

348 Acamac Buckland Rd

General Application Form

GROWTH & COMMUNITY DEVELOPMENT SERVICES
 CITY OF SAINT JOHN

LOCATION	CIVIC ADDRESS : 348 Acamac Buckland Rd		PID #: 00289595 & 00289454
STAFF USE	HERITAGE AREA: Y / N INTENSIFICATION AREA: Y / N FLOOD RISK AREA: Y / N APPROVED GRADING PLAN: Y / N		
	APPLICATION #:	19-0114	DATE RECEIVED: June 27/2019
	RECEIVED BY:		
APPLICANT INFORMATION	AAPPPLIICCAANNTT EEMMAAIIILL PHONE		
	Fundy Regional Service Commission mmacleod@fundyrecycles.com (506)738-1213		
	MAILING ADDRESS		POSTAL CODE
	PO Box 3032, Grand Bay-Westfield New Brunswick		E5K 4V3
	CONTRACTOR	EMAIL	PHONE
	GEMTEC	marco.sivitilli@gemtec.ca	(506)343-2188
APPLICANT INFORMATION	MAILING ADDRESS		POSTAL CODE
	589 Rothesay Ave. Saint John, New Brunswick		E2H 2G9
	OWNER	EMAIL	PHONE
	John Law Corporation	johnlawcorp@gmail.com	(506)644-8625
	MAILING ADDRESS		POSTAL CODE
	109 Prince William Street Saint John, New Brunswick		E2L 2B2
PRESENT USE: RU PROPOSED USE: PQ			
CHECK ALL THAT APPLY	BUILDING		PLANNING
	<input type="checkbox"/> INTERIOR RENOVATION <input type="checkbox"/> EXTERIOR RENOVATION <input type="checkbox"/> ADDITION <input type="checkbox"/> DECK <input type="checkbox"/> CHANGE OF USE <input type="checkbox"/> MINIMUM STANDARDS	<input type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ACCESSORY BLDG <input type="checkbox"/> POOL <input type="checkbox"/> DEMOLITION <input type="checkbox"/> SIGN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> VARIANCE <input type="checkbox"/> PLANNING LETTER <input checked="" type="checkbox"/> PAC APPLICATION <input type="checkbox"/> COUNCIL APP <input type="checkbox"/> SUBDIVISION <input checked="" type="checkbox"/> OTHER
CHECK ALL THAT APPLY	INFRASTRUCTURE		HERITAGE
	<input type="checkbox"/> STREET EXCAVATION <input type="checkbox"/> DRIVEWAY CULVERT <input type="checkbox"/> DRAINAGE <input type="checkbox"/> WATER & SEWERAGE <input type="checkbox"/> OTHER		<input type="checkbox"/> HERITAGE DEVELOPMENT <input type="checkbox"/> HERITAGE SIGN <input type="checkbox"/> HERITAGE INFILL <input type="checkbox"/> HERITAGE DEMO <input type="checkbox"/> OTHER
DESCRIPTION OF WORK	FRSC has an agreement with John Law Corporation to purchase a portion of PID 00289595,		
	provided that the land can be developed as a source for clay and rock material. The material		
	will be used for construction of new containment cells and closures at Crane Mountain Landfill.		
	An EIA has been registered with NBDELG (Project Number 1515) with regards to wetland alteration in the area of the clay source. FRSC is applying to rezone the property to PQ from RU.		

☐ I consent to the City of Saint John sending to me commercial electronic messages, from time to time, regarding City initiatives and incentives.

General Collection Statement

This information is being collected in order for the City of Saint John to deliver an existing program / service; the collection is limited to that which is necessary to deliver the program / service. Unless required to do so by law, the City of Saint John will not share your personal information with any third party without your express consent.

