



Tuesday, March 29, 2022

11:00 am

Zoom Meeting

Mayor James Seeley, Township of Puslinch – Chair
Mayor Sandra Easton, Town of Lincoln – Vice-Chair
Mayor Dave Barton, Township of Uxbridge
Mayor Sue Foxton, Township of North Dumfries
Deputy Mayor Jim Hegadorn, Loyalist Township
Councillor Margaret McCreery, Township of North Dumfries
Mayor Marcus Ryan, Zorra Township
Councillor Andrew Veale, City of Kawartha Lakes

Pages

1. **Call to Order**
2. **Declaration of Pecuniary Interest**
3. **Minutes for Approval - February 11, 2022** 1
Moved by: **Seconded by:**
That the February 11, 2022 TAPMO Executive Committee Meeting minutes be approved.
4. **Financial Statements as of March 23, 2022** 5
Sue Aram, Deputy Treasurer
Moved by: **Seconded by:**
That the Financial Statements as of March 23, 2022 be approved.
5. **Trademark Process Update - Verbal**
Andrea Ravensdale, Communications Manager, County of Wellington
Moved by: **Seconded by:**
That the Trademark Process verbal update provided by Andrea Ravensdale, Communications Manager be received for information.
6. **Mill Creek Stewards Document Follow-up**
Committee Resolution from February 11, 2022 meeting:
That the presentation by John McNie, Mill Creek Stewards regarding aggregate

licensing be received for information; and

That the Executive Committee member municipality CAOs review the presentation and report back at the March 29, 2022 meeting with comments.

7. AMO Registration Update - Verbal

Kim Courts, Deputy Clerk

Moved by: **Seconded by:**

That the AMO Registration verbal update provided by Kim Courts, Deputy Clerk be received for information.

8. New TAPMO Website Update - Verbal

Ken DeHart, County Treasurer and Kim Courts, Deputy Clerk

Moved by: **Seconded by:**

That the new TAPMO website verbal update provided by Ken DeHart, County Treasurer and Kim Courts, Deputy Clerk be received for information.

9. Establishing the 2022-2023 TAPMO Work Plan

9

Moved by: **Seconded by:**

That the TAPMO Executive Committee review and give consideration to the proposed list of TAPMO Priorities for the 2022-2023 term.

10. Next Meeting:

May 31, 2022 at 1:00 pm

11. Adjournment



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TAPMO Executive Committee Meeting MINUTES

February 11, 2022
Zoom Meeting

1. Call to Order

At 9:00 am, the Chair called the meeting to order.

2. Declaration of Pecuniary Interest

There were no declarations of pecuniary interest.

3. Delegation:

3.1 John McNie, Mill Creek Stewards

Moved by: Mayor Foxtton

Seconded by: Councillor McCreery

That the presentation by John McNie, Mill Creek Stewards regarding aggregate licensing be received for information; and

That the Executive Committee member municipality CAOs review the presentation and report back at the March 29, 2022 meeting with comments.

Carried

3.2 Graham Flint, Co-Chair, Reform Gravel Mining Coalition

Moved by: Vice-Chair Easton

Seconded by: Mayor Foxtton

That the presentation by Graham Flint, Co-Chair, Reform Gravel Mining Coalition regarding a Proposed Moratorium on New Gravel Mining Approvals be received for information.

Carried

4. Minutes for Approval

Moved by: Mayor Ryan

Seconded by: Councillor McCreery

That the January 23, 2022 minutes of the TAPMO Committee winter meeting be approved.

Carried

5. Proposed TAPMO Website Report

Moved by: Mayor Ryan

Seconded by: Mayor Foxtton

That the Proposed TAPMO Website report be received for information; and

That staff be directed to review the TAPMO website development and design proposals and choose one; and

That staff be authorized to sign the necessary documents and agreement with the successful company and begin the process of developing the TAPMO website.

Carried

6. Proposed TAPMO Logo Design Report

Moved by: Mayor Barton

Seconded by: Mayor Foxtton

That the Proposed TAPMO Logo Design report be received for information; and

That logo #1 – options 1 and 2 be incorporated into the new TAPMO website design; and

That staff be directed to research the fees involved in trademarking a logo and report back at the March 29, 2022 meeting.

Carried

7. TAPMO Workplan - August 2021 - January 2022

Moved by: Deputy Mayor Hegadorn

Seconded by: Mayor Barton

That the TAPMO Workplan be deferred to the March 29, 2022 meeting; and

That the Mill Creek Steward presentation be included for discussion.

Carried

8. Terms of Reference - Closed Motion

Mayor Foxtan will look into whether TAPMO qualifies as the type of committee permitted to enter into a closed session, and report back to the March 29, 2022 meeting.

9. AMO Conference Registration as TAPMO - Discussion

Moved by: Councillor Veale

Seconded by: Mayor Barton

That staff be directed to investigate the process and benefits of having TAPMO become a member of AMO.

Carried

10. Correspondence from Erik Acs, Planner, Niagara Region

Moved by: Vice-Chair Easton

Seconded by: Mayor Foxtan

That the correspondence from Erik Acs, Planner, Niagara Region regarding policies on aggregates be received for information.

