Transferor(s) The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that **We are spouses of one another.**

Name(s)	Signature(s)	Date of Signature Y M D
ESTRELA, Moises Oliveira	<i>[Signature]</i>	2001 03 29
ESTRELA, Odelia Maria	<i>[Signature]</i>	2001 03 29

as joint tenants

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction

Name(s)	Signature(s)	Date of Signature Y M D

(10) Transferor(s) Address for Service 3 Milverton Close, Waterdown, Ontario

(11) Transferee(s) 546958 ONTARIO LIMITED

Date of Birth Y M D

(12) Transferee(s) Address for Service P. O. Box 1070, Burlington, Ontario, L7R 4L8

(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 50 of the Planning Act.

Signature	Date of Signature Y M D	Signature	Date of Signature Y M D
<i>[Signature]</i>	2001 03 29	<i>[Signature]</i>	2001 03 29

Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.

Name and Address of Solicitor: Christopher C. Breen, Barrister & Solicitor, 3400 Fairview St., Burlington, Ontario L7N 3G5

Signature: *[Signature]* Date of Signature: 2001 03 29

(14) Solicitor for Transferee(s) I have investigated the transferor(s) title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 50 (22) (c) (ii) of the Planning Act and that to the best of my knowledge and belief this transfer does not contravene section 50 of the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Name of Transferee(s): Douglas J.R. Moodie - Miller Thomson LLP
Address of 20 Queen Street West, P.O. Box 27, Toronto ON M5H 3S1

Solicitor: *[Signature]* Date of Signature: 2001 03 29

PIN: Con't on Schedule Name of Transferee(s): 546958 Ontario Limited Con't on Schedule

(15) Assessment Roll Number of Property: 24 02 030 308 11701

Cty. Mun. Map Sub. Par.

(16) Municipal Address of Property: 2292 No. 2 Side Road, R. R. #3 Campbellville, Ontario L0P 1B0

(17) Document Prepared by: Christopher C. Breen Barrister & Solicitor, 3400 Fairview St., Burlington, Ontario L7N 3G5

01-150G

Fees and Tax	
Registration Fee	
Land Transfer Tax	
Total	

FOR OFFICE USE ONLY

Affidavit of Residence and of Value of the Consideration
Form 1 - Land Transfer Tax Act

Refer to all instructions on reverse side.
IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land)
Part of Lot 18 in Concession 2, NDS, City of Burlington, Regional Municipality of Halton (PIN 07199-0040 (LT))

(print names of all transferors in full) Moses Oliveira Estrela and Odelia Maria Estrela

(see instruction 1 and print names of all transferees in full) 546958 Ontario Limited

(see instruction 2 and print name(s) in full) Robert Albrough

TAKE OATH AND SAY THAT:

I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)): (see instruction 2)

- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
(b) A trustee named in the above-described conveyance to whom the land is being conveyed;
(c) A transferee named in the above-described conveyance;
(d) The authorized agent or solicitor acting in this transaction for (insert name(s) of principal(s))

(e) The President, Vice President, Manager, Secretary, Director or Treasurer authorized to act for (insert name(s) of corporation(s))
546958 Ontario Limited

(f) A transferee described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and am making this affidavit on my own behalf and on behalf of (insert name of spouse) who is my spouse described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and as such, I have personal knowledge of the facts herein deposed to.

(To be completed where the value of the consideration for the conveyance exceeds \$400,000).

I have read and considered the definition of "single family residence" set out in clause 1(1)(ja) of the Act. The land conveyed in the above-described conveyance

- (x) contains at least one and not more than two single family residences. Note: Clause 2(1)(d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of \$400,000 where the conveyance contains at least one and not more than two single family residences.
does not contain a single family residence.
contains more than two single family residences. (see instruction 3)

3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(f) and (g) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. (see instructions 4 and 5)

THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

Table with 2 columns: Description and Amount. Rows include: (a) Monies paid or to be paid in cash \$435,000.00; (b) Mortgages (i) Assumed Nil; (ii) Given back to vendor Nil; (c) Property transferred in exchange Nil; (d) Securities transferred Nil; (e) Liens, legacies, annuities and maintenance charges Nil; (f) Other valuable consideration Nil; (g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (Total of (a) to (f)) \$435,000.00; (h) VALUE OF ALL CHATTELS Nil; (i) Other consideration for transaction Nil; (j) TOTAL CONSIDERATION \$435,000.00

All Blanks Must Be Filled In. Insert "Nil" Where Applicable

If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 6) n/a

6. If the consideration is nominal, is the land subject to any encumbrance? n/a
Other remarks and explanations, if necessary. n/a

worn before me at the
the Province of Ontario
this 21st day of March 2001
Robert Albrough signature(s)

Property Information Record
Describe nature of instrument: Transfer/Deed of Land
B. (i) Address of property being conveyed (if available) 2292 No. 2 Side Road, R.R. #3, Campbellville, Ontario, L0P 1B0
(ii) Assessment Roll No. (if available) 24 02 030 308 11701
C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 7) P.O. Box 1070, Burlington, Ontario, L7R 4L8
D. (i) Registration number for last conveyance of property being conveyed (if available) 621598
(ii) Legal description of property conveyed: Same as in D.(i) above. Yes [X] No [] Not known []
Name(s) and address(es) of each transferee's solicitor MILLER THOMSON LLP (Douglas J.R. Moodie), 20 Queen Street West Suite 2500, Box 27, Toronto, Ontario, M5H 3S1 estrela.l

For Land Registry Office Use Only
Registration No.
Registration Date
Land Registry Office No.

School Tax Support (Voluntary Election) See reverse for explanation
(a) Are all individual transferees Roman Catholic? Yes [] No []
(b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? Yes [] No []
Do all individual transferees have French Language Education Rights? Yes [] No []
If Yes, do all individual transferees wish to support the French Language School Board (where established)? Yes [] No []
NOTE: As to (c) and (d) the land being transferred will be assigned to the French Public School Board or Sector unless otherwise directed in (a) and (b). 0449D (90-09)

FOR OFFICE USE ONLY

7 8 0 5 2 8

CERTIFICATE OF RECEIPT
HALTON (20) MILTON

New Property Identifier: **100-00019** PM 1 06

Executions: *[Signature]*
LAND REGISTRAR

(1) Registry Land Titles (2) Page 1 of 2 pages

(3) Property Identifier(s) **07199-0041(LT)** Block Property Additional: See Schedule

(4) Consideration **THREE HUNDRED SIXTY ONE THOUSAND** Dollars \$ **361,000.00**

(5) Description This is a: Property Division Property Consolidation
Part of Lot 18, Concession 2, North of Dundas Street, in the City of Burlington (formerly the Town of Burlington), in the Regional Municipality of Halton (formerly the County of Halton)
more particularly described in Schedule "A" attached.
As described in U.C. 224733

(6) This Document Contains (a) Redescription New Easement Plan/Sketch (b) Schedule for: Description Additional Parties Other (7) Interest/Estate Transferred Fee Simple

(8) **Transferor(s)** The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that **we are spouses of one another.**

Name(s)	Signature(s)	Date of Signature Y M D
VOISINE, Guildor	<i>[Signature]</i>	1999 03 01
VOISINE, Mary Lou	<i>[Signature]</i>	1999 03 01

(9) **Spouse(s) of Transferor(s)** I hereby consent to this transaction
Name(s) _____ Signature(s) _____ Date of Signature Y M D _____

(10) **Transferor(s) Address for Service**

(11) **Transferee(s)**
546958 ONTARIO LIMITED
Date of Birth Y M D _____

(12) **Transferee(s) Address for Service** **P.O. Box 1070, Burlington, Ontario, L7R 4L8**
Attention: Robert Albrough

(13) **Transferor(s)** The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 50 of the Planning Act.
Guildor Voisine Signature *[Signature]* Date of Signature 1999 03 01
Mary Lou Voisine Signature *[Signature]* Date of Signature 1999 03 01

Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.
Name and Address of Solicitor: **3350 South Service Rd. Burlington, Ont.** Signature *[Signature]* Date of Signature 1999 03 01

(14) **Solicitor for Transferee(s)** I have investigated the transferor(s) title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 50 (22) (c) (ii) of the Planning Act and that to the best of my knowledge and belief this transfer does not contravene section 50 of the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.
Name of Transferee(s): **546958 Ontario Limited** Con't on Schedule
Name and Address of Solicitor: **Douglas J.R. Moodie Miller Thomson, 20 Queen Street West, P.O. Box 27, Toronto, Ontario, M5H 3S1** Date of Signature 1999 03 01
Signature *[Signature]*

(15) **Assessment Roll Number of Property**
City: **24** Mun.: **02** Map: **030** Sub.: **308** Par.: **11800**

(16) **Municipal Address of Property**
**2300 #2 Side Road
R.R. #3
Burlington, Ontario
L0P 1B0**

(17) **Document Prepared by:**
**MILLER THOMSON
(Douglas J.R. Moodie) 20 Queen
Street West
Suite 2500, Box 27
Toronto, Ontario
M5H 3S1**

Fees and Tax	
Registration Fee	
Land Transfer Tax	
Total	

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part of Lot 18, Concession 2, NDS,
City of Burlington, Regional Municipality of Halton

BY (print names of all transferors in full) Guildor Voisine and Mary Lou Voisine

TO (see instruction 1 and print names of all transferees in full) 546958 Ontario Limited

I, (see instruction 2 and print name(s) in full) Douglas J.R. Moodie

MAKE OATH AND SAY THAT:

1. I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)): (see instruction 2)

- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- (c) A transferee named in the above-described conveyance;
- (d) The authorized agent or solicitor acting in this transaction for (insert name(s) of principal(s)) 546958 Ontario Limited
described in paragraph(s) X X (c) above; (strike out references to inapplicable paragraphs)
- (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for (insert name(s) of corporation(s))
described in paragraph(s) (a), (b), (c) above; (strike out references to inapplicable paragraphs)

(f) A transferee described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and am making this affidavit on my own behalf and on behalf of (insert name of spouse) who is my spouse described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and as such, I have personal knowledge of the facts herein deposed to.

2. (To be completed where the value of the consideration for the conveyance exceeds \$400,000).

I have read and considered the definition of "single family residence" set out in clause 1(1)(ja) of the Act. The land conveyed in the above-described conveyance
 contains at least one and not more than two single family residences. **Note: Clause 2(1)(d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of \$400,000 where the conveyance contains at least one and not more than two single family residences.**
 does not contain a single family residence.
 contains more than two single family residences. (see instruction 3)

3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(f) and (g) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. (see instructions 4 and 5)

4. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

(a) Monies paid or to be paid in cash	\$	<u>361,000.00</u>		
(b) Mortgages (i) Assumed (show principal and interest to be credited against purchase price)	\$	<u>Nil</u>	All Blanks Must Be Filled In. Insert "Nil" Where Applicable	
(ii) Given back to vendor	\$	<u>Nil</u>		
(c) Property transferred in exchange (detail below)	\$	<u>Nil</u>		
(d) Securities transferred to the value of (detail below)	\$	<u>Nil</u>		
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$	<u>Nil</u>		
(f) Other valuable consideration subject to land transfer tax (detail below)	\$	<u>Nil</u>		
(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (Total of (a) to (f))	\$	<u>361,000.00</u>	\$	<u>361,000.00</u>
(h) VALUE OF ALL CHATTELS - Items of tangible personal property (Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the "Retail Sales Tax Act", R.S.O. 1980, c.454, as amended)	\$	<u>Nil</u>		
(i) Other consideration for transaction not included in (g) or (h) above	\$	<u>Nil</u>		
(j) TOTAL CONSIDERATION	\$	<u>361,000.00</u>		

- 5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 6) n/a
- 6. If the consideration is nominal, is the land subject to any encumbrance? n/a
- 7. Other remarks and explanations, if necessary. n/a

Sworn before me at the City of Toronto
in the Province of Ontario
this 19 day of March

[Signature]
A Commissioner for taking Affidavits, etc.
Reet 19 00
Therford, a Commissioner etc.,
Province of Ontario, for Miller Thomson,
Barristers and Solicitors.
Expires September 6, 2000.

[Signature]
Douglas J.R. Moodie

Property Information Record

- A. Describe nature of instrument: Transfer/Deed of Land
- B. (i) Address of property being conveyed (if available) 2300 #2 Side Road, R.R. #3, Burlington, Ontario, L0P 1B0
- (ii) Assessment Roll No. (if available) 24 02 030 308 11800
- C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 7) P.O. Box 1070, Burlington, Ontario, L7R 4L8
- D. (i) Registration number for last conveyance of property being conveyed (if available) 224733
- (ii) Legal description of property conveyed: Same as in D.(i) above. Yes No Not known
- E. Name(s) and address(es) of each transferee's solicitor
Douglas J.R. Moodie, MILLER THOMSON, 20 Queen Street West
Suite 2500, Box 27, Toronto, Ontario, M5H 3S1
Nel-voi.1 -14554-27

For Land Registry Office Use Only	
Registration No.	
Registration Date	Land Registry Office No.

