



# Concerned Residents Coalition

P.O. Box 121, Rockwood ON N0B 2K0

The Honourable Grant Crack  
Chair, Aggregate Resources Act Review Committee  
c/o Ministry of Rural Affairs  
11<sup>th</sup> Floor  
77 Grenville Street  
Toronto, Ontario M7A 1B3

February 24, 2014

Dear Chair and Members of the ARA Review Committee,

Further to the recent Review of the Aggregate Resources Act, I am writing on behalf of the Concerned Residents Coalition to comment on the recommendations made by the Committee.

The Concerned Residents' Coalition is a grass-roots organization with members from four municipalities who are concerned with the potential impacts of a pit and quarry proposed for a site in the midst of our community. Because the application for a licence is in process with MNR and the parallel request to the municipality for re-zoning is under consideration, we are well placed to assess what difference the recommendations would make to communities like ours. This is our expertise.

We are located just a few kilometres north of the Niagara Escarpment threshold, at the Northern limit of the Green Belt (separated only by a highway), and in the Paris-Galt Moraine where feeder streams of the Grand River Watershed rise. A town of 5000 is 1000 metres away from the proposed site and there are two enormous pits/quarries within 12 kilometres, both hollowing out huge gashes deep in the Niagara Escarpment.

Our review of the following recommendations from the Committee is positive:

- **Licensing Procedures:** Longer consultation periods and extended notification areas are essential.
- **Increased licensing fees:** Likewise, the recognition that licensing fees and taxes must be increased to address municipal impacts and rehabilitation needs is a first step in recognizing the real costs of extracting this natural non-renewable resource.
- **Re-cycling:** The attention paid to promoting the use of recycled materials is an important, realistic and necessary step, with the proviso that existing pits not be consigned to recycling and waste storage functions that would only exacerbate their negative life-cycle impact.
- **Rehabilitation:** Given the very large number of abandoned and operating pits/quarries in the province it would also be hard to argue against the recommendations for pit/quarry rehabilitation; for expedited rehabilitation in densely populated areas; and for the recommended increase in the share of the licence fee allocated through MAAP for this purpose.
- **Alternate Modes of Transportation:** Research into alternate modes of transportation is clearly a high and urgent priority given the time involved in structuring new systems. It is essential to encourage the development of aggregate sites outside the heavily populated area of Southern Ontario.

In general, however, we are disappointed to see that the recommendations favour the status quo as far as aggregate mining itself is concerned. Aggregates still trump other land uses and environmental concerns. While we understand the almost frantic race to build infrastructure and housing in the mushrooming GTHA/Golden Horseshoe region and other major urban centres in the province, we feel that there is a larger context which must be taken into account, however inconvenient it may seem. Many of the submissions made to the Review Committee raised these broader issues. Most are not reflected in the recommendations.

**We believe that food and water must come first. We believe that:**

1. **The protection of aggregate resources is not more important than the protection of the life-giving natural resources of clean air and water, and our ability to produce food.** Southern Ontario is losing farmland, Canada's best, at a very fast rate and our tree coverage is only half of what is required for water, soil and eco-system conservation.
2. **Our society must dramatically reduce its dependence on virgin aggregate.** It is a finite, non-renewable resource. We must constantly refine and re-define our definition of "need" and future demands. As long as we continue to extract, even at today's rate, we are moving quickly towards a day of scarcity and prohibitive prices, as we are with all non-renewable resources. Our society's planning for the future must reflect this reality. It means not only recycling, but also conserving and replacing. It means addressing policy questions now with regard to sustainable, long term planning for efficient public transportation and new approaches to urban/suburban housing development, for example.

We also find that the recommendations did not respond to citizen concerns expressed in the very large number of submissions to the Review Committee, nor did they address the following issues sufficiently:

**Licencing:**

1. **The Ministry of Natural Resources must thoroughly and actively assess applications, not rubber stamp the receipt of required environmental studies.** Without this, the onus is entirely on the municipalities, and often citizens, to assess the validity of proponent-commissioned studies. The expertise of other departments can be accessed, but leaving the substantive evaluation/response process outside MNR does not make sense.
2. **Aggregate pits/quarries are not an interim land use when weighed against affected human lifetimes.** If municipal approval of rezoning is based on an estimated timeframe, that time frame must be respected. Municipal governments and residents must not live under the shadow of extensions or expansions.
3. **MNR must invest more resources in the regulation and monitoring of aggregate operations.** Self-regulation by aggregate companies is not enough.
4. **Source water assessment must address impacts on rural wells as well as municipal wells.**
5. **Major Site Plan amendments should be reviewed by municipal governments.**

6. **The “precautionary principle” should be applied in reviewing any new technical approaches to mining/quarrying.** No community should be a testing ground. And the promise of mitigation is not an acceptable standard of operation.
7. **No site should be licenced and developed on the principle of perpetual maintenance such as pumping water from below the water table.**

### **Use of Recycled Aggregate Materials**

8. **The decision to make a pit/quarry site a recycling operation must be subject to a separate approval process involving municipal governments.** There is a risk that pit/quarry lives may be extended beyond the estimated time period or in perpetuity by this change in use far beyond the time required to extract the aggregate, and agreed to by a community.

