



May 10, 2024

Provincial Land Use Plans Branch
13th Flr, 777 Bay St
Toronto, ON
M7A 2J3
Canada

Submitted by email to: growthplanning@ontario.ca

**RE: Review of proposed policies for a new provincial planning policy instrument
ERO number: 019-8462**

Walker Aggregates Inc. ("Walker") previously submitted comments on the review of proposed policies adapted from A Place to Grow and Provincial Policy Statement. We appreciate the opportunity to provide further comments on the proposed policies for a new provincial planning policy instrument, particularly aspects which may have the ability to effect applications for mineral aggregate operations.

It is understood that the new provincial policy and legislation changes being proposed are intended to streamline planning processes which will contribute towards the ultimate aim of delivering homes and essential infrastructure to support growth. With the acceleration of growth also comes the increased demand for raw materials, including sand, gravel and stone. As such, the protection of aggregate resources and operation is pivotal in order to facilitate the delivery of much needed homes and infrastructure.

Walker would like to thank and commend the Province on the proposed approach of the new provincial policy instrument as it is anticipated to reduce policy layers/duplication and, therefore, red tape and undue delay experienced in planning processes.

Walker asks that the Province review the following submission which it strongly endorses:

- i) the comments and recommended policy changes submitted by the Ontario Stone, Sand and Gravel Association dated May 07, 2024 (attached to this submission)**



The changes suggested in the attached correspondence will help ensure resources continue to be available to support the Province's target to build 1.5 million housing units over the next 10 years and the infrastructure needed to support that growth.

In addition to the attached comments, we also note the following.

Mineral Aggregate and Natural Heritage Policy

It is encouraging to see that the fundamental policy for the protection of aggregate resources is being maintained in the proposed Provincial Policy Statement. The continued protection and availability of aggregate resources enabled through this policy is vital in allowing for the continued supply of raw material required in meeting provincial growth targets. Furthermore, the removal of prohibitive policy associated with the Growth Plan Natural Heritage System is a positive step in allowing access to mineral aggregate resources and preventing the sterilization of such resources close to market.

Offsetting Measures / Net Gain

Walker wishes to reiterate our support for the introduction of policy that reinforces the principle of offsetting to help compensate for the loss of certain significant natural heritage features.

Extraction of aggregate must go where the quality and quantity of aggregate deposits warrant it and sites often coincide with natural heritage features. Ecological offsetting is an approach in which negative impacts of land use decisions on natural heritage are offset by the intentional restoration or creation of new natural heritage features like wetlands to provide even greater positive environmental impacts. As such, there is significant value added from an offsetting approach vs. a prohibitive approach in policy relative to mineral resource extraction.

The aggregate sector is highly regulated through the licence approval requirements of the Aggregate Resource Act. Licences can ensure that offsetting will occur on-site or off-site as part of progressive and final rehabilitation.

Walker therefore respectfully requests that the Province consider offsetting / net gain policy continue to be incorporated into the proposed Provincial Policy Statement, and also reflected in an update of other provincial plans as set out in our submission on the "Discussion Paper: Conserving Ontario's Natural Heritage" made on December 20, 2022, which is also attached to this submission.



Settlement Area Boundary Expansions and Employment Area Conversions

The new plan allows for the consideration of settlement boundary expansions and the conversion of employment areas outside of the municipal comprehensive review window. Although it is understood that policy contained in the new plan is to accommodate for the development of much needed housing, it is vital that the protection of aggregate resources are sufficiently taken into account in determining such expansions and/or conversions to permit sensitive land uses. In particular, Walker asks that the following modifications (in red) be made to Sections 2.3.2 and 2.6.1 of the current Draft PPS:

2.3.2 In identifying a new settlement area or allowing a settlement area boundary expansion, planning authorities should consider the following:...

e) The protection of long-term mineral aggregate resources supply in accordance with policy 4.5; and...

2.6.1 On rural lands located in municipalities, permitted uses are:...

c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services, and subject to the protection of long-term mineral aggregate resources supply in accordance with policy 4.5;...