The legal authority for collecting this information is to be found in the Municipalities Act and the Right to Information and Protection of Privacy Act. For further information or questions regarding the collection of personal information, please contact the Access & Privacy Officer:

City Hall Building
 8th Floor - 15 Market Square
 Saint John, NB E2L 1E8
commonclerk@saintjohn.ca
 (506) 658-2862



I hereby apply for the permit(s) or approval(s), indicated above for the work described on plans, submissions and forms herewith submitted. This application includes all relevant documentation necessary for the applied for permit(s) or approval(s). I agree to comply with the plans, specifications and further agree to comply with all relevant City By-laws and conditions imposed.

By submitting a complete permit application, the applicant grants permission to City inspectors to enter the land, building or premises at all reasonable times for the purposes of conducting inspection(s) associated with the permit.

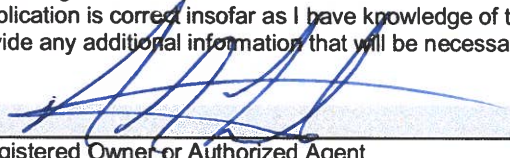

pd by cheque # 33161

CIVIC ADDRESS	PID 00289595	APPLICATION #		FEE PAID	Y	N
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TYPE OF APPLICATION		
<input type="checkbox"/> Tier 1 Variance Variances not greater than 25% of a numeric standard Service Fee: \$50 plus \$10 per additional variance	<input type="checkbox"/> Tier 2 Variance Variances greater than 25% of a numeric standard Service Fee: \$100 plus \$20 per additional variance	<input checked="" type="checkbox"/> PAC Variance <i>See following page</i> Variances considered by the Planning Advisory Committee Service Fee: \$300 plus \$60 per additional variance

DETAILED DESCRIPTION OF APPLICATION
Attach site plans, building elevations, floor plans, and other documentation to fully describe the application. See "General Application" form for introduction. The proposed clay source covers an estimated 6.4 hectares of wetland area. The proposed rock source (quarry area) covers approximately 9.7 hectares. FRSC is proposing to develop this rock and clay source for its own use. Clay material will be extracted every 2 to 3 years. Rock material may be extracted on a more regular basis, but blasting and crushing is expected to occur every 2 to 3 years. All truck traffic from the site will use existing access roads and will travel to the landfill via the Acamac Backland Road, Route 177 and Crane Mountain Road. As a part of the EIA process the FRSC is holding two public information sessions on May 28, 2019. These have been advertised on radio, social media, and provincial newspapers. Adjacent property owners were contacted through mail. As a part of the EIA process, a pre-blast/blast monitoring plan, wetland compensation plan, extraction plan, and sedimentation control plan will be developed. Further information and justification for this project is in the EIA documents.

ENCUMBRANCES
Describe any easements, restrictive covenants, and other encumbrances affecting the land.
We understand the land is currently zoned RU and to extract clay and rock, the property must be rezoned PQ. Further to this, we understand that the clay source area is designated as "Park and Natural Area."

AUTHORIZATION	
As of the date of this application, I, the undersigned, am the registered owner of the land described in this application or the authorized agent thereof, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize the applicant to represent this matter and to provide any additional information that will be necessary for this application.	
 Registered Owner or Authorized Agent	 Additional Registered Owner
2019-May-27 Date Marc MacLeod, Executive Director, FRSC	2019-May-27 Date Marco Sivitilli, GEMTEC
The information contained in this application and any documentation, including plans, drawings, reports, and studies, provided in support of this application will become part of the public record.	

CIVIC ADDRESS		APPLICATION #		FEE PAID	Y	N
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TYPE OF APPLICATION		
<input type="checkbox"/> Land for Public Purposes Release Service Fee: \$300	<input type="checkbox"/> Non-Conforming Use Service Fee: \$200	<input type="checkbox"/> Satisfactory Servicing Service Fee: \$200
<input type="checkbox"/> Section 39 Amendment Service Fee: \$2,500	<input type="checkbox"/> Zoning By-law Amendment Service Fee: \$2,500	<input checked="" type="checkbox"/> Zoning By-law Amendment with a Municipal Plan Amendment Service Fee: \$3,500

DETAILED DESCRIPTION OF APPLICATION
Where applicable, indicate the changes to existing Section 39 conditions, zoning, or Municipal Plan designation being requested. Attach site plans, building elevations, floor plans, and other documentation to fully describe the application. The submission of a preliminary proposal and a Pre-Application Meeting is encouraged prior to seeking approval. Please contact the One-Stop Development Shop at (506) 658-2911 for further information.

