

April 28, 2021

REGION OF PEEL
OFFICE OF THE REGIONAL CLERK

Subject: FW: Delegation
Attachments: That the delegation of Jennifer Le Forestier regarding Staff Report 2021 (1).pdf

From: Jenni Le Forestier [REDACTED]
Sent: April 28, 2021 2:04 PM
To: Carolyn Parrish [REDACTED] Jurrius, Stephanie <stephanie.jurrius@peelregion.ca>; Smith, Adrian <adrian.smith@peelregion.ca>
Cc: Michelle Tom [REDACTED] Kate Hepworth [REDACTED] Kathleen Wilson [REDACTED]; Rahul Mehta [REDACTED]; - Political Advocacy Ccc <politicaladvocacy@peelccc.org>; Kathleen Moleski [REDACTED] Phil Pothen <ppothen@environmentaldefence.ca>; Joel Wittnebel <joel.wittnebel@thepointer.com>; Paul Webster [REDACTED]
Subject: Delegation

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This passed unanimously last night at the Town of Caledon. I would like it included please in tomorrows package for the April 29th Planning Committee as it should inform the MCR and the joint Peel/Caledon Aggregate Policy Official Plan Review.

Thank you,
Jennifer LeForestier

REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED ☒ _____

That the delegation of Jennifer Le Forestier regarding Staff Report 2021-0121 be received and that the following information be referred to the joint Region of Peel and Town of Caledon Aggregate Official Plan Review;

- the Government of Canada has committed to Truth and Reconciliation, and whereas Treaty No. 18 commonly called Ajetance Treaty, requires consultation with the Mississauga's of the Credit First Nation in right of crown.
- The Town of Caledon presented Chief Stacey LaForme with a modern day wampum belt in honour of the 200th Anniversary of the Ajentance Treaty No.18 as a symbolization of the renewed friendship between the Town of Caledon and the Mississauga Credit First Nation. Wampum Belts are used to mark agreements between peoples and are highly significant in treaties and covenants made between Indigenous Peoples and European Colonial Powers.
- The Credit Valley Trail Indigenous Experience Implementation Plan Bimaadiziwin Nibi Aawan, Water is Life provides framework for future approvals and identified several actions to honour The Fifth Council Fire located at the mouth of the Credit River.
- Ontario's Bill 76, the principles of the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) will be adopted in provincial laws, mandating engagement beyond "consultation" to include good faith in cooperation, and free, prior and informed consent by Indigenous peoples in any decision that affects their interests.
- the lands surrounding the Credit River have been identified as a Cultural Heritage Landscape Whereas the City of Guelph recently undertook a Water study and made several recommendations, such as Water Budget Assessments to align with the PPS: "Planning authorities shall protect improve or restore the quality and quantity of water".
- "Per Part 1.1.1 of the Waterloo Water Report – Inability to Request Studies for Existing Site Licences/Permits current regulations do not enable MNRF to request studies or investigations of existing site Licences/Permits. Therefore, MNRF is unable to address deficiencies in existing site Licences/Permits with respect to changing conditions at or around the site. For example, new Source Protection Plans and potential threat activities cannot be addressed for existing sites. Investigations to determine the extent to which existing sites may be excavating into municipal drinking water aquifers cannot be requested of the site owners. As a result, existing sites may operate under out-dated Licences/Permits and not be protective of the natural environment, particularly drinking water sources"

