

## Staff Report 2020-0096

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**Meeting Date:** April 28, 2020

**Subject:** Town of Caledon Comments regarding the Proposed Amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act (ARA)

**Submitted By:** Ohi Izirein, Senior Policy Planner, Policy, Community Services Division

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### RECOMMENDATION

That the comments outlined in Staff Report 2020-0096 regarding the Proposed Amendments to Ontario Regulations 244/97 and the Aggregate Resources of Ontario Provincial Standards under the *Aggregate Resources Act*, R.S.O. 1990, be endorsed and submitted to the Environmental Registry of Ontario (ERO).

That a copy of Staff Report 2020-0096 be provided to the Ministry of Natural Resources and Forestry (MNRF) and the Region of Peel.

### REPORT HIGHLIGHTS

- On February 12, 2020, the Ontario Government posted the Proposed Amendments to Ontario Regulations 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act (ARA) on the Environmental Registry of Ontario (ERO) #019-1303. Comments on the ERO posting are due by May 15, 2020.
- The proposed regulatory changes are in response to previous changes made to the *Aggregate Resources Act*, RSO, 1990, on December 10, 2019.
- Key changes under consideration in ERO #019-1303 includes:

#### A. For new pits and quarries:

- enhancing the information required to be included in summary statements and technical reports at the time of application
- improving flexibility in how some standard site plan requirements can be implemented and modernizing how site plans are created
- creating better consistency of site plan requirements between private and Crown land and better alignment with other policy frameworks
- updating the list of qualified professionals who can prepare Class A site plans
- updating the required conditions that must be attached to a newly issued licences or permit
- adjusting notification and consultation timeframes for new pit and quarry applications
- changing and clarifying some aspects of the required notification process for new applications
- updating the objection process to clarify the process

- updating which agencies are to be circulated new pit and quarry applications for comment

**B: For existing pits and quarries:**

- making some requirements related to dust and blasting apply to all existing and new pits and quarries (requirements which were previously only applied to new applications)
- updating and enhancing some operating requirements that apply to all pits and quarries, including new requirements related to dust management and storage of recycled aggregate materials
- providing consistency on compliance reporting requirements, while reducing burdens for inactive sites
- enhancing reporting on rehabilitation by requiring more context and detail on where, when and how rehabilitation is or has been undertaken
- clarifying application requirements for site plan amendments
- outlining requirements for amendment applications to expand an existing site into an adjacent road allowance
- outlining requirements for amendment applications to expand an existing site into the water table
- setting out eligibility criteria and requirements to allow operators to self-file changes to existing site plans for some routine activities without requiring approval from the ministry (subject to conditions set out in regulation)

**C: Allowing minor extraction for personal or farm use:**

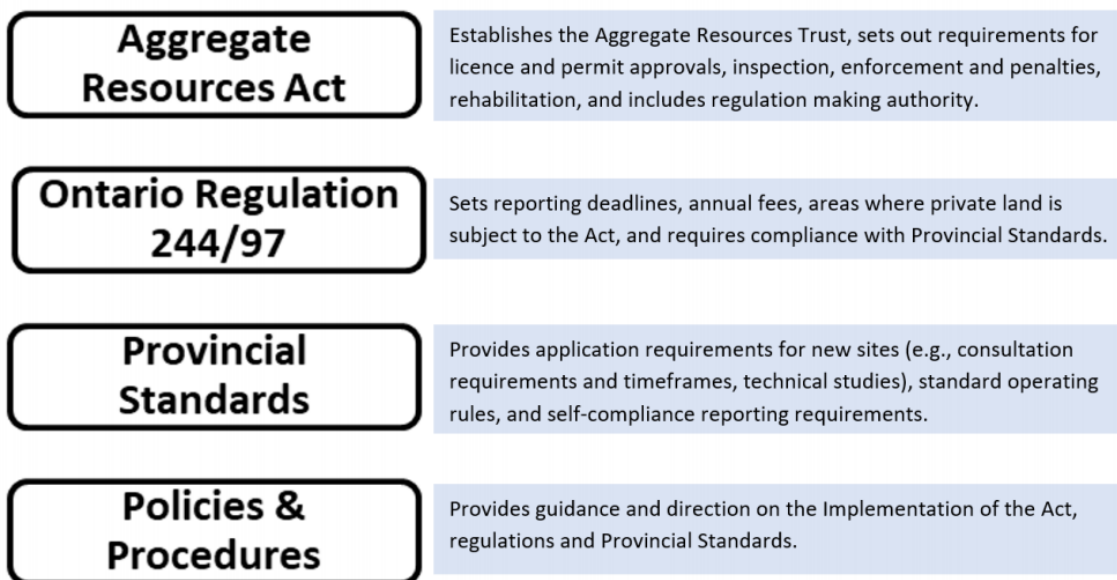
- outlining eligibility and operating requirements in order for some excavation activities to be exempted from needing a licence (i.e., if rules set in regulation are followed). This would be for personal use (max. of 300 cubic meters) or farm use (max. 1,000 cubic meters)”
- The Town is richly endowed with mineral resources and currently has many active aggregate extraction sites. The Town continues to be involved in discussions about aggregate policy and regulations by the province as this is one of the key priorities of Town Council to safeguarding the community and the environment.
- The Town of Caledon Official Plan is currently under review, and staff will be working to ensure new and emerging aggregate requirements have been incorporated into the new document referred to as “Future Caledon – Our Official Plan”. As part of this process a technical review team of aggregate related experts will be established in Caledon and appropriate forums/roundtables will be held to engage/inform/share information with residents and stakeholders on emerging and new aggregate policies and implementation tools.

