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Municipalities must have "regard" for aggregate

Municipalities "regard" for lands containing aggregate when doing land use planning, Milt Farrow, Assistant Deputy Minister for Municipal Affairs and Housing, said at Thursday's aggregate meeting at Acton High School.

The audience of nearly 300 Halton Hills and Milton citizens heard the province will enact a number of policy statements on subjects like agriculture and aggregates and the statements will be implemented through Official Plans.

Previously, Farrow explained, all potential aggregate lands not licenced or zoned now for aggregate had to be designated on a map in the Official Plan. There was considerable confusion about the meaning of these maps, aggregate producers felt designation meant quarry or pit approvals and landowners felt designation meant aggregate was the only possible land use. But, the province only wanted the maps in the Official Plan so councils would keep aggregate as a land use in mind when looking at rezonings, Farrow said.

Now the province has allowed the maps to be left out of Caledon's Official Plan and other municipalities can do the same.

In the future, Farrow said, the province wants municipalities to have "regard" for aggregates and discuss the subject with the Ministry of Natural Resources (M.N.R.) before allowing other land 15,000 acres of land designated for aggregate. Also, Farrow noted, there will be no rules saying municipalities can't allow land uses other than aggregate for potential aggregate

Mayor Peter Pomeroy said the new Planning Act will contain a section referring to resources of "provincial significance" like aggregates and predicted this section will "circumvent" the normal routes of appeal of decisions.

Farrow said this move was to eliminate appeals to cabinet. Matters of "provincial significance" may still go to the Ontario Municipal Board, but now the OMB decision will be revieved by cabinet and a



Erin Township Councillor Jo Schneider discusses the aggregate issue with Minister of Natural Resources Alan Pope at Thursday's meeting. In the background meeting chairman Jim Kenzie chats with Saskia van Tetering, a Tory Youth official who arranged Pope's visit to North Halton.

decision might be revised, accepted or rejected. Farrow explained petitions to cabinet had to be reduced because there were over 100 a year which had already been dealt with by the OMB. However, he emphasized people will still be able to appeal and have a hearing at the OMB, pointing out cabinet "seldom" overrules the OMB.

Pomeroy recalled the province rejected Halton's Official Plan because it didn't cover aggregate protection the way the province wanted, so staff came up with an amendment which blew the lid on the issue publicly.

The province had accepted Halton's Official Plan, Farrow said, but it was appealed by aggregate producers and Queen's Park refused to refer it to the OMB. The aggregate producers took the province to court and the court ruled the appeal should go to the OMB. To avoid a hearing, Farrow explained, the province asked the region to come up with a compromise plan and negotiate with the aggregate producers.

The province never "intended" that all lands designated on Official Plan maps would be licenced for aggregate, Farrow stated. He noted in areas like Durham where there are maps in the Official Plan lands designated for aggregates can be zoned for other uses as well.

Milton councillor Jim Watson sald there wasn't much difference between requiring an aggregate map in Official Plans or having the same thing covered in a written paragraph in the plan. He noted the province says municipalities "should" cover aggregate lands in Official

Plans. "By and large," Farrow said if a municipality "considers" aggregate and still says no to a pit or quarry there then it won't be approved. However, Farrow warned, the OMB may still overrule a council decision.

Watson asked for a "provincial" definition of the words "should" and "shall" wondering how much force was behind the provincial directive that aggregate "should" be covered in the Official Plan.

Municipalities can and some are designating aggregate lands in their Plans, but there is no obligation.

Watson countered the answer means the region doesn't have to designate aggregate lands in the Official Plan in any manner and Farrow reminded him the municipalities must have "regard" for aggregate polcies.

Meeting chairman Jim Kenzie suggested Farrow was saying there are aggregate guidelines for municipalities, but they don't have to be followed.

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