

Central Municipal Service Office
Ministry of Municipal Affairs and Housing
College Park, 16th Floor, 777 Bay Street
Toronto, Ontario, M7A 2J3

February 3, 2025

Attn: Heather Watt, Manager, Community Planning & Development (West)

RE: Comments to ERO No. 019-9388
Ministry Reference Number: 21-OP-240716
Town of Caledon Amendment No. 1 Adopted October 2024
Mineral Aggregate Policies and Mapping for Caledon Official Plan
CBM Aggregates, a division of St Marys Cement Inc. (Canada)
Town of Caledon, Region of Peel

CBM Aggregates (CBM), a division of St. Marys Cement Inc. (Canada), is pleased to submit comments on the Town of Caledon's Adopted Amendment No. 1 (Mineral Aggregate Policies and Mapping) through ERO No. 019-9388 (Ministry Reference No. 21-OP-240716).

CBM previously submitted comments to the Town of Caledon in connection with the (then draft) Amendment No. 1 on September 20, 2024 (letter attached for reference).

As background, CBM submitted applications for Official Plan Amendment and Zoning By-Law Amendment (POPA 2022-0006 & RZ 2022-0010) to the Town of Caledon in December 2022 to establish a new Class A, Pit/Quarry Below Water on lands generally located at the northwest, northeast and southwest intersection of Regional Road 24 (Charleston Sideroad) and Regional Road 136 (Main Street).

These applications were deemed complete by the Town of Caledon in February 2023. Given the length of time CBM spent assembling the lands (19 years from 2003 to 2022) and studying the lands (8 years from 2014 to 2022) to submit complete applications in December 2022, and the 2 years which have passed whereby the applications have been reviewed and processed as complete applications, among CBM's comments below there is a request that **CBM have the benefit of a transition clause exempting the CBM lands from this Official Plan Amendment.** CBM assembled and studied that lands and made these applications under the existing policy framework which has been in force since long before the applications were made and, since the applications were deemed complete under the existing policy framework (in February 2023), the existing

policy framework should continue to be in force throughout the processing of these applications.

It is noted that Caledon's Official Plan Amendment No. 1 presents new standards and regulations for aggregate operations and reveals a significant conflict between municipal and provincial authority in the management of aggregate resources. The Amendment attempts to override or substantially alter jurisdiction over the management of aggregate resources and CBM is of the opinion that this is inappropriate and goes well beyond the Town's regulatory authority.

Also attached to this letter is a red-lined track change version of OPA No. 1 prepared and submitted under separate cover by OSSGA (Ontario Stone, Sand & Gravel Association) on behalf of the aggregate industry (January 2025). CBM fully supports the comments within the OSSGA letter (January 20, 2025) as well as the suggested red-line track changes to OPA No. 1 which is attached to the OSSGA letter, and which is also attached to this letter. In addition to those suggested revisions to OPA No. 1 outlined in the attached, CBM has the following comments:

OPA MAPPING:

Schedule E12 – High Potential Mineral Aggregate Resource Areas

The adopted Schedule E12 (Caledon High Potential Mineral Aggregate Resource Areas) identifies bedrock resources and sand and gravel resources in Schedule E12 yet does not specify 'Resource Areas' versus 'Reserve Areas'. It is noted that the Town is taking a departure from the current in effect Caledon Official Plan which, in addition to mapping bedrock resources and sand and gravel resources separately in the Official Plan (Schedule L CHPMARA), prioritizes those resources as 'Resource Areas' (highest priority) and 'Reserve Areas' (priority requiring additional review). The current in effect mapping (and policy) approach was approved after the extensive and comprehensive Caledon Community Resources Study (CCRS) and this distinction in mapping was integral in CBM's decision to acquire the site that is the proposed CBM Caledon Pit / Quarry. Further, there has been no planning rationale to remove this specificity in the HPMARA Schedule.

As well, we have completed an overlay of the CBM Caledon lands on the adopted Schedule E12 to this Amendment and note there is a proposed modification of the limit of the Caledon High Potential Mineral Aggregate Resource Areas on the CBM lands, where the limit has been scaled back to remove approximately 44 acres from what is currently mapped as CHPMARA on Schedule L (CHPMARA Prioritization Plan) in Caledon's current in effect Official Plan. We understand that this mapping refinement has its basis in the updated 2020 ARIP Mapping which has criteria related to the number of metres of overburden.

CBM has confirmed the presence of high-quality bedrock resource and high-quality sand and gravel resource on the entirety of the CBM lands through detailed drilling and site investigations conducted by CBM between the years 2014 and 2022 in connection with CBM's Official Plan and Zoning By-Law Amendment applications (POPA 2022-0006 & RZ 2022-0010). This includes the 49 acre portion of the CBM lands that are proposed to be removed from High Potential Mineral Aggregate Resource Area through this Amendment.

In fact, where the updated 2020 ARIP mapping has identified an overburden depth of more than 8 metres (which was the criteria used by the Town to remove approximately 44 acres from High Potential Mineral Aggregate Resource Area mapping on Adopted Schedule E12), CBM's consulting team at WSP has confirmed that the high-quality bedrock resource exists in this location. Furthermore, WSP has concluded that of that 8 metres of 'overburden' identified by the Province, there is actually up to 4 metres depth of sand and gravel, which is also proposed to be extracted by CBM through their site specific OPA/ZBA applications.

Accordingly, given the confirmation of the presence of both high-quality bedrock resource and high-quality sand and gravel resource on the entirety of the CBM lands confirmed through detailed drilling and site investigations, the entirety of the CBM Caledon lands should be mapped as High Potential Mineral Aggregate Resource Area on Schedule E12 to this Amendment, to ensure the protection and availability of the known resource pursuant to provincial policy.

OPA POLICIES:

In general, we are of the opinion that the Town's Amendment No. 1 policies attempt to override or substantially alter Provincial jurisdiction over the management of aggregate resources and they seek to establish new standards and guidelines that conflict with Provincial requirements which makes Amendment No. 1 inappropriate and beyond the Town's regulatory authority. OPA No. 1 also introduces new policies that are inconsistent with the 2024 PPS and provincial plans including the Greenbelt Plan. The attached red-lined track change version of OPA No. 1 submitted by OSSGA provides suggested revisions to OPA No. 1 in this regard. CBM supports these suggested revisions.

We also note that Provincial and current Town in effect Official Plan policies are very robust for aggregates currently. In fact, Caledon's current policy framework for aggregate resources resulted from a very comprehensive, thorough and extensive process referred to as the Caledon Community Resources Study (CCRS) and resulted in OPA 161. The process began in 1996 and OPA 161 was ultimately approved in 2003. Although those policies are 20 years old, they continue to represent a comprehensive and forceful set of policies which should be maintained.

CBM relied on the mapping and policies approved through OPA 161 to assemble and acquire the lands which are now subject to the CBM applications. In fact, as noted above, CBM spent 19 years assembling the lands and 8 years conducting field work to confirm the resource's presence and quality and to conduct technical feasibility studies to support an application for establishing an aggregate operation.

Accordingly, it is requested that a transition clause be inserted into this Official Plan Amendment which would have the effect of exempting the CBM lands from the Official Plan Amendment and allowing CBM to continue the planning process under the policy framework that existed when we were preparing the applications, when we submitted the applications, when the applications were deemed complete and which we have been processed under for over two years.

Other Future Caledon Official Plan Comments

CBM wishes to take this opportunity to reiterate comments it provided to the Town, Region and the Province relating to the Town's Future Caledon Official Plan. While we acknowledge that the Future Caledon Official Plan is the subject of a separate ERO posting, since OPA 1 is an amendment to the Future Caledon Official Plan we felt it appropriate to raise the issue once again.

Schedule B4 (which was originally adopted by the Town of Caledon in March 2024 through the Town's adoption of Future Caledon) continues to incorrectly map areas within the CBM Caledon lands as '*Natural Features and Areas*', when these areas are more appropriately mapped '*Supporting Features and Areas*'. Specifically, it is noted in Future Caledon that '*Natural Features and Areas*' on Schedule B4 are intended to correspond to the Region's '*Core Areas of the Greenlands*' as mapped in the Region's Official Plan, and that the Town's '*Supportive Features and Areas*' are intended to correspond with the Region's '*Natural Areas and Corridors (NAC)*' and '*Potential Natural Areas and Corridors (PNAC)*' as mapped in the Region's Official Plan. Acknowledging this, and reviewing against the Region's approved Official Plan (November 2022), it is clear that the Town's adopted Schedule B4 incorrectly maps areas within the CBM lands as '*Natural Features and Areas*', when these should more accurately be mapped '*Supporting Features and Areas*'.

CBM previously provided these comments to the Town, Region and, most recently, the Province in connection with the Province's review and eventual modification/approval of Future Caledon Official Plan (under ERO No. 019-8982) (July 3, 2024 letter to Province with Schedule excerpt attached for reference).



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We would be happy to meet to discuss CBM's concerns if that would be helpful.

Regards,

A handwritten signature in black ink, appearing to read "David Hanratty".

David Hanratty, P.Geo.
Director of Land, Resource & Environment
North America

Cc: Karen Bennett, Glen Schnarr & Associates Inc.
Brian Zeman, MHBC Planning
Kim Mullin, Wood Bull

Attachment 1:

Copy of CBM Sept 20, 2024 letter to Caledon regarding Draft Amendment No. 1

September 20, 2024

Strategic Policy Planning
Planning Department
Town of Caledon
6311 Old Church Road
Caledon, ON
L7C 1J6

**Attention: Mr. Joe Nethery, Strategic Policy Planning
Mr. Steve Burke, Manager, Strategic Policy Planning**

**RE: Draft Town of Caledon Aggregate Policies and
Draft Aggregate Zoning By-Law Amendment
Formal Comments to August 23, 2024 Released Drafts
CBM Aggregates, a division of St Marys Cement Inc. (Canada)
Town of Caledon, Region of Peel**

CBM Aggregates (CBM), a division of St. Marys Cement Inc. (Canada), is pleased to submit comments on the Town of Caledon's draft Aggregate Policies and draft Zoning By-Law for Council's consideration.

As background, CBM submitted applications for Official Plan Amendment and Zoning By-Law Amendment (POPA 2022-0006 & RZ 2022-0010) to the Town of Caledon in December 2022 to establish a new Class A, Pit/Quarry Below Water on lands generally located at the northwest, northeast and southwest intersection of Regional Road 24 (Charleston Sideroad) and Regional Road 136 (Main Street). Given the length of time CBM has spent assembling the lands and studying the lands to make these complete applications in 2022, and the almost 2 years which have passed whereby the applications have been reviewed and processed, among CBM's comments below there is a request that CBM have the benefit of a transition clause exempting the CBM lands from this Official Plan Amendment. CBM made these applications under the existing policy framework which has been in force since long before the applications were made and once they were deemed complete and they should continue to be in force throughout the processing of these applications.

Executive Summary

Caledon's proposed Official Plan Amendment and Zoning By-Law Amendment which present new standards and regulations for aggregate operations reveal a significant conflict between municipal and provincial authority in the management of aggregate resources. These issues are discussed in more detail in this comment letter and include:

1. Town's Attempt to Override Provincial Authority

- The Town is attempting to introduce new standards and regulations that affect the management of aggregate resources.
- This involves requiring existing Aggregate Resources Act (ARA) licences to conform to the Town's new Official Plan, despite these licences being issued under provincial jurisdiction.
- The Town also wants to enforce compliance with these new rules, which overlaps with the province's regulatory authority.

2. Air, Noise, and Blasting Standards

- The Town is challenging provincial standards by introducing more stringent tests and assessments for air, noise, and blasting impacts. This represents a clear attempt to exceed provincial authority in environmental regulation.

3. Water Discharge Standards

- The Town is seeking to develop its own water quality standards for discharge water, even though discharge of water off-site is an accepted provincial practice (under the Ministry of the Environment, Conservation and Parks - MECP).
- The prohibition of off-site discharge contradicts provincial standards.

4. Introduction of the Town's Aggregate Manual

- The Town is requiring applicants to comply with a new Caledon Aggregate Manual, which has not yet been released, making it difficult for operators to assess compliance. This introduces uncertainty and potential unfairness into the regulatory process.

5. More Restrictive Local Policies

- The Town's policy states that more restrictive policies in the Caledon Official Plan will prevail over Provincial Policy, effectively bypassing the province's authority.
- This creates a challenge, as municipal official plans are supposed to conform with provincial plans and policies, not surpass them in restrictiveness.

6. Prohibition of Aggregate Operations in Natural Heritage Areas

- The Town has imposed more stringent restrictions on aggregate operations in areas such as small woodlands (as small as 0.5 ha), linkage areas, and enhancement areas, even if they are not provincially significant.

- This approach creates additional barriers for siting new aggregate operations and contradicts provincial policies and guidelines, which focus on significant natural heritage features.

7. Haul Routes and Trucking

- The Town's initial Draft Schedule C1 (Town-wide Transportation Network) failed to recognize all existing aggregate haul routes and had excluded some of the truck routes included in the Region of Peel Official Plan, further complicating operations and transportation logistics for aggregate businesses.
- We note a revised draft Schedule C1 was posted on the Town's web site on Sept 3, 2024 to add additional haul routes. However, we continue to note that this revised Schedule C1 still does not show all existing Primary Truck Routes pursuant to the Regional Official Plan (Figure 16: Strategic Goods Movement Network).

8. Provincial Goal of Resource Availability

- The Town has removed a key provincial policy from its Official Plan, which emphasizes making as much aggregate as possible available. This indicates a broader divergence from provincial objectives that focus on ensuring resource availability.

Draft Official Plan Amendment

We have had the opportunity to review the draft policies and associated mapping (released on August 23, 2024) to this proposed amendment and we monitored the staff presentation and all of the delegations at the formal Public meeting of September 17, 2024 and we have the following comments:

DRAFT MAPPING:

Draft Schedule B4 (Land Use Designations):

In our review of the Draft versions and the Adopted Future Caledon Official Plan earlier this year, we noted in several comment submissions to the Town (and later, to the Region and to the Province) that because the Official Plan indicates in Section 13.3.1 that the “*Natural Features and Areas corresponds to the Core Areas of the Greenlands System as identified and protected in the Region of Peel Official Plan*”, there were areas within the CBM Caledon lands that were incorrectly mapped as ‘Natural Features and Areas’. Further, Caledon’s Adopted Official Plan Sec 13.4.1 notes that “*The Supporting Features and Areas overlay designation in this Plan corresponds to the Natural Areas and Corridors and Potential Natural Areas and Corridors of the Greenlands System as identified and protected in the Region of Peel Official Plan.*” We have attached an overlay of Schedule B4 from the Draft OPA with CBM lands identified, for your ease of reference.

We have studied these lands and mapped overlays of the Region of Peel's Core Areas of the Greenlands System and the Region's of Peel's NAC and PNAC areas on the CBM Caledon lands in conjunction with our related Official Plan and Zoning By-Law applications (POPA 2022-0006 & RZ 2022-0010).

We have compared the Region of Peel's 'Core Areas of the Greenlands System' (ROP Schedule C-2) and 'Natural Areas and Corridors' and 'Potential Natural Areas and Corridors' (ROP 'Regional Greenlands System' Figure 7) with Caledon's adopted Schedules (and the Draft Schedule B4 included in the draft Amendment of August 2024), and also with our own understanding and ecological mapping of the features on site. We can confirm that those areas mapped on the CBM lands by Caledon in the Adopted Official Plan and on Draft Schedule B4 in this Draft Amendment as being '*Natural Features and Areas*' are more appropriately mapped as '*Surrounding Features and Areas*' since they are coincident with 'Natural Areas and Corridors' and 'Potential Natural Areas and Corridors' per ROP 'Regional Greenlands System' Figure 7, and not Peel's 'Core Areas of the Greenlands System' per ROP Schedule C-2.

We respectfully request this mapping on Draft Schedule B4 to this Draft Amendment be corrected to correctly show only '*Surrounding Features and Areas*' where appropriate, to ensure the mapping in the Official Plan is consistent with the text description of the mapping in the Official Plan.

Draft Schedule C1 – Town-Wide Transportation Network

Draft Schedule C1 is proposed to be amended by designating identified roads as Mineral Aggregate Haul Routes. It is noted that this Draft Schedule (even as recently amended on Sept 3, 2024) does not identify all existing aggregate haul routes and it does not include all of the truck routes identified in the Region of Peel Official Plan. If the Town wishes to proceed with a Schedule identifying the haul routes within the Town of Caledon, the Schedule should be complete (identify all haul routes) and should conform to the Region of Peel Official Plan schedules identifying truck routes.

Draft Schedule E12 – High Potential Mineral Aggregate Resource Areas

It is noted that the Town is taking a departure from the current Caledon Official Plan which, in addition to mapping bedrock resources and sand and gravel resources separately in the Official Plan (Schedule L), prioritizes those resources as 'Resource Areas' (highest priority) and 'Reserve Areas' (priority requiring additional review). The current mapping (and policy) approach was approved after the extensive and comprehensive Caledon Community Resources Study (CCRS) and it is suggested that this approach has been helpful and informative to the community and to the industry in understanding the significance of the resources and in ensuring their availability and accessibility pursuant to Provincial policy. The proposed draft approach seeking to identify bedrock resources and sand and gravel resources in the draft Schedule E12 as 'High Potential Mineral Aggregate Resource Area' (without specifying 'Resource Areas' versus 'Reserve Areas') is less helpful and less informative to the community and to the industry. This is a step backwards from a very innovative approach that was approved in 2003 through OPA 161 through the CCRS.

We have completed an overlay of the CBM Caledon lands on the draft Schedule E12 to this Amendment and note there is a proposed modification of the limit of the Caledon High Potential Mineral Aggregate Resource Areas on the CBM lands, where the limit has been scaled back to remove approximately 49 acres from what is currently mapped as CHPMARA on Schedule L (CHPMARA Prioritization Plan) in Caledon's current Official Plan. We understand that this mapping refinement has its basis in the updated 2020 ARIP Mapping which has criteria related to the number of metres of overburden.

CBM has confirmed the presence of high-quality bedrock resource and high-quality sand and gravel resource on the entirety of the CBM lands through detailed drilling and site investigations conducted by CBM between the years 2014 and 2022 in connection with CBM's Official Plan and Zoning By-Law Amendment applications (POPA 2022-0006 & RZ 2022-0010). This includes the 49 acre portion of the CBM lands that are proposed to be removed from High Potential Mineral Aggregate Resource Area through this Amendment.

In fact, where the updated 2020 ARIP mapping has identified an overburden depth of more than 8 metres (which was the criteria used by the Province and Town to remove approximately 49 acres from High Potential Mineral Aggregate Resource Area mapping on Draft Schedule E12), CBM's consulting team at WSP has confirmed that the high-quality bedrock resource exists in this location. Furthermore, WSP has concluded that of that 8 metres of 'overburden' identified by the Province, there is actually up to 4 metres depth of sand and gravel, which is also proposed to be extracted by CBM through their site specific OPA/ZBA applications.

Accordingly, given the confirmation of the presence of both high-quality bedrock resource and high-quality sand and gravel resource on the entirety of the CBM lands confirmed through detailed drilling and site investigations, the entirety of the CBM Caledon lands should be mapped as High Potential Mineral Aggregate Resource Area on Schedule E12 to this Amendment, to ensure the protection and availability of the known resource pursuant to provincial policy.

DRAFT POLICIES:

General:

In general, we found these draft policies are indicating that Caledon is attempting to advance an aggregate policy framework that seeks to be more restrictive than certain Provincial policies and plans, seeks to reestablish more restrictive standards than what is contained in current Provincial standards, and seeks to override or substantially alter Provincial jurisdiction over the management of aggregate resources.

We note that Provincial and current Town Official Plan policies are very robust for aggregates currently. In fact, Caledon's current policy framework for aggregate resources resulted from a very comprehensive, thorough and extensive process referred to as the Caledon Community Resources Study (CCRS) and resulted in OPA 161. The process began in 1996 and OPA 161 was

ultimately approved in 2003. Although those policies are 20 years old, they continue to represent a comprehensive and forceful set of policies which should be maintained.

CBM relied on the mapping and policies approved through OPA 161 to assemble and acquire the lands which are now subject to the CBM applications. In fact, CBM spent 19 years assembling the lands (from 2003 to 2022) and spent 8 years (between 2014-2022) conducting field work to confirm the resource's presence, quality and to conduct technical feasibility studies to support an application for establishing an aggregate operation. **It is requested that a transition clause be inserted into this Official Plan Amendment which would have the effect of exempting the CBM lands from the Official Plan Amendment and allowing CBM to continue the planning process under the policy framework that existed when we were preparing the applications, when we submitted the applications, when the applications were deemed complete and which we have been processed under.**

As well, it is concerning that these draft policies do not include the Provincial policy directive to make available as much aggregate as possible, close to market. This is a critical Provincial policy which must be included in these draft policies. Without available, close to market aggregate resources, there will be significant challenges in reaching the housing and growth targets planned for Ontario including those in Caledon and Peel Region. The alternative of sourcing aggregate resources far from market is not financially or environmentally sustainable and will hinder abilities to meet growth and housing targets.

There also appears to be the introduction of new restrictions on new aggregate-related uses embedded in these draft policies, which is concerning.

As well, the timeline associated with the release of these draft policies (August 23, 2024) and the timing for the Public Meeting (September 17, 2024) and subsequent anticipated adoption of these policies shortly thereafter (October 7th, 2024) cause us concern. If the Town is serious in seeking productive and useful comments, we would suggest that providing additional time for the community and the industry to thoroughly review the draft policies and have discussions and meetings with Town staff to review concepts and concerns together is warranted.

Below is a summary of some of our more focussed comments. As we continue to digest these draft policies and as this document evolves, we will continue to provide our feedback on proposed revisions.

Details of the Amendment:

This section of the draft Official Plan Amendment sets out some proposed policy amendments related to mineral aggregate resources to sections of the Future Caledon Official Plan that were adopted in March 2024.

There is a new draft subsection 22.2.2 (j) which sets out new study requirements specifically for mineral aggregate applications. Some of these studies are new and no terms of reference for them are provided. Additional details on the terms of reference for these new studies is required to be understood before these studies should be identified as being ‘required’ for new applications.

