

SECTION 10 - MINERAL AGGREGATE RESOURCES

10.1 **INTRODUCTION**

Mineral aggregates are considered to include sand, gravel, shale, limestone, dolostone, sandstone and mineral materials suitable for construction, industrial, manufacturing and maintenance purposes. Mineral aggregates are important to the local and provincial economies as they are the primary raw material used in building construction and road construction throughout the Province. They are a fixed location resource and are non-renewable. Generally, it is important to ensure that appropriate steps are taken to protect mineral aggregate resources from incompatible and/or competing land use activities in order to ensure that they are available for future extraction when needed.

ADDED BY OPA # 47 Mineral aggregate resources in Perth County essentially consist of sand and gravel deposits and limestone deposits. Sand and gravel deposits are scattered throughout the County with concentrations associated with certain types of geological features. In 2006, there were 42 licensed sand and gravel pits in Perth County, the majority being located in the Blanshard, Hibbert, Downie, North Easthope, and Logan Wards. While limestone deposits underlie most of Perth County, most of the resources are not accessible due to the excessive amount of overburden material present throughout most of the County (greater than 30 metres). Only in the vicinity of St. Marys is the overburden material shallow enough to warrant commercial extraction of the limestone resource.

Overall, Perth County does not have an abundance of mineral aggregate resources. Primary sand and gravel deposits are limited in respect to amount and location of deposits and quantity and quality of all sand and gravel deposits varies throughout the County. Due to the overburden limitation noted above, the usable limestone reserves are very localized in location and limited in amount. Given the importance of mineral aggregate resources to the local, regional, and provincial economies, it is very important that land use policies aimed at protecting both our known and potential mineral aggregate resource be established in order that these non-renewable resources can be wisely and efficiently used at present and future times.

10.2 **GOALS**

The following goals are established for the "Mineral Aggregate Resources" designation:

- (a) To identify known and potential mineral aggregate resources in the County;
- (b) To protect identified mineral aggregate resources and ensure that they are available for use/extraction when needed;

ADDED BY OPA # 47 (c) To prevent the establishment of incompatible land use activities in and adjacent to identified mineral aggregate resource areas;

- (d) To ensure that the extraction of mineral aggregate material and any on-site processing occurs in a proper manner and with a minimum of impact on the surrounding land uses;
- (e) To ensure that mineral aggregate extraction sites are rehabilitated to a use which is both consistent and compatible with adjacent land uses; and
- (f) To encourage the continued operation of compatible land use activities (e.g. farming, forestry) on lands with known and/or potential aggregate resources until such time that the use of such lands is required for mineral aggregate extraction.

10.3 **LAND USE DESIGNATION AND MAPPING**

Policies for the "Mineral Aggregate Resources" designation shall apply to the area shown as "Mineral Aggregate Resources" on Schedule "A" (Land Use Plan) to this Official Plan.

The area shown as "Mineral Aggregate Resources" on Schedule "A" are based, to a large extent, on information available from the Ministry of Natural Resources. They include both known resources (e.g. areas licensed for sand and gravel extraction and limestone extraction) and potential resource areas.

10.4 **DEFINITION/PERMITTED USES**

The "Mineral Aggregate Resources" designation shall mean that areas so designated will be used for the extraction and processing of mineral aggregate resources. Activities normally associated with extraction such as crushing, screening, washing, stockpiling, storage, and recycling of aggregate products are also permitted. Other uses permitted include farming activities.

10.5 **SAND AND GRAVEL RESOURCE POLICIES**

10.5.1 **Resource Identification**

The areas designated "Mineral Aggregate Resources" by this Plan include both known and potential resource areas. Potential sand and gravel resources include only primary and secondary deposits as identified by the Ministry of Natural Resources in its published Aggregate Resource Information Papers (ARIP) and its unpublished map material for Perth County. Tertiary deposits are not included; however, the location of tertiary deposits throughout the County are shown on the sand and gravel resource map accompanying the research material for this Official Plan.

