



resources

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6. Resources

6.A Mineral Resources

The Niagara Region is fortunate in having large deposits of sand, gravel, stone and shale as illustrated on Schedules D1 through D4. These mineral resources play a significant role in the Region's economy in providing necessary raw materials for buildings, roads and other construction projects. Policies for mineral resources are intended to ensure that these natural resources are available for future use and that their management is compatible with the natural and human environment.

The **Pits and Quarries Control Act**, 1971, provides that:

- a) all pit and quarry operations must obtain a Provincial license and must meet the landscaping, buffering and setback regulations of the Province; and
- b) pit and quarry operations must prepare and follow plans for the future rehabilitation of their pit or quarry and must contribute funds to ensure that the rehabilitation measures are carried out.

There are now nine sand and gravel pits and eleven stone quarries within the Niagara Region operating under the provisions of the above **Pits and Quarries Control Act**. Approximately four million tonnes of aggregate have been extracted annually in recent years.

Other mineral resources found in the Region are peat and natural gas. There is a large peat-harvesting operation in the Wainfleet Marsh. A small amount of natural gas is produced from the southern portion of the Niagara Region and offshore Lake Erie. Natural gas is also stored underground in this Region to help provide for peak wintertime usage.

6.B Objectives for Mineral Resources

Objective 6.B.1 To ensure an adequate supply of mineral resources (including sand, gravel, stone and shale) for the short-term and long-term construction, chemical, and metallurgical needs within the Niagara Region.

Objective 6.B.2 To ensure the suitable location, operation and rehabilitation of mineral extraction activities in order to minimize conflicts with both the natural and human environment of the Region.

6.C Policies for Mineral Resources

Policy 6.C.1 The Region accepts that all the currently licensed pits and quarries within the Niagara Region may continue within the limits of the land areas presently licensed, and subject to continuing satisfactory operating and rehabilitation procedures. (Licensed pits and quarries are shown approximately on Schedule D4).

Policy 6.C.2 The Region will consider new pits and quarries or the expansion of existing pits and quarries within either the "possible aggregate areas" which are shown in a general way on Schedule D4, or elsewhere in the Region. In addition, within the Niagara Escarpment Plan area any proposed new pit or quarry shall conform with the Niagara Escarpment Plan policies.

Policy 6.C.3 Other uses within possible aggregate areas will be restricted, insofar as possible, to existing uses plus agricultural, open space, and forestry uses which do not involve significant new building. The intent is to limit the establishment of uses or activities whose presence would either prevent or conflict with the possible development of a pit or quarry extraction operation. In addition, within the Niagara Escarpment Plan area, land uses are restricted to uses that are permitted in the Niagara Escarpment Plan policies.

Policy 6.C.4 Only those uses permitted under Chapter 5.B, Policies for Agriculture, and Niagara Escarpment Plan policies within the Niagara Escarpment Plan area, should be considered for areas adjacent to either licensed pits and quarries or possible aggregate areas which are outside the urban areas boundaries of local municipalities as shown in this Plan.

Also, in areas adjacent to or in known deposits of mineral aggregate resources, *development* and activities which would preclude or hinder the establishment of new operations or the expansion of existing 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.

Policy 6.C.5 Applications for licenses to open new pits or quarries and applications for changes to or expansions of existing licensed pits or quarries will be considered in relationship to the Niagara Escarpment Plan policies within the Niagara Escarpment Plan area and to the following conditions:

- a) compliance with the provisions of other policies in this Plan including Policies 7.B.1.31 to 7.B.1.34 inclusive in Chapter 7 of this Plan;
- b) compatibility with surrounding land uses;
- c) the impact on the natural environment including surface watercourses and Groundwater;
- d) the proposed manner of operation, site plan, and rehabilitation;
- e) the proposed haulage roads and the possible effect on the roads concerned and on adjacent *development*.