As well, a new subsection is proposed for Section 32.1.23 in Future Caledon, which relates to establishing the Coulterville Special Study Area and policies related to it. The draft Special Study policies appear to be very similar to the existing Coulterville Special Study Area policies contained in the current Caledon Official Plan and are geared towards seeking a better understanding of the issue of appropriate after use of lands currently being used for aggregate extraction and to develop additional detailed guidelines for rehabilitation and after-uses through the policy framework provided by the Town of Caledon Official Plan. The draft policies indicate that the study will help ensure that after uses will be complimentary to the natural environmental features and cultural heritage features within the Study Area and will respect both continuing aggregate extraction, as well as the identification of Caledon High Potential Mineral Aggregate Resource Areas. It should be made clear that the priority objective of this Special Study Area is the protection of existing mineral aggregate operations and ensuring that any new uses will not preclude the establishment of new operations or access to the resource, or the expansion or continued use of existing mineral aggregate operations.

In this regard, this is a similar study objective that was accomplished through the RMP completed in March 2021. In fact, approximately 54% of this proposed new Special Study Area is actually included in the Town’s *Rehabilitation Master Plan: Belfountain and Caledon Sand and Gravel Resource Areas (March 2021)*. In essence, this area has already undergone this type of study by the Town.

Section 20.1 (Objectives) and 20.2.3 (Additional Policies)

Section 20.1 sets out planning objectives for mineral aggregates and this includes (d) to apply contemporary standards across all operations, including bringing legacy sites into better compliance at any opportunity and facilitating the continuous improvement of the environmental and operational performance of mineral aggregate extraction. In this regard, Section 20.2.3 requires that the establishment of new licenced mineral aggregate extraction operations, additional aggregate-related uses, changes in category of aggregate licence issued under the Aggregate Resources Act, or extensions to existing licenced areas will require an amendment to this Plan and an amendment to the Zoning By-law. The Town’s proposed policies to require a Planning Act application whenever there is a review or update to an existing aggregate licence is a strategic way for the Town to require an existing operation to comply with any Town updated standards. This is inconsistent with how amendments and changes to existing licences are managed currently and introduces more time delays to the process and represents a more onerous and tedious approach to implementing a change to an existing licence.

Section 20.3 (Long Term Protection of Mineral Aggregate Resources)

This draft policy section is inconsistent with Provincial policy which requires that mineral aggregate resources shall be protected for long-term use, that deposits of mineral aggregate resources shall be identified and that as much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. The new language proposed in this section suggests that the Town is not accepting that Provincial policy requires the Town to make available as much aggregate as possible as this requirement has not been included in language contained in the draft mineral aggregate policies.

This section also introduces a draft policy directive related to establishing an area of influence consisting of 1,000 metres around the extraction limit of existing or proposed licenced operations, and that sensitive receptors within the area of influence shall be identified in the technical studies supporting an application to inform addressing impacts, and may be part of the natural, agricultural or built environment. Provincial standards and guidelines for air, noise and other impacts already establish applicable areas of influence. The introduction of a default 1,000 m area of influence into the Official Plan for any technical study appears to be a strategic way of introducing separation distances by the Town.

The introduction of an area of influence of 1,000 metres within which all technical studies must assess for sensitive receptors is onerous and more restrictive than what is currently required pursuant to current Provincial policy and standards and exceeds the separation distances set up in the ARA for certain assessments.

Section 20.5.1 (ARA Site Plans and Notes)

This draft policy requires that the Town's conditions of approval and operation for extraction operations are to be included on the site plan in order to release any objection to a proposal for new mineral aggregate extraction. Site Plans are the operative tool for the MNR in issuing a licence and it is inappropriate for the Town to require their own conditions and notes on the ARA Site Plan. This is suggestive of the Town attempting to override or substantially alter Provincial jurisdiction over the management of aggregate resources and this is not appropriate for aggregate resource management.

Section 20.5.2 (Complete Applications and Application Processing)

Draft policies in this section suggest that the Town is seeking to play a larger role in the ARA process and is attempting to override or substantially alter Provincial jurisdiction over the management of aggregate resources.

Specifically, the draft policies in this section require that proponents of new operations shall have regard to the Caledon Aggregate Standards Manual. This is an indication that there will be a manual prepared by the Town which will have the purpose of defining new standards and criteria to be met which will likely be beyond (exceeding) Provincial criteria. It is concerning that the draft policies are seeking to require proponents to have regard for a manual to assess a new

operation and the Town has not prepared or released the document. It is essentially asking people to agree to rules they have not had the chance to review or comment on.

This section also contains draft policy requiring existing ARA licences to be brought into conformity with the Town's new Official Plan and to apply contemporary standards to all aggregate operations. Essentially, the Town is seeking to regulate compliance / enforcement for existing ARA licenses through their Official Plan. This is not something that is under the jurisdiction of the Town and is an inappropriate Official Plan policy directive.

This section also contains draft policy that requires that where there is a conflict between policies in the Town's Official Plan with respect to mineral aggregate extraction, the policy that provides the greatest protection to human health and the natural environment shall prevail. Through this draft policy, the Town is requiring that the more restrictive policies of the Caledon Official Plan will prevail. It is not clear if this 'more restrictive' test is intended to apply only to policies within the various sections of the Caledon Official Plan or if it is intended to apply to Town aggregate policies when compared to other Provincial Plan policies. Either way, this policy has the effect of making mineral aggregate resources less available and Town policies more restrictive and inconsistent with Provincial policy.

Section 20.5.3 (Environmental Protection within the Greenbelt Plan Area)

Under Details of the Amendment, it is noted that the draft amendment seeks to delete and replace Section 13.5.1(f) of Future Caledon (Greenbelt Plan and Growth Plan Natural Heritage Systems and Key Hydrologic Features) with the following:

"f) Mineral aggregate operations and wayside pits and quarries subject to Provincial policy (including, but not limited to Section 4.3.2.10 of the Greenbelt Plan) and Chapter 20 of this Plan."

Section 4.3.2.10 of the Greenbelt Plan requires that "*Where a municipality has undertaken a comprehensive aggregate resource management study and implemented the results into its official plan prior to December 16, 2004, such policies shall be deemed to conform with this Plan.*" The CCRS and related/resultant OPA 161 and current Town of Caledon aggregate policies in the Official Plan represent the results of a comprehensive municipal aggregate resource management study which satisfy this Greenbelt Plan policy. In fact, it is acknowledged in the Town's Supplementary Aggregate Policy Study: Policy Options Report (July 19, 2024) that "*it may be that Caledon is the only municipality subject to the Greenbelt Plan where this policy applies. The 1999 Caledon Community Resource Study that resulted in OPA 161 and the Town's current mineral aggregate policies is a comprehensive aggregate resource management study—correspondence from the Province of Ontario dated December 23, 2021, confirms this interpretation.*"

Importantly, this provision of the Greenbelt Plan does not permit the Town to be selective of which policies from OPA 161 they would like to have continue to apply and does not permit the Town to 'tighten' up any policies from OPA 161 to be more restrictive, as it relates to Greenbelt Plan conformity. It is therefore not appropriate for Caledon to continue to rely on this section of the

Greenbelt Plan to finesse and make more restrictive their aggregate policies for lands within the Greenbelt Plan through this Official Plan update. Any new policy framework needs to conform to the Greenbelt Plan and cannot contain policies that are more restrictive.

As currently drafted, Caledon's draft aggregate policies in this section which relate to environmental protection within the Greenbelt Plan represent the results of a new review which is more restrictive than OPA 161. In particular, each policy is now phrased in prohibitive language, as opposed to permissive language, and there are prohibitions for aggregate operations in local and non-significant natural heritage features (i.e. woodlands as small as 0.5 ha, evaluated non-provincially significant wetlands and unevaluated wetlands, groundwater recharge and discharge areas, Natural Areas and Features and Supporting Areas and Features, etc.). The Town's Official Plan policies must be consistent with and conform to the Provincial plans and not introduce additional restrictions. Since these draft policies represent a new review, they are no longer deemed to comply with the Greenbelt Plan.

Section 20.5.5 (Environmental Protection within the ORMCP Area)

For a mineral aggregate operation located within the ORMCP, the Caledon Official Plan should make clear reference to the ORMCP to ensure conformity and should not repeat the ORMCP policies in the Caledon Official Plan.

Section 20.5.6 (Environmental Protection Elsewhere in Town)

Current natural heritage policy directives contained in Provincial plans today are robust and each of the three Provincial Plans (Niagara Escarpment Plan, Oak Ridges Moraine Conservation Plan and Greenbelt Plan) apply within the limits of Caledon. The draft policies in this section are more restrictive than current existing policies in the Town's Official Plan which will essentially make less of the resource available, which will be inconsistent with Provincial policy.

The Town's draft policies seek to prohibit aggregate operations in local and non-significant natural heritage features (e.g. woodlands as small as 0.5 ha, unevaluated wetlands, etc.), in linkages, and in enhancement areas. The Town Official Plan must be consistent with PPS and must conform to the Provincial plans and should not introduce additional restrictions that ensure that making available and providing access to the resource more difficult.

Section 20.5.7 (Water Resources)

In this section the Town is seeking to develop their own water quality standards for discharging water that are more restrictive than provincial standards and they are encouraging that aggregate operations are not permitted to discharge water off-site. Discharging water off-site is a common and accepted practice by MECP and accordingly, this draft policy does not conform to Provincial accepted standards. As well, this amendment should be more aligned with Section 4.2.2 of the 2024 PPS which requires that *"development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and*

their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.”

Section 20.5.8 (Monitoring and Adaptive Management)

In this section the Town is proposing a draft policy requiring adaptive management plans to be considered as part of a comprehensive operational monitoring plan; however the policy is written with language that includes taking action and measures including ‘*stopping the active operation*’ in situations where unapproved adverse effects need to be eliminated. Every application and adaptive management plan should be evaluated individually in terms of what action(s) should be taken if an adverse effect is present. A policy directive requiring an operation to be stopped is not appropriate policy directive language and is inconsistent with Provincial policy which requires that the resource be made available and accessible. It is suggested that different language be crafted to require that any unanticipated adverse effects must be avoided or mitigated and not that the active operation shall be stopped.

Section 20.5.9 (Operational Design, Air Quality and Land Use Compatibility)

Draft policies contained in this section seek to assess noise, vibration, odour, dust and air pollutants based on standards other than Provincial standards which have been established by Provincial legislation, regulations and guidelines. This suggests that the Town is of the opinion Provincial standards are insufficient and accordingly, the Town is seeking to introduce their own tests that are more restrictive.

Further, the draft policies are requiring air quality monitoring as part of approving new mineral aggregate extraction and are requiring that World Health Organization (WHO) standards for PM_{2.5} and PM₁₀ shall apply. It is our understanding that the WHO recommended levels for PM_{2.5} and PM₁₀ are more restrictive than the Canadian limit. It is not clear how the Town can implement WHO standards that are not even standards applicable within Canada.

Section 20.5.10 (Blasting)

This is a new section being introduced into Caledon’s Official Plan. These draft policies are seeking to establish and redefine the requirement for blasting studies and flyrock studies. The draft policies seek that adverse effects shall be “*minimized and mitigated to levels better than Provincial and Federal standards.*” These draft policies and study requirements are more restrictive and onerous than Provincial and Federal standards, and are more restrictive and onerous than the blasting impact study requirements currently prescribed through the Aggregate Resources Act. In introducing these draft policies, the Town is attempting to override or substantially alter Provincial (and Federal) jurisdiction over the management of aggregate resources as it relates to blasting for aggregate extraction.

Section 20.5.11 (Transportation)

As noted above, the Town's initial Draft Schedule C1 (Town-wide Transportation Network) failed to recognize all existing aggregate haul routes and had excluded some of the truck routes included in the Region of Peel Official Plan, further complicating operations and transportation logistics for aggregate businesses. We note a revised draft Schedule C1 was posted on the Town's web site on Sept 3, 2024 to add additional approved mineral aggregate haul routes on Charleston Sideroad from Highway 10 to Regional Road 7, King Street from Highway 10 to Regional Road 50, and Mayfield Road from Coleraine Drive to Regional Road 50. However, we continue to note that this revised Schedule C1 still does not show all existing Primary Truck Routes pursuant to the Regional Official Plan (Figure 16: Strategic Goods Movement Network). It is recommended that if this type of information is provided on a new Schedule in the Official Plan, it should be accurate and complete.

Draft policies under this section set out the requirement for a new 'Road Improvement Study' where any road improvements are proposed for a new aggregate proposal. The study requirements are onerous and detailed and may not be appropriate for every road improvement proposed.

Section 20.5.12 (Rehabilitation)

This section presents some draft policies that represent a slight departure from the current Caledon Official Plan policies related to rehabilitation. The current Caledon Official Plan rehabilitation policies require that "*the Town of Caledon will work jointly and co-operatively with the aggregate industry, the Ministry of Natural Resources and Forestry, the Region of Peel, the Niagara Escarpment Commission where applicable, the Conservation Authorities, and the community to prepare Rehabilitation Master Plans for the ten aggregate resources areas*" (Sec. 5.11.2.8.2) and requires that "*where Rehabilitation Master Plans have been endorsed by Council, all subsequent applications for new or expanded extractive operations shall be required to prepare detailed site rehabilitation plans that meet the intent of the Rehabilitation Master Plan for the area unless, in the circumstances, it is demonstrated to be inappropriate, and the requirements of the Aggregate Resources Act.*" (Sec. 5.11.2.8.3). This policy has been in the current Official Plan since OPA 161 was approved in 2003.

The draft policies are requiring the Town will prepare one Town-wide Rehabilitation Master Plan (RMP) for endorsement by Town Council, with a similar requirement that once the Town-wide RMP is endorsed, all subsequent applications for new or expanded extractive operations shall be required to prepare detailed site rehabilitation plans that meet the intent of the RMP for the Town.

The preparation of one Town-wide RMP is a departure from current policies in the Official Plan which currently requires different RMP's for different aggregate resources areas. It is suggested that this Town-wide RMP may not be the most efficient way for the Town to proceed. To date, under the current policy regime, the Town has commenced and prepared only one Rehabilitation Master Plan (RMP) and it relates to portions of two (Areas 5a and 6a) of the ten aggregate resources areas that they are currently required to prepare RMPs for. The Town began this RMP process in

2016 and developed a terms of reference in 2017. The RMP for these first areas was completed in March 2021 and was endorsed by Council in March 2022.

This is a complex study requiring time, extensive engagement, cooperation (including funding participation) and commitment involving the community and the industry. By turning this requirement into a much larger scale RMP (i.e. Town-wide), we caution that this may result in the Town not having any rehabilitation master plan(s) for quite a long time. Perhaps the Town should continue to pursue multiple, smaller scale RMP's in this context, in the interest of time, level of detail and coordination.

Further, it is important to note that any Rehabilitation Master Plan prepared by the Town (whether it is Town-wide or individual) will not have the effect of changing any existing approved rehabilitation plan(s) and will not change the fact that any new rehabilitation master plans for new licences will need to conform to all requirements set out in Provincial Plans, which already contain prescriptive requirements for rehabilitation.

This section also presents draft policy directives that seek to involve the Town in "*the acquisition of lands used for mineral aggregate operations*". The Town's draft policies seek to formalize these arrangements by way of a Memorandum of Understanding or, alternatively, that the Town shall seek to be a party to rehabilitation plan agreements. Through these draft policies the Town is attempting to override or substantially alter Provincial jurisdiction over the management of aggregate resources and their rehabilitation.

Section 20.5.13 (Social Impact Assessment)

These draft policies seek to ensure that new and existing mineral aggregate extraction shall not have any unacceptable social impacts caused by factors such as noise, dust, traffic levels and vibration that exceeds Provincial, Federal or Town standards and policies, **whichever is the strictest**. Further, this section cites the requirement that any impact studies will include an assessment of social impacts based on predictable, measurable, significant and objective effects on people. It is suggested that language like 'whichever is the strictest' is not appropriate in the Town's Official Plan for aggregate policies. Provincial standards are required to be met in the assessment of factors such as noise, dust, traffic levels and vibration and the Town should not be seeking achievement of standards that are more restrictive than Provincial standards.

Section 20.6 (New Sensitive Land Uses and Mineral Aggregate Extraction)

Draft policies in this section refer to the 1,000 metre area of influence which is noted above to be more restrictive than what is currently required pursuant to current Provincial policy and standards.

Section 20.7 (Other Aggregate Uses)

This section contains a number of sub-sections related to very specific aggregate-related uses. Uses associated with a mineral aggregate operation including excess soils, concrete/asphalt plants, and aggregate transfer stations are part of the PPS definition for a mineral aggregate operation and

should not require an OPA if they are located within an approved aggregate operation site. As well, excess soils are a common component of aggregate operations and fall under MECP's jurisdiction, with consideration for permissions granted under the Site Plan, which fall under the MNR. Further, this section contains draft policies for each use that result in more tests, requirements, criteria and generally more restrictions for new aggregate-related uses.

Section 20.8.1 (Structured Committees)

Development of an Aggregate Advisory Committee is required in current Town Official Plan policies (Section 5.11.2.9.1) and has been a requirement set out in the Official Plan since the approval of OPA 161 in 2003. An Aggregate Advisory Committee has not been formed to date. While this is a policy that should be carried forward and acted upon by Caledon, policy encouraging proponents to establish liaison committees for individual operations is likely a bigger hurdle if operators are expected to participate in those committees. Cooperation, transparency and trust is required for this type of committee to form and be successful.

Section 20.8.2 (Data sharing, Transparency and Report Production)

This draft policy is another example of the Town attempting to insert themselves into the ARA process and playing a role in regulating compliance / enforcement for existing ARA licenses.

20.8.4 (Improved Environmental Performance on Existing Sites)

This draft policy is another example of the Town attempting to insert themselves into the ARA process and playing a role in regulating compliance / enforcement for existing ARA licenses.

Draft Zoning By-Law Amendment

We have had the opportunity to review the draft Zoning By-Law Amendment (released on August 23, 2024) and we have the following comments:

The draft Zoning By-Law seeks to introduce new definitions for gravel pits and quarries; however the Class and Category references in the draft definitions relate to the site plan and report standards of Aggregate Resources of Ontario Provincial Standards, Version 1.0 which has now been superseded by Ontario Regulation 244/97. Any application submitted after March 31, 2021 must follow the new requirements under O. Reg 244/97.

At the Public Meeting on September 17th we heard from the staff presentation that introducing these 8 different categories / definitions into the Zoning By-Law for pits and quarries would help facilitate the Town being in a position to require a Zoning By-Law Amendment for any amendment or change to any licence. Each of these definitions appears to be tied to 'depth of extraction' and it is important to note that the Aggregate Resources Act prohibits municipalities from regulating the depth of aggregate operations. Further, this initiative to require a Planning Act application whenever there is a review or update to an existing aggregate licence is a strategic way for the Town to require an existing operation to comply with any Town updated standards. This is

inconsistent with how amendments and changes to existing licences are managed currently and introduces more time delays to the process and represents a more onerous and tedious approach to implementing a change to an existing licence.

Also, revisions to Table 8.1 (Permitted Uses) appears to remove permission for accessory outdoor storage in the MX (Extractive Industrial) zone. This is not appropriate as accessory outdoor storage is fundamental to aggregate operations.

As well, the proposed Footnote No. 5 to Table 8.1 requires some explanation. It refers to “*Only uses legally existing as of ____ 2024*” and is assigned to pits (all classes and categories listed) and quarries (all classes and categories listed) which suggests that no new permissions will be granted after ____ 2024. This requires explanation.

Summary

The above noted comments summarize that these draft documents indicate that Caledon is attempting to advance an aggregate policy (and zoning) framework that seeks to be more restrictive than certain Provincial policies and plans, seeks to reestablish more restrictive standards than what is contained in current Provincial standards, and seeks to override or substantially alter Provincial jurisdiction over the management of aggregate resources.

We respectfully request that a transition clause be included in the Official Plan Amendment to exempt the CBM lands from the Official Plan Amendment in recognition of the fact CBM assembled the lands subject to these applications over the course of 19 years immediately following the completion of the OPA 161 and we prepared and submitted the applications almost 2 years ago and the applications were deemed complete and have been processed under the current policy framework to date.

We also respectfully request that revised draft amendments be released for review and allow for more robust discussion with opportunities for the industry to fully participate and provide fulsome feedback. The amendment documents are not consistent with Provincial policy and do not conform with Provincial policy and seek to be more restrictive than Provincial standards as currently drafted.

We ask that we be provided with notice of Council’s decision on these draft documents.

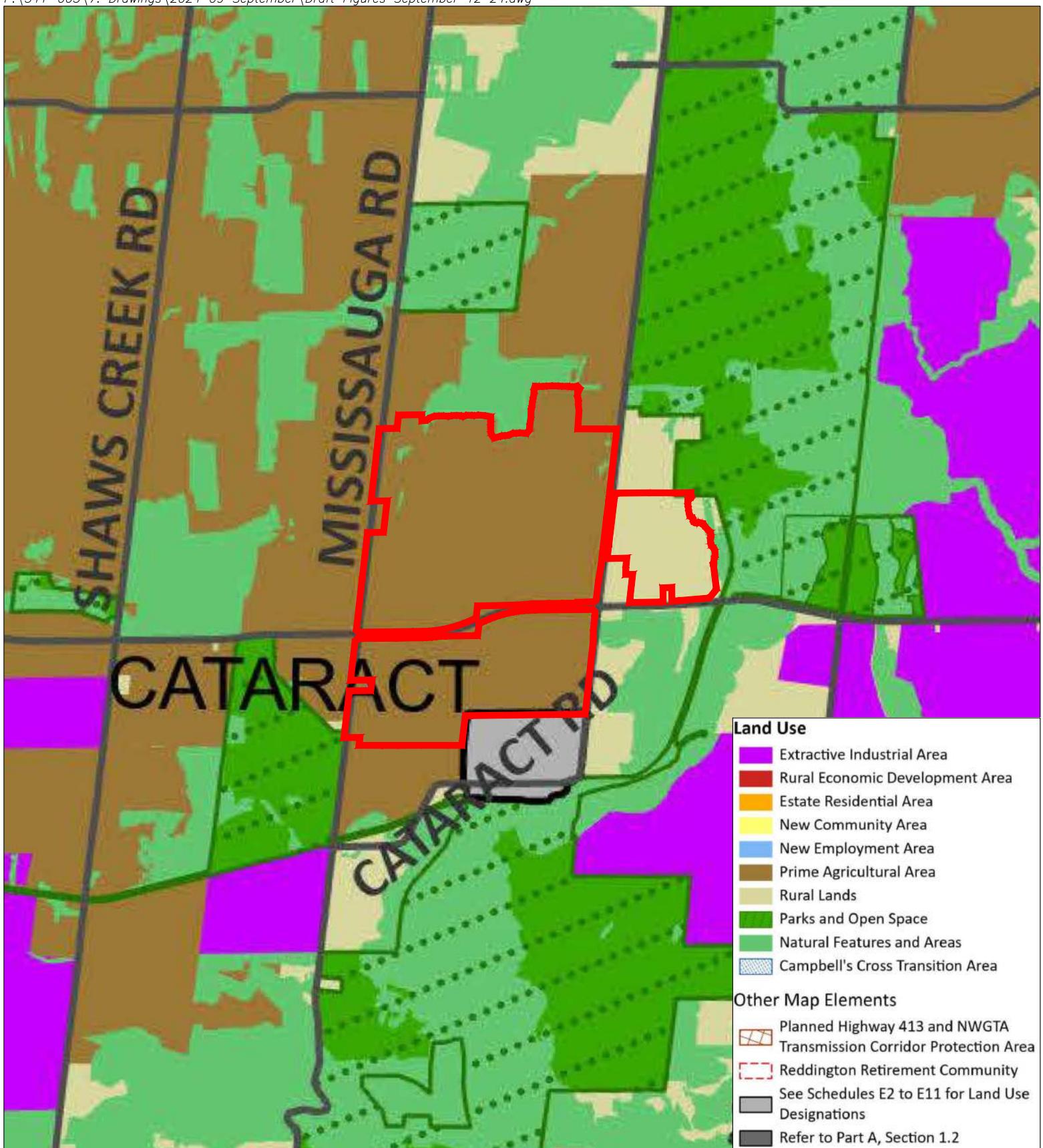
Please contact the undersigned if you have any questions or require additional information.

