

# Meeting Minutes



## Supplementary Aggregate Resources Policy Study - Working Group Meeting #6

---

Location:	Caledon Town Hall, Mayfield-Palgrave Room 6311 Old Church Rd, Caledon East, ON
Date:	August 10 <sup>th</sup> , 2023
Time:	6:00 pm

---

### In Attendance

Councillor Lynn Kiernan (LK), Councillor Christina Early (CE), Steven Burke (SB), Jeff Hignett (JH), Mark Dorfman (MD), Mark Head (MH), Marsha Paley (MP), Leigh Mugford (LM), David Sylvester (DS), Cheryl Connors (CC), Jane Thompson (JT), Neil Morris (NM), Martin Bamford (MB), John Emery (JE), Quentin Hanchard (QH)

### Regrets

Mayor Annette Groves (AG)

### Agenda Items

#### 1. Land Acknowledgment

#### 2. Preliminary Matters

##### Discussion

- CC asks what the role of the committee
  - SB – Council set requirements, experts, then bring input to the table, more focused discussion
- CC notes she lives 500m from a pit, and that the schedule is unrealistic, Mark's report is excellent, but concern process is not realistic, takes time to do properly, need to extend ICBL
  - JE points out August is holidays for most, need at least another month, need to talk sustainability, vision zero

- LK is going to seek extension on ICBL. The schedule isn't perfect, looking to improve policies
- CE notes from a business perspective, Province has the teeth, need to find our loophole
- JT supports belief that we need to take more time, but application is in process, need to move efficiently, but need to do it right.
- LK says especially in Ward 1
- DS says the CAO is technically directing this working group; do we have a chair?
  - LK says SB will move it along while MD works on technical discussion
  - NM suggests we call it a moderator/facilitator, rather than a chair

### 3. Minutes From June 26th

- JE notes that if reports are not signed and sealed, he's not participating
  - SB clarifies this is a report just for discussion, not an engineering report

### 4. Background Report Overview

- MD provided 10 min overview
- Key points:
  - Provincial government since 1940s progressively taken responsibility for aggregates
    - municipality has one responsibility/duty: addressing community issues that arise from aggregate issues
  - Want to hear from stakeholders and community at large on these issues
  - Through the Planning Act the province assumed a lot of policy influence, challenge we're faced with is we need to find right balance between public and prov interest
  - Issues in Background Report came out of discussions in Council Chambers and around the community – no priority in the list of issues
  - Land use compatibility is a community, not aggregate issue – important to point out.
  - Focus on issues that affect applications
  - Background Report is not opinion, it's factual, it's your report, I'm just presenting issues.

### 5. Open Discussion

- Take-away from the historic context of past 80 years and how does this evidence predict expectations for the next 30 years?
- Is it evident that the provincial interest evolved with stronger direction and prevalence of provincial policies and regulations over municipal and community interests?
- Other issues for discussion?

#### Discussion

- MD this group put ideas and views in writing so we can deal with the issues – starting with the first 2 issues:
  - Takeaway – understand past, understand next 30 years, more housing in GTA, established need for more aggregate
  - Province may remove requirement for zoning for Aggregate operations
- JT asks about Province on location decisions for aggregates