10.5.2 **Existing Licensed Areas**

The extraction of sand and gravel from lands which are currently licensed for sand and gravel extraction by the Ministry of Natural Resources pursuant to the Aggregate Resources Act, is permitted. Extraction within a licensed area shall be in accordance with the approved site plans for that site. Rehabilitation of the licensed area shall also be in accordance with the approved rehabilitation plan for the site. Any significant changes to either the site plan or the rehabilitation plan for a licensed area shall be circulated to the local municipal Council and the County for input prior to MNR's approval of such changes.

10.5.3 **New Extraction Sites**

The opening of new extraction sites shall be permitted provided that all applicable policies of this Official Plan are satisfied and provided a license for the extraction operation is obtained under the provisions of the Aggregate Resources Act. Where a proposed extraction site is located in an area designated "Mineral Aggregate Resources", no amendment to this Plan is required provided that all applicable policies of the Plan are met. Where a proposed extraction site is located outside of an area designated "Mineral Aggregate Resources", an amendment to this Plan is required in order to designate the site for the intended extraction use and the applicable policies of this Plan shall apply when considering an amendment request.

10.5.4 **Enlargement of Existing Extraction Sites**

The enlargement of an existing extraction site shall be permitted provided the enlargement area is located in an area designated "Mineral Aggregate Resources" and all applicable policies of this Plan are met. Where a proposed enlargement area is located outside of an area designated "Mineral Aggregate Resources", an amendment to this Plan will be required in order to designate the proposed enlargement site for the intended extraction use and the applicable policies of this Plan shall apply when considering the amendment request.

All enlargements of existing extraction sites require a license under the provisions of the Aggregate Resources Act. Applications for new and/or extended licenses for such enlargement areas must be circulated to the local municipal Council and the County for input prior to issuance of the license by the Ministry of Natural Resources.

10.5.5 **Wayside Permit Aggregate Operations**

Aggregate extraction operations under the authority of a wayside permit issued by the Ministry of Natural Resources pursuant to the provisions of the Aggregate Resources Act, shall be permitted in the "Mineral Aggregate Resources" designation. The local municipality's implementing Zoning By-law shall permit and make provision for wayside permit aggregate operations in the aggregate extractive zones.

Wayside permit aggregate operations are also permitted in the "Agriculture" designation in accordance with the policies of Section 5.5.12.1 of this Plan.

10.5.6 **Processing Activities**

Processing activities such as crushing, screening, washing, stockpiling, storage, and recycling of aggregate products that are associated primarily with on-site aggregate extraction shall be permitted as part of an operating extraction site.

Processing operations such as asphalt plants and concrete batching plants shall also be permitted provided that the majority of the aggregate material used in such operations originates on-site as opposed to being imported from off-site. All asphalt plants and concrete batching plants shall be subject to site plan control pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990.

The local municipality's implementing Zoning By-law shall set forth provisions pertaining to permitted processing operations. Such provisions shall include appropriate distance separations and buffering between processing activities and neighbouring uses.

10.5.7 **Portable Asphalt Plants**

Portable asphalt plants, used by a public road authority or its agent, are permitted throughout the "Mineral Aggregate Resources" designation without the need to amend this Plan or the local municipality's implementing Zoning By-law. Portable asphalt plants are subject to the following criteria:

- (a) A certificate of approval for each plant must be obtained from the Ministry of Environment and Energy;
- (b) Each plant shall comply with minimum separation distances established by the Ministry of Environment and Energy;
- (c) Sites having previously been in agricultural use shall be rehabilitated back to their former agricultural use;
- (d) Each plant shall be removed from the site upon completion of the public project; and
- (e) Prior to locating a portable asphalt plant on productive agricultural land, consideration shall be given to the use of existing asphalt plants in the area, locating portable asphalt plant in a licensed pit or wayside pit, and locating the plant on lesser quality or inactive agricultural lands.

10.5.8 **Aggregate Resources Act**

All aggregate extraction operations within the "Mineral Aggregate Resources" designation, with the exception of portable asphalt plants as permitted by Section 10.5.7 of this Plan and removal of aggregate from a farm property for on-site use, shall be required to have a license issued by the Ministry of Natural Resources pursuant to the provisions of the Aggregate Resources Act. The owner/operator of the extraction site is required to maintain the license and comply with the requirements thereof for as long as the extraction site remains in operation.

