

20. MINERAL AGGREGATES

The policies in this section apply to *mineral aggregate resources* throughout the Town—active operations, high potential resource areas, and other related uses. The approval and regulation of *mineral aggregate resources* is regulated by the *Aggregate Resources Act*, Provincial legislation which is administered by the Ministry of Natural Resources. The Provincial Planning Statement, Niagara Escarpment Plan, Oak Ridges Moraine *Conservation* Plan, and Greenbelt Plan also apply to provide policy direction on mineral aggregate extraction. In the event of a conflict between the policies of this Plan and matters addressed under the *Aggregate Resources Act*, or the policies of the Provincial Planning Statement or provincial plans, the *Aggregate Resources Act*, the Provincial Planning Statement and provincial plans shall prevail.

The *Aggregate Resources Act* states, “No licence shall be issued for a pit or quarry if a zoning by-law prohibits the site from being used for the making, establishment or operation of pits and quarries.” As a use of land, *mineral aggregate operations* are subject to the *Planning Act* and its multiple requirements to be consistent with the Provincial Planning Statement and conform to/not conflict with applicable provincial plans. Some of these documents provide key tests that municipalities need to follow when reviewing proposals for new *mineral aggregate operations* and limiting the extent to which municipalities can regulate such uses. The Town is a statutory body whose role in the aggregate regulatory process is established, limited and managed by the Province.

The Town’s Mineral Aggregate policies are based on the need to balance the protection, use and enjoyment of these environmental features with the Provincial interest in protecting *mineral aggregate resources* for long-term use. It is also recognized there are potential impacts on human health arising from aggregate extraction that have also been considered in preparing these policies. The policies in this plan support the wise management of the Town’s aggregate resources remaining critical to preserving Caledon’s unique identity and character.

20.1 Objectives

The planning objectives for mineral aggregates are:

- a) Extraction shall be undertaken in a manner which minimizes social, economic, and environmental impacts.

- b) To provide a framework for orderly extraction of aggregate resources that produces a greater degree of certainty to both the aggregate industry and the community.
- c) To ensure the efficient use of *infrastructure*.
- d) To minimize impacts and disturbed areas, and to support the progressive and final *rehabilitation of mineral aggregate operations*.
- e) To protect existing *mineral aggregate operations* from *development* and activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact.
- f) To protect aggregate resources identified as Caledon High Potential Mineral Aggregate Resource Areas (*CHPMARA*) as identified on Schedule E12 for possible future extraction, and to maintain availability of potential resources on balance with other Town policies.
- g) To undertake mineral aggregate resource *conservation* wherever feasible, including through the safe use of *accessory* aggregate recycling facilities within operations.
- h) To operate within the full extent of the Town's legal jurisdiction and the Provincial legislative framework to deliver the best possible outcomes when planning for *mineral aggregate operation*.
- i) To develop a Caledon Aggregate Guidance Manual to assist both proponents and the public in implementing the policies of this Plan. However, this guidance manual is not intended to add or detract from the Plan's policies. In circumstances where there may be a conflict between the guidance manual and matters addressed under the *Aggregate Resources Act*, the Provincial Planning Statement or provincial plans, the *Aggregate Resources Act*, Provincial Planning Statement and provincial plans shall prevail.
- j) To improve data sharing and communication between the Town, aggregate industry, aggregate operators, other public agencies, and the broader public.

20.2 Mineral Resource Extraction Area Designation

The Mineral Resource Extraction Area designation is intended to permit *mineral aggregate operations*.

20.2.1 Permitted Uses

The following uses may be permitted:

- a) *Mineral aggregate operation* in accordance with a licence or permit issued in accordance with the *Aggregate Resources Act* and subject to Section 20.2.5(a) below
- b) Associated facilities to a *mineral aggregate operation* used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products, provided that such associated facilities are:
 - i) Directly associated with the extraction of *mineral aggregate resources* from an integrated *mineral aggregate operation*, which may consist of more than one *Aggregate Resources Act* licence.
 - ii) Designed to be temporary and not to be utilized after extraction has ceased.
 - iii) Located in a manner that does not affect the final *rehabilitation* of the site in accordance with an approved *rehabilitation* plan.
- c) *Agricultural uses*
- d) *Conservation* and flood or erosion control projects
- e) Forest, fish and wildlife management
- f) *Passive recreation*
- g) Uses permitted through an approved *rehabilitation* plan
- h) Existing uses, buildings or structures
- i) *Accessory uses*, buildings or structures

20.2.2 Prohibited Uses

- a) Notwithstanding Section 20.2.1(b), asphalt plants, concrete plants, brick manufacturing plants and other similar manufacturing uses shall not be permitted within the area of the Niagara Escarpment Plan Area.

20.2.3 Commercial Peat or Organic Soil Extraction

- a) Commercial peat extraction or organic soil extraction shall only be permitted through an amendment to this plan.
- b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply.
- c) *Commercial peat extraction and organic soil extraction* are not permitted within the area of the Niagara Escarpment Plan Area.

20.2.4 Aggregate Transfer Stations

- a) *Aggregate transfer stations* shall only be permitted through an amendment to this plan.
- b) Notwithstanding 20.2.4 a), *aggregate transfer stations* associated with a licensed *mineral aggregate operation* under the *Aggregate Resources Act* are permitted without an amendment to this plan, subject to meeting the criteria of 20.2.1 b).
- c) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated, including Section 23.5.4. Where conflicting policies exist, the strictest policy shall apply.