Over the years, large quantities of aggregate resources close to growing urban markets have been sterilized in the Province from urban development and settlement area expansions. While expanding settlement areas may be necessary to accommodate housing or employment growth, it also must be directed to areas that will not further restrict access to important mineral aggregate resources currently available close to market that housing and infrastructure also relies on.

Walker appreciates the Province's consideration of our comments and welcomes the opportunity to comment on the proposed policy changes.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Kehl'.

KEVIN KEHL
AGGREGATES & CONSTRUCTION DIVISION

May 7, 2024

Provincial Land Use Plans Branch
Ministry of Municipal Affairs & Housing
13th Flr, 777 Bay St
Toronto, ON
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Sent by email: growthplanning@ontario.ca

**RE: OSSGA Comments on Proposed Provincial Planning Statement, 2024
ERO #019-8462**

The Ontario Stone, Sand & Gravel Association (OSSGA) is a not-for-profit association representing over 280 sand, gravel and crushed stone producers and suppliers of valuable industry products and services. Collectively, OSSGA's members supply the substantial majority of the more than 164 million tonnes of aggregate consumed each year in the Province. Making available a continued supply of aggregate is crucial to ensuring the objectives of Ontario's Housing Supply Action Plan are realized.

On April 24, 2023 and July 17, 2023, OSSGA provided comments on the proposed Provincial Planning Statement. We understand that MMAH is seeking feedback on an updated proposed Provincial Planning Statement that incorporates feedback received through the previous consultation on this important land use planning policy framework.

Background

The updated proposed Provincial Planning Statement consists of policies grouped under the following five pillars:

1. Generate increased housing supply
2. Make land available for development
3. Provide infrastructure to support development
4. Balance housing with resources
5. Implementation

OSSGA is pleased to see the following objective listed under the "Balance housing with resources" pillar: *Require municipalities to facilitate access to aggregate resources close to market and to protect minerals, petroleum and mineral aggregate resources.*

To help meet the target of building 1.5 million new homes by 2031 and the infrastructure needed to support such development, Ontario will more than ever require a readily available supply of high-quality aggregate resources. Protecting these resources and making them available close to market will help ensure that the necessary raw building materials to help build 1.5 million new homes, including required infrastructure, can be realized. Strong Provincial leadership is needed, particularly in light of recent municipal approaches that attempt to restrict access to aggregate resources and impede application processes for new pits and quarries e.g. Interim Control By-laws.

OSSGA is pleased to see that several of our previous comments on the proposed Provincial Planning Statement have been addressed. We encourage the Province to move forward with the proposed Provincial Planning Statement which streamlines the provincial land use planning framework. We offer the following comments and recommendations on the updated draft Provincial Planning Statement.

Comments on the Proposed Provincial Planning Statement, 2024

Mineral Aggregate Resources (Section 4.5)

We are encouraged to see the Province's foundational policy aspects for the protection and making available of aggregate resources remain in the proposed Provincial Planning Statement. The importance of maintaining these policies, specifically those in Sections 4.5.1 & 4.5.2, cannot be overstated in helping meet the government's target to build 1.5 million new homes by 2031, and to accommodate the substantial growth and development planned for Ontario including infrastructure growth and renewal.

Vision (Section 1)

The PPS currently states: *The Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest.*

It would appear this vision statement has been removed from the proposed policies. OSSGA recommends that it be reinstated to highlight the importance of Ontario's resources and their identification as matters of provincial interest in the Planning Act. OSSGA recommends the following changes to the third paragraph on p. 5 of the proposed Provincial Planning Statement under "Vision":

The Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources will be encouraged ~~including natural areas, agricultural lands and the Great Lakes~~ while providing attention to appropriate housing supply and public health and safety.

Settlement Area Expansions and Lot Creation (Sections 2.3, 2.5 & 2.6)

It is our understanding that the proposed policies would allow municipalities to consider new or expanded settlement areas at any time. In addition, the proposed policies would allow for increased lot creation opportunities for residential use on rural lands.