School Tax Support (Voluntary Election) See reverse for explanation

- (a) Are all individual transferees Roman Catholic? Yes No
 - (b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? Yes No
 - (c) Do all individual transferees have French Language Education Rights? Yes No
 - (d) If Yes, do all individual transferees wish to support the French Language School Board (where established)? Yes No
- NOTE: As to (c) and (d) the land being transferred will be assigned to the French Public School Board or Sector unless otherwise directed in (a) and (b). 0449D (90-09)

Properties

PIN 07199 - 0042 LT Estate/Qualifier Fee Simple Lt Conversion Qualified
Description PT LT 18 , CON 2 NDS , AS IN 359703 ; S/T NU17648 BURLINGTON/NELSON TWP
Address 02316 2 SIDE RD
BURLINGTON

Consideration

Consideration \$ 530,000.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name BRKOPEC, ANTON
Address for Service 2316 No. 2 Side Road
Burlington, Ontario

I am at least 18 years of age.

MARJETTA BRKOPEC and I are spouses of one another and are both parties to this document

This document is not authorized under Power of Attorney by this party.

Name BRKOPEC, MARJETTA
Address for Service 2316 No. 2 Side Road
Burlington, Ontario

I am at least 18 years of age.

ANTON BRKOPEC and I are spouses of one another and are both parties to this document

This document is not authorized under Power of Attorney by this party.

Transferee(s)

Capacity

Share

Name 546958 ONTARIO LIMITED Capacity: N/A
Address for Service 02433 2 SIDE RD
BURLINGTON, ONTARIO L7R 3X4

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEREE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

Henri Joseph Charlebois	3513 Mainway Drive Burlington L7M 1A9	acting for Transferor(s)	Signed	2003 07 30
Tel 9053321888				
Fax 9053320021				
Wade Lawrence Williams	20 Queen St., Suite 2500 Toronto M5H 3S1	acting for Transferee(s)	Signed	2003 07 30
Tel 416-595-8500				
Fax 4165958695				

LRO # 20 **Transfer**
The applicant(s) hereby applies to the Land Registrar.

Received as HR214872 on 2003 07 30 at 12:40
yyyy mm dd Page 2 of 2

Submitted By

MILLER THOMSON

20 Queen St., Suite 2500
Toronto M5H 3S1

2003 07 30

Tel 416-595-8500

Fax 4165958695

Fees/Taxes/Payment

Statutory Registration Fee \$60.00

Land Transfer Tax \$7,075.00

Total Paid \$7,135.00

Properties

PIN 07199 - 0043 LT Estate/Qualifier Fee Simple Lt Conversion Qualified
Description PT LT 17 , CON 2 NDS , AS IN 789245 ; BURLINGTON/NELSON TWP
Address 02330 2 SIDE ROAD
BURLINGTON

Consideration

Consideration \$ 491,150.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name MURRAY, ANNIE JEANETTE
Address for Service 2330 No. 2 Sider Road
Burlington, Ontario

I am at least 18 years of age.

MURDOCH HENRY MURRAY and I are spouses of one another and are both parties to this document

This document is not authorized under Power of Attorney by this party.

Name MURRAY, MURDOCH HENRY
Address for Service 2330 No. 2 Side Road
Burlington, Ontario

I am at least 18 years of age.

ANNIE JEANETTE MURRAY and I are spouses of one another and are both parties to this document

This document is not authorized under Power of Attorney by this party.

Transferee(s)

	Capacity	Share
Name 546958 ONTARIO LIMITED	Beneficial Owner	
Address for Service 02330 2 SIDE ROAD BURLINGTON		

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEEE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

Henri Joseph Charlebois	3513 Mainway Drive Burlington L7M 1A9	acting for Transferor(s)	Signed	2003 06 16
Tel 9053321888				
Fax 9053320021				
Wade Lawrence Williams	20 Queen St., Suite 2500 Toronto M5H 3S1	acting for Transferee(s)	Signed	2003 06 16
Tel 416-595-8500				
Fax 4165958695				

LRO # 20 **Transfer**
The applicant(s) hereby applies to the Land Registrar.

Received as HR203652 on 2003 06 16 at 14:25
yyyy mm dd Page 2 of 2

Submitted By

MILLER THOMSON 20 Queen St., Suite 2500 2003 06 16
Toronto M5H 3S1
Tel 416-595-8500
Fax 4165958695

Fees/Taxes/Payment

Statutory Registration Fee	\$60.00
Land Transfer Tax	\$6,298.00
Total Paid	\$6,358.00

2416 NO 2 SIDE RD

_RO # 20 **Transfer**
The applicant(s) hereby applies to the Land Registrar.

Received as HR169383 on 2002 12 30 at 13:28
yyyy mm dd Page 1 of 2

Properties

PIN 07199 - 0044 LT Estate/Qualifier Fee Simple Lt Conversion Qualified
Description PT LT 17 . CON 2 NDS , AS IN 192402 ; BURLINGTON/NELSON TWP
Address 02416 2 SIDE RD
BURLINGTON

Consideration

Consideration \$ 1,680,000.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name AITKEN, JAMES ANDERSON
Address for Service 2416 No. 2 Side Road
RR # 2
Burlington, Ontario

I am at least 18 years of age.

Aitken, Irene is my spouse and has consented to this transaction.

This document is not authorized under Power of Attorney by this party.

Transferee(s) Capacity Share

Name 546958 ONTARIO LIMITED Authorized Officer
Address for Service P.O. Box 1070
Burlington, Ontario
L7R 4L8

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

James Brian Phillips 255 Queens Av, 11th floor acting for Transferor(s) Signed 2002 12 30
London N6A 5R8
Tel 519-672-9330
Fax 5196725960
Wade Lawrence Williams 20 Queen St., Suite 2500 acting for Transferee(s) Signed 2002 12 30
Toronto M5H 3S1
Tel 4165974353
Fax 4165958695

Submitted By

MILLER THOMSON 20 Queen St., Suite 2500 2002 12 30
Toronto M5H 3S1
Tel 4165974353
Fax 4165958695

Fees/Taxes/Payment

Statutory Registration Fee \$60.00

2430 NO 2 SIDE ROAD

RO # 20 Transfer

Received as HR283323 on 2004 05 06 at 12:17

he applicant(s) hereby applies to the Land Registrar.

yyyy mm dd Page 1 of 1

Properties

PIN 07199 - 0077 LT Estate/Qualifier Fee Simple Lt Conversion Qualified
Description PT LT 16 . CON 2 NDS , AS IN 598560 ; S/T NU38807 BURLINGTON/NELSON TWP
Address 02430 2 SIDE RD
BURLINGTON

Consideration

Consideration \$ 505,000.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name BURGE, CAROL ANN
Address for Service 2430 No. 2 Side Road, Burlington, Ontario

I am at least 18 years of age.
Walter Thomas Burge is my spouse and has consented to this transaction.
This document is not authorized under Power of Attorney by this party.

Transferee(s)	Capacity	Share
Name 546958 ONTARIO LIMITED Address for Service 2433 No. 2 Side Road Burlington, Ontario L7R3X4	Beneficial Owner	

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEEE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

Blair William Green	40425411 Guelph Line, P.O. Box 400 Burlington L7R 3Y3	acting for Transferor(s)	Signed	2004 05 06
Tel 905-639-1222				
Fax 9056326977				
Wade Lawrence Williams	20 Queen St., Suite 2500 Toronto M5H 3S1	acting for Transferee(s)	Signed	2004 05 06
Tel 416-595-8500				
Fax 4165958695				

Submitted By

MILLER THOMSON	20 Queen St., Suite 2500 Toronto M5H 3S1	2004 05 06
Tel 416-595-8500		
Fax 4165958695		

Fees/Taxes/Payment

Statutory Registration Fee	\$60.00
Land Transfer Tax	\$8,575.00
Total Paid	\$8,635.00

2433 No. 2 Sideroad

AFFIDAVIT OF SUBSCRIBING WITNESS

I,
of the
in the

make oath and say:

I am a subscribing witness to the attached instrument and I was present and saw it executed

at by

I verily believe that each person whose signature I witnessed is the party of the same name referred to in the instrument.

SWORN before me at the

this day of 19

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

* Where a party is unable to read the instrument or where a party signs by making his mark or in foreign characters add "after the instrument had been read to him and he appeared fully to understand it" Where executed under a power of attorney insert "(name of attorney) as attorney for (name of party)"; and for next clause substitute "I verily believe that the person whose signature I witnessed was authorized to execute the instrument as attorney for (name)".

GENSTAR STONE PRODUCTS INC.

TO

546958 ONTARIO LIMITED

Address:

Deed of Land

SITUATE

Parts of Lots 1 and 2, Concessions
3 + Red Cuts
3 and 4, City of Burlington

DYE & DURHAM CO. LIMITED

ASSESSMENT ROLL NO.:

ADDRESS OF PROPERTY:

KINGSMILL, JENNINGS
BARRISTERS & SOLICITORS
P.O. BOX 124, SUITE 400 - 1 FIRST CANADIAN PLACE
TORONTO, ONTARIO M5X 1G1

HOLMESIED & SUTTON
Suite 1601
7 King Street East
Toronto, Ontario
M5C 1A2

MAY 20 3 18 PM '83

REGISTRATION FEE	25.00
LAND TRANSFER TAX	Direct
RETAIL SALES TAX	

Dated October 12th, 19 62.

GEORGE GORDON COVERDALE
et ux.

TO

LAURENCE BUNKOWSKY

Toronto, Ontario.

Deed of Land
SITUATE

in the Town of Burlington.

Newsome & Gilbert Limited, Toronto

RYAN, MCNEIL & RYAN
BARRISTERS AND SOLICITORS
1665 BAYVIEW AVENUE
TORONTO, ONT. - TEL. 961-16321

L. D. DINGLE, Q.C.

2021 JAMES STREET
BURLINGTON, ONTARIO

This Indenture

made in duplicate the Twelfth day of October,
in the year of our Lord one thousand nine hundred and Sixty-two

**In Pursuance of the Short Forms of Conveyances Act:
Between**

GEORGE GORDON COVERDALE, of the Town of Burling-
ton, formerly of the Township of Nelson, in the
County of Halton, Farmer, hereinafter called
the Grantor,

OF THE FIRST PART,

LAURENCE BUNKOWSKY, of the City of Toronto, in
the County of York, hereinafter called the
Grantee,

OF THE SECOND PART,

- and - ANNABELLE COVERDALE, the wife of the said
Grantor,

OF THE THIRD PART.

Witnesseth that in consideration of other valuable consideration and

the sum of One - - - - - (\$1.00) - - - - - 00/100 dollar of
lawful money of Canada now paid by the said grantee to the said grantor (the receipt
whereof is hereby by acknowledged) he the said grantor **DO TH**
GRANT unto the said grantee ~~in fee simple~~ to and for
the uses hereinafter declared,
ALL and Singular that certain parcel or tract of land and premises, situate, lying and
being

in the Town of Burlington, formerly in the Township of
Nelson, in the County of Halton, and being composed of the West
half of Lot Number Two (2) in the Second Concession, New Survey,
containing by admeasurement One Hundred acres (100 acs.) more
or less.

SAVE AND EXCEPT the following parcels:-

FIRSTLY:- That part of said Lot 2 more particularly described
as follows:- COMMENCING at the southerly angle of said Lot 2
being at the intersection of the south easterly boundary of

275-4
BURLINGTON & SUBURBAN AREA PLANNING BOARD
PROVISED BY 24 Oct 62
B. G. Newsome

said Lot 2 with the north easterly boundary of the Road Allowance between Concessions 1 and 2; THENCE in a north westerly direction along the south westerly boundary of said Lot 2, Four Hundred and Fifty feet (450') to the westerly angle of the lands conveyed to Rosart; THENCE in a north easterly direction and parallel to the south easterly boundary of said Lot 2, Five Hundred and Eighty-one feet (581') to a point; THENCE in a south easterly direction and parallel to the south westerly boundary of said Lot 2, Four Hundred and Fifty feet (450') more or less to a point in the south easterly boundary of said Lot 2; THENCE in a south westerly direction along the south easterly boundary of said Lot 2, Five Hundred and Eighty-one feet (581') more or less to the place of beginning.

M.A.
SECONDLY:- That part of said Lot 2 more particularly described as follows:- COMMENCING at the intersection of the line between Lot 2 and Lot 3 ~~at~~ *and* the most easterly boundary of the road allowance between Concession 1 and Concession 2; THENCE South Forty-five degrees and Eleven minutes East (S 45° 11' E) for a distance of Seven Hundred and Five feet (705') to the point of beginning; THENCE North Thirty-eight degrees and Zero minutes East (N 38° 0' E) for a distance of One Hundred and Fifty feet (150'); THENCE South Forty-five degrees and Eleven minutes East (S 45° 11' E) for a distance of One Hundred and Fifty feet (150'); THENCE South Thirty-eight degrees and Zero minutes West (S 38° 0' W) for a distance of One Hundred and Fifty feet (150'); THENCE North Forty-five degrees and Eleven minutes West (N 45° 11' W) for a distance of One Hundred and Fifty feet (150') to the point of beginning. Containing by admeasurement Fifty-two One Hundredths acres (0.52 acs.)

