

APPENDIX C

REVIEW OF AGGREGATE POLICIES

MARCH 16, 2017



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C1. AGGREGATE POLICY IN THE ROP

The table below provides a line-by-line review of each ROP policy with respect to the Mineral Resource Extraction Area that includes the potential implication of each policy and identifies updates required to the Town OP. It is noted that directions in the ROP policy have been highlighted in yellow and specific actions for the Town have been identified in red text.

Table A: Mineral Resource Extraction Area policies in the ROP.

Section	ROP Policy	Potential Implications for Town OP
108	This designation includes areas covered by a valid licence issued pursuant to the Aggregate Resources Act, as shown in Map 1.	<ul style="list-style-type: none"> The ROP designates lands with a valid licence issued under the ARA as Mineral Resource Extraction Areas. Action: The Town OP will have to continue to designate these areas.
109 109(1) 109(1.1) 109(2) 109(3) 109(4)	<p>Subject to other <i>policies</i> of this Plan, applicable policies of the Greenbelt Plan and Niagara Escarpment Plan, applicable Local Official Plan <i>policies</i> and Zoning By-laws, and site plan and conditions of the licence under the Aggregate Resources Act, the following uses may be permitted:</p> <p><i>agricultural operations,</i> <i>normal farm practices,</i> <i>existing uses,</i> <i>mineral aggregate operations</i> licensed pursuant to and in compliance with the Aggregate Resources Act.</p> <p>associated facilities to a <i>mineral aggregate operation</i> used in extraction, transport, beneficiation, processing or recycling of <i>mineral aggregate resources</i> and derived products such as asphalt and concrete, or the production of secondary related products, provided that such associated facilities are:</p> <ol style="list-style-type: none"> [Section number not in use]. directly associated with the extraction of <i>mineral aggregate resources</i> from an integrated <i>mineral aggregate operation</i>, which may consist of more than one Aggregate Resources Act License; 	<ul style="list-style-type: none"> The ROP outlines permitted uses in the Mineral Resource Extraction Areas. Action: The Town OP has to permit the same uses as the ROP.



Section	ROP Policy	Potential Implications for Town OP
<p>109(5)</p> <p>109(6)</p> <p>109(7)</p> <p>109(8)</p> <p>109(9)</p> <p>109(10)</p> <p>109(11)</p> <p>109(12)</p>	<p>c) designed to be temporary and not to be utilized after extraction has ceased; and</p> <p>d) 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.</p> <p>non-intensive recreation uses such as nature viewing and pedestrian trail activities, <i>forest, fisheries and wildlife management</i>, archaeological activities, <i>essential utility</i> and transportation facilities, <i>incidental uses</i>,</p> <p>uses permitted in an approved <i>Niagara Escarpment Park and Open Space Master/Management Plan</i>, if the subject land is located within the Niagara Escarpment Plan area,</p> <p><i>watershed management</i> and flood and erosion control projects carried out or supervised by a <i>public authority</i>, and</p> <p>a clay products manufacturing plant, with buildings and uses accessory to the adjacent shale <i>quarry</i>, on part Lot 3, Concessions I and II, former Township of East Flamborough in the City of Burlington.</p>	
<p>110.</p> <p>110(1)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Require the Local Municipalities to adopt Zoning By-laws, where applicable, to permit the operation of legally existing <i>mineral aggregate operations</i> in accordance with the Aggregate Resources Act and protect them from new land uses incompatible with such operations for reasons of public health, public safety or environmental impact or which would preclude or hinder the expansion or continued use of such operations.</p>	<ul style="list-style-type: none"> The ROP recognizes the importance of mineral aggregate resources and directs local municipalities to adopt Zoning By-laws that permit legally existing operations and protect them from new land uses that may be incompatible with aggregate operations. Action: The Town Zoning By-law will have to continue permitting the operation of legally existing mineral aggregate