The proposed policies as worded do not specifically recognize the need to protect deposits of high-quality aggregate resources. Without close to market aggregate resources, the government will have significant challenges in reaching its housing and growth targets. OSSGA recommends the following changes so that close to market aggregate resources are not sterilized and that pits and quarries can continue supplying these needed materials to help build and maintain Ontario:

2.3.2 In identifying a new settlement area or allowing a settlement area boundary expansion, planning authorities should consider the following:...

e) *The protection of long-term mineral aggregate resources supply in accordance with policy 4.5; and...*

2.6.1 On rural lands located in municipalities, permitted uses are:...

c) *residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services, and subject to the protection of long-term mineral aggregate resources supply in accordance with policy 4.5;...*

These proposed changes would highlight the importance of protecting mineral aggregate resources in accordance with the policies in Section 4.5 so that high quality aggregate deposits and mineral aggregate operations will be able to supply currently and over the long-term the critical materials needed to help build and maintain Ontario. The alternative of sourcing aggregate resources far from market is not financially or environmentally sustainable, and will hinder the government's abilities to meet its stated housing targets.

Similarly, OSSGA supports the proposed change made to Section 2.5 which now explicitly states that rural settlement areas shall be the focus of growth and development in rural areas. Requiring municipalities to direct development to rural settlement areas will help ensure that high quality aggregate deposits and mineral aggregate operations are appropriately protected from incompatible development.

Natural Heritage (Section 4.1)

OSSGA continues to support the proposed natural heritage policies included in Section 4.1 of the draft PPS. More specifically, OSSGA supports the removal of the Growth Plan Natural Heritage System policies which had the effect of arbitrarily sterilizing high quality aggregate resources located close to market by prohibiting new mineral aggregate operations in certain areas e.g. refer to Section 4.2.8.2 of the Growth Plan.

It should be noted that several municipal Official Plan reviews have been completed based on the policies in the 2020 Growth Plan including Section 4.2.8.2. If the draft PPS comes into effect with the proposed changes, these policies may no longer be consistent with the PPS where Official Plan policies prohibit aggregate extraction in certain natural features.

To ensure that municipalities are not restricting access to mineral aggregate resources, we recommend the following provision be included in the Implementation section of the draft PPS so that needed certainty and consistency are applied across the Province:

“Official Plans and Zoning By-laws shall not contain provisions related to mineral aggregate resources that are more restrictive than the policies of this Policy Statement.”

Earth science areas of natural and scientific interest (ANSI) often overlap with significant, high quality aggregate resources, and the PPS should not restrict the ability to extract aggregate resources from these areas where otherwise permitted. The Oak Ridges Moraine Conservation Plan and Greenbelt Plan do not identify Earth Science ANSIs as key natural heritage features. The draft PPS should clarify that Earth Science (geology) features are not protected the same

way as Life Science (ecology) features. OSSGA recommends the following addition to the definition of “negative impacts”:

“Negative impacts: means

c) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities. For earth science areas of natural and scientific interest, mitigation that enhances educational and scientific values may be taken into account in the assessment of negative impacts related to new or expanding mineral aggregate operations.”

Agriculture (Section 4.3)

In the Growth Plan, the agricultural land base was provincially mapped, however direction is provided for upper- and single-tier municipalities to review and implement agricultural mapping within their own Official Plans. Provincial mapping of the agricultural land base does not apply until it has been implemented in the applicable upper- and single-tier official plan (outside of the Greenbelt area) and refinements are to occur through a Municipal Comprehensive Review.

There are a number of upper-tier municipalities that have not yet completed this refinement exercise or do not intend to, based on direction in Bill 23 and Bill 185 regarding the removal of planning responsibilities for certain upper-tier municipalities.

The issue has been that the province’s agricultural land base mapping in the Growth Plan was completed at such a broad-scale that it identifies large areas as prime agricultural area which may not otherwise be considered as such. The ability to refine the mapping allowed for corrections and ground-truthing to occur.

According to the previous ERO notice, the Province was eliminating the requirement to use their agricultural land base mapping. To provide clarity and ensure this is properly reflected in the proposed policies, the following change is recommended:

4.3.1.2 As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture. Municipalities are not required to use the provincially-mapped Agricultural System to designate and protect prime agricultural areas. If such mapping is used, refinements to the agricultural land base including prime agricultural areas shall occur prior to implementation in official plans in accordance with provincial guidance.