ENCUMBRANCES
Describe any easements, restrictive covenants, and other encumbrances affecting the land.

AUTHORIZATION
As of the date of this application, I, the undersigned, am the registered owner of the land described in this application or the authorized agent thereof, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize the applicant to represent this matter and to provide any additional information that will be necessary for this application.
<div> <div>Registered Owner or Authorized Agent</div> <div>Additional Registered Owner</div> </div>
<div> <div>Date</div> <div>Date</div> </div>
The information contained in this application and any documentation, including plans, drawings, reports, and studies, provided in support of this application will become part of the public record.

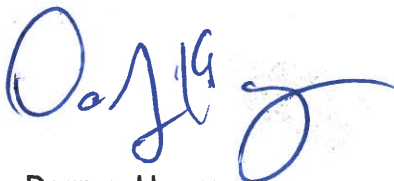
May 15, 2019

To Whom it May Concern,

Please be advised that John Law Corporation authorizes Fundy Region Service Commission (FRSC) or their agents to make application for rezoning PID 00289454 if required and the portion of PID 00289595 south of the reserve road and west of the NBEPC transmission line for the purpose of developing a clay and rock resource.

Additionally, we grant permission to FRSC and their agents and workmen access to any and all of our properties to conduct studies and gather information pertinent to their efforts in obtaining an approval for a pending EIA application.

Sincerely,



Darren Hargrove

President

John Law Corporation

June 19, 2019

GEMTEC File: 90429.29 – R01

City of Saint John
Growth & Community Planning Services
10th Floor, City Hall
P.O. Box 1971
Saint John, New Brunswick
E2L 4L1

Attention: Mark Reade, P.Eng., MCIP, RPP, Senior Planner

Re: Variance Application - Supplementary Information
Crane Mountain Landfill - Clay Source Development, Saint John, New Brunswick

The Fundy Regional Services Commission (FRSC) has retained GEMTEC Consulting Engineers and Scientists Limited (GEMTEC) to prepare a City of Saint John General Application and Variance Application/Council Application forms for the proposed Crane Mountain Landfill Clay Source Development, in Saint John, New Brunswick (the "Project"). The Project is in support of ongoing landfill operations and the extraction of required construction materials (clay and rock) for future municipal solid waste (MSW) containment cells at the Crane Mountain Landfill. The Project is located on the southwestern portion of the land parcel identified by Service New Brunswick (SNB) as parcel identifier (PID) 00289595 (herein referred to as "Site"), approximately 1.2 kilometres west of the landfill. The location of the Site is shown on Figure 1.

It is important to note that the FRSC is looking to develop this clay and rock source for their own internal purposes. FRSC requires rock and clay material for the construction of MSW containment cells. Clay material has been very difficult to procure through a public tendering process, as approved sources and supply are limited. Based on the current containment cell construction schedule, it is anticipated that clay extraction and quarrying activities would be conducted over the course of approximately 6 to 8 weeks, every 2 to 3 years. Extraction of material at this proposed clay source (pit) and quarry would not be in continuous, but the Site roads and sedimentation infrastructure would be continually maintained. Please see the complete Environmental Impact Assessment (EIA) document for further explanation and justification for the Project.

We understand that in accordance with the City of Saint John Municipal Plan, a Proponent is required to submit a General Application and Variance Application/Council Application to support the change of a land designation. Currently, the Project Site is designated as a Rural Resource Area (RU). The FRSC is proposing to re-zone the Site to Pits and Quarries (PQ) to allow for

proposed Project operations (extraction of clay material and quarriable rock). Further to this, the proposed clay source is also located within a designated "Park and Natural Area" as detailed in the Municipal Plan.

This letter report is to serve as supplementary information to the General Application and Variance Application/Council Application as required by the Growth & Community Development Services of the City of Saint John. Our responses are numbered to correspond to the Policies outlined under the Land Use Designations Outside the Primary Development Area for RU area, as outlined in the Municipal Plan.