When considering applications for new and/or enlarged extraction sites, the Ministry of Natural Resources shall give consideration to the policies of this Official Plan and the provisions of the implementing Zoning By-law during its review process. Further, the Ministry of Natural Resources shall provide the local municipal Council and the County with an opportunity to review and comment on proposals for new and/or enlarged extraction sites. It is a policy of this Plan that all new and/or enlarged extraction site proposals must satisfy the policies of this Plan and the provisions of the implementing Zoning By-law prior to MNR's issuance of license.

10.5.9 **Review Criteria for New and/or Enlarged Extraction Sites**

When reviewing a proposal for a new and/or enlarged extraction site, the local municipal Council and County shall be satisfied that the following criteria are met prior to recommending that a license application be approved:

- (a) Confirmation from the Ministry of Natural Resources that all criteria required for licensing pursuant to the Aggregate Resources Act have been satisfied;
- (b) Confirmation that all requirements of the appropriate provincial agencies concerning potential effect of the extraction operation on the contamination and depletion of surface and ground water resources and water supply services have been satisfactorily addressed; and
- (c) Confirmation from the road authority having jurisdiction over access roads and nearby haul routes that truck traffic associated with the extraction operation will have no adverse effects on the access road and nearby haul routes;
- (d) Confirmation that the proposed rehabilitation plan and afteruse are consistent with the policies of this Plan; and
- (e) All proposals shall include a site plan and any technical reports or studies that may be required under the Aggregate Resources Act, R.S.O. 1990, and include confirmation from the Conservation Authority that matters relating to natural hazards have been considered and addressed.

10.5.10 **Agricultural Uses**

Agricultural uses shall be permitted in the "Mineral Aggregate Resources" designation. Buildings and structures that are necessary for the agricultural use, excluding a single-detached dwelling but including a mobile home, shall be permitted as a part of the agricultural use. Where lands designated "Mineral Aggregate Resources" are used for agricultural purposes at the date of adoption of this Official Plan, the use of such lands for agricultural purposes is to continue until such time that the use of such lands is required for aggregate extraction.

10.5.11 **Rehabilitation of Extraction Sites**

The rehabilitation of extraction sites to accommodate subsequent land uses is a requirement of this Plan. Where extraction is ongoing, rehabilitation is to be carried out on a progressive basis and shall be in accordance with the rehabilitation plan submitted to the Ministry of Natural Resources as part of the site plan for licensing purposes.

It is a policy of this Plan that all subsequent land uses proposed through rehabilitation be both consistent and compatible with surrounding land uses and in accordance with the permitted use provisions of Section 10.4. Where an extraction site was previously used for agricultural purposes (including Class 1, 2 and 3 agricultural lands), such extraction site shall be rehabilitated to agricultural use and substantially the same acreage and average soil capability for agriculture as existed previous to the extraction should be restored. Where lands having poorer soil capabilities for agriculture are involved (i.e. lands other than Class 1, 2, and 3), consideration may be given to reforestation and the establishment of woodlot areas. If the pre-extractive use was forestry, reforestation is encouraged.

Rehabilitation plans that involve the establishment of uses that are inconsistent and/or incompatible with surrounding land uses and which are not in accordance with the permitted use provisions of Section 10.4 shall not be permitted. All rehabilitation plans included with a site plan submitted for licensing purposes shall be reviewed during the application review process to ensure that the subsequent land use resulting from the rehabilitation is appropriate and in conformity with this Official Plan.