20.2.5 Additional Policies

- a) The establishment of new licensed *mineral aggregate operations*, including changes to a type of aggregate licence issued under the *Aggregate Resources Act*, or expansions to existing licensed *mineral aggregate operations* will require an amendment to this Plan and the Zoning By-law (or, as required, an Amendment to the Niagara Escarpment Plan and/or issuance of a Development Permit under the *Niagara Escarpment Planning and Development Act*, if within the Niagara Escarpment Development Control Area). Any lands designated *Prime Agricultural Areas* impacted by the establishment of new licensed aggregate operations, including changes to a type of licence issued under the *Aggregate Resources Act* or expansions to existing licensed areas, will remain designated *Prime Agricultural Area*. Extraction of *mineral aggregate resources* is permitted as an interim use in *Prime Agricultural Areas* in accordance with the policies of this Plan and applicable Provincial direction.

- b) Notwithstanding policy 20.2.5 a), where the *Aggregate Resources Act applies*, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*.
- c) *Mineral aggregate operations* may be permitted on *hazardous lands* provided conformity is demonstrated with all other policies in this Plan and the applicable Provincial policies.

20.3 Long-term Protection of *Mineral Aggregate Resources*

- a) The Town shall protect high potential mineral aggregate resource areas, except for such deposits of *mineral aggregate resources* considered to be unsuitable for extraction based on the other policies in this Plan, Provincial policies, and Provincial plans.
- b) The identification of Caledon High Potential Mineral Aggregate Resource Areas (*CHPMARAs*) on Schedule E12 of this Plan is not a land use designation. It does not imply support by the Town for any licence application under the *Aggregate Resources Act* in these areas or for any amendment to this Plan.
- c) There are lands not within a *CHPMARA* identification that have potential *mineral aggregate resources* as identified by the Province of Ontario. For lands not identified as a Caledon High Potential Mineral Aggregate Resource Area on Schedule E12 of this Plan, an application to permit new *mineral aggregate operation* shall include an analysis of the available resource, including quality and anticipated quantity of resource and how the resource was identified.
- d) Within *CHPMARA* or within 300 metres of known deposit of a sand and gravel resource area or within 500 metres from known deposit of bedrock resource, *development* that would preclude or hinder the establishment of new operations or access to the mineral aggregate resource will only be permitted if:
 - i) The resource use would not be feasible; or
 - ii) The proposed land uses or *development* serves a greater long-term public interest; and
 - iii) Issues of public health, public safety and environmental impact are addressed.
- e) Lands within 500m from the extraction limit of an existing *mineral aggregate operation* shall be protected from *development* and activities that would preclude

or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety, or environmental impact.

- f) Lands within a *CHPMARA* identification or area of influence identified in subsection (d) above are not restricted with respect to permitting existing uses; the expansion of existing uses, buildings or structures; the construction of buildings or structures on existing lots; or the establishment of new uses; so long as:
- i) The proposed buildings, structures and uses are in conformity with this Plan and Zoning By-law.
 - ii) The proposed buildings, structures and uses do not constitute *development/redevelopment*.

For clarity, this policy would not apply to a minor variance (but not if for a similar use under Section 45(2)(a)(ii) of the *Planning Act* or its successor) or site plan approval.

- g) Without limiting the application of subsection (d) above and in addition to the uses permitted by subsection (f) above, new interim use of lands identified as *CHPMARA* or on lands within the area of influence of *CHPMARA* are permitted, provided the Applicant obtains the necessary official plan amendment or rezoning by satisfactorily demonstrating:
- i) That the nature of the use is interim and would not preclude or hinder the establishment of new or expanded aggregate extraction or access to the resource.
 - ii) In no circumstances will residential plans of subdivision or creation of lots by consent be considered to be interim.
 - iii) That only limited *development* will occur, and that the Applicant enters into an agreement to be registered on title that will ensure such limited *development*.
- h) Lands which have been previously licensed, substantially excavated, *rehabilitated*, and for which the license has been surrendered or revoked shall be redesignated on Schedule B4 to recognize the *rehabilitated* after-use, rezoned in the Town Zoning By-law (if applicable) to permit the applicable after-uses only, and removed as a *CHPMARA* on Schedule E12 through a Town-initiated Amendment to this Plan.

20.4 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

- a) New wayside pits or quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except within:
 - i) Natural Features and Areas.
 - ii) Supporting Features and Areas.
 - iii) *Settlement areas*.
 - iv) Registered or draft approved plans of subdivision outside of *settlement areas*.
 - v) Lands within the Niagara Escarpment Plan, except in accordance with the policies of Section 20.5.4.
 - vi) Lands within the Oak Ridges Moraine *Conservation* Plan Area, except in accordance with the policies of Section 20.5.5.
 - vii) Lands within the Greenbelt Plan, except in accordance with the policies of Section 20.5.3.
 - viii) Cemeteries and other human burial sites.
 - ix) Kettle *lakes* and their catchments (with catchments being defined as lands adjacent to kettle *lakes* that, due to their topography and/or geology, provide surface and/or groundwater contributions to the *lake* that are necessary to maintain the *lake's ecological functions*, attributes and features).
 - x) Natural *lakes* and their *shorelines*.
- b) The Town of Caledon's comments on an application to grant a permit for a wayside pit or quarry will be made by means of a resolution of Council, and such resolution may include recommended conditions. In formulating its comments Council will take into account, among other things, the following:
 - i) The proposed wayside pit's proximity to the project(s) it will supply;
 - ii) Potential impacts on affected land uses and residents and proposed mitigation and the need to minimize social and environmental impacts; and,