AND THIRDLY:- That part of said Lot 2 more particularly described as follows:- COMMENCING at a point on the south westerly boundary of said Lot 2 at a point distant Eight Hundred and Fifty-five feet

(855') in a south easterly direction from the westerly angle of said Lot 2 being at the southerly angle of the lands conveyed to one Sharpe; THENCE North Thirty-eight degrees East (N 38° E) along the south easterly boundary of the lands conveyed to the said Sharpe, One Hundred and Fifty feet (150') to a point; THENCE in a south easterly direction and parallel to the south westerly boundary of said Lot 2, One Hundred and Fifty feet (150') to a point; THENCE South Thirty-eight degrees West (S 38° W) One Hundred and Fifty feet (150') to a point on the south westerly boundary of said Lot 2; THENCE in a north westerly direction along the south westerly boundary of said Lot 2, One Hundred and Fifty feet (150') to the place of beginning.

SUBJECT to an easement in favour of Sun Canadian Pipe Line Company Limited described in registered instruments numbers 63511 and 83978.

HOLD unto the Grantee to such uses as he, the Grantee, may by deed, will, mortgage or other instrument or instruments in writing appoint, and until and in default of appointment, and insofar as the appointment may not extend, unto the use of the grantee in fee simple. In the event of the grantee from time to time in the exercise of the above power of appointment appointing any interest or estate in the lands which is less than fee simple or is for a limited term or for a special purpose, then and in every such case and so often as the same may occur, the remaining interest or estate shall be subject to the power of appointment hereinbefore expressed and upon the reversioning of any interest or estate for a limited time or for a special purpose either by affluxion of time, operation of law or otherwise, the interest or estate so reversioning shall be subject to the same power of appointment in the same way and with the same effect as if there had been no exercise of the power of appointment for such limited time or for such special purpose; it being the intent hereof that notwithstanding any intervening exercise of the said power, the said power shall continue and not be exhausted until the fee simple in the lands hereby conveyed shall have been appointed absolutely without reservation to the grantee of any lien, equity or other estate, right or interest. No exercise of the said power of appointment shall derogate from the effect of any previous exercise of the said power.

HOLD unto the Grantee to such uses as he, the Grantee, may by deed, will, mortgage or other instrument or instruments in writing appoint, and until and in default of appointment, and insofar as the appointment may not extend, unto the use of the grantee in fee simple. In the event of the grantee from time to time in the exercise of the above power of appointment appointing any interest or estate in the lands which is less than fee simple or is for a limited term or for a special purpose, then and in every such case and so often as the same may occur, the remaining interest or estate shall be subject to the power of appointment hereinbefore expressed and upon the reversion of any interest or estate for a limited time or for a special purpose either by affluxion of time, or otherwise, the interest or estate so reverting

The said grantor COVENANTS with the said grantee THAT he has the right to convey the said lands to the said grantee notwithstanding any act of the said grantor .

AND that the said grantee shall have quiet possession of the said lands free from all encumbrances. Save as aforesaid.

AND the said grantor COVENANTS with the said grantee that he will execute such further assurances of the said lands as may be requisite.

AND the said grantor COVENANTS with the said grantee that he has done no act to encumber the said lands.

AND the said grantor RELEASES to the said grantee ALL his claims upon the said lands.

AND the said Annabelle Coverdale, the wife of the said Grantor, hereby joins to bar her dower in the said lands.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF

Mary Novak

J. Gordon Coverdale

Annabelle Coverdale

AFFIDAVIT AS TO LEGAL AGE AND MARITAL STATUS

PROVINCE OF ONTARIO } I/WE George Gordon Coverdale,
 COUNTY OF HALTON } of the Town of Burlington,
 To Wit: } in the County of Halton

Strike out words and parts not applicable and initial.

in the within instrument named, make oath and say that at the time of the execution of the within instrument,

If Attorney see footnote.

1. I was of the full age of twenty-one years;

2. And that Annabelle Coverdale

who also executed the within instrument was of the full age of twenty-one years

3. I was legally married to the person named therein as my wife/~~husband~~ ✓

~~XX I was unmarried/divorced/widower XX~~

SWORN before me at the Town
 of Burlington,
 in the County of Halton,
 this 12th day of October,
 A.D. 19 62.

George Gordon Coverdale

[Signature]
 A Commissioner for taking Affidavits, etc

NOTE: If Attorney, substitute in space provided, "I am Attorney for _____ (State name) _____, one of the parties named therein and he/she was of the full age of twenty-one years."

Affidavit, Land Transfer Tax Act
 IN THE MATTER OF THE LAND TRANSFER TAX ACT.

PROVINCE OF ONTARIO
 COUNTY OF

To Wit: } I,
 } of the
 } in the of for the
 named in the within (or annexed) transfer make oath and say:

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser or vendor or by the solicitor of either of them.

1. I am _____ named in the within (or annexed) transfer.
2. I have a personal knowledge of the facts stated in this affidavit.
3. The true amount of the monies in cash and the value of any property or security included in the consideration is as follows:

(a) Monies paid in cash.....	\$.....
(b) Property transferred in exchange;	
Equity value \$.....	
Encumbrance \$.....	\$.....
(c) Securities transferred to the value of.....	\$.....
(d) Balances of existing encumbrances with interest owing at date of transfer.....	\$.....
(e) Monies secured by mortgage under this transaction.....	\$.....
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject.....	\$.....
Total consideration.....	\$.....

All blanks must be filled in

4. If consideration is nominal, is the transfer for natural love and affection? _____
5. If so, what is the relationship between Grantor and Grantee? _____
6. Other remarks and explanations, if necessary _____

Sworn before me at the _____
 of _____
 in the _____
 of _____
 this _____
 day of _____

A.D. 19 _____

CANADA
PROVINCE OF ONTARIO

I, Mary Novosel,
of the Town
County

of Burlington, in the
of Halton, County

TO WIT:

Stenographer,

make oath and say:

1. THAT I was personally present and did see the within or annexed Instrument and a duplicate thereof duly signed, sealed and executed by George Gordon Coverdale and Annabelle Coverdale,

two of the parties thereto.

2. THAT the said Instrument and duplicate were executed by the said parties at the Town of Burlington.

3. THAT I know the said parties.

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the Town of Burlington, in the County of Halton, this 15th day of October, A.D. 19 62.

Mary Novosel

[Signature]

A Commissioner for taking Affidavits, etc.

CANADA
PROVINCE OF ONTARIO

I,
of the

of in the
of County

TO WIT:

make oath and say:

1. THAT I was personally present and did see the within or annexed Instrument and a duplicate thereof duly signed, sealed and executed by

of the parties thereto.

2. THAT the said Instrument and duplicate were executed by the said part at the of

3. THAT I know the said part

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the of in the of this day of A.D. 19

A Commissioner for taking Affidavits, etc.

Dated October 12th, 19 62.

GEORGE GORDON COVERDALE
et ux.

TO

LAURENCE BUNKOWSKY

Toronto, Ontario.

Deed of Land
SITUATE

in the Town of Burlington.

Newcome & Gilbert Limited, Toronto

RYAN, McWILLIAMS & CO.
REGISTERED PROFESSIONAL
1665 BAYVIEW AVENUE
TORONTO, ONT. M2M 1E2Z

L. D. DINGLE, Q.C.
2021 JAMES STREET
BURLINGTON, ONTARIO

FOR THE COUNTY OF HALTON ON MICROFILM.
OFFICE FOR THE REGISTRY DIVISION OF THE
ENTERED AND REGISTERED IN THE REGISTRY
I CERTIFY THAT THE WITHIN INSTRUMENT IS DULY

FOR Burlington
AT 3:45 O'CLOCK PM OF THE 13 DAY
ON Nov 1 1962 No. 144998
W. E. Matthews
\$ 6.00
REGISTRAR

Dated September 28th, A.D. 1962

ARTHUR BINGHAM HARRIS

TO
LAURENCE BUNKOWSKY

Deed of Land

(TO USES)
SITUATE
Township of Nelson, in County
of Halton

RYAN, McALPINE & RYAN
BARRISTERS AND SOLICITORS
1865 BANCROFT AVENUE
TORONTO, ONT. (Tel. HW. 1-6324)

LEE AND LEE,
DUNDAS, Ontario

Vertical text on the left side of the page, likely bleed-through from the reverse side of the document. It is mostly illegible but appears to contain a list of names or addresses.



This Indenture

made the 28th day of September
one thousand nine hundred and Sixty-two

In Pursuance of the Short Forms of Conveyances Act:

Between

ARTHUR BINGHAM HARRIS, of the Township of Nelson,
in the County of Halton, Farmer,
hereinafter called the GRANTOR of the FIRST PART,

- And -

LAURENCE BUNKOWSKY, of the City of Toronto, in the
County of York,
hereinafter called the GRANTEE of the SECOND PART,

EDITH MAY HARRIS, of the Township of Nelson, in the
County of Halton,

Wife of the said Grantor herein called the PARTY of the

THIRD PART,
Witnesseth that in consideration of other valuable consideration and the
sum of One - - - - - (\$1.00) - - - - -

now paid by the said Grantee to the said Grantor the receipt whereof is hereby
by him acknowledged, he the said Grantor DOth GRANT unto
the said Grantee unto, upon and for the uses hereinafter declared.

All and Singular the certain parcel or tract of land and premises situate,
lying and being in the Township of Nelson, in the County of Halton,
being composed of the south-westerly half of Lot Number One in the
Second Concession, New Survey of the Township of Nelson, containing
by admeasurement, one hundred acres be the same more or less, now
Town of Burlington.

To HOLD unto the Grantee to such uses as he, the Grantee, may by deed, will, mortgage or other instrument or instruments in writing appoint, and until and in default of appointment, and insofar as the appointment may not extend, unto the use of the grantee in fee simple. In the event of the grantee from time to time in the exercise of the above power of appointment appointing any interest or estate in the lands which is less than fee simple or is for a limited term or for a special purpose, then and in every such case and so often as the same may occur, the remaining interest or estate shall be subject to the power of appointment hereinbefore expressed and upon the reversioning of any interest or estate for a limited time or for a special purpose either by effluxion of time, operation of law or otherwise, the interest or estate so reversioning shall be subject to the same power of appointment in the same way and with the same effect as if there had been no exercise of the power of appointment for such limited time or for such special purpose; it being the intent hereof that notwithstanding any intervening exercise of the said power, the said power shall continue and not be exhausted until the fee simple in the lands hereby conveyed shall have been appointed absolutely without reservation to the grantee of any lien, equity or other estate, right or interest. No exercise of the said power of appointment shall derogate from the effect of any previous exercise of the said power.

~~To have and to hold unto the said Grantee unto such uses as he the said Grantee may by deed, will, mortgage or other instrument in writing appoint and until and in default of appointment and in so far as such appointment may not extend unto the uses of the said Grantee his heirs and assigns to and for and their sole and only use forever.~~

~~Subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the Original Grant thereof from the Crown.~~

The said Grantor Covenant^s with the said Grantee that he ha^s the right to convey the said lands to the said Grantee notwithstanding any act of the said Grantor.

And that the said Grantee shall have quiet possession of the said lands, free from all encumbrances.

And the said Grantor Covenant^s with the said Grantee that he will execute such further assurances of the said lands as may be requisite.

And the said Grantor Covenant^s with the said Grantee that he ha^s done no act to encumber the said lands.

And the said Grantor RELEASE^s to the said Grantee ALL his CLAIMS upon the said lands.

RECORDED
1911
MAY 10
11
11

In Witness Whereof the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF

My Seal

Arthur Bingham Harris

Edith May Harris



Province of Ontario

County of
Wentworth

To Wit:

AFFIDAVIT AS TO MARRIAGE STATUS
UNDER THE REGISTRY ACT AND LAND TITLES ACT

I, **Arthur Bingham Harris, Grantor**
in the within instrument named make oath and say:

THAT at the time of the execution and delivery by me of the within instrument I was
[~~married~~], [~~unmarried~~], [~~a widow~~], and of the full age of twenty-one years or

Strike out
words and
parts not
applicable
and initial.

THAT at the time of execution and delivery by me of the within instrument I was
legally married to **Edith May Harris**, the person joining
therein as my wife to bar her dower and was of the full age of twenty-one years ~~or~~

Married man
—wife joining.

~~THAT at the time of the execution and delivery of the within instrument, I was legally
married to _____ the person named therein as
my husband, and he was of the full age of twenty-one years.~~

Married
woman.

SWORN before me at the **Town**
of **Dundas**,
in the **County**
of **Wentworth**
this **07th** day of **October**,
19**62**.

A. B. Dorman

David R. [Signature]
A Commissioner for taking Affidavits, etc.

AFFIDAVIT UNDER LAND TRANSFER TAX ACT
In the Matter of The Land Transfer Tax Act

Province of Ontario } I,
County of } of the } of
To Wit: } in the } of
make oath and say:

- I am _____ named in the within (or annexed) transfer.
- I have a personal knowledge of the facts stated in this affidavit.
- The true amount of the monies in cash and the value of any property or security included in the consideration is as follows:

(a) Monies paid in cash	_____	\$ _____
(b) Property transferred in exchange; Equity value	\$ _____	\$ _____
Encumbrances	\$ _____	\$ _____
(c) Securities transferred to the value of	_____	\$ _____
(d) Balances of existing encumbrances with interest owing at date of transfer	_____	\$ _____
(e) Monies secured by mortgage under this transaction	_____	\$ _____
(f) Liens, annuities and maintenance charges to which transfer is subject	_____	\$ _____
Total consideration	\$ _____	\$ _____
- If consideration is nominal, is the transfer for natural love and affection? _____
- Is so, what is the relationship between Grantor and Grantee? _____
- Other remarks and explanations, if necessary _____

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser or vendor or by the solicitor or either of them.

