



PLANNING
URBAN DESIGN
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ARCHITECTURE

January 17th, 2025

ATTN: Holly Grant – Chief Administrative Officer
(holly@cramahe.ca)

Victoria Heffernan – Manager of Planning and Development
(vheffernan@cramahe.ca)

Township of Cramahe
1 Toronto Street, Box 357
Colborne, ON
K0K 1S0

Dear Holly Grant and Victoria Heffernan:

**RE: Fidelity Property Group Inc.
Site Plan Amendment Application (ARA Licences #624970 and #3066)
Lot 20 Concession 3, Geographic Township of Cramahe, Township of Cramahe,
Northumberland County
OUR FILE 2486A**

On behalf of our client, Fidelity Property Group Inc. (herein referred to as 'Fidelity'), you are being provided with the 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').

Amendment Overview

Fidelity owns the gravel pit on the subject lands Licenced under the Aggregate Resource Act (ARA) as Licence Nos. 624970 and 3066. The combined licenced area of the pit is 20.55 ha with a permitted extraction area of 17.57 ha. The existing Licences have a combined maximum annual tonnage limit of 400,000 tonnes. The existing/approved hours of operation for the pit are 6 am to 6 pm on weekdays, and 8 am to 12 pm on Saturdays, as regulated on the Site Plan for the pit. A portable or permanent asphalt/concrete plant is permitted onsite within Phase 1.

Fidelity applied to the Ministry of Natural Resources (MNR) under Section 13 of the Aggregate Resources Act to amend the Site Plan to change the hours of operation of the site. The amendment requested to the site plan is summarized as follows:

Revise the site plan Hours of Operation (Note B1 of the ARA Site Plan) 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 6am to 6pm Monday to Friday inclusive and 8am to 12 noon on Saturdays and may not occur on Sundays and public holidays as defined by the Employment Standards Act.

The purpose of the proposed change to the hours of operation is to allow Fidelity to service critical highway construction projects that must occur overnight to reduce impacts on the travelling public (e.g. Highway 401 construction). As currently permitted by the Township of Cramahe Zoning By-law and the ARA Site Plan for Licence Nos. 624970 and 3066, Fidelity is in the process of locating an asphalt plant on the subject lands. The proposed change to the hours of operation will allow the plant to fully service local and regional asphalt demands. The intent of this amendment is to allow for occasional 24-hour operations on an as required basis (which would be dictated through MTO contracts); permanent 24-hour operations are not contemplated.

For clarity, the site plan amendment application does not seek to permit an asphalt plant (which is already permitted on the site plan), and there are no changes proposed to the existing truck route, maximum annual tonnage or extraction area of the pit.

Notification & Consultation

As required by the Aggregate Resources Act, please find enclosed the completed "Amendment Form" which was submitted to MNR with this application. Written comments on the site plan amendment application must be submitted by **February 21, 2025**. Comments must be submitted to both the licensee c/o nderuyter@mhbcplan.com and MNR c/o ARAApprovals@ontario.ca.

Fidelity attended the Township of Cramahe September 24th, 2024, Council Meeting to provide notice to the Township of their intent to submit this ARA Site Plan amendment application. In response to key questions raised both in advance of and during this meeting, a question and response matrix has been provided as an attachment to this letter.

If you have any questions, please do not hesitate to reach out.

Yours truly,

MHBC



Neal DeRuyter, BES, MCIP RPP
Partner



Chelsea Brooks, MA, MSc(PI)
Planner

cc. *Jim Pillsworth, Fidelity*

Tim Williams, Fidelity
Dan MacDonald, Fidelity

Attach. Question & Response Matrix
Amendment Form

Fidelity Hours of Operation ARA Site Plan Amendment – Question & Response Matrix

<p>What is the purpose of this application?</p>	<p>The purpose of this application is to amend the Aggregate Resources Act (ARA) Site Plan under Section 13 of the ARA to change the hours of operation of the site. The amendment requested to the site plan is summarized as follows: <i>Revise the site plan Hours of Operation (Note B1 of the ARA Site Plan) 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 6am to 6pm Monday to Friday inclusive and 8am to 12 noon on Saturdays and may not occur on Sundays and public holidays as defined by the Employment Standards Act.</i></p> <p>The intent of the proposed amendment is to allow the pit to service nighttime 401 construction projects.</p>
<p>Is this an application to permit an asphalt plant on the subject lands?</p>	<p>No. An asphalt plant is already a permitted use on the lands. The ARA Site Plan permits a permanent asphalt/concrete plant in Phase 1 within the Licenced area.</p>
<p>Why are 24-hour operations being considered for the subject lands?</p>	<p>The purpose of the proposed change to the hours of operation is to allow Fidelity to service MTO contracts for Highway 401 construction projects which occur overnight.</p> <p>The pit is ideally located 500 m north of Highway 401. The nearest access to Highway 401 (Exit 497) is 6.5 km west of the subject lands (via Telephone Road to County Road 25) with access in both eastward and westward directions. Another interchange (Exit 509) is located about 7 km to the east (via Telephone Road to County Road 3). Overall, the proximity of the subject lands to Highway 401 allows for the operation to provide processed materials directly to market (401 construction), minimizing the social, economic, and environmental impact of hauling aggregate resources long distances.</p>
<p>Why have you not prepared a Traffic Study?</p>	<p>The existing Licences have a combined maximum annual tonnage limit of 400,000 tonnes; this tonnage limit is not proposed to change nor is the existing truck route. The only change proposed is to the hours of operation.</p>
<p>What about any damage to municipal roads due to aggregate operations?</p>	<p>All aggregate licence holders are required to pay an annual fee per tonne of aggregate removed from the site the prior year. A percentage of this fee goes to the Township and County which can be used for road maintenance and/or other capital projects. Based on the 2024 budget, the Township of Cramahe received \$232,751 in aggregate revenue allocated for road administration in the year 2023.</p>

Instructions

Applications for an Amendment

This form is to be completed by any licence or permit holder applying to the ministry to make a change to their licence, permit, or site plan under sections 13, 13.1, 13.2, 30.1, or 37.2 of the Act.

