

## Supplementary Aggregate Resources Policy Study - Working Group Meeting #7

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Location:	Caledon Town Hall, Mayfield-Palgrave Room 6311 Old Church Rd, Caledon East, ON
Date:	April 18, 2024
Time:	6:30pm – 8:30pm

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### IN ATTENDANCE

#### In-Person

Jane Thompson (JT), David Sylvester (DS), Steven Burke (SB), Glenn Pothier (GP), Cheryl Connors (CC), Neil Morris (NM), Joe Nethery (JN), Xavier Costa (XC), Ian Sinclair (IS)

#### Remote

Mark Dorfman (MD)

#### Regrets

Mayor Annette Groves (AG), Jeff Hignett (JH), Councilor Christina Early (CE), Martin Bamford (MB), Councilor Lynn Kiernan (LK)

- **AGENDA ITEMS**

- **OPENING REMARKS (6:30 P.M.)**

- Welcome, Indigenous land acknowledgement and session/agenda overview
  - Meeting notes: any notable errors/omissions?
  - Provincial planning policy update
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- GP conducts Indigenous land acknowledgement
  - GP provides overview of meeting agenda and purpose / products of each item

- No comments on notes from last session
- SB: There is a draft policy statement released to the ERO, mostly related to housing
  - Aggregate policy stuff hasn't changed at all, rehabilitation content has been 'tweaked'
  - Not much implication for this study
- **BACKGROUND REPORT (6:40 P.M.)**
  - Description of updates to the draft — and content dispersal/related appendices
  - Timing and use
  - Questions and comments
- JN: an earlier draft was presented to the group, and in response to the feedback from the group, we are going to push out a new draft in the future
  - The order of the paper has been moved around
  - Some content has been removed but will find a new home somewhere else
  - The core of the report is to lay out a general lay of the land and aggregate industry in Caledon, does not contain an analysis of OP policy
  - Questions that were in Background Report are revised, moving to Policy Options report
  - We'll see a different looking set of questions to be addressed
  - Policy Options Report will be used as basis for end of spring public engagement
  - Draft content and recommendations report over the summer
  - We're going to use every bit of runway in order to land that recommendation
- DS: So, the updated background report, when will it be seen?
  - JN: Ideally tomorrow or Monday
- DS: Clarify the policy options report? Is this the draft aggregate report?
  - JN: No. What we've been doing the past few months is raising the issues and questions through these meeting that are to be considered in developing the policy options
- DS: So, this will be a distillation of the policy suggestions and options from these meeting?
  - JN: Yes
  - DS: Could be 30 pages or so?
  - JN: Minimum 30 (a lot more than 30)
- DS: I am concerned that you're going to hit a tsunami of information (MD)
  - If you haven't had the opportunity to review the sub meeting minutes and reports, you're going to be faced with a massive load of information
  - Have you already got a head start dealing with these details?
- MD: Yes, I have recrafted the background report, cleaned it up, polished it
  - I will be looking at version 3 over the weekend, that will become the background report
  - As far as the additional info and questions arising from subgroup meetings, those will be added to the issues for discussion
  - We will be adding additional questions, those will all be in policy opt report
  - Setting out of the existing mineral policies in the OP by issues
  - Keeping with the issues that I established in the background report even though I already had content related to the existing policies under the related issues
  - I've put a new section that is strictly a recitation of the policy, not actually putting them there but which ones they are
  - The background report will contain the issues as they are identified in provincial ad municipal policies and the history of aggregate policies

