

2/1/2025

OBJECTION TO PROPOSED 24 HOUR OPERATIONS on LOT 20 CONCESSION 3, CRAMAHE TOWNSHIP

FILE NUMBER 2486A

The CRAA
Cramahe Resident Advocate Association
An incorporated Not for Profit Association

Site Plan Amendment

Site Plan Amendment form under the Aggregate Resources Act for a Site Plan Amendment to change the hours of operation for the existing gravel pit legally known as Part Lot 20, Concession 3, Township of Cramahe, County of Northumberland and municipally addressed 13945 Telephone Road (herein referred to as the "Subject Lands" The applicant herein is referred to as "Fidelity").

The site plan amendment is to revise the hours of operation to allow processing, loading, and shipping on a 24-hour basis, when required. There are no changes proposed to the hours of operation for extraction which will continue to occur from 6 am to 6 pm Monday to Friday inclusive and 8 am to 12 noon on Saturdays and may not occur on Sundays and public holidays as defined by the Employment Standards Act.

The proposed purpose of this change to the hours of operation is to allow service to critical highway construction projects that occur overnight to reduce impacts to the travelling public (e.g. highway 401 construction)

REBUTTAL AND CLARIFICATION

The Employment Standards act does NOT restrict work from occurring on Sundays or Holidays.

...because road maintenance is considered a form of construction work, they fall under the "construction employee" exemption, which means they may be required to work on Sundays and holidays depending on their specific employment contract and industry practices, often with additional pay for holiday work.

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

PREFACE

The Nature of Business

There are numerous Asphalt plants. These plants sell their products and services to governments, municipalities and individuals.

Much is being made of the proximity to the 401 in the case of this proposed plant. This proximity, it is assumed, would reduce cost which could then be configured into the “Bid” to secure contracting and thus profit the company making the “Bid”, The end user, in this case the Government, is offered a competitive ‘Bid’ that appears to save tax dollars initially.

The question and Response matrix prepared on behalf of Proponents, deliberately understates the scope and future growth of the proposal.

Of course, the “Pit” will not require 24-hour operations, there is no gravel left to extract. The Asphalt plant, however, requires 24-hour operational approval to secure a contract with the MTO.

Having already determined that Cost and Profit are the main motivating factors, we must also analyze the inevitable expansion of the operation past the 401 Highway project.

The “Pit” or subject property has been in existence since 1978, it ‘s gravel deposits mined out.

Once awarded, a 24-hour operation approval becomes an asset to the corporation and not one that is rescinded at the end of the project. To suggest this is both naive and untruthful.

There is, however, a cost hiding in plain site to Cramahe landowners, cottages and permanent homesteads on Little Lake, Little Lake itself and a fragile area known as the ‘Biddy Creek Watershed Conservation” area.

The hidden cost is described more fully throughout the matrix below.

Governance

In reviewing the current and in force Cramahe Official Plan, several allowable activities on land that is designated as Aggregate Resources MAY be permitted. There are, however, exceptions to activities in the Official Plan when certain condition exist.

Business and individuals looking to invest in this area would believe that these exceptions in the official plan with regard to Environmental Zones, sensitive wetlands, road infrastructure, compatible uses and more, would be able to satisfy themselves that they could rely upon the good governance and responsible stewardship in Cramahe Township to protect their investment interests.

Everyone in Canada has the right to the use and enjoyment of property, individually or in association with others, and the right not to be deprived thereof ...

Canadian Bill of Rights

Statement

We are opposed to an Asphalt Plant in this specific sensitive area.

We are opposed to an Asphalt Plant operating a 24-hour operation when required or otherwise.

The following Matrix outlines Our objections to the proposal to extend operational hours for the proposed plant to 24 hours a day when required.