- "It is also important that notification be extended to include municipal well owners for Wellhead Protection Areas and Intake Protection Zones (IPZs) in which the new site is proposed and should not be limited to 150 m for a proposed pit and 500 m for a proposed quarry. The municipality's interest may include (but not be limited to) protection of its municipal water supplies under the Clean Water Act and Source Protection Plans for the watershed"
- "To support the rehabilitation reporting, it is expected that additional details be added to the proposal to cross reference the rehabilitation requirements on Site Plans to the Provincial Standards and any discrepancies be used to update the Site Plans to the current Standards. Often, the rehabilitation phasing could be made more precise and progressive rehabilitation plans could be updated to match the approach outlined in the Site Plans. In order to confirm the details in the compliance reporting, annual checks on the site could be completed to confirm the rehabilitation reporting to final rehabilitation through progressive rehabilitation as outlined in the Site Plan"
- "It is expected that below water table extraction will create new or different issues and concerns that may not have been considered in the initial site application. As noted above, environmental impact assessments either in the Water Report or the Natural Environment Report be governed by the set of conditions imposed by the below water table extraction and not be based on previous assessments and past technical reports. As noted above, the Water Report could be integrated with the PTTW process to ensure that the more quantitative aspects of the hydrogeological assessment from the PTTW are incorporated into the impact assessment of the Water Report and, where necessary, the Natural Environment Report. Notification requirements on a new site application could be based on the expected zone of impacts as determined in the technical reports"
- The Waterloo Water Report states "Reports should establish a study area that is comprehensive enough to understand impacts on all sensitive water users or sensitive features reliant on water within the hydrological and hydrogeological regime, putting it in the regional context. Where available, include information from the Regional and Local Municipality or Conservation Authority. The study area should be developed with consideration for including, but not limited to: implementation of a Rural Water Quality Program, conducting a "Road Salt Management and Chloride Reduction Study "implementation of a Region-wide road salt reduction initiative, development of nitrate reduction strategies at a rural well field; and, implementation of aggregate extraction policies to minimize aquifer vulnerability impacts within well head protection areas.

- the "Region of Waterloo has also been actively involved in a number of pro-active initiatives to minimize the risk of contaminants entering the groundwater system (ROW, 2008)
- Proposed amendments need to include specific details as to how the aggregate operations may impact Wellhead Protection Areas (WHPA). Whereas "Under normal conditions, there will be an increase in groundwater recharge in areas where the shallow soils are permeable or there are closed depressions, due to a shift in timing of the spring thaw and increased recharge during winter conditions.
- Shallow aquifers may be temporarily (i.e., several years) impacted by an increasing number of prolonged droughts resulting in a reduction in water levels, storage in the aquifer, recharge to deeper aquifers and discharge to surface water".
- There may be greater stress on the deeper aquifer system as more water may be required from the deeper, more buffered aquifers, if there is less water available in shallow aquifers during prolonged droughts.
- Lower river levels will typically result in higher pollutant concentrations and increased concentrations of toxins and bacteria in the water. There will be an increased likelihood of water-borne health impacts. Higher flows and flooding events will increase the turbidity and the flushing of contaminants into the surface water system and increase erosion of soils and sediment loading to the surface water system.
- Increased surface water temperatures, decreased duration of ice cover and lower water levels may contribute to decreased concentrations of dissolved oxygen and increased concentrations of nutrients, such as phosphorous, in surface water. Lower water levels will result in a decrease the assimilative and purification ability of wetlands.
- Drier conditions may shift the hydroperiod, potentially changing the wetland ecosystem to "drier" vegetative species. Shorter winters and longer summers will impact water availability.
- During increased periods of extended drought there will be less base flow to maintain creeks and wetlands. Greater evapotranspiration in the summer will decrease the water availability.
- Warmer temperatures and drier conditions will increase the urban water demand causing greater stress on the pumped aquifer system. Agricultural water demand will greatly increase, which is likely to impact the shallow groundwater system where most water taking will occur.

