



April 10, 2019

Ministry of Natural Resources and Forestry  
Submission on Aggregate Reform  
PDF via e-mail [aggregatereform@ontario.ca](mailto:aggregatereform@ontario.ca)

## HISTORY OF NDACT

North Dufferin Agricultural and Community Taskforce (NDACT) is a grassroots group formed in 2009 by local farmers and residents to defend Melancthon's prime farmland at the headwaters of 5 rivers from a proposed mega-quarry. An outline of the proposal is attached as Schedule A. After a successful campaign, NDACT continues to fight for farmland and source water by developing awareness, encouraging people power, and by promoting better legislation. Food & Water First is a campaign of NDACT.

## BACKGROUND

NDACT is not against aggregate. We understand aggregates are the raw materials that help build our schools, hospitals and bridges. Aggregate however is also required in paving over farmland for developers to build houses, of which there is ample supply. *"Only about 10,800 hectares of the 56,200 hectares available was developed between 2006 and 2016-leaving 80% of land still available."* (source: Neptis Foundation)

*"The aggregate industry contributes almost \$1.4 billion to Ontario's economy and supports almost 20,000 direct and indirect jobs."* (source OSSGA Untangling Red Tape).

*In 2017 Ontario's family farm and food processing businesses contribute \$39 billion to Ontario's economy and employ over 820,000 Ontarians. Agriculture and agri-food processors are the number one economic contributor to Ontario's overall economy.* (Source: Ontario Federation of Agriculture)

Using the word sustainable as it pertains to the aggregate industry is disingenuous. No one is able to create or grow more aggregate. When all the "close to market" aggregate has been depleted the industry will have to source market supply farther away. Depleting all the "close to market" aggregate means digging up and paving over valuable and rare farmland which provides food that is "close to market". The agriculture jobs will be lost forever as will Ontario's ability to feed itself.

*"It is important to remember that prime agricultural lands, Classes 1, 2, and 3 and specialty croplands, are a very limited resource in Canada. Only 5% of the Canadian land mass is made up of prime land. Only 0.5% of it is Class 1. 50% of that land is in Southern Ontario and 20% of that is Class 1-the best of the best and extremely rare. Unfortunately, it occurs in one of the fastest-growing regions of the country. This conflict is easily explained. Ontario was initially an agrarian society. Settlement was most successful in good agricultural areas. The*

*successful agricultural communities attracted service industries and the area grew. When development occurred, level farmland with good soils provided the best sites for development. The very resource that attracted settlement, is ultimately being consumed by it.”* (Source: <http://www.neptis.org/publications/agriculture-central-zone/chapters/where-are-significant-agricultural-lands-located>)

Within the last five years the rate of farmland being lost to development has decreased from 375 acres a day to 150 acres. (Source Ontario Federation of Agriculture) It is important to remember that when you dig up an acre of farmland to extract aggregate you are also paving over another acre on which to develop.

Losing 150 acres of farmland a day is not sustainable. At its current rate of depletion, Ontario will lose two million acres of farmland by the year 2050. However the world's population is expected to increase by another 1.5 billion people by that time. Without farmland, Ontario farmers will not be able to feed Ontario's population and without farmland, Ontario cannot have food security.

Reducing red tape in all industries and sectors is a admirable goal. Red tape is defined as “excessive bureaucracy or adherence to rules and formalities, especially in public business”. Some of the recommendations in the Untangling Red Tape document seem reasonable including:

- Establish a single point of responsibility, at the Provincial level, for the application process and eliminate multi-Agency Review and comment on the same reports and Site Plans.
- Establish clear MOU's or policies between Ministries to identify responsibility for single Agency Review and approval of applications; and,
- Educate Agency staff to ensure policies and/or MoU's are understood and implemented from the top down to the District level within MNRF.

However there has been no real evidence that red tape is handcuffing the aggregate industry. Some of the industry requests do not appear to reduce bureaucracy or adherence to rules and formalities. In fact the industry's own paper, Untangling Red Tape really speaks to opening the industry with little to no oversight, including:

- Insisting municipalities have no right to set hours of operation for pits and quarries
- Allowing below-the-water table aggregate operations anywhere, including places where they are currently excluded (e.g. Oak Ridges Moraine National Linkage and Core areas)
- Allowing commercial fill to be brought in as part of the rehabilitation process – without requiring additional approvals or having to abide by current Table One soil requirements (potable/safe for drinking water)
- Exempting aggregate operations from the Endangered Species Act and requirements to not extract in areas containing significant wetlands or treelots
- No requirement for new studies or approvals once a licence is approved when they apply for, or amend an operational permit
- Removing the Niagara Escarpments role in approving pits and quarries
- Remove the requirement for appeals under an aggregate permit to be heard at LPAT and create a special tribunal specifically for the industry.
- Proclaim permit by rule allowing routine approvals to be automatic upon submission.
- Permit aggregate extraction within endangered and threatened species habitat

- Provincial jurisdiction over hours of operation of a pit or quarry and deem municipal by-laws as inoperative
- Expropriation of municipal road allowances to permit access to aggregate.