Carried

11. Correspondence from the Ministry of Natural Resources and Forests (MNRF)

Moved by: Councillor McCreery

Seconded by: Deputy Mayor Hegadorn

That the correspondence from the Ministry of Natural Resources and Forests (MNRF) regarding proposed regulatory changes under the Aggregate Resources Act be received for information.

Carried

12. Upcoming Meetings

Tuesday, March 29, 2022 at 11:00 am

Tuesday, May 31, 2022 at 1:00 pm

13. Adjournment

At 11:15 am, the Chair adjourned the meeting until March 29, 2022 or at the call of the Chair.

James Seeley - Chair TAPMO Executive Committee

Statement of Financial Position	2022	2021
As at March 23, 2022	\$	\$
<hr/>		
Assets		
Cash	75,477.42	15,977.42
Accounts Receivable	7,900.00	-
Total Assets	<hr/> 83,377	<hr/> 15,977
Liabilities		
Accounts Payable	-	-
Total Liabilities	<hr/>	<hr/>
Accumulated Surplus	83,377.42	15,977.42

Statement of Operations	Budget	2022	2021
As at March 23, 2022	\$	\$	\$
Revenue			
Membership fees	50,000	67,400	41,900
Deposit Interest		-	147
			-
Total Revenue	50,000	67,400	42,047
Expenditure			
Advocacy/Public Relations	40,000		36,160
Office Supplies (Printing / Postage / Photocopying)	350		-
Mileage Reimbursement - Chair, Vice-Chair & Executive	750		-
Public relations	300		
Advertising & Promotion	100		
Conference / Workshop Fees - Chair, Vice-Chair & Executive	700		
Video Conferencing Calls	325		
Email Account Reimbursement	100		
Winter TAPMO Meeting @ ROMA - Audio Visual, Room & Logistics	2,200		2,350
TAPMO AGM @ AMO - Audio Visual, Room & Logistics	2,200		
OSSGA/TAPMO Working Group Meetings - Logistics	750		
Total Expenditure	47,775	-	38,510
Annual Surplus	2,225	67,400	3,536
Accumulated Surplus, Beginning of Year		15,977	12,441
Accumulated Surplus, End of Year		83,377	15,977

**TAPMO Bank Reconciliation
as of March 23, 2022**

Balance Per Books		\$	75,477.42
Less: Outstanding deposits	\$ 1,700.00		
Add: Outstanding cheques	\$ -		
Balance Per Bank		\$	73,777.42

Bank Activity	Date	DR	CR	Balance
Opening Balance	09/24/21			\$ -
Transfer from North-Dumfries	10/22/2021	52,137.42		\$ 52,137.42
Payment to Upstream Strategy Group			(36,160.00)	\$ 15,977.42
Deposit Membership Fees	01/31/2022	3,000.00		\$ 18,977.42
Deposit Membership Fees	02/14/2022	2,100.00		\$ 21,077.42
Deposit Membership Fees	02/28/2022	52,700.00		\$ 73,777.42

TAPMO 2022 - Membership Fees					
Invoice Number	Member Municipality	Invoice amount	Amount Received (and In Transit)	Amount No Response	Notes
2022-01	Kawartha Lakes	\$ 5,000	\$ 5,000		
2022-02	North Dumfries	\$ 5,000	\$ 5,000		Receivable at 03/23/2022
2022-03	Burlington	\$ 1,000	\$ 1,000		Receivable at 03/23/2022
2022-04	Zorra	\$ 5,000	\$ 5,000		
2022-05	Puslinch	\$ 5,000	\$ 5,000		
2022-06	Severn	\$ 5,000	\$ 5,000		
2022-07	Clarington	\$ 5,000	\$ 5,000		
2022-08	Caledon	\$ 3,900	\$ 3,900		
2022-09	Ramara	\$ 3,800		\$ 3,800	To follow-up
2022-10	Brant - Hold	\$ 3,700	\$ 3,700		
2022-11	Thames Centre	\$ 3,600	\$ 3,600		
2022-12	Uxbridge	\$ 3,300	\$ 3,300		
2022-13	Oro-Medonte	\$ 2,500		\$ 2,500	To follow-up
2022-14	Lincoln	\$ 2,200	\$ 2,200		
2022-15	Loyalist	\$ 2,000	\$ 2,000		
2022-16	Haldimand	\$ 2,000		\$ 2,000	To follow-up
2022-17	Brock	\$ 1,900	\$ 1,900		Receivable at 03/23/2022
2022-18	Springwater	\$ 1,700	\$ 1,700		o/s deposit - 03/04/2022
2022-19	SW Oxford	\$ 1,600	\$ 1,600		
2022-20	Grey Highlands	\$ 1,500		\$ 1,500	To follow-up
2022-21	Erin	\$ 1,200	\$ 1,200		
2022-22	Milton	\$ 1,200	\$ 1,200		
2022-23	Bracebridge	\$ 1,200	\$ 1,200		
2022-24	East Garafraxa	\$ 1,100	\$ 1,100		
2022-25	Southgate	\$ 600	\$ 600		
2022-26	GET	\$ 600	\$ 600		
2022-27	Minto	\$ 500	\$ 500		
2022-28	Chatsworth	\$ 400	\$ 400		
2022-29	Mono	\$ 400	\$ 400		
2022-30	Mississippi Mills	\$ 300		\$ 300	To follow-up
2022-31	Woolwich	\$ 300	\$ 300		
2022-32	Town of Halton Hills	\$ 5,000	\$ 5,000		
Total	As of March 23, 2022	\$ 77,500.00	\$ 67,400.00	\$ 10,100	