- iii) The *rehabilitation* plan.
- c) The Town of Caledon will encourage the use of existing licensed aggregate operations for public projects in order to minimize the need for wayside pits or quarries.
- d) All wayside permits within the Town of Caledon shall conform with the requirements of Section 5 of Ontario Regulation 244/97, issued under the *Aggregate Resources Act*, or its successor regarding the number and frequency of wayside permits that may be issued for a site or any land adjoining the site, as set out in the regulation.
- e) The Town will recommend that *wayside pits and quarries* be located so as to ensure maximum use of the resource as appropriate and minimum disturbance to the environment and will encourage the *rehabilitation of wayside pits and quarries* to the limit of its ability.
- f) The road authority will provide notice of *wayside pit and quarry* applications in accordance with the procedures developed by the Ministry of Natural Resources .
- g) Where a proposed wayside pit or quarry, or portable asphalt plant or portable concrete plant is located within a provincial plan area, the policies of the provincial plan shall be read in conjunction with the policies of Section 20.4. Where there is a conflict, the policies of the relevant provincial plan shall prevail.

20.5 Applications for New *Mineral Aggregate Operation*

In addition to the other policies of this Plan (without limiting the generality of the foregoing, this includes Part D: Natural Environment System, Parks and Open Space), the following policies shall apply to the review of applications for new *mineral aggregate operation* to ensure that extraction is undertaken in a manner that avoids, or if not possible minimizes or mitigates, social, economic and environmental impacts in accordance with provincial guidelines, standards, and procedures.

20.5.1 Aggregate Resources Act Site Plans and Notes

- a) Conditions of approval and operation for *mineral aggregate operations* are codified on the site plan and associated notes approved under the *Aggregate Resources Act*. The Town shall require its conditions to be included on the site plan and associated notes in order to release any objection to a proposal for new *mineral aggregate operation*.

20.5.2 Complete Applications and Application Processing

- a) The Town shall coordinate with the Ministry of Natural Resources, the Region of Peel, the Niagara Escarpment Commission and the Conservation Authorities (all as applicable) to ensure that all appropriate conditions resulting from integrated application review are notes on the site plans required under the *Aggregate Resources Act*, and any other applicable approval.
- b) The Town shall coordinate integrated technical review of applications with the Ministry of Natural Resources , the Region of Peel, the Niagara Escarpment Commission and the Conservation Authorities (all as applicable), with the results of such work to be made available to the public.
- c) Where the Minister has notified the Town of Caledon that an application has been made to amend the conditions of an existing licence or a site plan under the *Aggregate Resources Act*:
 - i) The Applicant is encouraged to provide to the Town a copy of all of the documentation provided to the Minister in support of the application.
 - ii) In preparing its comments, the Town may request additional information of the applicant with respect to the application.
 - iii) The Town of Caledon may hold a community meeting before providing comments to the Ministry of Natural Resources.
- d) For the purpose of interpreting Section 20.5.3 policies, "*negative impacts*" does allow for consideration of change to *ecological functions* and attributes within lands designated Natural Feature and Area or a Supporting Feature and Area, as permitted by this Plan.

20.5.3 Environmental Protection within the Greenbelt Plan Area

Notwithstanding Section 13 of this Plan the following policies shall apply to new, existing and expanding *mineral aggregate operations*, and *wayside pits and quarries* within the Greenbelt Plan Area.

20.5.3.1 Within the *Natural Heritage System* of the Protected Countryside

- a) No new *mineral aggregate operation* and no new *wayside pits and quarries*, or any ancillary or *accessory use* thereto, shall be permitted in the following *key natural heritage features* and *key hydrologic features*:

- i) *Significant wetlands*;
 - ii) *Habitat of endangered species and threatened species*; and
 - iii) *Significant woodlands*, unless the woodland is occupied by young plantation or early successional habitat, as defined by the Ministry of Natural Resources. In this case, the application must demonstrate that sections 20.5.3.4 (b), (c) and 20.5.3.5 (c) have been addressed and that they will be met by the operation;
- b) Any application for a new *mineral aggregate operation* shall be required to demonstrate:
- i) How the *connectivity* between *key natural heritage features* and *key hydrologic features* will be maintained before, during and after the extraction of mineral aggregates;
 - ii) How the operator could replace *key natural heritage features* and *key natural heritage features* and *key hydrologic features* that would be lost from the site with equivalent features on another part of the site or on *adjacent lands*;
 - iii) How the Water Resource System will be protected or enhanced; and;
 - iv) How any *key natural heritage features* and *key hydrologic features* and their associated *vegetation protection zones* not identified in Section 20.5.3.1 (a), will be addressed in accordance with Sections 20.5.3.4 (b), (c), and 20.5.3.5 (c) and
- c) An application requiring a new approval under the Aggregate Resources Act to expand an existing *mineral aggregate operation* may be permitted in the *Natural Heritage System*, including in *key natural heritage features* and *key hydrologic features* and in any associated *vegetation protection zones*, only if the related decision is consistent with the PPS and satisfies the *rehabilitation* requirements of this section.
- d) In *Prime Agricultural Areas*, applications for new *mineral aggregate operations* shall be supported by an *agricultural impact assessment* and, where possible, shall seek to maintain or improve *connectivity* of the *Agricultural System*.
- e) New and existing *mineral aggregate operations* and *wayside pits and quarries* within the Protected Countryside shall ensure that:

- i) The *rehabilitated* area will be maximized and disturbed area minimized on an ongoing basis during the life cycle of an operation;
 - ii) Progressive and final *rehabilitation* efforts will contribute to the goals of the Greenbelt Plan;
 - iii) Any excess disturbed area above the maximum allowable disturbed area, as determined by the Ministry of Natural Resources, will be *rehabilitated*. For new operations, the total disturbed area shall not exceed an established maximum allowable disturbed area; and
 - iv) The applicant demonstrates that the quantity and quality of groundwater and surface water will be maintained as per Provincial Standards under the Aggregate Resources Act.
- f) For new *mineral aggregate operations* in the Protected Countryside, the following *rehabilitation* policies apply:
- i) The disturbed area of a site shall be *rehabilitated* to a state of equal or greater *ecological value* and, for the entire site, long-term *ecological integrity* shall be maintained or enhanced.
 - ii) If there are *key natural heritage features* or *key hydrologic features* on the site, or if such features existed on the site at the time of an application:
 1. The key health diversity and size of these *key natural heritage features* and *key hydrologic features* shall be maintained or enhanced; and
 2. Any permitted extraction of mineral aggregates that occurs in a feature shall be completed, and the area shall be *rehabilitated*, as early as possible in the life of the operation;
 - iii) Aquatic areas remaining after extraction are to be *rehabilitated* to aquatic enhancement, which shall be representative of the natural ecosystem in that particular setting or eco district, and the combined terrestrial and aquatic *rehabilitation* shall meet the intent of section 20.5.3.4 (b); and
 - iv) Outside the *Natural Heritage System*, and except as provided in Sections 20.5.3.4 (a), (b), and (c), final *rehabilitation* shall appropriately reflect the long-term land use of the general area, considering applicable policies of this Plan and, to the extent permitted under this Plan, existing municipal and

provincial policies. In *Prime Agricultural Areas*, the site shall be *rehabilitated* in accordance with Section 4.5.4 of the PPS.

- g) Final *rehabilitation* for new *mineral aggregate operations* in the *Natural Heritage System* shall meet these additional policies:
 - i) Where there is no extraction below the water table, an amount of land equal to that under natural vegetated cover prior to extraction, and no less than 35 per cent of the land subject to each license in the *natural heritage system*, is to be *rehabilitated* to forest cover, which shall be representative of the natural ecosystem in that particular setting or eco district. If the site is also in a *Prime Agricultural Area*, the remainder of the land subject to the licenses to be *rehabilitated* back to an *agricultural condition*;
 - ii) Where there is extraction below the water table, no less than 35 per cent of the non-aquatic portion of the land subject to each license in the *natural heritage system* is to be *rehabilitated* to forest cover, which shall be representative of the natural ecosystem in that particular setting or echo district. If the site is also in a *prime agricultural area*, The remainder of the land subject to the US license is to be *rehabilitated* in accordance with Section 4.5.4 of the PPS; and
 - iii) *Rehabilitation* shall be implemented so that the *connectivity* of the *key natural heritage features* and the *key hydrologic features* on the site and on *adjacent lands* shall be maintained or enhanced.
- h) Operators are encouraged to consider and provide for public access to former aggregate sites Upon final *rehabilitation*, where appropriate.

20.5.4 Environmental Protection within the Niagara Escarpment Plan Area

- a) *Mineral aggregate operations* on lands the Niagara Escarpment Plan Area shall conform to the policies of this Plan and the Niagara Escarpment Plan, which is to be read in conjunction with other provincial plans and policies, as defined in the *Planning Act*, that may apply within the same geography.
- b) In the case of conflict between this Plan and the Niagara Escarpment Plan, the provision of the Niagara Escarpment Plan prevails.

20.5.5 Environmental Protection within the Oak Ridges Moraine *Conservation* Plan Area

- a) An application for a *mineral aggregate operation* or wayside pit on land subject to the Oak Ridges Moraine *Conservation Plan*, shall not be approved unless the applicant demonstrates compliance with sections 35(1) of the Oak Ridges Moraine *Conservation Plan*.
- b) *Mineral aggregate operations* shall not be permitted in any such features which meet the criteria for Oak Ridges Moraine *Key Natural Heritage Features* and *Key Hydrologic Features*, and their associated *Minimum Vegetation Protection Zones*, except as may be considered in accordance with Section 20.5.5(c).
- c) Notwithstanding any other provision of this Plan, a *mineral aggregate operation* or wayside pit with respect to land in a *key natural heritage feature* on lands subject to the Oak Ridges Moraine *Conservation Plan* may be approved if:
 1. The *key natural heritage feature* is a *significant* woodland, and it is occupied by young plantations or early successional habitat;
 2. The applicant demonstrates that:
 - i) The long-term *ecological integrity* of the Oak Ridges Moraine *Conservation Plan Area* will be maintained, or where possible improved or restored.
 - ii) The extraction of mineral aggregates from the *key natural heritage feature* will be completed, and the area will be *rehabilitated*, as early as possible in the life of the operation, and
 - iii) The area from which mineral aggregates are extracted will be *rehabilitated* by establishing or restoring natural *self-sustaining vegetation* of equal or greater *ecological value*.
 3. In the case of a *key natural heritage feature* that is the habitat of an endangered or *threatened species* and is located in a countryside area or settlement area, the requirements of paragraph 5 of subsection 22(2) of the Oak Ridges Moraine *Conservation Plan* are satisfied.
- d) An application for *mineral aggregate operation* or wayside pit with respect to land in a *Landform Conservation Area* (Category 1 or 2) shall not be approved unless the applicant demonstrates:

- i) That the area from which mineral aggregates are extracted will be *rehabilitated* to establish a landform character that blends in with the landform patterns of the adjacent land.
 - ii) The long-term *ecological integrity* of the Oak Ridges Moraine *Conservation* Plan Area will be maintained, or, where possible, improved or restored.
- e) Notwithstanding any other provision of this Plan, an application for a *mineral aggregate operation* or wayside pit with respect to land in a Natural *Linkage Area* within the Oak Ridges Moraine *Conservation* Plan Area shall not be approved unless the applicant demonstrates that:
- i) Conformity Section 35(1) of the Oak Ridges Moraine *Conservation* Plan is demonstrated.
 - ii) There will be no extraction within 1.5 metres of the water table.
 - iii) The extraction of mineral aggregates from the site will be completed as quickly as possible.
 - iv) The site will be *rehabilitated* in stages as quickly as possible.
 - v) The entire site will be *rehabilitated* by establishing or restoring natural *self-sustaining vegetation*
 - vi) Notwithstanding subsection (v) above, in the case of land in a *prime agricultural area*, the entire site will be *rehabilitated* by restoring the land so that the average soil quality of each area is substantially returned to its previous level.
- f) In order to maintain *connectivity*, when a *mineral aggregate operation* or a wayside pit is located in a Natural *Linkage Area* in the Oak Ridges Moraine *Conservation* Plan Area, there shall at all times be an excluded area (which, for greater certainty, may contain both undisturbed land, and land whose *rehabilitation* is complete) that:
- i) Is at least 1.25 kilometres wide.
 - ii) Lies outside the active or unrehabilitated portions of the area being used.
 - iii) Connects parts of the Natural *Linkage Area* outside the *mineral aggregate operation* or wayside pit.

- g) *Comprehensive rehabilitation* planning is encouraged for parts of the Oak Ridges Moraine Conservation Plan Area that are affected by *mineral aggregate operations*.

20.5.6 Agricultural Lands

- a) Extraction of *mineral aggregate resources* is permitted as an interim use in *prime agricultural areas*, on *prime agricultural land*, provided impacts to the *prime agricultural areas* are addressed in accordance with Policy 4.3.5.2 of the 2024 Provincial Planning Statement or its successor and that the site will be *rehabilitated* back to an *agricultural condition*.
- b) Complete *rehabilitation* to an *agricultural condition* is not required if:
 - i) The depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible.
 - iii) *Agricultural rehabilitation* in remaining areas is maximized.
- c) An *agricultural impact assessment*, based on provincial guidance, shall demonstrate that impacts on the *agricultural system* have been avoided, or where avoidance is not possible, minimized and mitigated.

20.5.7 Water Resources

- a) Any proposal for new *mineral aggregate operation* shall identify all sources of water, their functions, and analyze and assess the impact of the application to satisfactorily demonstrate that the *quality and quantity* of each of those water resources shall be protected, improved or restored, with no *negative impacts*, by providing the following information:
 - i) The quantity and quality of mineral aggregate resource located below the water table (if applicable).
 - ii) The removal of the mineral aggregate resource and the subsequent *rehabilitation* of the lands will satisfy the applicable performance measures in Sections 15 and 20.5.3 of this Plan.
 - iii) Measures to protect water resources will be implemented in the design and operation of fuel storage and handling systems, machinery storage and servicing and the use and storage of potential contaminants on the site. The

storage of fuel and other potential contaminants on-site may be restricted if necessary to protect water resources.

- iv) An appropriate monitoring program will be implemented, and that the results of this monitoring program will be provided to the Town.

20.5.8 Monitoring and Adaptive Management

- a) The Town shall take into account that the monitoring program proposed for new *mineral aggregate operation* shall be acceptable to the Town, Region of Peel, the Ministry of Natural Resources, the Conservation Authorities and the Niagara Escarpment Commission (all as applicable).
- b) The Town shall require monitoring results to be delivered to the Town, for the purpose of compiling a database in conformity with Section 20.8.2 of this Plan.
- c) The use of an adaptive management plan may be considered as part of a comprehensive operational monitoring plan, where the potential impacts of operations have been identified with reasonable certainty, and meet appropriate standards in order to manage unexpected impacts. An *adaptive management plan* shall contain targets and triggers where action is required to eliminate *adverse effects* which may include all measures up to and including stopping the active operation.

20.5.9 Operational Design, Air Quality, and Land Use *Compatibility*

- a) The proposed operational plan shall be designed to avoid—or, where avoidance is not possible, minimize or mitigate—impacts on surrounding land uses and visual resources. This shall include, among other things and as appropriate to site and area context:
 - i) Strategic phasing and direction of extraction.
 - ii) Limit the amount of disturbed area at any one time.
 - iii) Progressive *rehabilitation*.
 - iv) Strategic direction of extraction and placement of screens and *buffers*, including creating variable berms and mature vegetative screens to replicate the natural topography of the area.
 - v) Utilization of offset entrances to screen the internal pit areas.