Comments in the Untangling Red Tape document that are particularly troubling include:

OSSGA

*Management of Ontario's aggregate resources is a Provincial interest that transcends municipal boundaries and localized special interests. Lessons from the past along with current experience tells us that a strong Provincial leadership role in the management and regulation of aggregate resources is essential to maintaining close to market availability and consistent regulation.*

NDACT COMMENT

This would seem to suggest the Province be the only oversight body in the approval of a pit or quarry and that municipalities and "localized special interest groups" would have no part in what is occurring in their communities. This does not seem like a very transparent process. NDACT would counter by stating agricultural industry, one of the key economic driver's in Ontario should be a Provincial interest and protected by the province which would be essential to maintaining food security and close to market food sources.

OSSGA

*Consider that by 2041 there will be 18.2 million people in Ontario. To support this growth 3.84 billion tonnes of aggregate will be needed to build the roads, schools, hospitals, homes and other public buildings we all use (that's more than 100 million truck loads of aggregate).*

NDACT COMMENT

OSSGA ascertains that 3.84 billion tonnes of aggregate will be needed by 2041 which is 174 million tonnes of aggregate annually. In fact this is a reduction from the 2010 MNR report that stated : "*Ontario uses about 184 million tonnes of aggregate annually*". OSSCA states in their Red Tape report that Ontario uses 164 million tonnes of aggregate annually. This is not a drastic increase to warrant the recommendations they are seeking

OSSCA

*For example, Conservation Authorities, are not only reviewing technical studies, but also imposing additional requirements for further information and studies. This duplication adds exponentially to the length of time for an application to proceed through due process as well as the cost of an application.*

NDACT COMMENT

Without the Nottawasaga Valley Conservation Authority reviewing the mega quarry proponents proposal, they would not have produced the damning report that basically shut the proposal down. A second or third level of oversight is extremely important when source water is involved.

## RECOMMENDATIONS

1. On April 25, 2013 the House ordered a review of the Aggregate Resources Act and a report issued in 2013 with 38 recommendations regarding various aspects of the Aggregate Resources Act. In 2014 the government's response to the report recognized the recommendations represented the consensus of an all-party Committee. We recommend the government and our local MPP Sylvia Jones who sat on the committee, to review the recommendations in the report and to act on them.
2. Provide permanent protection for Class 1, 2 and 3 land by prohibiting aggregate extraction and development on those lands.
3. Provide protection for "close to market" agricultural sources including land and related infrastructure.
4. Status quo on all environmental protections currently in place that are required prior to the approval of a pit or quarry including but not limited to the Greenbelt, Endangered Species Act.
5. Requirement for proof that a pit or quarry will not impact the natural infrastructure provided by gravel in its virgin state.
6. Ensure hours of operation remain under the jurisdiction of the local municipality if not otherwise set out in the Site Plan.
7. Prohibition on permanent pumping, unless letters of credit are provided to ensure the proponent will pay in perpetuity not the taxpayer.

Submitted on behalf of the Board by Karren Wallace, Chair  
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## SCHEDULE A

1. Size of proposed Melancthon quarry, in acres - **2,316**  
Width, in kilometres - **5**
2. Approximate depth the quarry will dig below the water table, in feet - **200**
3. Height of Niagara Falls, in feet - **167**
4. Amount of water that will have to be pumped in perpetuity each day to divert it from flooding the quarry, in litres - **600,000,000**
5. Hours per day that the quarry plans to conduct extraction, conveyance, maintenance, processing and shipping - **24**
6. Application's traffic scenario showed **150** trucks that will come and go per hour.
7. Amount of residual ammonium nitrate fuel oil (ANFO) explosive that immunologist, Unitarian and anti-quarry activist Neil denHollander calculates could be released by quarry blasting into the air, water and soil each day, in tonnes - **1**
8. Approximate amount per acre that Highland Companies paid for its quarry land - **\$8,000**
9. Estimated value per acre of the aggregate reserve on this land - **\$3,500,000**
10. Amount per acre the quarry will pay in annual county and township property taxes - **\$86**
11. Number of permanent jobs Highland says the quarry will provide - **465**
12. Percentage of these jobs that are local, on-site jobs, other than trucking - **35**
13. Percentage decline in the number of MNR aggregate inspectors since 1994, before the Conservative government replaced annual inspections with industry self-reporting - **52**
14. Percentage of quarries that MNR inspectors now attempt to visit in person each year to verify industry compliance reports - **20**
15. Duration that The Highland Companies' scientists searched for amphibians or played recorded birdsong at various locations to determine the presence of endangered species at the quarry site, in minutes - **3 to 6**
16. Percentage of Ontario's stored potato crop located in Melancthon last November - **49**
17. Percentage of Melancthon's prime potato-growing area – a unique 15,000-acre plateau of Honeywood Loam soil – located on the quarry site - **15**
18. Percentage of proposed quarry area that the application says will be rehabilitated to "prime agricultural land and agriculturally related uses" on the quarry floor, where a "hardy crop...is expected to produce acceptable yields" - **58**
19. Lift that will need to be overcome by the quarry's dewatering pumps, in feet - **175**
20. Lift of pumps operating in the Holland Marsh, in feet - **8**
21. Annual amount per acre in 2011 dollars that NDACT estimates it will cost to operate these pumps in perpetuity in order to avoid flooding and sustain farming on the quarry floor - **\$4,500**

(Source: <https://www.inthehills.ca/2011/06/melancthon-mega-quarry-by-the-numbers/>)