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Memorandum

To: TAPMO Executive Committee

From: Ken DeHart, County Treasurer, and
Kim Courts, Deputy Clerk, County of Wellington

Date: Tuesday, March 29, 2022

Subject: Establishing the 2022-2023 TAPMO Work Plan

At the February 11, 2022 TAPMO executive meeting, the TAPMO executive approved the following resolution:

“That the TAPMO work plan be deferred to the March 29, 2022 meeting; and

“That the Mill Creek Steward presentation be included for discussion.”

Staff have been working on a number of priorities identified by the TAPMO executive from the last few meetings. The focus of staff early in the year has been to establish a membership fee schedule; collect the membership fees (and respond to member inquiries); continue our work on correcting the property assessment formulas; establish a web presence and provide accountability of reporting back to the TAPMO member municipalities.

Staff are recommending and providing updates on the top five priorities suggested for the TAPMO work plan through to August 2023 as follows:

1. Establish an Independent TAPMO Website and Branding

Staff have been working with an in-house Graphic Designer to establish a TAPMO logo and branding. An update is to be provided regarding the trademark process at the meeting. County staff have also selected a website design firm (Sussex) at the direction of the executive. This is to create a standalone TAPMO website. County staff have had two initial meetings with Sussex on the website, provided some direction, content and feedback. Staff will report back on progress at the next TAPMO executive meeting.

2. Property Assessment

Wellington County staff continue their work on addressing the inequities in assessments between the aggregate industry and other business properties. A hearing on MPAC and the property owner’s motion for leave to appeal the Wellington County decision was heard on March 4, 2022. On March 7, 2022 – the Divisional Court granted the leave to appeal motion. The divisional court proceedings are in the process of being scheduled – but are likely to take place in the fall of 2022. A decision on the divisional court appeals is not expected until early 2023.

Wellington County has requested a delegation with the Minister of Finance at the OGRA conference in April 2022 to discuss the matter.

Further updates will be provided at future TAPMO meetings.

3. Best Practices and Local Municipal Criteria for Extractive Rezoning

At the February meeting, staff from the executive municipalities were requested to review and provide input on the Mill Creek Stewards document with the aim of developing a broadly proactive and positive set of local municipal criteria for extractive rezoning in line with provincial criteria. The goal would be to clarify community intent and facilitate discussion on community, industry and provincial goals.

4. OSSGA and Ministry

As identified in the previous TAPMO Work Plan (from August 2021), continued meetings and liaison with the Ontario Stone, Sand and Gravel Association (OSSGA), with the objective of raising the profile of TAPMO and advocating for programs, policies and/or regulations that are responsive to the needs and perspectives of area municipalities. Where possible, promote opportunities for joint submissions, programs and case studies and streamline the process for the approval / expansion of aggregate.

5. Aggregate Levy

As identified in the previous TAPMO Work Plan, a review and analysis of any further adjustments to the aggregate levy that are transferred to Municipalities on a per tonne basis from aggregate operators. This could include the hiring of a consultant to determine the cost to municipalities of wear and tear on haul routes from aggregate operators. There was some discussion on “Eurig” compliance whereby fees must be to recover costs. A better handle on average costs to the municipality along haul routes would be able to support a better maximum fee for the per tonne aggregate levy.



Wellington County staff have been working with Sussex Strategy Group to develop the website for TAPMO. It was determined that it would be positive to identify TAPMO's work plan and list of priorities on the new website. It is recommended that the TAPMO executive team review and determine a top 5 priority list to create a focused list of the organizations goals and objectives for the current term.

Attached is the TAPMO AGM Agenda Item (Appendix A) that established the Work Plan for August 2021 to January 2022.

Recommendation:

That the TAPMO Executive review and give consideration to the proposed list of TAPMO Priorities for the 2022-2023 term.

Appendix A

TAPMO

MEMORANDUM

To: Member Municipalities

Re: **Item 3.1 TAPMO AGM Agenda**
Establishing a Workplan August 2021 to January 2022

Date: August 15th, 2021

The workplan laid out below was adopted at the TAPMO AGM in August 2020. The intent of the workplan was to focus the time, effort and accountability of reporting back to the Member Municipalities of TAPMO.

The suggested Workplan for TAPMO through to January 2022 is as follows:

A. Provincial

1. Continued meetings and liaison with the Ministry of Natural Resources & Forestry, and specifically the Minister's Office, with the objective of raising the profile of TAPMO and advocating for programs, policies and/or regulations that are responsive to the needs and perspective of area Municipalities. Where applicable, other Provincial Ministries would be included in the meetings / liaison.
2. Support the work underway in Wellington County as it pertains to the methodology to be deployed for the assessment valuation of aggregate sites. A fair and equitable assessment program to be developed.