In our previous comments, we expressed concerns regarding the proposal to allow lot severances in prime agricultural areas as this would affect both the protection of agricultural lands as well as access to mineral aggregate resources. We support the changes made to Section 4.3.3 including the removal of the proposed policies that would have otherwise permitted residential lot creation in prime agricultural areas.

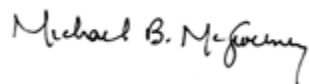
In closing, OSSGA appreciates the opportunity to comment on proposed Provincial Planning Statement. To help meet the government's housing objectives, Ontario will more than ever require a readily available supply of high-quality aggregate resources. Protecting these resources and making them available close to market will help ensure that the necessary raw building materials to help build 1.5 million new homes can be realized.

We would be pleased to meet with the Province to discuss these comments in further detail.

Thank you for considering our comments. Should you have any questions or concerns please do not hesitate to contact me at mike@ossqa.com or 613-220-1626.

Sincerely,

ONTARIO STONE, SAND & GRAVEL ASSOCIATION



Mike McSweeney
Executive Director

c.c.

[Martha Greenberg](#), Deputy Minister, MMAH

[Sean Fraser](#), ADM, MMAH

[Anna MacDonald](#), Director, MMAH

[Alejandra Perdomo](#), Team Lead, Community Planning and Development

[Drew Vanderduim](#), Deputy Minister, MNRF

[Craig Brown](#), ADM, MNRF

[Jennifer Keyes](#), Director, Resource Planning and Development Branch, MNRF



December 20, 2022

Public Input Coordinator

MNRF - PD - Resources Planning and Development Policy Branch
300 Water Street, 2nd Floor, South tower
Peterborough, ON
K9J 3C7
Canada

Submitted by email to: ecologicaloffsetting@ontario.ca

RE: Discussion Paper: Conserving Ontario's Natural Heritage
ERO number: 019-6161

Walker Aggregates Inc. ("Walker") is a division of Walker Industries. Our company operates several mineral aggregate operations across Ontario and provides a full range of crushed limestone and sand and gravel products supplying the asphalt, concrete, construction and landscaping needs of Southern Ontario.

More housing and infrastructure means the need for the availability of raw building materials such as sand, gravel and stone and by-products such as concrete and asphalt. Further, the cost of providing the material needed to build housing and infrastructure is more economical if these resources are derived close to market. It is encouraging that the Province recognizes this correlation and, in many ways, are making changes that will fundamentally help support this important principle.

1. Introduction of Offsetting Measures – Support

Walker is fully supportive of the Province in considering provisions for offsetting to help compensate for the loss of certain significant natural heritage features.

In many instances, aggregate operators are faced with dealing with such features that are present in areas which contain aggregate resources. As a result, significant quantities of aggregate resources needed to support development is often hindered from being extracted due to the presence of natural features, despite the features often being relatively marginal in nature. Walker fully acknowledges the importance of natural heritage features and has undertaken measures to

protect and, in some cases, enhance such features in a number of projects. Moving towards an offsetting approach in policy relative to mineral resource extraction can result in improved ecological conditions for the wider area and a net gain in natural feature areas, while also accommodating for the extraction of resources close to market. This approach can be seen as a win-win situation in many instances, particularly in allowing access to mineral resources needed to support housing supply and infrastructure while improving the natural environment, both of which are provincial interests.

2. The Alignment of Provincial Policy and Acknowledgment of Offsetting Provisions in Provincial Policy

The current PPS establishes an appropriate balance for the protection of certain significant natural heritage features, while providing for flexibility needed to consider offsetting potential where appropriate. However, in our view, certain policies in the Growth Plan, Greenbelt Plan, Niagara Escarpment Plan, Oak Ridges Moraine Conservation Plan and the Lake Simcoe Protection Plan (LSPP) contain rigid prohibitions that limit access to mineral aggregate resources, beyond what is established in the PPS, and do not currently allow for an offsetting approach, as set out in the Discussion Paper.