Respectfully submitted,



David Hanratty, P.Geo.
Director of Land, Resource & Environment, North America
St. Marys Cement Inc. (Canada)

Cc: Minister Paul Calandra, Ministry of Municipal Affairs and Housing
Michael Klimuntowski, Chief of Staff, Ministry of Municipal Affairs and Housing
Minister Graydon Smith, Ministry of Natural Resources
Adam Bloskie, Chief of Staff, Ministry of Natural Resources
K. Mullin, Partner, Wood Bull, LLP
K. Bennett, Partner, Glen Schnarr & Associates Inc.



**DRAFT AMENDMENT NO. 1 TO THE
TOWN OF CALEDON OFFICIAL PLAN
PROPOSED DRAFT SCHEDULE B4 - LAND USE DESIGNATIONS
(AUGUST 23, 2024)**

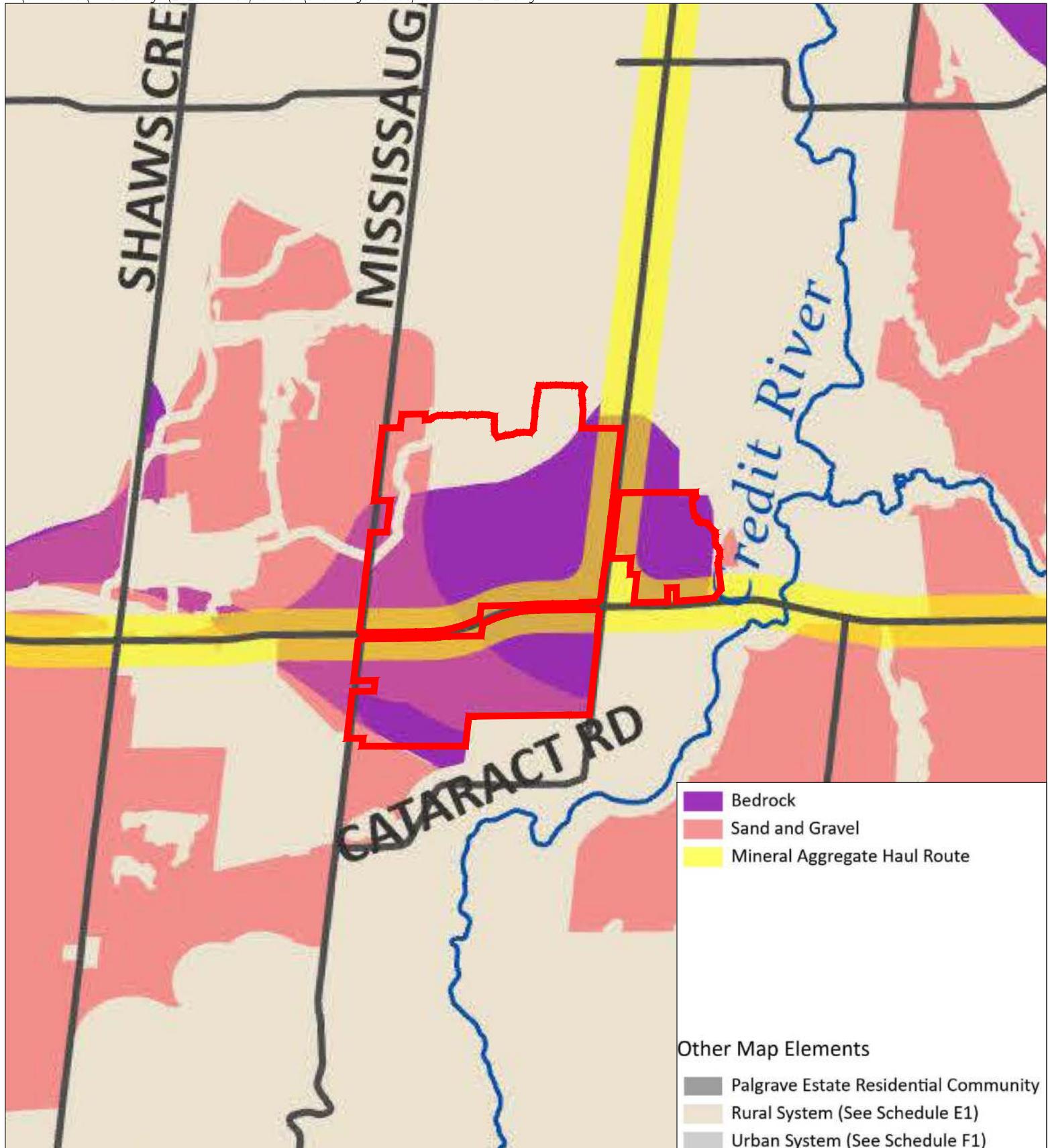
PART OF LOTS 15-18, CONC. 4, WSCR AND
PART OF LOT 16, CONC. 3, WSCR
(FORMER GEOGRAPHIC TOWNSHIP OF CALEDON),
TOWN OF CALEDON, REGION OF PEEL

LEGEND

SUBJECT LANDS



Scale: N.T.S.
SEPTEMBER 2024



**DRAFT AMENDMENT NO. 1 TO THE
TOWN OF CALEDON OFFICIAL PLAN
PROPOSED DRAFT SCHEDULE E12 - CALEDON HIGH POTENTIAL MINERAL
AGGREGATE RESOURCE AREAS (AUGUST 23, 2024)**

PART OF LOTS 15-18, CONC. 4, WSCR AND
PART OF LOT 16, CONC. 3, WSCR
(FORMER GEOGRAPHIC TOWNSHIP OF CALEDON),
TOWN OF CALEDON, REGION OF PEEL

LEGEND

SUBJECT LANDS



Scale: N.T.S.
SEPTEMBER 2024

Attachment 2:

**Copy of OSSGA letter (Jan 20, 2025) and
Associated Track Change Version Proposed for Amendment No. 1**

January 20, 2025

Heather Watt
Manager, Community Planning & Development (West)
Central Municipal Service Office
Ministry of Municipal Affairs and Housing
College Park, 16th Flr, 777 Bay Street
Toronto, ON M7A 2J3

Dear Heather:

**RE: Ontario Stone, Sand & Gravel Association (OSSGA) Comments on Town of Caledon Official Plan
Amendment No. 1 ERO# 019-9388**

The Ontario Stone, Sand & Gravel Association (OSSGA) is a not-for-profit association representing over 280 sand, gravel and crushed stone producers and suppliers of indispensable construction products and services. Collectively, OSSGA's members supply the substantial majority of the more than 164 million tonnes of aggregate consumed each year in the Province. A farm, village, town or city would not be able to exist without the products our industry provides. All homes, roads, bridges, recreational/business buildings use stone, sand or gravel and therefore having a reliable supply of aggregate is crucial to ensuring the survival and growth of our communities, including the objectives of Ontario's Housing Supply Action Plan.

In order to help accommodate the population and employment growth planned for Caledon to 2051 and the infrastructure needed to support such development, the Town and Peel Region will require a readily available supply of high-quality aggregate resources. Protecting these resources and making them available close to market will help ensure that the necessary raw building materials required to build the 66,000 housing units that are forecasted in Caledon by 2051, including the required infrastructure and fighting climate change at the same time.

Without close to market aggregate resources, there will be significant challenges in reaching the housing and growth targets planned for Ontario including those in Caledon and Peel Region. The alternative of sourcing aggregate resources far from market is not financially or environmentally sustainable, and will hinder abilities to meet growth and housing targets.

OSSGA provided comments to the Town of Caledon on August 9, 2024 and September 19, 2024 regarding Official Plan Amendment No. 1 copies of which were provided to both MMAH and MNR (comments enclosed for reference).

To summarize OSSGA's concerns, OPA 1 as adopted by the Town attempts to override or substantially alter Provincial jurisdiction over the management of aggregate resources. Proposals which override the *Aggregate Resources Act* (ARA), alter or remove Provincial jurisdiction, and/or establish new standards and guidelines that conflict with Provincial requirements are both inappropriate and well beyond the Town's regulatory authority. OPA 1 also introduces new policies that are inconsistent with the 2024 PPS

and provincial plans including the Greenbelt Plan. For example, new policies that would prohibit aggregate extraction in non-significant woodlands or policies that attempt to override Provincial conflict clauses.

We would note similar concerns were raised by MMAH through the Province's appeal of the related Zoning By-law Amendment to the Ontario Land Tribunal: *"The basis for the appeal is that the decision to pass the Subject By-law is not consistent with the Provincial Planning Statement, 2024 ("PPS"), creates circumstances where provincial decision-making under the Aggregate Resources Act ("ARA") may be unduly impacted by zoning, and is premature pending a decision on Official Plan Amendment 1, which is subject to the Minister's approval. As a result, the Subject By-law will hinder the protection, conservation and management of aggregate resources and operations by requiring existing mineral aggregate operations to seek additional approvals, and by regulating matters which are under the purview of the ARA"* (November 12, 2024 Ministry of Attorney General Appeal Letter to Town of Caledon).

OSSGA met with MMAH staff on November 7, 2024 to discuss our concerns with OPA 1. OSSGA is appreciative of the time taken by MMAH to meet with us and our members. At that meeting, OSSGA provided their proposed revisions to OPA 1 in a track-changes document with explanations for the proposed revisions.

Please find enclosed an updated version of our suggested revisions to OPA 1. The highlighted revisions are those changes made to the document since the version was provided to MMAH in November 2024. These additional suggested changes are based on the removal of the Region of Peel's planning authority and to ensure that policies currently contained in the Region's Official Plan are carried forward and/or amended to ensure an effective policy framework is in place for aggregate resource management. This includes additional policies in the event that Regional roads in Caledon are downloaded to the Town of Caledon as proposed through Bill 240 for which has OSSGA has raised its concerns (ERO # 019-9451).

To ensure aggregate resources can be delivered in a safe, cost effective and environmentally sustainable manner, a network of regional or arterial roads are necessary to deliver these goods to market. These roads are typically built to handle a large volume of traffic including heavy trucks. Ensuring these roads can continue to accommodate heavy trucks including from pits and quarries is vital to Ontario's economy and the implementation of the Housing Supply Action Plan.

Within Caledon and the surrounding area, a Regional road network has been in place for several decades and the majority of these roads permit heavy trucks to transport the nearly 3.5 million tonnes of aggregate that is extracted annually from pits and quarries in the municipality. As part of the Peel Region 2022 Official Plan approved by the Province, a Strategic Goods Movement Network was put in place to help identify existing truck routes and planned improvements to Regional roads to help facilitate additional routes recognizing capacity issues within the existing road network in Peel Region and Caledon. This work was implemented as a result of an extensive transportation master plan study undertaken by the Region in collaboration with the lower-tier municipalities including Caledon.

This important work undertaken by the Region cannot go unrecognized as it relates to the proper planning and management of Regional roads in Caledon. OSSGA is concerned that the Town of Caledon may utilize such a transfer in responsibility to further restrict access to aggregate resources and attempt to inhibit the ability for existing pits and quarries in Caledon to use truck routes to get their materials to the markets where they are needed.

The additional changes to OPA 1 as suggested by OSSGA ensure the strategic goods movement network as established in the recently approved Peel Region Official Plan is maintained and carried forward in the Future Caledon Official Plan. Additional policies are suggested that would ensure proper controls are in place to restrict the ability of the Town to arbitrarily remove truck routes that are otherwise capable or planned to be capable of accommodating heavy trucks. OSSGA encourages the Province to consider legislative tools to do the same as part of Bill 240.

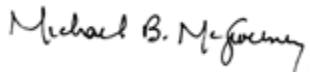
While our previous comments have not addressed this, it would appear to OSSGA that there is a procedural question of how the Town could adopt OPA 1 to a new Official Plan which is not in effect and remains before MMAH for review and decision. OSSGA would be interested to hear from MMAH on their perspectives and whether it impacts decision-making moving forward on OPA 1.

Thank you for the opportunity to submit comments. We would be pleased to meet with your team to discuss our recommended changes to OPA 1.

If you have any questions, please let us know. I can be reached at mike@ossga.com.

Sincerely,

ONTARIO STONE, SAND & GRAVEL ASSOCIATION



Mike McSweeney
Executive Director

cc.

Hon. Doug Ford, Premier and Patrick Sackville, OPO

Hon. Sylvia Jones, Deputy Premier

Hon. Paul Calandra, Minister of Municipal Affairs and Housing (MMAH) and Chief of Staff

Hon. Graydon Smith, Minister of Natural Resources and Chief of Staff

Ms. Michelle DiEmanuele, Secretary of Cabinet and Clerk of the Executive Council

Ms. Martha Greenberg, DM, MMAH

Mr. Drew Vanderduim, DM, MNR

Mr. Jonathan Lebi, DM MECP

Jasmine Gujral, Director (Acting), Local Government Policy Branch, MMAH

Tanzeel Merchant, Regional Director, Planning (Acting), Central Municipal Service Office, MMAH

Jennifer Le, Senior Planner, Community Planning & Development (West) Unit, MMAH

Trevor Griffin, Regional Director (Acting), MNR

Gillian Hartman, Supervisor (Acting) – Land Use Planning Unit, MNR

AMENDMENT NO. 1
TO THE FUTURE CALEDON OFFICIAL PLAN
(OFFICIAL PLAN FOR THE TOWN OF CALEDON PLANNING AREA)

OSSGA Suggested Revisions – January 2025

Highlighted revisions are those changes made to the document since the version provided to MMAH in November 2024.

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2024-082

A By-law to adopt Amendment No. 1 to the Future Caledon Official Plan (Official Plan for the Town of Caledon).

WHEREAS the Council of the Corporation of the Town of Caledon, in accordance with the provisions of the Planning Act, R.S.O. 1990, as amended, HEREBY ENACTS AS FOLLOWS:

1. Amendment No. 1 to the Future Caledon Official Plan (Official Plan for the Town of Caledon) shall be and is hereby adopted.

Read three times and
finally passed in open
Council this 7th day of

October, 2024.

Annette Groves, Mayor

Kevin Klingenberg, Town Clerk

THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE - does not constitute part of this Amendment.

PART B - THE AMENDMENT - consisting of amendments to the Text and Schedules of the Official Plan for the Town of Caledon constitutes Amendment No. 1 to the Future Caledon Official Plan (Official Plan for the Town of Caledon).

AMENDMENT NO. 1
TO THE FUTURE CALEDON OFFICIAL PLAN

PART A - THE PREAMBLE

Purpose of the Amendment:

The purpose of Official Plan Amendment No. 1 is to amend the Town of Caledon Official Plan to introduce policies related to mineral aggregate resources and associated mapping edits implementing the Supplementary Aggregate Resource Policy Study and continued phased implementation of the Future Caledon Official Plan.

Location:

All lands in the Town are subject to this Amendment.

Basis:

On October 18, 2022, the Council of the Town of Caledon enacted Interim Control By-law No. 2022-075. The By-law prohibited any new aggregate operations from being established during this period and was later extended to October 18, 2024. Council also enacted a Resolution that required:

The Caledon Supplementary Aggregate Resources Policy Study be undertaken to review the findings and recommendations of the joint Peel and Caledon Aggregate Policy review as well as Caledon's Rehabilitation Master Plan, and determine how to address those findings and recommendations in the Caledon Official Plan and Zoning By-law 2006-50, as amended.

The goals of the Study were as follows:

- Prepare a background report that provides context and policy analysis for consideration by Council
- Conduct a public consultation program with residents, Indigenous communities, stakeholders, agencies, and Council members
- Draft a policy options report for review and consideration by Council, that may contain recommendations for amendments to the new Official Plan and/or Zoning By-law as deemed necessary

The Study considered the relevant Caledon results from the Joint Aggregate Policy Review and its proposed revisions to the High Potential Mineral Aggregate Resource Areas (HPMARA): Mapping Methodology Discussion Paper prepared jointly with the Region of Peel, plus the Transportation Technical Paper.

The Study process has included a comprehensive engagement program, including consultation with a resident working group, known as the Aggregate Resources Community Working Group (ARCWG), liaison conversations with Peel Region and Credit Valley Conservation, and liaison conversations with representation from the Ontario Stone, Sand & Gravel association. Other deliverables resulting from the Study include a [Status Update Report](#), [Background Report](#), and [Policy Options Report](#).

Coupled with a detailed land use planning policy analysis (including a detailed consideration of the applicability of the Greenbelt Plan's Policy 4.3.2.10 related to the prior completion of comprehensive aggregate studies) and technical input from discipline experts during the ARCWG and liaison conversations portion of

the project, the end result are the following policy insertions and mapping edits to the Future Caledon Official Plan. Adoption of this amendment would complete this phase of the Town's official plan review. The amendment is being considered under Section 26 of the Planning Act.

PART B - THE AMENDMENT

This part of the document, entitled "Part B - The Amendment", and consisting of the following Text, Tables, Figures and Schedules constitutes Amendment No. 1 to the Official Plan of the Town of Caledon.

Details of the Amendment

The Future Caledon Official Plan is amended as follows:

1. Section 1.2.1(g) is deleted.
2. The bulleted paragraph in Section 2.3.5 is deleted and replaced as follows:

"Policies about mineral aggregate resources are found in Chapter 20, Mineral Aggregate Resources."

3. By deleting and replacing Section 11.1 q) with the following:

"(g) To implement the *strategic goods movement network* to ensure efficient movement of goods and services within and through the Town."

Commented [ND1]: To ensure the strategic goods movement network is appropriately implemented and carried forward regardless of the ultimate road authority in Caledon. See PPS 3.3.2: Major goods movement facilities and corridors shall be protected for the long term.

- 3.4. A new Section 11.2.18 is added as follows:

"The Town will work with the Province and Region as applicable, development proponents, and existing users to investigate the building of bypasses around settlement areas where truck volumes or the type of goods being hauled merit consideration of this approach."

- 4.5. The following words are added to the end of Section

11.3.8(d): " , including trucks hauling mineral aggregates."

6. By adding the following to the end of Section 11.6.1:

"...in accordance with the Strategic Goods Movement Network as identified on Schedule C1. Any proposed removals of the Strategic Goods Movement Network on Schedule C1 shall require an amendment to this Plan and approval from the Province."

Commented [ND2]: This would ensure existing and proposed trucks routes as established on Figure 16 of the Peel Region Official Plan would be carried forward into the Town's new Official Plan. Schedule C1 would have to be updated to include these routes as provided in our proposed revisions.

The last sentence added to this section is to ensure the Town is not able to remove truck routes on Schedule C1 without proper planning process and Provincial approval. As conveyed in OSSGA's concerns on Bill 240, there needs to be controls in place so that the truck route network is not at risk of being removed altogether as an attempt to prohibit extraction and restrict access to existing pits and quarries.

7. By deleting and replacing Section 11.6.3 a) with the following:

"(a) will encourage and permit heavy truck usage on the Strategic Goods Movement Network as identified on Schedule C1;"

Commented [ND3]: The changes proposed to Section 11.6.3 are to recognize that heavy trucks can use the major road network as identified in the Region's Strategic Goods Movement Network regardless of road authority. Alternatively, these changes could be implemented through the Province's decision on the Future Caledon Official Plan.

8. By deleting and replacing Section 11.6.3 c) with the following:

"(c) will prohibit truck traffic on local roadways, except in cases of local delivery and only in the absence of alternative acceptable routing. This prohibition does not apply to those roads identified as the Strategic Goods Movement Network on Schedule C1;"

9. By deleting and replacing Section 11.6.3 d) with the following:

"(d) may restrict heavy truck usage on part or all thereof of any municipal right-of-way through passage of a "No Heavy Truck" by-

law except for roads identified as the Strategic Goods Movement Network on Schedule C1;"

10. By deleting and replacing Section 11.6.3 e) with the following:

"e) may impose seasonal load restrictions on arterial and collector roadways for reasons of structural inadequacy except for roads identified as the Strategic Goods Movement Network on Schedule C1 that are structurally adequate;"

11. By deleting and replacing Section 11.6.3 g) with the following:

"g) will prohibit through-truck movement on collector and local roads within and adjacent to residential neighbourhoods except for roads identified as the Strategic Goods Movement Network on Schedule C1;"

12. By adding the following to the end of Section 11.6.5 a):

"a) The Town shall not remove haul route status from roads identified as the Strategic Goods Movement Network on Schedule C1;"

5-13. By deleting and replacing Section 13.5.1(f) with the following:

"f) Mineral aggregate operations and wayside pits and quarries subject to Provincial policy (including, but not limited to Section 4.3.2.10 of the Greenbelt Plan) and Chapter 20 of this Plan."

6-14. By deleting the phrase, "(to be added through a future phase of the Official Plan Review as noted in Part A, Section 1.2)" from Sections 13.5.2(d) and (f).