B. OSSGA

1. Continued meetings and liaison with the Ontario Stone, Sand & Gravel Association (OSSGA), with the objective of raising the profile of TAPMO and advocating for programs, policies and/or regulations that are responsive to the needs and perspective of area Municipalities. Where possible, promote opportunities for joint submissions, programs, case studies,

C. Initiatives / Programs

1. MNRF representation at the Planning stage of aggregate applications and more effectively interface the parallel processes of the review / approval of Licenses

**Proposed TAPMO 2021 /2022 Workplan
August 15th, 2021**

under the *Aggregate Resources Act* and the *Planning Act* applications associated with Official Plan Amendments / Zoning By-law Amendments. Seamless integration of Provincial and Local Municipal functions is the intent.

2. Working in consultation with the OSSGA and the Ministry, develop streamlined process for the approval / expansion of aggregate applications occurring above the water table.
3. Develop a mutually (TAPMO, OSSGA and Municipality) agreed upon set of 'experts' to prepare technical studies (ie: traffic, noise & dust, environmental, hydrogeology & hydrology, etc) and avoid the need for duplicating 'peer' review studies. The objective is to focus time and effort on the preparation of complete studies and avoid additional costs and time delays. The Municipality and the aggregate applicant would agree on Terms of Reference for the studies which would then establish the work plan / scope of work and analysis to be completed by the selected consultant.
4. Establish a more robust process that provides a consistent interpretation of:
 - i) what triggers an amendment to an approved License / Site Plan;
 - ii) clarification of what constitutes a major vs minor amendment to a License / Site Plan and associated Notice provisions;
 - iii) how to identify and regulate haul routes; capital road improvements to haul routes; and, the issue of haul routes on or adjacent to Municipal boundaries that may affect two or more Municipalities
5. A review and analysis of any further adjustments to the aggregate levy that are transferred to Municipalities on a per tonne basis from aggregate operators.
6. The ability for Local Municipal by-law enforcement officers to regulate/enforce Provincial laws or conditions on Licenses with respect to aggregate operations, haul routes, etc. Identify Municipalities that may be interested in participating in this pilot project and then make a submission to the Minister of Natural Resources & Forestry.
7. A review, utilizing municipal staff resources, to assess land use policy options for end of use aggregate sites where extraction below the water table operations were permitted. The objective of this review and analysis is to identify broader land use opportunities to grow the assessment base in recognition that agricultural opportunities are likely not practical on properties where below the water table extraction occurred.

Mill Creek Stewards

6927 Concession 2, RR# 22
Cambridge, Ontario. N3C-2V4
Phone: 519-824-6829
E-Mail: johnmcnie@hotmail.com



September 2021

THE LINE

Background

In the autumn issue of the OSSGA's industry periodical "Avenue", Executive Director Norm Cheesman noted that despite banner revenues for the industry in 2021, there would be significant headwinds during 2022. He defined those headwinds as:

- 1) community groups increasingly mobilized by social media,
- 2) municipalities increasingly empowered by united interests/action and
- 3) an impending provincial election.

These comments acknowledge the expanding role of local community representatives (groups, Councils and MPPs) in determining the local factors that shape community health and prosperity. Unfortunately they also reflect an aggregate industry misconception that these expanding community roles are negative "headwinds" impeding industry progress and a perception that communities including their governments are "the enemy".

As a group, the Mill Creek Stewards (MCS) wanted to try to understand and then counter this misconception and its associated alienation of industry from community. With that aim, we reviewed many site license objections presented to the OMB/LPAT in the past. We found a license objection pattern that not only reinforced industry misconception and alienation but also appeared to significantly reduce the odds of successful community objections. The pattern comprised reactivity and negativity and was consistent across objections, regardless of whether raised by an individual, group or municipality. These objections in turn, elicited equally consistent reactive and negative responses not only from the industry but also the tribunals, to the extent of often meriting mention in tribunal report summaries.

Coincidentally, concurrent with our group's observation came two local aggregate licensing situations, in two separate Townships. Both Townships found themselves in the position of determining whether support for a specific aggregate extractive rezoning application was appropriate, i.e. where to "Draw a Line". In both cases, rezoning applications appeared to meet provincial criteria and provincially mandated "municipal" criteria for rezoning. However concerns of community groups and/or township staff, reflecting either the broader community composition and/or unique local characteristics, continued to pose obstacles.

One Township followed the old reactive, negative pattern with several confusing Council meetings over the 120-day decision making period. The aggregate industry followed up with an immediate appeal to the province, where the community risks the old reactive, negative response from LPAT tribunals.

The second Township on the other hand chose a different approach, hiring a consultant¹ who proposed a broadly proactive and positive set of local "municipal" criteria for extractive rezoning that could work with provincial criteria. These criteria were not intended to be legally binding but rather to clarify community intent, thereby facilitating community/industry and provincial goals. The industry response was not different in this case as the Township's different approach for the future was on first introduction, still perceived as reactive and negative. The new approach nevertheless, does in this case set the stage for a potentially very different perception of the community's objection, by the provincial government/LPAT.

During Puslinch Council's August 2021 discussion of an analogous situation regarding the Hamilton Region Conservation Authority (HAC) and its draft Offsetting Policy, one Puslinch Councillor² suggested developing similar local "municipal" criteria that could work with provincially dictated "municipal" criteria.

