

## 20. MINERAL AGGREGATES

The policies in this section apply to mineral aggregate resources throughout the Town—active operations, high potential resource areas, and other related uses. The approval and regulation of mineral aggregate resources is regulated by the *Aggregate Resources Act*, Provincial legislation which is administered by the Ministry of Natural Resources ~~and Forestry~~. The Niagara Escarpment Plan, Oak Ridges Moraine Conservation Plan, and Greenbelt Plan also apply to provide policy direction on mineral aggregate extraction.

Commented [JN1]: Name changed earlier in 2024

The *Aggregate Resources Act* states, “No licence shall be issued for a pit or quarry if a zoning by-law prohibits the site from being used for the making, establishment or operation of pits and quarries.” As a use of land, mineral aggregate operations are subject to the *Planning Act* and its multiple requirements to be consistent with the Provincial Policy-Planning Statements and conform to /not conflict with applicable provincial plans. Some of these documents provide key tests that municipalities need to follow when reviewing proposals for new mineral aggregate extraction, and limiting the extent to which municipalities can regulate such uses.

~~Municipalities are one player~~The Town is a statutory body whole role in a the aggregate regulatory process is established, limited and managed by the Province. The Niagara Escarpment Plan Area, for example, does not contain zoning, further limiting the Town’s role on those lands.

The Town completed a Caledon Community Resource Study (CCRS) and adopted a comprehensive set of mineral aggregate policies in 1999. This work resulted in Official Plan Amendment No 161 to the previous Town of Caledon Official Plan, and was approved by the former Ontario Municipal Board on May 28, 2004. This major policy exercise was integrated, multidisciplinary, and resulted in a comprehensive policy framework guiding planning for mineral aggregates that was ahead of its time and remains an important piece of policy planning. The Greenbelt Plan recognizes and protects the importance of this work, providing protection for these policies (in Section 4.3.2.10) while a separate Greenbelt Plan framework applies for other Ontario municipalities ~~—but only on lands subject to the Greenbelt Plan.~~

The Town’s Mineral Aggregate policies, then and now, are based on the need to balance the protection, use and enjoyment of these ~~human and~~ environmental features with the Provincial interest in protecting mineral aggregate resources for long-term use. It is also recognized there are potential impacts on human health arising from aggregate extraction that have also been considered in preparing these policies. The updated policies in this plan ~~reflect~~ support the wise management of the Town’s aggregate resources remaining critical to preserving Caledon’s unique identity and character.

### 20.1 Objectives

The planning objectives for mineral aggregates are:

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#### **(DRAFT Schedule 1 to OPA 1 – New Chapter 20 Mineral Aggregate Policies)**

For statutory open house and public meeting

Changes may be made based on consultation

- a) To maintain and enhance the health, safety, and quality of life of our residents, our natural environment and water resources, and our community.
- b) To ensure that the extraction of aggregate resources is undertaken in a balanced manner which adheres to the environmental planning principles of this Plan and which will recognize Caledon’s community character and social values over the short and long-term.
- c) To provide a framework for orderly extraction of aggregate resources that produces a greater degree of certainty to both the aggregate industry and the community.
- d) ~~To~~ ensure the efficient use of infrastructure.
- e) ~~To~~ minimize impacts and disturbed areas, and encourage timely completion and rehabilitation.
- d) To apply contemporary standards across all operations, including bringing legacy sites into better compliance with modern policy and regulatory standards at any opportunity and facilitating the continuous improvement of the environmental and operational performance of mineral aggregate extraction.
- e) To protect existing mineral aggregate operations from development and activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact.
- f) To protect aggregate resources identified as Caledon High Potential Mineral Aggregate Resource Areas (CHPMARA) as identified on Schedule E12 for possible future extraction, and to maintain availability of potential resources on balance with other Town policies.
- f) To undertake mineral aggregate resource conservation wherever feasible, including through the safe use of accessory aggregate recycling facilities within operations.
- g) To operate within the full extent of the Town’s legal jurisdiction and the Provincial legislative framework to deliver the best possible outcomes when planning for mineral aggregate extraction.
- h) To minimize social, economic and environmental impacts from mineral aggregate extraction, and achieve better than minimum standards or minimum levels of mitigation where avoidance of effects from mineral aggregate extraction is not possible: on air quality, noise, vibration, and other matters of compatibility.
- i) To develop a Caledon Aggregate Standards Manual as a set of guidelines to assist both proponents and the public in detailing and explaining how conformity to this Plan can be achieved.

Commented [JN2]: Clarify intent of objective

Commented [JN3]: Added to better reflect the 2024 PPS.

Commented [JN4]: Clarifies alignment with 2024 PPS

- j) To improve data sharing and communication between the Town, aggregate industry, aggregate operators, other public agencies, and the broader public.

## 20.2 Mineral Resource Extraction Area Designation

The Mineral Resource Extraction Area designation is intended to permit mineral aggregate operations.

### 20.2.1 Permitted Uses

The following uses may be permitted ~~Permitted uses include:~~

- a) Mineral aggregate extraction in accordance with a licence or permit issued in accordance with the *Aggregate Resources Act* and subject to Section 20.2.3(a) below
- b) Associated facilities to a mineral aggregate operation used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products, provided that such associated facilities are:
  - ~~Uses essential to the extractive operation, such as crushing, screening, washing, stockpiling, blending with recycled asphalt or concrete materials, storage, weigh scales, maintenance, repair and fuel storage for vehicles related to the extraction operation, parking and office facilities, and clay products manufacturing, all subject to licencing under the *Aggregate Resources Act*~~
  - i) Directly associated with the extraction of mineral aggregate resources from an integrated mineral aggregate operation, which may consist of more than one *Aggregate Resources Act* licence.
  - ii) Designed to be temporary and not to be utilized after extraction has ceased.
  - iii) Located in a manner that does not affect the final rehabilitation or enhancement of the site in accordance with an approved rehabilitation and enhancement plan.
- c) Agricultural uses
- d) Conservation and flood or erosion control projects
- e) Forest, fish and wildlife management
- f) Passive recreation
- g) Uses permitted through an approved rehabilitation plan
- h) Existing uses, buildings or structures
- i) Accessory uses, buildings or structures

### 20.2.2 Prohibited Uses

**(Schedule 1 to OPA 1 – New Chapter 20 Mineral Aggregate Policies)**

**Commented [JN5]:** Aligns with convention uses elsewhere in Future Caledon OP.

**Commented [JN6]:** Feedback has been received from both public and industry contacts on the clarity/applicability of “essential uses” or “accessory uses.”

The following policy comes from Halton Region’s Official Plan, and was approved at the former Ontario Municipal Board. It better clarifies the extent of the permission, and provides for “direct association”.

The specific application of this test would occur at the Official Plan Application stage, and the proposed uses/layout reviewed at that time.

A corresponding edit is made to the draft ZBLA.

- a) Notwithstanding Section 20.2.1(b), asphalt plants, ready mix concrete plants, ~~recycling uses~~, and clay products manufacturing shall not be permitted within the area of the Niagara Escarpment Plan Area.

**Commented [JN7]:** Recycling is permitted in the 2017 Niagara Escarpment Plan (section 1.9.3). In the case of conflict, the Niagara Escarpment Plan prevails.

The recycling component and facility design are to be reviewed at the application stage.