10.5.12 **Extraction Below Water Table**

When reviewing an application (e.g. Official Plan Amendment, Zoning By-law Amendment, License Application) to permit a new or expanded extraction operation which involves extraction below the water table on prime agricultural lands (including Class 1, 2, and 3 agricultural land), the following criteria shall apply:

- (a) Extraction below the water table shall be permitted only where it is demonstrated that there is a substantial sand and gravel resource situated below the water table;
- (b) The need to extract sand and gravel from below the water table at the subject site must be demonstrated. In reviewing and assessing this matter, the possibility of obtaining the required resource material from alternate sand and gravel resource areas in the general area must be considered;
- (c) Confirmation from the appropriate ministries that all criteria required for licensing under the Aggregate Resources Act, relating to effect on the quality and quantity of ground water resources and the effect on the ground water table in relation to surrounding land uses and wells have been satisfied;
- (d) Rehabilitation to an afteruse which is both consistent and compatible with the surrounding agricultural land uses. The proponent must demonstrate that rehabilitation plans will maximize the amount of land being returned to agricultural use; and
- (e) Where the proposed extraction involves processing activities such as those identified in Section 10.5.6 of this Plan, such processing activities must be situated within the extraction area such that surface water and ground water resources will not be adversely affected.

10.5.13 **Zoning By-law**

Existing extraction sites that are licensed under the Aggregate Resources Act, R.S.O. 1990 shall be placed in an appropriate aggregate extraction zone in the local municipality's implementing Zoning By-law. The implementing Zoning By-laws shall contain appropriate provisions regulating aggregate extraction operations.

Lands designated "Mineral Aggregate Resources" and which are not the site of an existing aggregate extraction operation are not to be zoned for aggregate extraction purposes in the implementing Zoning By-laws. An amendment to the implementing Zoning By-law is required in order to establish the new and/or enlarged extraction operation.

ADDED BY OPA No. 56

10.5.14 **New Site Specific**

- (1) An amendment to the Township of Perth South's implementing Zoning By-law to the zone the land affected by Amendment No. 56 to the County of Perth Official Plan for aggregate extraction purposes prior to the any aggregate extraction occurring on the subject property.

ADDED BY OPA No. 87

- (2) Part of Lots 8, Concession 3, Ellice Ward, Township of Perth East (Schedule "A-88"):

Notwithstanding the policies of Section 10.7.6 of this Official Plan to the contrary, the severance of a 1771 square metre lot in the south westerly portion of lot 8, Concession 3 in the Ellice Ward, for the establishment of a non-farm residential lot shall be permitted.

An amendment to the Township of Perth East's implementing Zoning By-law shall be required.

ADDED BY OPA No. 90

- (3) Lot 14, Concession 8, Hibbert Ward, Municipality of West Perth (Schedule "A-91"):

Notwithstanding the policies of Section 10.5.10 of this Official Plan to the contrary, a single-detached dwelling and accessory uses shall be permitted as part of an agricultural use on the subject property, subject to the fulfillment of the following conditions.

- (a) That the use must be such that it can be adequately served by a private on-site sewage system and a private on-site water supply system;
- (b) That the proponent obtain all necessary access, land use, and development approvals and meet the applicable requirements of the appropriate approval authorities;
- (c) That the use must be located near the centre portion of the lot north of the James Drain and south of the electrical transmission line;
- (d) That the proponent obtain an amendment to the West Perth implementing Zoning By-law to permit the proposed single-detached dwelling and to regulate its location;
- (e) That the applicable MDS I distances are met.

ADDED BY OPA No. 98

- (4) An amendment to the local municipality's implementing Zoning By-law to the zone the land affected by Amendment No. 98 to the County of Perth Official Plan and described as part of Lot 35, Concession 7 in the Wallace Ward of the Municipality of North Perth for aggregate extraction purposes is required prior to the any aggregate extraction occurring on the land subject to Official Plan Amendment No. 98.

ADDED BY OPA No. 128

(4A) Part of Lot 14, Concession 9, Hibbert Ward, Municipality of West Perth (Schedule "A-126"):

- (a) Prior to the extraction of any aggregate material on the subject property, a licence for the extraction of aggregate under the Aggregate Resources Act must be obtained from the Ministry of Natural Resources. As a part of the aggregate licencing process, the owner/applicant must satisfy MNR in respect to all of the pre-requisite licencing issues, including potential impacts on wildlife/bird/amphibian habitats and woodlot area, on drainage of surrounding properties, and on security of water supply to neighbouring properties.
- (b) Prior to the extraction of any aggregate material on the subject property, an Amendment to the local municipality's implementing Zoning By-law is required to regulate the proposed use. Such By-law may contain Holding Provisions pursuant to Section 36 of the Planning Act to ensure that the pre-requisite licencing issues of paragraph (a) above have been addressed to the satisfaction of the Ministry of Natural Resources and the local municipality.