With this in mind, the Mill Creek Stewards propose the following draft criteria be reviewed by Township staff, possibly with the advice of a consultant for objective scientific framing, and then put before the public in some discussion format, with the aim of developing final criteria that reflect our local situation. This “Line” of local municipal criteria could at a minimum:

- Clearly identify for the aggregate industry, local requirements for new pit sites and plans that would ease the passage of rezoning and license approvals.
- Lay out a finite community framework for aggregate disruption both with respect to area and time, minimizing community objections.
- Place the onus on the aggregate industry for self-discipline of its substandard companies relative to their community responsibility records.
- Minimize the time and dollars invested on both sides pre-arbitration/LPAT
- Ensure a pre-existing, i.e. proactive reference framework for any subsequent arbitration/LPAT case (a deficiency noted on multiple occasions by OMB/LPAT boards³)
- Demonstrate to LPAT tribunals that the local community is acting positively, i.e. willing to accept its provincial responsibilities when appropriately framed by local criteria.
- Maximize the potential for a long-term, stable municipal revenue stream.
- Maximize the potential for a long-term, stable industry aggregate stream.
- Introduce fairness.

Relevant Municipal Statistics

Puslinch Acreage:
53, 033.7 (100% of Puslinch)⁴

Aggregate Bearing: Primary-Tertiary
40,000 (75% of Puslinch) estimate⁵
Primary/Partial Secondary:
16,000 (30% of Puslinch) estimate⁵

Primary Farm Acreage:
Class 1-3 19,339.8
(36.5% of Puslinch)⁴

Aggregate: Active
and Inactive:
4,323.5 (8.2% of
Puslinch)⁴

Aggregate:
Surrendered
1,500 (3% of
Puslinch)
estimate*

* Based on 16 pits, defined as closed in Puslinch: 14 surrendered, 2 reallocated.

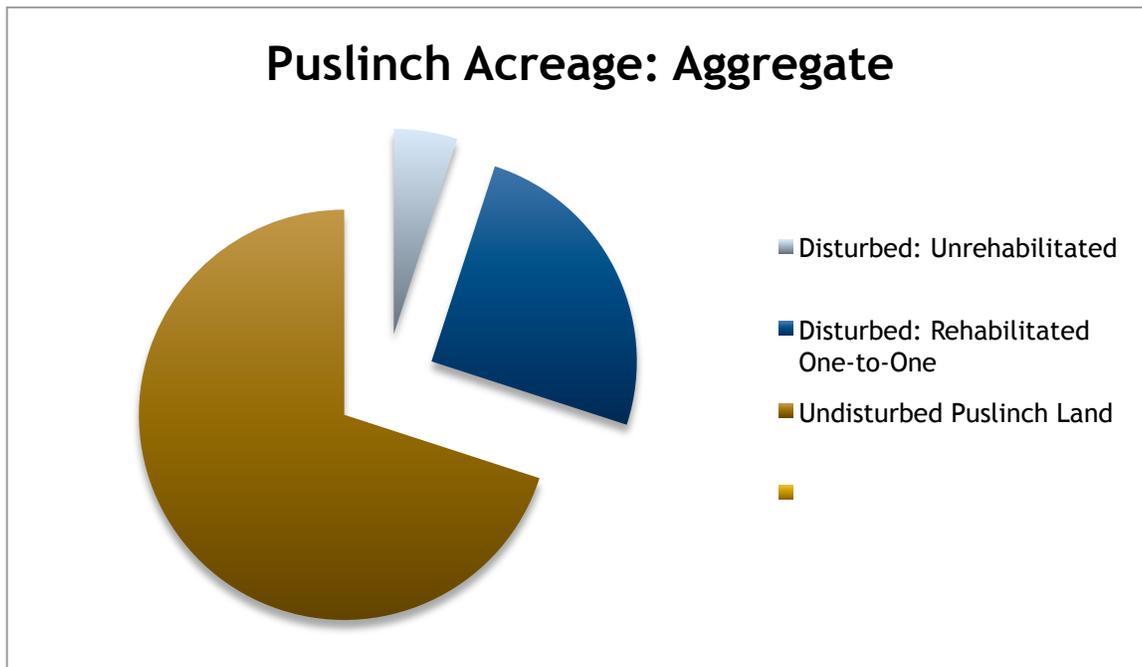
Draft Municipal Criteria for Puslinch Township

The Mill Creek Stewards propose the following numbers based, objective criteria with the objective of fairness under three broad headings: Land Planning, Revenue and Community Structure.