Policy LU-95: A Rural Resource Area(s) shall remain in their natural state, or subject to regulation and required approvals, shall be used for appropriate resource uses such as forestry operations, agriculture, fisheries, and extraction activities, including pits and quarries. The FRSC is currently proposing to operate a clay source (open-pit) and an aggregate rock quarry on the Site. All other areas within the Site, outside the pit and quarry footprints, will be maintained in their natural state.

Policy LU-96: To demonstrate compliance with all Pits and Quarries Zone provisions the following information is provided:

- a. The proposed site plan and Site meets all required set-backs as stipulated in the zoning requirements. Figure 1 which is included in this submission package shows all required set-back distances in relation to the Project Site. Additionally, historic quarrying and clay pit extraction activities have been undertaken on the Site. Existing roadways will be utilized during the Project timeline and no new access infrastructure is required.
- b. All Site operations will only be undertaken during day-light hours.
- c. It is not anticipated that major changes to the on-site stormwater management systems will be required. Existing roads, culverts, and associated ditching currently facilitate stormwater towards natural drainage areas (i.e., Mill Creek). The existing ditches will be maintained throughout the Project.

To mitigate against increased sedimentation in the receiving watercourse (i.e., Mill Creek), a sedimentation pond will be constructed on the Site. Surface water collected on the Site may be directed / pumped to the sedimentation pond to allow the settlement of suspended sediment prior to discharge.

- d. The proposed mitigation for the control of smoke, dust, odour, vibration, and noise are outlined below:
 - Dust suppressants may be used during periods of dry weather;
 - Dry materials / stockpiles may be covered or windrowed to prevent blowing dust or debris. Similarly, dusty material may be transported in covered haulage vehicles;

- Dust generating activities will be limited during periods of dry or windy conditions;
- Wind prone areas will be stabilized in a timely manner;
- Any non-essential internal combustion engines will be shut off when not in use, and heavy equipment will not remain idling for periods exceeding 10 continuous minutes as a best management practice;
- Equipment will be maintained according to emission standards and in good working order;
- Equipment will be muffled, when feasible;
- A vegetated buffer will be maintained around the Project to reduce sound impacts to the surrounding receptors;
- On-site activities will be limited to day-time hours (*i.e.*, approximately 12 hours per day);
- If concerns from nearby landowners are received, FRSC will notify the New Brunswick Department of Environment and Local Government (NBDELG) and will engage citizens for resolution, as required;
- FRSC is developing a pre-blast survey and blast monitoring plan to monitor properties closest to the quarry area as a part of the EIA process. The plan will be in conformance with NBDELG standards and City of Saint John Requirements.
- Blasting activities will be infrequent (estimated to be every 2 to 3 years), when feasible;
- All blasting activities will be conducted by a certified blasting contractor in accordance with an Approval to Operate from NBDELG;
- All blasting events will be restricted to day-light hours;
- The topography of the open pits (*i.e.*, lower elevation than ground surface) will reduce the sound travel from the blast site; and
- Emergency and spill response procedures will be in place prior to construction.

Additionally, an EIA was completed for the Project that details the potential Project impacts, appropriate mitigation, and any residual effects to the environment. The EIA document is available online at:

<https://www2.gnb.ca/content/dam/gnb/Departments/env/pdf/EIA-EIE/Registrations-Enregistremnts/documents/EIARegistration1515.pdf>

- e. Please see attached Figure 1 for all set-back distances in relation to the Project.
- f. A vegetated buffer will be maintained around the proposed pit and quarry to provide a visual screening to the surrounding receptors. Tree clearing will occur in a sequenced

schedule as dictated by the required material extraction requirements. Areas will remain vegetated until extraction is to occur.