ADDED BY OPA No. 116

(5) An amendment to the Township of Perth East implementing Zoning By-law to zone the land affected by Amendment No. 116 to the County of Perth Official Plan and described as part of Lot 29, Concession 2 in the North Easthope Ward for aggregate extraction purposes is required prior to the any aggregate extraction occurring on the land subject to Official Plan Amendment No. 116.

ADDED BY OPA No. 119

(6) Part of Lot 8, Concession 3, Ellice Ward, Township of Perth East (Schedule "A-117"):

Notwithstanding the policies of Sections 10.4 and 10.5.10 of this Official Plan to the contrary, a new non-farm residential use shall be permitted on the subject 1,997 square metre property. The permitted non-farm residential use on the subject property shall be considered as an existing residential use for the purpose of implementing required setback distances for aggregate processing plants/areas that are required for any aggregate processing operation on the abutting property to the north, north-west, and west of the subject property.

ADDED BY OPA No. 122

(7) An amendment to the Township of Perth East implementing Zoning By-law to zone the land affected by Amendment No. 122 to the County of Perth Official Plan and described as part of Lot 10, Concession 2 in the Ellice Ward for aggregate extraction purposes is required prior to the any

aggregate extraction occurring on the land subject to the Official Plan Amendment No. 122.

ADDED BY OPA No. 182

- (8) Lot 32, Concession 8 in the Wallace Ward of the Municipality of North Perth (Schedule "A-182"):

Notwithstanding the policies of Section 10.7.4 of this Official Plan to the contrary, consent to sever a surplus farm dwelling in the "Mineral Aggregate Resources" designation as shown on Schedule "A-182" as a result of a farm consolidation involving additional farm holdings located outside of the County of Perth on lands described as Lot 40, Concession 1, Town of Minto, Wellington County may be approved subject to the policies of Section 5.6.3.1, save and except 5.6.3.1 (b) of this Official Plan.

ADDED BY OPA No. 188

- (9) Lot 29, Concession Thames, Blanshard Ward, Township of Perth South (Schedule "A-188"):

An amendment to the Township of Perth South implementing zoning By-law to zone the land affected by Amendment No. 188 to the County of Perth Official Plan and described as Lot 29, Concession Thames, Blanshard Ward for aggregate extraction purposes is required prior to any aggregate extraction occurring on the land subject to Official Plan Amendment No. 188.

ADDED BY OPA No. 190

- (10) Lot 34 and Part Lot 33, Concession 13 (Geographic Township of Ellice), Township of Perth East (Schedule "A-190"):

Notwithstanding the policies of Section 10.5.10, 10.6.8 and 10.7.4 of this Official Plan to the contrary, the severance of a residence surplus to an existing farming operation may be permitted, provided that any Surplus Farm Dwelling Severance Application conform to the policies of 5.6.3.1.

ADDED BY OPA No. 194

- (11) Part of Lots 7 & 8, Concession 5, Ellice Ward, Township of Perth East (Schedule "A-194"):

Notwithstanding the policies of Section 10.5.10, 10.6.8 and 10.7.4 of this Official Plan to the contrary, the severance of a residence surplus to an existing farming operation may be permitted, provided that any Surplus Farm Dwelling Severance Application conform to the policies of Section 5.6.3.1.

Notwithstanding the policies of Section 10.5.10 and 10.7.4, a single detached dwelling and accessory uses are permitted on land severed as a surplus farm residence to a farming operation.

ADDED BY OPA No. 199

- (12) Part of Lot 25, Concession 3 and 4, North Easthope Ward, Township of Perth East and identified municipally as 4283, Side Road 108:

Notwithstanding the policies of Section 10.5.10 of this Official Plan to the contrary, a single-detached dwelling and accessory uses shall be permitted as part of an agricultural use on the subject property.