**Commented [JN8]:** This section is moved from 20.7 below.

**20.2.3 Commercial Peat or Organic Soil Extraction**

- a) Commercial peat extraction or organic soil extraction shall only permitted through an amendment to this plan.
- b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply.

**Commented [JN9]:** This section is moved from 20.7 below.

**20.2.4 Aggregate Transfer Stations**

- a) Aggregate transfer stations shall only be permitted through an amendment to this plan.
- b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated, including Section 23.5.4. Where conflicting policies exist, the strictest policy shall apply.

**20.2.5 Additional Policies**

- a) The establishment of new ~~licenced~~licensed mineral aggregate extraction operations, additional aggregate-related uses or associated facilities, changes in category of aggregate licence issued under the *Aggregate Resources Act*, or extensions to existing ~~licenced~~licensed areas will require an amendment to this Plan and an amendment to the Zoning By-law (or an Amendment to the Niagara Escarpment Plan and issuance of a Niagara Escarpment Plan Development Permit, if within the Niagara Escarpment Development Control Area).
- b) The Town notes that (as of October 7, 2024) a change in category of aggregate licence issued under the *Aggregate Resources Act* for depth of extraction only is not subject to a *Planning Act* process. Should that Provincial policy change, the policies of this Plan shall apply.
- b) Mineral aggregate operations ~~shall be prohibited~~ may be permitted on hazardous lands provided in unstable slopes, soils and bedrock that may pose a danger to public safety or public health or result in property damage, unless conformity is demonstrated with all other policies in this Plan.

**Commented [JN10]:** This addition is required to demonstrate conformity to the 2024 PPS (s.4.5.2.4)

**Commented [JN11]:** This was likely a drafting error. The 2024 PPS (s5.2.6) prohibits a range of development in “hazardous lands” such as unstable slopes. Mineral aggregate extraction is not one of these uses.

Conformity with all policies of this plan would still be required. This would be assessed at the time of an application.

**20.3 Long-term Protection of Mineral Aggregate Resources**

- a) The Town shall protect high potential mineral aggregate resource areas, except for such deposits of mineral aggregate resources considered to be unsuitable for extraction based on the other policies in this Plan, Provincial policies, and Provincial plans.
- b) The identification of Caledon High Potential Mineral Aggregate Resource Areas (CHPMARAs) on Schedule E12 of this Plan is not a land use designation. It does not imply support by the Town for any licence application under the *Aggregate Resources Act* in these areas or for any amendment to this Plan.
- c) There are lands not within a CHPMARA identification that have potential mineral aggregate resources as identified by the Province of Ontario. For lands not identified as a Caledon High Potential Mineral Aggregate Resource Area on Schedule E12 of this Plan, an application to permit new mineral aggregate extraction shall include an analysis of the available resource, including quality and anticipated quantity of resource and how the resource was identified.
- d) For the purposes of this Plan, an area of influence of 1,000 metres shall be defined around the extraction limit of existing ~~licensed~~ operations or the proposed ~~licensed~~ area boundary for a proposed new operation. Sensitive receptors within the area of influence shall be identified in the technical studies supporting an application for new mineral aggregate extraction to inform the identification of potential impacts and how they are to be addressed, ~~to inform addressing impacts,~~ and may be part of the natural, agricultural or built environment.
- e) Within CHPMARA or within 300 metres of a sand and gravel resource area or within 500 metres from a bedrock resource shown on Schedule E12 of this Plan or 500 metres from the extraction limit of the existing ~~licensed~~ operations, development that would preclude or hinder the establishment of new or expanded aggregate extraction or access to the mineral aggregate resource will only be permitted if:
  - i) The resource use would not be feasible;
  - ii) The proposed land uses or development serves a greater long-term public interest; ~~or-~~
  - iii) Issues of public health, public safety and environmental impact are addressed.
- f) Lands within a CHPMARA identification or area of influence identified in subsection (e) above are not restricted with respect to permitting existing uses; the expansion of existing uses, buildings or structures; the construction of buildings or structures on existing lots; or the establishment of new uses; so long as:
  - i) The proposed buildings, structures and uses are in conformity with this Plan and Zoning By-law.

**Commented [JN12]:** The addition clarifies that potential aggregate resources exist outside of the locations shown on Schedule E12.

Anybody can file an application at anytime, anywhere in the Town to propose new mineral aggregate extraction.

**Commented [JN13]:** Clarifies intent

**(Schedule 1 to OPA 1 – New Chapter 20 Mineral Aggregate Policies)**

- ii) The proposed buildings, structures and uses do not constitute development/redevelopment.

For clarity, this policy would not apply to a minor variance (but not if for a similar use under Section 45(2)(a)(ii) of the Planning Act or its successor) or site plan approval.

**Commented [JN14]:** Proposed addition to ensure smaller Planning Act approvals are not caught by this policy.

- g) Without limiting the application of subsection (e) above and in addition to the uses permitted by subsection (f) above, new interim use of lands identified as CHPMARA or on lands within the area of influence of CHPMARA are permitted, provided the Applicant obtains the necessary official plan amendment or rezoning by satisfactorily demonstrating:

- i) That the nature of the use is interim and would not preclude or hinder the establishment of new or expanded aggregate extraction or access to the resource.

- ii) In no circumstances will residential plans of subdivision or creation of lots by consent be considered to be interim.

**Commented [JN15]:** This addition brings the land division framework into conformity with Provincial policy. Note that land division is already strictly limited in the 2020 and 2024 PPS.

- iii) That only limited development will occur, and that the Applicant is willing to enter into an agreement to be registered on title that will ensure such limited development.

**Commented [JN16]:** Clarifies intent

- iv) Appropriate regard to the Caledon Aggregate Standards Manual in Section 20.5.2(c) of this Plan.

- h) ~~The Town may, in the appropriate circumstances, and to the extent appropriate, require an Applicant for a new sensitive land use to pay reasonable costs of peer review which shall not include any original data collection or original research of any studies required by this Plan. In such case, the Town shall enter into an agreement with the Applicant to administer and scope the peer review and to set reasonable controls on peer review costs.~~

**Commented [JN17]:** Future Caledon OP s27.2.3 enables peer review, cost recovery, and associated agreements. The recommendation is to default to those parent policies, making this clause redundant.

- i) Lands which have been previously ~~licenced~~licensed, substantially excavated, rehabilitated, and for which the license has been surrendered or revoked shall be redesignated on Schedule B4 to recognize the rehabilitated after-use, rezoned in the Town Zoning By-law (if applicable) to permit the applicable after-uses only, and removed as a CHPMARA on Schedule E12 through a Town-initiated Amendment to this Plan.

**Commented [JN18]:** Added to ensure policies around surrender are similarly applied to revocation.

**20.4 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants**

a) ~~New wayside pits or quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be prohibited, without a Planning Act application, unless~~ in the following locations:

Commented [JN19]: Corrects a drafting error.

