

EXECUTIVE OVERVIEW

Chapter 4 – Section 3. MINERAL AGGREGATE RESOURCES

SUMMARY

Aggregates include gravel, sand, clay, earth, bedrock, and other material as prescribed under the *Aggregate Resources Act (ARA)*. The terminology used in planning documents is ‘mineral aggregate resources’. These resources play a vital role in supporting both the Regional and Provincial economy and need to be managed for long-term protection and use.

A ‘pit’ is a facility where loose material, such as sand and gravel, is extracted. Solid bedrock, such as limestone and granite, is extracted from a ‘quarry’. Pits and quarries both fall under the classification of a mineral aggregate operation which additionally includes facilities for the transport, processing, and recycling of aggregate resources.

- There will be policies in the Niagara Official Plan related to both mineral aggregate resources and mineral aggregate operations.
- Aggregate planning at the Regional level is unique in comparisons to other types of land-use planning. There is an additional Provincial process that also occurs being the licensing of mineral aggregate operations by the Province through the *Aggregate Resources Act (ARA)*. Whereas the *Planning Act* and Regional Official Plan process is concerned with land use approvals – licenses under the ARA control and regulate the operation of mineral aggregate operations.
- It is common for applications under the Aggregates act and Planning Act to be processed simultaneously. Before an ARA license can be granted the lands must be appropriately zoned for the use.
- The Niagara Official Plan needs to ensure that policies are within the Region’s area of responsibility and that the policies do not conflict with ARA requirements. The new policies that are being developed would apply to new applications. New policies are not being developed to regulate existing operations in the Region.

A Draft Policy set is provided with this sub-section document.

Integration Guide for Sub-sections Reported in PDS 17-2021			
<input type="checkbox"/>	Regional Structure	<input checked="" type="checkbox"/>	Archaeology
<input type="checkbox"/>	Housing	<input type="checkbox"/>	Employment
<input type="checkbox"/>	Land Needs	<input checked="" type="checkbox"/>	Agriculture
<input type="checkbox"/>	SABR	<input checked="" type="checkbox"/>	Aggregates
<input checked="" type="checkbox"/>	Transportation	<input checked="" type="checkbox"/>	Natural Heritage incl.
<input checked="" type="checkbox"/>	Infrastructure	<input checked="" type="checkbox"/>	Water Systems Options
<input type="checkbox"/>	District/Secondary Plans	<input checked="" type="checkbox"/>	Watershed Planning
<input type="checkbox"/>	Urban Design	<input type="checkbox"/>	Climate Change



OVERVIEW

In 2014, an aggregate resources policy project was initiated as part of the former Regional Official Plan Amendment 8 (ROPA 8). A background study was completed in 2016 to inform the project was the “State of Aggregate Resources in Niagara Region: Background Report”. Following completion of this background work, the Region began the process of preparing the new Niagara Official Plan. The aggregate resources project transitioned into preparing policies for the Niagara Official Plan, and ROPA 8 was abandoned. Following this, a Technical Addendum was completed in 2018 to summarize legislative changes to the *Growth Plan*, *Greenbelt Plan*, and *Niagara Escarpment Plan*; changes to the *Aggregate Resources Act*, and other new provincial legislation. Since that time, there continues to be ongoing changes at the Provincial level regarding aggregate resources planning. These changes have been reflected in the preparation of the draft policies.

The policy framework for managing mineral aggregate resources and mineral aggregate operations is complex, it includes planning policies at the Provincial, Regional, and Local levels as well as the ARA. The *Planning Act* identifies the conservation and management of aggregate resources as a matter of Provincial interest. With the introduction of the new *Growth Plan* and *Greenbelt Plan* in 2017, Provincial policies for mineral aggregate resources have become some of the most prescriptive. There are additional and more detailed policies that the Region is required to implement through the Official Plan, and in many cases this means less flexibility for designing policies at the Regional or Local level.

As noted, much of the direction for aggregate resource planning comes from the Province. Provincial direction starts with the *Provincial Policy Statement* (PPS) – with more specific policies being provided in the *Growth Plan*, *Greenbelt Plan*, and *Niagara Escarpment Plan*. Key provincial direction through the PPS includes:

- Aggregates shall be made available as close to markets as possible;
- There is not a requirement to demonstrate ‘need’ when considering a mineral aggregate operation;
- Extraction must minimize social, economic, and environmental impacts;
- Need to protect existing operations from incompatible land uses;
- Need to protect known deposits of mineral aggregates for long-term use; and

- Importance of rehabilitation planning, including progressive and comprehensive rehabilitation

In addition, Provincial Plans include several Niagara-specific policies to be included in the Official Plan, including detailed policies regarding the Fonthill Kame area, and specific strict rehabilitation requirements in the specialty crop area above the escarpment.

Managing mineral aggregate truck traffic through haul routes has been identified as a highly important issue by Regional Council. Haul route agreements may be used to ensure haul routes are defined, utilized and secure for improvements and additional maintenance. Ensuring the appropriate use of Regional roads for aggregate truck traffic is critical to mitigate impacts and protect sensitive road users.

Mapping of mineral aggregates resources is completed by the Province (Ontario Geological Survey (OGS) – Earth Resources and Geoscience Mapping Section). A process is currently underway by the OGS to update the sand and gravel and bedrock mapping in Niagara:

- Updated sand and gravel mapping is now available and will be reflected in the schedules of the Niagara Official Plan.
- Updated bedrock mapping from the Province is not yet available. The mapping included with this report is based on the best available information.
- Mapping of aggregate resources is neither limiting nor permissive for mineral aggregate operations. Mapping helps us to understand where the resources are to inform land use planning decisions.

Land-use planning for aggregates is unique. This is because of the scope, scale, and size of mineral aggregate operations. In addition, these are not common applications, and require the support of a range of experts to process and review. In support of any application there will be a full range of detailed technical studies that would need to be reviewed including environmental, water resources, blasting and vibration, transportation etc. The application process and types of studies to be submitted will be reflected in the policies of the Niagara Official Plan.

Aggregate applications are complex, involving multiple review agencies, required to consider a range of technical issues. A Joint Agency Review Team (JART) process is a best practice that will assist with streamlining the application process for mineral

aggregate operations between the Region, Local Municipalities, and the NPCA. The expectations for the JART process are included in the draft policies.

To date consultation has included the use of a Technical Advisory Group (TAG), industry consultation, and presentation of key material at the Official Plan Public Information Centers (PICs) in both 2019 and 2020. A preliminary draft of the policies were circulated to key stakeholders including Provincial Ministries, Local Municipalities, NPCA, and industry representatives. The next step in the consultation process will be to circulate the attached draft of the policies more broadly for input including to the public.

The attached draft policies (**Appendix 11.2**) illustrates the direction for mineral aggregate resource policies in the Niagara Official Plan. Additional consultation and input will assist in refining the policies as the Niagara Official Plan continues towards completed final draft status.