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

<p>Environmental Concerns</p>	<p>The subject property is subject to an Environmental Zoning in the Southern End of the property. The Topography of the subject land slopes significantly southward, is very low lying and has standing water where the land dips to the water table. Properties surrounding the subject lands are subject to flooding. These occurrences repeat more frequently with severe weather conditions as experienced throughout Ontario.</p> <p>The subject property is completely enclosed in the “Biddy Creek Watershed area as described in Schedule A attached.</p> <p>Risks associated with an Asphalt Plant are magnified in a 24-Hour operation. More accidents occur in poor visibility situations and Nighttime operations. It would require lighting to mitigate, to a degree, this peril. Even with a lighting mitigation effort, accidents are more frequent during nighttime operations.</p> <p>The risk of any type of accident in this environmentally significant area would be catastrophic. Liability and cost exposures due to damage would be high.</p>
<p>Properties Affected</p>	<p>The area affected by this proposal encompasses a large settlement area with hundreds of homes in the immediate area to more still in the Biddy Creek catchment area. It not only impacts landowners, tenants, cottages but also business and recreational facilities that have flourished here. The taxes paid by landowners and businesses have supported the Township for years when all other income sources for a rural community did not exist</p>
<p>Noise Pollution, Quality of Life and right of enjoyment Concerns</p>	<p>Extending operations to 24 hours would significantly increase noise disturbances during nighttime hours, affecting residents sleep, health, and well-being. Noxious odors and dangerous emissions would deprive residents from accessing fresh air. Windows would be tightly closed to prevent both fumes and emissions from penetrating their homes.</p>

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

<p>Noise Pollution, Quality of Life and right of enjoyment Concerns con't</p>	<p>Noise from non-stop Truck traffic, diesel generators, heating mechanisms, loading, unloading and vehicle motion alarms used in visibility compromised settings for vehicles moving in reverse would destroy the Quality of Life and the right of enjoyment residents now have.</p> <p>No clear mitigation measures have been provided to address this. I urge the Ministry to reject this amendment unless independent noise studies and Acoustic Reports confirm no adverse effects on residents.</p>
<p>Light Pollution & Environmental Impact</p>	<p>Overnight operations will introduce artificial lighting that can disrupt local wildlife habitats and interfere with residents' nighttime environment.</p> <p>Expanding operations to 24 hours will lead to increased artificial light pollution, which can disrupt local wildlife, including nocturnal animals and birds. The additional lighting will also affect residents who currently enjoy dark sky conditions. There is no mention of mitigation strategies such as shielded lighting or reduced brightness.</p> <p>We strongly recommend rejecting this amendment or requiring a comprehensive light pollution study before approval.</p>
<p>Environmental Degradation & Air Quality</p>	<p>Continuous processing, loading, and shipping will increase airborne dust, emissions, and traffic-related pollution, potentially exceeding acceptable environmental limits.</p> <p>The amendment does not consider the increased impact on air quality from round-the-clock operations. Prolonged dust and emissions from truck traffic and processing activities. These activities will pose a risk to respiratory health, particularly for vulnerable populations such as children and seniors. We request an independent environmental assessment to analyze the impact on air quality before any decision is made.</p>