- i) Natural Features and Areas.
- ii) Supporting Features and Areas, except for habitat of endangered species and threatened species and features identified in Section 20.5.3 [except as may be considered in accordance with Section 20.5.3(h)].
- iii) Settlement areas.
- iv) Registered or draft approved plans of subdivision outside of settlement areas.
- v) Within 200 metres measured horizontally from the brow of the Niagara Escarpment or any greater setback required by the Niagara Escarpment Commission, in accordance with the Niagara Escarpment Plan.
- vi) Lands designated Escarpment Natural Area or Escarpment Protection Area in the Niagara Escarpment Plan.
- vii) Within the Oak Ridges Moraine Plan Area, within areas designated Natural Core Area and areas that meet the criteria for Oak Ridges Moraine Key Natural Heritage Features and Hydrologically Sensitive Features, and their associated Minimum Vegetation Protection Zones, except as may be considered in accordance with Section 20.5.5(c).
- viii) Significant woodlands within the Natural Heritage System of the Greenbelt Plan, unless the woodland is occupied by young plantation or early successional habitat, as defined by the Ministry of Natural Resources ~~and Forestry~~ in accordance with the Greenbelt Plan.
- ix) Cemeteries and other human burial sites.
- x) Kettle lakes and their catchments (with catchments being defined as lands adjacent to kettle lakes that, due to their topography and/or geology, provide surface and/or groundwater contributions to the lake that are necessary to maintain the lake's ecological functions, attributes and features).
- xi) Natural lakes and their shorelines.

b) The Town of Caledon's comments on an application to grant a permit for a wayside pit or quarry will be made by means of a resolution of Council, and such resolution may include recommended conditions. In formulating its comments Council will take into account, among other things, the following:

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- i) The proposed wayside pit’s proximity to the project(s) it will supply;
  - ii) Potential impacts on affected land uses and residents and proposed mitigation and the need to minimize social and environmental impacts; and,
  - iii) The rehabilitation plan.
- c) The Town of Caledon will encourage the use of existing ~~liceneed~~licensed aggregate operations for public projects in order to minimize the need for wayside pits or quarries.
  - d) All wayside permits within the Town of Caledon shall conform with the requirements of Section 5 of Ontario Regulation 244/97, issued under the *Aggregate Resources Act*, or its successor regarding the number and frequency of wayside permits that may be issued for a site or any land adjoining the site, as set out in the regulation.
  - e) The Town will recommend that wayside pits and quarries be located so as to ensure maximum use of the resource as appropriate and minimum disturbance to the environment and will encourage the rehabilitation of wayside pits and quarries to the limit of its ability.
  - f) The road authority will provide notice of wayside pit and quarry applications in accordance with the procedures developed by the Ministry of Natural Resources ~~and Forestry~~.

**20.5 Applications for New Mineral Aggregate Extraction**

In addition to the other policies of this Plan (without limiting the generality of the foregoing, this includes Part D: Natural Environment System, Parks and Open Space), the following policies shall apply to the review of applications for new mineral aggregate extraction (and, where possible, the review and update of existing *Aggregate Resources Act* licences) to ensure the cumulative effects of minimal mineral aggregate extraction are documented-identified and considered so that to ensure future extraction is undertaken in a manner that avoids, or if not possible minimizes or mitigates, social, economic and environmental impacts to the maximum extent possible and seeking to ensure that they are operated in accordance with best practices.

**Commented [JN20]:** A number of comments were raised about the applicability of the remaining parts of the Future Caledon OP to this section. This additional introductory sentence clarifies the need to review the plan as a whole.

**Commented [JN21]:** Additional inputs made to harmonize this introduction with the overall objectives of this project.

**20.5.1 Aggregate Resources Act Site Plans and Notes**

- a) Conditions of approval and operation for mineral aggregate extraction operations are codified on the site plan and associated notes approved under the *Aggregate Resources Act*. The Town shall require its conditions to be included on the site plan and associated notes in order to release any objection to a proposal for new mineral aggregate extraction.

**20.5.2 Complete Applications and Application Processing**



- a) The Town shall coordinate with the Ministry of Natural Resources ~~and Forestry~~, the Region of Peel, the Niagara Escarpment Commission and the Conservation Authorities (all as applicable) to ensure that all appropriate conditions resulting from integrated application review are imposed and enforced as conditions of the licence or notes on the site plans required under the *Aggregate Resources Act*, and any other applicable approval.
- b) The Town shall coordinate integrated technical review of applications with the Ministry of Natural Resources ~~and Forestry~~, the Region of Peel, the Niagara Escarpment Commission and the Conservation Authorities (all as applicable), with the results of such work to be made available to the public.
- c) Proponents of new mineral aggregate extraction shall have regard to the Caledon Aggregates Standards Manual for the Town.
- d) In advance of Council's approval of the Caledon Aggregates Standards Manual, proponents shall have regard for best practices for technical review, study preparation, available data, and operational standards.
- e) Where the Minister has notified the Town of Caledon that an application has been made to amend the conditions of an existing licence or a site plan under the *Aggregate Resources Act*:
  - i) The Applicant is encouraged to provide to the Town a copy of all of the documentation provided to the Minister in support of the application.
  - ii) In preparing its comments, the Town may request additional information of the applicant with respect to the application.
  - iii) The Town of Caledon may hold a community meeting before providing comments to the Ministry of Natural Resources ~~and Forestry~~.
- f) The Town shall work to bring existing mineral aggregate extraction uses into conformity with this Plan at every opportunity, including ~~harmonizing conditions across adjacent or nearby sites that function as viewing applications for new uses adjacent or near to, existing operations as an integrated complex operation with harmonized conditions across all applicable sites.~~
- g) Where there is conflict between policies in this Plan with respect to mineral aggregate extraction, the policy that provides the greatest protection to human health and the natural environment shall prevail.
- h) For the purpose of interpreting Section 20.5.3 policies, "negative impacts" ~~shall mean any loss of area and significant ecological functions or attributes of Natural Feature and Area or a Supporting Feature and Area, except as otherwise permitted by this Plan. This~~

**Commented [JN22]:** Editorial revision to clarify intent.

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**definition** does allow for consideration of change to ecological functions and attributes within lands designated Natural Feature and Area or a Supporting Feature and Area, as permitted by this Plan.

### 20.5.3 Environmental Protection within the Greenbelt Plan Area

Notwithstanding Section 13 of this Plan, where a feature is identified in this Section of the Plan the following policies shall apply to assess proposals for new mineral aggregate extraction within that feature.

- a) Mineral aggregate operations shall be prohibited within and adjacent to Natural Features and Areas that are **solely** Valley and Stream Corridors draining less than 125 hectares, unless it can be demonstrated that:
  - i) the Valley and Stream Corridor has been assessed and does not satisfy any of the criteria for designation as Natural Features and Areas (this criterion does not apply to lands that were designated for mineral aggregate extraction by the Town on or before October 31, 1994).
  - ii) the ecological attributes and functions of the Valley and Stream Corridor have been assessed and significant attributes and functions will be retained through retention of all or part of the feature and/or replacement through progressive rehabilitation in a manner that minimizes any interruptions to the significant attributes, functions or linkages.
  - iii) alteration or elimination of the Valley and Stream Corridor will not result in any immediate or longer term negative impacts or cumulative negative impacts on adjacent Natural Features and Areas.
  - iv) **there is no other feature present.**
- b) Mineral aggregate operations shall be prohibited in woodlands over 0.5 hectares, unless all of the following criteria are met:
  - i) the Woodland has been assessed and does not satisfy any of the criteria for protection as a Natural Feature and Area or Supporting Feature and Area (this criterion does not apply to lands that were designated for mineral aggregate extraction by the Town on or before October 31, 1994).
  - ii) the ecological attributes, functions and linkages of the Woodland have been assessed and significant attributes, functions and linkages will be retained through retention of all or part of the feature and/or replacement through progressive rehabilitation in a manner that minimizes any interruptions to the significant attributes, functions or linkages.