- Water managers are increasingly considering the impact of climate change and how to adapt to climate change (Natural Resources Canada, 2004). The uncertainty associated with climate change is one additional factor that water managers add to other uncertainties, such as population growth and changing economic conditions.
- there is clear criteria identified in the Government Document "How Much Habitat is Enough" 3rd, edition that for the best watershed health 50% is the highest standard that should be left in natural heritage for watershed health, 30M of riparian plantings on both sides of waterways and that 75% of the riparian edge should be naturals; that wetland retention be a minimum of 10% of a major watershed and 6% of a sub-watershed; and notes that irreparable harm to water quality occurs at 10% impervious surfaces.
- While new aggregate extraction in the Greenbelt is not permitted in significant wetlands, the habitat of endangered species, and significant woodlands, future aggregate operations may be permitted in key natural heritage features and prime agricultural areas.
- Over the past four decades, and following numerous background studies and policy reviews, the provincial interest in aggregate resource management has remained strong.
- There is a provincial mandate to ensure that aggregate resources are protected for long-term use, and the province has declared a provincial interest in maintaining close-to-market supply. Cumulative environmental concerns, however, led the Environmental Commissioner of Ontario to call on the Province in 2017 to decrease aggregate demand, strengthen the province's powers to protect the environment, and improve rehabilitation rates through better enforcement.
- The province continued to prioritize aggregate production over natural heritage policies. According to the Canadian Environmental Law Association, in 2019 the Province reduced the regulatory burden by providing preferential treatment to the aggregate industry rather than support good planning by balancing public and private interests.
- In 2020 changes to the PPS enhanced policies to protect existing and planned aggregate industrial uses.
- Aggregate extraction imposes cost on society: it affects our health, increases GHGs, puts the clean water resources of Ontario communities at risk, and damages natural heritage systems.

- Excavation can have a variety of impacts on the groundwater system. Some effects above water table could be minor, however below water table extraction with no mitigation measures has potential to alter the groundwater flow system.
- current issues in laws policies and regulations targeting public and environmental health as “reducing red tape, and Regulation changes related to ARA and Golden Horseshoe Growth Plan have resulted in a Violation of Law through Lack of Public Consultation, e.g., Bill 197, according to the Attorney General, and a silence or inaction on Climate Change.
- current issues with ARA changes include below water-table extraction, Site Plans, Amendment, the Industry’s self-filing Minor Expansions – Road Allowances, Wayside Pits, Haul Routes, Public Notification and Consultation, Compliance Reporting, monitoring, enforcement, Spills Hotline.
- There are very few examples of Rehabilitation across the Province that are Progressive, Comprehensive and Integrated.
- the ARA changes are resulting in the loss of Prime Farmland, soil fertility after Berms, Sterilization of Aggregate could impact Water Budgets, thereby creating a risk to food supply
- Duration & Cumulative Impacts of Pits and Quarries can result in a Loss of Proximity and Connectivity from a Community or Farm Property, the ARA regulations need municipal government oversight of public interest.
- Canada has the highest emissions per capita of the G7. The Government of Canada announced Thursday that the country’s new target is to reduce greenhouse gas emissions to 40 to 45 per cent of 2005 levels by 2030. Whereas That Caledon reviews their Climate Action Plan to address fully the impacts of Aggregate Extraction in Caledon and adopt more stringent requirements for aggregate licensing like other regions in the Province. It might be possible via a google search to identify which municipalities in Ontario have adopted motions about climate crisis, then find a study which relates climate change to aggregate, cement and concrete.
- The Town of Caledon should not only maintain but expand the right to comment by experts and communities on new licenses, expansions and amendments
- The Climate Action Plan could implement that the Town work with member and partner organizations, support local groups in their vigilance and advocacy through education.
- That every aggregate license issued in the Town of Caledon undergo consultation and written permission from the Mississauga’s of the Credit First Nation;

- That the Town require cumulative, social and health impact studies before approving zoning or licenses to represent Public Interests as is done in Waterloo Region where social and cumulative impact studies are a requirement.
- That the Official Plan audit and omit Aggregate Resource Areas that are harmful to the Credit River.
- That the Town of Caledon Climate Action Plan and the Official Plan Review include cancelling approvals for extraction below the water table; and
- That Caledon reviews their Climate Action Plan to address fully the impacts of Aggregate Extraction in Caledon and adopt more stringent requirements for aggregate licensing like other regions in the Province.

