

# Aggregate industry will be law unto themselves if Queen's Park accepts Party's suggestions

by William A. Johnson  
North and South disparities due to Regionalism have been the subject of much discussion to date, and such disparities will undoubtedly be much discussed in the future. The real tragedy of disparity has yet to come.  
The Site 'F' fiasco has caused a split between the Town of Milton and the Town of Halton Hills, a split that will be costly to

both towns and to North Halton. With a little "backbone" from Halton Hills Regional Councillors, the Site 'F' thing could be ended once and for all. Halton Region could, and would have four short term garbage dumps, and we would have a united front for Reclamation plants within six years, whereas a divided North Halton leaves Halton Hills and Milton easy prey for the next menace, which will be control

of your land and my land by the Aggregate industry.  
Early in 1975 I presented a brief to the Ontario Municipal Board in Milton. The occasion was the application for a gravel pit licence by Springbank Sand and Gravel Company to open a gravel pit in the Campbellville area. At that meeting a Miss C. Yundt spoke on behalf of the Aggregate industry and Miss Yundt's testimony was instrumental in the licence being granted (with certain provisions).  
After the Milton O.M.B. Hearings, I became concerned that the Aggregate industry was so organized (even to the point of giving its members awards for housekeeping, etc.) and yet individual municipalities were practically being taken apart piecemeal. The small community of Ayr was a classic example. The town didn't want a gravel pit, the OMB even ruled against it, but the Minister, Leo Bernier, granted a licence.  
On Feb. 21, 1976 a meeting was held at Glendon College, Toronto. Present were representatives from most municipalities that had gravel pits or quarries, within their boundaries. Attending on behalf of North Halton were Dr. Ray Durham and myself. We had just taken our seats when Miss Yundt arrived with an aide, James M. Kearns. I immediately questioned their presence, and was told that Miss Yundt now represented the Ministry of Natural Resources. The transition from representing the Government was to me, too sudden, so I made a motion that Miss Yundt and her aide be asked to leave. The motion was carried.

That meeting was the start of the Foundation for Aggregate Studies. The first task the Foundation set itself was to analyze a study commissioned in 1974 by Proctor and Redfern Ltd., Consulting Engineers. This study was divided into three parts. The first part was made public in 1974. It dealt with Central Ontario. The second part was published in June 1976, and it dealt with the Eastern Region. The third part, dealing with the South Western portion of the Province, should be published shortly.

To date these studies suggest that there could be a serious shortage of aggregates, which could develop within 7-10 years. In 1975 (Dec.) the Provincial Government appointed the Central Ontario Mineral Aggregate Working Party to examine the operations of the industry, resolve local concerns, and provide provincial objectives.  
The Working Party was chaired by George Jewett, executive director of the Division of Mines. Other members consisted of two former past presidents of the Aggregate Producers Association, Public Servants from T.E.I.G.A., Ministries of Housing, Transportation, as well as four Public Municipal Representatives.  
The Working Party's recommendations to the Government were released in Jan. 1977, and were as follows:  
A. Existing municipal powers to regulate pits and quarries under the Municipal Act and the Planning Act will be eliminated, and control and regulation of the industry exerted through a series of new boards and commissions—with final decision-making powers effectively in the hands of the Division of Mines of the Ministry of Natural Resources, whose basic aim is to promote the industry.  
B. Municipalities and Regions will be assigned a quote or "share" of aggregates that they will be compelled to produce each year.  
C. The municipalities and regions will be forced to change their existing Official Plans to designate areas of commercial aggregate potential. Private landowners within these designated areas will have their development rights restricted, until such time as the gravel has been mined out by the privately-owned gravel industry, presumably for private profit.  
D. The municipalities and regions will then be given the rather questionable "privilege" of deciding the location of any new pits in aggregate reserve areas, and ironically will have to suffer the outrage of residents when licences are issued for new pits.  
E. The Working Party Report implicitly supports mining out reserves in populated regions, and takes no positive steps to reduce the current and anticipated large scale strip mining activities.  
F. The Working Party Report implicitly supports an increase in truck traffic,

pending completion of 'further studies' on other forms of transport such as unit trains and lake boats.

G. The Working Party recommends the establishment of local Aggregate Advisory Committees, but does not recommend that they should have any power.

H. The Working Party recommends the establishment of an Aggregate Review Board, but its decisions are subject to "ministerial review".

J. The Working Party recommends that the Trees Act should be amended to that Section 4 does not apply to pits and quarries.

## THE FAS ALTERNATIVES

### A. Control

The revised Pits and Quarries Control Act should be under the jurisdiction of the Ministry of the Environment since the Division of Mines, which presently is supposed to enforce the Act, has failed miserably in the task, due to its pro-industry bias.

The Ontario Municipal Board should hear all licence applications and rezoning applications, and should have decision-making powers, appealable only to the Ontario Cabinet.