Section	ROP Policy	Potential Implications for Town OP
		<p>operations on lands that are licenced and protect them from new land uses that may be incompatible with aggregate operations.</p>
<p>110. 110(2)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Require that all extraction and accessory operations be conducted in a manner which minimizes environmental impact in accordance with Provincial standards and requirements and Regional and Local Official Plan <i>policies</i>.</p>	<ul style="list-style-type: none"> The ROP requires extraction and accessory operations to minimize environmental impacts. Action: The Town OP will have to require that all extraction and accessory operations be conducted in a manner, which minimizes environmental impact in accordance with Provincial standards and the ROP.
<p>110. 110(3) 110(3.1)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Establish as a priority the protection of surface and ground water from the adverse impacts of extraction. Accordingly, the proponent of new or expanded <i>mineral aggregate operations</i> is required to carry out comprehensive studies and undertake recommended mitigation and/or remedial measures and on-going monitoring in accordance with Provincial requirements and <i>policies</i> of this Plan and in consultation with <i>Conservation Authorities</i>.</p> <p>Develop and maintain, in consultation and partnership with <i>public agencies</i>, aggregate industry and citizen groups, an Aggregate Resources Reference Manual which serves as a guidance document for <i>Halton</i>, which contains, among other things:</p> <p>a) data, information and results of credible research on the Greenbelt and Regional Natural Heritage Systems, and surface and ground water systems in <i>Halton</i>, especially as these relate to the <i>cumulative impacts</i></p>	<ul style="list-style-type: none"> The ROP establishes the protection of surface and ground water as a priority with respect to the adverse impacts of extraction. The ROP also requires proponents to complete comprehensive studies and mitigation and/or remedial measures and monitoring. The Aggregate Resources Reference Manual is a guidance document that sets out all requirements for proponents. Action #1: The Town OP will have to establish as a priority the protection of surface and ground water from the adverse impacts of extraction. Action #2: The Town OP could also refer proponents to the Aggregate Resources Reference Manual as a guidance document.





Section	ROP Policy	Potential Implications for Town OP
	<p>on those systems of extractive operations in <i>Halton</i> and neighbouring municipalities,</p> <p>b) best practices and protocols on mitigative and restorative measures to minimize the social, environmental and human health impacts of extractive operations for both the short and long terms, and</p> <p>c) information, studies and proposed plans required to assist in the review of an application for a licence under the Aggregate Resources Act and applications for Official Plan amendments under the Planning Act.</p>	
<p>110.</p> <p>110(4)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Encourage the applicant to consult, prior to the submission of an application for a new <i>mineral aggregate operation</i> or expansion to an existing operation, the <i>Region</i>, the Province, <i>Conservation Authorities</i> and other relevant agencies to identify the content of studies and information to be provided to support the application, to scope or focus study requirements where appropriate, and to determine a process and an agreement of evaluation and peer review.</p>	<ul style="list-style-type: none"> The ROP encourages applicants to engage in pre-consultation for new operations or expansions with the Region, Province, Conservation Authorities and other relevant agencies to outline the required studies. Action: The Town OP should also encourage pre-consultation prior to the submission of an application for a new mineral aggregate operation or expansion to an existing operation.
<p>110.</p> <p>110(5)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Require that air, noise and blasting studies be undertaken in accordance with Provincial regulations and standards and recommendations be implemented to minimize impact on social and human health.</p>	<ul style="list-style-type: none"> The ROP requires air, noise and blasting studies to be undertaken. Action: The Town OP will also have to require air, noise and blasting studies to be undertaken in accordance with Provincial regulations and the ROP.
<p>110.</p> <p>110(6)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Consider <i>mineral aggregate resource</i></p>	<ul style="list-style-type: none"> The ROP establishes mineral aggregate resource extraction as an