All blank must be filled in.

Clauses 4, 5 and 6 should be struck out if not applicable or necessary.

SWORN before me at the
of
in the
of
this day of
19

A Commissioner for taking Affidavits, etc.

CANADA
Province of Ontario
COUNTY
WENTWORTH

of } I, Mary G. Douglas,
of the Town of Dundas,
in the County of Wentworth,
Stenographer

make oath and say:

- To Wit:
- That I was personally present and did see the within Instrument and a Duplicate thereof duly signed, sealed and executed by Arthur Bingham Harris & ditto May Harris two of the parties thereto.
 - That the said Instrument and Duplicate were executed by the said parties at the Town of Dundas,
 - That I know the said parties
 - That I am a subscribing witness to the said Instrument and Duplicate.

SWORN before me at the Town
of Dundas,
in the County
of Wentworth,
this 9th day of October,
A.D. 19 62.

David R. Lee
A Commissioner, etc.

Dated September 28th, A.D. 19 62

GEORGE BINGHAM HARRIS

TO

LAURENCE W. H. COLE

Deed of Land

(TO USES)

SITUATE
Township of Nelson, in County
of Halton

LET AND LEASE
Dundas, Ontario

NOTED THAT THIS WITHIN INSTRUMENT WAS REGISTERED AND RECORDED IN THE REGISTRY OFFICE FOR THE REGISTRY DIVISION OF THE CITY OF HALTON ON MICROFILM.

Bingham Harris
12:00 PM OF THE 12
Oct 1962 No. 143669
W. C. Matthews

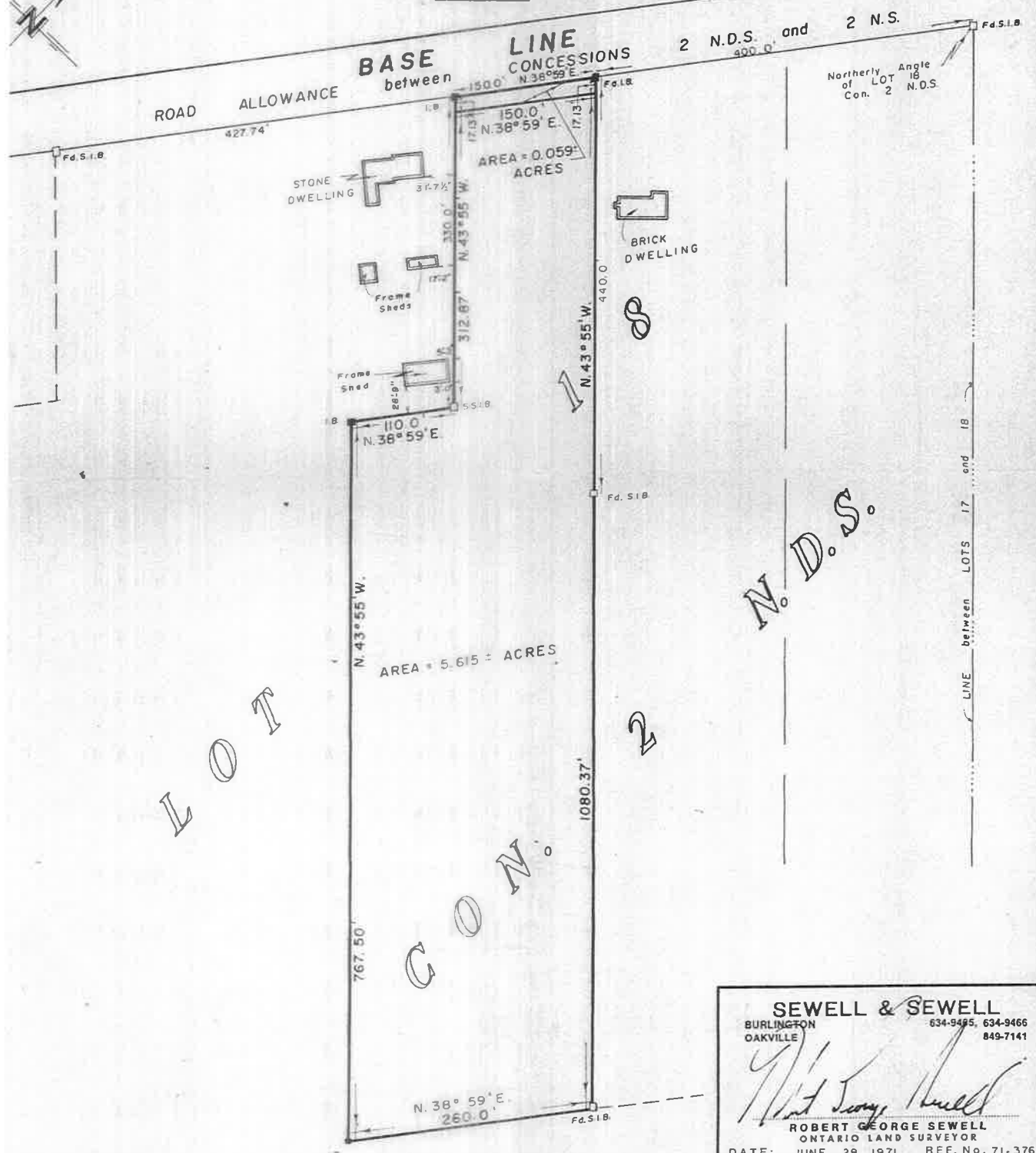
REGISTERED

Page 6 of 6

Tab **17**

2292 No 2 Side Road.

PLAN OF SURVEY
 SHOWING PART OF
LOT 18
CONCESSION 2 N.D.S.
 (TOWNSHIP OF NELSON)
Town of Burlington
 COUNTY OF HALTON
 SCALE: 1" = 100'



SEWELL & SEWELL
 BURLINGTON 634-9465, 634-9466
 OAKVILLE 849-7141

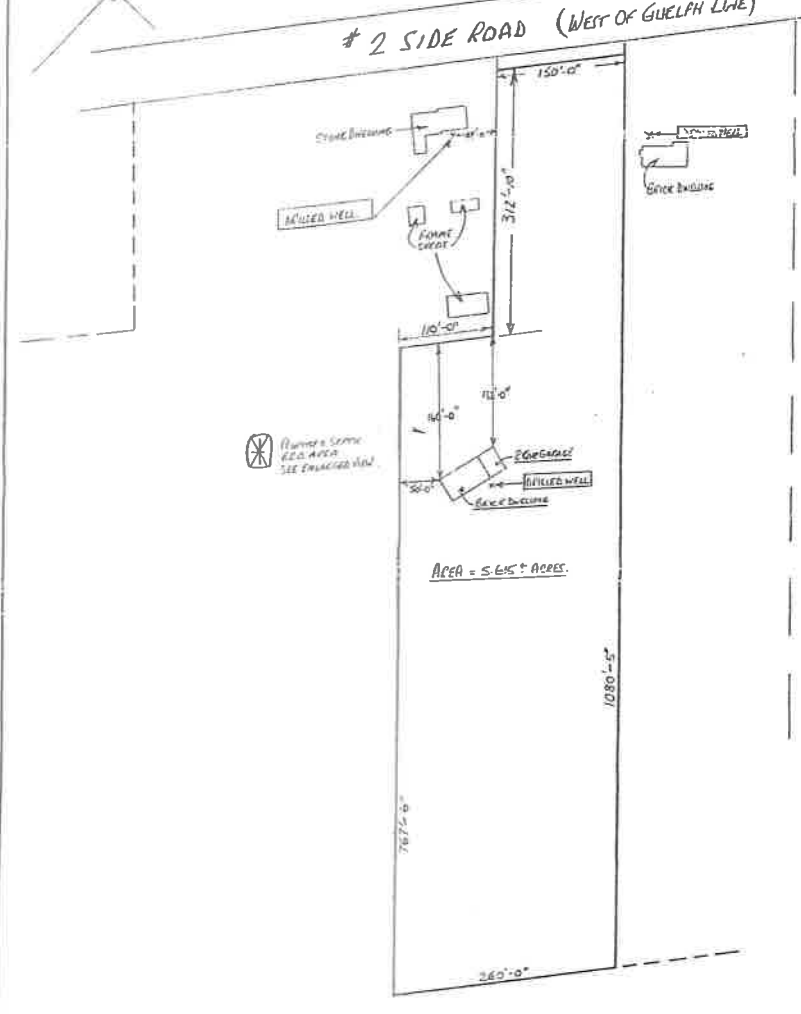
Robert George Sewell
ROBERT GEORGE SEWELL
 ONTARIO LAND SURVEYOR

DATE: JUNE 28, 1971 REF. No. 71-376
 SEPT. 20, 1971 71-599

PART OF LOT 18
CONCESSION 2 NDS.
(TOWNSHIP OF NELSON)
TOWN OF BURLINGTON
COUNTY OF HALTON.
SCALE 1" = 100'-0"



2 SIDE ROAD (WEST OF GUELPH LINE)

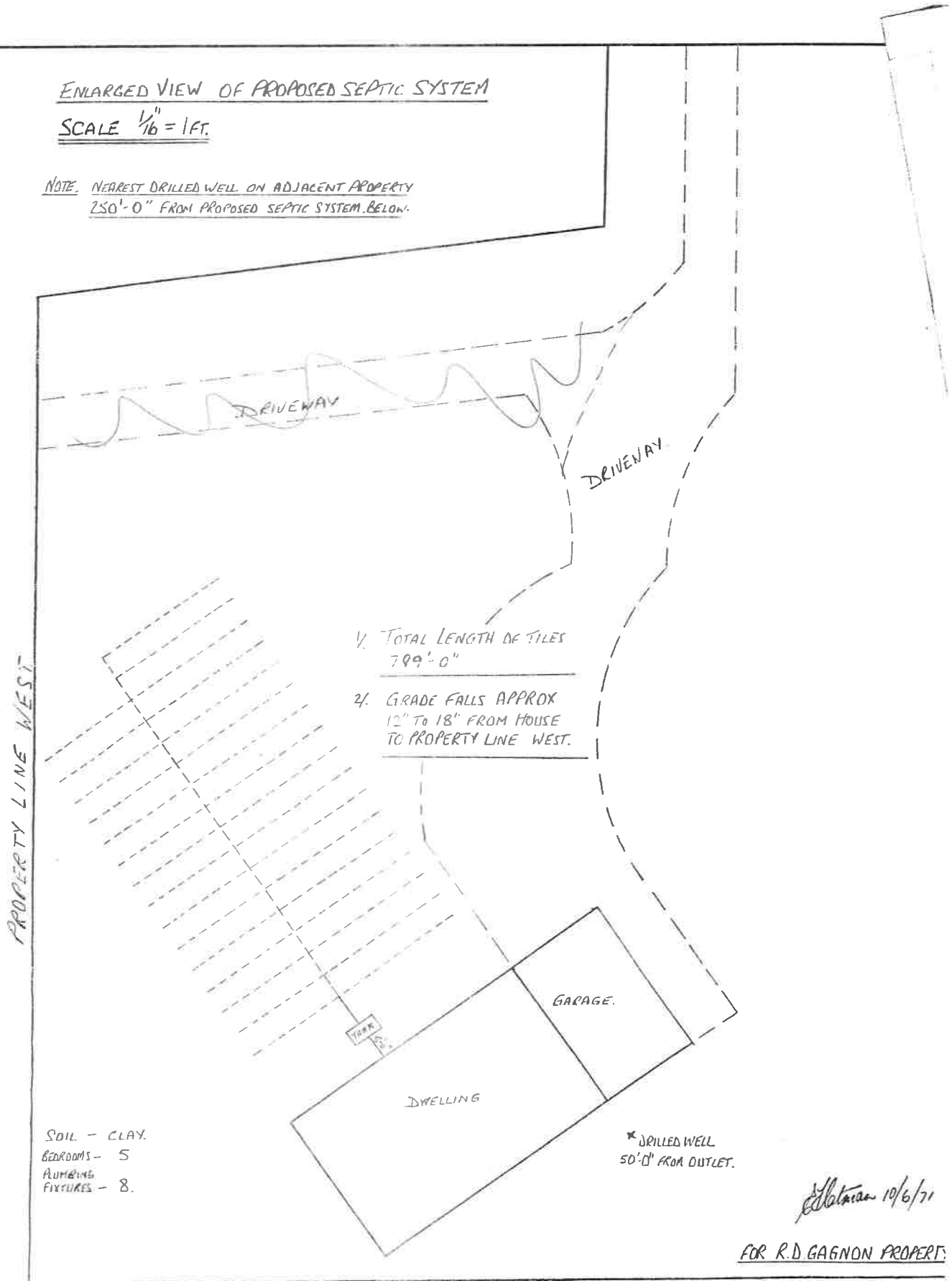


⊗ (W) Sewer Septic
REG. AREA
SEE ENLARGED VIEW

ENLARGED VIEW OF PROPOSED SEPTIC SYSTEM

SCALE 1/16" = 1 FT.