Given there are virtually unlimited supplies of sand and gravel in Ontario, local municipalities must have the right to accept or reject open pit mining in their communities under the authority of the Planning Act and the Municipal Act.

The Planning Act must be amended to define aggregate mining to be a "use of the land," to clarify an existing anomaly in interpretation.

Insofar as aggregate mining is concerned, the Ministry of Natural Resources should limit its role to mining support services.

Pit applications should be subject to environmental assessment requirements, similar to those under the Environmental Assessment Act, 1975.

The Ministry of Environment should provide technical support in the development of site plans and rehabilitation requirements.

Municipalities should be encouraged to pass noise by-laws for pit operations and truck noise.

The Ministries of Housing, Agri-



Well known environmentalist William Johnson is disturbed about the powers the aggregate industry wields in Ontario and especially in the north end of Halton. He is one of the founding people in the organization of the Foundation for Aggregate Studies and has taken a keen interest in problems relating to aggregates and garbage disposal in Halton for many years. He was also the New Democratic Party candidate in Halton-Burlington riding in the last two elections. This newspaper asked Mr. Johnson to write his concerns in an article to be published. The opinions expressed are not necessarily those of this newspaper.

culture, Energy and Transportation should have input into the Ministry of Environment channels when considering a pit licence.

**B. Land Use**  
An Ontario Land Use Policy is essential.

Class I, II, III, and VI foodlands should be protected from aggregate extraction.

**C. Transportation**  
Rail and boat shipment should be encouraged through full compensation to municipalities for road damage and compensation to local residents for decreased property values. The producer must pay for the social and environmental costs caused by the impact of his operations on the community.

Energy policy should be considered in decisions to approve pit licences.

Licence fees for truck users should cover additional costs incurred for road maintenance and construction.

The Highway Act should be enforced and compensation made for injurious affection and nuisance.

Gravel trucks should be tarped at all times when carrying a load.

Road haulage should be phased down over a period of 5-7 years in favor of rail and water haulage from remote sites.

A reduced licence and transport levy should apply to pits using rail or water transportation.

**D. Rehabilitation**  
The Ministry of the Environment should set standards, conduct surveys, and estimate costs of rehabilitation to be paid by the operator.

The per ton levy should be set at twice the rehabilitation cost estimated, to guarantee performance and to cover inflationary costs, with rebates available to the operator upon complete satisfaction to the Ministry.

All abandoned pits should be rehabilitated in less than a ten year period, and should be paid for by the producers.

Licence fees and/or the per ton levy, should pay for all costs direct and indirect, resulting from rehabilitation, including enforcement, planning, research and actual rehabilitation costs.

A portion of the per ton levy should be granted for municipal compensation to pay for social costs, loss of property values, noise, disturbance and nuisance and/or injurious affection.

**E. Wayside Pits**  
Municipalities should be able to operate one or two wayside pits for local requirements, providing that strict standards are set for rehabilitation, with public input into the decision making process regarding location and need.

**F. Social Issues**  
The community must be protected from the hardship and nuisance imposed by the industry.

Local autonomy and community rights must be protected.

The renewable land resource base must be conserved.

Rejection of a "least cost" philosophy as the only basis for decision-making is essential.

Damage to the social and natural environment must be minimized.

The industry must provide benefits to offset the social and dollar cost which it causes.

Pre-emptive land use for gravel is unnecessary and unacceptable.

Policy initiative to phase out gravel extraction in South Central Ontario and other densely populated areas of the Province must be formulated immediately.

The Aggregate industry has awesome powers within the Province of Ontario. They can change the boundaries of the Niagara Escarpment. If they are granted powers recommended by the Working Party, they will be a law unto themselves.

People in South Halton, with few exceptions, care little about what happens up here in the North. On this issue, as in all issues, we must be united in our common interests.

There must be a further study of Regionalism. On this we must insist. There should be equal representation from the North. This could be worked out by the acceptance of a formula giving representation by area and population.

Councils should invite members of the Foundation for Aggregate Studies to their meetings, and listen to them. They have much to offer.

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## Increase water rates

Water rates in all urban areas in Halton with the exception of Oakville will go up in the first billing after July 1.  
Acton gets the stiffest increase of 60 per cent while Burlington and Georgetown rates go up by 30 per cent and in Milton the increase will be 10 per cent.  
Oakville already pays one of the highest rates and regional treasurer Don Farmer indicated the rates there wouldn't have to be increased.  
While the rate increases are large in terms of percentages the rates people pay for water are relatively small amounts of money and the increases aren't expected to have serious impact

## Vandals hit

Police are investigating an attack by vandals on the town offices on the Seventh Line last week.  
Two desks in the office were forced open, but there was no apparent loss, police say. The break-in was discovered on the morning of Dominion Day by a municipal employee.

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