A: Fairness in Land Planning

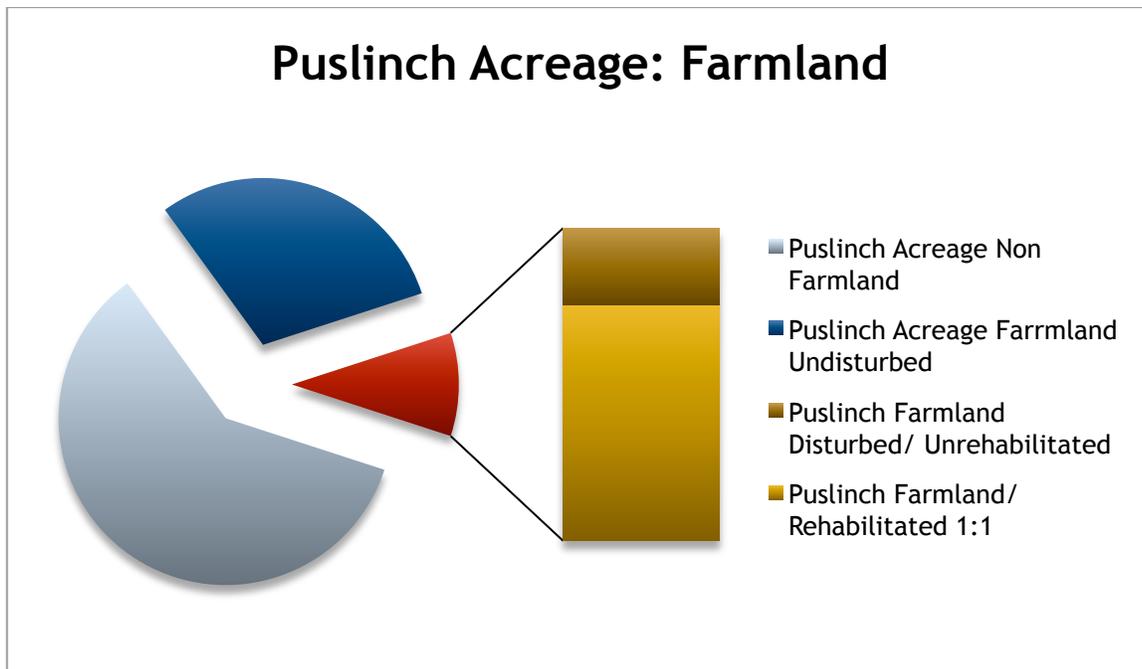
1: (i) Maximum acreage available for non-rehabilitated aggregate extraction at any given time, including active, inactive and surrendered but non-rehabilitated.	2,750 acres (5% of Puslinch)
(ii) Maximum acreage available for extraction on a progressively rehabilitated 1:1 acre basis, that is one “positive community legacy” rehabilitated acre for each newly disturbed acre.	13,250 acres (25% of Puslinch)
Total: Maximum cumulative Puslinch acreage available for aggregate extraction*, including active, inactive, surrendered-unrehabilitated and surrendered-rehabilitated.	16,000 acres (30% of Puslinch)

* This maximum cumulative acreage would allow the aggregate industry access to all primary gravel deposits plus significant access to secondary deposits. Access could however be limited with respect to total area by Criteria 2: Farmland, and with respect to time by Criteria 9: Progressive Rehabilitation/ Positive Legacy.



2: (i) Maximum Puslinch farmland acreage available at any given time, for extraction without rehabilitation to “positive community legacy” farmland, i.e. same class or improved.	1,000 acres (5% of Puslinch farmland)
(ii) Subsequent Puslinch farmland acreage available for extraction on a progressively rehabilitated 1:1 acre basis, that is one “positive community legacy” rehabilitated acre for each newly disturbed acre.	4,000 acres (20% of Puslinch farmland)
Total: Maximum cumulative Puslinch farmland acreage available for aggregate extraction regardless of rehabilitation status.	5,000 acres (25% of Puslinch farmland)

*Overlap of aggregate acreage with prime farmland acreage is presently 48% in Puslinch Township (2100 acres)⁴. This reflects the important role of gravel in effective soil layering, hence good crop growth, i.e. prime farmland. Five thousand acres of Puslinch farmland for aggregate extraction reflects a majority of the primary gravel deposits that overlap with farmland in the Township, which is more than fair to the aggregate industry, given research clearly demonstrates that disturbed farmland remains disturbed for the long-term if not permanently, despite rehabilitation efforts, i.e. this prime farmland is permanently lost to the community⁶.



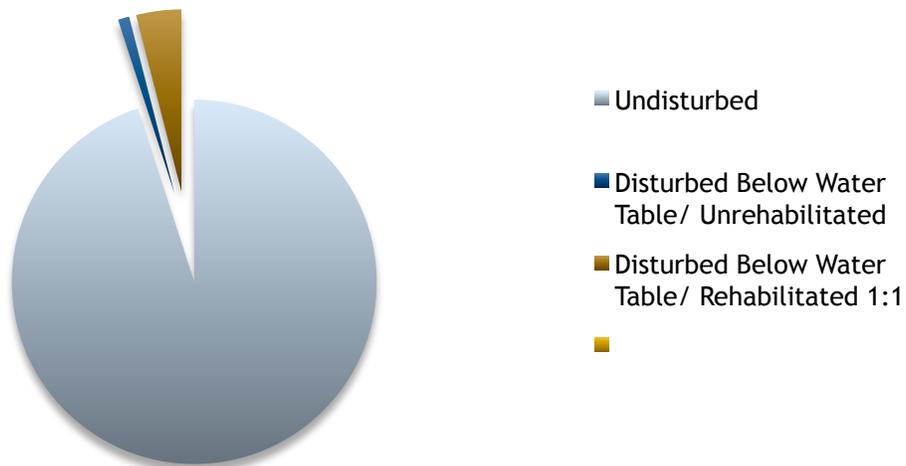
3:(i) Maximum cumulative acreage for “below water table” aggregate extraction at any given time, without “positive community legacy” rehabilitation*.	530 acres (1% of Puslinch)
(ii) Subsequent acreage available for “below water table” aggregate extraction on a progressively rehabilitated 1:1 acre basis, that is one “positive community legacy” rehabilitated acre for each newly disturbed acre.	2,070 acres (4% of Puslinch)
Total: Maximum cumulative Puslinch acreage available for “below water table” aggregate extraction regardless of rehabilitation ** ***.	2,600 acres (5% of Puslinch)

*Maximal cumulative acreage for “below water table” extraction without rehabilitation reflects the loss of this percentage of land as working land in whatever capacity, accompanied by cumulative risk to the community’s water resource and loss of municipal revenue.