- vi) Internal haul routes, the elimination of reverse movement, and use of broadband back-up alarms.
 - vii) Sharing or co-ordination of entrances when two operations are adjacent to each other.
 - viii) The location of machinery, fuel storage, washing, and on-site water treatment.
 - ix) The timing of, phasing and locating of permanent and temporary processing plants.
- b) *Adverse effects* from noise, vibration, odour (where applicable), dust, and air pollutants shall be avoided, or, where avoidance is not possible, minimized and mitigated in accordance with provincial guidelines, standards and procedures.
 - c) Where *compatible rehabilitation* plans for adjacent licensed operations are approved, or where there is an opportunity to create harmonized operational standards across separate sites in a complex, the Town may support the reduction of or extraction of *mineral aggregate resources* within the setbacks from the shared licence boundary in order to achieve integrated *rehabilitation* and improved operation of the sites.

20.5.10 Blasting and Flyrock

- a) The design of a *mineral aggregate operation* shall prioritize the avoidance or impacts from blasting, flyrock (which shall be contained within the licensed area in accordance with Provincial law) and vibration. Where avoidance of *adverse effects* is not possible, *adverse effects* shall be minimized and mitigated in accordance with Provincial standards.
- b) A blast impact assessment shall be required as part of applications for new or expanding quarries in accordance with the *Aggregate Resources Act*.

20.5.11 Transportation

- a) Existing haul routes for *mineral aggregate resources* are identified on Schedule C1 of this Plan.

Notwithstanding the above, there are additional roads, such as Town-owned roads, that are existing haul routes for *mineral aggregate operations*. Nothing in this Plan is intended to limit continued hauling of *mineral aggregate resources* on

existing haul routes so long as the operation remains licensed under the *Aggregate Resources Act*.

In accordance with 20.5.11 b) and c), where a new *mineral aggregate operation* has been established, Schedule C1 shall be updated to include the associated haul routes, without the need for an amendment to this plan.

- b) Where a new haul route is proposed to be established through a new *mineral aggregate operation* application, it shall have the least impact possible and shall consider the applicable Transportation policies of Section 11 of this Plan in providing the following information to demonstrate how economic, financial, social and physical impacts on the safe and efficient use of the road network have been avoided, minimized and/or mitigated:
- i) An evaluation of alternative haul routes and the identification of the haul route(s) with the least impact.
 - ii) Land use, land use activities and the character of *adjacent lands* (including the *agricultural system* and any *significant* environmentally sensitive features) along the proposed haul route, including the identification of existing and permitted land uses that may be significantly affected by the proposed haul route.
 - iii) The physical characteristics of the potential haul routes including road classification, load limits, surfacing and character (e.g., rural, scenic) and the identification of any physical constraints to heavy truck traffic, such as vertical or horizontal curves, sight lines or shoulders.
 - iv) Anticipated increase in traffic generated by the proposed extractive operation, and any increase in background traffic.
 - v) Description of the proposed operation, including the phasing where applicable, and resulting trip generation, distribution, and vehicle composition.
 - vi) The horizon year that will be used in determining future impacts.
 - vii) Assumptions concerning passenger car equivalents.
 - viii) Traffic impacts (both operational and physical) resulting from the truck traffic generated by the proposed operation, including impacts on road structure, traffic flow and safety, pedestrian and *active transportation* safety, the

agricultural system, and the mitigation measures required to address these impacts

- ix) Whether improvement and redesignation in this Plan of the roads proposed to be used as a haul route(s) is necessary, the costs of such improvement, any anticipated impacts on *significant* environmental features affected by such improvement, and whether an Environmental Assessment is required for this improvement.
 - x) If an internal road between neighbouring operations can be used in place of a public road.
- c) Where there is an existing haul route, the information required by Section 20.5.11(b)(ii) for the establishment of new *mineral aggregate operations* shall only be required for those lands adjacent to the proposed pit or quarry .
- d) Per Section 20.5.11(b)(ix) above, any required improvement shall be a condition of planning application approval and recommended to the appropriate authority to be a condition on the issuance of any access permit. The Applicant shall prepare a Road Improvement Study for approval by the applicable road authority to indicate the measures proposed to minimize the impacts of any road improvement, including:
- i) Existing road right-of-way characteristics, particularly vertical alignments, should be maintained as closely as possible, subject to safety considerations with an understanding that many of these roads possess inherent traffic calming characteristics.
 - ii) Existing trees and other vegetation within the road right-of-way shall be retained wherever possible, including any scrub-like settings. Introduction of manicured boulevards as “landscaping elements” should be avoided.
 - iii) Wood, wire, stump, and stone fence lines shall be retained wherever possible as historical landscape remnants and incorporated as “new” design elements.
 - iv) Traditional open grassed ditches shall be used at every reasonable opportunity.
 - v) New lighting elements, such as poles or standards and luminaires shall be as unobtrusive as possible within the road right-of-way and lighting should be directed downward and shielded.

- vi) Generally, any improvements required to a public road or construction of a new road due to a new or expanded *mineral aggregate operation* shall not be at public expense.
- e) The Town will encourage the co-operative efforts of aggregate producers to arrive at a mutually satisfactory traffic movement plan with respect to aggregate trucks entering onto or exiting from haul routes. Such a plan shall examine and make recommendations on the following:
 - i) The alignment of the entrances of extractive operations and other entry points.
 - ii) The use of appropriate lighting and signal devices.
 - iii) The use of acceleration lanes, deceleration lanes, and the construction of turning lanes.
- f) Impacts on adjacent land uses, on those landscape elements referred to in subsection (c) above or on any environmentally sensitive features identified by the Traffic Impact Study will be satisfactorily mitigated.
- g) The Town of Caledon will cooperate with aggregate producers and other truck users to achieve a mutual agreement on alternative traffic measures to relieve existing traffic problems within Caledon Village. Such measures may include the creation of alternative routes for aggregate related traffic from aggregate operation in consideration of Section 11.2.18 of this Plan. Lack of such an agreement will not by itself constitute a reason to deny an application for aggregate extraction.