**DISCUSSION**

**Background**

As part of its Supporting Growing Communities plan, the Government of Ontario enacted legislation with changes to the *Aggregate Resources Act*, R.S.O. 1990 (ARA) on December 10, 2019 (Bill 132). Bill 132 aims to “promote economic growth within the aggregate industry while continuing the government’s commitment to protecting the environment and addressing community impacts”.

On February 12, 2020, the Province posted on the Environmental Registry of Ontario (ERO) #019-1303, Proposed Amendments to Ontario Regulations 244/97 and the Aggregate Resources of Ontario Provincial Standards to build on recent changes to the ARA. As illustrated in the diagram below, the legislation (ARA), regulations (O’ Reg) and provincial standards and policy comprise the key framework for the extraction of aggregates in Ontario.



At the February 10, 2020 Town Council directed staff to provide comments on ERO #019-1303 for its consideration. Comments on the ERO posting are due to MNRF by May 15, 2020.

**Comments**

Below are summaries of **existing** and **proposed** changes to O’ Reg 244/97 and Provincial Standards (in text boxes) followed by staff comments. The numbers to the left of the boxes correspond to those used in the ERO posting:

**1. Proposed changes for applications to establish a new site**

Section	Current Approach	Proposed Approach
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<p><b>1.1.1 – Water Report</b></p>	<p><i>Prepare water report to identify maximum depth of extraction if extraction is below the water table. Specify extraction depth if extraction is not proposed below the water table proposed site must show that extraction will be 1.5 meters above the water for pits and 2.0 meters for quarry.</i></p>	<ul style="list-style-type: none"> <li>○ <i>Changes to how water table is established.</i></li> <li>○ <i>Content of water report including clarification of current requirement for the assessment of impact to water, water budget and better description of persons qualified to prepare a water report.</i></li> <li>○ <i>The addition of a new requirement to provide a summary of how local source water protection plans and policies are addressed.</i></li> </ul>
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**Town Comments:**

*The proposed changes are supportable as they will strengthen the content of the water report.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<p><b>1.1.2 – Cultural Heritage Report</b></p>	<p><i>The ARA requires the preparation of a cultural heritage report to determine if any significant archaeological resources may be present on the proposed site, and if so, assess potential impacts and propose mitigation strategies. Current focus is on archaeological resources although an assessment of impacts to the built heritage and cultural heritage landscapes <b>may</b> sometimes be required.</i></p>	<p><i>Update the cultural heritage report requirements to ensure that the scope and content is consistent with the Province’s cultural heritage policy framework. Applicants will benefit from the tools and information developed by the province to streamline approvals for other types of development.</i></p>

**Town Comments:**

*The proposed changes are supportable. The proposed changes will address Town and residents’ demands requesting that the Province should mandate aggregate operators to do more to protect the social fabric of the community. The Town continues to advocate for the inclusion of social impacts assessment in the review of applications for new aggregate operations.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<p><b>1.1.3 – Natural</b></p>	<p><i>All pit and quarry applications are required to include a natural environment report to identify</i></p>	<p><i>The natural environment report requirement is to be aligned with the current policies in the Provincial Policy</i></p>