** This value allows for the existing 1800 acres of “below water table” acreage in Puslinch, leaving 800 acres available for future licensing or a maximum of eight sites, see below (depending on the number of existing but undeveloped licenses for “below water table”, unknown to the MCS).

*** Maximal acreage for future “below water table” aggregate extraction within any single 1000-acre parcel of surrounding Puslinch land is 100 acres. Extracted area is considered as centred in the 1000 acres, therefore requiring a minimum separation of 700 m between “below water table” sites.

Puslinch Acreage/ Below Water Table Extraction

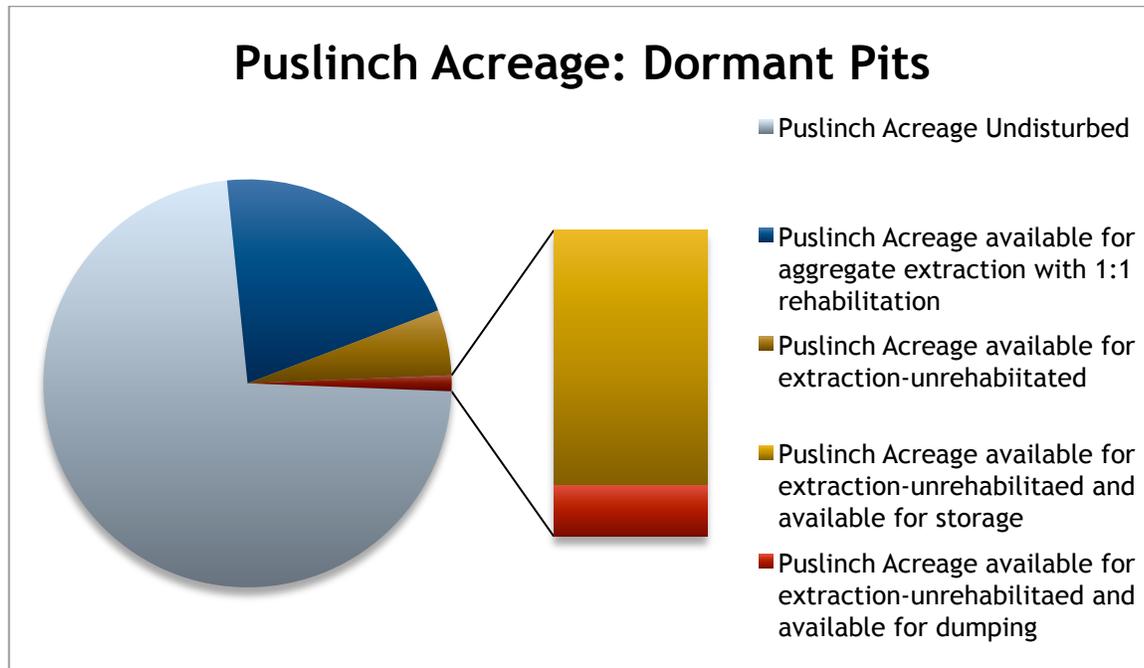


4: Maximum Puslinch acreage available for non-rehabilitated aggregate extraction including active, inactive and surrendered-unrehabilitated (See 1).	2,750 acres (5% of Puslinch)
(a) Maximum Puslinch acreage available for dormant pits* at any given time.	500 acres (1%)
a(i) Maximum dormant pit acreage* available for storage** ***.	250 acres (0.5%)
a(ii) Maximum dormant pit acreage available for dumping***.	100 acres (0.2%)

*Small acreage reflects the need to encourage timely extraction, hence rehabilitation hence positive community legacy. This isn't just land sitting dormant waiting to be excavated, but land already disturbed, paying little in taxes, requiring little legal rehabilitation and providing no benefit to the community.

**Dormant pit acreage for storage or dumping reflects total pit acreage, not just the pit land space used for storage or dumping.

***Small acreage amount reflects what the aggregate industry defines as a transitory need, therefore quickly available for reuse.



B: Fairness in Revenue

5: That applications for extractive rezoning ensure successful rezoning of a given property will ensure annual property taxes for the rezoned area i) reflect a fair average of surrounding property taxes and ii) not result in a decrease in property tax revenue for that property post-extraction, relative to pre-aggregate purchase.