7-15. By adding new Sections 17.13 and 17.14 as follows:

"17.13 Commercial Filling and Excess Soil

- a) Commercial filling shall only be permitted through an amendment to this plan.
- b) Notwithstanding subsection (a) above, commercial filling associated with mineral aggregate extraction is permitted in conjunction with where it was permitted as part of an approved Aggregate Resources Act licence issued on or before 2024.
- c) Notwithstanding subsection (a) above, commercial filling is permitted accessory to agricultural uses, land development purposes for lands with an appropriate Planning Act or Niagara Escarpment Planning and Development Act approval, or undertakings with approval under the Town's Site Alteration By-law, subject to any conditions associated with those approvals.
- d) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply.

Commented [ND4]: Permission for filling at aggregate sites should not be limited to only those permitted as of 2024. ARA regulates excess soil use at pits and quarries.

17.14 Soil Dehydration Services (Hydrovac)

- a) Soil dehydration services shall only be permitted through an amendment to this plan.
- b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply."

8-16. By deleting the current Section 20 and adding a new Section 20 as shown on Schedule 1.

9-17. By adding a new Section 23.11 as follows:

23.11 Permanent Concrete and Asphalt Plants

- a) Where permanent concrete batching and asphalt plants are permitted in this Plan, material stockpiling, fuel storage and transfer, processing equipment, areas for storing or processing recycled mineral aggregates, and vehicle parking shall be designed:
 - i) To require a barrier to ensure no leachate or spills can reach the water table.
 - ii) To conform to all other policies of this Plan, including but not limited to Section 20.5.9.
- b) Section 23.11 shall not apply to concrete and asphalt plants that are part of a mineral aggregate operation licensed under the Aggregate Resources Act.

Commented [ND5]: To recognize that the ARA regulates such uses.

18. A new Section 24.2.4 is added as follows:

"Applications for official plan amendments to establish new or expanding mineral aggregate operations that were submitted and deemed complete by the Town as of [DATE OF NEW OP APPROVAL] shall continue to be processed without the need to submit a new official plan amendment application under the Future Caledon Official Plan. A final decision on any such application shall be incorporated in the Future Caledon Official Plan through a housekeeping amendment, where applicable."

10-19. The second duplicated subsection 27.2(a) (beginning with "For clarity,") is relettered to become subsection (k).

Commented [ND6]: It is OSSGA's understanding that there are currently three OPA applications for pits and quarries in Caledon that were deemed complete under the existing Official Plan framework. The intent of this clause is to ensure these applicants do not need to "start over" or reapply under the new Official Plan when it comes into force.

11-20. A new subsection (j) is added to Section 27.2.2 as

Commented [ND7]: To correct policy reference.

follows: "Mineral Aggregate Applications

In addition to the applicable studies identified above, the following technical reports and studies may be required for applications for new mineral aggregate extraction:

- i) Blast impact assessment shall be required as part of applications for new or expanding quarries, including a blast design report and protocol, flyrock management plan and vibration management plan
- ii) Haul route safety analysis as part of a transportation impact study, and confirmation the Applicant is prepared to enter into agreements with the appropriate public bodies to ensure the timely completion of any necessary road improvement
- iii) Haul route condition analysis, and confirmation the Applicant is prepared to enter into agreements with the appropriate public bodies to ensure the timely completion of any necessary road improvements
- iv) Overburden (site preparation) study
- v) A complete set of site plan drawings and notes to satisfy Aggregate Resources Act requirements
- vi) In place of a local subwatershed study, the Applicant may undertake a comprehensive broader scale environmental study that includes any areas functionally connected with the resource area. This report is to be considered in conjunction

Commented [ND8]: The requirements for a Blast Impact Study are specifically outlined in the Aggregate Resources of Ontario: Technical Report Standards and should only apply to quarries where blasting occurs.

Commented [ND9]: To align with TIS requirement. Section 12(1) of ARA states that the Minister or Tribunal shall not have regard to ongoing maintenance and repairs to address road degradation that may result from proposed truck traffic to and from an aggregate site.

Commented [ND10]: ARA establishes how overburden and site management are to be managed. Directly addressed through ARA Site Plan.

with an environmental impact study/assessment.

vii)v) A statement describing its public consultation process used to introduce the proposal to the immediately surrounding community and to describe to the community the nature of impacts to be expected and the means proposed to mitigate those impacts to acceptable limits.

viii)vi) Written confirmation of the quality and quantity of the resource based on professional assessment.

Information required under this Section of the Plan shall be prepared in a manner that meets *Accessibility for Ontarians with Disabilities Act* standards, and is able to be downloaded and printed.

12-21. The following new definitions are added to the Glossary in Section 31:

“Adaptive Management Plan means an approach to managing complex natural systems by continually improving management policies and practices based on learning from the outcomes of operational programs that include monitoring and evaluation.”

“Aggregate Transfer Station means an industrial facility where aggregate products are temporarily stored prior to shipment and may include facilities for the administration or management of the business and the storage of required equipment, but does not include the retail sale of aggregate products.”

“Caledon High Potential Mineral Aggregate Resources Areas or CHPMARAs mean lands identified as having a high quality mineral aggregate resource that may be appropriate for mineral aggregate extraction.”

“Commercial peat extraction and organic soil extraction means the extraction of peat or other soil organic matter from the ground for commercial or industrial purposes.”

“Comprehensive Rehabilitation means rehabilitation of land from which mineral aggregate resources have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of mineral aggregate operations.”

“Mineral Aggregate Extraction means:

- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act;
- b) for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.”

“Mineral Aggregate Resources means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.”

“Wayside Pit and Quarry means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.”

22. ~~The definition of “Strategic goods movement network” in Section 31 is deleted and replaced with the following:~~

“Strategic goods movement network means a hierarchical network of existing and potential truck routes identified as important routes for allowing the safe and efficient movement of goods as identified on the Strategic Goods Movement Network on Schedule C1. The network routes provide connectivity and continuity to each other, major goods generating activity centres, the Toronto Pearson International Airport, intermodal terminals and rail facilities, and major highways.

Commented [ND11]: To align the definition with the Strategic Goods Movement Network from the Peel Region Official Plan which should be carried forward to Schedule C1.

13-23. A new Section 32.1.23 is added as follows:

“On the property identified by Roll Number 212403001002610, located south of Charleston Side Road and connection through Winston Churchill Boulevard and Shaws Creek Road, while there is no active mineral aggregate operation on site, both an above water table or below water table operation is permitted. An Environmental Impact Study and monitoring plans shall be completed that demonstrates conformity with the relevant policies of Section 20.3 of this Plan. (OPA 161 / former Section 5.11.2.2.1, and OPA 1, By-law 2024-082.)”

14-24. A new Section 32.1.23 is added as follows:

“The Coulterville Special Study Area is shown on Schedule E1 to this Plan. This Special Study Area contains outstanding natural environmental features and cultural heritage features together with more intensive tourism development, as well as less intensive tourism and recreation opportunities, rural uses (including agricultural uses), existing aggregate operations, and CHPMARAs. In addition, a portion of the Coulterville Special Study Area is located within the Niagara Escarpment Plan area and is subject to the policies of the Niagara Escarpment Plan.

The identification of the Coulterville Special Study Area acknowledges, in particular, the need to examine the issue of appropriate after use of lands currently being used for aggregate extraction and to develop either additional detailed guidelines for rehabilitation and after-uses and potentially additional more detailed policies within the policy framework provided by the Town of Caledon Official Plan and in conformity with the Niagara Escarpment Plan. The study will help ensure that such after uses will be complimentary to the natural environmental features and cultural heritage features within the Study Area and will respect both continuing aggregate extraction, as well as the identification of Caledon High Potential Mineral Aggregate Resource Areas found within and in proximity to the Study Area.

- a) The study to be carried out within the Coulterville Special Study Area will be done in consultation with stakeholders, appropriate ministries and agencies, the Niagara Escarpment Commission and the Region of Peel, and will investigate the appropriateness of after uses such as residential development, non-intensive and intensive recreational development, agriculture, tourism development including limited accommodation, and high technology research institutes, other compatible rural economic development uses within the policy framework provided by the Town’s Official Plan and in conformity with the Niagara Escarpment Plan and the Greenbelt Plan.

b) Any new sensitive uses within the study area must demonstrate that existing mineral aggregate operations will be protected based on Section 20.3 and that access to Caledon High Potential Mineral Aggregate Resources Areas will not be precluded or hindered in accordance with the Provincial Planning Statement.

Commented [ND12]: To ensure clarity is provided relative to protection of existing aggregate operations and CHPMARA.

b)c) The results of the study will be required to be formally considered through the appropriate decision-making process under the Planning Act and where applicable, the Niagara Escarpment Planning and Development Act.

e)d) In the interim, prior to the completion and approval of the study, the appropriate designations and applicable policies for the designations apply in the Coulterville Special Study Area.

15.25. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Rural Lands and Natural Features and Areas as shown on Schedule 2B to this amendment.

Commented [ND13]: Schedule 2A was inadvertently included in OPA but should be removed given Council Motion 2024-179.

16.26. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Prime Agricultural Area and Natural Features and Areas as shown on Schedule 2C to this amendment.

17.27. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Prime Agricultural Area and Natural Features and Areas as shown on Schedule 2D to this amendment.

18.28. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Parks and Open Space and Natural Features and Areas as shown on Schedule 2E to this amendment.

19.29. Schedule 'C1' is amended by designating identified roads as **Strategic Goods Movement Network** **Mineral Aggregate Haul Routes** as shown on Schedule 3 to this amendment.

Commented [ND14]: Add missing truck routes that are already identified on Figure 16 of the Region's Official Plan. This change in terminology ensures these routes are carried forward regardless of ultimate road authority.

20.30. Schedule 'E1' is amended by adding the Coulterville Special Study Area identifier as shown on Schedule 4 to this amendment.

21.31. Schedules 'E4' and 'E5' are amended by replacing the words, 'Extractive Industrial Area' in the legend with the words, 'Mineral Resource Extraction Area', as shown on Schedules 5 and 6 to this amendment.

22.32. A new Schedule E12 is added as shown on Schedule 7 to this amendment.

Commented [ND15]: Reinsert CHPMARA Bedrock Areas that were removed by Council Motion 2024-178 ("Areas 1 to 4"). These areas are currently identified as CHPMARA and were recommended for identification based on the Region's and Town's mapping constraint exercise. No planning rationale provided to support removal.

Add missing truck routes that are already identified on Figure 16 of the Region's Official Plan.

20. MINERAL AGGREGATES

The policies in this section apply to mineral aggregate resources throughout the Town—active operations, high potential resource areas, and other related uses. The approval and regulation of mineral aggregate resources is regulated by the *Aggregate Resources Act*, Provincial legislation which is administered by the Ministry of Natural Resources. The Niagara Escarpment Plan, Oak Ridges Moraine Conservation Plan, and Greenbelt Plan also apply to provide policy direction on mineral aggregate extraction.

The *Aggregate Resources Act* states, “No licence shall be issued for a pit or quarry if a zoning by-law prohibits the site from being used for the making, establishment or operation of pits and quarries.” As a use of land, mineral aggregate operations are subject to the *Planning Act* and its multiple requirements to be consistent with the Provincial Planning Statement and conform to/not conflict with applicable provincial plans. Some of these documents provide key tests that municipalities need to follow when reviewing proposals for new mineral aggregate extraction and limiting the extent to which municipalities can regulate such uses. The Town is a statutory body whose role in the aggregate regulatory process is established, limited and managed by the Province. The Niagara Escarpment Plan Area, for example, does not contain zoning, further limiting the Town’s role on those lands.

The Town completed a Caledon Community Resource Study (CCRS) and adopted a comprehensive set of mineral aggregate policies in 1999. This work resulted in Official Plan Amendment No 161 to the previous Town of Caledon Official Plan, and was approved by the former Ontario Municipal Board on May 28, 2004. This major policy exercise was integrated, multidisciplinary, and resulted in a comprehensive policy framework guiding planning for mineral aggregates that was ahead of its time and remains an important piece of policy planning. The Greenbelt Plan recognizes and protects the importance of this work, providing protection for these policies (in Section 4.3.2.10) while a separate Greenbelt Plan framework applies for other Ontario municipalities—but only on lands subject to the Greenbelt Plan.

The Town’s Mineral Aggregate policies, then and now, are based on the need to balance the protection, use and enjoyment of these environmental features with the Provincial interest in protecting mineral aggregate resources for long-term use. It is also recognized there are potential impacts on human health arising from aggregate extraction that have also been considered in preparing these policies. The updated policies in this plan support the wise management of the Town’s aggregate resources remaining critical to preserving Caledon’s unique identity and character.

20.1 Objectives

The planning objectives for mineral aggregates are:

- a) To ~~minimize impacts on~~ maintain and enhance the health, safety, and quality of life of our residents, our natural environment and water resources, and our community.
- b) To ensure that the extraction of aggregate resources is undertaken in a balanced manner which adheres to the environmental planning principles of this Plan and which will recognize Caledon’s community character and social values over the short and long

Commented [ND16]: Revised to be consistent with applicable test in PPS 4.5.2.2.

term.

- e)b) To provide a framework for orderly extraction of aggregate resources that produces a greater degree of certainty to both the aggregate industry and the community.
- e)c) To ensure the efficient use of infrastructure.
- e)d) To minimize impacts and disturbed areas, and encourage timely completion and rehabilitation.
- e)d) To apply contemporary standards across all operations, including bringing legacy sites into better compliance with modern policy and regulatory standards at any opportunity and facilitating the continuous improvement of the environmental and operational performance of mineral aggregate extraction.
- d) To protect mineral aggregate resources for long-term use. As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets possible.
- e) To recognize the Town's mineral aggregate resource industry as an important component of the Town's and Region's economic base.
- e)f) To protect existing mineral aggregate operations from development and activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact.
- e)g) To protect aggregate resources identified as Caledon High Potential Mineral Aggregate Resource Areas (CHPMARA) as identified on Schedule E12 for possible future extraction, and to maintain availability of potential resources on balance with other Town policies.
- f) To undertake mineral aggregate resource conservation wherever feasible, including through the safe use of accessory aggregate recycling facilities within operations.
- g) To operate within the full extent of the Town's legal jurisdiction and the Provincial legislative framework to deliver the best possible outcomes when planning for mineral aggregate extraction.
- e)h) To provide policies with criteria to establish a clear and reasonable mechanism to permit new or expanded mineral aggregate operations to make the resource available for use.
- e)i) To minimize social, economic and environmental impacts from mineral aggregate extraction, and achieve better than minimum standards or minimum levels of mitigation where avoidance of effects from mineral aggregate extraction is not possible: on air quality, noise, vibration, and other matters of compatibility.
- i) To develop a Caledon Aggregate Standards Manual as a set of guidelines to assist both proponents and the public in detailing and explaining how conformity to this Plan can be achieved.
- j) To improve data sharing and communication between the Town, aggregate industry, aggregate operators, other public agencies, and the broader public.

Commented [ND17]: Official Plan policies should be clear, reasonable and attainable to protect provincial interests per PPS 6.1.5. This policy is subjective. Official Plans cannot regulate existing aggregate operations or require changes to existing licences.

Commented [ND18]: Official Plan cannot regulate aggregate operations including existing licensed sites.

Commented [ND19]: To incorporate PPS 4.5.1 & 4.5.2 for protection of long-term resource supply.

Commented [ND20]: To carry forward Section 3.4.2 from the Peel Region Official Plan.

Commented [ND21]: To carry forward Section 3.4.14 c) from Peel Region Official Plan.

Commented [ND22]: Applicable standards are established by Provincial guidelines, standards and regulations.

Commented [ND23]: This document has not been prepared. No direction or information provided on what this would include. Council guidelines cannot detract or replace Official Plan policy.

20.2 Mineral Resource Extraction Area Designation

The Mineral Resource Extraction Area designation ~~is intended to~~ permits mineral aggregate operations.

Commented [ND24]: To ensure there is full clarity.

20.2.1 Permitted Uses

The following uses may be permitted:

- a) Mineral aggregate extraction in accordance with a licence or permit issued in accordance with the *Aggregate Resources Act* ~~and subject to Section 20.2.3(a) below~~
- b) Associated facilities to a mineral aggregate operation used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products, provided that such associated facilities are:
 - i) Directly associated with the extraction of mineral aggregate resources from ~~an~~ ~~integrated~~ mineral aggregate operation, which may consist of more than one *Aggregate Resources Act* licence.
 - ii) Designed to be temporary and not to be utilized after extraction has ceased.
 - iii) Located in a manner that does not affect the final rehabilitation ~~or enhancement~~ of the site in accordance with an approved rehabilitation ~~and enhancement~~ plan.
- c) Agricultural uses
- d) Conservation and flood or erosion control projects
- e) Forest, fish and wildlife management
- f) Passive recreation
- g) Uses permitted through an approved rehabilitation plan
- h) Existing uses, buildings or structures
- i) Accessory uses, buildings or structures

Commented [ND25]: This policy reference does not make sense (Commercial Peat or Organic Soil Extraction Section). Mineral aggregate operations should be permitted in the Mineral Resource Extraction Area designation without additional conditions.

Commented [ND26]: This should apply to any mineral aggregate operation per definition in PPS.

20.2.2 Prohibited Uses

- a) Notwithstanding Section 20.2.1(b), asphalt plants, ~~ready mix~~ concrete plants and ~~brick~~ ~~manufacturing plants~~ ~~clay products manufacturing~~ shall not be permitted within the area of the Niagara Escarpment Plan Area.

Commented [ND27]: To conform with NEP 1.9.3.10.

20.2.3 Commercial Peat or Organic Soil Extraction

- a) Commercial peat extraction or organic soil extraction shall only be permitted through an amendment to this plan.
- b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply.

20.2.4 Aggregate Transfer Stations

- a) ~~Aggregate transfer stations shall only be permitted through an amendment to this plan.~~
- b) ~~Until such time as a study is completed that may update these policies, conformity with~~

~~all policies of this Plan shall be demonstrated, including Section 23.5.4. Where conflicting policies exist, the strictest policy shall apply.~~

Commented [ND28]: Use would be included as part of PPS definition of mineral aggregate operation. Should not require an OPA if they are within a licensed site.

20.2.5 20.2.4 Additional Policies

- a) The establishment of new licensed mineral aggregate extraction operations, ~~additional aggregate-related uses or associated facilities, changes in category of aggregate licence issued under the Aggregate Resources Act,~~ or extensions to existing licensed areas will require an amendment to this Plan ~~(except where lands are already designated Mineral Resource Extraction Area as of October 7, 2024)~~ and an amendment to the Zoning By-law (or an Amendment to the Niagara Escarpment Plan and issuance of a Niagara Escarpment Plan Development Permit, if within the Niagara Escarpment Development Control Area).
- b) ~~Only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. The Town notes that (as of October 7, 2024) a change in category of aggregate licence issued under the Aggregate Resources Act for depth of extraction only is not subject to a Planning Act process. Should that Provincial policy change, the policies of this Plan shall apply.~~
- c) Mineral aggregate operations may be permitted on hazardous lands provided conformity is demonstrated with all other policies in this Plan.

Commented [ND29]: Aggregate-related uses should not require OPA or ZBLA given definition of mineral aggregate operation and permissions for related uses at licensed sites. The ARA does not include licence categories.

Commented [ND30]: To reflect that there are existing unlicensed lands that are “pre-designated” and to continue the policy intent from Section 5.11.2.2.1 from the existing OP.

Commented [ND31]: Wording more consistent with PPS and ARA - less subjective.

20.3 Long-term Protection of Mineral Aggregate Resources

- a) The Town shall protect high potential mineral aggregate resource areas ~~for long-term use. As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets possible, except for such deposits of mineral aggregate resources considered to be unsuitable for extraction based on the other policies in this Plan, Provincial policies, and Provincial plans.~~
- b) The identification of Caledon High Potential Mineral Aggregate Resource Areas (CHPMARAs) on Schedule E12 of this Plan is not a land use designation. ~~Schedule E12 identifies high potential mineral aggregate resource areas for protection for possible future extraction. It does not imply support by the Town for any licence application under the Aggregate Resources Act in these areas or for any amendment to this Plan.~~
- c) There are lands not within a CHPMARA identification that have potential mineral aggregate resources as identified by the Province of Ontario. For lands not identified as a Caledon High Potential Mineral Aggregate Resource Area on Schedule E12 of this Plan, an application to permit new mineral aggregate extraction shall include an analysis of the available resource, including quality and anticipated quantity of resource and how the resource was identified.
- d) ~~For the purposes of this Plan, an area of influence of 1,000 metres shall be defined around the extraction limit of existing licensed operations or the proposed licensed area boundary for a proposed new operation. Sensitive receptors within the area of influence shall be identified in the technical studies supporting an application for new mineral aggregate extraction to inform the identification of potential impacts and how they are to be addressed, and may be part of the natural, agricultural or built environment.~~

Commented [ND32]: To incorporate PPS 4.5.1 & 4.5.2 for protection of long-term resource supply.

Commented [ND33]: To clarify intent and to reflect proper direction as already contained in existing OP - see Section 5.11.2.1.1.

Commented [ND34]: The MECP D6 Guidelines which address areas of influence do not apply to pits and quarries which recognizes that site-specific studies dictate influence area and setbacks.

e)d) Within CHPMARA or within 300 metres of a sand and gravel resource area or within 500 metres from a bedrock resource shown on Schedule E12 of this Plan or 500 metres from the extraction limit of the existing licensed operations, development that would preclude or hinder the establishment of new or expanded aggregate extraction or access to the mineral aggregate resource will only be permitted if:

- i) The resource use would not be feasible;
- ii) The proposed land uses or development serves a greater long-term public interest; or
- iii) Issues of public health, public safety and environmental impact are addressed.

f)e) Lands within a CHPMARA identification or area of influence identified in subsection (e) above are not restricted with respect to permitting existing uses; the expansion of existing uses, buildings or structures; the construction of buildings or structures on existing lots; or the establishment of new uses; so long as:

- i) The proposed buildings, structures and uses are in conformity with this Plan and Zoning By-law.
- ii) The proposed buildings, structures and uses do not constitute development/redevelopment.

