



County of Simcoe
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November 1, 2019

Andrew MacDonald,
Resource Development Section
Ministry of Natural Resources and Forestry
300 Water Street, 2 South
Peterborough, ON
K9J 3C7

Dear Sirs:

RE: County of Simcoe comments on the proposed amendments to the Aggregate Resources Act- ERO number 019-0556

The County of Simcoe has appreciated the opportunity to provide comments on the proposed amendments to the *Aggregate Resources Act*. The County is providing these written comments through the Environmental Registry of Ontario number 019-0556.

The County is generally supportive of the proposed amendments to the *Aggregate Resources Act*, however, we would like to take this opportunity to provide our comments on the issue of haul routes as it relates to the proposed amendments.


As per the *Aggregate Resources Act*, The Ontario Aggregate Resources Corporation (TOARC") acts as a Trustee working in the public interest for the MNR. They are responsible for such things as collection and disbursement of aggregate fees, rehabilitation of abandoned pits and quarries, and sites where licenses or permits have been revoked, collection and publication of statistics, and other information and training for those interested in the aggregate industry.

The *Aggregate Resources Act* proposed amendment that is most concerning to the County relates to TOARC's responsibility to collect and disperse aggregate fees, which are most often used by receiving municipalities, for upgrading and maintaining haul routes. As you know, this money is mandated to be divided between the local and upper tier municipalities that host a pit or quarry. For the past several decades, the County has been successful in coming to compensation agreements with operators to supplement the amount paid under TOARC in order to more fairly contribute to the amount needed to repair roads used as haul routes. It should be noted that the vast amount of the aggregate is delivered to the City of Toronto, and the roads most often used are County roads. The ability to negotiate these agreements arises from the power of the LPAT to compel agreements. The County of Simcoe is concerned with this power being taken away by the proposed legislation. As well, in two recent cases, an aggregate approval in a neighbouring municipality has called for the haul route to go over Simcoe County roads. In a recent Divisional Court decision involving our County, the Court determined that the LPAT could compel an agreement between the operator and Simcoe even when our County was not the host. The County is concerned with this power being taken away by the proposed legislation.

Thank you for the opportunity to provide feedback on the proposed amendment. If you have any questions or require further information with respect to this correspondence, please feel free to contact the undersigned.

Sincerely,

The Corporation of the County of Simcoe

for 

David Parks, MCIP, RPP
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CC: Debbie Korolnek, General Manager, Engineering, Planning and Environment – County of Simcoe