NOTE: NEAREST DRILLED WELL ON ADJACENT PROPERTY
250'-0" FROM PROPOSED SEPTIC SYSTEM BELOW.



2316 #2 SIDERO

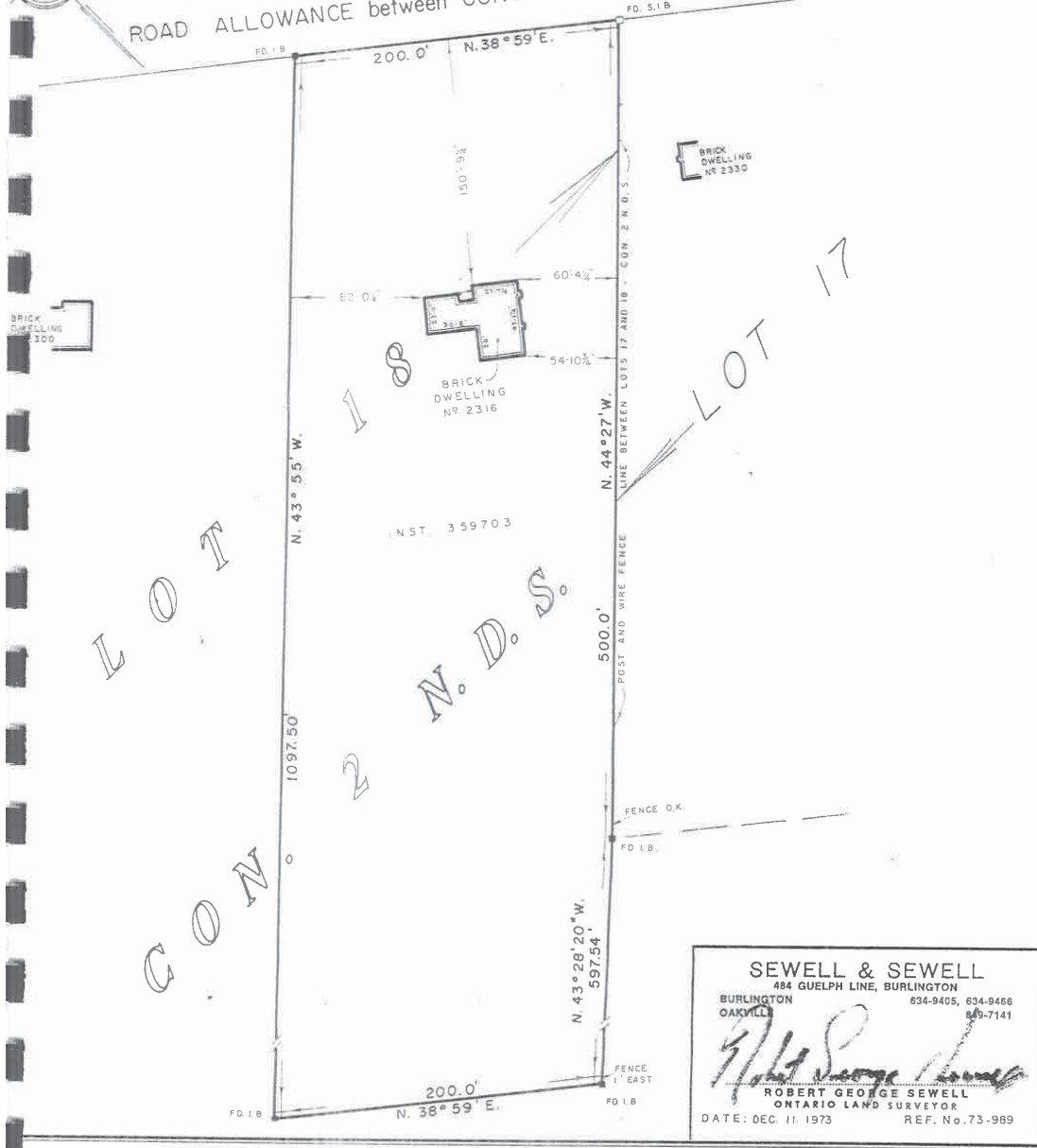
PLAN OF SURVEY
SHOWING
PART OF LOT 18
CONCESSION 2 N. D.S.
(TOWNSHIP OF NELSON)

Town of Burlington
COUNTY OF HALTON

SCALE: 1" = 60'



BASE LINE
ROAD ALLOWANCE between CONCESSIONS 2 N.D.S and 3 N.S.

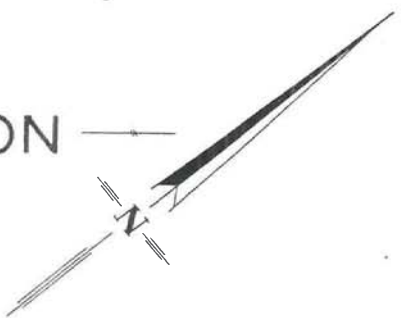


SEWELL & SEWELL
 484 GUELPH LINE, BURLINGTON
 BURLINGTON 634-9405, 634-9466
 OAKVILLE 609-7141

Robert George Sewell
 ROBERT GEORGE SEWELL
 ONTARIO LAND SURVEYOR

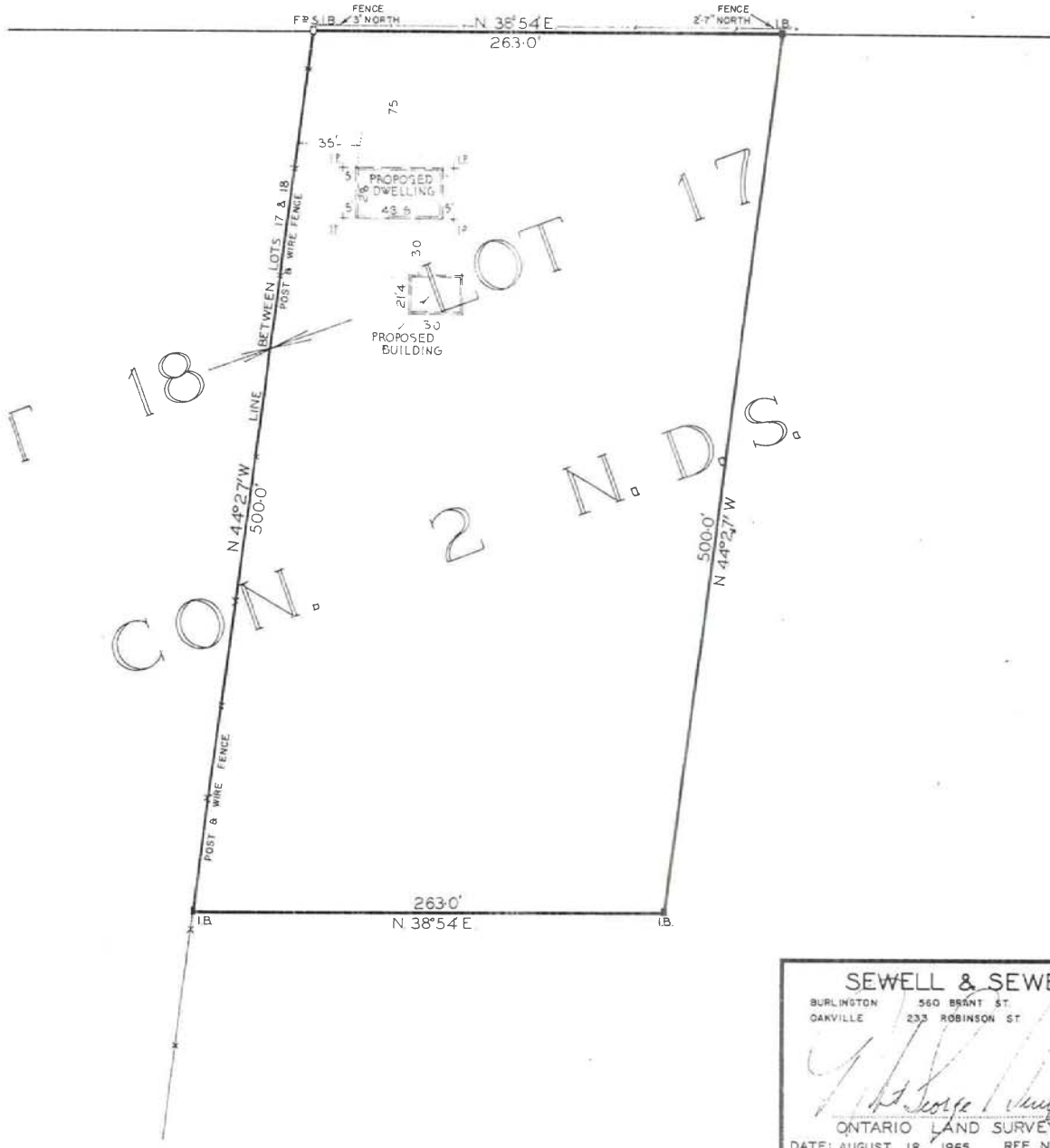
DATE: DEC. 11, 1973 REF. No. 73-989

PLAN OF SURVEY
 SHOWING PART OF
LOT 17 CONCESSION 2 N.D.S.
 (TOWNSHIP OF NELSON)
TOWN OF BURLINGTON
 COUNTY OF HALTON
 SCALE 1" = 60'



BASE LINE

ROAD ALLOWANCE BETWEEN CONCESSION 2 N.D.S. AND CONCESSION 3 N.S.



SEWELL & SEWELL
 BURLINGTON 560 BRANT ST. NE 4-9405
 OAKVILLE 233 ROBINSON ST. W. 5-4171

[Signature]
 ONTARIO LAND SURVEYOR

DATE: AUGUST 18, 1965 REF. N^o 65-428
 SEPT. 17, 1965 65-499

2413 NO 2 SIDE ROAD

PLANNING LOCATION SURVEY OF

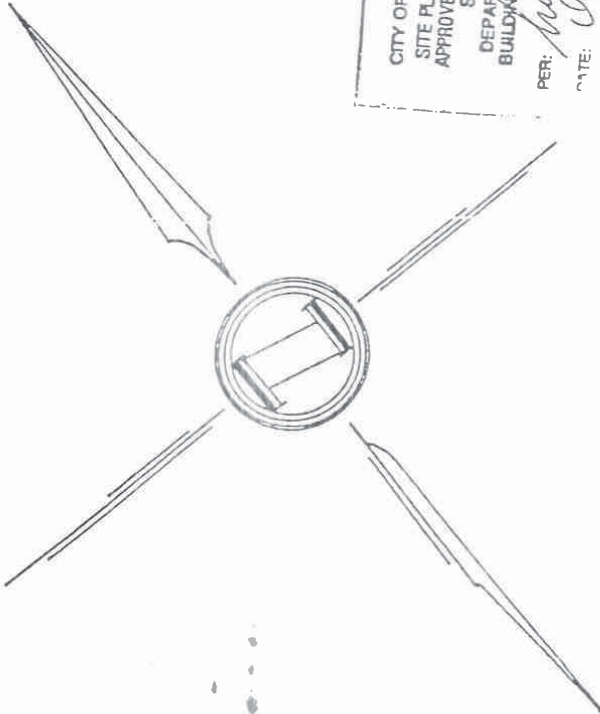
PART OF LOT 1
CONCESSION 3 N. S.
(TOWNSHIP OF NELSON)

City of Burlington

REGIONAL MUNICIPALITY OF HALTON
SCALE - 1" = 30'

M. J. TERRY
ONTARIO LAND SURVEYOR
1985

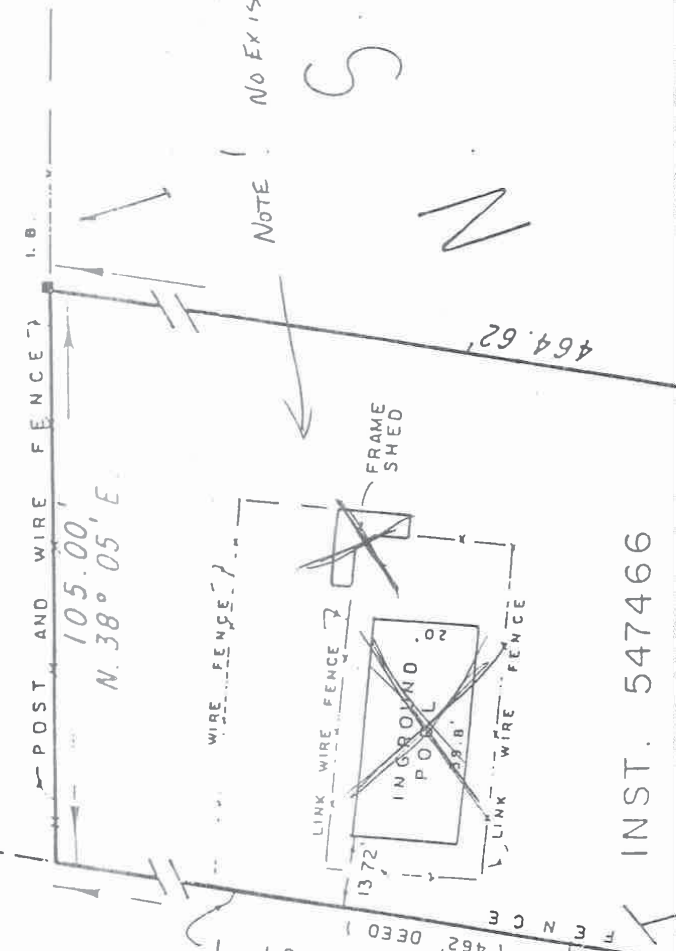
INST. 34519 REM.