When notification is required, this form must be circulated with the amendment application package.

As part of an application for an amendment, the licensee or permittee must submit a sketch or a draft copy of an updated site plan or site plan pages to the ministry.

Following confirmation from the ministry that the proposed amendment is acceptable, the licensee or permittee must make changes to the site plan to reflect the noted changes and submit the updated site plan or site plan pages to the ministry for approval.

Following ministry approval, the licensee or permittee must include a description of the amendment and the date the amendment was approved on a schedule to the site plan and must forward the site plan to the ministry for their records.

Submit this form and any additional information online using the [Natural Resources Information Portal](#). If you have any questions about using the Natural Resources Information Portal, contact NRIP@ontario.ca. If web access is unavailable, submit the form and additional information by mail to Integrated Aggregate Operations Section, Ministry of Natural Resources and Forestry, 300 Water Street, Peterborough ON K9J 3C7.

When an amendment requires consultation and you are participating in the *Aggregates Resources Act* (ARA) notification and consultation process, all personal information (PI) you provide may be subject to the *Freedom of Information and Protection of Privacy Act* (FIPPA), whether provided to the Applicant or MNR at any point during the consultation process. The MNR collects your PI under the authority of s.7, s. 11, s.13.1, s.23, s. 34, s. 35 and other provisions of the ARA and maintains it for the purposes of ensuring consultation and other requirements in the ARA are met. Under the authority of s. 11(2), s.13.1(3), s.23(7), s.35(2) of the ARA, your name and address will form part of the public record (that is available to the general public as described in s 37 of FIPPA) and will appear with your comments, unless you request in your submission that your name and address be kept confidential. If you have any questions about the collection and use of your personal information, please contact Ministry of Natural Resources and Forestry, Natural Resources Information and Support Centre (NRISC) 300 Water Street, Peterborough ON K9J 3C7. Toll free: 1-800-667-1940.

Fields marked with an asterisk (*) are mandatory.

Section A: Site Identification

Licence/Permit ID Number *

624970 & 3066

Licensee/Permittee Name *

Fidelity Property Group Inc.

Local Municipality

Township of Cramahe

Upper Tier Municipality

County of Northumberland

Site Location (e.g. lot and concession, geographic township, 911 address) *

Part of Lot 20

Concession 3

Geographic Township of Cramahe

13945 Telephone Rd, Colborne

Section B: Contact Information

Last Name *

MacDonald

First Name *

Dan

Middle Initial

Telephone Number *

905-375-8437

Extension

Email

dmacdonald@fidelitygroup.ca

Address

Unit Number

Street Number *

512

Street Name *

Purdy Road

PO Box

City/Town *

Colborne

Country *

Canada

Province/State *

Ontario

Postal Code/Zip Code *

K0K 1S0

Input all necessary information for correspondence

Agent:

MHBC Planning (c/o Neal DeRuyter)

200-540 Bingemans Centre Drive, Kitchener, ON, N2B 3X9

nderuyter@mhbcplan.com

519-576-3650 ext. 733

I authorize the person named above to provide correspondence and proceed with amendments on my behalf.

I authorize the person applying on my behalf to use their company name and address to be used for correspondence on behalf of the licensee/permittee during the site plan amendment process.

Section C: Description of Amendment

Check the box that best represents the amendment that is the subject of this form. *

- Amendment to lower the depth of extraction in an area of a licence or aggregate permit that does not allow extraction below the water table under section 13.1 or 37.2 of the *Aggregate Resources Act*
- If selected, include technical reports, information and an updated site plan in your submission as described in *Aggregate Resources of Ontario: Amendment Standards*.
- Amendment to expand a licence boundary into an adjacent road allowance under section 13.2 of the Act
- If selected, ensure that technical reports, information and an updated site plan are attached in your submission as described in *Aggregate Resources of Ontario: Amendment Standards*.

Other amendments (not including Amendment Without Approval)

- The ministry may require the applicant to provide additional information.
- The ministry may direct you to circulate this form to organization(s) and individual(s) for comment(s).

Description *

Provide a description of the proposed amendment(s)

Proposing 24-hour operations.

Amend Site Plan note B1. "Operations, including extraction, processing, loading and shipping, are from 6 am to 6pm Monday to Friday inclusive and 8 am to 12 noon on Saturdays. Operations will not occur on Sundays and public holidays as defined by the Employment Standards Act" to ensure no restrictions apply to the hours of operations of processing, loading, and shipping to serve overnight construction works.

Provide reasons for the site plan amendment request

The proposed amendment seeks to permit 24-hour operations on the site which will allow the Licencee to leverage local asphalt materials to service critical construction projects along Highway 401 where the Ministry of Transportation (MTO) requires overnight construction works. Please see the cover letter for more details.

Select all that apply *

- Enclosed is a sketch/picture outlining proposed changes to the site plan.
- Enclosed is a draft version of a page(s) of the site plan altered to demonstrate the desired changes to the site plan.
- Enclosed is additional information and/or technical reports.

Last Name * Pillsworth

First Name * James (Jim)

Signature (Licencee/Permittee)



Date (yyyy/mm/dd) *

2024/10/28