



# New Regulations and Provincial Standards Under the Aggregate Resources Act (ARA)

November 2020

In August, the Ministry of Natural Resources and Forestry (MNRF) posted a notice on the Environmental Registry of Ontario that *“The ARA Regulations and the Aggregate Resources of Ontario Provincial Standards have been amended to change the way in which aggregates are managed in Ontario”*.

## ***Prior Consultation Process***

Since the proposed changes were released by MNRF in February 2020, SBA has participated in every opportunity to review and comment on the proposal, in an effort to ensure our clients’ needs are met. The following is a brief overview of the resulting changes and how they will impact you in the future.

## ***What Has Changed?***

The Regulations and Provincial Standards have been replaced with new documents that look different from the previous versions. Details that used to reside in the Provincial Standards or the MNRF Policy and Procedure Manual have been moved to the Regulations, which will create more actions that are governed by regulations.

The Provincial Standards have been completely re-written to avoid duplication between Categories of applications, and are now divided into 4 Parts:

- Part 1: Site Plans
- Part 2: Technical reports and information
- Part 3: Amendments  
(only relating to extending extraction below the water table or into an adjacent road allowance)
- Part 4: Circulation

## ***Who Does it Affect?***

Among other things, the regulation and standards outline requirements for new pit and quarry applications and specify operating and reporting requirements that apply to all sites authorized under the ARA. Therefore, it affects:

1. Applicants
  - For new licences and permits
2. Existing Licensees and Permittees
  - New Operational requirements
  - Undertaking a site plan/licence amendment
  - Reporting requirements  
(CAR’s and TOARC Annual Production)

## ***How Are Applications Under Review Affected?***

MNRF is looking to provide further clarity and direction on the transition of applications already submitted.

Once we receive confirmation in writing, we will work with our clients to ensure their interests are protected through every stage of the application process.

## What are the Changes?

Activity Affected	Component	Changes	Timing
Self-filing Site Plan Amendments		New rules to allow self-filing of minor routine site plan amendments (e.g. re-location of some structures or fencing as long as setbacks are respected). New "Amendment Without Approval Form" to be submitted.	September 1, 2020
Farmers – Extraction for Personal Use		Exemptions from needing a licence for small excavations on private land if rules set in regulation are followed. New "Registration of Activities under the Aggregate Resources Act Form" to be submitted.	September 1, 2020
New Applications	Site Plans	Updated site plan requirements	April 1, 2021
	Reports	New and updated technical reports and information requirements.	April 1, 2021
	Circulation	More detail on which agencies to circulate, and the scope of their review. New "Public Notice of Application Form" for circulation.	April 1, 2021
	Public Comments	Initial response by public is now referred to a "comment", objections are received at the end of the process if comments were not adequately addressed. Comment period extended to 60 days.	April 1, 2021
	Licence Conditions	Updated conditions will apply to newly issued licences and permits	April 1, 2021
Site Plan Amendments	Extraction below water	New requirements for site plan, reports, and circulation. New "Amendment Form" to be submitted.	April 1, 2021
Site Plan Amendments	Extraction into adjacent road allowance	New requirements for site plan, reports, and circulation. New "Amendment Form" to be submitted.	April 1, 2021
Compliance Assessment Reports (CAR's)		Updated annual compliance reporting requirements, including a streamlined report for inactive sites. Updated CAR forms will be required.	April 1, 2021
TOARC Annual Production Reports		Forms to include the amount of recycled aggregate removed from the site in the previous year if site plan or licence /permit requires reporting or tracking of recycled material.	April 1, 2021
Control and Operation of a Pit and Quarry		Updated operating requirements that apply to all pits and quarries authorized under the ARA (e.g. scrap, discarded equipment, fly rock, storage of recycled material).	January 1, 2022

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