References:

<https://cvc.ca/wp-content/uploads/2021/03/Final-CVT-Indigenous-Experience-Plan.pdf>
<https://www.caledon.ca/en/town-services/resources/Documents/business-planning-development/Manorsof-Belfountain/third-submission/Cultural-Heritage-Impact-Statement---04.25.2019.pdf> https://www.caledon.ca/en/living-here/resources/Documents/recreationleisure/Cultural_Heritage_Landscapes_Inventory_Section7.pdf

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved. Several definitions that have specific meanings for use in a policy context accompany the policy statement. These definitions include built heritage resources and cultural heritage landscapes. A built heritage resource is defined as: "a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community" (Ministry of Municipal Affairs and Housing 2014). A cultural heritage landscape is defined as "a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association" (Ministry of Municipal Affairs and Housing 2014). Examples may include, but are not limited to farmscapes, historical settlements, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways, and industrial complexes of cultural heritage value. In addition, significance is also more generally defined. It is assigned a specific meaning according to the subject matter or policy context, such as wetlands or ecologically important areas. Regarding cultural heritage and archaeology resources, resources of significance are those that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people (Ministry of

Municipal Affairs and Housing 2014). Criteria for determining significance for the resources are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (Ministry of Municipal Affairs and Housing 2014).

<https://pub-guelph.escribemeetings.com/FileStream.ashx?DocumentId=6051>
https://guelph.ca/wp-content/uploads/Moraines_Report_May2009.pdf
<https://globalnews.ca/news/7780966/climate-change-emissions-reduction-45-2030-canada/> How Much Habitat Is Enough - 3rd Ed (Environment Canada 2013) - DocumentCloud .

5.8 conducting a "Road Salt Management and Chloride Reduction Study" and implementation of a Region-wide road salt reduction initiatives; development of nitrate reduction strategies at a rural well field; and, implementation of aggregate extraction policies to minimize aquifer vulnerability impacts within well head protection areas

SUMMARY OF TECHNICAL SOURCE PROTECTION STUDIES As indicated in previous sections, the Region of Waterloo has been actively involved with water resources protection for many years. The Region has been implementing a Water Resources Protection Strategy since 1993, to minimize the risk of historic, existing and future land use activities on municipal water supplies. In 2003, the Region in partnership with the GRCA was awarded funding from the MOE "Operation Clean Water Municipal Groundwater Study Initiative", (The following is a summary of the various studies and initiatives that have been completed or on-going, within the Region of Waterloo: • Groundwater Mapping and Aquifer Vulnerability Assessment – The Region has delineated well head protection areas for all of their groundwater supply wells using a Regional-scale groundwater flow model. Capture zones have been delineated and "Well Head Protection Areas" assigned levels of "sensitivity". These areas have been updated, or are currently being updated, to integrate with the Source Protection Groundwater Vulnerability Analysis (i.e. Guidance Module 3). • Delineation of Surface Water Intake Protection Areas – The Region has completed a study to delineate Inland Protection Zones and Total Water Contributing Area for the Hidden Valley Intake on the Grand River. • Groundwater Use Inventory and Assessment – These studies include an MOE water-use assessment and a Region water-use assessment. As previously indicated, a Tier 2 Water Budget and Risk Assessment Analysis has been completed and a Tier 3 Water Budget and Risk Assessment Analysis is currently being conducted for the Laurel/Schneider Creek group of sub watersheds. • Region-scale Assessment of Potential Contaminant Sources – A reconnaissance level survey of sites that pose a potential threat to water supplies was conducted in 1996 and detailed studies completed in 1997 and 1998. A Threats Inventory Database (TID) was developed by the

Region and ranking of each threat developed to provide a relative ranking of the threat to water resources. This information is being updated as part of the Source Protection Threats Inventory Assessment and Issues Evaluation (i.e. Guidance Module 5). • Risk Reduction Programs and Tools – The Region has implemented or is proposing to implement a number of RiskMitigation Measures for existing and future threats to municipal wells within the different Well Head Protection Sensitivity Areas. Threat categories such as: contaminated sites; winter maintenance; agriculture nutrient application; impervious cover increase; and, aggregate extraction are addressed with various risk reduction measures proposed for each category.