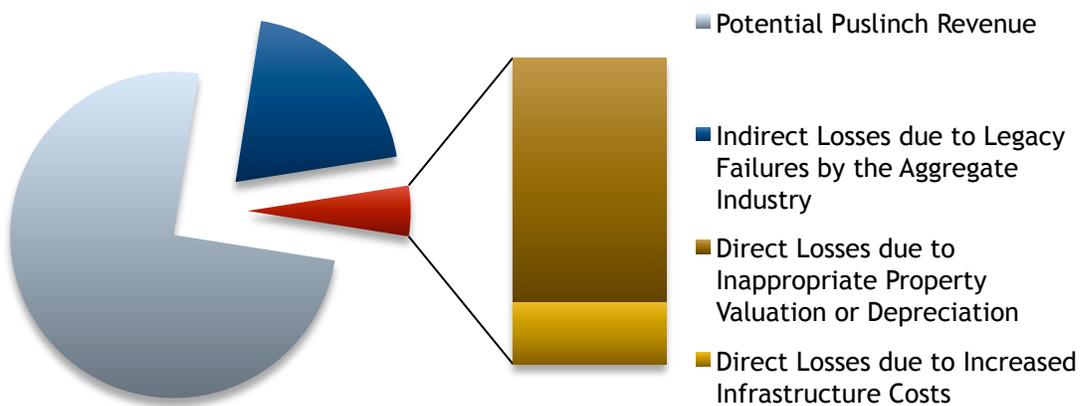
6: That applications for extractive rezoning ensure fair payment for annual road repair/ replacement costs for Township roads (100% for roads incorporated in hauling routes, 5% for all other Township roads): payments to be based on the previous year’s percentage of each company’s annual tonnage from the Township relative to total industry tonnage from the Township.

7: That applications for extractive rezoning ensure costs for rehabilitation* and mitigation of long-term extraction associated problems of rezoned property are covered by the industry, through i) enforcement of progressive rehabilitation and ii) re-establishment of a rehabilitation/mitigation security deposit program to be supervised by the province.

*Rehabilitation is defined as reconstruction of a property in a manner that provides the community with a Positive Community Legacy (see Community Structure).

In turn, if enabling a “Positive Community Legacy” required the industry to forgo full extraction with respect to area, depth or duration, Township net revenues in excess of pre-extractive use could be considered for balanced sharing with the aggregate industry for a fixed period reflecting industry revenue left in the ground.

Potential Puslinch Revenue⁷



C: Fairness in Community Structure

9: That applications for extractive rezoning acknowledge the definition of “Progressive Rehabilitation”^{*} and the Township’s requirement for successful staged completion of that rehabilitation based on the further definition of “Positive Community Legacy (PCL)”^{**}, ” with respect to criteria 1, 2, and 3 Land Planning.

^{*} **Progressive Rehabilitation:** Rehabilitation that begins after no more than 10% of a pit’s licensed area has been fully extracted or 20% disturbed, with subsequent PCL rehabilitation of one acre for every acre newly disturbed.

^{**}**Positive Community Legacy:** Rehabilitation standards that ensure a community is left with financial, environmental, or structural gain relative to pre-extraction; a gain that is also compatible with the community’s land use planning.

10: That applications for extractive rezoning i) acknowledge that site plans approved at time of licensing, are fixed with respect to increased area, depth or duration of extraction, unless changes are municipally approved and ii) include fixed pre and post extraction land use. Fixed land use is essential for stable community planning both with respect to land use and revenue stream and reflects fair pre and post-application planning on the part of the industry.

11: That applications for extractive rezoning recognize a two-way compliance with Ontario’s Land Use Guidelines: requiring Industrial Use meets the same criteria as Sensitive Use, i.e. with respect to area of influence (AOI), minimum separation distance (MSD) and demonstration of need.

12: That applications for extractive rezoning^{*} prioritize the protection of green-space including wetlands and both surface and subsurface water. Prioritization should require demonstration of aggregate need and no viable, less disturbing alternative aggregate source. Water protection for any sites approved should include a monthly monitoring program requiring threshold exceedances regardless of cause, be proactively mitigated by immediate cessation of excavation until water levels/flows normalize.

^{*}This applies to all rezoning applications, not just “below water table”, as surface and subsurface water flows operate independently of water table levels.

Conclusion

In conclusion, we would like to note that numbers of pages in this presentation does not reflect importance. Community Structure, Revenue and Land Planning are not only equally important but inextricably tied together. One for all and all for one!

In that vein, as the OSSGA's executive director stated in our opening paragraph, there may be "headwinds" blowing in 2022 but the Mill Creek Stewards believe they are just one component of the winds of progress. The Mill Creek Stewards believe that those winds need not be negative "headwinds" for the aggregate industry. We believe with a little adjustment in industry sail and direction, those winds can support the health and prosperity of both the aggregate industry and their communities.

References

- 1) Consultant's Report: Dorfman. June 2021. Ramara Township.
 - 2) Puslinch Council meeting minutes. August 2021
 - 3) Ontario Municipal Board decisions. 2000-2015.
 - 4) McMaster University Prime Farmland Study. 2019 (S9)
 - 5) Province of Ontario: Gravel/ Bedrock Distribution Map; Puslinch Township. (S19)
 - 6) Farmers Union: EOR Submission re Aggregate Resources Act changes, 2020. (S9)
 - 7) Wellington County/ Puslinch Township Budget Analysis.
 - 8) Shell Oil: Globe and Mail 2021/ Failing Wells: Ontario Farmer 2021 (S11)
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