**Commented [JN23]:** 1. There are updated definitions of “negative impact” throughout the Provincial Policy Framework for both environmental/ecological and human health concerns. While the draft policies do, in my opinion, make it clear these items are considered, the recommended approach is to use the definitions in the Provincial plans instead.  
2. To respect the OPA 161 framework as part of my opinion to demonstrate conformity with Greenbelt Plan s4.3.2.10, the “consideration of change to ecological functions” policy is recommended to continue to apply.

**Commented [JN24]:** Corresponds to edit above, better clarifies intent of “solely” (no other feature present)

- iii) progressive rehabilitation of the site will result in the establishment of an equal amount or a net gain of woodland area and function in as short a time as is feasible, unless below water table extraction precludes re-establishing woodlands on a portion of the site, in which case as much of the site shall be returned to woodland as is feasible and the proponent will be encouraged to implement a program of compensation planting or other alternatives to establish an equivalent area of woodland elsewhere.
  - iv) alteration or elimination of the Woodland will not result in any immediate or longer term negative impacts or cumulative negative impacts on adjacent Natural Features and Areas of the Greenlands except as otherwise permitted by this plan.
  - v) the volume of above ground biomass is less than 150 tonnes per hectare across the entirety of the delineated woodland on the subject lands.
- c) Mineral aggregate operations shall be prohibited in significant woodlands within the Natural Heritage System of the Greenbelt Plan, unless the woodland is occupied by young plantation or early successional habitat, as defined by the Ministry of Natural Resources and Forestry in accordance with the Greenbelt Plan.
- d) Mineral aggregate operations shall be prohibited in evaluated non-provincially significant wetlands and unevaluated wetlands and supporting features to those, unless all of the following criteria are met:
- i) the applicable wetland has been assessed and does not satisfy any of the criteria for designation as Natural Features and Areas (this criterion does not apply to lands that were designated for mineral aggregate extraction by the Town on or before October 31, 1994).
  - ii) the ecological attributes, functions and linkages of the applicable wetland have been assessed and significant attributes, functions and linkages will be retained through retention of all or part of the feature and/or replacement through progressive rehabilitation in a manner that minimizes any interruptions to the significant attributes, functions or linkages.
  - iii) progressive rehabilitation of the site will result in the establishment of an equal amount or a net gain of wetland area and function in as short a time as is feasible, unless below water table extraction precludes re-establishing comparable wetlands on a portion of the site, in which case as much of the site shall be returned to wetland as is feasible and the proponent will be encouraged to implement a program of compensation planting or other alternatives to establish an equivalent area of wetland elsewhere.

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- iv) alteration or elimination of the applicable wetland will not result in any immediate or longer term negative impacts or cumulative negative impacts on adjacent Natural Features and Areas except as otherwise permitted by this Plan;
- e) Mineral aggregate operations shall be prohibited in Core Fishery Resource Areas and Other Fishery Resource Areas within Valley and Stream Corridors draining less than 125 hectares, unless conformity to Section 20.5.3(a) is demonstrated and that it can be demonstrated that extraction will not harmfully alter, disrupt or destroy fish habitat, or that there will be no net loss of productive capacity of fish habitat, and there is a net gain of productive capacity where possible.
- f) Mineral aggregate operations shall be prohibited in groundwater recharge and discharge areas, unless those areas identified through studies as being functionally connected to a Natural Feature or Area or Supporting Feature and Area are protected and/or managed to ensure no negative impacts on the functionally-related feature(s).
- g) Mineral aggregate operations shall be prohibited in Natural Features and Areas and Supporting Features and Areas that are solely Significant Wildlife Habitat, unless it can be demonstrated that:
  - i) the ecological attributes, functions and linkages of the Significant Wildlife Habitat have been assessed and significant attributes, functions and linkages will be retained through retention of all or part of the feature and/or replacement through progressive rehabilitation in a manner that minimizes any interruptions to the significant attributes, functions or linkages.
  - ii) progressive rehabilitation of the site will result in the establishment of an equal amount or a net gain of significant wildlife habitat area and function in as short a time as is feasible, unless below water table extraction precludes re-establishing the affected significant wildlife habitat on a portion of the site, in which case as much of the site shall be returned to significant wildlife habitat as is feasible and the proponent will be encouraged to implement a program of significant wildlife habitat compensation or other alternatives to establish an equivalent area of significant wildlife habitat elsewhere.
  - iii) alteration or elimination of the Significant Wildlife Habitat will not result in any immediate or longer term negative impacts or cumulative negative impacts on adjacent Natural Features and Areas and Supporting Features and Areas except as otherwise permitted by this Plan.
- h) New or expanding mineral aggregate operations shall be prohibited in Key Natural Heritage Features and Key Hydrologic Features on lands subject to the Greenbelt Plan, and their associated Vegetation Protection Zones, unless conformity is demonstrated

with all policies in this plan and the Greenbelt Key Natural Heritage Feature or Key Hydrologic Feature is not located in an area identified in Section 20.4(a).

- i) ~~Where there are overlapping policies relating to multiple features and areas all relevant policies will apply and all relevant criteria must be met prior to approval.~~

**Commented [JN25]:** Based on public comment, an additional policies to clarify overall intent of the environmental policy framework here should features overlap.

#### **20.5.4 Environmental Protection within the Niagara Escarpment Plan Area**

- a) Mineral aggregate extraction on lands the Niagara Escarpment Plan Area shall conform to the policies of Section 20.5.3 of this Plan and the policies and development criteria contained in the Niagara Escarpment Plan.
- b) In the case of conflict between Section 20.5.3 of this Plan and the Niagara Escarpment Plan, the ~~more restrictive policies shall apply~~ provision of the Niagara Escarpment Plan prevails.

**Commented [JN26]:** This revision is necessary to meet section 14 of the Niagara Escarpment Planning and Development Act.

#### **20.5.5 Environmental Protection within the Oak Ridges Moraine Conservation Plan Area**

- a) The policies of Section 20.5.3 shall apply to the review of proposals for new mineral aggregate extraction.
- b) Notwithstanding the provisions of Section 20.5.3, mineral aggregate operations shall not be permitted in any of the features addressed there where such features meet the criteria for Oak Ridges Moraine Key Natural Heritage Features and Hydrologically Sensitive Features, and their associated Minimum Vegetation Protection Zones, except as may be considered in accordance with Section 20.5.5(c).
- c) Notwithstanding any other provision of this Plan, a mineral aggregate operation or wayside pit with respect to land within the Natural Features and Areas designation on lands subject to the Oak Ridges Moraine Conservation Plan if the land is occupied by woodlands that are young plantations or early successional habitat, as may be defined by the Ministry of Natural Resources ~~and Forestry~~, and does not satisfy any other criteria for Key Natural Heritage Features and/or Hydrologically Sensitive Features, only if the applicant demonstrates that:
- i) The long-term ecological integrity of the Oak Ridges Moraine Conservation Plan Area will be maintained, or where possible improved or restored.
  - ii) The extraction of mineral aggregates from the area that is young plantations or early successional habitat will be completed, and the area will be rehabilitated, as early as possible in the life of the operation.
  - iii) The area of young plantations or early successional habitat from which mineral aggregates are extracted will be rehabilitated by establishing or restoring natural self-sustaining vegetation of equal or greater ecological value.