- g. No permanent buildings are required for the Project. Equipment will be maintained on Site during active construction, operation and reclamation periods, and may include, but not limited to:
 - Excavator(s);
 - Loaders;
 - Dump and / or haul truck(s);
 - Grader(s) and / or bulldozer(s);
 - Pumps for water control;
 - Rock crushing equipment; and / or
 - Personnel vehicles.
- h. All Site work will be conducted in accordance to the *New Brunswick Occupational Health and Safety Act*.
- i. Existing roadways will be used for the Project (i.e., Yellow Gate Road, Acamac Backland Road and Route 177). The proposed hauling route is included in this application package (Figure 2). Some minor road upgrades such as the placement of a layer of granular base material and replacing the damaged culvert where Yellow Gate Road meets Acamac Backland Road will be required.
- j. No landscaping is proposed as part of the Project. Some signage may be installed at entrances to the site to notify the public of active quarry/pit operations.
- k. Rehabilitation plans are outlined in the EIA document. The EIA document is available online:
<https://www2.gnb.ca/content/dam/gnb/Departments/env/pdf/EIA-EIE/Registrations-Enregistrements/documents/EIARegistration1515.pdf>

Policy LU-97: No residential areas or developments are currently proposed as part of the Project.

Policy LU-98: No residential areas or developments are currently proposed as part of the Project.

Policy LU-99: No new roads are currently proposed as part of the Project.

Policy LU-100: A provincial EIA was completed for the Project. The EIA is currently being reviewed by the NBDELG. Any potential impacts to environmental and / or community quality of life are included in the EIA. The EIA details the proposed mitigation for any negative impacts and any residual effects following the implementation of the mitigation measures. The EIA document is available online:

<https://www2.gnb.ca/content/dam/gnb/Departments/env/pdf/EIA-EIE/Registrations-Enregistremnts/documents/EIARegistration1515.pdf>

We are confident that all environmental concerns are covered in our EIA document. If you would like a hard copy of the EIA for this proposed Project and not just the electronic copy available online, please let us know and we would be happy to provide you with as many copies as you would like to have.

We trust the above information meets your requirements at this time. If you have any questions or comments please do not hesitate to contact the undersigned.

Sincerely,



Marco Sivitilli, P.Eng.

