



# Reform Gravel Mining Coalition

CPRM-P, September 18.,2023  
PL-51-23  
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# Can't prove need

- There is NO need for NEW pits and quarries in Ontario.
- Each year Ontario authorizes the aggregate industry to extract thirteen times more gravel than is required to meet average annual consumption.
- There are already enough licensed pits and quarries to meet Ontario's need for aggregate for more than a decade.





# Take the High Road



Ontario must regulate aggregate just like every other non-renewable resource, from cod to natural gas—based on a rational analysis of supply and demand.



In the meantime, Councillors can pass an ICBL to press pause on new gravel mining approvals and improve outdated and unsafe bylaws.



Protect your community while letting the province know we need them to do more.





# Why Consider an ICBL

- Section 38 of the Planning Act allows municipalities to adopt interim control by-laws (“ICBL”) e.g. Caledon and aggregates. An ICBL may be passed without notice and may prohibit the use of land, buildings or structures for the purposes set out in the ICBL, and for the period of time set out in the ICBL (not to exceed two years).
- ICBLs provide “breathing space” allowing a municipality to study an issue e.g. pit and quarry policies, and adopt the appropriate new planning policy and controls to protect public health and safety.





# Changes to ICBLs

Bill 97 is now law re: Appeal to Tribunal

38(4) Any person or public body who was given notice of the passing of a by-law under subsection (3) may, within 50 days after the date of the passing of the by-law, appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection. 2023, c. 10, Sched. 6, s. 8 (2).



# Nothing has changed!

Bill 97 did not interfere with a Municipality's rights

The need for ICBLs has not changed under Bill 97. Neither has the law, with the exception that new ICBLs can be appealed immediately. The threshold for appeal is very high: essentially that the purpose of the ICBL was not legitimate, or that the municipality was dragging its feet.

An ICBL remains an effective tool to address the need to update bylaws and policies to protect public health and safety.





# OLT Decision ICBL appeals

The Ontario Land Tribunal's ("OLT") predecessor Ontario Municipal Board ("OMB") held in *Solaris Energy Partners Inc. v. East Hawkesbury (Township)*, 2009 Carswell Ont 2650:

76 The Board's finding, that there is no further practical purpose in maintaining Interim Control, in no way reflects on merits of the proposed rezoning or site plan, or on the nine concerns. They were not the subject of this hearing.

For this ICBL appeal, the Board considered whether the purpose of the statute and the By-law had been fulfilled; that purpose pertained to the assembly of information, and the Board makes no comment on its contents.





# Water Sources and Aquifers

- Frenchs Hill and Mt Nemo
  - Glaciers – Laurentian Valley
  - Frenchs Hill - Cleanest water in the world
- Functions of Aquifers and Aquitards
  - Water gathers in Aquifers and held by Aquitards – Clay beds
- Ground water, streams, wetlands and rivers
  - These highlands – moraines and rocky hills behave like natural water towers.
  - Some water aquifers are under pressure by aquitards – Elmvale flow
- Impact of Gravel Mining at Frenchs Hill
  - A decade of gravel mining – sediments and particulates
  - Local group at OLT forces the lining of tailings pond
- Reference work - <https://www.youtube.com/watch?v=Khlf6PYmilQ>
  - Work done by Dr. Michael Powell, Adjunct Professor, Department of Renewable Resources, University of Alberta, and Dr. William Shotyk, Bock Chair for Agriculture and the Environment, University of Alberta





We encourage you to  
take the High Road -  
Adopt an ICBL for new  
pits and quarries

Thank you!