Policy 6.C.5.1

Notwithstanding any provisions in the Chapter 6 to the contrary:

- a) No new *mineral aggregate operations*, wayside pits and quarries or any ancillary or accessory use thereto will be permitted between Lake Ontario and the Niagara Escarpment Plan Area.
- b) A new *mineral aggregate operation* or wayside permit or the expansion to an existing operation may only be considered on primary and secondary selected sand and gravel resources on the Fonthill Kame, in the Town of Pelham, as identified by Aggregate Resource Inventory Paper #4 if the applicant demonstrates that:
 - i. Substantially the same land area will be rehabilitated back to an agricultural condition which allows for the same range and productivity of tender fruit or grape crops common in the area; and
 - ii. The micro climate on which the site and the surrounding area may be dependent for tender fruit and grape crop production will be maintained.
- c) A new *mineral aggregate operation* or the expansion of an existing operation shall only be permitted in Unique Agricultural Areas not identified under clauses a) and b) above where the applicant demonstrates the following:
 - i. The physical characteristics of the proposed site allow for the rehabilitation of the property back to an agricultural condition, which allows for the same range and productivity of tender fruit and grape crops common in the area, and allow for the microclimate on which the site and surrounding area may be dependent for grape and tender fruit production to be maintained; or
 - ii. If the physical characteristics of the proposed site will not allow for the rehabilitation of the property back to an agricultural condition, which allows for the same range and productivity of tender fruit and grape crops common in the area, and will not allow for the micro climate on which the site and the surrounding area may be dependent for tender fruit and/or grape production to be maintained, the applicant shall consider alternative locations; *and*
 - iii. Where other alternatives have been considered by the applicant and found unsuitable, and in situations where complete agricultural rehabilitation to the same level of tender fruit and grape production is not possible due to the depth of planned extraction or a substantial aggregate deposit below the water table warranting extraction, agricultural rehabilitation in the remaining licensed area will be maximized as a first priority to allow production of tender fruit and grape crops.

- Policy 6.C.6** The Region desires full consultation among the Ministry of Natural Resources, the Region, the area municipalities and pit and quarry applicants before the licenses are issued or changed, to ensure that proposed new or expanded pit and quarry operations are found to be on satisfactory sites and that the rehabilitation plans are found suitable. Policies of local official plans and comments by area municipalities will be taken into account. In addition, within the Niagara Escarpment Plan area any pit and quarry application shall conform with the Niagara Escarpment Plan policies.
- Policy 6.C.7** The Region encourages progressive rehabilitation of operating pits and quarries, that is, the simultaneous stripping, extraction, and rehabilitation of licensed areas. The rehabilitation of the pit or quarry should be compatible with the surrounding land uses.
- Policy 6.C.8** In the case of adjacent pit or quarry operations, the Region will, wherever practical, encourage the removal of all economically viable material between the pits, and encourage continuous and harmonious rehabilitation.
- Policy 6.C.9** Where two extractive operations are separated by a Regional road, the feasibility of allowing the producers to temporarily re-route and then replace the road at a lower elevation will be considered to enable operators to remove viable material between the operations.
- Policy 6.C.10** Wayside pits and quarries which are to be operated by a public authority or under agreement by an agent of a public authority for public road purposes may be permitted temporarily in all parts of the Region except in environmentally sensitive areas as shown in this Plan. In addition, within the Niagara Escarpment Plan area any wayside pit and quarry application shall conform with the Niagara Escarpment Plan policies. Such public authority should inform the area municipality and the Region of its intentions and respond to any comments made before the opening of a wayside pit or quarry.
- Policy 6.C.11** All pits and quarries and wayside pits and quarries are subject to the **Pits and Quarries Control Act**, 1971, and Regulations as amended.
- Policy 6.C.12** The Region will request area municipalities to establish land-use designations and by-laws for pits and quarries to conform with the policies and Schedules in this Plan.
- Policy 6.C.13** Where a new pit or quarry or an extension to an existing licensed pit or quarry are to be located outside a possible aggregate area, an amendment to this Plan is required.

6.D Peat Extraction

Policy 6.D.1

The Region requests the Province to enact enabling legislation to include peat extraction as mineral extraction under the **Pits and Quarries Control Act**.