JH/ms

Enclosures

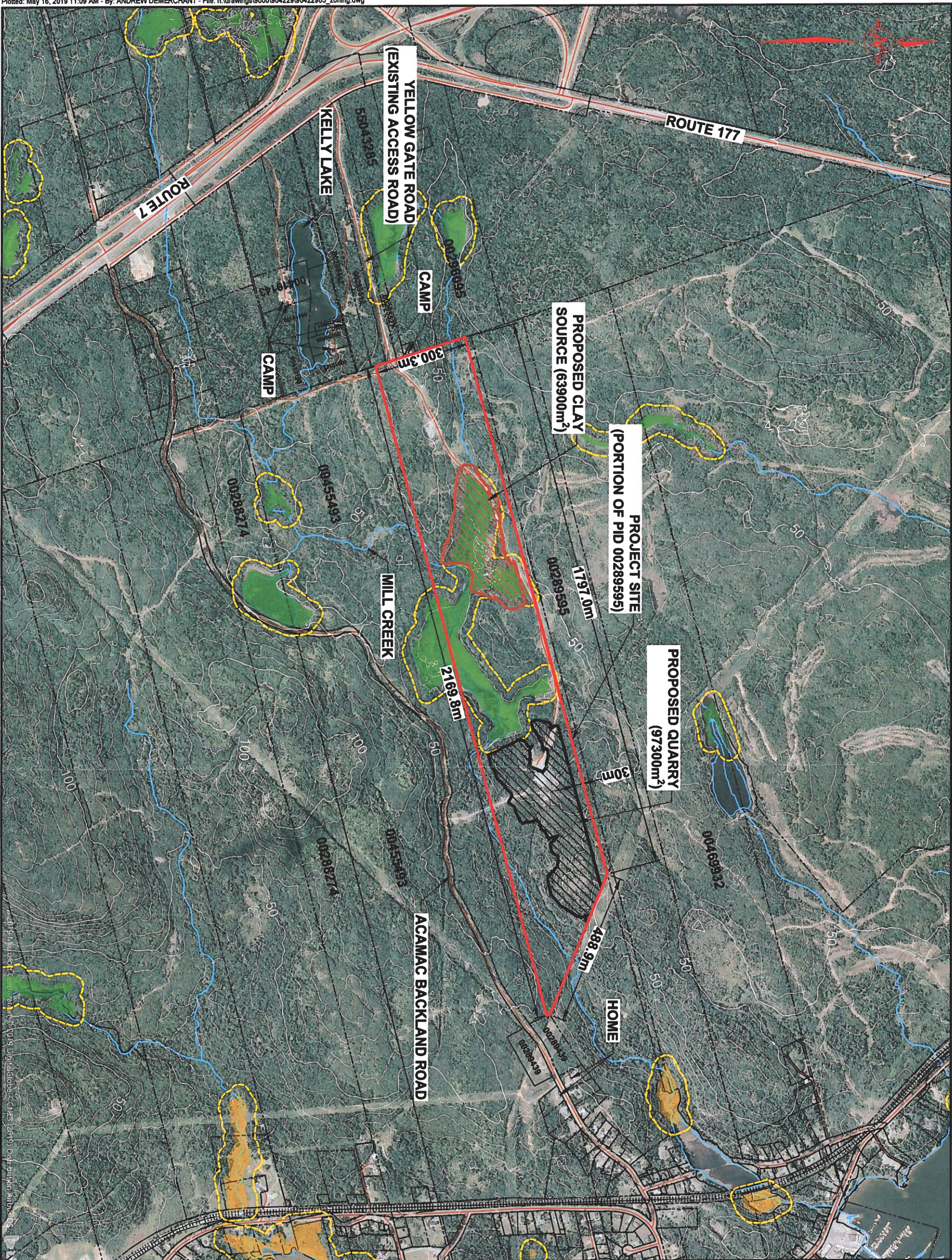
N:\Files\9000\9042.29\Rezoning Considerations\2019JH0619-L01 (Rezoning Application Supplementary Information, City of Saint John).docx



ATTACHMENTS

Figure 1 – Site Plan

Figure 2 - Hauling Route



LEGEND

- REGULATED WETLAND (GeonB)
- PROvincially SIGNIFICANT WETLAND (GeonB)
- 30m WETLAND BUFFER
- PROPERTY LINE (GeonB)
- PROPERTY LINE FOR REZONING APPLICATION

Drawn By AGSD Checked By MS

Calculations By Checked By

Date MAY, 2019

Project CRANE MOUNTAIN LANDFILL
CLAY AND ROCK SOURCE DEVELOPMENT

Drawing

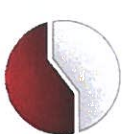
SITE PLAN - CITY OF SAINT JOHN
ZONING AMENDMENT APPLICATION