### **Municipal Land Use Planning Responsibilities**

9. **Municipalities, especially rural municipalities, must have the resources and time to plan for aggregate extraction, rather than react to proposals.** It is prohibitively expensive for many rural municipalities (with small staffs and budgets) to assess an application for aggregate extraction, and to take a case to the OMB when their zoning decision is challenged by an aggregate proponent. The ARA Review recommendations encourage “sound planning” on the part of municipalities. This planning must include the identification of aggregate sites which will not be eligible for development given current land use, environmental fragility or significance, or human settlement. Funds from licencing revenues should also be applied to this need through TOARC.
10. **Regulations must be developed governing minimum set-backs for aggregate sites from other land uses.** Given that blast shockwaves can travel more than 3000 metres, that fly rock can travel up to 1500 metres, and that underground water patterns are complex, risks can only be properly “mitigated” by distance. This is especially true in “close-to-market” communities where towns are rapidly expanding, where many rural homes are dependent on wells, where many buildings and houses are century-old and where agricultural use is intense.
11. **Financial support should be provided to communities who are not hosts to an aggregate operation, but whose roads and communities are impacted by heavy trucks hauling aggregate.**
12. **Aggregate companies must post a bond with municipalities.** Such a bond would cover potential negative impacts on landowners, property values, businesses, water supply, municipal property and roads, and emergency service requirements.

### **Aggregate Operations and Agricultural Land**

13. **We must not extract aggregate in agricultural areas.** Although many submissions to the Committee raised the issue of the rapidly diminishing agricultural land area in Ontario, 50% of Canada’s Class 1 farmland, the resulting recommendations do not prohibit, or even restrict, aggregate mining on farmland. They do encourage, “wherever practical”, the rehabilitation of these sites; and they do

recommend that rehabilitation plans be assessed by the Ministry of Agriculture and Food. But, it is clear that quarries up to 200 metres deep and below the water table cannot be rehabilitated for agricultural purposes. And where a quarry is developed in an agricultural area, adjacent farms may be affected as the aggregate mining brings heavy industry into the area, changing the texture of the physical environment and water supply, and perhaps even influencing zoning. If the aggregate source is of a high quality, arguments will also be made that existing pits/quarries on agricultural land should expand onto neighbouring properties, a much easier proposition once the earth's surface has been opened, further eating into agricultural land. Although aggregate extraction is not the only activity consuming excellent farmland, it should not be exempted from efforts to protect this economically important and life-giving land use.

## **Cumulative Impact of Aggregate Operations on Water Resources and Natural Environments**

- 14. We must not extract aggregate in the zones where we are, under special legislation, officially protecting fragile/heritage environments, water sources, carbon dioxide sequestration and oxygen production on behalf of the GTHA.** The Green Belt, the Oak Ridges Moraine, the Niagara Escarpment and other areas have been specifically identified for protection, and others such as the Paris-Galt Moraine are acknowledged to be sensitive environments. Stringent environmental rules apply to all residents of these areas, who feel that they are contributing to the health of the eco-system and its long term protection. Permitting aggregate extraction in these areas makes the designation irrelevant.

Public knowledge of aggregate issues and citizen involvement in the process of pit/quarry licencing is growing. With it comes the realization that in this industry, as in so many, we no longer live in a world of infinite resources. We must protect the renewable resources that give life – food, water and air – for future generations. We urge the Ministry of Natural Resources to steer policy in the direction of healthy sustainability, not survival at all costs.

Sincerely,



Doug Tripp  
President  
Concerned Residents Coalition  
(Guelph Eramosa Township, Milton, Halton Hills)  
[dtripp@on.aibn.com](mailto:dtripp@on.aibn.com)

To:

**ARA Review Committee**

Grant Crack - [gcrack.mpp.co@liberal.ola.org](mailto:gcrack.mpp.co@liberal.ola.org)  
Mike Colle -- [Mcolle.mpp@liberal.ola.org](mailto:Mcolle.mpp@liberal.ola.org)  
Jeffy Yurek -- [Jeff.Yurek@pc.ola.org](mailto:Jeff.Yurek@pc.ola.org)  
Sylvia Jones -- [Sylvia.Jones@pc.ola.org](mailto:Sylvia.Jones@pc.ola.org)  
Rosario Marchese -- [rmarchese-qp@ndp.on.ca](mailto:rmarchese-qp@ndp.on.ca)  
Laurie Scott -- [laurie.scott@pc.ola.org](mailto:laurie.scott@pc.ola.org)  
Sarah Campbell -- [scampbell-qp@ndp.on.ca](mailto:scampbell-qp@ndp.on.ca)  
John Vanthof -- [jvanthof-qp@ndp.on.ca](mailto:jvanthof-qp@ndp.on.ca)  
Donna Cansfield -- [dcansfield.mpp@liberal.ola.org](mailto:dcansfield.mpp@liberal.ola.org)  
Dipika Damerla -- [ddamerla.mpp.co@liberal.ola.org](mailto:ddamerla.mpp.co@liberal.ola.org)  
John Fraser -- [jfraser.mpp.co@liberal.ola.org](mailto:jfraser.mpp.co@liberal.ola.org)  
Michael Harris -- [michael.harrisqp@pc.ola.org](mailto:michael.harrisqp@pc.ola.org)  
Peggy Sattler -- [Psattler-qp@ndp.on.ca](mailto:Psattler-qp@ndp.on.ca)  
Bas Balkissoon -- [bbalkissoon.mpp@liberal.ola.org](mailto:bbalkissoon.mpp@liberal.ola.org)  
Rick Bartolucci -- [rbartolucci.mpp@liberal.ola.org](mailto:rbartolucci.mpp@liberal.ola.org)  
Todd Smith -- [todd.smith@pc.ola.org](mailto:todd.smith@pc.ola.org)

cc. Premier and Agriculture Minister - Kathleen Wynne [premier@ontario.ca](mailto:premier@ontario.ca)  
Rural Affairs Minister - Jeff Leal [jleal.mpp@liberal.ola.org](mailto:jleal.mpp@liberal.ola.org)  
Natural Resources Minister - David Orazietti [minister.mnr@ontario.ca](mailto:minister.mnr@ontario.ca)  
Ted Arnott MPP [ted.arnott@pc.ola.org](mailto:ted.arnott@pc.ola.org)  
Ted Chudleigh MPP [ted.chudleigh@pc.ola.org](mailto:ted.chudleigh@pc.ola.org)  
Liz Sandals MPP [lsandals.mpp.co@liberal.ola.org](mailto:lsandals.mpp.co@liberal.ola.org)  
Mike Schreiner, Green Party [mike@mikeschreiner.ca](mailto:mike@mikeschreiner.ca)  
Tim Hudak, Leader, Official Opposition [tim.hudakco@pc.ola.org](mailto:tim.hudakco@pc.ola.org)  
Andrea Horwath, Leader NDP [ahorwath-qp@ndp.on.ca](mailto:ahorwath-qp@ndp.on.ca)

Michael Chong MP [chong.m@parl.gc.ca](mailto:chong.m@parl.gc.ca)

Council Mayor Chris White, [whitecj@sympatico.ca](mailto:whitecj@sympatico.ca),  
Councillor David Wolk, Ward 1, [david.wolk@sympatico.ca](mailto:david.wolk@sympatico.ca)  
Councillor Corey Woods, Ward 2, [coreywoods@rogers.com](mailto:coreywoods@rogers.com)  
Councillor Doug Breen, Ward 3, [dbreen@golfnorth.ca](mailto:dbreen@golfnorth.ca)  
Councillor John Scott, Ward 4, [john4u@me.com](mailto:john4u@me.com)  
CAO Kim Wingrove [kwingrove@get.on.ca](mailto:kwingrove@get.on.ca)  
Gaetanne Kruse, Planning Assistant, Guelph/Eramosa Township, [gkruse@get.on.ca](mailto:gkruse@get.on.ca)  
Mike Newark, Chief Building Official, Guelph/Eramosa Township, [mnewark@get.on.ca](mailto:mnewark@get.on.ca)  
Scott Wilson, CAO, Wellington County, [scottw@wellington.ca](mailto:scottw@wellington.ca)

Gary Carr, Regional Chair, Halton Region, [gary.carr@halton.ca](mailto:gary.carr@halton.ca)

Rick Bonnette, Mayor, Halton Hills, [mayor@haltonhills.ca](mailto:mayor@haltonhills.ca)  
Clark Somerville, Councillor, Ward 1, Halton Hills, [clark.somerville@haltonhills.ca](mailto:clark.somerville@haltonhills.ca)

Jon Hurst, Councillor, Halton Hills [JonH@haltonhills.ca](mailto:JonH@haltonhills.ca)  
Mike O'Leary, Councillor, Halton Hills [mikeo@haltonhills.ca](mailto:mikeo@haltonhills.ca)

Gordon Krantz, Mayor, Town of Milton [gord.krantz@milton.ca](mailto:gord.krantz@milton.ca)  
Cindy Lunau, Councillor [cindy@in.on.ca](mailto:cindy@in.on.ca)  
Colin Best, Councillor [colin.best@milton.ca](mailto:colin.best@milton.ca)  
Bill Mann, CAO [Bill.mann@milton.ca](mailto:Bill.mann@milton.ca)

Karen Farbridge, Mayor, City of Guelph, [mayor@guelph.ca](mailto:mayor@guelph.ca)