



Ontario

Ministry of Natural Resources  
Mineral Resources Group

## MINERAL AGGREGATE POLICY FOR OFFICIAL PLANS

1. That all parts of the Province possessing aggregate resources should share the responsibility for future demands; at first approximately in proportions existing under present market patterns until new long term sources of supply can be made available based on efficient long distance transportation systems;
2. That aggregates must be available at reasonable cost to the consumer including environmental, transportation and energy costs;
3. That licensed pits and quarries under provincial legislation must be recognized and protected in official plans;
4. That the Province provide municipalities with the basic surficial geological information on the location and extent of potential mineral aggregate deposits including stone, sand and gravel;
5. That the Province in cooperation with the municipalities must identify areas of high aggregate resource potential and define these areas required for possible future extraction adequate to meet future provincial demands;
6. That the identification, designation and protection of high aggregate resource potential areas should occur jointly by regional/county and local official plans;
7. That uses of land which would preclude the possible future extraction of aggregates should not be permitted in required areas of high aggregate resource potential. Prohibited uses would include residential, commercial and industrial development. Other land uses would be permitted such as agriculture and forestry;
8. That because of time and cost constraints, there should be special approval procedures for wayside pits and quarries, therefore policies should be included in official plans to allow the opening of wayside pits and quarries without amendment to the plan or its implementing zoning by-laws;
9. That the Ministry of Natural Resources should have ultimate authority to ensure that adequate supplies of aggregate are available for future use and official plans should not be approved until they ensure that municipalities will have available their fair share of future aggregate supplies;
10. That the Province requires rehabilitation of land after excavation either through restoring the land to its former use or condition or to another use or condition that is or will be compatible with the use of adjacent land.

Approved by:  
Dr. J. K. Reynolds  
Deputy Minister  
April 12, 1979

November 23, 1979

Reeve Murray Betts,  
Chairman,  
Association of Counties and Regions of Ontario,  
Suite 501,  
100 University Ave.,  
Toronto, Ontario  
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Dear Mr. Betts:

I have had an opportunity to read ACRO's response to Bill 127, presented to the Provincial-Municipal Liaison Committee. You are to be congratulated on this brief, which identifies many of the deficiencies in this legislation.

Your board of directors has probably had an opportunity to see at some point our critique of Bill 127, published by the Centre for Resource Studies. In this critique, we identify what we consider to be a number of additional deficiencies in the Bill, in addition to ones you have identified. While you may not agree with all our suggestions, I do want to draw your attention to one section of Bill 127 which your brief did not question which appears to have some impact on municipal autonomy, a subject to which your brief addresses itself.

Section 61 provides that: "In the event that a provision of this Act or the regulations and a provision of any other Act, regulation or municipal by-law treat the same subject matter in different ways, the provision of this Act or the regulation, as the case may be, prevails and the provision of the other Act, regulation or by-law is inoperative for the purposes of this Act."

Normally, if there is a provincial standard and a municipal standard which treat the same subject matter in a different way, the more stringent standard would prevail. Thus, municipalities could pass stricter standards to supplement provincial requirements. Under this section, the Minister, merely by promulgating a regulation will be able to override any municipal by-law that imposes stricter standards on the operation of pits and quarries than those in provincial regulations.

Sincerely,  
CANADIAN ENVIRONMENTAL LAW ASSOCIATION

John Swalgen,  
General Counsel.

JS:lp