Section	ROP Policy	Potential Implications for Town OP
<p>110(6.1)</p>	<p>extraction as an interim use and require the rehabilitation of all such sites to form part of the Greenbelt or Regional Natural Heritage System or the Agricultural Area, with the proposed after-uses being in conformity with the applicable <i>policies</i> of that land use designation.</p> <p>Require the rehabilitation of <i>mineral aggregate operations</i> on <i>prime agricultural lands</i>, within <i>Prime Agricultural Areas</i> to be carried out so that substantially the same areas and same average soil quality for <i>agriculture</i> are restored.</p> <p>On <i>prime agricultural lands</i>, complete agricultural rehabilitation is not required if:</p> <ol style="list-style-type: none"> a) There is a substantial quantity of <i>mineral aggregate resources</i> below the water table warranting extraction, or the depth of planned extraction in a <i>quarry</i> makes restoration of pre-extraction agricultural capability unfeasible; b) Other alternative locations 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 to 7 soils, resources on lands identified as designated growth areas, and resources on <i>prime agricultural lands</i> where rehabilitation is feasible. Where no other alternatives are found, <i>prime agricultural lands</i> shall be protected in this order of priority: <i>specialty crop areas</i>, and Canada Land Inventory Class 1, 2 and 3 lands; and c) Agricultural rehabilitation in remaining areas is maximized. 	<p>interim use and requires rehabilitation to be in conformity with the applicable policies of the land use designation.</p> <ul style="list-style-type: none"> • Action #1: The Town will have to identify mineral aggregate resource extraction as an interim use and require rehabilitation to be in conformity with the applicable policies of the land use designation. • The ROP also addresses rehabilitation specifically on prime agricultural lands and requires the same average soil quality to be restored. • Action #2: The Town OP could include policies that refer to the requirements of after use as outlined in the ROP. • The ROP states that any after uses that are not listed in the permitted uses will require an amendment to the ROP and Niagara Escarpment Plan, if applicable. • Action #3: Since the Town OP has to set out the same permitted uses, any after use that are not listed in the permitted uses will also require an amendment to the Town OP, in addition to the requirements of the ROP amendment.
<p>110(6.2)</p>	<p>Any after use not permitted in Section 109 of this Plan shall require an amendment to the</p>	





Section	ROP Policy	Potential Implications for Town OP
	Regional Plan and where applicable, the Niagara Escarpment Plan.	
<p>110.</p> <p>110(7)</p> <p>110(7.1)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Require an amendment to this Plan to designate any new Mineral Resource Extraction Areas, except for an 11.3 ha expansion of an existing sandstone <i>quarry</i> located on the east half of Lot 21, Concession V, former Township of Esquesing, in the Town of Halton Hills.</p> <p>In areas outside the Greenbelt Natural Heritage System, consider applications for new or expanded <i>mineral aggregate operations</i> by amendment to this Plan and/or the Niagara Escarpment Plan in appropriate land use designations other than the following areas:</p> <ol style="list-style-type: none"> a) The Niagara Escarpment Plan Area except the Escarpment Rural Area, b) <i>Provincially Significant Wetlands</i>, c) <i>Significant</i> habitat of endangered species and threatened species as identified by the Province, except in accordance with the <i>Endangered Species Act, 2007</i>, d) For quarries, areas within 200 m of the Escarpment Brow, e) The Urban Area, Hamlets and Rural Clusters as identified by policies of this Plan, and f) The North Aldershot Policy Area except in accordance with the time limited and area specific Minutes of Settlement dated June 1, 2013 and executed prior to the approval of this Plan. 	<ul style="list-style-type: none"> • The ROP establishes the requirement for an amendment to the plan to designate new Mineral Resource Extraction Areas and identifies land use designations where amendments for new extraction areas are prohibited. • Action: The Town OP will have to require an amendment to the OP to designate any new Mineral Resource Extraction Areas and set out prohibited areas in accordance with the ROP.
<p>110.</p> <p>110(7.2)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>In accordance with Section 118(3)d), apply the following systems based approach in the assessment of the impact of a new or</p>	<ul style="list-style-type: none"> • The ROP directs the assessment of the impact of a new or expanded mineral aggregate operation on the Region's





