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Partnerships and Consultation Branch,
Ministry of Municipal Affairs
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Canada

RE: DRAFT Guidance to Support Implementation of the Growth Plan for the Greater Golden Horseshoe, 2017

EBR Registry Number: 013-2359

The Ontario Stone, Sand and Gravel Association (OSSGA) is a not-for-profit association representing over 280 sand, gravel and crushed stone producers and suppliers of valuable industry products and services. Collectively, its members supply the substantial majority of the more than 160 million tonnes of aggregate consumed each year in the province to build and maintain Ontario's infrastructure. OSSGA works in partnership with the public and government agencies at all levels to promote a safe and competitive aggregate industry, contributing to the creation of strong communities.

OSSGA is pleased to provide input on the proposed 'DRAFT Guidance to Support Implementation of the Growth Plan for the Greater Golden Horseshoe, 2017'.

General Comments

OSSGA understands that the purpose of this draft guidance document is to support the implementation of the Municipal Comprehensive Review (MCR) process as required by the Growth Plan, 2017. The new Growth Plan redefined an MCR as a new Official Plan, or an Official Plan Amendment, initiated by the upper-tier municipality and approved by the Province. The MCR process involves undertaking background research, public consultation, and policy formulation necessary to bring Official Plans into full conformity with the Growth Plan.

The draft guidance document indicates that the MCR components cannot be implemented independently and must be contained in one Official Plan Amendment in an integrated growth management approach. Appropriate consultation with the Province is recommended to ensure the process is undertaken efficiently and effectively.

In addition, prior to submitting the adopted Official Plan or Official Plan Amendment to the Province for approval, upper- and single-tier municipalities should consult with Provincial staff on the following, where applicable:

- Identification of deposits of mineral aggregate resources;
- Identification of key natural heritage features, key hydrologic features, key hydrologic areas, and hazardous lands; and
- Proposed refinements to the Natural Heritage System and Agricultural System mapping

Despite the above, OSSGA notes a general omission of reference to aggregates throughout the document. The MCR Guidance Document does not reflect the role aggregates plays in development, the ability for Mineral Aggregate Operations to occur within the Growth Plan area, or the requirement to identify and protect aggregate resources. Below, we highlight and elaborate on specific issues that would improve the guidance for inclusion of mineral aggregate operations within Official Plans, as required.

Specific Comments

SECTION 1

Pg. 1

The Growth Plan aims to:

- **Curb sprawl and protect farmland, natural heritage and water resources, and *cultural heritage resources*.**

OSSGA Comment

While OSSGA and its members certainly do believe in, and are active participants in conservation efforts, it is also a requirement to include mineral aggregate operations as permitted uses. An Official Plan must provide the details to make aggregate available, as per the PPS and the Growth Plan. Mineral aggregate operations should be added to this list. It also fails to recognize the unique opportunity rehabilitation of pits and quarries allows in relation to realizing the goal of protecting features such as farmland and natural heritage features and water resources.

Pg. 2

This draft guidance document must be read alongside the policies of the Growth Plan, as well as supplementary direction that has been issued by the Minister of Municipal Affairs or by other Ministers of the Crown, where appropriate, to ensure conformity with the Growth Plan, 2017.

This draft guidance document is intended for municipalities within the GGH.

OSSGA Comment

The guidance provided above is a cause of concern for the aggregate industry as it perpetuates regulatory and policy overlap/confusion that the industry deals with on a regular basis. It would be helpful to present a hierarchy of the applicable legislation and policies, so that the aggregate industry can navigate them correctly.

SECTION 2

Pg. 5

Involving Indigenous communities early in the planning process to understand and be responsive to Aboriginal and treaty rights or interests is also considered an important element of the MCR process.

OSSGA Comment

OSSGA appreciates and agrees with the need to consult with indigenous communities, early in the process.

SECTION 3

Pg. 10-11

Additionally, some settlement areas may be located near deposits of mineral aggregate resources (see the PPS, 2014 for further direction on where development is permitted).

