

For Information

REPORT TITLE: **Peel 2041+ Aggregate Resources Policy Review**

FROM: Kealy Dedman, Commissioner of Public Works

OBJECTIVE

To provide the Region of Peel Planning and Growth Management Committee with an update on the aggregate resources policies and mapping component of the Peel 2041+ Official Plan Review and Municipal Comprehensive Review.

REPORT HIGHLIGHTS

- The Region will be updating the mineral aggregate resources policies and mapping in the Regional Official Plan.
 - The mineral aggregate resources policy review will ensure conformity and consistency with updates which have been made to the Provincial Policy Statement, Growth Plan and provincial land use plans such as the Greenbelt Plan.
 - Emerging trends and best practices will be examined including comprehensive rehabilitation planning, adaptive management planning and the siting of aggregate recycling facilities.
 - Updated mapping of High Potential Mineral Aggregate Resource Areas will be produced.
 - The aggregate resources policies and mapping in North West Brampton that were approved through Regional Official Plan Amendment 32 will not be changed.
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DISCUSSION

1. Background

In 2013, Regional Council approved the work program for the Peel 2041+ Regional Official Plan Review (ROP Review). The aggregate resources policies and mapping were identified as one of 13 focus areas to be reviewed and updated to ensure conformity with current Provincial plans.

The Provincial Policy Statement, 2020 (PPS) has assigned municipalities mineral aggregate resources planning responsibilities including the identification of known mineral aggregate resources deposits and the protection of, and to make available, aggregate resources for long-term use in a sustainable manner. Mineral aggregate resources policies were incorporated in Section 3.3. of the ROP when it was initially adopted by Regional Council. Subsequently, mineral aggregate resources policies and mapping were reviewed, updated and implemented in more detail in the Town of Caledon Official Plan.

Given recent updates to the PPS and the Provincial land use plans such as the Greenbelt Plan 2017, an official plan review and conformity analysis is required. Through the

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aggregate resources review, the ROP policies and mapping will be reviewed and updated to ensure conformity with provincial policy direction and to ensure the Region's policy framework reflects best practice and is responsive to emerging trends and needs including the continued protection of natural heritage resources, and minimizing adverse impacts on the local community.

2. Aggregate Resources Planning Policy Framework

The *Aggregate Resources Act* and Ontario Regulation 244/97 are the primary pieces of legislation which govern the licencing and operation of pits and quarries. This legislation is supported by the Aggregate Resources of Ontario: Provincial Standards and the Aggregate Resources Policies and Procedures Manual. The Ministry of Natural Resources and Forestry (MNRF) is responsible for administering the Act including approving site plans, issuing licences and monitoring compliance. Appropriate municipal zoning and official plan designations must be in place prior to the MNRF issuance of a licence. Through this local land use planning process, municipalities can ensure official plan policies are adhered to by potential aggregate operators. These municipal policies are influenced by provincial policies including the Growth Plan for the Greater Golden Horseshoe, PPS, Greenbelt Plan, the Niagara Escarpment Plan and the Oak Ridges Moraine Conservation Plan and respond to local needs.

The Region's current official plan policies work in conjunction with the Official Plan of the Town of Caledon, where the majority of Peel's aggregate resources can be found. The policy framework in Peel is a continuum that commences with the general principles set out in the PPS, continues with the broad overarching policy in the ROP and is completed and implemented by the specific policies in the Caledon Official Plan. The policies were developed based on the Caledon Community Resources Study (CCRS). This study was completed in 1996 to develop a sustainable model for the management of aggregate resources that enabled the natural environment and community to be maintained and enhanced over the long-term. The policies were inserted into the ROP in the initial adoption of the Plan in 1998, and the Caledon Official Plan through OPA 161.

The policies established through the CCRS and OPA 161 provide a comprehensive framework for aggregate resources planning that will be reviewed and updated as needed through the Peel 2041+ Review. Through Regional Official Plan Amendment 32, the Region recently updated the aggregate resources related policies and mapping for shale in the City of Brampton. These policies and mapping will not be reviewed, as these were recently updated in the ROP.

The current ROP policies achieve a balance between the demand for, and economic benefits of resource extraction and the protection of Peel's communities, natural environment, cultural heritage and other resources. The current mapping on Schedule C identifies High Potential Mineral Aggregate Resources Areas (HPMARA), meaning lands which contain primary and secondary sand and gravel resource areas and selected bedrock resource areas that are not constrained by provincial or municipal policies which prohibit aggregate resources extraction (see map in Appendix I).

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3. Official Plan Policy Review Requirements

An initial review and analysis of the ROP has determined that the current official plan policies are largely consistent with and conform to the policy direction provided in the provincial plans and policy statement. However, there is new and updated provincial direction that requires an appropriate regional policy response.

Provincial Policy Statement 2020

The PPS was updated in 2005, 2014 and again in 2020. The PPS policies for mineral aggregate resources have remained consistent, however there is updated policy direction that:

- encourages comprehensive rehabilitation planning in areas where there is concentration of mineral aggregate operations.
- restricts the responsibility for determining depth of extraction as a matter to be addressed through the Aggregate Resources Act and therefore an MNRF responsibility.
- encourages aggregate resources conservation including accessory aggregate recycling facilities within operations, wherever feasible.