An amendment to the Township of Perth East's implementing Zoning Bylaw shall be required.

ADDED BY OPA No. 201

- (13) Part Lot 10, Concession 2, Ellice Ward, Township of Perth East (Schedule "A-201")

An amendment to the Township of Perth East implementing Zoning By-law to zone the land affected by Amendment No. 201 to the County of Perth Official Plan and described as Pt Lot 10, Concession 2, Ellice Ward, Township of Perth East for agricultural/single dwelling unit purposes is required prior to any residential development occurring on the land subject to Official Plan Amendment No. 201.

10.6 **LIMESTONE RESOURCE POLICIES**

10.6.1 **Resource Identification**

ADDED BY OPA # 47 The areas designated "Mineral Aggregate Resources" by this Plan include both known and potential limestone resource areas. Known resource areas consist of lands currently licensed for limestone extraction by the Ministry of Natural Resources pursuant to the provisions of the Aggregate Resources Act. The potential resource area consists of one specific area situated in proximity to the aforementioned licensed areas. Both the known and potential resource areas are situated in the Blanshard Ward of the Township of Perth South and their identification is based on the Ministry of Natural Resource's published Aggregate Resources Information Paper (ARIP) for Blanshard Township (now Blanshard Ward).

10.6.2 **Existing Licensed Areas**

The extraction of limestone material from lands which are currently licensed for limestone extraction by the Ministry of Natural Resources pursuant to the Aggregate Resources Act, is permitted. Extraction within licensed areas shall be in accordance with the approved site plans for that site. Rehabilitation of the licensed areas shall also be in accordance with the approved rehabilitation plan for the site. Any significant changes to either the site plan or the rehabilitation plan for a licensed area shall be circulated to the local municipal Council and the County for input prior to MNR's approval of such changes.

10.6.3 **New Extraction Sites**

The opening up of new limestone extraction sites shall be permitted provided all applicable policies of this Official Plan are satisfied; provided that the rehabilitation plan is acceptable to the local Council and the County; and provided a license for the extraction operation is obtained under the provisions of the Aggregate Resources Act. The opening up of new limestone extraction sites shall be confined to the existing areas licensed for limestone extraction and the limited potential limestone resource area referred to in Section 10.6.1 of this Plan. Where a proposed limestone extraction site is located outside of these specific areas, an amendment to this Plan is required in order to designate the site for the intended extraction use.

10.6.4 **Enlargement of Existing Extraction Sites**

The enlargement of an existing limestone extraction site shall be permitted provided the enlargement area is located in an area designated "Mineral Aggregate Resources" and/or it is within the area specifically identified in Section 10.6.1 of this Plan. Where a proposed enlargement area is located outside of an area designated "Mineral Aggregate Resources" and the specific area referred to above, an amendment to the Plan will be required in order to designate the site for the intended extraction use.

All enlargements of existing extraction sites require a license under the provisions of the Aggregate Resources Act. Applications for new and/or extended licenses for such enlargement areas must be circulated to the local municipal Council and the County for input prior to issuance of the license by the Ministry of Natural Resources.

10.6.5 **Processing Activities**

The processing of limestone, including the manufacture of lime and cement, shall be permitted as part of an operating extraction site. Other processing activities such as crushing, screening, washing, stockpiling, storage, and recycling of aggregate products that are associated with on-site aggregate extraction and/or processing shall be permitted as a part of an operating extraction site.

Processing operations such as asphalt plants and concrete batching plants shall also be permitted provided that the majority of the aggregate material used in such operations originates on-site as opposed as being imported from off-site. All asphalt plants and concrete batching plants shall be subject to site plan control pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990.

The local municipality's implementing zoning by-law shall set forth provisions pertaining to permitted processing operations. Such provisions shall include appropriate distance separations and buffering between processing activities in neighbouring land uses.