- GP: there's been a lot of SG meetings, how is JN translating the questions and issues to you?
  - MD: We are going to start to craft the policy options report (meeting next week)
  - We are making enough time next week to collaborate on the policy options report
  - Hopefully the background report, for purposes of submission to this group, will hopefully happen next week
  - Monday is when internally, it is intact and no glitches
- JN: we have 2 big written products we're working on right now
  - Background report – Friday/Monday
  - Policy Options Report –forecast for completing in just over 2 months
  - Commit to updating the group when it firms up some more
  - There has been a lot of content that has been prepared
  - How that has been done is going to be recast and reformed with new content oriented around what we've been doing all winter and spring
- DS: concerned about work plan, due dates (Feb 2 workplan)
  - We've got a tight timeline and we're falling behind
  - The background report is not same level of priority as the policy options report
  - Can we just get this background done so we can focus on the policy opt report
  - They will be the guts of the policy framework (policy opt report)?
- JN: our next work product, policy opt report is defined to be a
  - Intent of engagement is to be open as to what options there are
  - Vs coming out with a specific recommendation in the absence of public engagement
  - Summarizing the work we've been doing so far–Policy Options Report
- JT: what MD has is basically those meeting notes to go off of? They're pretty thin
  - JN: he receives all the emails everyone does
- **GP: Joe to share the updated work plan with the group**
  - **Try and find a way to translate as much detail as possible about the subgroup meetings so MD can be informed as much as possible**
- JT: we want to supplement the meeting minutes as much as possible to provide MD more context

[Note: at this juncture in the meeting, there was a pointed discussion regarding the pace of progress, effectiveness of project management, and the timing of deliverables. The facilitator jumped in to reaffirm that comments shared with passion and conviction are encouraged, but that interjections are not permitted.]

- SB: background report is done
  - JN and MD are working to release the report—will be out to you tomorrow or Monday and we'll be done with it
- JT: it's not that important, it would've been if it came out earlier giving context to suggestions
  - We know the province is going to bully us, the province is bullying us
  - Are we going to advocate and draw the line against the province
  - Putting pressure on municipalities to do bad things and we need to stand up against that
  - We would really love to get some support from staff and would be great to get backing from council too
  - Please MD, give consideration to the issues coming your way
  - MD: that has been my objective since day 1 and for obvious reasons, this is an approach to an OP that is based on the municipal and community interest.

- Without and doubt that is and has always been the objective and the background report is important in the support of that approach
- **TOPIC EXPLORATION (7:10 P.M.)**
  - **Topic 1: 'Pits to Parks' Program (Excess Soil)**
    - Questions of fact/clarification; Additional comments/feedback; Implications for moving forward
  - **Topic 2: Transportation**
    - Questions of fact/clarification; Additional comments/feedback; Implications for moving forward
  - **Topic 3: Stream and Valley Mapping**
    - Questions of fact/clarification; Additional comments/feedback; Implications for moving forward
  - **Topic 4: Air Quality and Noise**
    - Questions of fact/clarification; Additional comments/feedback; Implications for moving forward

#### Topic 1:

- GP: what are some of the things you learned JN, the questions, implications...
- JN recaps subgroup meeting – 'Pits to Parks'
  - (overview of guests)
  - (list of policy ideas coming out of meeting—listed on corresponding sub-group slide)

#### Comments and Questions

- GP: Is there additional context or things you want to emphasize?
- IS: as long as it's publicly available you can
  - Problems when there's private enterprise involved
  - Performance bond—how could it be regulated, tested?
  - Dug trench and took sand and gravel and took it away, brought in fill
  - No one at the gate or checking the loads and they did this for miles
  - We've got a huge problem when you start seeing tires and pipes in the fill
  - We don't know if it came from a leaky gas station or something
  - High potential threat to ground water and soil in that area
  - Because if we have to do a cleanup, the cost will be enormous
- JT: what I took from this meeting, the conservation authority has worked out a really good system to address the concern is addressing (DS agrees)
  - JT: what I think is important is being done by public agency – complete trust
  - Complete chain of custody etc.
  - You would want a public agency doing it
  - There shouldn't be excess soil accepted in a licensed aggregate operation
- **IS: could we get copies of CVC fill protocol that they've been using on Tovey waterfront restoration and aurora district MNR fill protocol**
- CC: these policy specific meetings haven't been what I envisioned them to be
  - Coming and listening to presentations rather than addressing policy