For clarity, this policy would not apply to a minor variance (but not if for a similar use under Section 45(2)(a)(ii) of the *Planning Act* or its successor) or site plan approval.

g)f) Without limiting the application of subsection (e) above and in addition to the uses permitted by subsection (f) above, new interim use of lands identified as CHPMARA or on lands within the area of influence of CHPMARA are permitted, provided the Applicant obtains the necessary official plan amendment or rezoning by satisfactorily demonstrating:

- i) That the nature of the use is interim and would not preclude or hinder the establishment of new or expanded aggregate extraction or access to the resource.
- ii) In no circumstances will residential plans of subdivision or creation of lots by consent be considered to be interim.
- iii) That only limited development will occur, and that the Applicant enters into an agreement to be registered on title that will ensure such limited development.
- iv) *Appropriate regard to the Caledon Aggregate Standards Manual in Section 20.5.2(c) of this Plan.*

h)g) Lands which have been previously licensed, substantially excavated, rehabilitated, and for which the license has been surrendered or revoked shall be redesignated on Schedule B4 to recognize the rehabilitated after-use, rezoned in the Town Zoning By-law (if applicable) to permit the applicable after-uses only, and removed as a CHPMARA on Schedule E12 through a Town-initiated Amendment to this Plan.

20.4 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

Commented [ND35]: Important to note that Section 20.5.3 h) as adopted references this policy in identifying where aggregate is proposed to be prohibited in Greenbelt Plan.

a) New wayside pits or quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be prohibited in the following locations:

- i) Natural Features and Areas.
- ii) Supporting Features and Areas, except for habitat of endangered species and threatened species and features identified in Section 20.5.3 [except as may be considered in accordance with Section 20.5.3(h)]
- iii) Settlement areas.
- iv) Registered or draft approved plans of subdivision outside of settlement areas.
- v) For quarries, ~~W~~ithin 200 metres measured horizontally from the brow of the Niagara Escarpment or any greater setback required by the Niagara Escarpment Commission, in accordance with the Niagara Escarpment Plan.
- vi) Lands designated Escarpment Natural Area or Escarpment Protection Area in the Niagara Escarpment Plan. Within the Oak Ridges Moraine Plan Area, within areas designated Natural Core Area and areas that meet the criteria for Oak Ridges Moraine Key Natural Heritage Features and Hydrologically Sensitive Features, and their associated Minimum Vegetation Protection Zones, except as may be considered in accordance with Section 20.5.5(c).
- vii) Significant woodlands within the Natural Heritage System of the Greenbelt Plan, unless the woodland is occupied by young plantation or early successional habitat, as defined by the Ministry of Natural Resources in accordance with the Greenbelt Plan.
- viii) Cemeteries and other human burial sites.
- ix) Kettle lakes and their catchments (with catchments being defined as lands adjacent to kettle lakes that, due to their topography and/or geology, provide surface and/or groundwater contributions to the lake that are necessary to maintain the lake's ecological functions, attributes and features).
- x) Natural lakes and their shorelines.

b) The Town of Caledon's comments on an application to grant a permit for a wayside pit or quarry will be made by means of a resolution of Council, and such resolution may include recommended conditions. In formulating its comments Council will take into account, among other things, the following:

- i) The proposed wayside pit's proximity to the project(s) it will supply;
- ii) Potential impacts on affected land uses and residents and proposed mitigation and the need to minimize social and environmental impacts; and,
- iii) The rehabilitation plan.

c) The Town of Caledon will encourage the use of existing licensed aggregate operations for public projects in order to minimize the need for wayside pits or quarries.

d) All wayside permits within the Town of Caledon shall conform with the requirements of

Commented [ND36]: The effect of this reference is that extraction would be prohibited in non-significant features including non-significant woodlands over 0.5 ha, enhancement areas, linkages, etc. This is a clear example of being more restrictive than the Greenbelt Plan as it relates to aggregate resources - see Section 5.3 GBP.

Commented [ND37]: To conform with NEP 2.9.4.

Section 5 of Ontario Regulation 244/97, issued under the *Aggregate Resources Act*, or its successor regarding the number and frequency of wayside permits that may be issued for a site or any land adjoining the site, as set out in the regulation.

- e) The Town will recommend that wayside pits and quarries be located so as to ensure maximum use of the resource as appropriate and minimum disturbance to the environment and will encourage the rehabilitation of wayside pits and quarries to the limit of its ability.
- f) The road authority will provide notice of wayside pit and quarry applications in accordance with the procedures developed by the Ministry of Natural Resources .

20.5 Applications for New Mineral Aggregate Extraction

In addition to the other policies of this Plan (without limiting the generality of the foregoing, this includes Part D: Natural Environment System, Parks and Open Space), the following policies shall apply to the review of applications for new mineral aggregate extraction ~~(and, where possible, the review and update of existing Aggregate Resources Act licences)~~ to ensure the cumulative effects of mineral aggregate extraction are identified and considered so that extraction is undertaken in a manner that avoids, or if avoidance is not possible, minimizes or mitigates, social, economic and environmental impacts in accordance with provincial ~~guidelines, standards and procedures to the maximum extent possible and seeking to ensure that they are operated in accordance with best practices~~.

Commented [ND38]: Town does not have the authority to review and update existing licences.

Commented [ND39]: To be consistent with PPS 3.5.1.

20.5.1 Aggregate Resources Act Site Plans and Notes

- a) Conditions of approval and operation for mineral aggregate extraction operations are codified on the site plan and associated notes approved under the *Aggregate Resources Act*. The Town shall require its conditions to be included on the site plan and associated notes in order to release any objection to a proposal for new mineral aggregate extraction ~~except where such conditions conflict with the Aggregate Resources Act or any other Provincial legislation, policies and/or plans.~~

20.5.2 Complete Applications and Application Processing

- a) The Town shall coordinate with the Ministry of Natural Resources, the Region of Peel, the Niagara Escarpment Commission and the Conservation Authorities (all as applicable) to ensure that all appropriate conditions resulting from integrated application review are imposed and enforced as conditions of the licence or notes on the site plans required under the *Aggregate Resources Act*, and any other applicable approval ~~except where such conditions conflict with the Aggregate Resources Act or any other Provincial legislation, policies and/or plans.~~
- b) The Town shall coordinate integrated technical review of applications with the Ministry of Natural Resources, the Region of Peel, the Niagara Escarpment Commission and the Conservation Authorities (all as applicable), with the results of such work to be made available to the public.
- c) ~~Proponents of new mineral aggregate extraction shall follow the Caledon Aggregates Standards Manual for the Town.~~
- d) ~~In advance of Council's approval of the Caledon Aggregates Standards Manual, proponents shall have regard for best practices for technical review, study preparation,~~

Commented [ND40]: This document has not been prepared.

~~available data, and operational standards.~~

e)c) Where the Minister has notified the Town of Caledon that an application has been made to amend the conditions of an existing licence or a site plan under the *Aggregate Resources Act*:

- i) The Applicant is encouraged to provide to the Town a copy of all of the documentation provided to the Minister in support of the application.
- ii) In preparing its comments, the Town may request additional information of the applicant with respect to the application.
- iii) The Town of Caledon may hold a community meeting before providing comments to the Ministry of Natural Resources.

f) ~~The Town shall work to bring existing mineral aggregate extraction uses into conformity with this Plan at every opportunity, including harmonizing conditions across adjacent or nearby sites that function as an integrated operation.~~

g) ~~Where there is conflict between policies in this Plan with respect to mineral aggregate extraction, the policy that provides the greatest protection to human health and the natural environment shall prevail.~~

20.5.3 Environmental Protection within the Greenbelt Plan Area

Notwithstanding Section 13 of this Plan, where a feature is identified in this Section of the Plan the following policies shall apply to assess proposals for new mineral aggregate extraction within that feature.

a) Mineral aggregate operations shall be ~~permitted~~prohibited within and adjacent to Natural Features and Areas that are Valley and Stream Corridors draining less than 125 hectares, ~~subject to demonstrating the following~~unless it can be demonstrated that:

- i) the Valley and Stream Corridor has been assessed and does not satisfy any of the criteria for designation as Natural Features and Areas (this criterion does not apply to lands that were designated for mineral aggregate extraction by the Town on or before October 31, 1994).
- ii) the ecological attributes and functions of the Valley and Stream Corridor have been assessed and significant attributes and functions will be retained through retention of all or part of the feature and/or replacement through progressive rehabilitation in a manner that minimizes any interruptions to the significant attributes, functions or linkages.
- iii) alteration or elimination of the Valley and Stream Corridor will not result in any immediate or longer term negative impacts or cumulative negative impacts on adjacent Natural Features and Areas.
- iv) there is no other feature present.

b) Mineral aggregate operations shall be ~~permitted~~prohibited in woodlands over 0.5 hectares, ~~subject to demonstrating the following~~unless all of the following criteria are met:

- i) ~~the Woodland~~ is less than 30 hectares in size ~~has been assessed and does not~~

Commented [ND41]: This is not a clear, reasonable or attainable policy and could be overly subjective - see PPS 6.1.5.

Commented [ND42]: Town does not have the authority to review and update existing licences.

Commented [ND43]: This would override existing conflict clauses that are specific to ARA, Greenbelt Plan, ORMCP, NEP, etc.

Commented [ND44]: To clarify policy intent.

Commented [ND45]: This policy as adopted by the Town is a significant departure from the existing woodlands policy in OPA 161 and would otherwise prohibit extraction in non-significant woodlands greater than 0.5 ha in size. This would be more restrictive than the Greenbelt Plan. The addition of the 30 hectares provision is to reflect Region of Peel Official Plan policy for the definition of significant woodlands as it applies to aggregate resources (see ROP 2.14.13). The 30 ha policy has been maintained in the Region of Peel Official Plan including the Province's decision to approve the Peel Official Plan in 2022 which was deemed to conform with the current Greenbelt Plan.

~~satisfy any of the criteria for protection as a Natural Feature and Area or Supporting Feature and Area~~ (this criterion does not apply to lands that were designated for mineral aggregate extraction by the Town on or before October 31, 1994).

- ii) the ecological attributes, functions and linkages of the Woodland have been assessed and significant attributes, functions and linkages will be retained through retention of all or part of the feature and/or replacement through progressive rehabilitation in a manner that minimizes any interruptions to the significant attributes, functions or linkages.
- iii) progressive rehabilitation of the site will result in the establishment of an equal amount or a net gain of woodland area and function in as short a time as is feasible, unless below water table extraction precludes re-establishing woodlands on a portion of the site, in which case as much of the site shall be returned to woodland as is feasible and the proponent will be encouraged to implement a program of compensation planting or other alternatives to establish an equivalent area of woodland elsewhere.
- iv) alteration or elimination of the Woodland will not result in any immediate or longer term negative impacts or cumulative negative impacts on adjacent Natural Features and Areas of the Greenlands except as otherwise permitted by this plan.
- v) ~~the volume of above ground biomass is less than 150 tonnes per hectare across the entirely of the delineated woodland on the subject lands.~~

c) Mineral aggregate operations shall be prohibited in significant woodlands within the Natural Heritage System of the Greenbelt Plan, unless the woodland is occupied by young plantation or early successional habitat, as defined by the Ministry of Natural Resources in accordance with the Greenbelt Plan.

d) Mineral aggregate operations shall be ~~permitted~~prohibited in evaluated non-provincially significant wetlands and unevaluated wetlands ~~including units that are more than 0.1 hectares within wetland complexes and supporting features to those~~subject to demonstrating the following~~unless all of the following criteria are met:~~

- i) the applicable wetland has been assessed and does not satisfy any of the criteria for designation as Natural Features and Areas (this criterion does not apply to lands that were designated for mineral aggregate extraction by the Town on or before October 31, 1994).
- ii) the ecological attributes, functions and linkages of the applicable wetland have been assessed and significant attributes, functions and linkages will be retained through retention of all or part of the feature and/or replacement through progressive rehabilitation in a manner that minimizes any interruptions to the significant attributes, functions or linkages.
- iii) progressive rehabilitation of the site will result in the establishment of an equal amount or a net gain of wetland area and function in as short a time as is feasible, unless below water table extraction precludes re-establishing comparable wetlands on a portion of the site, in which case as much of the site

Commented [ND46]: The Town's new OP and Peel OP do not contain any related policies or provisions regarding assessing biomass. Unclear how this could be assessed in a clear, reasonable and attainable manner.

Commented [ND47]: This language is not required if the policy intent is clarified as suggested.

shall be returned to wetland as is feasible and the proponent will be encouraged to implement a program of compensation planting or other alternatives to establish an equivalent area of wetland elsewhere.

iv) alteration or elimination of the applicable wetland will not result in any immediate or longer term negative impacts or cumulative negative impacts on adjacent Natural Features and Areas except as otherwise permitted by this Plan;

e) Mineral aggregate operations shall be permitted~~prohibited~~ in Core Fishery Resource Areas and Other Fishery Resource Areas within Valley and Stream Corridors draining less than 125 hectares, subject to demonstrating~~unless~~ conformity to Section 20.5.3(a) is demonstrated and that it can be demonstrated that extraction will not harmfully alter, disrupt or destroy fish habitat, or that there will be no net loss of productive capacity of fish habitat, and there is a net gain of productive capacity where possible in accordance with provincial and federal requirements.

f) Mineral aggregate operations shall be restricted~~prohibited~~ in groundwater recharge and discharge areas such that these features and their related hydrologic functions will be protected, improved or restored, unless those areas identified through studies as being functionally connected to a Natural Feature or Area or Supporting Feature and Area are protected and/or managed to ensure no negative impacts on the functionally related feature(s).

g) Mineral aggregate operations shall be permitted~~prohibited~~ in Natural Features and Areas and Supporting Features and Areas that are solely Significant Wildlife Habitat, subject to demonstrating the following~~unless it can be demonstrated that~~:

- i) the ecological attributes, functions and linkages of the Significant Wildlife Habitat have been assessed and significant attributes, functions and linkages will be retained through retention of all or part of the feature and/or replacement through progressive rehabilitation in a manner that minimizes any interruptions to the significant attributes, functions or linkages.
- ii) progressive rehabilitation of the site will result in the establishment of an equal amount or a net gain of significant wildlife habitat area and function in as short a time as is feasible, unless below water table extraction precludes re-establishing the affected significant wildlife habitat on a portion of the site, in which case as much of the site shall be returned to significant wildlife habitat as is feasible and the proponent will be encouraged to implement a program of significant wildlife habitat compensation or other alternatives to establish an equivalent area of significant wildlife habitat elsewhere.
- iii) alteration or elimination of the Significant Wildlife Habitat will not result in any immediate or longer term negative impacts or cumulative negative impacts on adjacent Natural Features and Areas and Supporting Features and Areas except as otherwise permitted by this Plan.

h) New or expanding mineral aggregate operations shall be permitted~~prohibited~~ in Key Natural Heritage Features and Key Hydrologic Features on lands subject to the Greenbelt Plan, and their associated Vegetation Protection Zones subject to the

Commented [ND48]: To reflect the staff recommended language in the OPA.

Commented [ND49]: To be consistent with PPS 4.1.6.

Commented [ND50]: To be consistent with PPS 4.2.1 and GBP 3.2.4.

~~Section 4.3.2 of the Greenbelt Plan, unless conformity is demonstrated with all policies in this plan and the Greenbelt Key Natural Heritage Feature or Key Hydrologic Feature is not located in an area identified in Section 20.4(a).~~

Commented [ND51]: To conform with the Greenbelt Plan.

- i) Where there are overlapping policies relating to multiple features and areas all relevant policies will apply and all relevant criteria must be met prior to approval.

- j) ~~Mineral aggregate operations shall be prohibited in areas where the findings of an Air Quality Assessment indicates a PM2.5 level in excess of an annual average of 5.0 µg/m³. The Air Quality Assessment shall be conducted, in accordance with the Caledon Aggregates Standards Manual for the Town and shall be based on a minimum of three sampling locations for ambient air monitoring, one located upwind and two downwind of the proposed operation. The downwind samples are to be located in or near existing sensitive receptors, such as residential areas. Where the findings of an Air Quality Assessment indicates a PM2.5 level less than an annual average of 5.0 µg/m³ a supplementary Air Quality Assessment shall be conducted, in accordance with the Caledon Aggregates Standards Manual for the Town, and shall be on a dispersion model that permits a maximum 75% mitigation rate in order to achieve the ambient air quality objective of a PM2.5 level less than an annual average of 5.0 µg/m³. Where the findings of the supplementary Air Quality Assessment indicate a mitigation rate of more than 75% is required to achieve PM2.5 level less than an annual average of 5.0 µg/m³ the Application will not be supported for approval.~~

Commented [ND52]: Town does not have the authority to establish its own air quality assessment criteria. Prescribed through O. Reg. 419/05. Further, the Town has not prepared an Aggregates Standards Manual.

20.5.4 Environmental Protection within the Niagara Escarpment Plan Area

- a) Mineral aggregate extraction on lands the Niagara Escarpment Plan Area shall conform to the policies of Section 20.5.3 of this Plan and the policies and development criteria contained in the Niagara Escarpment Plan.
- b) In the case of conflict between Section 20.5.3 of this Plan and the Niagara Escarpment Plan, the provision of the Niagara Escarpment Plan prevails.

20.5.5 Environmental Protection within the Oak Ridges Moraine Conservation Plan Area

- a) The policies of Section 20.5.3 shall apply to the review of proposals for new mineral aggregate extraction. ~~In the event of a conflict, the Oak Ridges Moraine Conservation Plan takes precedence.~~
- b) Notwithstanding the provisions of Section 20.5.3, mineral aggregate operations shall not be permitted in any of the features addressed there where such features meet the criteria for Oak Ridges Moraine Key Natural Heritage Features and Hydrologically Sensitive Features, and their associated Minimum Vegetation Protection Zones, except as may be considered in accordance with Section 20.5.5(c).
- c) Notwithstanding any other provision of this Plan, a mineral aggregate operation or wayside pit with respect to land within the Natural Features and Areas designation on lands subject to the Oak Ridges Moraine Conservation Plan if the land is occupied by woodlands that are young plantations or early successional habitat, as may be defined by the Ministry of Natural Resources, and does not satisfy any other criteria for Key Natural Heritage Features and/or Hydrologically Sensitive Features, only if the applicant demonstrates that:

Commented [ND53]: To reflect applicable conflict clause in ORMCP.

- i) The long-term ecological integrity of the Oak Ridges Moraine Conservation Plan Area will be maintained, or where possible improved or restored.
- ii) The extraction of mineral aggregates from the area that is young plantations or early successional habitat will be completed, and the area will be rehabilitated, as early as possible in the life of the operation.
- iii) The area of young plantations or early successional habitat from which mineral aggregates are extracted will be rehabilitated by establishing or restoring natural self-sustaining vegetation of equal or greater ecological value.
- iv) The provisions of Section 20.5.3(b)(ii) through (iv) have been satisfied.

d) An application for mineral aggregate extraction or wayside pit with respect to land in a Landform Conservation Area (Category 1 or 2) shall not be approved unless the applicant demonstrates:

- i) That the area from which mineral aggregates are extracted will be rehabilitated to establish a landform character that blends in with the landform patterns of the adjacent land.
- ii) The long-term ecological integrity of the Oak Ridges Moraine Conservation Plan Area will be maintained, or, where possible, improved or restored.

e) Notwithstanding any other provision of this Plan, an application for a mineral aggregate operation or wayside pit with respect to land in a Natural Linkage Area within the Oak Ridges Moraine Conservation Plan Area shall not be approved unless the applicant demonstrates that:

- i) Conformity with all other provisions of Section 20.5 of this Plan is demonstrated.
- ii) There will be no extraction within 1.5 metres of the water table.
- iii) The extraction of mineral aggregates from the site will be completed as quickly as possible.
- iv) The site will be rehabilitated in stages as quickly as possible.
- v) The entire site will be rehabilitated by establishing or restoring natural self-sustaining vegetation.
- vi) Notwithstanding subsection (v) above, in the case of land in a prime agricultural area, the entire site will be rehabilitated by restoring the land so that the average soil quality of each area is substantially returned to its previous level.

f) In order to maintain connectivity, when a mineral aggregate operation or a wayside pit is located in a Natural Linkage Area in the Oak Ridges Moraine Conservation Plan Area, there shall at all times be an excluded area (which, for greater certainty, may contain both undisturbed land, and land whose rehabilitation is complete) that:

- i) Is at least 1.25 kilometres wide.
- ii) Lies outside the active or unrehabilitated portions of the area being used.
- iii) Connects parts of the Natural Linkage Area outside the mineral aggregate operation or wayside pit.

20.5.6 Agricultural Lands

- a) Extraction of mineral aggregate resources is permitted in prime agricultural areas, on prime agricultural land, provided impacts to the prime agricultural areas are addressed in accordance with Policy 4.3.5.2 of the 2024 Provincial Planning Statement or its successor and that the site will be rehabilitated back to an agricultural condition.
- b) Complete rehabilitation to an agricultural condition is not required if:
 - i) The depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible.
 - iii) Agricultural rehabilitation in remaining areas is maximized.
- c) An agricultural impact assessment shall demonstrate avoidance, or, where avoidance is not possible, minimization and mitigation of adverse effects on agricultural uses based on provincial guidance.

Commented [ND54]: To be consistent with PPS 4.3.5.2.

20.5.7 Water Resources

- a) Any proposal for new mineral aggregate extraction shall identify all sources of water, their functions, and analyze and assess the impact of the application to satisfactorily demonstrate that the quality and quantity of each of those water resources shall be protected, improved or restored, with no negative impacts, including negative impacts on public health and safety, by providing the following information:
 - i) The quantity and quality of mineral aggregate resource located below the water table (if applicable).
 - ii) The removal of the mineral aggregate resource and the subsequent rehabilitation of the lands will satisfy the applicable performance measures in Sections 15 and 20.5.3 of this Plan.
 - iii) Measures to protect water resources will be implemented in the design and operation of fuel storage and handling systems, machinery storage and servicing and the use and storage of potential contaminants on the site. The storage of fuel and other potential contaminants on-site may be restricted if necessary to protect water resources.
 - iv) An appropriate monitoring program will be implemented, and that the results of this monitoring program will be provided to the Town.
- b) For dewatering, it is encouraged that water remain on site within the licensed area. Removal of water from the site shall not be permitted.
- c) Mineral aggregate extraction shall have no negative impacts on private wells, which shall be considered in a monitoring plan that provides targets and triggers where action is taken to eliminate negative impacts which may include all measures up to and including stopping active extraction.
- d) Any water used on-site for operations mitigation and management, as well as stormwater collected on-site, shall be captured and treated to an appropriate standard prior to release back into the environment.

Commented [ND55]: Dewatering is regulated by MECP through PTTW process. Off-site discharge is common and accepted practice.

Commented [ND56]: An Official Plan should not determine what mitigation measures may be appropriate. This should be determined through the completion of applicable site-specific studies.