CITY OF BURLINGTON
SITE PLAN & ZONING
APPROVED FOR DETAIL
SHOWN
DEPARTMENT OF
BUILDING SERVICES

PER: *M. J. Terry*
DATE: *Oct 25/85*

*land use is now under
ATKINS RESIDENTIAL CONSTRUCTION
AUTHORITY*



INST. 547466

INST. 35382



CITY OF BURLINGTON
 SITE PLAN & ZONING
 APPROVED FOR DETAIL
 SHOWN

DEPARTMENT OF
 BUILDING SERVICES

PER
 DATE

No 2 Sideroad

ROAD ALLOWANCE between CONCESSIONS 1 N.S. and 2 N.D.S.

FOR BRECHIN & HUFFMAN

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- SURVEY MONUMENT PLANTED
- C.M. CONCRETE MONUMENT
- S.I.B. STANDARD IRON BAR
- I.B. IRON BAR
- R.I.B. ROUND IRON BAR

SURVEYOR'S CERTIFICATE

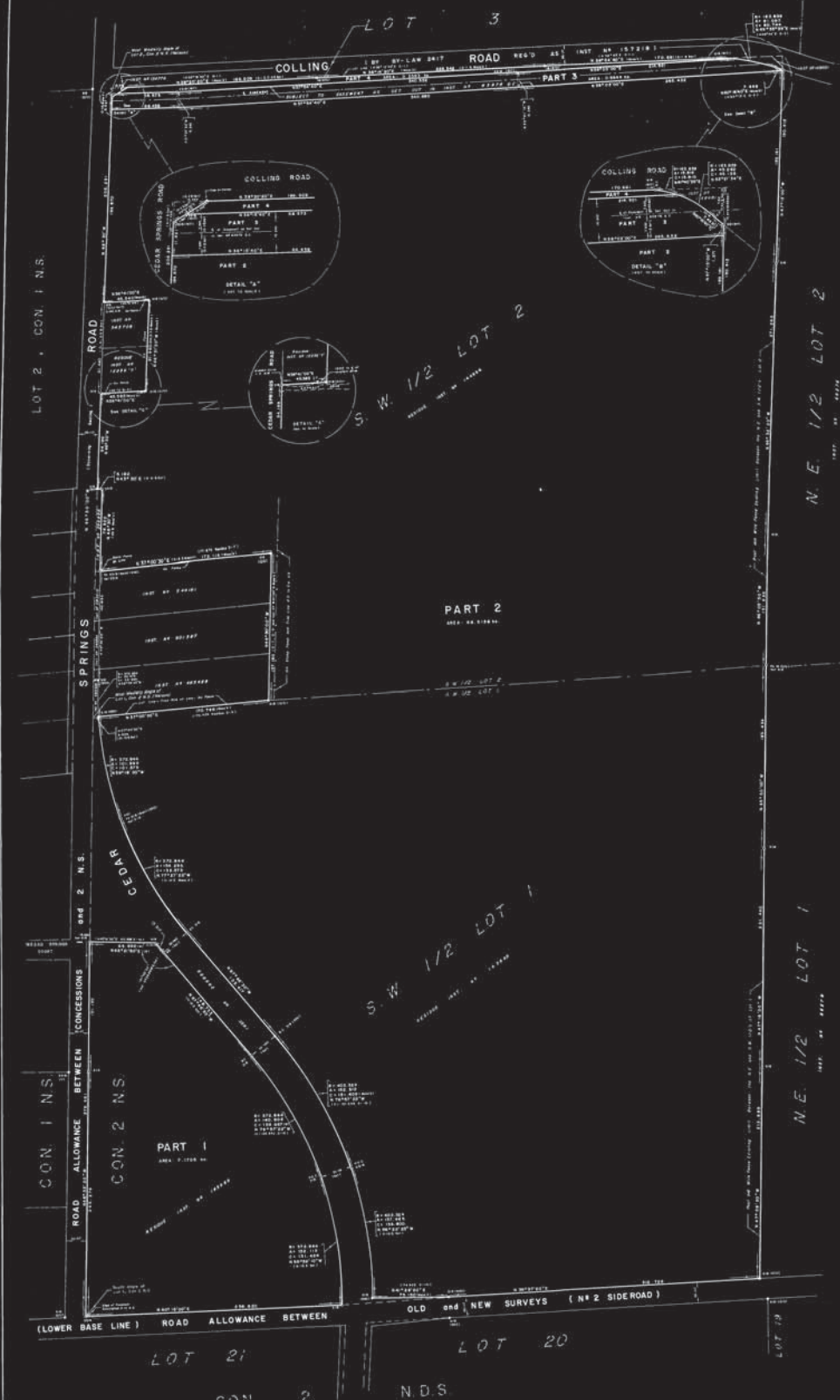
I CERTIFY THAT
 The field survey represented by this plan was
 completed on the 19th day of September, 1985

SEPT. 23, 1985
 M.J. Veary
 SURVEYOR

YATES & YATES LIMITED

ONTARIO LAND SURVEYORS
 Records of Sewell & Sewell
 484 Guelph Line, BURLINGTON, ONT.
 L7R 3U
 (416) 639-1375

PLAN 20R-7429
 RECEIVED AND DEPOSITED
 1966
 1966



PLAN OF SURVEY OF
 PART OF THE S. W. 1/2'S LOTS 1 and 2,
 CONCESSION 2 New Survey
 CITY OF BURLINGTON
 REGIONAL MUNICIPALITY OF HALTON



Bearing Note
 BEARINGS SHOWN ON THIS PLAN ARE REFERRED TO THE MIDDLE POINT OF THE CURVE UNLESS OTHERWISE SPECIFIED.

Legend

---	BOUNDARY
---	ROAD
---	...

Surveyor's Certificate
 I HEREBY CERTIFY THAT THE SURVEY HAS BEEN ACCURATELY MADE AND THE RESULTS THEREOF ARE CORRECTLY SHOWN ON THIS PLAN.

METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

FRED S. CUNNINGHAM
 SURVEYOR

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER PART II OF THE REGISTRY ACT. DATE - SEPT. 25, 1979.

Robert George Sewell
ROBERT GEORGE SEWELL
 ONTARIO LAND SURVEYOR

PLAN OF SURVEY SHOWING
PART OF LOT 19
CONCESSION 2 N. D. S.
 (TOWNSHIP OF NELSON)

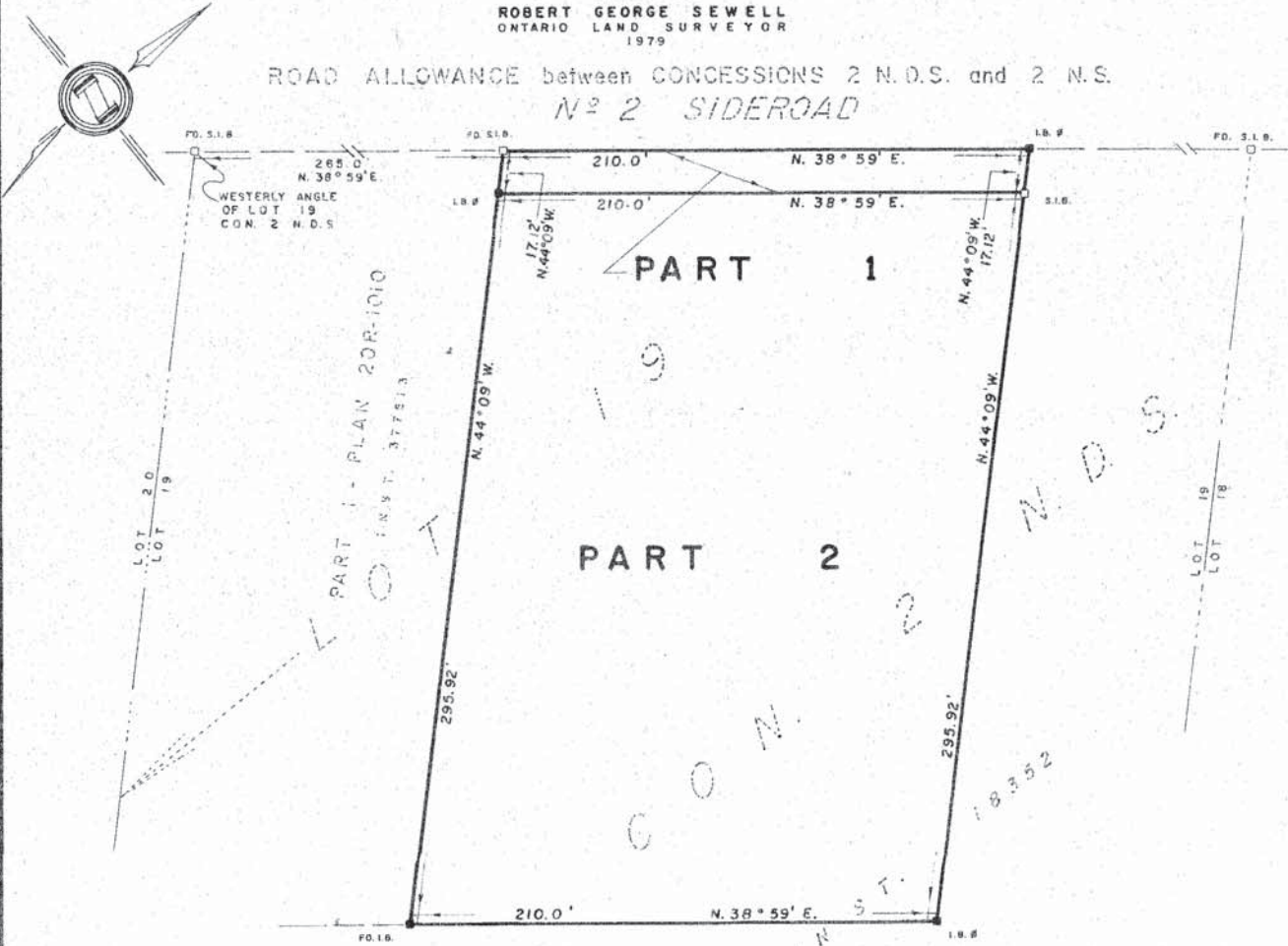
City of Burlington
 REGIONAL MUNICIPALITY OF HALTON

RECEIVED AND DEPOSITED AS
PLAN 20R-4478
 DATE - 4 OCT 1979

Sandra E. Shephard
 LAND REGISTRAR FOR THE
 REGISTRY DIVISION OF HALTON

ROBERT GEORGE SEWELL
 ONTARIO LAND SURVEYOR
 1979

ROAD ALLOWANCE between CONCESSIONS 2 N.D.S. and 2 N.S.
N^o 2 SIDEROAD



BEARING NOTE: Bearings are assumed astronomic and are referred to the North Westerly limit of Lot 19, Con. 2 N.D.S. as being N.38°59'E.

LEGEND

- ◊ S.I.B. denotes standard iron bar
- * I.B. denotes iron bar
- ⊕ R.I.B. denotes round iron bar
- FD. denotes found

NOTE - All hanging lines have been verified.

CAUTION - THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

SCHEDULE

PART	LOCATION	OWNER	INST. N ^o	AREA
1	PT. LOT 19, CON 2 N.D.S.	KEITH DAVID MILLAR	18352	0.082 ± ACRES
2	" " " " " "	" " " " " "	"	1.416 ± "

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT
 1. This survey and plan are correct and in accordance with 'The Surveys Act' and 'The Registry Act' and the regulations made thereunder.
 2. The survey was completed on the 24TH day of SEPTEMBER, 1979.
 DATE - SEPT. 25, 1979

Robert George Sewell
ROBERT GEORGE SEWELL
 ONTARIO LAND SURVEYOR
SEWELL & SEWELL
 484 GUELPH LINE, BURLINGTON
 BURLINGTON 634-9405, 634-9466

PLAN OF SURVEY
PART OF LOT 19
CONCESSION 2 N.D.S.
 (TOWNSHIP OF NELSON)

City of Burlington

REGIONAL MUNICIPALITY OF HALTON

SCALE - 1" = 100'
 M. J. TERRY
 ONTARIO LAND SURVEYOR
 1987

I REQUIRE THIS PLAN TO BE
 DEPOSITED UNDER THE
 REGISTRY ACT
 DATE - NOV. 3/87.....