- It's a dirty industry, private truck drivers that bring in that soil and unless you test every single truck there will be contamination
- Should have been looking at excess soil
- They are not testing every single truck
- Worked closely on the soil regulations that the Ford gov't took and weakened
- It's all about what will happen to the regulations. There's lots of good stuff on paper
- GP: Who would provide that enforcement?
- CC: the municipality
  - We need an excess soil bylaw
  - There are 2024 amendments planned by prov gov that will exempt soil sites from an ECA
  - Aggregates reused depots fall into that category
  - The province is about to make an amendment to excess soil that will permit greater reuse of soil including aggregate materials (citing McMillan posting on issue)
- JT: what can go on an aggregate site?
  - The approach we talked about was we weren't going to accept fill from licensed sites because it's a contamination risk
  - There are other people who want to dump soil
  - What about all the other places where fill wants to go, but that's a whole other problem we haven't looked at yet
- CC: I think it's an issue we should be looking at in development polices. It's going to become a bigger and bigger issue. **Needs to be an Excess soil bylaw. And it should not be allowed in and below the water table**
- IS: effective fill bylaw in the town, not an excess soil bylaw, just fill

## Topic 2:

- JN recaps subgroup meeting - Transportation
  - (overview of guests)
  - (list of policy ideas coming out of meeting—listed on corresponding sub-group slide)

## Comments and Questions

- JT: there was also a discussion and Councillor Early contributed
  - I expressed concern that the transition is happening and in secret
  - The residents of the town shouldn't be responsible for funding these roads
  - A really big elephant in the room that everyone seems to be ignoring
- CC: haul routes used to have to be on Regional roads
  - Brampton said taxes was going to go up in Caledon – dissolution is still going to happen
  - We have to do some pushback to the Province, talk about the 413 at some point
  - Still, we haven't talked about the issue — wayside pits, they don't need any licence if contracted by the gov't
  - GP: what are the policy implications
  - **CC: we need to be very clear in saying where any haul routes can be**
  - GP: fewer number of permitted routes
  - CC: we need to have very clear and strict
- JT and CC: wayside pits don't need to be zoned
- IS: recommended producers paying capital and interest of haul routes
  - Failed to address goods movement and accidents in Caledon
  - **Caledon Village is a concentration point for aggregate haulage and routing in and around needs to be addressed**
  - Region appeal seems to be relying on the goods movement strategy
  - So, we're really down to airport, 50, and 9
  - Study failed to address the north-south haul routes
  - Nothing in-between because of the Credit Valley and Escarpment topography
- MD: ARA instructions were amended to disallow municipality to engage with private operators on funding
  - JT: this is a completely unworkable legislative scheme here. The finances of it just doesn't work. We need to take the opportunity to step up and fix this
- CC: these secret transition meetings that are happening on camera
  - They're the ones talking (the 2 councillors) for us but they don't even know what we want
  - GP: what do you want this group to do about it?
  - JT: aggregates caught up in it
  - DS: we need to move on
- CC: we would convey to them that are serious implications to aggregate haul routes—Policy recommendations to council
  - Should be part of their negotiations
  - GP transitions to next topic

## Topic 3:

- JN recaps subgroup meeting – Stream and Valley Mapping
  - (overview of guests)
  - (list of policy ideas coming out of meeting—listed on corresponding sub-group slide)
  - both JT and IS produced comment and recommendations which JH working to apply