10.6.6 **Review Criteria for New and/or Enlarged Limestone Extraction Sites**

When reviewing a proposal for a new and/or enlarged limestone extraction site, the local municipal Council and the County shall be satisfied that the following criteria are met prior to recommending that a license application be approved:

- (a) That the location of the extraction site is within an area designated for limestone extraction within the "Mineral Aggregate Resources" designation;
- (b) Confirmation from the Ministry of Natural Resources that all criteria required for licensing pursuant to the Aggregate Resources Act, R.S.O. 1990, have been satisfied;
- (c) The amount of land to be licensed is not excessive in size;
- (d) Confirmation that all requirements of the Ministry of Environment and Energy with respect to noise, vibration, particulate and dust related concerns have been satisfactorily addressed;
- (e) Confirmation that all requirements of the Ministry of Environment and Energy and/or the applicable Conservation Authority concerning the potential effect on the contamination and depletion of surface water and ground water resources have been satisfactorily addressed;
- (f) Confirmation from the road authority having jurisdiction over access roads and nearby haul routes that truck traffic associated with the extraction operation will have minimal effects on the access road and nearby haul routes; and
- (g) Confirmation that the proposed rehabilitation plan and afteruse are both appropriate and consistent with the policies of this Plan. Confirmation that the proposed rehabilitation scheme is technically feasible and is capable of being implemented will be required (from the appropriate Ministry(s)/or qualified individuals obtained on behalf of the local municipality/County to review rehabilitation plans).

10.6.7 **Aggregate Resources Act**

All limestone extraction operations within the "Mineral Aggregate Resources" designation shall be required to have a license issued by the Ministry of Natural Resources pursuant to the provisions of the Aggregate Resources Act, R.S.O. 1990. The owner/operator of the extraction site is required to maintain the license and comply with the requirements thereof for as long as the extraction site remains in operation.

When considering applications for new and/or enlarged limestone extraction sites, the Ministry of Natural Resources shall give consideration to the policies of this Official Plan and the provisions of the implementing zoning by-law. Further,

the Ministry shall provide the local municipal Council and the County with an opportunity to review and comment on the proposals for new and/or enlarged limestone extraction sites. It is a policy of this Plan that all new and/or enlarged limestone extraction site proposals must satisfy the policies of this Plan and the provisions of the implementing zoning by-law prior to MNR's issuance of a license.

10.6.8 **Agricultural Uses**

Agricultural uses shall be permitted on lands identified for limestone extraction within the "Mineral Aggregate Resources" designation. Buildings and structures that are necessary for the agricultural use, excluding a single-detached dwelling but including a mobile home, shall be permitted as a part of the agricultural use. Where lands designated "Mineral Aggregate Resources" are used for agricultural purposes at the date of adoption of this Official Plan, the use of such lands for agricultural purposes is to continue until such time that the use of such lands is required for the limestone extraction.

10.6.9 **Rehabilitation of Extraction Sites**

The rehabilitation of limestone extraction sites is a requirement of this Plan. Where extraction is ongoing, rehabilitation is to be carried out on a progressive basis and shall be in accordance with the rehabilitation plan submitted to the Ministry of Natural Resources as a part of the site plan for licensing purposes.

Where an extraction site was previously used for agricultural purposes (including Class 1, 2 and 3 agricultural lands) and where rehabilitation to an agricultural use is technically feasible, it is the intent of this Plan that substantially the same acreage and average soil capability for agriculture as existed previous to the extraction shall be restored. Where an extraction site was previously used for agricultural purposes and it is not technically feasible to rehabilitate to agricultural use, the rehabilitation and afteruse must be such that it does not conflict with the agricultural use of the surrounding land. Rehabilitation to afteruses such as wetland systems, wildlife/fish habitat areas, reforestation, and passive recreation uses may be permitted.

10.6.10 **Zoning By-law**

Existing limestone extraction sites that are licensed under the Aggregate Resources Act, shall be placed in an appropriate extraction zone in the local municipality's implementing zoning by-law. The implementing zoning by-law shall contain appropriate provisions regulating such operations.

Lands designated "Mineral Aggregate Resources" and identified as a potential limestone resource area will not be placed in an extraction zone in the local municipality's implementing zoning by-law. An amendment to the implementing zoning by-law is required in order to establish a new and/or enlarged limestone extraction operation in such areas.