<b>Environment Report</b>	natural heritage features on or within proximity to the proposed pit or quarry. If any of these features are located on or within <b>120 meters</b> of the proposed pit or quarry, the report must determine any potential negative impacts on the features or their ecological functions and propose any necessary measures to prevent, mitigate or remediate the negative impacts.	Statement (PPS) and the four Provincial Plans (Oak Ridges Moraine Conservation Plan, the Greenbelt Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and the Niagara Escarpment Plan) to make this requirement updated to include policies related to, and natural heritage systems.
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**Town Comments:**

The proposed changes are supportable. However, the Town is concerned that the proposed **120 meters** is not sufficient.

Section	Current Approach	Proposed Approach
1.1.4 – <b>Agricultural Impact Assessment (AIA)</b>	Current Provincial Standards do not require an AIA to be submitted as part of an application for an ARA licences.	To align with Provincial Plan policies, all applications for new pits and quarries on private land be required to include an Agricultural Impact Assessment if the proposed pit or quarry is within a prime agricultural area that is also located within a portion of a Provincial Plan.

**Town Comments:**

The proposed changes are supportable. The requirement for an AIA will enhance the Town's objective to preserve more agricultural lands for local farm production.

Section	Current Approach	Proposed Approach
1.1.5 – <b>Blast Design Report</b>	A blast design report is required for all new quarry applications on private land that are proposing to remove more than 20,000 tonnes per year (i.e. Class A licences) where there is a sensitive receptor (e.g., residences, hospitals, schools) within 500 metres of the proposed limit of extraction. A blast design report is currently not	Proposed application requirements will require a blast report on Crown land that is aligned with those on private land.

	<i>required for new quarries on Crown land or for new quarries on private land that are proposing to remove 20,000 tonnes or less per year (i.e., Class B licences)</i>	
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**Town Comments:**

*The Town is concerned that the proposed **500 meters** is not sufficient for a quarry operation in a rural area.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<b>1.1.6 – Summary Report</b>	<i>Provide summary statement for Class A licence applications to include information about planning and land use considerations</i>	<i>Proposed application requirements will require that the summary statement for proposed pits and quarries on private and Crown land to ensure that these are aligned with operations of the site reflected on the ARA site plan.</i>

**Town Comments:**

*The proposed changes are supportable.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<b>1.1.7 – Requirements for Extraction from Lands under Water</b>	<i>The Ministry of Natural Resources and Forestry has confirmed that pits and quarries operation from land under water is rare. However, these are often on Crown lands and require additional detailed application information.to process.</i>	<i>Current requirements relating to the excavation of aggregate materials from the bed of a lake or river is to be further reviewed.</i>

**Town Comments:**

*The Town of Caledon has no concern about the proposed requirements. These types of operations would be on Crown lands which are managed by the Ministry of Natural Resources and Forestry.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<b>1.1.8 – Forestry</b>	<i>Currently, the forest industry is exempt from the requirement to</i>	<i>Revision to the forest manuals regulated under the Crown Forest Sustainability</i>

<p><b>Aggregate Pits</b></p>	<p>obtain an aggregate permit for small, above water pits on Crown land for a maximum of 10 years. But they are expected to meet certain criteria to be allowed to operate longer than 10 years.</p>	<p>Act to remove the 10-year time limit for forestry aggregate pits.</p>
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**Town Comments:**

The Town of Caledon has no concern about the proposal to remove the 10-year maximum limit for forestry operations on Crown land.

**2. Site Plan & Licence / Permit Conditions**

Section	Current Approach	Proposed Approach
<p>1.2.1 – <b>Site Plan Standards</b> – <b>Improving Flexibility</b></p>	<p>Items identified on the site plans for pits and quarries are currently identical even though these operations and where they are located may be different.</p>	<p>Items listed on the site plan to differ based type of operation and location including:</p> <ul style="list-style-type: none"> <li>○ How and where fencing is required</li> <li>○ Not showing how trees and stumps are disposed; rather a note that they will be disposed</li> </ul>

**Town Comments:**

The Town of Caledon supports any attempt to make the approval process more flexible. However, the requirement for fencing is a community safety/aesthetic issue which should continue to be a primary site plan requirement of all aggregate operations.