Section	ROP Policy	Potential Implications for Town OP
	<p>expanded <i>mineral aggregate operation</i> on the Region’s Natural Heritage System:</p> <ol style="list-style-type: none"> a) Where the proposal has the potential to negatively affect <i>Key Features</i> of the Regional Natural Heritage System, as identified in Section 115.3(1), require the proponent to demonstrate through an EIA that the proposal will result in no <i>negative impact</i> on the <i>Key Features</i> or their <i>ecological functions</i> for which the area is identified. b) In addition to Section 110(7.2)a), where the proposal has the potential to negatively affect the Regional Natural Heritage System, require the proponent to demonstrate through an EIA that the proposal will maintain, restore or where possible enhance the diversity and connectivity of <i>natural heritage features</i> in an area, and the long term <i>ecological functions</i> and biodiversity of natural heritage systems, recognizing <i>linkages</i> between and among <i>natural heritage features and areas</i>, surface water features and ground water features. c) Where the proposal has the potential to negatively affect the Greenbelt Natural Heritage System, the provisions of Section 4.3.2 of the Greenbelt Plan apply. d) Where the proponent has satisfied the requirements of Sections 110(7.2)a) through 110(7.2)c) as applicable, require any application for a new or expanded <i>mineral aggregate operation</i> to consider a “net environmental gain” approach to the preservation and enhancement of the Greenbelt and/or Regional Natural Heritage System based on the following principles: 	<p>Natural Heritage System to be conducted using a systems based approach.</p> <ul style="list-style-type: none"> • a/b) speak to the need for an EIA to demonstrate no negative impact to Key Features and to the Regional Natural Heritage System. • c) states that policy 4.3.2 (Non-renewable Resource Policies) of the Greenbelt Plan applies if there is potential negative impact to the Greenbelt Natural Heritage System. • d) provides further guidance (after satisfaction of a-c) for applications of new or expanded operations to consider a net environmental gain approach to preservation and enhancement of the Greenbelt and/or Regional Natural Heritage System. • Action: The Town OP will have to include policies that speak to the assessment of impacts on the Region’s Natural Heritage System.





Section	ROP Policy	Potential Implications for Town OP
	<p>A) Outside <i>Prime Agricultural Areas</i>, or where agricultural rehabilitation is not required in accordance with Section 110(6.1), the site is to be rehabilitated to function as part of the Greenbelt and/or Regional Natural Heritage Systems.</p> <p>B) The <i>Key Features</i> and <i>ecological functions</i> of the Greenbelt and/or Regional Natural Heritage Systems will, where possible, be enhanced both in the short and long terms as a result of implementing the rehabilitation plan of the proposed extractive operation and/or an off-site enhancement plan. Such enhancements may include but not necessarily be limited to:</p> <ul style="list-style-type: none">i. increase in the spatial extent of the Greenbelt and/or Regional Natural Heritage Systems,ii. increase in biological and habitat diversity,iii. enhancement of ecological system function,iv. enhancement of wildlife habitat,v. enhancement of natural succession,vi. creation of new <i>wetlands</i> or <i>woodlands</i>,vii. enhancement of riparian corridors,viii. enhancement of groundwater recharge or discharge areas, andix. establishment or enhancement of <i>linkages</i> between <i>significant natural heritage features and areas</i>. <p>C) Priorities for restorations or enhancements to the Greenbelt</p>	





Section	ROP Policy	Potential Implications for Town OP
	<p>and/or Regional Natural Heritage Systems through post-extraction rehabilitation shall be based on the following in descending order of priority:</p> <ul style="list-style-type: none">i. restoration to the original features and functions on the areas directly affected by the extractive operations,ii. enhancements to the Greenbelt and/or Regional Natural Heritage Systems by adding features and functions on the balance of the site,iii. enhancements to the Greenbelt and/or Regional Natural Heritage Systems by adding features and functions in areas immediately surrounding the site,iv. enhancements to that part of the Greenbelt and/or Regional Natural Heritage Systems in the general vicinity of the site, andv. enhancements to other parts of the Greenbelt and/or Regional Natural Heritage Systems in <i>Halton</i>. <p>D) Restorations or enhancements shall proceed immediately after extraction in a timely fashion.</p> <p>E) Consideration should be given to the transfer of the ownership of any privately owned rehabilitated or enhanced lands to a <i>public body</i>.</p> <p>F) A detailed implementation plan of the proposed restorations and enhancements shall form part of the rehabilitation plan in the site plan or be included as a condition of the</p>	