20.5.12 Rehabilitation and After Uses

- a) Once a Town-wide *Rehabilitation* Master Plan has been endorsed by Council, all subsequent applications for new or expanded extractive operations shall consider how they would meet the intent of the *Rehabilitation* Master Plan unless it is demonstrated to be inappropriate, under the requirements of the *Aggregate Resources Act*. In circumstances where there may be a conflict between the *Rehabilitation* Master Plan and matters addressed under the *Aggregate Resources Act*, or a provincial plan, the *Aggregate Resource Act* and/or provincial plan shall prevail.
- b) The proposed *rehabilitation* plan for a new or expanded aggregate operation shall conform to the policies of this Plan and shall be required to mitigate *negative*

impacts to the extent possible. Final *rehabilitation* shall take surrounding land use and approved land use designations into consideration.

- c) The Town will promote progressive *rehabilitation* as the preferred option for all sites, in a manner which has regard for the *agricultural system* and natural environmental context of *adjacent lands* as supported by technical studies and investigation, cultural and heritage resources in or adjacent to the site (including the *conservation of significant* cultural or heritage features where practical), and the proximity of the site to *settlement areas* or other *sensitive land uses*.
- d) The Town of Caledon will co-operate with landowners, the Region, the Ministry of Natural Resources, the Ontario Aggregate Resources Corporation and aggregate operators in efforts to *rehabilitate* abandoned pits and quarries and return the site to a suitable land use in conformity with the policies of this Plan.
- e) The Town will investigate the acquisition of lands used for *mineral aggregate operations* and will support the acquisition of such lands by any public authority, including the provision of adequate financial support to permit *rehabilitation*. It is the intention of the Town of Caledon that these arrangements be formalized by way of a Memorandum of Understanding to be developed.
- f) Alternatively, the Town shall seek to be a party to *rehabilitation* plan agreements, including prior to the transfer of any lands to public ownership (if applicable).
- g) Proposals for new non-*agricultural uses* on *rehabilitated mineral aggregate operation* sites abutting designated *Prime Agricultural Areas* shall demonstrate that any impacts from the proposed *development* on the *agricultural system* have been avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.
- h) Soil rehydration services shall not be permitted as a means to achieve *rehabilitation*.
- i) The policies in 20.5.12 will be read in conjunction with applicable *rehabilitation* policies for provincial plan areas that are further established in 20.5.3, 20.5.4 and 20.5.5 where there is a conflict, the policies of the relevant provincial plan shall prevail.

20.5.13 Social Impact Assessment

- a) New mineral aggregate shall not have any unacceptable social impacts caused by factors such as noise, dust, traffic levels and vibration that exceeds Provincial standards, regulations and guidelines.
- b) Any impact studies required by this Plan, will include, where appropriate, an assessment of social impacts based on predictable, measurable, *significant*, objective effects on people caused by factors such as noise, dust, traffic levels, and vibration.
- c) Such studies will be based on Provincial standards, regulations and guidelines where they exist, and duly consider Town policies, standards and criteria, and will consider and identify methods of addressing the anticipated impacts in the area affected by the extractive operation.

20.5.14 Visual Impact Assessment

- a) New *mineral aggregate operations* shall minimize visual impacts by:
 - i) Assessing *significant* views and how they might be affected by the proposed *mineral aggregate operation*.
 - ii) Assess the changes to the natural landscape and the cultural landscape that would result from the operation.
 - iii) Identification of any required mitigation measures, and the visual character of such measures. This may include berms, entrance designs, vegetation, landscaping, and operational matters such as phasing, screening of equipment, direction of extraction which would seek to minimize visual impacts.

20.5.15 Cultural Heritage and Archaeology

- a) The policies of Section 6 of this Plan shall apply for *built heritage resources*, *cultural heritage resources*, and *archaeological resources*.
- b) The Town will require the *conservation of cultural heritage resources* that have the potential to be impacted by mineral aggregate extraction activities, consistent with the policies of Chapter 6 of this Official Plan, and the regulations of the *Aggregate Resources Act*. This may include the completion of a cultural heritage

evaluation report, heritage impact assessment, *conservation* plan, and/or archaeological assessment prepared by a qualified professional.

20.6 New Sensitive Lands Uses and *Mineral Aggregate Operation*

- a) Where a new sensitive land use is proposed within the area of an existing licensed *mineral aggregate operation*, the proponent of the sensitive land use will bear the primary responsibility for the mitigation of potential land use conflicts between the proposed use and the *mineral aggregate operation*.
- b) The following policies shall apply to new *sensitive land uses*:
 - i) Where there is potential for noise, vibration, dust, or visual impact, the Town shall require the applicant to undertake appropriate studies.
 - ii) Sensitive uses will only be permitted where conditions of approval and other mechanisms are established, which will ensure that identified noise attenuation or other measures will be put into place at the developer's expense.
 - iii) Sensitive uses will not generally be permitted within the setbacks identified by the various studies as being required for avoidance (or, where avoidance is not possible, minimization and mitigation). Nevertheless, as portions of the extraction operation are *rehabilitated*, the separation distance may be adjusted to reflect changes to the location of active and approved extraction areas. Such adjustments will only be permitted where the study required in subsection (i) above has been updated to reflect the new conditions and demonstrates that acceptable attenuation can be achieved consistent with Provincial guidelines and guidelines for studies established by the Town of Caledon and the Region of Peel (as applicable), and where conditions of *development* approval are imposed which ensure that identified noise attenuation measures are put in place at the developer's expense.
- c) In the case of designated *settlement areas*, where feasible, the overall community *development* pattern should be phased such that initial phases of *development* are situated furthest away from extraction areas so that progressive *rehabilitation* of the pit either precedes the *development* or occurs simultaneously with it. Where this is not feasible, measures will be incorporated into the *development* design to maximize land use *compatibility* between the pit operation and the proposed *development* as follows:

- i) *Buffering* through distance separation; berming and noise barriers or walls; grading to minimize potential noise impact; the introduction of intervening uses which are not noise sensitive; the retention of natural features between the *development* and future extraction areas; the use of height limitations or other measures.
- ii) The imposition of conditions requiring building design and construction measures to provide visual screening and noise *buffering* including requirements for building orientation, construction measures for noise attenuation including window placement or other measures.
- iii) The imposition of conditions, where feasible, which would ensure that prospective purchasers are made aware of nearby aggregate operations and associated noise and truck traffic through the use of warning clauses in agreements of purchase and sale, notices registered on title, and on clearly visible signs posted at sales offices and at strategic locations within the *development*.
- iv) Subdivision design which takes into consideration potential truck traffic in order to avoid, where feasible, potential conflicts between truck and residential traffic.
- v) With the agreement of the pit/quarry owner, the provision of extra berms, noise barriers, landscaping and other measures on the pit/ quarry property at the developer's expense.

20.7 Community and Indigenous Engagement

It is the intent of the Town to improve community and Indigenous engagement and data sharing between *mineral aggregate operations*, the broader public, and Indigenous communities.

- a) The Town will engage with the public in accordance with the public notification and engagement procedures prescribed by the *Planning Act* and its regulations and in accordance with Chapter 28 of this Plan.
- b) The Town will engage with indigenous communities where planning matters may affect their rights and interests, in accordance with section 28.3 of this Plan.

20.7.1 Structured Committees

- a) The Town shall prepare and maintain an Aggregate Resources Advisory Committee to provide input on matters pertaining to aggregate resources, including industry trends.
- b) The Town shall encourage proponents to establish community liaison committees for individual operations.

20.7.2 Data Sharing, Transparency and Report Production

- a) An Aggregate Monitoring Report shall be provided to Council on mineral aggregate matters in Caledon, at least once every two years, reporting on:
 - i) The number and status of licences, including any changes in status.
 - ii) An overview of active extractive operations in Caledon, including the total area under extraction, the amount of aggregate produced, and (if known) the primary destinations of these products.
 - iii) Records of any complaints on *mineral aggregate operations* and the transportation of aggregate products during the reporting period.
 - iv) Records of any violations of site plan or conditions of licence under the *Aggregate Resources Act* and their status during the reporting period.
 - v) Status of the implementation of approved *rehabilitation* plans.
 - vi) Status of the operation and implementation of approved *adaptive management plans*.
 - vii) An assessment of the *cumulative impact* of extractive operations on the Town's Natural Features and Areas.
 - viii) Any updates or data on monitoring work (such as air quality and ground water monitoring).
 - ix) Updates on any active and potential applications for new *mineral aggregate operation* or amendments to licences.
- b) The Town will conduct such studies and address as it considers appropriate the cumulative effects of the establishment and expansion of aggregate extraction

operations on the Town's communities, natural environment, and cultural features.

- c) Any conditions related to monitoring shall ensure frequent, open access to the Town, or, if not practical, at regularly scheduled intervals.
- d) The Town shall request copies of *Aggregate Resources Act* compliance reports as part of applications for new *mineral aggregate operation*. The Town shall also request the same for existing *mineral aggregate operations* when necessary.
- e) The Town shall maintain a review protocol that helps the public and applicants understand how reviews of applications shall be undertaken, to provide greater clarity and transparency on how the process is undertaken, and to demonstrate how progress on reviews is made.

20.7.3 Resource Rescue and Recycling

- a) The Town of Caledon will consider the concept of resource rescue within existing and proposed urban areas in order to avoid the sterilization of potential resources due to urban *development* and expansion where the resource can be extracted in conformity with the policies of this Plan in the following manner:
 - i) Through the removal of the material prior to any urban *development* taking place, through a licensed operation if appropriate, or if a licensed operation is not feasible, then through use of the resource on-site in the construction of the *development*.
 - ii) Where the resource is to be used on-site for construction of the *development*, processing of the aggregate would be permitted on the site.
 - iii) The Applicant for *development* must identify the quantity and quality of the resource, demonstrate how the material will be used on-site, the timing of *rehabilitation* of the site, and evaluate the suitability of sites for resource use on-site in conformity with the environmental and groundwater protection policies of this Plan.
- b) In resource areas where there may be future urban *development* associated with an urban settlement in an adjoining municipality, the Town of Caledon will consult with the adjoining municipality in applying the urban aggregate resource rescue principle.

- c) The Town shall incorporate recycled mineral aggregates in capital works projects where possible and appropriate in accordance with an approved Recycled Aggregate Strategy.
- d) The Town will support initiatives by the aggregate industry and the Province to conserve aggregate resources, through such measures as recycling, and matching aggregate quality requirements to specific job specifications.