Section	Current Approach	Proposed Approach
<p>1.2.2 – <b>Site Plan Standards - Modernization</b></p>	<p>Issuance of ARA licence or permit is not streamlined with other approvals or land use policies that apply to development.</p>	<p>Align approval process with other policy frameworks and to improve consistency between Crown land and private land applications. e.g.:</p> <ul style="list-style-type: none"> <li>○ Requirement to provide details on the importation of excess soil.</li> <li>○ Identification of maximum disturbed area.</li> </ul>

**Town Comments:**

The proposed changes are supportable.

Section	Current Approach	Proposed Approach
1.2.3 – <b>Qualified Professional to Prepare Site Plans</b>	Currently, a site plan accompanying an application for a Class A licence (private land) must be prepared under the direction of and certified by a professional: professional engineers, Ontario land surveyors, or landscape architects.	<ul style="list-style-type: none"> <li>○ The list of professionals will be updated to include professional geoscientists and professional planners.</li> <li>○ Amend ARA Regulation and Standards --- 16 site plans for pit and quarry applications on Crown land that are proposing a tonnage condition of greater than 20,000 tonnes per year, also be required to be prepared by a qualified professional.</li> </ul>

**Town Comments:**

The proposed changes are supportable.

Section	Current Approach	Proposed Approach
1.2.4 – <b>Prescribed Licence and Permit Conditions (New Sites)</b>	Prescribed conditions address potential impacts of new pits and quarries, such as dust and blasting. Prescribed conditions vary depending on the type of operation and cannot be changed later.	<ul style="list-style-type: none"> <li>○ Prescribed conditions not related to the ARA (e.g. Permit to Take Water) are to be communicated by the MNR to operators in a letter.</li> <li>○ noise mitigation if sensitive receptor in Class B licences is located 500 meters from site boundary.</li> <li>○ apply conditions related to <b>dust and blasting</b> in new sites and on existing sites if they were not originally included.</li> </ul>

**Town Comments:**

The Town does not support proposed approach to communicate prescribed conditions in any other way other than to be included in the ARA site plan. This will ensure that the operation conditions are contained in one document and easily accessible and referenced.

The reduction of noise mitigation requirement for Class B licences from **2000** meters to **500** meters of a sensitive receptor is laudable.

**3. Notification and Consultation Requirements**

Section	Current Approach	Proposed Approach
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<p>1.3.1 – <b>Notification and Consultation Timeframes</b></p>	<p>Current notification standards: - Complete application:(20 and 15 days for applications on private lands and Crown land respectively) - Notification Period (45 and 20 days for applications on private lands and Crown land respectively)</p>	<p>Proposed Notification day increased to <b>60 calendar days</b> for applications on private and Crown lands  <b>20 days</b> to deem applications on both private and Crown lands complete</p>
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**Town Comments:**

*The proposed changes are supportable by the Town.*

Section	Current Approach	Proposed Approach
<p>1.3.2 – <b>Notification and Consultation Process</b></p>	<p>Application circulation to properties owners with <b>120 meters</b> radius of proposed pits and quarries, with notification also published in local newspapers and invitation to a Public information session</p>	<p>Varied notification types are proposed: ○ 150 meters and 500 meters notification for private lands and Crown lands application respectively for the removal of over 20,000 tonnes per year. ○ Digital notification allowed an option ○ Municipalities to provide contact information to operators; ○ Consultation with Indigenous communities.</p>

**Town Comments:**

*Although the radius for notification has been increased, the Town is concerned that the radius is still not large enough to reach many of the residents that may be impacted by the aggregate operations. Lands in the rural areas are often composed of larger land holdings. It is the Town’s experience that the proposed **150 meters** may only apply to the abutting lands. The Town recommends an increase in the notification radius to **1 km**.*

*The proposal to provide notification through digital media will primarily benefit aggregate operators. Many people in the rural areas of Caledon do not have reliable internet access. The Town continues to recommend the use of local newspapers as reliable media for notification.*

*The Town is concerned about the lack of access to Provincial ministries to provide input during the application process and when the aggregate sites are operational. The Town recommends that the Province should provide continuous opportunity for residents to*

*communicate their concerns and receive feedback from the ministries related to how their concerns have been addressed.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<b>1.3.3 – Objection Process on Private Land</b>	<i>Objectors then have 20 days to respond if they feel their objections have not been adequately addressed. These responses need to be delivered personally or by registered mail. If nothing is received from the objector within 20 days, it is deemed that there is no longer an objection.</i>	<i>Objection period will continue to be 20 days however, the 20 days will not be counted until the <b>60 days</b> period of notification has lapsed.</i>

