

Hidden Quarry: Amendments Required to the Provincial Policy Statement and the *Aggregate Resources Act*

Halton's municipalities are seeking the Province's assistance in bringing about change to address the community concerns of the Hidden Quarry proposal and the possibility of numerous future aggregate extraction proposals in the same area.

Extracting aggregates from the landscape can be an intrusive activity with the potential to cause significant long-term impacts on publicly important environmental resources and farmland; increase traffic congestion, public safety, road damage and greenhouse gas emissions and degrade the quality of life for local communities.

Halton's Municipalities appreciate the need for close-to-market aggregate resources and have recently participated in constructive reviews to expand quarries within Halton Region, but a balance must be found to manage efficient, viable aggregate operations while minimizing the costs and negative impacts.

The *Aggregate Resources Act* (ARA) is the primary legislation governing aggregate extraction and regulation within the province. It has set standards for the licencing, operation, and rehabilitation of pits and quarries in Ontario. Applications for licenses under the current ARA do not require proponents to demonstrate the need to extract aggregate resources in a particular area.

In 2005, the Provincial Policy Statement (PPS) was amended to allow aggregate producers to propose extraction sites without having to demonstrate the need for the additional supply of aggregate resources. This amendment has created a barrier to comprehensive planning and favours the protection of aggregate extraction at the expense of other provincial interests, and as a result, encourages the rapid and non-sustainable use of the resource.

Halton Region and its Local Municipalities provided comments to the Province in November 2012 through the joint Halton Area Planning Partnership (HAPP) on the update process related to the 2005 PPS. In the submission, HAPP requested that the Province remove the no demonstration of need policy. In 2014, the PPS was updated; however, it continues to maintain the same wording from the 2005 PSS that demonstration of need is not required.

Halton Requests:

- That the Provincial Government amend the Provincial Policy Statement and the *Aggregate Resources Act* to require aggregate extraction proponents to demonstrate the need for the particular supply of resource proposed for extraction.
- That the Provincial Government require proponents, including Hidden Quarry, to adopt Halton's Streamlined Mineral Aggregate Review Protocol to guide the review of aggregate applications.
- That the Province partner with Halton Region to commence a study for long-term transportation alternatives for aggregate haul routes impacting the Town of Halton Hills and the Town of Milton, including reviewing the need for an Acton by-pass to accommodate truck traffic.

In early 2013, Halton Regional staff was made aware of a license application under the ARA and a Zoning By-law amendment application under the *Planning Act* for the proposed Hidden Quarry located on the north side of Highway 7, in the Township of Guelph/Eramosa. This application is for an Aggregate License to extract above and below the water table. Approximately 24.8 ha of the 39.4 ha site is proposed for extraction of up to 700,000 tonnes of aggregate annually with a 20-year life expectancy.

Since 2013, Regional staff have continued to work with Local Municipal partners, the Grand River Conservation Authority, and the Township on the review of this proposed quarry. Through this review, Regional Staff have identified a number of potential negative impacts with the application including: increased truck traffic on Highway 7 (Guelph/Mill/Queen streets) through the Town of Halton Hills as the primary haul route, impacts to ground water, hydrogeology and the natural heritage system and the compatibility of the proposed quarry with land uses in Halton Region. In May 2015, the proponent applied to have their Zoning By-law amendment brought before the Ontario Municipal Board (OMB).

As 95 per cent of the haul trucks are expected to travel through Halton Hills, notwithstanding that Hwy 7 is a Provincial road, the haul routes on Hwy 7 through Halton Hills involve serious physical constraints and public safety risks. The role and function of Hwy 7 needs to be re-evaluated. Both Halton Region and Town of Halton Hills Transportation Master Plans have identified the need for an Acton By-pass as a Provincial facility.

On April 29, 2015, Halton Regional Council passed a motion relating to the proposed Hidden Quarry, which emphasized their concern about potential negative impacts to Halton residents and in particular to the Town of Halton Hills, if the proposed quarry proceeds as planned. The motion highlighted the need to amend the PPS and ARA to include a requirement of aggregate proponents to demonstrate need for a particular resource.

The review of aggregate applications has become increasingly complex, adversarial, time consuming and costly, involving many parties attempting to satisfy multiple requirements and concerns. Halton's Streamlined Mineral Aggregate Review Protocol has successfully guided the review of numerous applications. The Protocol includes a Joint Agency Review Team (JART) to coordinate among the many agencies. If there was such a protocol in the Township of Guelph/Eramosa for Hidden Quarry, concerns to-date may have been more effectively addressed.

By amending the PPS and ARA to require application proponents to demonstrate need and to adopt the review protocol, municipalities will be able to comprehensively plan for specific aggregate uses and better address community concerns.