



CONSULTING ENGINEERS
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MEMORANDUM

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Date: December 14, 2020

RWDI Reference #: 2003864

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Re: Noise Impact Studies – Response to City of London Comments
 537 Crestwood Development, London , Ontario

We are in receipt of the City of London response (Revised October 30, 2020) to our noise impact assessment for 537 Crestwood Drive, dated August 28, 2020.

The following excerpts regarding our study were contained in the City's response memo:

The question of potential noise impacts from activity related to pit rehabilitation, which is to be completed by the licensed pit operator, remains unresolved. Further information from the Ministry of the Environment, Conservation and Parks (MECP) regarding the applicability of the D-6 guidelines to pit rehabilitation activities adjacent to sensitive land uses is required as part of a complete application. If rehabilitation is subject to the D-6 Guidelines, then a revised report is required addressing future rehabilitation activities. A rehabilitation plan from 2006 is on file as part of the license with the Ministry of Natural Resources and Forestry; City staff are anticipating revisions to the rehabilitation plan in conjunction with the Byron Gravel Pits Secondary Plan process.

Written confirmation from the Ministry of the Environment, Conservation and Parks (MECP) that pit rehabilitation would not be subject to the D-series Guidelines; if such confirmation is not available, then a revised noise assessment to address pit rehabilitation activities will be required.

The applicability of D6 guidelines in this case is not clear but should not apply. The D6 guidelines apply when residential development encroaches on an aggregate operation. The guideline may be waived when supportive studies have been completed to demonstrate compliance with noise and air quality guidelines. This has been done at numerous locations around the Byron Pit. The subject property has also been examined for impacts in terms of any likely aggregate operation at the site and compliance with guidelines has been reasonably demonstrated.

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The issue arises that there may be impacts as a result of rehabilitation activities at the site. These activities would not reasonably fall under D6 guidelines based on our understanding.

- i) The rehabilitation activities are normally classified as construction and are usually not scrutinized by the Ministry beyond normal municipal restrictions for best practices management plans for noise and dust.
- ii) The end use for the Bryon pit is recreational/residential. The construction process is temporary and will impact on hundreds of existing dwellings inside of the D6 setback limit. These residents would presumably be subject to the same concerns. However, the end improvement will offset any temporary inconvenience related to construction.
- iii) The D6 guideline applies when residential development encroaches on aggregate activities. They do not apply when aggregate operations encroach on residential development. The pit licence will still be in effect when the rehabilitation plan is implemented but it is certain that the impact assessment done for the pit did not include the assessment for the rehabilitation. We would opine that the onus for demonstrating no adverse impacts during rehabilitations should fall to the pit operators.

We hope that the contents of this document meet your present requirements. Please do not hesitate to contact us if we can be of further service.

Kind regards,

A handwritten signature in black ink, appearing to read 'John DeYoe', written in a cursive style.

John DeYoe, B.A., d.E.T.
Senior Consultant / Air Quality Specialist
Principal

JD