**Town Comments:**

*The proposed changes are supportable by the Town. It is an acceptable improvement to the existing period of notification. Notwithstanding, the Town recommends that the Ontario Regulation should include provisions that will specify how the objections received have been addressed by the proponent.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<b>1.3.4 – Circulation to Agencies</b>	<i>Circulation of application on private and Crown lands are made to all agencies regardless of the applications.</i>	<ul style="list-style-type: none"> <li>○ <i>List of agencies will be updated to reflect current government organization and responsibilities</i></li> <li>○ <i>Agencies circulation on private lands will be aligned with applications on Crown lands.</i></li> </ul>

**Town Comments:**

*The proposed changes are supportable by the Town. The Town recommends that this list of agencies includes the Department of Fisheries and Oceans (DFO). The DFO, the federal lead for safeguarding waters and managing Canada's fisheries, oceans and freshwater resources, should be circulated on aggregate applications that are in proximity to freshwater resources.*

**4. Prescribed Rules for Minor Excavations**

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
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<p>2.1 – <b>Excavation from Private Land or Land Owned by a Farm Business</b></p>	<p><i>new</i></p>	<p>Persons or farm operations on private land that meet specific criteria would <b>not need</b> to obtain a licence under the ARA from the ministry if:</p> <ul style="list-style-type: none"> <li>○ they follow rules set out in the regulations (See Schedule 1).</li> <li>○ Meet other approval such as <u>Planning Act</u> approval.</li> </ul>
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**Town Comments:**

The proposed changes are supportable by the Town. However, the Town recommends that:

- persons or farm operations should be required to provide notification for residents within **1 km** radius for **information purposes only**.
- that the permit for persons or farm operations use should be granted only once for any given property.

Section	Current Approach	Proposed Approach
<p>2.2 – <b>Excavation within a Highway Right of Way for Road Construction</b></p>	<p><i>new</i></p>	<p>Provide clarity in regulation that municipalities or the Crown would not require a licence or permit to excavate aggregate if the following conditions are met:</p> <ul style="list-style-type: none"> <li>○ the aggregate is being excavated as part of a public road construction project, and</li> <li>○ the excavation is occurring within the established right of way of a highway owned by a municipality or the Crown.</li> </ul>

**Town Comments:**

The proposed changes are supportable by the Town.

**5. Operating Requirements for all Sites (New & Existing)**

Section	Current Approach	Proposed Approach
<p>3.1.1 – <b>Miscellaneous Changes</b></p>	<p>Operators are required to note of any variances from the</p>	<ul style="list-style-type: none"> <li>○ Removal of the requirement for fencing around the property boundary. But, property should still</li> </ul>

	<p><i>operational standards on their site plans.</i></p>	<p><i>be clearly demarcated. But fencing may be required if raised as a concern where a proposal is located to a sensitive land use.</i></p> <ul style="list-style-type: none"> <li>○ <i>Indication that trees and stumps will be properly disposed of and not buried on the site</i></li> <li>○ <i>Requirement to remove scrap on an ongoing basis and that scrap cannot be located with 30 meters of any body of water.</i></li> </ul>
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**Town Comments:**

*The Town recommends that all aggregate sites should be fenced as this is a community safety issue. Fencing is necessary to warn intruders/trespassers of possible dangers. Free access to an aggregate pit can be dangerous for trespassers as stockpile can collapse, swimmers can drown or be stuck in silt etc., These could result in severe inquiry and possibly death. The lack of fencing could increase the legal liabilities for the aggregate operators.*

Section	Current Approach	Proposed Approach
<p>3.1.2 – <b>Dust</b></p>	<p><i>Dust mitigation on site is required if a sensitive receptor is located within 2000 meters of the site boundary.</i></p> <p><i>Apply water or another provincially approved dust suppressant to internal haul roads and processing areas to mitigate dust (for permits, this condition only applies if a sensitive receptor is located within 500 metres of the boundary of the site).</i></p>	<ul style="list-style-type: none"> <li>○ <i>Requirement to mitigate dust regardless of their proximity to a sensitive receptor.</i></li> <li>○ <i>Aggregate permit holders would only need to mitigate dust if a sensitive receptor is located within 1000 metres of the boundary of the site.</i></li> <li>○ <i>aggregate permit holders with a sensitive receptor located within 1000 metres of the boundary of the site be required to apply water or another provincially approved dust suppressant to internal haul roads and processing areas as needed to control dust.</i></li> <li>○ <i>Prepare and follow a Best Management Practices Plan (BMPP) for fugitive dust control if a sensitive receptor was located within 1000 metres of the boundary of the site</i></li> </ul>