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- iv) The provisions of Section 20.5.3(b)(ii) through (iv) have been satisfied.
- d) An application for mineral aggregate extraction or wayside pit with respect to land in a Landform Conservation Area (Category 1 or 2) shall not be approved unless the applicant demonstrates:
  - i) That the area from which mineral aggregates are extracted will be rehabilitated to establish a landform character that blends in with the landform patterns of the adjacent land.
  - ii) The long-term ecological integrity of the Oak Ridges Moraine Conservation Plan Area will be maintained, or, where possible, improved or restored.
- e) Notwithstanding any other provision of this Plan, an application for a mineral aggregate operation or wayside pit with respect to land in a Natural Linkage Area within the Oak Ridges Moraine Conservation Plan Area shall not be approved unless the applicant demonstrates that:
  - i) Conformity with all other provisions of Section 20.5 of this Plan is demonstrated.
  - ii) There will be no extraction within 1.5 metres of the water table.
  - iii) The extraction of mineral aggregates from the site will be completed as quickly as possible.
  - iv) The site will be rehabilitated in stages as quickly as possible.
  - v) The entire site will be rehabilitated by establishing or restoring natural self-sustaining vegetation.
  - vi) Notwithstanding subsection (v) above, in the case of land in a prime agricultural area, the entire site will be rehabilitated by restoring the land so that the average soil quality of each area is substantially returned to its previous level.
- f) In order to maintain connectivity, when a mineral aggregate operation or a wayside pit is located in a Natural Linkage Area in the Oak Ridges Moraine Conservation Plan Area, there shall at all times be an excluded area (which, for greater certainty, may contain both undisturbed land, and land whose rehabilitation is complete) that:
  - i) Is at least 1.25 kilometres wide.
  - ii) Lies outside the active or unrehabilitated portions of the area being used.
  - iii) Connects parts of the Natural Linkage Area outside the mineral aggregate operation or wayside pit.

~~20.5.6 Environmental Protection Elsewhere in the Town~~

~~Where no other Provincial plans apply, the policies of Section 2.5 of the Provincial Policy Statement and Section 4.2.8 of the Growth Plan shall apply to proposals for mineral aggregate extraction.~~

**Commented [JN27]:** The policy is redundant/duplicative of other items.  
The agricultural section is moved into this space to save renumbering.

### 20.5.6 Agricultural Lands

- a) ~~As is required to demonstrate consistency with the Provincial Policy Statement,~~ Extraction of mineral aggregate resources is permitted in prime agricultural areas, on prime agricultural land, ~~subject to the policies of this Plan and provided impacts to the prime agricultural areas are addressed in accordance with Policy 4.3.5.2 of the 2024 Provincial Planning Statement or its successor and~~ that the site will be rehabilitated back to an agricultural condition.
- b) ~~As is required to demonstrate consistency with the Provincial Policy Statement,~~ Complete rehabilitation to an agricultural condition is not required if:
- i) ~~The depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible~~ There is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible.
  - ii) ~~Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Class 1, 2 and 3 lands.~~
  - iii) Agricultural rehabilitation in remaining areas is maximized.
- c) An agricultural impact assessment shall demonstrate avoidance, or, where avoidance is not possible, minimization and mitigation of adverse effects on agricultural uses.

**Commented [JN28]:** Edits to this section are necessary to implement conformity to the 2024 Provincial Planning Statement.

### 20.5.7 Water Resources

- a) Any proposal for new mineral aggregate extraction shall identify all sources of water, their functions, and analyze and assess the impact of the application to satisfactorily demonstrate that the quality and quantity of each of those water resources shall be protected, ~~maintained and, where applicable, enhanced~~ improved or restored, with no negative impacts, by providing the following information:
- i) The quantity and quality of mineral aggregate resource located below the water table (if applicable).

**Commented [JN29]:** Revised to conform with s4.2.2 of 2024 PPS.

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- ii) The removal of the mineral aggregate resource and the subsequent rehabilitation of the lands will satisfy the applicable performance measures in Sections 15 and 20.5.3 of this Plan.
  - iii) Measures to protect water resources will be implemented in the design and operation of fuel storage and handling systems, machinery storage and servicing and the use and storage of potential contaminants on the site. The storage of fuel and other potential contaminants on-site may be restricted if necessary to protect water resources.
  - iv) An appropriate monitoring program will be implemented, and that the results of this monitoring program will be provided to the Town.
- b) For dewatering, it is encouraged for water to remain on site within the licensed area. Any removal of water from the site must provide a net ecological benefit with no quality impacts.
  - c) Mineral aggregate extraction shall have no ~~negative impacts~~ ~~adverse effects~~ on private wells, which shall be considered in a monitoring plan that provides targets and triggers where action is taken to eliminate ~~adverse effects~~ ~~negative impacts~~ which may include all measures up to and including stopping ~~the active operation~~ ~~extraction~~.
  - d) Any water used on-site for operations mitigation and management, as well as stormwater collected on site, shall be captured and treated to an appropriate standard prior to release back into the environment.

**Commented [JN30]:** Both revisions to clarify/harmonize intent

**20.5.8 Monitoring and Adaptive Management**

- a) The Town shall take into account that the monitoring program proposed for new mineral aggregate extraction shall be acceptable to the Town, Region of Peel, the Ministry of Natural Resources ~~and Forestry~~, the Conservation Authorities and the Niagara Escarpment Commission (all as applicable).
- b) The Town shall require monitoring results to be delivered to the Town, for the purpose of compiling a database in conformity with Section 20.8.2 of this Plan.
- c) The use of an adaptive management plan may be considered as part of a comprehensive operational monitoring plan, where the potential impacts of operations have been identified with reasonable certainty, and meet appropriate standards in order to manage unexpected impacts. An adaptive management plan shall contain provided it contains targets and triggers where action is ~~taken~~ required to eliminate unapproved adverse effects which may include all measures up to and including stopping the active operation.

**Commented [JN31]:** Clarifies intent



#### 20.5.9 Operational Design, Air Quality, and Land Use Compatibility

a) The proposed operational plan shall be designed to avoid—or, where avoidance is not possible, minimize or mitigate—impacts on surrounding land uses and visual resources ~~through~~. This shall include, among other things and as appropriate to site and area context:

- i) Strategic phasing and direction of extraction.
  - ii) Small phases to limit the amount of disturbed area at any one time.
  - iii) Progressive rehabilitation.
  - iv) Strategic direction of extraction and placement of screens and buffers, including creating variable berms and mature vegetative screens to replicate the natural topography of the area.
  - v) Utilization of offset entrances to screen the internal pit areas.
  - vi) Internal haul routes, the elimination of reverse movement, and use of broadband back-up alarms.
  - vii) Sharing or co-ordination of entrances when two operations are adjacent to each other.
  - viii) The location of machinery, fuel storage, washing, and on-site water treatment.
  - ix) The timing of, phasing and locating of permanent and temporary processing plants.
- b) Adverse effects from noise, vibration, odour (where applicable), dust, and air pollutants shall be avoided, or, where avoidance is not possible, minimized and mitigated to objective standards that provide the greatest protection to human health and the natural environment.
- c) For greater certainty, the World Health Organization standards for PM<sub>2.5</sub> and PM<sub>10</sub> shall apply for Section 20.5.9(b).
- d) The Town shall require air quality monitoring as part of approving new mineral aggregate extraction, including a triangulation approach of upwind-downwind measurement.
- e) Where compatible rehabilitation plans for adjacent ~~licenced~~ licensed operations are approved, or where there is an opportunity to create harmonized operational standards across separate sites in a complex, the Town may support the reduction of or extraction of mineral aggregate resources within the setbacks from the shared licence boundary in order to achieve integrated rehabilitation and improved operation of the sites.