The Region participated in the Town of Caledon's Aggregate Rehabilitation Master Planning Study. Implementing the appropriate regional level recommendations from this study, can serve to address the new PPS direction. The Regional Official Plan does not specifically address depth of extraction, however, the appropriate policies are needed to ensure protection of groundwater resources. The current official plan does not address aggregate recycling facilities. Consideration will need to be given to the appropriate official plan policy direction for siting these facilities, recognizing the potential impacts on the natural environment, truck traffic and the operations of pits and quarries.

Provincial Land Use Plans (Greenbelt Plan, Oak Ridges Moraine Conservation Plan, Niagara Escarpment Plan)

In 2015 the Province undertook a review of all four environmental land use plans. Generally, the changes to these plans strengthened protection for natural heritage and agricultural lands. Municipalities are required to protect the following areas from new and expanding aggregate operations:

- Key natural heritage and key hydrologic features;
- Provincially Significant Wetlands;
- Significant Woodlands;
- ORMCP Core Areas; and
- NEP Escarpment Natural Areas.

As a result of these policies, the Region will be analyzing its current policies and mapping to ensure these features and areas remain protected. The Region is acquiring the most up to date mapping of these features and areas and will include them as constraints when updating the mapping of HPMARA.

Current Trends and Best Practices

To respond to local needs and remain up to date with current best practices, the Region will be studying and addressing opportunities related to cumulative impact assessments, such

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as when it may be appropriate to require an application for a proposed operation to address cumulative impacts related to water quantity. Where there is a cluster of operations, such as adjacent to Caledon Village, a current best practice involves examining the individual impacts of an operation and the impacts in combination with the other operations within its vicinity, where such information is available. This practice allows the municipality to understand and manage the cumulative impacts. Incorporating policy to address cumulative impacts may be an appropriate regional policy option.

Another emerging issue has been the proposed use of adaptive management plans to monitor and mitigate impacts in relation to groundwater, surface water and the natural environment. The Region, in partnership with the Town of Caledon, needs to have a firm understanding of adaptive management plans and ensure the municipal land use planning policy framework is in place to respond when these plans are proposed as a part of an aggregate resources licence application.

The Peel Goods Movement Strategic Plan includes an action item which seeks to understand and ensure proper management of aggregate resources goods movement and their community impacts. The Region is undertaking the necessary study that will inform the implementation of the strategic actions in the Goods Movement Strategic Plan and to determine the need for revised official plan policies.

Aggregate Resources Inventory Papers and Mapping

The Ontario Geological Survey's Aggregate Resources Inventory Papers provide mapping of the mineral aggregate resource deposits in Peel Region and analysis on the size, quantity and accessibility of the resources. This information is used as the basis to inform the mapping the Regional Official Plan. In 2020, the province released updated aggregate resources mapping for Peel. This update was based on new information acquired through additional investigations. In some areas new deposits of selected resources are being shown, while in other areas deposits are no longer being identified as significant. The Region will need to update its mapping on Schedule C to show these changes in relation to areas identified as constraints to resource deposits. Appendix II provides an initial comparison of the changes to the Provincial mapping of selected bedrock resource areas in Peel Region.

4. Stakeholder Consultation Strategy

To engage with stakeholders, the Region has developed a Peel 2041+ Consultation Work Plan. The work plan provides a structured consultation with outcomes that:

- i. build awareness about the policy and mapping review and invite stakeholders to participate throughout the process;
- ii. provide more in-depth information of the methodology used to develop the ROP mapping of aggregates and present potential policy options;
- iii. provide the proposed draft aggregate resources policies and proposed draft HPMARA mapping and to seek recommendations on refinements to the policies and mapping; and
- iv. consult with the public on draft policies and mapping prior to adoption by Regional Council and submission to the province for approval and meet the statutory requirements under the *Planning Act* to hold a public open house and public meeting in advance of amending the Official Plan.

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A series of consultation tools and formats are being proposed including updated information on the website and meetings with stakeholder groups. Staff are preparing an aggregate resources discussion paper, an aggregate resources mapping methodology paper and an excess soils discussion paper. The proposed consultation strategy will also seek public feedback through a questionnaire and comment submission sheet. Staff propose to hold an informal open house using a web-based platform, or in person if permitted, prior to the statutory consultation process that is required through the *Planning Act*. All of these formats will be promoted and support through social media.

Indigenous community engagement is a component of the Peel 2041+ consultation strategy and will involve circulating notifications directly to Indigenous communities.

5. Timeline and Next Steps

The next steps include continued engagement with stakeholders throughout the summer and into the early fall. Through the information received during the engagement staff will continue to work with Provincial staff, local municipal staff, conservation authorities, stakeholders and agencies to refine and update the proposed policies and mapping.

Regional staff intend to report back to Regional Council in late 2021 with the proposed draft policies and request permission at that time to proceed to the statutory public open house and public meeting. It is anticipated that the proposed draft policies and mapping will be submitted to the province for review and approval in 2022.

CONCLUSION

The Peel 2041+ Aggregate Resources Policy Review will continue throughout 2021 and into 2022. Upon completion of the background research and initial consultations staff will draft and refine proposed policies and mapping. The draft policies will be presented to Regional Council and be presented at a statutory open house and public meeting in accordance with the *Planning Act*.

APPENDICES

Appendix I – High Potential Mineral Aggregate Resource Areas Schedule C (In Effect)
Appendix II – Selected Bedrock Resource Areas Comparison

For further information regarding this report, please contact Adrian Smith, Chief Planner and Director of Regional Planning and Growth Management, Ext. 4047, Adrian.Smith@peelregion.ca.

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