PLAN 20R-8408
 RECEIVED AND DEPOSITED
 DATE - 23 NOV 1987

M. J. Terry
 M. J. TERRY
 ONTARIO LAND SURVEYOR

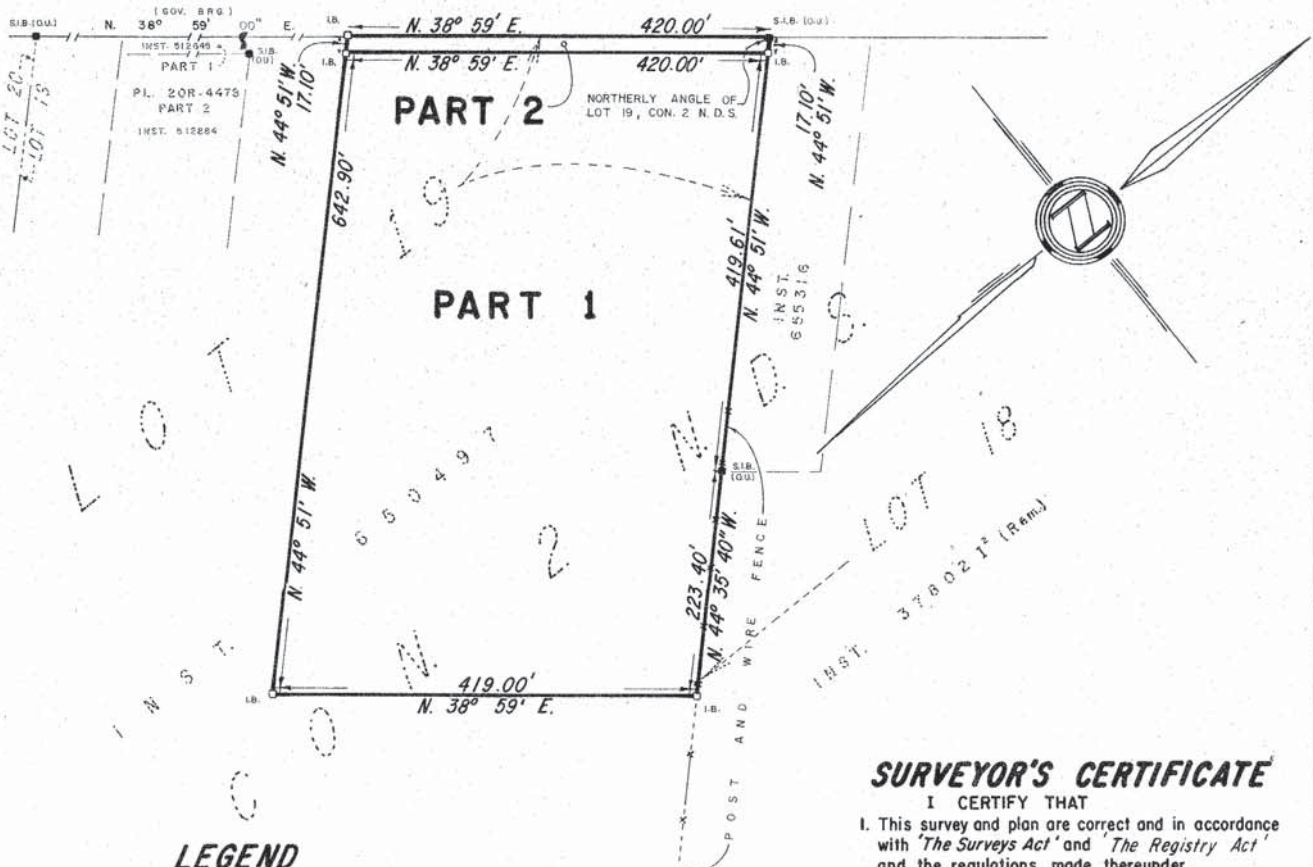
LAND REGISTRAR FOR THE
 REGISTRY DIVISION
 OF HALTON 20

SCHEDULE

PART	LOCATION	INST.	AREA
1	PART OF LOT 19, CON. 2 N.D.S.	650497	6.160 Acres
2	" " " " " " "	"	0.164 Acres

No 2 Sideroad

ROAD ALLOWANCE between CONCESSIONS 2 N.D.S and 2 N.S.



LEGEND

- denotes survey monument found.
- " " " planted.
- S.I.B. " standard iron bar
- I.B. " iron bar
- (O.U.) " orision unknown

BEARING NOTE

Bearings are astronomic and are referred to the Northwesterly limit of LOT 19, CON. 2 N.D.S. as shown on Plan 20R-4478 having a bearing of N. 38° 59' E.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

1. This survey and plan are correct and in accordance with 'The Surveys Act' and 'The Registry Act' and the regulations made thereunder.
2. The survey was completed on the 22nd day of OCTOBER, 1987.
 DATE - NOV. 3/87.

M. J. Terry
 M. J. TERRY
 ONTARIO LAND SURVEYOR

YATES & YATES LIMITED
 ONTARIO LAND SURVEYORS
 RECORDS OF SEWELL & SEWELL
 484 GUELPH LINE
 BURLINGTON, ONT. L7R 3L9 (416) 639-1375

CAUTION - THIS PLAN IS NOT A PLAN OF SUBDIVISION
 WITHIN THE MEANING OF THE PLANNING ACT.

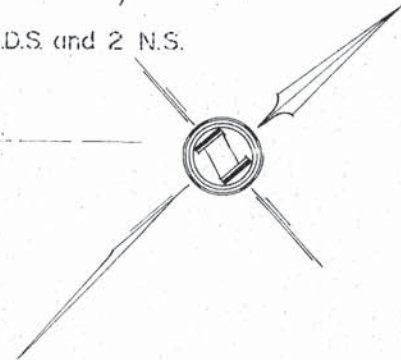
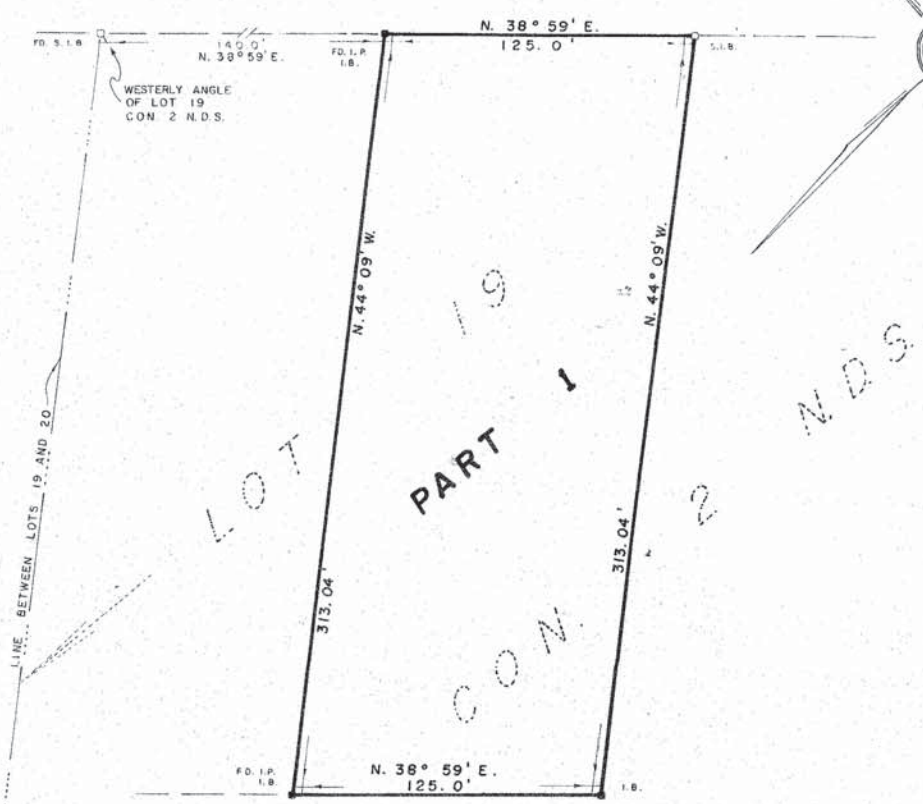
20R 1010

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER PART II OF THE REGISTRY ACT.
 DATE - *Sept 25/73*
K.D. Miller

PLAN OF SURVEY
 SHOWING
 PART OF LOT 19
 CONCESSION 2 N. D. S.
 (TOWNSHIP OF NELSON)
Town of Burlington
 COUNTY OF HALTON
 SCALE: 1" = 40'

RECEIVED AND DEPOSITED AS
PLAN 20R-1010
 DATE - *26 Sept 73*
William Sewell
 LAND REGISTRAR FOR THE
 REGISTRY DIVISION OF HALTON

ROAD ALLOWANCE between CONCESSIONS 2 N.D.S. and 2 N.S.
N^o 2 SIDEROAD



BEARING NOTE: Bearings are astronomic and are referred to the South Easterly limit of N^o 2 SIDEROAD as being N. 38° 59' E.

LEGEND

- ⊕ S.I.B. denotes standard iron bar
- ◆ I.B. denotes iron bar
- FD. denotes found

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT
 1. This survey and plan are correct and in accordance with 'The Surveys Act' and 'The Registry Act' and the regulations made thereunder.
 2. The survey was completed on the 18 day of SEPTEMBER, 1973.
 DATE - SEPT. 18, 1973

Robert George Sewell
 ROBERT GEORGE SEWELL
 ONTARIO LAND SURVEYOR
SEWELL & SEWELL
 484 GUELPH LINE, BURLINGTON
 BURLINGTON 634-9405, 634-9466
 OAKVILLE 849-7141

CAUTION - THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF SECTION 29, 32 OR 33 OF THE PLANNING ACT.

SCHEDULE

PART	LOCATION	OWNER	INST. N ^o	AREA
1	PT. LOT 19 - CON. 2 N.D.S.	KEITH DAVID MILLAR	18352	0.892 ± ACRES

Tab **18**

LAND
REGISTRY
OFFICE #20

07198-0140 (LT)

PAGE 1 OF 1
PREPARED FOR Justin01
ON 2020/04/07 AT 12:41:10

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION:

PT LTS 1 & 2 , CON 2 NS , PT LTS 1 & 2 , CON 3 NS, PT RDAL BTN CONS 2 NS & 3 NS, AS CLOSED BY BYLAW 156553, AS IN 577000, EXCEPT PT 1, 20R6619 & 583131; PT LT 1, CON 3 NS, AS IN 839083 & 837945.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:

FIRST CONVERSION FROM BOOK

PIN CREATION DATE:

1997/12/23

OWNERS' NAMES

546958 ONTARIO LIMITED

CAPACITY SHARE

BENO

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
EFFECTIVE	2000/07/29	THE NOTATION OF THE	"BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN			
WAS REPLACED WITH THE	"PIN CREATION DATE" OF 1997/12/23					
** PRINTOUT	INCLUDES ALL DOCUMENT TYPES AND	DELETED INSTRUMENTS	SINCE 1997/12/22 **			
**SUBJECT,	ON FIRST REGISTRATION UNDER THE	LAND TITLES ACT, TO:				
**	SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *					
**	AND ESCHEATS OR FORFEITURE TO THE CROWN.					
**	THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF					
**	IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY					
**	CONVENTION.					
**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.					
**DATE OF CONVERSION TO	LAND TITLES: 1997/12/23 **					
119980	1961/01/25	BYLAW				C
577000	1983/05/20	TRANSFER	\$2		546958 ONTARIO LIMITED	C
837945	1995/05/16	TRANSFER	\$171,250		546958 ONTARIO LIMITED	C
839083	1995/06/16	TRANSFER	\$165,000		546958 ONTARIO LIMITED	C
HR517714	2006/10/11	LR'S ORDER		MCKAIN, BOB		C
	REMARKS: ADDING	EXCEPT 583131				
HR1180951	2014/05/14	NOTICE OF LEASE	\$2	546958 ONTARIO LIMITED	ROGERS COMMUNICATIONS INC.	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

PROPERTY DESCRIPTION: PT LT 18, CON 2 NDS, AS IN 739882.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:

FIRST CONVERSION FROM BOOK

PIN CREATION DATE:

1997/12/23

OWNERS' NAMES

546958 ONTARIO LIMITED

CAPACITY SHARE

BENO

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
				<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *</p> <p>** AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF</p> <p>** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY</p> <p>** CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>		
119980	1961/01/25	BYLAW				
739882	1990/03/08	TRANSFER		*** COMPLETELY DELETED ***	COPELAND, GARY WAYNE COPELAND, KARREN VIOLET	
741752	1990/04/06	CHARGE		*** COMPLETELY DELETED ***	CANADA TRUSTCO MORTGAGE COMPANY	
854071	1996/07/26	CHARGE		*** COMPLETELY DELETED ***	CANADA TRUSTCO MORTGAGE COMPANY	
HR61733	2001/07/19	NOTICE		<p>*** COMPLETELY DELETED ***</p> <p>COPELAND, GARY WAYNE COPELAND, KARREN VIOLET</p>	CANADA TRUSTCO MORTGAGE COMPANY	

C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
HR203604	2003/06/16	TRANSFER	\$516,560	COPELAND, GARY WAYNE COPELAND, KARREN VIOLET	546958 ONTARIO LIMITED	C
HR231579	2003/09/29	DISCH OF CHARGE		*** COMPLETELY DELETED *** CANADA TRUSTCO MORTGAGE COMPANY		
HR723155	2008/12/10	DISCH OF CHARGE		*** COMPLETELY DELETED *** THE CANADA TRUST COMPANY		

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

PROPERTY DESCRIPTION: PT LT 18, CON 2 NDS, AS IN 806958.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
1997/12/23