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

<p>Increased Truck Traffic & Road Safety</p> <p><i>The Pit on the subject land has been depleted of its gravel deposits</i></p>	<p>The roads in Cramahe Township are chronically under maintained and are the main reason for notices from the Township of impending Tax increases</p> <p>The main roads the proposed plant would use are Municipal not Provincial. As the project scales up, the municipal roads would sustain levels of use not contemplated in design, safety or maintenance.</p> <p>Delivery of input materials would need to be trucked into the site to produce and deliver finished material off site. This would effectively double the quantity of trucks using our municipal roads.</p> <p>Trucks carrying in scrapped asphalt from existing roads and Highways would increase truck traffic yet again.</p> <p>We are deeply concerned about the potential increase in truck traffic at all hours of the day/night. The surrounding roads are not adequately prepared to handle an increase in heavy vehicles during overnight hours, posing a safety hazard for local commuters, school buses and farm vehicles. We request that a full traffic impact study be conducted before considering approval failing which approval should be withheld.</p>
<p>Lack of Community Consultation</p> <p>“Update” Council has quickly called a meeting for February 11, 2025</p>	<p>There has been little to no public consultation regarding this amendment, despite the significant impact it will have on residents. We oppose this change until local community meetings are held, allowing impacted residents to voice concerns and receive assurances regarding noise, air quality, and other environmental impacts.</p> <p>This issue has been in front of Cramahe Council since July of 2024. When pressed, the council has agreed to hold a special meeting on February 18th at 5:00 PM. This time slot did not consider residents who work normal hours and may not be able to attend due to those constraints.</p>
<p>Need for Stronger Compliance & Oversight</p>	<p>Without strict monitoring and enforcement, a for-profit plant has little incentive to adhere to environmental regulations.</p> <p>There is no clear framework for how compliance will be monitored if 24-hour operations are approved. We urge the Ministry to reject this amendment unless strict oversight, real-time air and noise monitoring, and enforceable penalties for violations are established.</p>

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

<p>Counterfactual land use introduces adverse selection in the market</p>	<p>Asphalt production In an Environmentally sensitive area, along with approval of for a 24-hour operation is not an “Additive” market value event. It is an adverse market event where decreased values would be anticipated.</p> <p>For those property owners nearest to the subject lands a drop in market value between 30%-50% is anticipated. With the addition of a 24-hour operation the impact is magnified.</p> <p>The Township would be impacted by lowered MPAC valuations and reduced tax income.</p> <p>We reject this amendment due to the damage it’s approval would do to the market value of the area. Future Township liabilities and potential damages are an important area for consideration.</p>
<p>Mortgaging, Loans and Equity improvement Loans for Homes and Business</p>	<p>In a meeting held on January 19, 2025, arranged by residents, a Banking representative explained how the affected area could potentially be REDLINED.</p> <p>This practice flags areas where contradicting land uses may impact values. Underwriting for mortgages, loans and equity improvement financing are scrutinized for risk exposure. The result is lower advances or outright rejection. This would result in higher interest rates due to risk and the need to approach lending institutions more willing to underwrite higher risk areas at a premium cost to owners.</p>
<p>Home and Business Insurance</p>	<p>Banking and Loan providers are not the only institutions that would REDLINE an area. Insurance Companies would scrutinize for the same risk to value.</p>
<p>In the Matrix offered by MHBC, on behalf of Fidelity the last entry speaks to income from aggregate sources and applied to Cramahe Road Administration.</p>	<p>The annual fee for aggregate removal is moot. There is <i>no/little</i> aggregate remaining on the site. Moreover, the income to the Township has not fully been explained. The amount of \$232,751 in 2024, is income from ALL aggregate extracted in Cramahe Township. Further, it is unclear what the full source of this income is, whether from corporate aggregate extraction or other government assistance. Additionally, this amount is insignificant in road maintenance and suggests that the residents and stakeholders in the Township of Cramahe will have to supplement an enterprise in a commercial venture for the purposes of profit.</p>

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

<p>Changing dimensions of wetlands in an environment impacted by Climate Change</p>	<p>Minimum distance setback requirements from environmentally sensitive lands must be reevaluated in this climate of change. Some wetlands increase in size and expand when heavy rains and snow melt impact these areas. Climate Change and severe weather conditions are becoming the norm not the exception</p>
<p>Hazards</p>	<p>Fire & Explosion have occurred at asphalt mix plants in Canada. Cutback and Rapid Curing Asphalt are Flammable. Typical or Medium to Slow Curing Asphalt is Combustible. Chemical foam to extinguish asphalt fire is a high-level “forever” pollutant to nearby water sources, wells, and aqueducts.</p> <p>Cramahe Township fire Department does not have the means nor the expertise to handle a fire or explosion scenario. Cramahe would have to call in other Township Fire Fighters with Hazmat Training to control and mitigate this type of disaster.</p> <p>We ask that the Ministry reject the amendment to operate 24 hours a day. We are not aware of any plan or schedule in place to protect workers on site or the residents in the event such a disaster occurs. A plan should include provisions to restore or stop environmental damage.</p>

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

Notification and Consultation

The Notification to Residents dated January 17, 2025, suggests that a completed “Amendment Form” is enclosed. It further details that the amendment was submitted to the MNR.