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- f) Stockpiles of mineral aggregates incidental to mineral aggregate extraction shall be limited in size, temporary, and designed and managed to avoid dust and particle emissions.
- g) Stockpiles of mineral aggregates, fuel storage and transfer, processing equipment, areas for storing or processing recycled mineral aggregates, and vehicle parking shall be designed to require a barrier to ensure no leachate or spills can reach the water table.

#### 20.5.10 Blasting and Flyrock

- a) The design of a mineral aggregate extraction operation shall prioritize the avoidance or impacts from blasting, flyrock (which shall be contained within the licensed area in accordance with Provincial law) and vibration. Where avoidance of adverse effects is not possible, adverse effects shall be minimized and mitigated to levels better than Provincial and Federal standards.
- b) A blast impact assessment, including a blast design report, flyrock management plan, and vibration management plan shall be prepared by an experienced and qualified Blaster or Blasting Engineer.
- c) The person designing a blast and the person carrying out a blast shall be an experienced and qualified Blaster or Blasting Engineer.
- d) A blast impact assessment shall demonstrate how flyrock shall be contained within the subject site.
- e) Vibration monitoring shall be provided at the property lines of mineral aggregate extraction using blasting.
- f) There may be locations in the Town where blasting is inappropriate under any circumstance. The presence of sensitive uses shall be considered in determining if blasting is the best measure for extracting mineral aggregate resources, or if reduced blast intensity is appropriate.

#### 20.5.11 Transportation

- a) Existing haul routes are identified on the Schedules of this Plan, and the hauling of mineral aggregates shall use identified haul routes.

Notwithstanding the above, there are additional roads, including Town-owned roads, that are designated haul routes for mineral aggregate operations. Nothing in this Plan is intended to limit that continued function of those portions of local roads used for hauling mineral aggregate resources so long as the operation remains licensed under the Aggregate Resources Act.

**Commented [JN32]:** The project team has been made aware by industry representatives of ARA-defined haul routes on local roads.

This addition clarifies that existing haul routes must be permitted and will continue to do so.

As a good practice, if other routes are identified later on, the Schedules of the Future Caledon Plan can be updated to identify additional routes. Proposals for new public or private routes shall be considered in applications for new extraction.

b) Any new haul route proposed shall have the least impact possible and shall consider the applicable Transportation policies of Section 11 of this Plan in providing the following information to demonstrate no negative economic, financial, social and physical impacts on the safe and efficient use of the road network:

Commented [JN33]: Clarifies intent

- i) An evaluation of alternative haul routes and the identification of the haul route(s) with the least impact.
- ii) Land use, land use activities and the character of adjacent lands (including any significant environmentally sensitive features) along the proposed haul route, including the identification of existing and permitted land uses that may be significantly affected by the proposed haul route.
- iii) The physical characteristics of the potential haul routes including road classification, load limits, surfacing and character (e.g., rural, scenic) and the identification of any physical constraints to heavy truck traffic, such as vertical or horizontal curves, sight lines or shoulders.
- iv) Anticipated increase in traffic generated by the proposed extractive operation, and any increase in background traffic.
- v) Description of the proposed operation, including the phasing where applicable, and resulting trip generation, distribution, and vehicle composition.
- vi) The horizon year that will be used in determining future impacts.
- vii) Assumptions concerning passenger car equivalents.
- viii) Traffic impacts (both operational and physical) resulting from the truck traffic generated by the proposed operation, including impacts on road structure, traffic flow and safety, pedestrian and active transportation safety, and the mitigation measures required to address these impacts.
- ix) Whether improvement and redesignation in this Plan of the roads proposed to be used as a haul route(s) is necessary, the costs of such improvement, any anticipated impacts on significant environmental features affected by such improvement, and whether an Environmental Assessment is required for this improvement.
- x) If an internal road between neighbouring operations can be used in place of a public road.

c) Where the applicable haul route is already identified on the Schedules or text of this Plan, the information required by Per-Section 20.5.11(b)(ii) above, this information will shall only be required for those lands in the immediate vicinity of the proposed pit or

Commented [JN34]: Clarifies intent.

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quarry ~~where the applicable haul route is already identified on the Schedules to this Plan.~~

- d) Per Section 20.5.11(b)(ix) above, any required improvement shall be a condition of planning application approval and recommended to the appropriate authority to be a condition on the issuance of any access permit. The Applicant shall prepare a Road Improvement Study for approval by the applicable road authority to indicate the measures proposed to minimize the impacts of any road improvement, including:
- i) Existing road right-of-way characteristics, particularly vertical alignments, should be maintained as closely as possible, subject to safety considerations with an understanding that many of these roads possess inherent traffic calming characteristics.
  - ii) Existing trees and other vegetation within the road right-of-way shall be retained wherever possible, including any scrub-like settings. Introduction of manicured boulevards as “landscaping elements” should be avoided.
  - iii) Wood, wire, stump, and stone fence lines shall be retained wherever possible as historical landscape remnants and incorporated as “new” design elements.
  - iv) Traditional open grassed ditches shall be used at every reasonable opportunity.
  - v) New lighting elements, such as poles or standards and luminaires shall be as unobtrusive as possible within the road right-of-way and lighting should be directed downward and shielded.
  - vi) Generally, any improvements required to a public road or construction of a new road due to a new or expanded pit or quarry mineral aggregate operation shall not be at public expense.
- e) ~~Provided the impacts are acceptable and taking into account the significance of the aggregate resource, the Town acknowledges that, in principle, there should be a haul route to each resource area. Road improvement and maintenance agreements can be used to implement this policy.~~
- f) The Town will encourage the co-operative efforts of aggregate producers to arrive at a mutually satisfactory traffic movement plan with respect to aggregate trucks entering onto or exiting from haul routes. Such a plan shall examine and make recommendations on the following:
- i) The alignment of the entrances of extractive operations and other entry points.
  - ii) The use of appropriate lighting and signal devices.

**Commented [JN35]:** Based on public feedback, this policy is recommended to be deleted. The remaining policies speak to how any proposed new haul route shall be assessed. Also, the concept of “resource areas” is proposed to be deleted from the Official Plan.

iii) The use of acceleration lanes, deceleration lanes, and the construction of turning lanes.

ef) Impacts on adjacent land uses, on those landscape elements referred to in subsection (c) above or on any environmentally sensitive features identified by the Traffic Impact Study will be satisfactorily mitigated.

hg) The Town of Caledon will cooperate with aggregate producers and other truck users to achieve a mutual agreement on alternative traffic measures to relieve existing traffic problems within Caledon Village. Such measures may include the creation of alternative routes for aggregate related traffic from aggregate operation in consideration of Section 11.2.18 of this Plan. Lack of such an agreement will not by itself constitute a reason to deny an application for aggregate extraction.