ADDED BY OPA # 47

10.6(A) **OTHER MINERAL MATERIALS**

Exploration activities for other mineral materials are permitted by this Plan. The establishment of extraction, processing, and other related activities associated with the mining of mineral material requires an amendment to this Plan. In considering such an amendment, consideration shall be given to the following:

- (a) the impact of the proposed use on and the compatibility of the proposed use with neighbouring agricultural lands and operations, settlement areas, and natural resource features;
- (b) is impact of the proposed use on surface water and ground water supplies (quantity and quality);
- (c) the impact on municipal services;
- (d) traffic impact;

- (e) input from the appropriate regulatory authorities that have jurisdiction in respect to the mineral mining activity and/or matters relating to the impacts associated with the mineral mining activity.

10.7 **CONSENT/SEVERANCE POLICIES**

The following specific policies shall apply to consent applications which involve land within the "Mineral Aggregate Resources" designation as shown on Schedule "A" (Land Use Plan). They are intended to implement the foregoing goals and policies and are to be applied in addition to the general consent/severance policies set forth in Section 16.3 of this Plan.

10.7.1 **Aggregate Operations**

Consents for the purpose of creating lots for existing and/or a new extraction operation may be permitted provided the following criteria are satisfied:

- (a) The land comprising the existing and/or new aggregate operation is situated within the "Mineral Aggregate Resources" designation as shown on Schedule "A" (Land Use Plan);
- (b) The proponent satisfactorily demonstrates that the proposed severance is necessary for the operation of the aggregate operation. In addressing this issue, consideration should be given to alternate arrangements such as land leases;
- (c) The size and configuration of the proposed lot must be appropriate for the proposed use and consistent with the lot fabric of the surrounding area;
- (d) Afteruse following the rehabilitation must be considered. For example, if the extraction area is to be rehabilitated for agricultural use, the size and configuration of the parcel of land being created should satisfy the consent/severance policies for new lot creation as contained in Section 5.6.2.1 of this Plan; and
- (e) All lots created for aggregate extraction operations must be appropriately zoned and licensed for the aggregate extraction operation. If such lots are not appropriately zoned and/or licensed, consideration will be given to imposing conditions requiring that the lot be properly zoned and licensed prior to final severance approval being given.

10.7.2 **Lot Enlargements**

Consents for the purpose of enlarging an existing aggregate extraction operation may be permitted provided the following criteria are satisfied:

- (a) The land comprising the enlargement is situated within the "Mineral Aggregate Resources" designation as shown on Schedule "A";

AMENDED BY

- OPA # 47*
- (b) All lots created must be appropriately zoned and licensed for the aggregate extraction operation. If such lots are not appropriately zoned and/or licensed, consideration will be given to imposing conditions requiring the lot be properly zoned and licensed prior to final severance approval being given;
 - (c) Afteruse following the rehabilitation must be consistent and compatible with the use of surrounding lands; and
 - (d) The necessary conditions to ensure lot enlargement occurs will be imposed.

10.7.3 **Wayside Permit Aggregate Operations**

Consents for the purpose of creating lots which are the site of either existing or proposed wayside permit aggregate operations will not be approved under the provisions of this Plan. Wayside permit operations are intended to be temporary extraction sites and their short term use does not warrant their severance from the parcel of land on which they may be located.

10.7.4 **Agricultural Use**

ADDED BY
OPA # 47 Consents for agricultural uses on lands designated "Mineral Aggregate Resources" may be permitted provided that such severance will not adversely affect the ability to establish an aggregate extraction operation at a later date when the removal of aggregate is warranted and provided that no undersized lot is created as a result of the consent application. The policies of Section 5.6.2.1 of this Plan shall apply in respect to new lot creation for agricultural use.

10.7.5 **Portable Asphalt Plants**

Consents for the purpose of creating lots for portable asphalt plants will not be approved under the provisions of this Plan. Portable asphalt plants are intended to be temporary uses and their short term use does not warrant their severance from the parcel of land on which they may be located.

10.7.6 **General**

Consents which would interfere with potential future extraction of known mineral aggregate resources shall not be permitted.

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