Section	ROP Policy	Potential Implications for Town OP
	licence under the Aggregate Resources Act.	
<p>110.</p> <p>110(7.6)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Consider applications for an amendment to this Plan to designate a new or expanded Mineral Resource Extraction Area under the Planning Act to be complete on the basis of Sections 187(10).</p>	<ul style="list-style-type: none"> The ROP establishes the requirements for complete applications to designate a new or expanded Mineral Resource Extraction Areas. Action: The Town OP will have to include policies that set out the requirements for a complete application.
<p>110.</p> <p>110(8)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Evaluate each proposal to designate new or expanded Mineral Resource Extraction Areas based on its individual merits and consideration of all the following factors:</p> <p>c) Adverse impacts on, and proposed measures to minimize or address such adverse impacts:</p> <ul style="list-style-type: none"> i. the Regional Natural Heritage System in accordance with Section 110(7.2), ii. quality and quantity of surface and ground waters, iii. adjacent <i>sensitive land uses</i> including their source of drinking water, iv. any <i>Cultural Heritage Resources</i>, v. transportation system, vi. the surrounding <i>agriculture</i> and rural communities, vii. visual character of the area, viii. air quality, and ix. the Greenbelt Natural Heritage System in accordance with Section 110(7.2) <p>c.1) <i>cumulative impacts</i> of the proposal and other extractive operations in the general area,</p>	<ul style="list-style-type: none"> The ROP commits to evaluating each proposal to designate new or expanded Mineral Resource Extraction Areas on their own merits and provides factors to aid in the evaluation. Action: The Town OP will have to include factors for consideration in evaluating applications for new or expanded Mineral Resource Extraction Areas (at a minimum, the same as the ROPs factors).





Section	ROP Policy	Potential Implications for Town OP
110(9.1)	<p>Encourage the proponent of new or expanded Mineral Resource Extraction Areas to have regard to the Aggregate Resources Reference Manual for <i>Halton</i> under Section 110(3.1) of this Plan and to engage in pre-consultation with the <i>Region</i> and <i>public agencies</i> in accordance with Section 110(4).</p>	<ul style="list-style-type: none"> The ROP encourages applicants to engage in pre-consultation for new operations or expansions with the Region, Province, Conservation Authorities and other relevant agencies to outline the required studies. Action: The Town OP should also encourage pre-consultation prior to the submission of an application for a new mineral aggregate operation or expansion to an existing operation.
110. 110(10)	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Ensure that <i>Regional policies</i>, standards and criteria are duly considered in the location, regulation and rehabilitation of <i>wayside pits and quarries</i>.</p>	<ul style="list-style-type: none"> The ROP states that policies, standards and criteria are also applicable for wayside pits and quarries. Action: The Town OP will have to also acknowledge that the same policies, standards are required for criteria for location, regulation and rehabilitation of wayside pits and quarries.
110. 110(11)	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Require the proponent of a new or expanded Mineral Resource Extraction Area to demonstrate to the satisfaction of the <i>Region</i> that the transportation of aggregate and related products associated with the proposed extractive operation can be adequately accommodated by the transportation system in <i>Halton</i>. Any improvements to the Regional and Local transportation <i>infrastructure</i> to accommodate the transportation of aggregate shall be at the expense of the proponent. If applicable,</p>	<ul style="list-style-type: none"> The ROP requires proponents of new or expanded Mineral Resource Extraction Areas to demonstrate that all transportation related to the operation can be accommodated by the transportation system. Action: The Town OP will have to include policies that speak to transportation of aggregate and related products.





Section	ROP Policy	Potential Implications for Town OP
	alternative routes and alternative modes for transporting the products shall be considered and evaluated.	
<p>110.</p> <p>110(12)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Provide to Regional Council no less frequently than every two years a State of Aggregate Resources in <i>Halton</i> report that contains, among other things:</p> <ol style="list-style-type: none"> a) number of active licences, as well as new, suspended, revoked, and surrendered licenses, b) an overview of active extractive operations in <i>Halton</i>, including the total area under extraction, the amount of aggregate produced, and the primary destinations of these products, c) history of complaints on the extractive operations and transportation of aggregate products and their status, d) history of violations of site plan or conditions of licence under the Aggregate Resources Act and their status, e) status of the implementation of approved rehabilitation plans, f) status of the operation and implementation of approved <i>adaptive management plans</i>, g) an assessment of the <i>cumulative impact</i> of extractive operations on both the Greenbelt and Regional Natural Heritage Systems, and h) number and status of active and potential applications to designate Mineral Resource Extraction Areas. 	<ul style="list-style-type: none"> • The ROP establishes minimum requirements for updates to Regional Council on aggregate operations/ activity in the Region. • The Town OP could also include policies that set minimum requirements for updates to Town Council on aggregate operations/ activity in the Town. • Action: No direct action required.

C2. PROTECTION OF MINERAL AGGREGATE RESOURCES

The table below provides a line-by-line review of each ROP policy with respect to the Protection of Mineral Aggregate Resources that includes the implication of each policy and identifies updates required to the Town OP. It is noted that directions in the ROP



policy have been highlighted in yellow and specific actions for the Town have been identified in red text.