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j) any adverse impacts on agricultural operations and on the agri-food network from expanding settlement areas would be avoided or, if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment;
k) the policies of sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2014 are applied;

OSSGA Comment

OSSGA appreciates the acknowledgement that some settlement areas may be located near deposits of aggregates. However, noting that the PPS, 2014 is the source for further direction is a missed opportunity for the Guidance document to provide clarity. We request that the same level of guidance be provided for mineral aggregate operations as is provided for agriculture. OSSGA would be happy to work with the government to develop guidance on aggregates to the same extent that the document does for agriculture.

Pg. 27-30

Upper- and single-tier municipalities will comprehensively incorporate the provincially-issued Natural Heritage System mapping into their official plans through an MCR. They may also incorporate the mapping through an official plan amendment before an MCR, so long as no refinements are made. Lower-tier municipalities should consider waiting to incorporate provincial mapping into their official plans until the upper-tier municipality has completed their MCR, which may

involve refinements to the Natural Heritage System. If a lower-tier municipality chooses to incorporate provincial mapping in their official plan before the upper-tier municipality has completed their MCR, they must do so in accordance with the unrefined provincial mapping.

OSSGA Comment

OSSGA believes the above paragraph is a potential source for confusion. The first sentence excludes refinement of mapping, but the rest of the paragraph goes on to say that the upper level can refine mapping. This apparent contradiction needs to be resolved. The last sentence further adds to the confusion. There does not seem to be any scenario where a lower tier municipality should adopt the unrefined mapping in their Official Plan in advance of the upper tier. This will result in the unrefined mapping of the Growth Plan applying in the interim.

SECTION 4.2

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In addition, prior to submitting the adopted official plan or official plan amendment to the Province for approval, upper- and single-tier municipalities should consult with Provincial staff on the following, where applicable:

- **Identification of deposits of mineral aggregate resources;**
- **Identification of key natural heritage features, key hydrologic features, key hydrologic areas, and hazardous lands; and**
- **Proposed refinements to the Natural Heritage System and Agricultural System mapping.**

OSSGA Comment

OSSGA appreciates the highlighting of identification of aggregate resources when municipalities are developing their official plans. OSSGA would be happy to assist and appreciate being involved in the process as the identification of aggregate resources is not necessarily straightforward at times. The historic sole reliance on ARIP mapping of 'Prime' aggregate deposits may not be the only method for identification that should be relied on today.

APPENDIX 1 and 2

Pg. 37-38, 41

Section 4.2.8.7 of the Growth Plan states:

“Where an application under the Aggregate Resources Act has been received and deemed complete by the Province as of July 1, 2017, any applications under the Planning Act to permit the making, establishment or operation of the pit or quarry to which the Aggregate Resources Act application relates, if approved, will not be subject to the policies of this Plan.”



OSSGA Comment

The above needs to be reflected on the Table in Appendix 1.

OSSGA notes that Appendix 2 refers to Policy 4.2.8.4 of the Growth Plan as setting out rehabilitation requirements for aggregate sites. However, there is no reference to Section 4.2.8.7 of the Growth Plan as quoted above. We believe this should be corrected by adding "ARA applications determined to be complete by MNRF as of July 1, 2017, are not subject to the 2017 Growth Plan."

OSSGA appreciates the chance to submit comments on the "***DRAFT Guidance to Support Implementation of the Growth Plan for the Greater Golden Horseshoe, 2017***". We welcome every opportunity to have clarity and certainty of process represented consistently throughout Provincial documents. We would be happy to work with the Ministry to achieve the same and provide clarification on any of the above topics.

Thank you again for the consideration of our comments. Should you have any questions or concerns please do not hesitate to contact me at nscheesman@ossiga.com or 905-507-0711.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Scheesman", is written over a light blue horizontal line.

CC: Jason Travers, MNRF