This Notification does **Not** include a site plan for the Asphalt Plant.

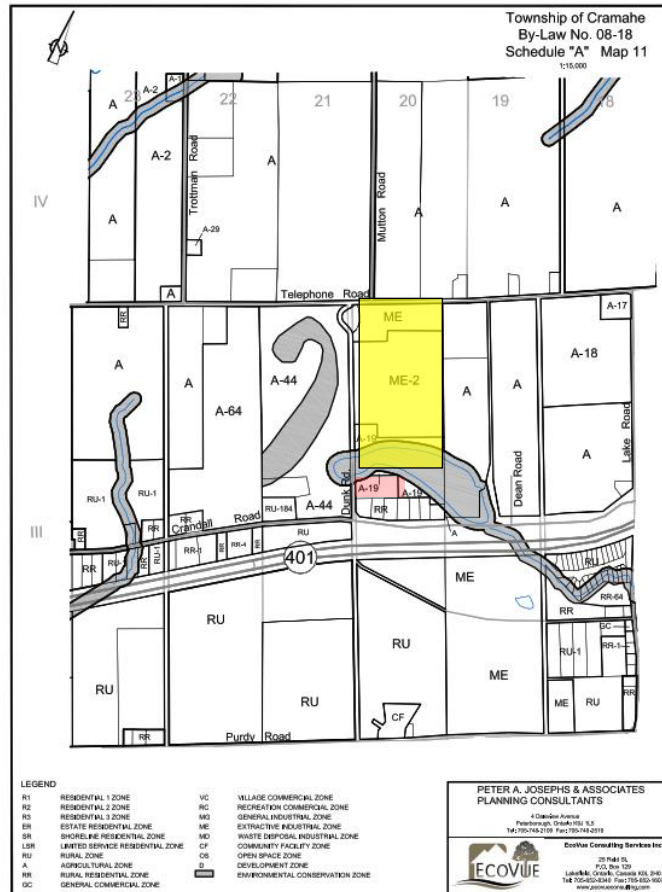
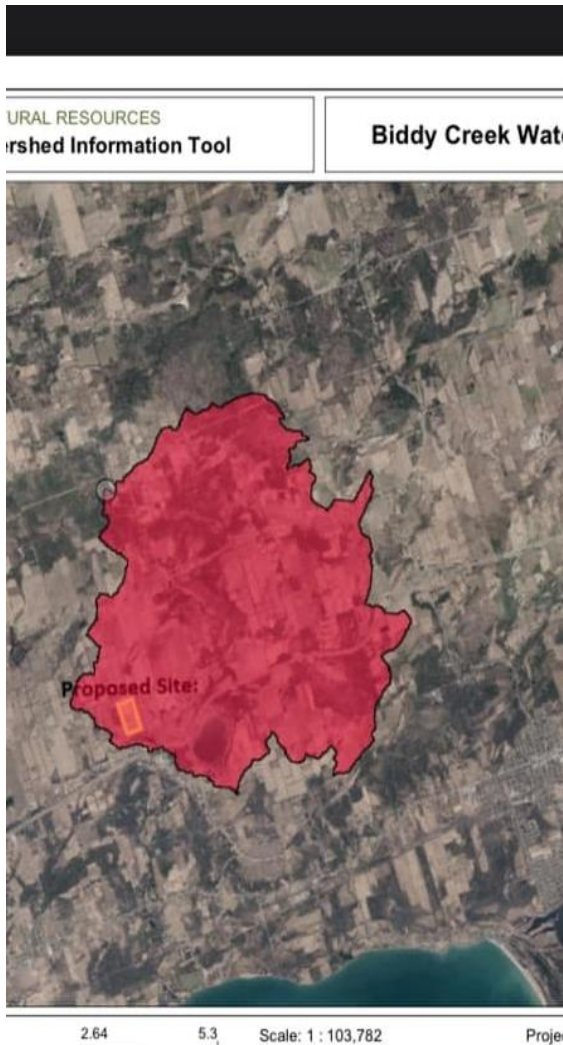
We believe that our Objections are reasoned, thoughtful and objective. We ask that the Ministry withhold Approval of a 24-hour operation on the subject lands.