## Comments and Questions

- JT: IS asked for maps that overlaid natural features and water resources
  - Helpful to see the cross refence
  - Worked with JH to make mapping with existing HPMARA, natural features, and newly identified areas
  - Follow up meeting, IS and I went to meet with Dorothy DiBerto to get clarification on the Conservation Authority role
  - They have data bank of water and natural features data. That expertise is still there
  - Go and download as much of it as you can
  - They can be engaged to help with these things
  - SB has reviewed some with indirectly address aggregate polices
  - Need to come up with objective standards in reviewing
- IS: the level of confidence in the data we have and the planning maps, at the scale
  - 1:10,000 and site plan 1:5,000 scale studies. Digital media so you can expand 1:50,000 to 1:5,000
  - Flag that as an issue when it comes to decision being made in site specific application
  - Good tradecraft to update schedule according to policies
  - Schedule L, various overlays that can be put together, stream systems and natural areas
  - Resource areas for vulnerable aquifers
  - Put it right in their faces they are digging up a natural resource needing protection
- GP: how are you interpreting these as policy ideas, JN?
  - JN: Peel was clear in earlier meetings they were expecting a local constraint map/plan to emerge from this study.
- IS: #5, we already do that
  - JT: is that a reference to your suggestion that the water study needs to be addressed prior to application
  - IS: idea was related to quarries where they need a dry working floor (need to prove they can dewater prior to application)
- **IS: what's the point of doing all the other studies if you can't get past water?**
  - MD: in the mapping exercise that was done using the Prov. Resource mapping, the issue is the designated settlement areas and significant settlement areas and clusters are not covered by the aggregate resource according to the region
- DS: is extraction permitted on highly vulnerable aquifers, they cover a lot of Caledon:
  - The town and municipality would not want any aggregate mining to go on in one of these highly vulnerable aquifers?
  - Can we incorporate a policy or bylaw to safeguard that from happening?
  - Can a town manage that conflict?
- MD: I don't believe that the source water management protection plans that are still in play identify highly vulnerable aquifers
  - I believe there are restrictions on aggregate operations in those areas
  - Amended to prevent municipal control any aggregate extraction from water table
  - Completely taken away from municipality
  - In terms of regulations, what is the uncertainty
  - I don't have an answer to that, and we need to put our minds to that one
  - Keeping in mind the municipalities hands are tied
- JT: I don't think it goes so far to say that this quarry may or will go below water table so I don't think it should be improved

- I think you can use impact on water table as basis
- MD: yes, but you can't zone to restrict blow water table
  - Some municipalities put holding provision in bylaw on every aggregate operation and if they want to go below the water table then they need to take on the very detailed water resource studies
  - Did it in Waterloo Region. It can be done, but the point I'm making is you can't pass a zoning bylaw that says you can't go below water table
- JT: how to formulate those policies, the regular planning policies are not very strong against aggregate—aggregate goes and destroys everything

#### Topic 4:

- JN recaps subgroup meeting – LUC: Air Quality and Noise
  - (overview of guests)
  - (list of policy ideas coming out of meeting—listed on corresponding sub-group slide)

#### Comments and Questions

- CC: will be sending some info about academic studies re monitoring.
- Implement real-time air quality monitoring

#### • **NEXT STEPS & OPEN FORUM (8:20 P.M.)**

- Looking ahead: Action items/What's next?
  - Next ARCWG Meeting
  - Any other comments/observations?
- JT presentation of her draft policies
  - JT: where do the solutions go and does it produce anything
    - Noticing things from other people, could assemble things into a form that can be reviewed and assessed together. Maybe this is a set of policy options
    - Rationale of policy approaches (minimum distances, buffers)
    - Just to stimulate conversation and supplement what we've been talking about
    - Strongly protective of the community, as strongly as I could formulate them
    - Assesses what we've been talking about, not 100% in accordance with the legislation
  - GP: there's a lot of good options for the policy options report that have come from this work
  - GP: moving forward with policy options report, getting work plan out, background report. When are our next meetings? (JN to send out times)
    - JN: ARCWG #8, Thu May 16
    - Wed Apr 24, blasting and fly rock subgroup meeting
    - Tues April 30, hydrology and hydrogeology
    - Thurs May 2, other uses discussion
    - Mon May 6, social impact
    - Tues May 14, second round of env policy framework

#### • **Closing Remarks (8:25 p.m.)**



- CC and JT express gratitude for the work being done and patience
- JN: this is the last meeting for XC, will be back for one subgroup meeting next week
- GP: Concludes meeting 8:33pm

### **Additional Policy Ideas, Questions and Issues**

- There should be an excess soil fill by-law
- Implications and applications of Aggregate Reuse Depots
- Fill shall not be below the water table
- Clarity regarding haul routes, defining them as to coordinate this traffic so that all roads do not become a haul route
- Wayside pits require no licence with road construction—how do we get around this?
- Peel Paper doesn't cover high problem routes and doesn't consider the topography of Caledon—how can this be addressed by the Town?
- Haul route safety and cost in terms of regional to Town transition
- Can we have a policy to safeguard against aggregate mining on a vulnerable aquifer?