**Town Comments:**

The proposed changes are supportable by the Town. Notwithstanding, the Town recommends a **500 m** radius be required as determined by the Region of Peel Health Unit.

Section	Current Approach	Proposed Approach
3.1.3 – <b>Blasting</b>	<p>Requirement to monitor blasts for ground vibration and blast overpressure (e.g., noise) and operate to ensure compliance with provincial guidelines of the boundary of the site).</p> <p>Retain monitoring reports and provide them to the ministry upon request.</p>	<ul style="list-style-type: none"> <li>○ Requirement to Monitor all blasts for ground vibration and blast overpressure (noise) and adhere to provincial guidelines.</li> <li>○ Implement measures to prevent fly rock from leaving the site during blast events if a sensitive receptor is within 500 meters of the boundary of the site.</li> <li>○ Retain all blast monitoring reports and make them available upon request to the ministry.</li> </ul>

**Town Comments:**

The proposed changes are supportable by the Town.

Section	Current Approach	Proposed Approach
3.1.4 – <b>Recycling</b>	new	<ul style="list-style-type: none"> <li>○ Where aggregate recycling activities are already approved to occur on a site, the site would need to be operated in accordance with the following requirements:</li> <li>○ Recyclable asphalt may not be stored within 30 meters of a water body or within two meters of the established ground water table and may not be co-mingled with scrap material(s).</li> <li>○ Any rebar or other structural metal must be removed from recyclable aggregate materials during processing and placed in a separate scrap pile.</li> </ul>

**Town Comments:**

While the Town supports the principle of recycling, it also acknowledges the dangers of allowing the recycling of asphalts in aggregate pits due to the increase in the potentials for ground water contamination. The Town recommends that:

- *the recycling of asphalts should be prohibited in all aggregate pits.*
- *No toxic materials should be recycled in aggregate pits. Since most aggregate pits are located in the rural area, it is important to protect against the contamination of ground water and continually safeguard the source of drinking water for rural residents.*
- *The Province should establish a separate application process to permit recycling operations on aggregate pits. Document submitted in support of the process must identify the type of materials and the recycling process.*
- *Recycling operations should not be permitted within 30 meters radius of a water body. The proposed 30 meters radius is not far enough. A much farther radius should be established.*
- *To protect against ground water contamination, the recycled material should be stored only on impermeable surfaces and storage within the water table should not be permitted.*

*Also, to protect the primary source of drinking water for the Town’s rural residents, The Town recommends that recycling in aggregate sites (excluding recycling of asphalts) should be allowed **only** where the operator has demonstrated, through a hydrogeological study which is peer reviewed by the Town and its agency(ies), that a proposed recycling operation will have no negative impact on ground water. This report should specify the proponent’s plan to protect the quality and quantity of ground water*

*The Town is concern that permitting recycling in aggregate pits will unduly extend the life span of the aggregate pit. Since aggregate operations are interim land uses, the Town recommends that recycling operations that are permitted in aggregate pits should be assigned specified the time duration.*

**6. Annual Compliance Reporting**

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<p>3.2.1 – <b>Compliance Assessment Reports</b></p>	<p><i>Requirement to submit an annual Compliance Assessment Report (CAR) to the ministry and local municipality(ies).by September 30th each year with the self-assessment made between May 1st and September 15<sup>th</sup>.</i></p>	<ul style="list-style-type: none"> <li>○ <i>Develop a “smart form” that would pre-populate sections of the form based on previously submitted information</i></li> <li>○ <i>Streamlining the required assessment information for sites that have been inactive for more than three years to focus on assessing compliance to requirements for gates, demarcation of boundaries and monitoring,</i></li> <li>○ <i>Enhance the rehabilitation information required (see section 3.2.2 for more information),</i></li> </ul>

		<ul style="list-style-type: none"> <li>○ assessment period would be April 1st to September 15<sup>th</sup>, but the September 30 submission date remains.</li> </ul>
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**Town Comments:**