OWNERS' NAMES
546958 ONTARIO LIMITED

CAPACITY SHARE
BENO

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *</p> <p>** AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF</p> <p>** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY</p> <p>** CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>						
119980	1961/01/25	BYLAW				C
806958	1993/06/28	TRANSFER		*** COMPLETELY DELETED ***	MCCLEARY, JOHN WILLIAM	
808186	1993/07/22	CHARGE		*** COMPLETELY DELETED ***	MCCLEARY, JAMES	
H735338	1998/05/14	DISCH OF CHARGE		*** COMPLETELY DELETED *** MCCLEARY, JAMES		
REMARKS: RE: 808186						
H735339	1998/05/14	TRANSFER		*** COMPLETELY DELETED *** MCCLEARY, JOHN WILLIAM	VANDEMERWE, JEROON VANDEMERWE, CATHERINE LYNNE	

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
H735340	1998/05/14	CHARGE		*** COMPLETELY DELETED *** VANDEMERWE, JEROON VANDEMERWE, CATHERINE LYNNE	CITIZENS BANK OF CANADA	
HR126101	2002/06/21	CHARGE		*** COMPLETELY DELETED *** VANDEMERWE, CATHERINE LYNNE VANDEMERWE, JEROON	CITIZENS BANK OF CANADA	
HR145676	2002/09/11	DISCH OF CHARGE		*** COMPLETELY DELETED *** CITIZENS BANK OF CANADA		
	<i>REMARKS: RE: H735340</i>					
HR196796	2003/05/15	TRANSFER	\$385,000	VANDEMERWE, CATHERINE LYNNE VANDEMERWE, JEROON	546958 ONTARIO LIMITED	C
	<i>REMARKS: PLANNING ACT STATEMENTS</i>					
HR208989	2003/07/04	DISCH OF CHARGE		*** COMPLETELY DELETED *** CITIZENS BANK OF CANADA		
	<i>REMARKS: RE: HR126101</i>					

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

PROPERTY DESCRIPTION: PT LT 18, CON 2 NDS, AS IN 791708.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
1997/12/23

OWNERS' NAMES
546958 ONTARIO LIMITED

CAPACITY SHARE
NC

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
				<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>		
119980	1961/01/25	BYLAW				
791708	1992/09/04	TRANSFER		*** COMPLETELY DELETED ***	VAN GEEST, CORNELIS VAN GEEST, MARIAN IRENE	
791709	1992/09/04	CHARGE		*** COMPLETELY DELETED ***	MONTREAL TRUST COMPANY OF CANADA	
858701	1997/05/15	TRANSFER OF CHARGE		*** COMPLETELY DELETED ***	SCOTIA MORTGAGE CORPORATION	
		REMARKS: 791709				
858702	1997/05/15	AGR AM CH		*** COMPLETELY DELETED ***		

C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
	<i>REMARKS: 791709, 858701</i>					
H828325	1999/12/22	CHARGE		*** COMPLETELY DELETED *** VAN GEEST, CORNELIS VAN GEEST, MARIAN IRENE	THE BANK OF NOVA SCOTIA	
H849079	2000/05/25	DISCH OF CHARGE		*** COMPLETELY DELETED *** SCOTIA MORTGAGE CORPORATION		
	<i>REMARKS: RE: 791709</i>					
HR112893	2002/04/19	CHARGE		*** COMPLETELY DELETED *** VAN GEEST, CORNELIS VAN GEEST, MARIAN IRENE	THE BANK OF NOVA SCOTIA	
HR122885	2002/06/07	DISCH OF CHARGE		*** COMPLETELY DELETED *** THE BANK OF NOVA SCOTIA		
	<i>REMARKS: RE: H828325</i>					
HR182882	2003/03/06	TRANSFER	\$451,000	VAN GEEST, CORNELIS VAN GEEST, MARIAN IRENE	546958 ONTARIO LIMITED	C
	<i>REMARKS: RE: PLANNING ACT STATEMENTS</i>					
HR217873	2003/08/11	DISCH OF CHARGE		*** COMPLETELY DELETED *** THE BANK OF NOVA SCOTIA		
	<i>REMARKS: RE: HR112893</i>					

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

LAND
REGISTRY
OFFICE #20

07199-0039 (LT)

PAGE 1 OF 1
PREPARED FOR Justin01
ON 2020/04/07 AT 12:37:48

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 18, CON 2 NDS, AS IN 659602; S/T NUL7648, IF ANY.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
1997/12/23

OWNERS' NAMES
546958 ONTARIO LIMITED

CAPACITY SHARE
BENO

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>						
NUL7648	1941/07/31	TRANSFER EASEMENT			THE HYDRO ELECTRIC-POWER COMMISSION OF ONTARIO	C
119980	1961/01/25	BYLAW				C
659602	1987/02/06	TRANSFER	\$2		546958 ONTARIO LIMITED	C

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NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

PROPERTY DESCRIPTION: PT LT 18, CON 2 NDS, AS IN 621598; T/W 621598; S/T NU17648.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
1997/12/23

OWNERS' NAMES
546958 ONTARIO LIMITED

CAPACITY SHARE
BENO

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>						
NU17648	1941/07/31	TRANSFER EASEMENT			THE HYDRO ELECTRIC-POWER COMMISSION OF ONTARIO	C
119980	1961/01/25	BYLAW				C
324115	1971/10/26	AGREEMENT			THE CORPORATION OF THE TOWN OF BURLINGTON	C
REMARKS: SKETCH ATTACHED						
621598	1985/06/28	TRANSFER		*** COMPLETELY DELETED ***	ESTRELA, MOISES OLIVEIRA ESTRELA, ODELIA MARIA	
621599	1985/06/28	CHARGE		*** COMPLETELY DELETED ***	GAGNON, BARBARA	
REMARKS: DISCHARGED BY 662660 2001.02.14 TW						

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REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
662660	1987/03/27	DISCH OF CHARGE		*** COMPLETELY DELETED ***		
	REMARKS: 621599	DELETED 01.02.14 TW				
HR42663	2001/03/30	TRANSFER	\$435,000	ESTRELA, MOISES OLIVEIRA ESTRELA, ODELIA MARIA	546958 ONTARIO LIMITED	C

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LAND
REGISTRY
OFFICE #20

07199-0041 (LT)

PAGE 1 OF 1
PREPARED FOR Justin01
ON 2020/04/07 AT 12:36:33

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 18, CON 2 NDS, AS IN 224733; S/T NUL7648.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
1997/12/23

OWNERS' NAMES
546958 ONTARIO LIMITED

CAPACITY SHARE
BENO

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>						
NUL7648	1941/07/31	TRANSFER EASEMENT			THE HYDRO ELECTRIC-POWER COMMISSION OF ONTARIO	C
119980	1961/01/25	BYLAW				C
224733	1967/06/05	TRANSFER		*** COMPLETELY DELETED ***	VOISINE, MARY LOU VOISINE, GUILDOR	
H780528	1999/03/19	TRANSFER	\$361,000	VOISINE, MARY LOU VOISINE, GUILDOR	546958 ONTARIO LIMITED	C
REMARKS: PLANNING ACT STATEMENTS						

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LAND
 REGISTRY
 OFFICE #20

07199-0042 (LT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 18, CON 2 NDS, AS IN 359703; S/T NUL7648.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
 FEE SIMPLE
 LT CONVERSION QUALIFIED

RECENTLY:
 FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
 1997/12/23

OWNERS' NAMES
 546958 ONTARIO LIMITED

CAPACITY SHARE
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REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>						
NU17648	1941/07/31	TRANSFER EASEMENT			THE HYDRO ELECTRIC-POWER COMMISSION OF ONTARIO	C
119980	1961/01/25	BYLAW				C
359703	1973/04/24	TRANSFER		*** COMPLETELY DELETED ***	BRKOPEC, ANTON BRKOPEC, MARJETTA	
HR214872	2003/07/30	TRANSFER	\$530,000	BRKOPEC, ANTON BRKOPEC, MARJETTA	546958 ONTARIO LIMITED	C
REMARKS: PLANNING ACT STATEMENTS						

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 NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

PROPERTY DESCRIPTION: PT LT 17, CON 2 NDS, AS IN 789245.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

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OWNERS' NAMES
546958 ONTARIO LIMITED

CAPACITY SHARE
BENO

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
				<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>		
119980	1961/01/25	BYLAW				C
789245	1992/07/27	TRANSFER		*** COMPLETELY DELETED ***	SHEPPARD, GARNET LESLIE SHEPPARD, MARY AGNES MURRAY, ANNIE JEANETTE MURRAY, MURDOCH HENRY	
822615	1994/05/25	DEPOSIT				C
839232	1995/06/20	CHARGE		*** COMPLETELY DELETED ***	CIBC MORTGAGE CORPORATION	
H840374	2000/03/28	APL OF SURV-LAND		*** COMPLETELY DELETED *** SHEPPARD, MARY AGNES (DECEASED)	MURRAY, ANNIE JEANETTE	

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REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
HR203652	2003/06/16	TRANSFER	\$491,150	SHEPPARD, GARNET LESLIE (DECEASEED) MURRAY, ANNIE JEANETTE MURRAY, MURDOCH HENRY	MURRAY, MURDOCH HENRY 546958 ONTARIO LIMITED	C
		<i>REMARKS: PLANNING ACT STATEMENTS</i>				
HR225044	2003/09/04	DISCH OF CHARGE		*** COMPLETELY DELETED *** CIBC MORTGAGE CORPORATION		
		<i>REMARKS: RE: 839232</i>				

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PROPERTY DESCRIPTION: PT LT 17, CON 2 NDS, AS IN 192402.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

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ESTATE/QUALIFIER:

FEE SIMPLE
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546958 ONTARIO LIMITED

CAPACITY SHARE

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REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
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119980	1961/01/25	BYLAW				C
192402	1965/10/22	TRANSFER		*** COMPLETELY DELETED ***	AITKEN, JAMES ANDERSON AITKEN, JANE	
202772	1966/05/26	CERTIFICATE				C
212506	1966/10/26	CERTIFICATE				C
H722815	1998/02/11	APL OF SURV-LAND		*** COMPLETELY DELETED *** AITKEN, JANE (DECEASED)	AITKEN, JAMES ANDERSON	
H722816	1998/02/11	CHARGE		*** COMPLETELY DELETED *** AITKEN, JAMES ANDERSON	CANADA TRUSTCO MORTGAGE COMPANY	

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REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
20R14453	2001/12/19	PLAN REFERENCE				C
HR169383	2002/12/30	TRANSFER <i>REMARKS: PLANNING ACT STATEMENTS</i>	\$1,680,000	AITKEN, JAMES ANDERSON	546958 ONTARIO LIMITED	C
HR174941	2003/01/29	DISCH OF CHARGE <i>REMARKS: RE: H722816</i>		*** COMPLETELY DELETED *** CANADA TRUSTCO MORTGAGE COMPANY		

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PROPERTY DESCRIPTION: PT LT 16, CON 2 NDS, AS IN 598560; S/T NU38807.; TOGETHER WITH AN EASEMENT OVER PT LT 19, CON 2 NDS AS IN 612786 AS IN HR912720; TOGETHER WITH AN EASEMENT OVER PT LTS 21,22 & 23, CON 2 NDS AS IN 728711 S&E PT 9 PE17 AS IN HR912721; CITY OF BURLINGTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
1997/12/23

OWNERS' NAMES
546958 ONTARIO LIMITED

CAPACITY SHARE
BENO

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/12/23 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1997/12/23**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1997/12/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1997/12/23 **</p>						
NU38807	1955/01/13	TRANSFER EASEMENT			THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO	C
		REMARKS: SKETCH ATTACHED				
119980	1961/01/25	BYLAW				C
598560	1984/04/30	TRANSFER		*** COMPLETELY DELETED ***	BURGE, WALTER THOMAS BURGE, CAROL ANN	
665874	1987/05/08	CHARGE		*** COMPLETELY DELETED ***	THE TORONTO-DOMINION BANK	
744942	1990/05/30	CHARGE		*** COMPLETELY DELETED ***	SCOTIA MORTGAGE CORPORATION	

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HR34269	2001/01/29	DISCH OF CHARGE		*** COMPLETELY DELETED *** SCOTIA MORTGAGE CORPORATION		
		REMARKS: RE: 744942				
HR75104	2001/09/25	DISCH OF CHARGE		*** COMPLETELY DELETED *** THE TORONTO-DOMINION BANK		
		REMARKS: RE: 665874				
HR166995	2002/12/17	TRANSFER		*** COMPLETELY DELETED *** BURGE, CAROL ANN BURGE, WALTER THOMAS	BURGE, CAROL ANN	
HR189139	2003/04/07	CHARGE		*** COMPLETELY DELETED *** BURGE, CAROL ANN	THE BANK OF NOVA SCOTIA	
HR283323	2004/05/06	TRANSFER	\$505,000	BURGE, CAROL ANN	546958 ONTARIO LIMITED	C
		REMARKS: PLANNING ACT STATEMENTS				
HR327602	2004/10/14	DISCH OF CHARGE		*** COMPLETELY DELETED *** THE BANK OF NOVA SCOTIA		
		REMARKS: RE: HR189139				

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