- MD responds province doesn't care about location, up to municipality, though nearly everything that goes to OLT favours industry. Tribunal makes decisions on evidence, if residents go to tribunal, not giving evidence, just opinions. Tribunal doesn't give much weight to that. Under the Planning Act, municipalities and residents are appellants, that's how the tribunal is set up. 2-year period to resolve objections, if not Minister has right to refer to tribunal, then rarely is the industry rejected. Rockfort is a rare exception. If rejected, can re-apply as often as you want
- MB asks if aggregate is there and protected as a resource, who is the community advocate at the tribunal?
  - LK responds the Town defends it, often through external consultants
  - MD notes if municipality refuses to adopt OPA/ZBA, applicant appeals, goes to OLT, the expert is found to provide evidence in support of Council's decision. The issue is all experts must recognize their duty, which is to the tribunal, not the municipality. More recently seeing settlement agreements, discussion, then quick hearings. On Rockfort the Town spent \$1 million, residents spent \$1 million, James Dick spent \$12 million at OLT.
  - MB would like to get resources, need to get evidence there, which isn't happening
  - JE moderator decides in the city often, no control over wayside pits
  - SB clarifies that is a different issue, that issue doesn't go to OLT, MD confirms that wayside pits are tied to construction projects
- LK states it may be best suited to this committee, pull our policies, identify gaps, pull other's policies, fill the gaps in our policies with other's policies
  - MD responds that's what we're doing, starting with Caledon policies which aren't directive so have to frame different, re-word with "shall" or "must". We also want a "made in Caledon" solution, so can't only borrow other policies. Need to make them for us, we don't know what was in the minds of other municipalities when writing – it's a balancing act
  - CE states that is the key: balancing public and municipal, can't imagine an application without emotion attached
- CE suggests meeting more often, shorter meetings, less repetition
  - LK adds we have shared issues with other municipalities, good to discuss with them, need action items
  - MD says you'll get the action items, we're already doing it, have started crafting policies
  - JT responds that we lay out the issues and set up meetings
  - MD responds that this Open Discussion is meant for this
- CE identifies silica is an issue with lots of blasting. Sault Ste Marie dealt with issues in ARA, she's been to OMB, duty is to the courts, litigation, everyone loses except lawyers. Need technical advisory of all issues, ORM land trust
- CC suggests Cornerstone Aggregate Project is missing from the history in the Background Report. This project spent 15 years developing standards, industry didn't agree with even the lowest standards. Fundamentally this industry we're dealing with are bad neighbours. Want to create social impact standards, air quality, setbacks, work standards into temporary wayside pits – no setbacks on wayside pits. Priority historically protection of industry, not community.
  - MD worked on Cornerstone Project for 2 years, but it was killed by industry because they didn't want to pay for audits. You're correct, it had a huge impact
- JE states asphalt plants must have permits – cites Sault St Marie lock technology
- LK to recap everyone in group review current policies
  - SB notes Background Report identifies issues, including Robertson & Ramsay report
  - CE encourages side meetings in-between working group meetings
  - JT asks to what extent can group have offline inquiries to CA, staff, MD, etc.
  - SB encourages working group to email Town staff with any questions.
  - MD notes we're looking for the group's takeaways

- MD We are mapping relationship between HPMARA and settlement areas, residential clusters, villages, etc. Region analysis did not consider distance, looking at influence area between HPMARA and settlement areas, we can analyze this, can be rationalized? Relationship between where people live and resource areas. Will be looking under a microscope. An application doesn't need to be in HPMARA, it just needs to demonstrate there is sand and gravel and bedrock there and meet tests for adverse effects and negative impacts. Need rationale and logical approach as Provincial government has to agree with what we put in the Official Plan. Since the 1940s we need this resource close to markets, where it exists. Looking for a logical way to apply influence area around municipalities
  - JT asks how the 1996 ARIP map compares to 2009 map? Is it complete?
  - MD says yes, it's in the HPMARA Mapping Methodology Report.
- MD notes environmental policies have become more restrictive, so re-ran constraint model to ensure consistency. This is based on updated methodology on CCRS from the 1990s, which is still based on what everyone is doing around the province today. MD is now looking at other constraints that can be applied.
  - JT notes concern with ground truthing and environmental constraints, worried it sterilizes the area
  - MD responds that it's not possible or necessary to get into that detail at the Regional level, but we will be looking under a microscope, looking at areas of influence. Public sees HPMARA as land use but it's not. Boundary of HPMARA and settlement areas is not considered, we are looking at that, considering land use compatibility
  - NB ask conceptually, what will that be?
  - MD responds we need to do technical studies that are much more specific – not looking at adverse effects from a specific application. If the application is not in HPMARA, it can still apply. I've had success at stripping off 1,000m of influence area with no objection from industry or ministry, though under different land use mix circumstances. So, we can't just parachute one policy that worked elsewhere, need a made in Caledon solution.
- CC asks for copies of the mapping. Mapping in document not clear.
- LK suggests meeting in less than a month. SB recommends after we have draft policies

## 6. Working Group Issues Deadline

- Established as August 31<sup>st</sup>

## 7. HPMARA Update

- MH notes he met with MDM and OSSGA staff, used the same analysis from 2009, but replaced new analysis with old. The province contacted the Region with updated data on selected bedrock. Appendices in the mapping report don't include ARIP mapping, but it is within the report
  - JT would like to look at certain area.

## 8. Action Items & Next Steps

- Staff send clearer ARIP 165 maps from Provincial reports
- Staff send Rehabilitation Report
- Staff re-circulate Mapping Methodology report
- Staff send group existing Caledon OP policies
- Reschedule the next meeting to September
- Working group members to email staff with questions and inquiries