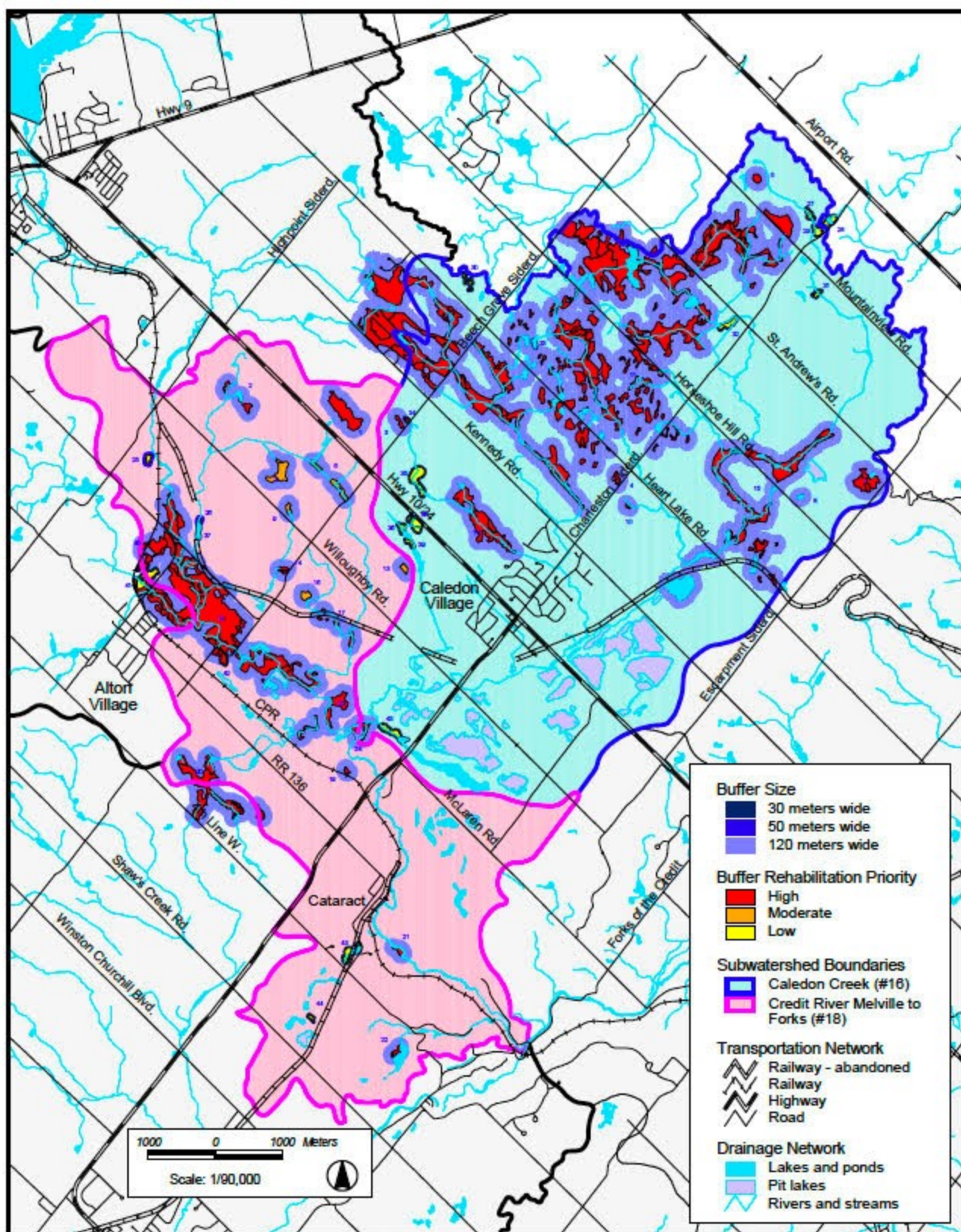


Figure 4.8: Wetlands Requiring 30, 50 and 120 Metre Buffers

Source: Credit Valley Conservation, 1999; OMNR, 1982.