Scale

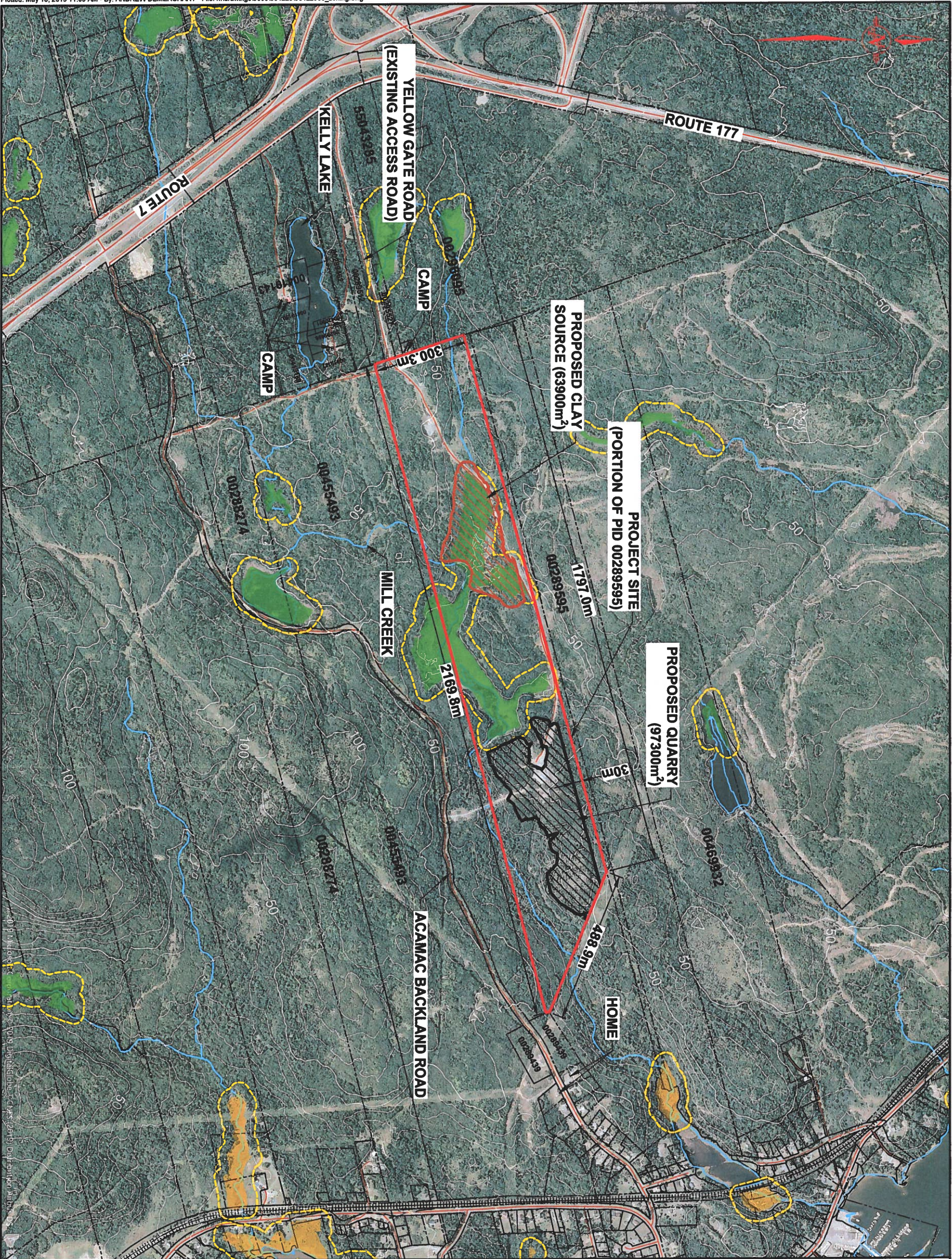
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File No. 90422905 Drawing FIGURE 1 Revision No. 0



GEMTEC
CONSULTING ENGINEERS
AND SCIENTISTS



LEGEND

- REGULATED WETLAND (GeonB)
- PROvincially SIGNIFICANT WETLAND (GeonB)
- 30m WETLAND BUFFER
- PROPERTY LINE (GeonB)
- PROPERTY LINE FOR REZONING APPLICATION