#### **20.5.12 Rehabilitation and After Uses**

- a) Once a Town-wide Rehabilitation Master Plan has been endorsed by Council, all subsequent applications for new or expanded extractive operations shall be required to prepare detailed site rehabilitation plans that meet the intent of the Rehabilitation Master Plan for the area unless, in the circumstances, it is demonstrated to be inappropriate, and the requirements of the *Aggregate Resources Act*. Where a Rehabilitation Master Plan does not apply, the Applicant shall illustrate how the rehabilitation of the subject property will be ~~co-ordinated~~coordinated with the surrounding land uses.
- b) The proposed rehabilitation plan for a new or expanded aggregate operation shall conform to the policies of this Plan, including the protection and maintenance and, where appropriate, the enhancement and restoration of Natural Features and Areas, on balance with other rehabilitation priorities.
- c) The Town will promote progressive rehabilitation as the preferred option for all sites, in a manner which has regard for the natural environmental context of adjacent lands as supported by technical studies and investigation, cultural and heritage resources in or adjacent to the site (including the conservation of significant cultural or heritage features where practical), and the proximity of the site to settlement areas or other sensitive land uses.
- d) The Town of Caledon will co-operate with landowners, the Region, the Ministry of Natural Resources ~~and Forestry~~, the Ontario Aggregate Resources Corporation and aggregate operators in efforts to rehabilitate abandoned pits and quarries and return the site to a suitable land use in conformity with the policies of this Plan.

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- e) ~~The Town will seek participation in the funding of the Rehabilitation Master Plans from the Region of Peel, the Aggregate Producers' Association of Ontario, and the aggregate producers operating within the Resource Area.~~
- fe) The Town will investigate the acquisition of lands used for mineral aggregate operations and will support the acquisition of such lands by any public authority, including the provision of adequate financial support to permit rehabilitation. It is the intention of the Town of Caledon that these arrangements be formalized by way of a Memorandum of Understanding to be developed.
- gf) Alternatively, the Town shall seek to be a party to rehabilitation plan agreements, including prior to the transfer of any lands to public ownership (if applicable).
- hg) Proposals for new non-agricultural uses on rehabilitated mineral aggregate extraction sites in or abutting designated Prime Agricultural Areas shall demonstrate that the proposed development will be compatible with the adjacent agricultural area or be designed to minimize and mitigate impacts to adjacent agricultural operations to the greatest extent feasible.
- h) ~~Soil rehydration services shall not be permitted as a means to achieve rehabilitation.~~

**Commented [JN36]:** Recommend deleting as there are other policies that support the Town working to promote prompt and progressive rehabilitation.

**20.5.13 Social Impact Assessment**

- a) New and existing mineral aggregate extraction shall not have any unacceptable social impacts caused by factors such as noise, dust, traffic levels and vibration that exceeds Provincial, Federal ~~or and~~ Town standards and policies, ~~whichever is the strictest.~~
- b) Any impact studies required by this Plan, will include, where appropriate, an assessment of social impacts based on predictable, measurable, significant, objective effects on people caused by factors such as noise, dust, traffic levels, and vibration.
- c) Such studies will be based on Provincial standards, regulations and guidelines ~~where they exist, and duly consider Town policies, standards and criteria,~~ and will consider and identify methods of addressing the anticipated impacts in the area affected by the extractive operation.

**Commented [JN37]:** Addition to confirm intent.

**Commented [JN38]:** Removal clarifies that all policies/standards are to be considered. Other policies in Chapter 20 clarify applicability.

**Commented [JN39]:** Clarifies intent.

**20.5.14 Visual Impact Assessment**

- a) New and existing mineral aggregate extraction shall ~~not have any negative~~ minimize visual impacts by:
  - i) Assessing significant views and how they might be affected by the proposed mineral aggregate extraction.

- ii) Assess the changes to the natural landscape and the cultural landscape that would result from the operation.
- iii) Identification of any required mitigation measures, and the visual character of such measures. This may include berms, entrance designs, vegetation, landscaping, and operational matters such as ~~small phases~~phasing, screening of equipment, direction of extraction which would seek to minimize visual impacts.

#### **20.5.15 Cultural Heritage and Archaeology**

- a) The policies of Section 6 of this Plan shall apply for built heritage resources, cultural heritage resources, and archaeological resources.
- b) Required studies shall include an evaluation of cultural heritage resources in so far as they relate to roads not identified on the Schedules of this Plan. The level of cultural heritage resource investigation associated with these traffic studies will be survey level appropriate to the nature of the cultural heritage resources encountered and the nature of the anticipated impacts on these resources associated with the proposed haul route. Cultural heritage resource conservation measures may include, as appropriate, retention and use or adaptive re-use of heritage buildings and structures, incorporation of cultural heritage elements such as fence lines and tree lines where possible, and carrying out appropriate salvage and recording of cultural heritage resources that may be removed as a result of aggregate extraction operations.

#### **20.6 New Sensitive Lands Uses and Mineral Aggregate Extraction**

- a) Where a new sensitive land use is proposed within the area of influence of an existing ~~licenced~~licensed extraction operation identified in Section 20.3(d), the proponent of the sensitive land use will bear the primary responsibility for the mitigation of potential land use conflicts between the proposed use and the aggregate extraction operation.
- b) The following policies shall apply to new sensitive land uses:
  - i) Where there is potential for noise, vibration, dust, or visual impact, the Town shall require the applicant to undertake appropriate studies.
  - ii) Sensitive uses will only be permitted where conditions of approval and other mechanisms are established, which will ensure that identified noise attenuation or other measures will be put into place at the developer's expense.
  - iii) Sensitive uses will not generally be permitted within the setbacks identified by the various studies as being required for avoidance (or, where avoidance is not possible, minimization and mitigation). Nevertheless, as portions of the extraction operation are rehabilitated, the separation distance may be adjusted to reflect changes to the location of active and approved extraction areas. Such

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adjustments will only be permitted where the study required in subsection (i) above has been updated to reflect the new conditions and demonstrates that acceptable attenuation can be achieved consistent with Provincial guidelines and guidelines for studies established by the Town of Caledon and the Region of Peel (as applicable), and where conditions of development approval are imposed which ensure that identified noise attenuation measures are put in place at the developer's expense.

- c) In the case of designated settlement areas, where feasible, the overall community development pattern should be phased such that initial phases of development are situated furthest away from extraction areas so that progressive rehabilitation of the pit either precedes the development or occurs simultaneously with it. Where this is not feasible, measures will be incorporated into the development design to maximize land use compatibility between the pit operation and the proposed development as follows:
- i) Buffering through distance separation; berming and noise barriers or walls; grading to minimize potential noise impact; the introduction of intervening uses which are not noise sensitive; the retention of natural features between the development and future extraction areas; the use of height limitations or other measures.
  - ii) The imposition of conditions requiring building design and construction measures to provide visual screening and noise buffering including requirements for building orientation, construction measures for noise attenuation including window placement or other measures.
  - iii) The imposition of conditions, where feasible, which would ensure that prospective purchasers are made aware of nearby aggregate operations and associated noise and truck traffic through the use of warning clauses in agreements of purchase and sale, notices registered on title, and on clearly visible signs posted at sales offices and at strategic locations within the development.
  - iv) Subdivision design which takes into consideration potential truck traffic in order to avoid, where feasible, potential conflicts between truck and residential traffic.
  - v) With the agreement of the pit/quarry owner, the provision of extra berms, noise barriers, landscaping and other measures on the pit/ quarry property at the developer's expense.

