

<b>ACTION REQUEST – Planning Services</b>	
<b>To:</b>	<b>Warden and Members of Council</b>
<b>Date of Meeting:</b>	<b>November 15, 2021</b>
<b>Subject:</b>	<b>Request to Initiate an Official Plan Amendment – Priority Bedrock Area</b>

**RECOMMENDATION:**

THAT the Council of the United Counties of Stormont, Dundas and Glengarry direct Staff to initiate an Official Plan Amendment to clarify bedrock resource mapping on the County Official Plan schedules.

**EXECUTIVE SUMMARY:**

This report recommends that Council initiates an Official Plan Amendment to clarify mineral aggregate resource mapping in the County Official Plan.

**BACKGROUND:**

Section 2.5.1 of the Provincial Policy Statement (PPS) states that Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified. These include deposits of sand, gravel, and bedrock resources that are suitable for future pit and quarry operations.

Section 2.5.2.5 of the PPS goes on to state that in known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.

Municipalities must identify these resources in their Official Plans and Zoning By-laws, with appropriate setbacks. The SDG Official Plan identifies primary and secondary Mineral Aggregate Reserves (sand and gravel) on Schedule A, while tertiary sand and gravel resources and bedrock resources are identified as constraints on Schedule B. However, through past Ontario Municipal Board (OMB) decisions related to the 2006 County Official Plan, several properties that are identified with potential bedrock that would support a future quarry are shown as an Extractive Resource Lands (Mineral Aggregate Reserve) even though the text of the Official Plan states that this designation is intended to show sand and gravel

reserves only. The designation affects the recommended setback distances and potential evaluation of impacts from adjacent development.

County Council adopted a new Official Plan in July 2017 which was later approved by the Ministry of Municipal Affairs in February 2018. The Township of North Dundas and several other parties submitted appeals to the Ontario Land Tribunal that included concerns with the aggregate mapping. North Dundas noted in their appeal that the Sullivan Quarry on County Road 8 was improperly identified on Schedule A. Discrepancies have been identified for properties in other local municipalities based on past OMB decisions.

It is recommended that the Official Plan schedules and text be amended to identify priority bedrock resource areas on Schedule A that would be required to be recognized in local zoning by-laws. This could include large parcels suitable for quarry operations and parcels adjacent to existing quarries. Other properties with bedrock resources would still have protection under the constraints schedule.

Subject to Council direction, County staff would initiate an Official Plan amendment to make these corrections and potentially resolve several appeals without the need for a full hearing. If the affected parties are agreeable to the potential wording of the amendment, the expected public meeting date and consideration by Council would be at the start of the December 20, 2021 Council meeting in order for this to be considered through the Ontario Land Tribunal process.

#### **OPTIONS AND DISCUSSION:**

1. **Recommended:** That Council direct Staff to initiate an Official Plan Amendment to clarify bedrock resource mapping on the County Official Plan schedules.
2. **Not recommended:** That Council direct Staff to seek a resolution to the bedrock resource mapping discrepancies at the Ontario Land Tribunal.

#### **FINANCIAL ANALYSIS:**

The Official Plan amendment will be completed internally, and the only direct cost would be for advertisement. This would save significant time and legal fees as an alternative to either the County or the Township of North Dundas preparing witness statements at the Ontario Land Tribunal.

#### **LOCAL MUNICIPAL IMPACT:**

The amendment to the Official Plan would provide greater clarity for local municipalities in preparing zoning by-laws and reviewing planning applications near areas with mineral aggregate resources.

**RELEVANCE TO STRATEGIC PRIORITIES:**

The proposal would support **Strategic Priority 1 – Service Delivery – A Smarter Approach** by providing high quality land use planning services to SDG local municipalities with a coordinated approach to protecting mineral aggregate resources.

**OTHERS CONSULTED:**

County solicitor, Township of North Dundas

**ATTACHMENTS:**

N/A

**RECOMMENDED BY:**



**Peter Young**  
**Director of Planning Services**

**APPROVED BY:**



**T.J. Simpson, CAO**