



## Council Report

---

**Report Number:** **PLAN2022-031**

**Meeting Date:** May 17, 2022

**Title:** **Removal of Holding Provision, Bedard Sand and Gravel Limited**

**Description:** An application to amend the Township of Mariposa Zoning By-law to remove the Holding provision on the property from an Extractive Industrial Exception Nine Holding [M3-9(H)] Zone to permit a quarry and a recyclables storage area in addition to the existing permitted sand and gravel pit operation on the subject land at 1095 White Rock Road.

**Author and Title:** Mark LaHay, Planner II, MCIP, RPP

---

### Recommendations:

**That** Report PLAN2022-031, **Part Lot 10, Concession 12, Geographic Township of Mariposa, City of Kawartha Lakes, identified as 1095 White Rock Road, Bedard Sand and Gravel Limited - D06-2022-010**, be received;

**That** the proposed zoning by-law amendment, substantially in the form attached as Appendix C to Report PLAN2022-031, be adopted by Council; and

**That** the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

**Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

**Proposal:** This application proposes to remove the Holding (H) symbol from the Extractive Industrial Exception Nine - Holding [M3-9(H)] Zone. The effect of the amendment is to permit a quarry and a recyclables storage area in addition to the existing permitted sand and gravel pit operation on the subject land.

**Owner:** Bedard Sand and Gravel Limited

**Applicant:** D.M. Wills Associates Limited c/o Amanda Dougherty

**Legal Description:** Part Lot 10, Concession 12, being Part 1, Registered Plan 57R-6739, geographic Township of Mariposa

**Official Plan:** "Aggregate" in the City of Kawartha Lakes Official Plan

**Zoning:** "Extractive Industrial Exception Nine - Holding [M3-9(H)] Zone" in the Township of Mariposa Zoning By-law 94-07

**Site Size:** 29.98 ha (74.08 ac.) MPAC

**Site Servicing:** No new buildings are proposed and therefore, servicing is not required

**Adjacent Uses:** North: Black School Road/Agricultural  
East: White Rock Road/Agricultural  
South: Agricultural  
West: Existing licensed pit operation

## **Rationale:**

The subject lands are located approximately 6 km northwest of the community of Oakwood on the south west corner of White Rock Road and Black School Road in the geographic Township of Mariposa.

The owner has applied to have the Holding (H) provision removed to permit a quarry and a recyclables storage area in addition to the existing permitted sand and gravel pit operation on the subject land (See Appendix B) in accordance with the M3-9 zone provisions, as amended. The development of this property is subject to the owner applying for a license to the Province for a quarry under the Aggregate Resources Act (ARA) and submitting ARA Site Plans to the satisfaction of the City. These requirements have been met. However, a Category 1 and 2 Aggregate License, being a Class "A" pit and quarry operation below the water table will not be issued by the Ministry of Northern Development, Mining, Natural Resources and Forestry (NDMNRF, formerly

MNRF) unless the appropriate zone is approved and in effect. On this basis, it is appropriate for Council to consider removal of the Holding (H) provision.

### **Applicable Provincial Policies:**

The application conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan) and is consistent with the Provincial Policy Statement, 2020 (PPS).

### **Official Plan Conformity:**

The subject land is designated Aggregate within the City of Kawartha Lakes Official Plan (Official Plan). This designation permits pits and/or quarries licensed pursuant to the Aggregate Resources Act and permits accessory uses as well as associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources. The proposed development conforms to the applicable policies of the designation.

### **Zoning By-Law Compliance:**

The subject property is zoned Extractive Industrial Exception Nine - Holding [M3-9 (H)] Zone, which upon removal of the Holding (H) symbol permits a quarry operation, in addition to the existing sand and gravel pit operation, and ancillary uses to the operation such as recyclables storage area as a permitted use.

The current ARA site plans demonstrate compliance with the site-specific zoning provisions and adequately address requirements of the submitted studies and reports, including comments by the City's peer reviewers. The ARA site plans have also been updated to address comments received from NDMNRF. To facilitate the application for an ARA License, the applicant has submitted a rezoning application for removal of the Holding (H) provision to implement the proposed use of the subject land.

### **Other Alternatives Considered:**

No alternatives have been considered at this time.

### **Alignment to Strategic Priorities:**

The Council Adopted 2020-2023 Strategic Plan identifies these Strategic Priorities:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment
- Good Government

This application aligns with the Healthy Environment strategic goal as it protects water quality and natural features and functions while managing aggregate resources.

### **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendment is appealed to the Ontario Land Tribunal.

### **Servicing Implications:**

The proposed use does not require water or sanitary services and therefore, such servicing is not considered in this report.

### **Consultations:**

Notice of this application was given in accordance with the Planning Act. At the time of writing this report, no comments were received.

### **Development Services – Planning Division Comments:**

Staff support the application based on the information contained in this report and as such, respectfully recommends that the proposed zoning by-law application to remove the Holding (H) symbol be approved and adopted by Council.

### **Attachments:**

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Mark LaHay, Planner II at 705.324.9411 x1324.



Appendix 'A'  
PLAN2022-031.pdf



Appendix 'B'  
PLAN2022-031.pdf



Appendix 'C'  
PLAN2022-031.pdf

Appendix 'A' – Location Map

Appendix 'B' – ARA Site Plans (Existing Features, Pit Operation, Quarry Operation, Progressive/Final Rehabilitation)

Appendix 'C' – Draft Zoning By-law

**Department Head email:** [rholy@kawarthalakes.ca](mailto:rholy@kawarthalakes.ca)

**Department Head:** Richard Holy, Director of Development Services

**Department File:** D06-2022-010