Yours Truly

Chair CRAA
Cramahe Resident Advocate Association

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

Schedule "A"

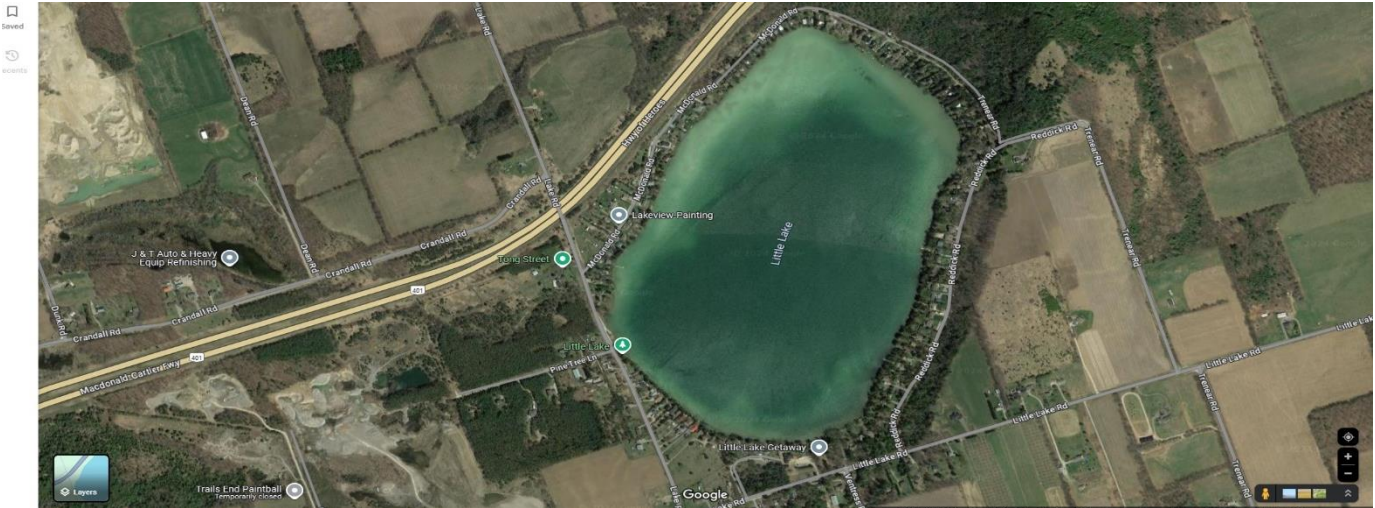


This map, still in current use by Cramahe Township, is approximately 48-year-old.

The A-19 Zoning on the map above [Highlighted in Red] is now in the RR zoning

OBJECTION TO PROPOSED 24 HOUR OPERATIONS On SUBJECT LANDS

Schedule “A” con’t



This view of the Pit [upper left-hand corner of picture, shows the south most area under the water table. It also highlights the housing density of Little Lake which is less than 2 Km to the east of the Pit. An aqueduct conveys water under the Bridge at Lake Rd and the 401 and on into Little Lake.