20.5.8 Monitoring and Adaptive Management

- a) The Town shall take into account that the monitoring program proposed for new mineral aggregate extraction shall be acceptable to the Town, Region of Peel, the Ministry of Natural Resources, the Conservation Authorities and the Niagara Escarpment Commission (all as applicable).
- b) The Town shall require monitoring results to be delivered to the Town, for the purpose of compiling a database in conformity with Section 20.8.2 of this Plan.
- c) The use of an adaptive management plan may be considered as part of a comprehensive operational monitoring plan, where the potential impacts of operations have been identified with reasonable certainty, and meet appropriate standards in order to manage unexpected impacts. An adaptive management plan shall contain targets and triggers where action is required to eliminate adverse effects which may include all measures up to and including stopping the active operation.

20.5.9 Operational Design, Air Quality, and Land Use Compatibility

- a) The proposed operational plan shall be designed to avoid—or, where avoidance is not possible, minimize or mitigate—impacts on surrounding land uses and visual resources. This may shall include, among other things and as appropriate to site and area context and not in conflict with the provisions of the Aggregate Resources Act:
 - i) Strategic phasing and direction of extraction.
 - ii) Small phases to limit the amount of disturbed area at any one time.
 - iii) Progressive rehabilitation.
 - iv) Strategic direction of extraction and placement of screens and buffers, including creating variable berms and mature vegetative screens to replicate the natural topography of the area.
 - v) Utilization of offset entrances to screen the internal pit areas.
 - vi) Internal haul routes, the elimination of reverse movement, and use of broadband back-up alarms.
 - vii) Sharing or co-ordination of entrances when two operations are adjacent to each other.
 - viii) The location of machinery, fuel storage, washing, and on-site water treatment.
 - ix) The timing of, phasing and locating of permanent and temporary processing plants.

- b) Adverse effects from noise, vibration, odour (where applicable), dust, and air pollutants shall be avoided, or, where avoidance is not possible, minimized and mitigated in accordance with provincial guidelines, standards and procedures to objective standards that provide the greatest protection to human health and the natural environment.

- c) For greater certainty, the World Health Organization standards for PM_{2.5} and PM₁₀ shall apply for Section 20.5.9(b).

Commented [ND57]: An Official Plan should not determine what mitigation measures may be appropriate. This should be determined through the completion of applicable site-specific studies.

Commented [ND58]: Operational design of pits and quarries must comply with ARA requirements.

Commented [ND59]: To be consistent with PPS 3.5.1.

Commented [ND60]: MECP establishes Ontario's ambient air quality criteria in accordance with O. Reg. 419/05.

e) The Town shall require air quality monitoring as part of approving new mineral aggregate extraction, including a triangulation approach of upwind downwind measurement.

e) Where compatible rehabilitation plans for adjacent licensed operations are approved, or where there is an opportunity to create harmonized operational standards across separate sites in a complex, The Town may support the reduction of or extraction of mineral aggregate resources within the setbacks from the shared licence boundary in order to achieve integrated rehabilitation and improved operation of the sites.

f) Stockpiles of mineral aggregates incidental to mineral aggregate extraction shall be limited in size, temporary, and designed and managed to avoid dust and particle emissions.

g) Stockpiles of mineral aggregates, fuel storage and transfer, processing equipment, areas for storing or processing recycled mineral aggregates, and vehicle parking shall be designed to require a barrier to ensure no leachate or spills can reach the water table.

20.5.10 Blasting and Flyrock

a) The design of a mineral aggregate extraction operation shall prioritize the avoidance or impacts from blasting, flyrock (which shall be contained within the licensed area in accordance with Provincial law) and vibration. Where avoidance of adverse effects is not possible, adverse effects shall be minimized and mitigated in accordance with to levels better than Provincial and Federal standards.

b) A blast impact assessment shall be required as part of applications for new or expanding quarries in accordance with the Aggregate Resources Act, including a blast design report, flyrock management plan, and vibration management plan shall be prepared by an experienced and qualified Blaster or Blasting Engineer.

c) The person designing a blast and the person carrying out a blast shall be an experienced and qualified Blaster or Blasting Engineer.

d) A blast impact assessment shall demonstrate how flyrock shall be contained within the subject site.

e) Vibration monitoring shall be provided at the property lines of mineral aggregate extraction using blasting.

f) There may be locations in the Town where blasting is inappropriate under any circumstance. The presence of sensitive uses shall be considered in determining if blasting is the best measure for extracting mineral aggregate resources, or if reduced blast intensity is appropriate.

20.5.11 Transportation

a) Existing haul routes are identified as the Strategic Goods Movement Network on Schedule C1 on the Schedules of this Plan, and the hauling of mineral aggregates shall use identified haul routes.

Notwithstanding the above, there are additional roads, including Town-owned roads, that are designated haul routes for mineral aggregate operations. Nothing in this Plan is

Commented [ND61]: Requirement for mitigation including monitoring should be determined through the preparation of site-specific studies.

Commented [ND62]: Town does not have the authority to review and update existing licences.

Commented [ND63]: Official Plan policies are not permitted to override the ARA or its regulations - these matters are directly regulated by ARA.

Commented [ND64]: The requirements for a Blast Impact Study are specifically outlined in the Aggregate Resources of Ontario: Technical Report Standards. MECP regulates blasting at quarries through NPC-119. Not appropriate for OP to establish its own standards which may potentially override or conflict with Provincial requirements. Further, Blast Impact Studies are not required for pits.

Commented [ND65]: Add haul routes already identified in Region's Official Plan. See proposed revisions to Schedules. Further to proposed changes as a result of Bill 240, this will ensure that existing and proposed truck routes are carried forward regardless of ultimate road authority.

intended to limit that continued function of those portions of local roads used for hauling mineral aggregate resources so long as the operation remains licensed under the *Aggregate Resources Act*.

b) Any new haul route proposed that is not identified as a Strategic Goods Movement Network on Schedule C1 as of the date Official Plan Amendment 1 came into effect shall have the least impact possible and shall consider the applicable Transportation policies of Section 11 of this Plan in providing the following information to demonstrate no negative economic, financial, social and physical impacts on the safe and efficient use of the road network:

- i) An evaluation of alternative haul routes and the identification of the haul route(s) with the least impact.
- ii) Land use, land use activities and the character of adjacent lands (including any significant environmentally sensitive features) along the proposed haul route, including the identification of existing and permitted land uses that may be significantly affected by the proposed haul route.
- iii) The physical characteristics of the potential haul routes including road classification, load limits, surfacing and character (e.g., rural, scenic) and the identification of any physical constraints to heavy truck traffic, such as vertical or horizontal curves, sight lines or shoulders.
- iv) Anticipated increase in traffic generated by the proposed extractive operation, and any increase in background traffic.
- v) Description of the proposed operation, including the phasing where applicable, and resulting trip generation, distribution, and vehicle composition.
- vi) The horizon year that will be used in determining future impacts.
- vii) Assumptions concerning passenger car equivalents.
- viii) Traffic impacts (both operational and physical) resulting from the truck traffic generated by the proposed operation, including impacts on road structure, traffic flow and safety, pedestrian and active transportation safety, and the mitigation measures required to address these impacts.
- ix) Whether improvement and redesignation in this Plan of the roads proposed to be used as a haul route(s) is necessary, the costs of such improvement, any anticipated impacts on significant environmental features affected by such improvement, and whether an Environmental Assessment is required for this improvement. This shall only apply to improvements directly required as a result of a proposed application and not as a result of existing or background traffic growth unrelated to the proposed application.
- x) If an internal road between neighbouring operations can be used in place of a public road.

e) Where the applicable haul route is already identified on the Schedules or text of this Plan, the information required by Section 20.5.11(b)(ii) shall only be required for those lands in the immediate vicinity of the proposed pit or quarry.

Commented [ND66]: To ensure the Strategic Goods Movement Network already approved in the Region's Official Plan is carried forward and that the policies to assess new haul routes cannot apply to those truck routes already identified as part of the Strategic Goods Movement Network.

Commented [ND67]: To add clarity that applicants will not be responsible for undertaking improvements unrelated to their application.

Commented [ND68]: The requirements outlined in Section 20.5.11 b) should only apply to proposed haul routes that are not currently identified as part of the Strategic Goods Movement Network as approved in Peel Region Official Plan.

c) Per Section 20.5.11(b)(ix) above, any required improvement shall be a condition of planning application approval and recommended to the appropriate authority to be a condition on the issuance of any access permit. ~~The Applicant shall prepare a Road Improvement Study for approval by the applicable road authority to indicate the measures proposed to minimize the impacts of any road improvement, including:~~

- i) ~~Existing road right of way characteristics, particularly vertical alignments, should be maintained as closely as possible, subject to safety considerations with an understanding that many of these roads possess inherent traffic calming characteristics.~~
- ii) ~~Existing trees and other vegetation within the road right of way shall be retained wherever possible, including any scrub like settings. Introduction of manicured boulevards as "landscaping elements" should be avoided.~~
- iii) ~~Wood, wire, stump, and stone fence lines shall be retained wherever possible as historical landscape remnants and incorporated as "new" design elements.~~
- iv) ~~Traditional open grassed ditches shall be used at every reasonable opportunity.~~
- v) ~~New lighting elements, such as poles or standards and luminaires shall be as unobtrusive as possible within the road right of way and lighting should be directed downward and shielded.~~
- vi) ~~Generally, any improvements required to a public road or construction of a new road due to a new or expanded mineral aggregate operation shall not be at public expense.~~

d) ~~The Town acknowledges that, in principle, there should be a haul route to each area identified as CHPMARA.~~

e) The Town will encourage the co-operative efforts of aggregate producers to arrive at a mutually satisfactory traffic movement plan with respect to aggregate trucks entering onto or exiting from haul routes. Such a plan shall examine and make recommendations on the following:

- i) The alignment of the entrances of extractive operations and other entry points.
- ii) The use of appropriate lighting and signal devices.
- iii) The use of acceleration lanes, deceleration lanes, and the construction of turning lanes.

f) Impacts on adjacent land uses, on those landscape elements referred to in subsection (c) above or on any environmentally sensitive features identified by the Traffic Impact Study will be satisfactorily mitigated.

g) The Town of Caledon will cooperate with aggregate producers and other truck users to achieve a mutual agreement on alternative traffic measures to relieve existing traffic problems within Caledon Village. ~~Such measures may include the creation of alternative routes for aggregate related traffic from aggregate operation in consideration of Section 11.2.18 of this Plan. Lack of such an agreement will not by itself constitute a reason to deny an application for aggregate extraction.~~

Commented [ND69]: Detailed construction drawings and specifications should not be required until the land use approval is in place per standard practice.

Commented [ND70]: To carry forward existing policy direction from OPA 161. This is particularly relevant given the Town's decision not to identify several Regional truck routes in their Official Plan.

Commented [ND71]: The most viable option is identifying truck routes already identified in the Region's Official Plan - see Figure 16 of ROP.

20.5.12 Rehabilitation and After Uses

- a) Once a Town-wide Rehabilitation Master Plan has been endorsed by Council, all subsequent applications for new or expanded extractive operations shall be required to prepare detailed site rehabilitation plans that meet the intent of the Rehabilitation Master Plan for the area unless, in the circumstances, it is demonstrated to be inappropriate, and or conflicts with the requirements of the Aggregate Resources Act, or provincial plans and policies. Where a Rehabilitation Master Plan does not apply, the Applicant shall illustrate how the rehabilitation of the subject property will be coordinated with the surrounding land uses.
- b) The proposed rehabilitation plan for a new or expanded aggregate operation shall conform to the policies of this Plan, including the protection and maintenance and, where appropriate, the enhancement and restoration of Natural Features and Areas, on balance with other rehabilitation priorities and in accordance with provincial plans and policies.
- c) The Town will promote progressive rehabilitation as the preferred option for all sites, in a manner which has regard for the natural environmental context of adjacent lands as supported by technical studies and investigation, cultural and heritage resources in or adjacent to the site (including the conservation of significant cultural or heritage features where practical), and the proximity of the site to settlement areas or other sensitive land uses.
- d) The Town of Caledon will co-operate with landowners, the Region, the Ministry of Natural Resources, the Ontario Aggregate Resources Corporation and aggregate operators in efforts to rehabilitate abandoned pits and quarries and return the site to a suitable land use in conformity with the policies of this Plan.
- e) The Town will investigate the acquisition of lands used for mineral aggregate operations and will support the acquisition of such lands by any public authority, including the provision of adequate financial support to permit rehabilitation. It is the intention of the Town of Caledon that these arrangements be formalized by way of a Memorandum of Understanding to be developed.
- f) Alternatively, the Town shall seek to be a party to rehabilitation plan agreements, including prior to the transfer of any lands to public ownership (if applicable).
- g) e) Proposals for new non-agricultural uses on rehabilitated mineral aggregate extraction sites in or abutting designated Prime Agricultural Areas shall demonstrate that the proposed development will be compatible with the adjacent agricultural area or be designed to minimize and mitigate impacts to adjacent agricultural operations to the greatest extent feasible based on provincial guidance.
- h) f) Soil rehydration services shall not be permitted as a means to achieve rehabilitation.

20.5.13 Social Impact Assessment

- a) New and existing mineral aggregate extraction shall not have any unacceptable social impacts caused by factors such as noise, dust, traffic levels and vibration that exceeds Provincial standards, regulations and guidelines, Federal and Town standards and policies.

Commented [ND72]: Question the appropriateness of including these as policies within an Official Plan.

Commented [ND73]: To be consistent with PPS 4.3.5.2.

Commented [ND74]: To be consistent with PPS 3.5.1. Official Plan cannot regulate existing aggregate operations.

- b) Any impact studies required by this Plan, will include, where appropriate, an assessment of social impacts based on predictable, measurable, significant, objective effects on people caused by factors such as noise, dust, traffic levels, and vibration.
- c) Such studies will be based on Provincial standards, regulations and guidelines where they exist, and duly consider Town policies, standards and criteria, and will consider and identify methods of addressing the anticipated impacts in the area affected by the extractive operation.

20.5.14 Visual Impact Assessment

- a) New ~~and existing~~ mineral aggregate extraction shall minimize visual impacts by:
 - i) Assessing significant views and how they might be affected by the proposed mineral aggregate extraction.
 - ii) Assess the changes to the natural landscape and the cultural landscape that would result from the operation.
 - iii) Identification of any required mitigation measures, and the visual character of such measures. This may include berms, entrance designs, vegetation, landscaping, and operational matters such as phasing, screening of equipment, direction of extraction which would seek to minimize visual impacts.

Commented [ND75]: Official Plan cannot regulate existing aggregate operations.

20.5.15 Cultural Heritage and Archaeology

- a) The policies of Section 4.6 of the Provincial Planning StatementSection 6 of this Plan shall apply for built heritage resources, cultural heritage resources, and archaeological resources.
- b) Required studies shall include an evaluation of cultural heritage resources in so far as they relate to roads not identified on the Schedules of this Plan. The level of cultural heritage resource investigation associated with these traffic studies will be survey level appropriate to the nature of the cultural heritage resources encountered and the nature of the anticipated impacts on these resources associated with the proposed haul route. Cultural heritage resource conservation measures may include, as appropriate, retention and use or adaptive re-use of heritage buildings and structures, incorporation of cultural heritage elements such as fence lines and tree lines where possible, and carrying out appropriate salvage and recording of cultural heritage resources that may be removed as a result of aggregate extraction operations.

Commented [ND76]: To reflect the applicable tests for development within these areas.

20.6 New Sensitive Lands Uses and Mineral Aggregate Extraction

- a) Where a new sensitive land use is proposed within the area ~~of influence~~ of an existing licensed extraction operation identified in Section 20.3(d), the proponent of the sensitive land use will bear the primary responsibility for the mitigation of potential land use conflicts between the proposed use and the aggregate extraction operation.
- b) The following policies shall apply to new sensitive land uses:
 - i) Where there is potential for noise, vibration, dust, or visual impact, the Town shall require the applicant to undertake appropriate studies.

Commented [ND77]: To reflect change made to Section 20.3(d).

- ii) Sensitive uses will only be permitted where conditions of approval and other mechanisms are established, which will ensure that identified noise attenuation or other measures will be put into place at the developer's expense.
- iii) Sensitive uses will not generally be permitted within the setbacks identified by the various studies as being required for avoidance (or, where avoidance is not possible, minimization and mitigation). Nevertheless, as portions of the Aggregate Resources Act licence are surrendered ~~extraction operation are rehabilitated~~, the separation distance may be adjusted to reflect changes to the location of active and approved extraction areas. Such adjustments will only be permitted where the study required in subsection (i) above has been updated to reflect the new conditions and demonstrates that acceptable attenuation can be achieved consistent with Provincial guidelines and guidelines for studies established by the Town of Caledon and the Region of Peel (as applicable), and where conditions of development approval are imposed which ensure that identified noise attenuation measures are put in place at the developer's expense.

c) In the case of designated settlement areas, where feasible, the overall community development pattern should be phased such that initial phases of development are situated furthest away from extraction areas so that progressive rehabilitation of the pit either precedes the development or occurs simultaneously with it. Where this is not feasible, measures will be incorporated into the development design to maximize land use compatibility between the pit operation and the proposed development as follows:

- i) Buffering through distance separation; berthing and noise barriers or walls; grading to minimize potential noise impact; the introduction of intervening uses which are not noise sensitive; the retention of natural features between the development and future extraction areas; the use of height limitations or other measures.
- ii) The imposition of conditions requiring building design and construction measures to provide visual screening and noise buffering including requirements for building orientation, construction measures for noise attenuation including window placement or other measures.
- iii) The imposition of conditions, where feasible, which would ensure that prospective purchasers are made aware of nearby aggregate operations and associated noise and truck traffic through the use of warning clauses in agreements of purchase and sale, notices registered on title, and on clearly visible signs posted at sales offices and at strategic locations within the development.
- iv) Subdivision design which takes into consideration potential truck traffic in order to avoid, where feasible, potential conflicts between truck and residential traffic.
- v) With the agreement of the pit/quarry owner, the provision of extra berms, noise barriers, landscaping and other measures on the pit/ quarry property at the developer's expense.

Commented [ND78]: Aggregate activities could still occur within areas under rehabilitation.

20.7 Community Engagement

It is the intent of the Town to improve community engagement and data sharing between mineral aggregate operations and the broader public.

20.7.1 Structured Committees

- a) The Town shall prepare and maintain an Aggregate Resources Advisory Committee to provide input on matters pertaining to aggregate resources, including industry trends.
- b) The Town shall encourage proponents to establish community liaison committees for individual operations.

20.7.2 Data Sharing, Transparency and Report Production

- a) An Aggregate Monitoring Report shall be provided to Council on mineral aggregate matters in Caledon, at least once every two years, reporting on:
 - i) The number and status of licences, including any changes in status.
 - ii) An overview of active extractive operations in Caledon, including the total area under extraction, the amount of aggregate produced, and (if known) the primary destinations of these products.
 - iii) Records of any complaints on mineral aggregate extraction operations and the transportation of aggregate products during the reporting period.
 - iv) Records of any violations of site plan or conditions of licence under the Aggregate Resources Act and their status during the reporting period.
 - v) Status of the implementation of approved rehabilitation plans.
 - vi) Status of the operation and implementation of approved adaptive management plans.
 - vii) An assessment of the cumulative impact of extractive operations on the Town's Natural Features and Areas.
 - viii) Any updates or data on monitoring work (such as air quality and ground water monitoring).
 - ix) Updates on any active and potential applications for new mineral aggregate extraction or amendments to licences.
- b) The Town will conduct such studies and address as it considers appropriate the cumulative effects of the establishment and expansion of aggregate extraction operations on the Town's communities, natural environment, and cultural features.
- c) Any conditions related to monitoring shall ensure frequent, open access to the Town, or, if not practical, at regularly scheduled intervals.
- d) The Town shall request copies of *Aggregate Resources Act* compliance reports as part of applications for new mineral aggregate extraction. The Town shall also request the same for existing mineral aggregate extraction operations when necessary.
- e) The Town shall maintain a review protocol that helps the public and applicants understand how reviews of applications shall be undertaken, to provide greater clarity.

Commented [ND79]: These matters are enforced and regulated by MNR through the ARA. The amount of aggregate produced at a given site is proprietary information.

~~and transparency on how the process is undertaken, and to demonstrate how progress on reviews is made.~~

Commented [ND80]: This should not be included in the Official Plan as such review protocol has not been prepared and cannot replace policy or legislation.

20.7.3 Resource Rescue and Recycling

- a) The Town of Caledon will consider the concept of resource rescue within existing and proposed urban areas in order to avoid the sterilization of potential resources due to urban development and expansion where the resource can be extracted in conformity with the policies of this Plan in the following manner:
 - i) Through the removal of the material prior to any urban development taking place, through a licensed operation if appropriate, or if a licensed operation is not feasible, then through use of the resource on-site in the construction of the development.
 - ii) Where the resource is to be used on-site for construction of the development, processing of the aggregate would be permitted on the site.
 - iii) The Applicant for development must identify the quantity and quality of the resource, demonstrate how the material will be used on-site, the timing of rehabilitation of the site, and evaluate the suitability of sites for resource use on-site in conformity with the environmental and groundwater protection policies of this Plan.
- b) In resource areas where there may be future urban development associated with an urban settlement in an adjoining municipality, the Town of Caledon will consult with the adjoining municipality in applying the urban aggregate resource rescue principle.
- c) The Town shall incorporate recycled mineral aggregates in capital works projects where possible and appropriate in accordance with an approved Recycled Aggregate Strategy.
- d) The Town will support initiatives by the aggregate industry and the Province to conserve aggregate resources, through such measures as recycling, and matching aggregate quality requirements to specific job specifications.

~~f) Where new and recycled mineral aggregates are mixed, the new mineral aggregates shall be measured prior to mixing.~~

Commented [ND81]: Documenting and tracking recycled aggregate is prescribed under the ARA.

20.7.4 Improved Environmental Performance on Existing Sites

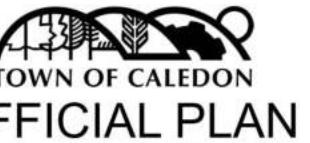
- a) ~~There are limited opportunities for existing Aggregate Resources Act licences to be reviewed and updated. The Town shall seek to update existing licences to conform to the policies of this Plan wherever possible.~~
- b) ~~The Town shall not support the amendment of existing Aggregate Resources Act licences unless conformity with the policies of this Plan is demonstrated.~~
- c) ~~Applications for new mineral aggregate extraction adjacent to existing sites shall require updating existing licences to incorporate any recommendations or requirements for the new mineral aggregate extraction onto existing sites to reflect the integrated operation.~~

Commented [ND82]: The Town does not have the authority to regulate or control aggregate operations.