Drawn By AGSD Checked By MS

Calculations By Checked By

Date MAY, 2019

Project

CRANE MOUNTAIN LANDFILL
CLAY AND ROCK SOURCE DEVELOPMENT

Drawing

SITE PLAN - CITY OF SAINT JOHN
ZONING AMENDMENT APPLICATION

Scale

1:12500



File No. 90422905 Drawing FIGURE 1 Revision No. 0





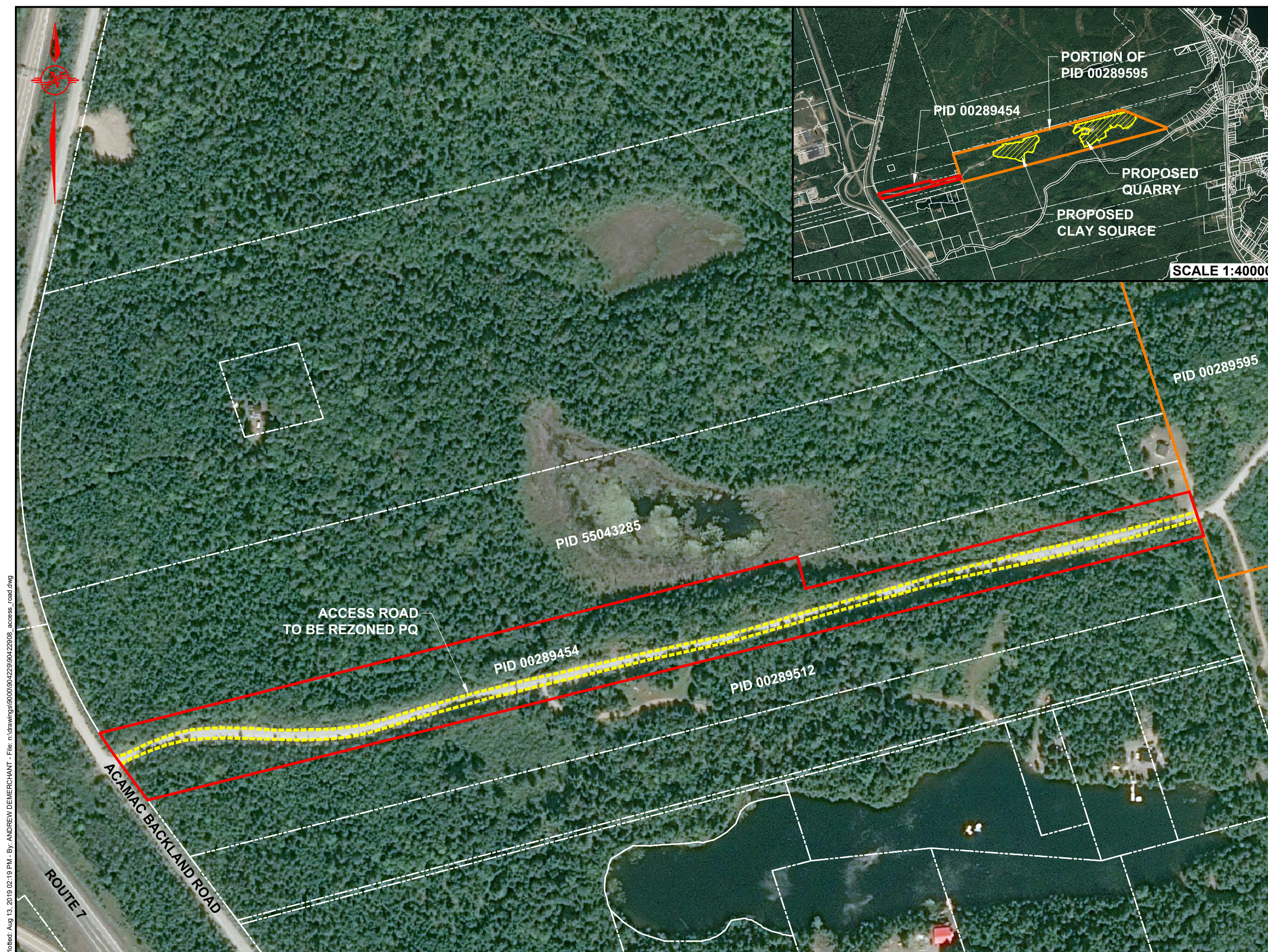
Fundy Regional
Service Commission
Commission de Services
Régionaux de Fundy



GEMTEC
CONSULTING ENGINEERS
AND SCIENTISTS

FIGURE 2 - PROPOSED HAULING ROUTE





SCALE 1:40000

NOTE: Road delineation is approximate

Drawn By

AGSD

Checked By

MS

Calculations By

Checked By	
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Date

AUGUST, 2019

Project

CRANE MOUNTAIN LANDFILL
CLAY AND ROCK SOURCE DEVELOPMENT

Drawing

ACCESS ROAD

Scale

1:3000



File No.

90422908

Drawing

FIGURE 1

Revision No.

0