- d) ~~The Town may, in the appropriate circumstances, and to the extent appropriate, require an Applicant for a new sensitive land use to pay reasonable costs of peer review which shall not include any original data collection or original research of any studies required~~



by this Plan. In such case, the Town shall enter into an agreement with the Applicant to administer and scope the peer review and to set reasonable controls on peer review costs;

## **20.7 Other Aggregate Uses**

The following policies apply to other aggregate related uses, noting that other land use designations also permit similar uses of land subject to those policies.

### **20.7.1 Commercial Filling and Excess Soil**

- a) Commercial filling shall only permitted through an amendment to this plan.
- b) Notwithstanding subsection (a) above, commercial filling associated with mineral aggregate extraction is permitted where it was permitted as part of an approved Aggregate Resources Act licence issued on or before \_\_\_\_\_, 2024.
- c) Notwithstanding subsection (a) above, commercial filling is permitted accessory to agricultural uses, land development purposes for lands with an appropriate Planning Act or Niagara Escarpment Planning and Development Act approval, or undertakings with approval under the Town's Site Alteration By-law, subject to any conditions associated with those approvals.
- d) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply.

### **20.7.2 Soil Dehydration (Hydrovac)**

- a) Soil dehydration services shall only permitted through an amendment to this plan.
- b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply.

### **20.7.3 Permanent Concrete and Asphalt Plants**

- a) Where permanent concrete batching and asphalt plants are permitted in this Plan, material stockpiling, fuel storage and transfer, processing equipment, areas for storing or processing recycled mineral aggregates, and vehicle parking shall be designed:
  - i) To require a barrier to ensure no leachate or spills can reach the water table.
  - ii) To conform to the policies of Section 20.5.9 of this Plan.
  - iii) If on lands designated Mineral Resource Extraction Area, that conformity to the policies of Section 20 of this Plan is demonstrated.

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**Commented [JN40]:** Future Caledon OP s27.2.3 enables peer review, cost recovery, and associated agreements. The recommendation is to default to those parent policies, making this clause redundant.

**Commented [JN41]:** These sections have been moved elsewhere as noted below.

**Commented [JN42]:** Moved to main OPA text / new Section 17.13 and 17.14 of Future Caledon OP

**Commented [JN43]:** Moved with edits to new Section 23.11 (main OPA text)

~~20.7.4 Commercial Peat or Organic Soil Extraction~~

- ~~a) Commercial peat extraction or organic soil extraction shall only permitted through an amendment to this plan.~~
- ~~b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply.~~

Commented [JN44]: Moved to new Section 20.2.3

~~20.7.5 Aggregate Transfer Stations~~

- ~~a) Aggregate transfer stations shall only permitted through an amendment to this plan.~~
- ~~b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated, including Section 23.5.4. Where conflicting policies exist, the strictest policy shall apply.~~

Commented [JN45]: Moved to new Section 20.2.4

**20.7 Community Engagement**

It is the intent of the Town to improve community engagement and data sharing between mineral aggregate operations and the broader public.

**20.7.1 Structured Committees**

- a) The Town shall prepare and maintain an Aggregate Resources Advisory Committee to provide input on matters pertaining to aggregate resources, including industry trends.
- b) The Town shall encourage proponents to establish community liaison committees for individual operations.

**20.7.2 Data Sharing, Transparency and Report Production**

- a) An Aggregate Monitoring Report shall be ~~prepared~~ provided to Council on mineral aggregate matters in Caledon, at least once every two years, reporting on:
  - i) The number and status of licences, including any changes in status.
  - ii) An overview of active extractive operations in Caledon, including the total area under extraction, the amount of aggregate produced, and (if known) the primary destinations of these products.
  - iii) Records of any complaints on mineral aggregate extraction operations and the transportation of aggregate products during the reporting period.
  - iv) Records of any violations of site plan or conditions of licence under the *Aggregate Resources Act* and their status during the reporting period.
  - v) Status of the implementation of approved rehabilitation plans.

- vi) Status of the operation and implementation of approved adaptive management plans.
  - vii) An assessment of the cumulative impact of extractive operations on the Town's Natural Features and Areas.
  - viii) Any updates or data on monitoring work (such as air quality and ground water monitoring).
  - ix) Updates on any active and potential applications for new mineral aggregate extraction or amendments to licences.
- b) The Town will conduct such studies and address as it considers appropriate the cumulative effects of the establishment and expansion of aggregate extraction operations on the Town's communities, natural environment, and cultural features.
  - c) Any conditions related to monitoring shall ensure frequent, open access to the Town, or, if not practical, at regularly scheduled intervals.
  - d) The Town shall request copies of *Aggregate Resources Act* compliance reports as part of applications for new mineral aggregate extraction. The Town shall also request the same for existing mineral aggregate extraction operations when necessary.
  - e) The Town shall maintain a review protocol that helps the public and applicants understand how reviews of applications shall be undertaken, to provide greater clarity and transparency on how the process is undertaken, and to demonstrate how progress on reviews is made.

**Commented [JN46]:** Responding to public input, adding an additional reporting item to this work product.

### 20.7.3 Resource Rescue and Recycling

- a) The Town of Caledon will consider the concept of resource rescue within existing and proposed urban areas in order to avoid the sterilization of potential resources due to urban development and expansion where the resource can be extracted in conformity with the policies of this Plan in the following manner:
  - i) Through the removal of the material prior to any urban development taking place, through a ~~licensed~~ licensed operation if appropriate, or if a ~~licensed~~ licensed operation is not feasible, then through use of the resource on-site in the construction of the development.
  - ii) Where the resource is to be used on-site for construction of the development, processing of the aggregate would be permitted on the site.
  - iii) The Applicant for development must identify the quantity and quality of the resource, demonstrate how the material will be used on-site, the timing of rehabilitation of the site, and evaluate the suitability of sites for resource use on-

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site in conformity with the environmental and groundwater protection policies of this Plan.

- b) In resource areas where there may be future urban development associated with an urban settlement in an adjoining municipality, the Town of Caledon will consult with the adjoining municipality in applying the urban aggregate resource rescue principle.
- c) The Town shall incorporate recycled mineral aggregates in capital works projects where possible and appropriate in accordance with an approved Recycled Aggregate Strategy.
- d) The Town will support initiatives by the aggregate industry and the Province to conserve aggregate resources, through such measures as recycling, and matching aggregate quality requirements to specific job specifications.
- e) ~~Notwithstanding Section 20.2.1(b), recycling of mineral aggregates shall not be permitted in a wellhead protection area.~~
- f) Where new and recycled mineral aggregates are mixed, the new mineral aggregates shall be measured prior to mixing.

**20.7.4 Improved Environmental Performance on Existing Sites**

- a) There are limited opportunities for existing *Aggregate Resources Act* licences to be reviewed and updated. The Town shall seek to update existing licences to conform to the policies of this Plan wherever possible.
- b) The Town shall not support the amendment of existing *Aggregate Resources Act* licences unless conformity with the policies of this Plan is demonstrated.
- c) Applications for new mineral aggregate extraction adjacent to existing sites shall require updating existing licences to incorporate any recommendations or requirements for the new mineral aggregate extraction onto existing sites to reflect the integrated operation.

**Commented [JN47]:** Future Caledon OP section 15 contains detailed policies on wellhead protection areas.

These policies will be reviewed again at the next source protection plan update. Those policies, once completed, would become part of review of any development application.

Any applications for mineral aggregate extraction in a wellhead protection area will need to satisfy those policies and obtain the relevant clearances.