*No comments.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<p>3.2.2 – <b>Rehabilitation Reporting</b></p>	<p><i>Requirement to submit a rehabilitation report with information on the size of area that has been disturbed, any areas undergoing progressive or final rehabilitation, the sloping of faces, the importation of material to support rehabilitation (if permitted), final elevation, and vegetation.</i></p>	<p><i>Operators would be required to include this additional information:</i></p> <ul style="list-style-type: none"> <li>○ <i>phase of their planned excavation they are working in</i></li> <li>○ <i>details on what rehabilitation activities they have undertaken that year</i></li> <li>○ <i>a description of final rehabilitation activities that were conducted that year and, if known, the final intended use (e.g., agricultural, recreational, natural).</i></li> </ul>

**Town Comments:**

*The proposed changes are supportable by the Town.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<p>3.3.1 – <b>Site Plan Amendment Process</b></p>	<p><i>Requirement for an amendment to their site plan, include written request to the ministry with information on description of the proposed amendment, rationale for requesting the amendment, a sketch of revised pages of the site plan depicting the proposed amendment and any other information required by the ministry to assess the implications of the proposed amendment</i></p>	<ul style="list-style-type: none"> <li>○ <i>information must be submitted using a standard form to request a change to a site plan: include name, address, geographic location and licence/permit number, a description of the proposed amendment(s), a description of how the proposed amendment(s) will change the operation, and the reason for the request(s).</i></li> <li>○ <i>Requirement for new technical drawings</i></li> <li>○ <i>A schedule that clearly describes the amendment.</i></li> </ul>

**Town Comments:**

*The proposed changes are supportable by the Town. The Town recommends the inclusion of notification requirement for all site plan amendments, to allow for comments from area residents.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<b>3.3.2 – Amendment to Expand Road Allowance</b>	<i>new</i>	<i>Applications to for an amendment application to expand into a road allowance must submit prescribed information and provide notification.</i>

**Town Comments:**

*The proposed changes are supportable by the Town.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<b>3.3.3 – Amendment to Expand Existing Site Below the Water Table</b>	<i>Requirement to notify Landowners within 120 meters radius</i>	<i>Requirement include new and more detailed process and information. (see Schedule B)</i>

**Town Comments:**

*The proposed changes are supportable by the Town. The Town’s previous comments on recommended **1 km** notification radius should apply to application to expand existing site below the water table.*

<b>Section</b>	<b>Current Approach</b>	<b>Proposed Approach</b>
<b>3.3.4 – Self-filling of Site Plan Application</b>	<i>new</i>	<i>Self-filling is specific to site that meet certain requirements. (see Schedule C)</i>

**Town Comments:**

*The proposed changes are supportable by the Town. The Town’s previous comments on and recommendation for a **1 km** notification radius should apply to application to expand existing site below the water table.*



**Comments by a Caledon Resident:**

On the February 10, 2020 Town Council received a delegation from a resident regarding the proposed amendment to O. Reg 244/97 and Provincial Standards with concerns about the following issues:

- Self-filling of amendment to ARA licence's and permits
- Lack of notification to residents to provide comments on applications. Opportunities to provide comments continue to be limited
- The proposal to permit recycling of asphalts in aggregate pits
- Inadequate setbacks from sensitive land-use
- The removal of the requirement to provide fencing on aggregate sites
- Lack of a clear complaint procedures to the ministry.
- Limited opportunities to determine and mitigate social impacts
- Lack of municipal oversights

Staff has committed to contacting interested Town residents to provide guidance on how to directly provide comments on the ERO posting.

**FINANCIAL IMPLICATIONS**

The Town has provided comments to the Province in the past identifying the financial impact of aggregate operations (primarily the impacts of truck traffic) on municipal roads, bridges and infrastructure.

The Province has confirmed that there are no changes proposed to aggregate fees and royalties at this time. The Town will actively participate in any future discussions related to fees and royalties.

**COUNCIL WORK PLAN**

Not Applicable

**ATTACHMENTS**

Schedule A: Proposed Requirements for Excavation from Private Land or Land Owned by a Farm Business.

Schedule B: Proposed Requirements for Amendment to Expand an Existing Site Below the Water Table.

Schedule C: Proposed Requirements for Self-filling of Site Plan Amendments.