Roads to be
additionally designated as
Mineral Aggregate Haul Route
were shown

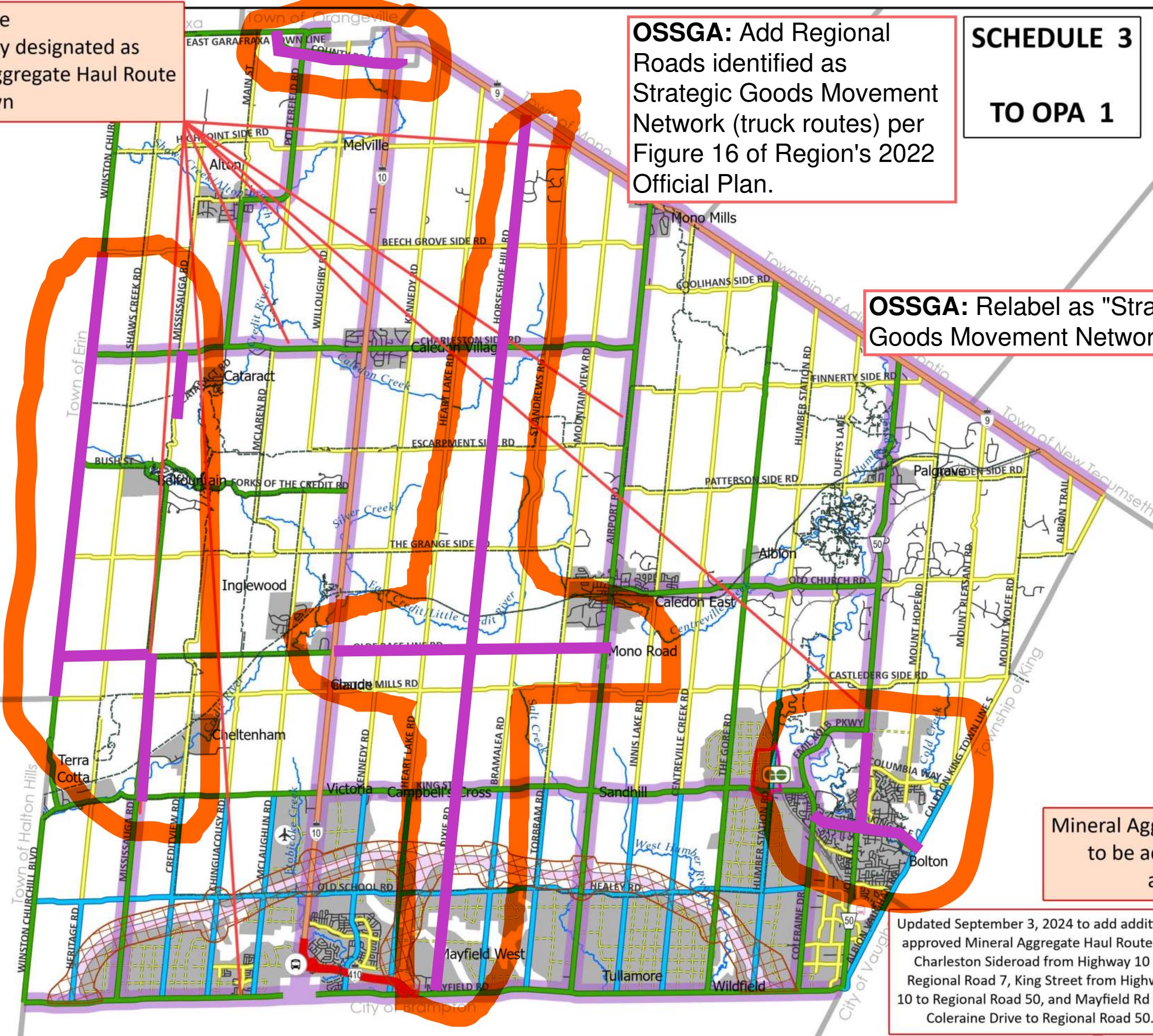
**OSSGA: Add Regional
Roads identified as
Strategic Goods Movement
Network (truck routes) per
Figure 16 of Region's 2022
Official Plan.**

**SCHEDULE 3
TO OPA 1**



Schedule C1

**Town-wide
Transportation Network**



2 3 4 5
km

March 2024 - Amended Aug 2024

9/23/2024
Source: Town of Caledon, Regional Municipality of Peel
This information is licensed under the Open Government Licence - Ontario
This map forms part of the Future Caledon Official Plan of the Town of Caledon and must be read in conjunction with the text, other schedules and boundary plans. The boundaries/alignments of designations on this schedule are approximate and are not intended to be scaled.



**TOWN OF CALEDON
OFFICIAL PLAN**

Schedule E12

Caledon High Potential Mineral Aggregate Resource Areas

Type of Resource

Bedrock
Sand and Gravel

Haul Route Identification

Mineral Aggregate Haul Route

Other Map Elements

- Palgrave Estate Residential Community
- Rural System (See Schedule E1)
- Urban System (See Schedule F1)

OSSGA: Relabel as "Strategic Goods Movement Network"

March 2024 - Amended Aug 2024

Date of print: 10/16/2024

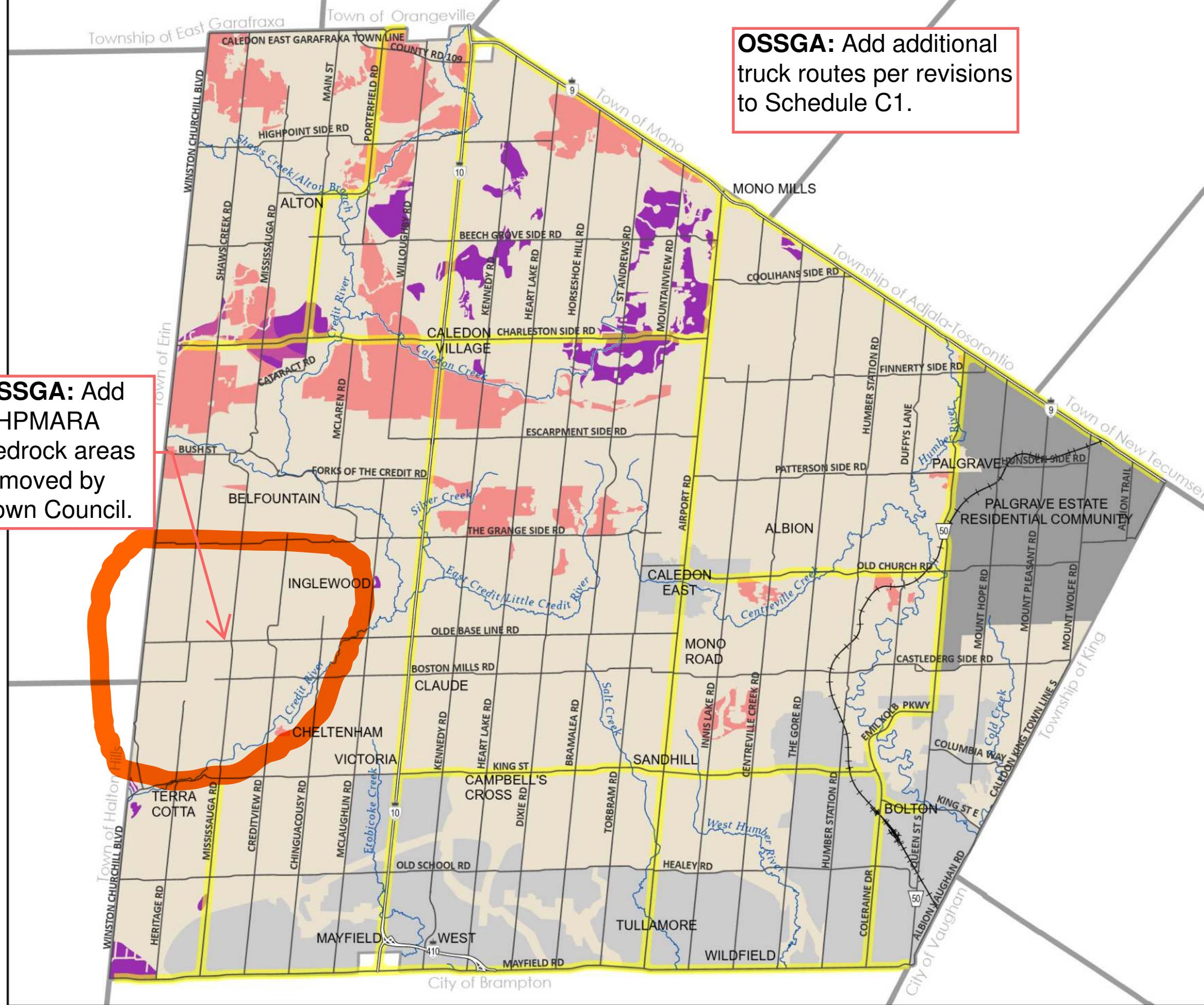
Sources: Town of Caledon, Regional Municipality of Pe

Contains information licensed under the Open Government Licence – Ontario

This map forms part of the Future Caledon Official Plan of the Town of Caledon and must be read in conjunction with the text, other schedules and secondary plans. The boundaries/alignments of designations on this schedule are approximate and are not intended to be scaled.

OSSGA: Add additional truck routes per revisions to Schedule C1.

**OSSGA: Add
CHPMARA
Bedrock areas
removed by
Town Council.**

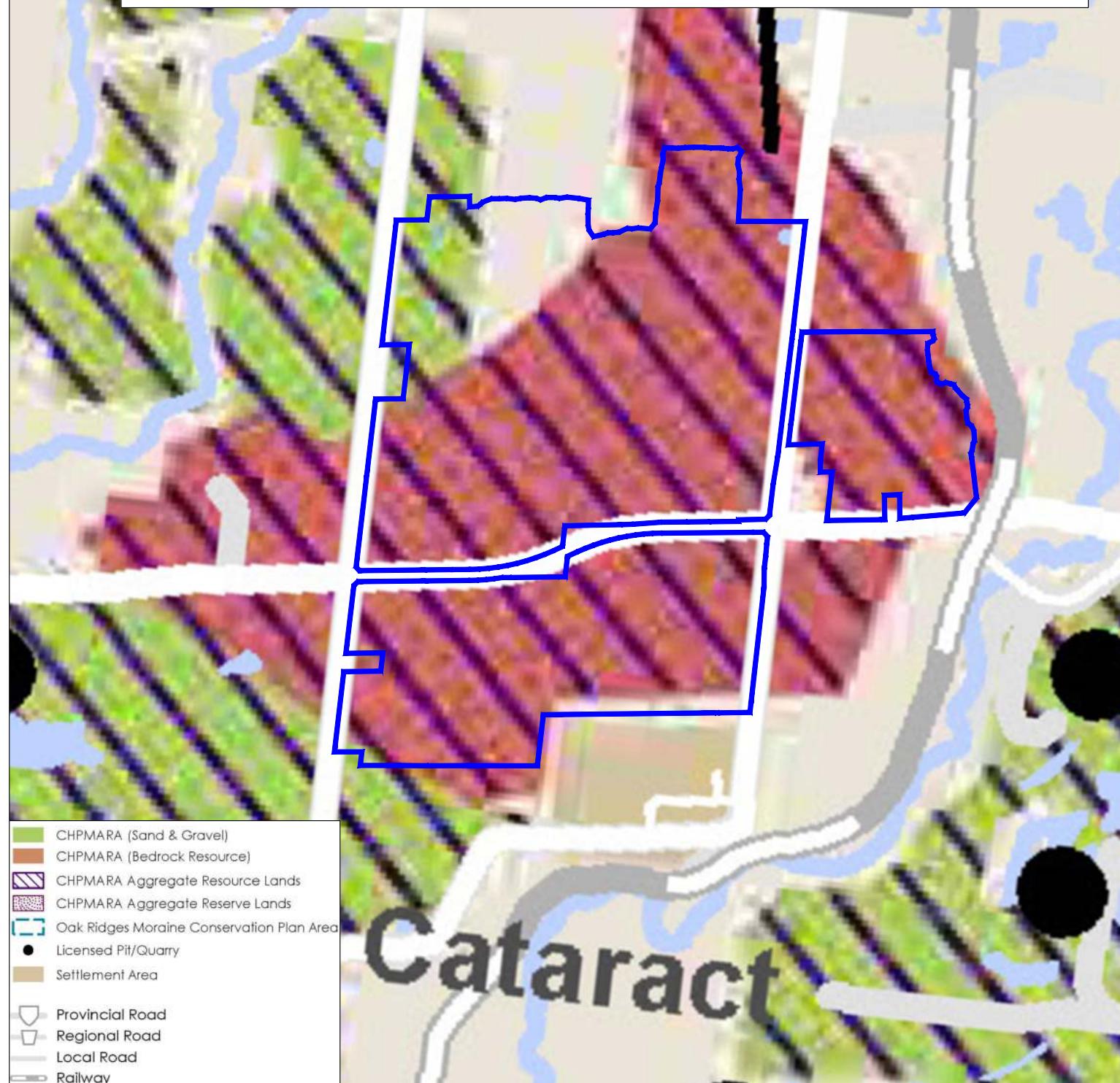


Attachment 3:

Comparison Figure (Excerpt Sch L vs Sch E12 (adopted))

Showing removal of approx. 44 acres of HPMARA from CBM lands

**CBM CALEDON PIT/QUARRY SITE OVERLAIDED ON
SCHEDULE L: CHPMARA PRIORITIZATION PLAN
(CALEDON 'IN EFFECT' OFFICIAL PLAN)**

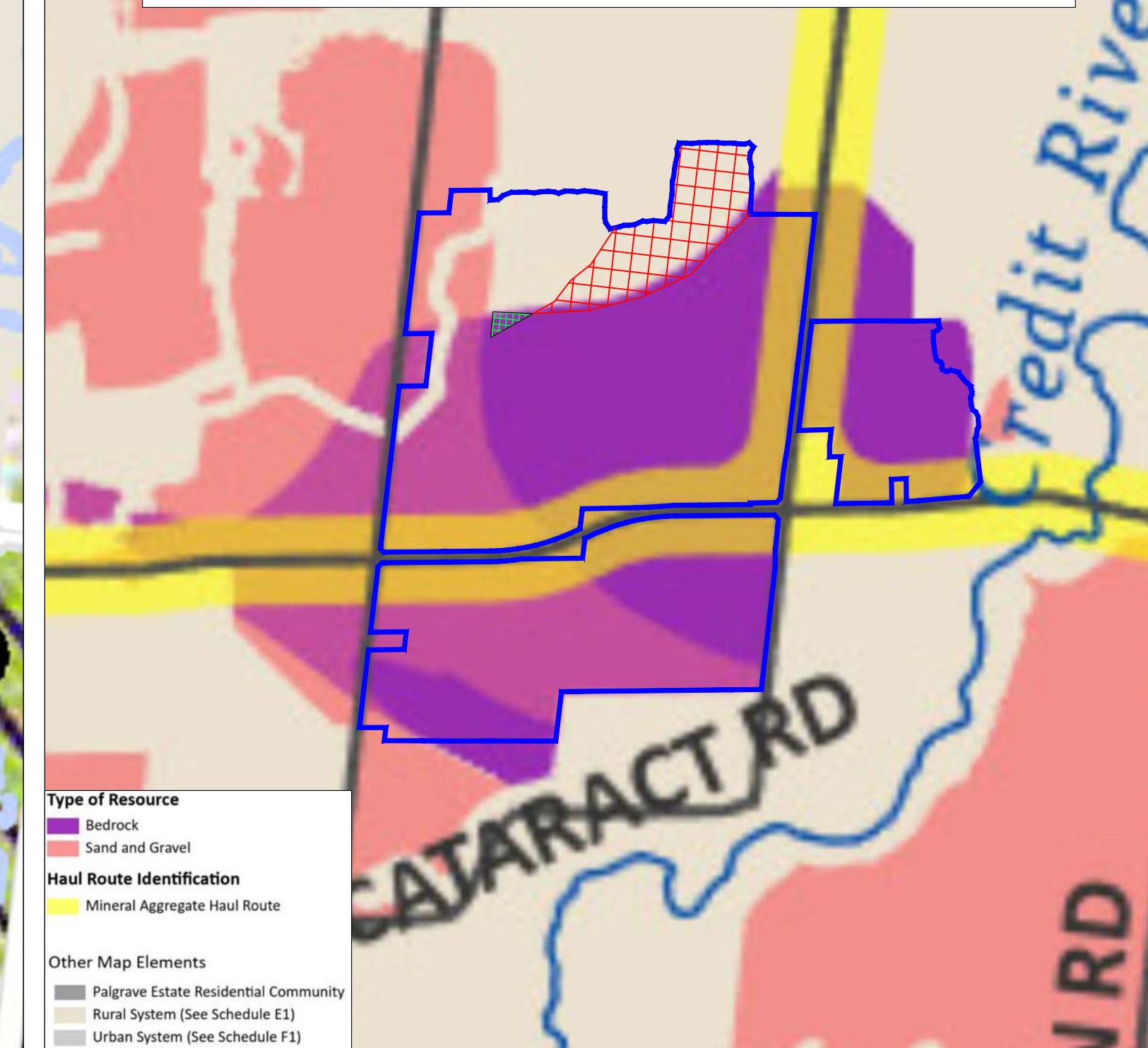


Proposed Licence Boundary for CBM Proposal

CHPMARA Lands to Be Removed
Per Caledon OP Schedule E12 Adopted Oct. 2024 - ±18 ha (±44ac)

CHPMARA Lands to Be Added
Per Caledon OP Schedule E12 Adopted Oct. 2024 - ±0.6 ha (±1.5ac)

**CBM CALEDON PIT/QUARRY SITE OVERLAIDED ON
SCHEDULE E12: CALEDON HIGH POTENTIAL MINERAL
AGGREGATE RESOURCE AREAS
FROM ADOPTED CALEDON OPA No.1 (ADOPTED OCT. 2024)**



**TOWN OF CALEDON
EXISTING 'IN EFFECT' and ADOPTED (PER OPA No.1)
CHPMARA MAPPING**



SCALE: NTS
January 21, 2025

GSAI
Glen Schnarr & Associates Inc.

Attachment 4:

Copy of CBM/GSAI July 3, 2024 Submission to Province

Regarding ‘Future Caledon ERO’

July 3, 2024

Our file: 541-003
***BY EMAIL ONLY**

Ministry of Municipal Affairs and Housing
Municipal Services Division
College Park 16th floor 777 Bay Street
Toronto, ON
M7A 2J3

Attention: Laurie Miller
Regional Planning Director, Central Region

**RE: March 2024 Adopted Town of Caledon 'Future Caledon' Official Plan
Comments for Provincial Consideration
CBM Aggregates, a division of St Marys Cement Inc. (Canada)
Town of Caledon, Region of Peel**

Glen Schnarr & Associates Inc. has been actively following the preparation and adoption (March 2024) of the Town of Caledon's 'Future Caledon' Official Plan on behalf of our client, CBM Aggregates (CBM), a division of St. Marys Cement Inc. (Canada).

We understand that following July 1, 2024 (per Bill 185), the Town of Caledon's adopted Official Plan requires final review and approval from the Province (no longer the Region of Peel). As such, we are pleased to submit comments for the Province's consideration, as Provincial staff review the Official Plan for final approval.

As background, these comments were provided to the Town of Caledon in connection with its final draft version of the Official Plan just prior to adoption as well, however, our comments were not addressed in the final adopted Official Plan. We subsequently sent our comments to the Region of Peel following the March adoption; however, we now understand it is the Province who will approve this Official Plan. Accordingly, we felt it would be worthwhile to reiterate our comments to the Province as it is tasked with reviewing and ultimately approving the Future Caledon Official Plan.

One important comment we have relates to the Town's proposed advancement of the Rural Area and Environmental policies in advance of the Aggregate policies. In our opinion, the entire Official Plan (including rural area, environmental and aggregate policies) should be dealt with comprehensively since the policy framework for rural, environmental and aggregates are interrelated and should not be addressed in isolation. **We request that the Rural Area and Environmental policies be deferred until the Aggregate policies are advancing because these are interrelated and should all be looked at comprehensively.**

Other comments we have on the adopted Official Plan (mapping and policies) include the following:

Comments on Mapping (Official Plan Schedules and Figures)

We have reviewed the adopted Official Plan Schedules and Figures and provide the following comments.

- 1) Caledon Official Plan, Schedule B1 (Town Structure), Schedule B4 (Land Use Designations) and Schedule D11 (Comparing Land Use with the Natural Environment System)

Our review of the Future Caledon Official Plan suggests the Town's Natural Heritage System is divided into two categories, being the “*Natural Features and Areas*” and “*Supporting Features and Areas*”.

Chapter 13 Natural Environment System, Section 13.3.1 notes that ‘*Natural Features and Areas*’ are intended to show Provincially Significant Wetlands, Core Area woodlands, significant valleylands, Environmentally Sensitive or Significant Areas, Provincial Life Science Areas of Natural and Scientific Interest, the Escarpment Natural Area designation of the Niagara Escarpment Plan and certain valley and stream corridors. In fact, this policy specifies that “*The Natural Features and Areas designation in this Plan corresponds to the Core Areas of the Greenlands System as identified and protected in the Region of Peel Official Plan.*”. Further, Caledon’s Official Plan Sec 13.4.1 notes that “*The Supporting Features and Areas overlay designation in this Plan corresponds to the Natural Areas and Corridors and Potential Natural Areas and Corridors of the Greenlands System as identified and protected in the Region of Peel Official Plan.*” We have attached overlays of certain Caledon Official Plan Schedules on the CBM lands for your ease of reference.

We have studied these lands and mapped overlays of the Region of Peel’s Core Areas of the Greenlands System and the Region’s of Peel’s NAC and PNAC areas on the CBM Caledon Pit / Quarry lands in conjunction with our related Official Plan and Zoning By-Law applications (POPA 2022-0006 & RZ 2022-0010). In comparing the Region of Peel’s ‘Core Areas of the Greenlands System’ (ROP Schedule C-2) and ‘Natural Areas and Corridors’ and ‘Potential Natural Areas and Corridors’ (ROP ‘Regional Greenlands System’ Figure 7) with Caledon’s adopted Schedules (and also with our own understanding and ecological mapping of the features on site), we can confirm that those areas mapped on the CBM lands by Caledon in the adopted Official Plan as being ‘*Natural Features and Areas*’ on Schedules **B1**, **B4** and **D11** are more appropriately mapped as ‘*Surrounding Features and Areas*’ since they are coincident with ‘Natural Areas and Corridors’ and ‘Potential Natural Areas and Corridors’ per ROP ‘Regional Greenlands System’ Figure 7, and not Peel’s ‘Core Areas of the Greenlands System’ per ROP Schedule C-2. In fact, we note with interest that the Town’s Schedule **D1** (Natural Environment) correctly maps those areas on the CBM lands as ‘Surrounding Features and Areas’.

