



RESIDENTIAL AND
CIVIL
CONSTRUCTION
ALLIANCE OF
ONTARIO

Constructing Ontario's Future

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March 12, 2020

Hon. Steve Clark, Minister of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto, ON
M5G 2E5

Dear Minister:

Re.: Support for changes to the Growth Plan as requested by the OSSGA

The Residential and Civil Construction Alliance of Ontario wishes to add its voice to the concerns expressed by the Ontario Stone, Sand & Gravel Association (OSSGA) to create more certainty around future aggregate supply. Ontario is experiencing rapid growth and a close-to-market approach is essential to maintaining a high level of public infrastructure investment, as well as continuing to build prosperous and resilient communities. If aggregates have to be transported longer distances because of local supply restrictions, it will negatively impact the delivery of a wide array of construction projects.

As OSSGA has recently indicated, the previous government introduced changes to the Provincial Growth Plans which could potentially jeopardize the industry's ability to supply the public with aggregate resources in a cost effective and environmentally responsible manner. At issue is the prohibition of new aggregate in areas of endangered and threatened species as part of the Natural Heritage System (NHS), regardless of whether the industry can meet the rigorous requirements of the Endangered Species Act (ESA).

After the introduction of the ESA in 2008, new aggregate operations were permitted within the NHS subject to the provisions of the ESA. At that time, both the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan, permitted development in accordance with the statute's provisions.

Under the ESA, and previous Provincial Plans, aggregate operators were required to protect species and their habitats, minimize adverse effects and demonstrate a net positive benefit for species at risk. Compliance with the ESA provisions meant that an aggregate operator had to demonstrate that its activities would not be harmful to species present and in fact would result in an overall benefit to the species.

As part of the Provincial Plan changes that were announced in May of 2017, however, MMAH introduced a new restriction that now *prohibits* new operations within the NHS where endangered and threatened species are present. In addition, the Province expanded the NHS from the Greenbelt Plan Area (which includes the Niagara Escarpment Plan and Oak Ridges Moraine Conservation Plan) to cover the Greater Golden Horseshoe (GGH). This has resulted in 75% of selected bedrock areas and 50% of sand gravel resource areas being mapped as NHS within the GGH.

Unfortunately, this new policy represents a fundamental change. Prior to the changes announced in 2017, new aggregate operations were permitted in accordance with *ESA*, but now there will be prohibitions over a much larger area of southern Ontario. These changes were not based on any sound scientific or ecological basis.

According to the OSSGA, this policy change will put high quality aggregate deposits in Southern Ontario off limits. New operations will not be created under these new rules because it will be uneconomical to invest in the licensing process as almost all sites within the GGH have habitat of endangered and threatened species. Without access to these resource areas, the only alternative is for the Province to rely on aggregate coming from much further away from market which will increase costs for the pipeline of Ontario infrastructure and other community projects. This is precisely why the Provincial Policy Statement, 2020 under the *Planning Act* identifies the protection of long-term resource supply of mineral aggregate resources and “availability as close to markets as possible” as fundamental objectives.

RCCAO also supports industry efforts to encourage more recycling of aggregates to meet our future supply requirements. The Toronto and Area Road Builders Association has engaged in a campaign to demonstrate the benefits of recycled concrete and asphalt which has been focused at large municipalities within Ontario.

In addition, the Ministry of Environment, Conservation and Parks has released a new regulatory package to encourage the beneficial reuse of excess construction soils. In a recent engagement meeting, MECP expressed its support to use this clean soil for rehabilitation of aggregate pits and quarries. Our understanding is that MECP and MNRF will be establishing a steering committee to advance this initiative.

We look forward to a speedy resolution to this issue so that Ontario can continue to grow in a prudent way, while at the same time promoting environmental benefits.

Regards,



Andy Manahan
Executive Director

Copy to:

Hon. John Yakabuski, Minister of Natural Resources and Forestry
Hon. Jeff Yurek, Minister of Environment, Conservation and Parks
Hon. Laurie Scott, Minister of Infrastructure
Hon. Caroline Mulroney, Minister of Transportation