Table B: Protection of Mineral Aggregate Resources

Section	ROP Policy	Potential Implications for Town OP
<p>112.</p> <p>112(1)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Protect high potential <i>mineral aggregate resource</i> areas consisting of primary and secondary sand and gravel resource areas and selected bedrock/shale resource areas, except for those areas considered to be unsuitable for extraction based largely on Section 110(7.1) of this Plan, Provincial policies and Provincial Plans. The resource areas thus identified are generally shown on Map 1F using mapping supplied by the Ministry of Northern Development, Mines and Forestry or the Ministry of Natural Resources. Map 1F is not drawn to scale and the boundaries are only approximate. The identification of these <i>mineral aggregate resource</i> areas on Map 1F does not imply that extraction in these areas conforms to Provincial Plans or policies, nor does it imply support by the <i>Region</i> for any licence application under the Aggregate Resources Act in these areas or for any amendment to this Plan thereof.</p>	<ul style="list-style-type: none"> • The ROP recognizes the importance of protecting areas of high potential mineral aggregate resources. • The ROP maps these areas on Map 1F. • Action #3: The Town OP will have to identify areas of high potential mineral aggregate resources and provide policies to protect these areas. • Action #2: The Town OP will have to include a map that identifies these resource areas.
<p>112.</p> <p>112(2)</p>	<p>It is the <i>policy</i> of the <i>Region</i> to:</p> <p>Require the proponent of any land use changes through <i>Regional</i> or Local official plan amendments, zoning amendments or consents on land that is located wholly or partially within 300m of a sand and gravel deposit or 500m of a selected bedrock and shale resource identified under Section 112(1) and that has the potential to preclude or hinder continued extraction or expansion of existing operations, establishment of new operations or access to the <i>mineral aggregate resources</i> in accordance with <i>policies</i> of this Plan and any Provincial Plan, to demonstrate through the appropriate studies to the satisfaction of the <i>Region</i> and Local Municipality that:</p>	<ul style="list-style-type: none"> • The ROP requires a proponent of any land use changes within a certain area of high potential mineral resources areas to demonstrate why development is more suitable that protection for aggregate extraction. • Action: The Town OP will have to include 'preclude and hinder' policies.



Section	ROP Policy	Potential Implications for Town OP
	a) extraction would not be feasible; or b) the proposed land use or <i>development</i> serves a greater long term public interest; and c) issues of public health, public safety and environmental impact related to the proposed land use or <i>development</i> being located adjacent to a potential future extraction operation are addressed.	
112. 112(3)	It is the <i>policy</i> of the <i>Region</i> to: Monitor regularly the amount of aggregate production in Halton, in comparison with other Regions in the province.	<ul style="list-style-type: none"> The ROP identifies the need to monitor aggregate production in the Region and in comparison to other areas. The Town OP could also identify this as an action item. Action: No direct action required.

C3. CONSTRAINTS TO DEVELOPMENT IN MINERAL RESOURCE EXTRACTION AREA

In addition to the above, Section 139.3 of the ROP establishes policies that address constraints to development. Section 139.3(1) identifies the Mineral Resource Extraction Area as a designation where there are additional conditions or constraints for development. The applicable policies for the Mineral Resource Extraction Area are reviewed in the table below. It is noted that directions in the ROP policy have been highlighted in yellow and specific actions for the Town have been identified in red text.

Table C: Constraints to development in the Mineral Resource Extraction Areas.

Section	ROP Policy	Potential Implications for Town OP
139.10	<i>Identified Mineral Resource Areas</i> The purpose of the Identified Mineral Resource Areas, as shown on Map 1F, is to assist in the implementation of Sections 112(1) and 112(2), <i>policies</i> designed to protect high potential <i>mineral aggregate resources</i> areas from	<ul style="list-style-type: none"> The ROP states that the purpose of the Mineral Resource Areas (Map 1F) is to assist in implementation of policies that are designed to protect high potential mineral aggregate resources from incompatible uses.





Section	ROP Policy	Potential Implications for Town OP
	incompatible land uses.	<ul style="list-style-type: none"> The ROP maps Prime Mineral Resource Areas on Map 1F. Action: The Town OP will have to identify the purpose of the identified Mineral Resource Areas and policies and provide a map.