We respectfully request this mapping on Schedules B1, B4 and D11 be corrected to consistently show only ‘Surrounding Features and Areas’ where appropriate.

Comments on Official Plan Policies (Text)

We have reviewed the adopted Official Plan text and provide the following comments.

1) Part D – Chapter 13 (Natural Environment System)

Part D includes policies in Chapter 13 related to the Natural Environment System. Section 13.3.6 and associated Table 13-1 (Adjacent Lands) includes a measurement of ‘adjacent lands’ from a natural feature and area. It is noted in the policy that a proposal for new development or site alteration to a feature in the Natural Features and Areas designation will require an environmental impact study to determine that there will be no negative impacts on the feature or its function and the policy sets adjacent lands distances where this study requirement is required. It is unclear how these ‘adjacent lands’ distances were established. Additional rationale to understand how these distances were established should be provided before these policies are adopted.

As well, Section 13.8 relates to minimum buffers and Table 13-3 sets out minimum buffers required from certain components of the Natural Environment System. It is requested that the rationale used to establish these particular minimum buffer widths be shared prior to these policies being approved. Without rationale and an understanding of how these were established, they seem arbitrary. Further, buffer widths vary by feature, significance, degree of current encroachment, and adjacent land uses. This level of flexibility has not been built into this policy. As well, there are Provincial policies in place that allow for encroachments and sometimes removal of certain non-significant features, with proper analysis, rationale and, in some circumstances, compensation. Additional rationale must be presented to understand how these minimum buffer widths were established before policy like this is approved.

2) Part D – Chapter 16 (Natural and Human-Made Hazards)

Chapter 16 contains policies related to Natural and Human-Made Hazards. The preamble of this Chapter suggests human-made hazards include “mineral aggregate operations”. While we acknowledge that ‘human-made hazards’ is not a defined term in the adopted Official Plan, hazardous lands and hazardous sites are described in the preamble to Chapter 16 as sites that *‘may pose threats to human life and risk of damage to property’*.

Depicting aggregate operations as a human-made hazard is inappropriate as presented in the Official Plan. As staff are aware, the Provincial standards and regulations surrounding the operation, monitoring and rehabilitation of mineral aggregate operations are heavily controlled and administered by the Province (which enforces compliance with the provincial standards and regulations). This description is inaccurate and misleading and fundamentally undermines the regulatory framework administered at the Provincial level.

We respectfully request that reference to mineral aggregate operations be removed as a ‘human-made hazard’ in the Official Plan.

Further to the above, Section 16.2.1(b) permits the Town to implement minimum setbacks to human-made hazards. While we maintain our position above that depicting mineral aggregate operations as a human-made hazard is inappropriate, we further wish to reiterate that setbacks to mineral aggregate operations are regulated and prescribed through Provincial regulations (which is correctly cited in

Section 16.6.1 (c) of the Future Caledon Official Plan), as well as through the Development Application process and review of the technical documents provided in support of such an application.

We request that the Province, through their review and approval, remove the inappropriate reference to mineral aggregate operations being a human-made hazard in the Town's Official Plan.

3) Part E – Rural System; Chapter 17 (Agricultural Area and Rural Lands)

Part E is the Rural System and includes policies in Chapter 17 related to Rural and Agricultural Lands. We notice that the “Preamble” for this section removes reference to “*mineral aggregate resources*” as part of the wide range of permitted rural uses in the Rural System. As accurately noted in Chapter 3 Town Structure, Section 3.1.2 of the Official Plan, the “*Rural System includes areas that are used for the extraction of mineral aggregate resources*”. Furthermore, Section 1.1.5.2 of the PPS contains a policy directive that notes that the management or use of resources is a permitted use on rural lands in municipalities. Accordingly, **we request for clarity, accuracy and consistency, that the Town's Official Plan maintain the reference to mineral aggregate resources in the Preamble of Part E, Chapter 17, as a component of the wide range of permitted uses that make up the Town's Rural System.**

GSAI and CBM would like to thank the Province for the opportunity to provide comments to the adopted Official Plan. We trust these comments will be taken into consideration as the Province considers approval of the Town's ‘Future Caledon’ Official Plan.

Additionally, GSAI and CBM would be pleased to meet with the Province to discuss this request and/or any other pertinent information which may be required to better understand our comments and concerns. Please do not hesitate to contact the undersigned. We would be happy to meet to discuss any of our comments at your convenience.

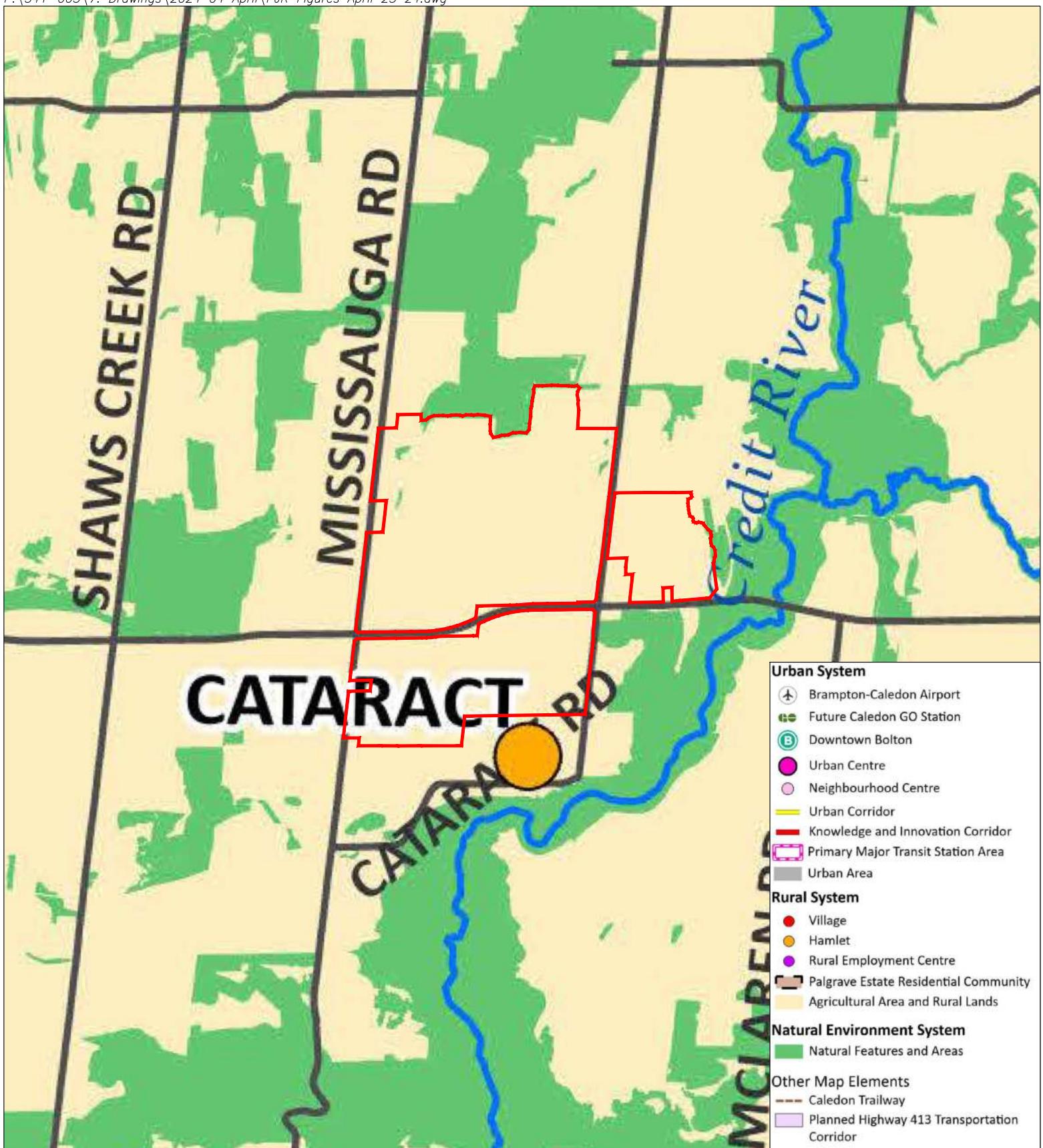
Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



Karen Bennett, MCIP, RPP
Partner

Cc: Hannah Evans, Assistant Deputy Minister, Municipal Services Division
David Hanratty, Director of Land, Resource & Environment, Votorantim Cimentos North America
Kim Mullin, Wood Bull LLP
CBM Technical Studies Consulting Team

**FIGURE 1****ADOPTED TOWN OF CALEDON OFFICIAL PLAN (MARCH 2024)
SCHEDULE 'B1' - TOWN STRUCTURE**

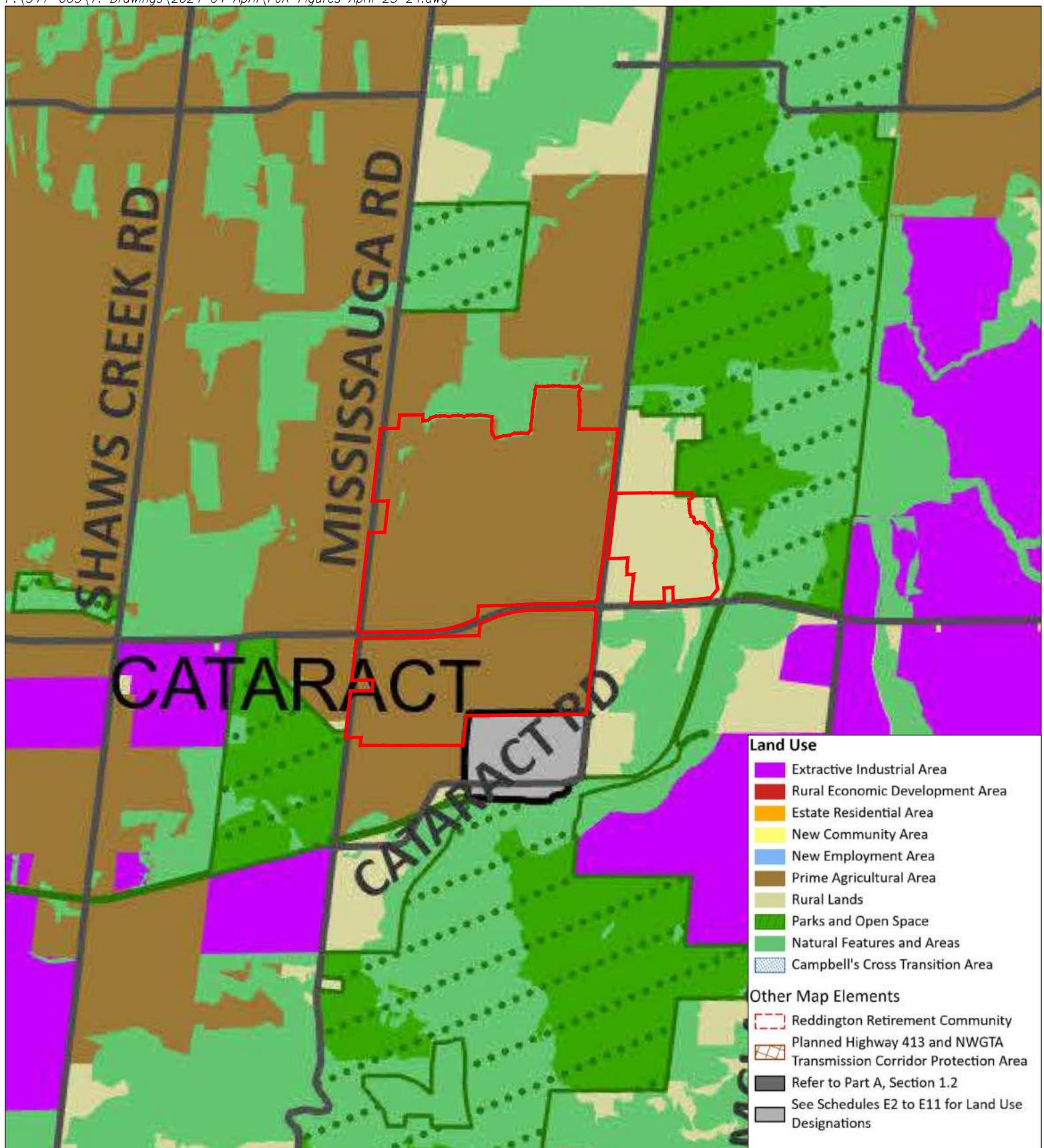
PART OF LOTS 15-18, CONC. 4, WSCR AND
PART OF LOT 16, CONC. 3, WSCR
(FORMER GEOGRAPHIC TOWNSHIP OF CALEDON),
TOWN OF CALEDON, REGION OF PEEL

LEGEND

SUBJECT LANDS



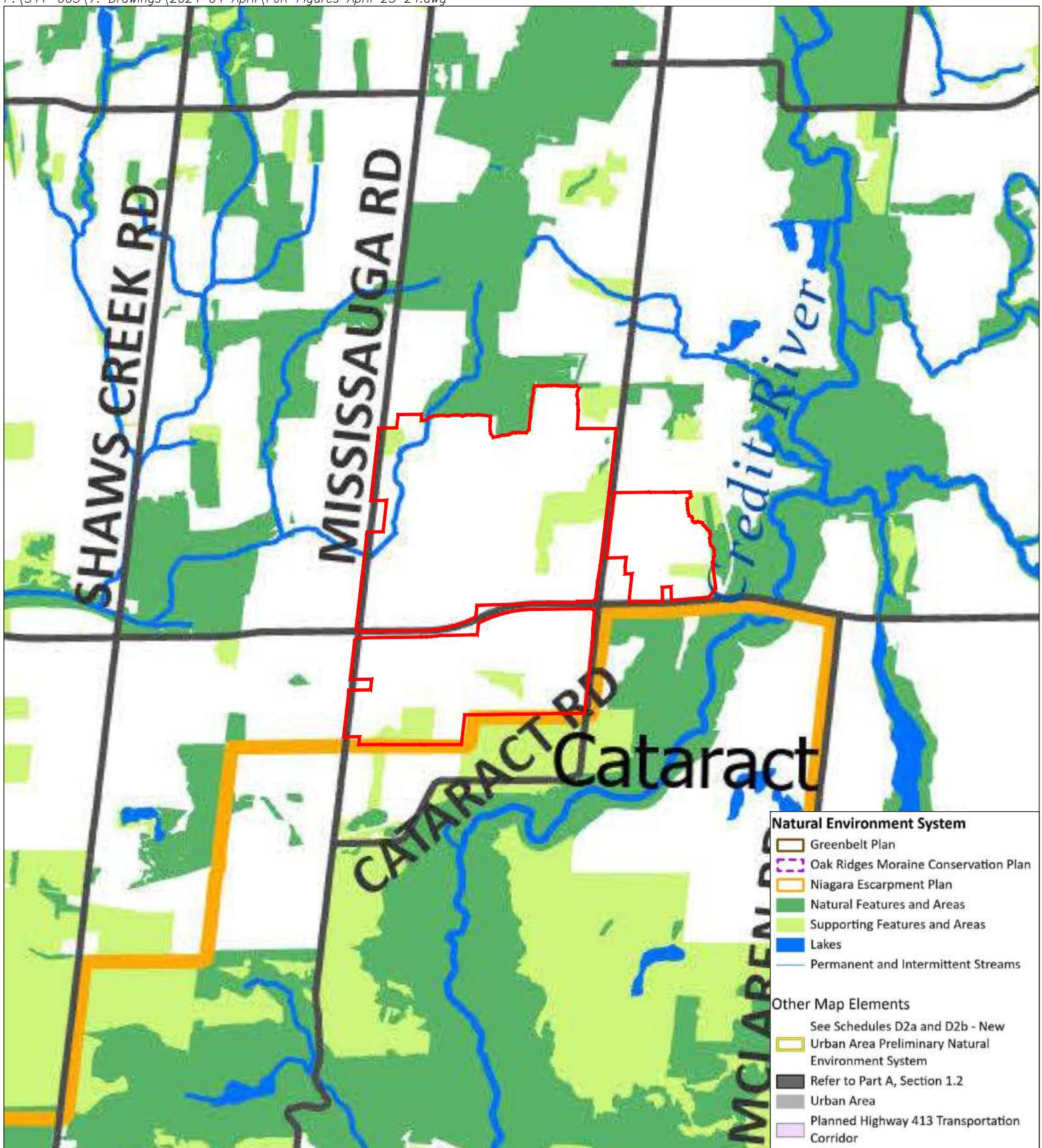
Scale: N.T.S.
APRIL 2024

**FIGURE 2**
**ADOPTED TOWN OF CALEDON OFFICIAL PLAN (MARCH 2024)
SCHEDULE 'B4' - LAND USE DESIGNATIONS**

PART OF LOTS 15-18, CONC. 4, WSCR AND
PART OF LOT 16, CONC. 3, WSCR
(FORMER GEOGRAPHIC TOWNSHIP OF CALEDON),
TOWN OF CALEDON, REGION OF PEEL

LEGEND
SUBJECT LANDS

 Scale: N.T.S.
APRIL 2024

**FIGURE 3**
**ADOPTED TOWN OF CALEDON OFFICIAL PLAN (MARCH 2024)
SCHEDULE 'D1' - NATURAL ENVIRONMENT SYSTEM**

PART OF LOTS 15-18, CONC. 4, WSCR AND
PART OF LOT 16, CONC. 3, WSCR
(FORMER GEOGRAPHIC TOWNSHIP OF CALEDON),
TOWN OF CALEDON, REGION OF PEEL

LEGEND
SUBJECT LANDS
Scale: N.T.S.
APRIL 2024

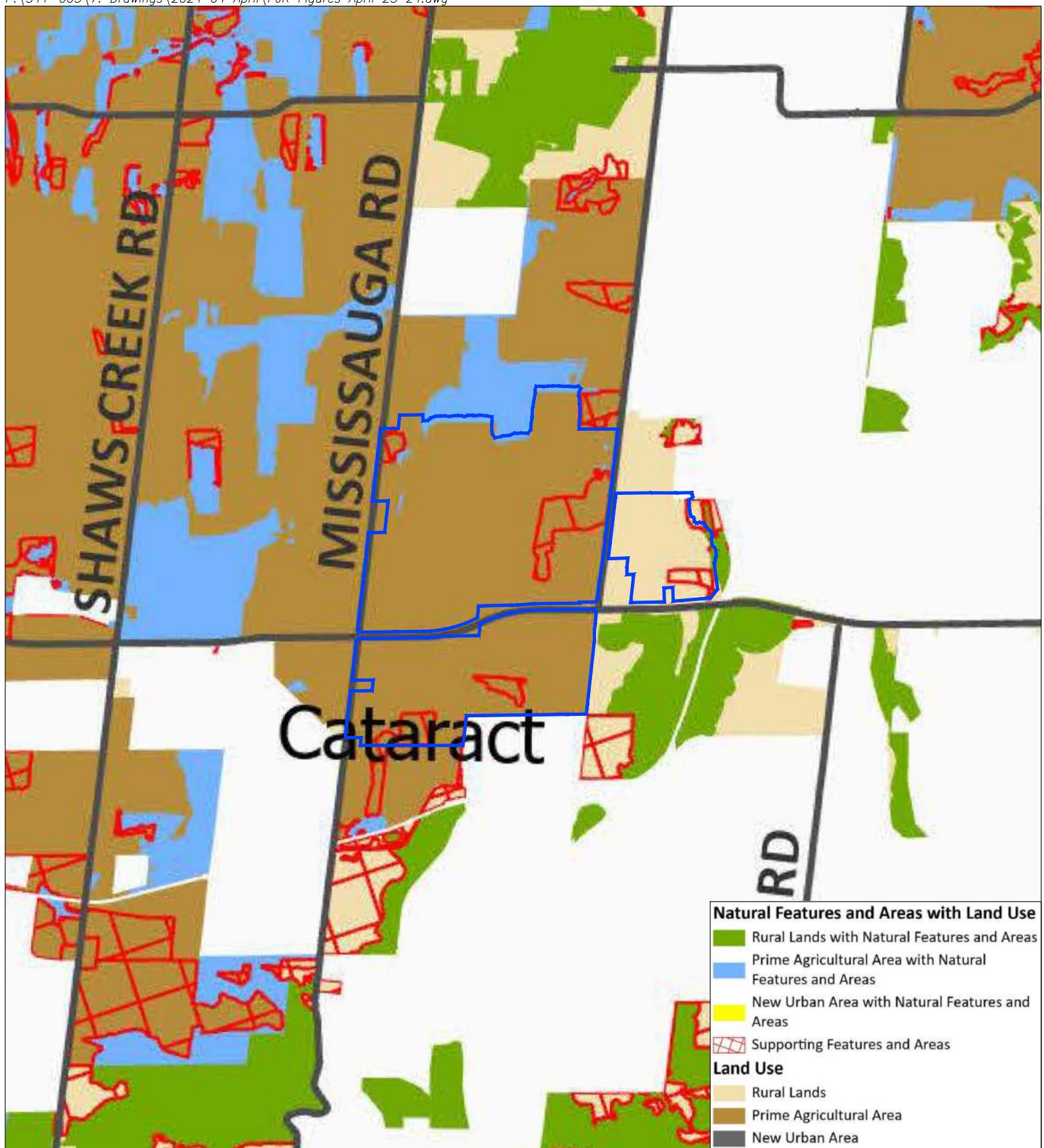


FIGURE 4

ADOPTED TOWN OF CALEDON OFFICIAL PLAN (MARCH 2024)
FIGURE 'D11' - COMPARING LAND USE WITH THE NATURAL ENVIRONMENT SYSTEM

PART OF LOTS 15-18, CONC. 4, WSCR AND
PART OF LOT 16, CONC. 3, WSCR
(FORMER GEOGRAPHIC TOWNSHIP OF CALEDON),
TOWN OF CALEDON, REGION OF PEEL

LEGEND

SUBJECT LANDS



Scale: N.T.S.
APRIL 2024