Therefore, Walker is asking the Province to consider updating the following policies (set out in the Table further below) to reflect the proposed offsetting policy direction and other existing provisions as follows:

- **Habitat of endangered species and threatened species should clearly fall under the remit and provisions of the *Endangered Species Act* and its associated regulations and permit system, rather than an outright prohibition from the outset in Provincial Policy**
- **At a minimum, the LSPP should be updated to be consistent with updated provincial direction for species at risk and planning policy relative to habitat of endangered and threatened species:**
 - The LSPP came into effect in 2009. The 2005 PPS included a policy that prohibited development and site alteration within "*significant habitat of endangered species and threatened species*" (2005 PPS policy 2.1.3). This policy is reflected in LSPP policy 6.42-DP(b) as shown in Table 1.
 - The 2014 PPS, was updated to read '*Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in*

accordance with provincial and federal requirements" (2014 PPS policy 2.1.7). This policy is maintained in the most recent version of the PPS (2020). "Habitat of endangered species and threatened species" is defined in the PPS 2020 (and Growth Plan 2020) as "habitat within the meaning of Section 2 of the Endangered Species Act, 2007".

- Prohibitions in **significant woodlands** should be updated to consider unique situations and implement the principles of offsetting and the opportunity that it presents in the restoration and net gain of natural features, particularly for woodlands that have limited to no ecological function.
- In terms of **provincially significant wetlands**, the PPS already prohibits all development and site alteration within such features which would include mineral aggregate operations.

Table 1

Provincial Plan	Policy
Growth Plan	<p>4.2.8.2 Notwithstanding the policies in subsections 4.2.1, 4.2.2, 4.2.3 and 4.2.4, within the Natural Heritage System for the Growth Plan, mineral aggregate operations and wayside pits and quarries are subject to the following:</p> <p>a): no new mineral aggregate operation and no new wayside pits and quarries, or any ancillary or accessory use thereto, will be permitted in the following key natural heritage features and key hydrologic features:</p> <ul style="list-style-type: none"> 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 Province, in which case, the application must demonstrate that policies 4.2.8.4 b) and c) and 4.2.8.5 c) have been addressed and that they will be met by the operation;
Greenbelt Plan	<p>4.3.2.3 Notwithstanding the policies of section 3.2, within the Natural Heritage System, mineral aggregate operations and wayside pits and quarries are subject to the following:</p>

	<p>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:</p> <ul style="list-style-type: none"> 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 and Forestry). In this case, the application must demonstrate that sections 4.3.2.6 (b), (c) and 4.3.2.7 (c) have been addressed and that they will be met by the operation;
Niagara Escarpment Plan	<p>2.9.1. Notwithstanding Part 2.7.2 and subject to compliance with all other relevant policies of this Plan, mineral aggregate operations, wayside pits and quarries, and any accessory use and accessory facility thereto, may be permitted in key natural heritage features and any vegetation protection zone associated therewith, except for:</p> <ul style="list-style-type: none"> a) wetlands; b) significant woodlands, that are not young plantation or early successional habitat (as defined by the Ministry of Natural Resources and Forestry).
Oak Ridges Moraine Conservation Plan	<p>Key Land Use Policies: Natural Resources - The Plan recognizes that mineral aggregates are a non-renewable resource in the Moraine. In Natural Linkage Areas and Countryside Areas, new aggregate resource operations are required to meet stringent review and approval standards, including requirements for rehabilitation. No new aggregate resource extraction is permitted in Natural Core Areas.</p> <p>6 (3) Despite subsection (2), an existing mineral aggregate operation or an existing wayside pit within a Natural Core Area may not be expanded beyond the boundary of the area under licence or permit.</p>
Lake Simcoe Protection Plan (LSPP)	<p>6.42-DP: No new mineral aggregate operations and no 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:</p> <ul style="list-style-type: none"> a. significant wetlands; b. significant habitat of endangered species and threatened species; and c. significant woodlands unless the woodland is occupied by young plantation or early successional habitat (as defined by the MNR).



Walker appreciates the Province's consideration of our comments and welcomes the opportunity to discuss any aspect of our comments with provincial staff. I can be reached at KKehl@walkerind.com.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Kehl.', with a horizontal line drawn through the middle of the signature.

KEVIN KEHL
AGGREGATES & CONSTRUCTION DIVISION