C4. UPDATING AGGREGATE DEFINITIONS

The table below identifies all definitions that are related to permitted uses as well as all other policy in the Aggregate section of the ROP policy. The table lists the term and definition that are currently provided in the ROP, with implications on the Town OP in the far right column. The red text signifies the change that is required to the current Town OP definitions section.

It is noted that in some cases the ROP definition is different from the 2014 PPS. Such differences are identified by the underlined text in the 'Potential Implications on the Town OP' column. In these cases the 2014 PPS definition is also provided directly below the applicable ROP definition. Where there is a different definition in the 2014 PPS In this regard, the implication on the current Town OP would be to update its definitions to be consistent with the 2014 PPS definition.

It is also noted that some terms may also be used in other sections of this review that address the Natural Heritage System and Agriculture. In this case, the term is not repeated below but may be included in Appendix A (Natural Heritage System) or Appendix B (Agriculture).

Table D: Key terms and definitions for Agriculture policies from the ROP and potential implications on the Town OP.

ROP Key Term	ROP Definition	Potential Implications for Town OP
Cultural Heritage Resources	means elements of the Regional landscape which, by themselves, or together with the associated environment, are unique or representative of past human activities or events. Such elements may include <i>built heritage resources</i> , <i>cultural heritage landscapes</i> , and <i>archaeological resources</i> .	<p>Different definition in the current Town OP.</p> <p>Action: Town OP will have to replace its current definition with a new definition for Cultural Heritage Resources. As a result of introducing this new definition, the Town</p>





ROP Key Term	ROP Definition	Potential Implications for Town OP
		<p>OP will also have to include a new definition for Cultural Heritage Landscape (CHL). The ROP uses the same definition for CHL as the 2014 PPS.</p>
Cumulative Impacts	<p>means the effect on the physical, natural, visual and <i>Cultural Heritage Resources</i> resulting from the incremental activities of <i>development</i> over a period of time and over an area. All past, present and foreseeable future activities are to be considered in assessing <i>cumulative impact</i>.</p>	<p>No definition in current Town OP.</p> <p>Action: Town OP will have to include a new definition for Cumulative Impacts.</p>
Infrastructure	<p>means a use (e.g., swimming pool) normally accessory to but not an essential part of an <i>existing use</i>.</p>	<p>Different definition in the current Town OP BUT the current Town OP definition is similar to the 2014 PPS (which has been broadened since the 2005 PPS).</p> <p>Action: Town OP will have to replace its current definition with a new definition for Infrastructure in accordance with the 2014 PPS.</p>
Mineral Aggregate Operation	<p>means</p> <ul style="list-style-type: none"> a) lands under license or permit, other than for <i>wayside pits and quarries</i>, issued in accordance with the <i>Aggregate Resources Act</i>, or successors thereto; b) for lands not designated under the <i>Aggregate Resources Act</i>, established <i>pits and quarries</i> that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and c) associated facilities used in extraction, 	<p>Different definition in the current Town OP. <u>The ROP definition is the same definition from the 2014 PPS.</u></p> <p>Action: Town OP will have to include a replace its current definition with a new definition for Mineral Aggregate Operation.</p>





ROP Key Term	ROP Definition	Potential Implications for Town OP
	transport, beneficiation, processing or recycling of <i>mineral aggregate resources</i> and derived products such as asphalt and concrete, or the production of secondary products but subject to limitations under Section 109(4).	
Mineral Aggregate Resource Conservation	<p>Means:</p> <ul style="list-style-type: none"> the recovery and recycling of manufactured materials derived from <i>mineral aggregate resources</i> (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new <i>mineral aggregate resources</i>; and the wise use of <i>mineral aggregate resources</i> including utilization or extraction of on-site <i>mineral aggregate resources</i> prior to <i>development</i> occurring. 	<p>No definition in the current Town OP. <u>The ROP definition is the same definition from the 2014 PPS.</u></p> <p>Action: Town OP will have to include a new definition for Mineral Aggregate Resource Conservation.</p>
Quarry	means land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under Sub-section 1(3) of the Aggregate Resources Act.	<p>No definition in the current Town OP.</p> <p>Action: Town OP will have to include a new definition for Quarry.</p>