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Report

Planning, Design & Development Committee

Standing Committee of the Council
of the Corporation of the City of Brampton

Date: January 6, 2009

PLANNING, DESIGN & DEVELOPMENT COMMITTEE

File: CO6W12.002

DATE: February 18, 2009

Subject: **STATUS REPORT**, Norval Quarry Rezoning Application &
Establishment of a Brampton Aggregate Review Committee,
Ward 6

Contact: David Waters, Manager, Land Use Policy (905-874-2074)
Joanne Warner, Policy Planner (905-874-3861)

OVERVIEW:

- This report provides a summary of a rezoning application submitted in early December 2008 by Brampton Brick that proposes the development of a shale quarry in the area of Old Pine Crest and Winston Churchill Blvd. in North West Brampton.
- City staff have reviewed the application and determined that it is complete under the requirements set out by the Planning Act. However, the City has advised the applicant that further technical information may be required during the processing of the proposal.
- The City completed benchmarking of the complete application process for aggregate planning applications in adjacent municipalities and found that staff's review of the Brampton Brick submission was comparable to the requirements of other municipalities.
- A Brampton Aggregate Review Committee and a Joint Agency Review Team is proposed to co-ordinate the review and consultation of the application by public agencies and facilitates information to be exchanged with stakeholders and the general public.
- The Brampton Aggregate Review Committee, consisting of City staff and the two Ward Area Councillors, will provide for community participation throughout the plan review process.

Recommendations:

1. **THAT** the report entitled "Status Report, Norval Quarry Rezoning Application & Establishment of a Brampton Aggregate Review Committee" dated January 6, 2009, (File CO6W12.002) and attachments be received;

2. **THAT** the Brampton Aggregate Review Committee Terms of reference as described in Appendix A be endorsed and that the Aggregate Review Committee will be comprised of the Director of Planning, & Land Development Services, Director of Development Engineering and, Manager, Land Use Policy from Planning, Design & Development, the Director of Operations from Works & Transportation and the City Solicitor along with the two Ward Area Councillors;
3. **THAT** the City contact the following agencies and municipalities listed herein as potential Joint Agency Review Team members to request their participation on this review committee: Region of Peel, Town of Caledon, Town of Halton Hills, Region of Halton, Credit Valley Conservation, Ministry of Natural Resources and the Ministry of Municipal Affairs and Housing;
4. **THAT** regardless of agency interest in the Joint Agency Review Team process, staff be directed to undertake a comprehensive circulation, technical review, including peer review, and public consultation, and report to Council as required on the status of the Norval Quarry rezoning application, and,
5. **THAT** the City Clerk forward a copy of this staff report and Council resolution to the Regions of Peel and Halton, Credit Valley Conservation, City of Mississauga, Town of Caledon, Town of Halton Hills, Ministry of Natural Resources, Ministry of Environment and Ministry of Municipal Affairs and Housing for their information.

Background:

In December 2008, Brampton Brick submitted a rezoning application to the City of Brampton to permit a shale extraction operation and related uses on a 34.9 hectare (86 acre) property in the area of Old Pine Crest Road and Winston Churchill Blvd. on the Brampton side of Norval (see Figure 1).

The purposes of this report are to:

- provide details of the rezoning application;
- recommend the establishment of an Aggregate Review Committee consisting of City staff and the Ward Councillors; and,
- present the policy framework that exists in North West Brampton regarding the protection of shale and current legislation around resource extraction in Ontario.

North West Brampton

In August 2000, City Council endorsed a two-stage planning process for North West Brampton starting with the initiation of three broad level background component studies to determine the long-term regional and City-wide need for employment and residential lands; the extraction potential of the designated Norval Shale Resource Area; and the broad transportation and infrastructure requirements to accommodate future residential, industrial and commercial development.

In October 2002, the results of the detailed findings of the three Phase 1 component studies were accepted by Council and direction was given to initiate the other background studies for North West Brampton in order to fulfill the rest of Section 7.9.2.8 of the Regional Official Plan. As a result, in December 2002, Council endorsed the Phase 2 work program for the urban boundary review and initiated the remaining background studies in the area of environment and open space; agriculture; municipal finance and servicing.

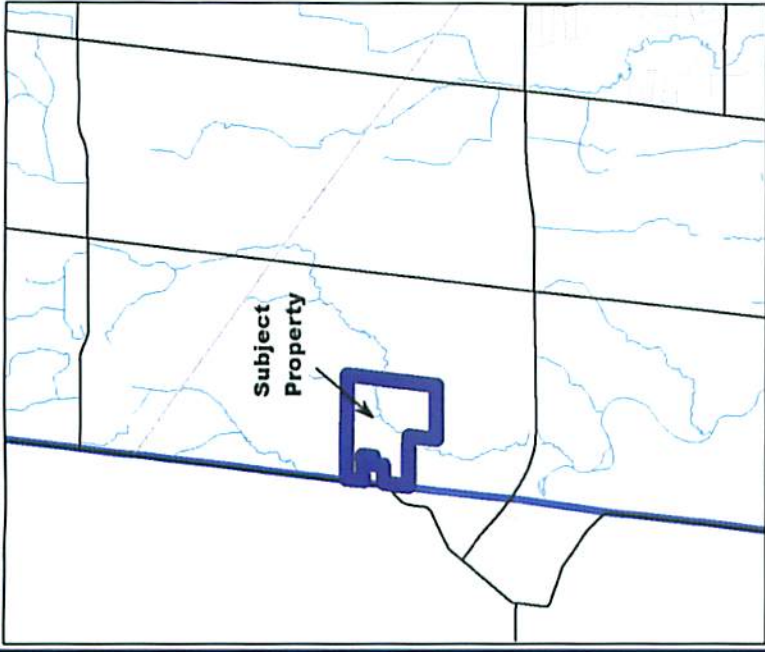
The findings of the component study resulted in the preparation of Local Official Plan Amendment OP93-245. This high level policy document proposed to expand the urban boundary of the City's Official Plan to include all of North West Brampton. The document balanced the competing land use pressures of shale extraction, agriculture and the long term growth forecasts for the Region. No general land uses or natural heritage features were designated, instead the document formed a policy framework to guide subsequent stages of land use planning.

In 2002, the Region of Peel initiated ROPA 15, which updated the population and employment forecasts of the Regional Official Plan and in so doing incorporated the expansion of the urban boundary to include all of North West Brampton and refined the High Potential Mineral Aggregate Resource Areas (HPMARA) mapping for West Brampton.

Both OP93-245 and ROPA 15 were appealed to the Ontario Municipal Board by a number of parties including the Province of Ontario and Brampton Brick. In December 2006, the OMB issued their decision supporting the expansion of the urban boundary to include all of North West Brampton along with shale protection policies for the lands west of Mississauga Road. The OMB found that OP93-245 and ROPA 15 represented good planning and should be approved.

The approval of OP93-245 and ROPA 15 implemented a policy framework for North West Brampton that identifies the lands west of Mississauga Road (including the area within the Greenbelt Plan) as having mineral extraction potential, in both the Regional and Brampton Official Plans. These Official Plans identify the need to protect shale resources and make them available for a period

LOCATION MAP



AERIAL SCALE 1: 14,000

AERIAL DATE: Spring 2008

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Legend



AREA TO BE LICENSED - 86.20 Acres

120 Meter Buffer From Site

500 Metre Buffer From Site

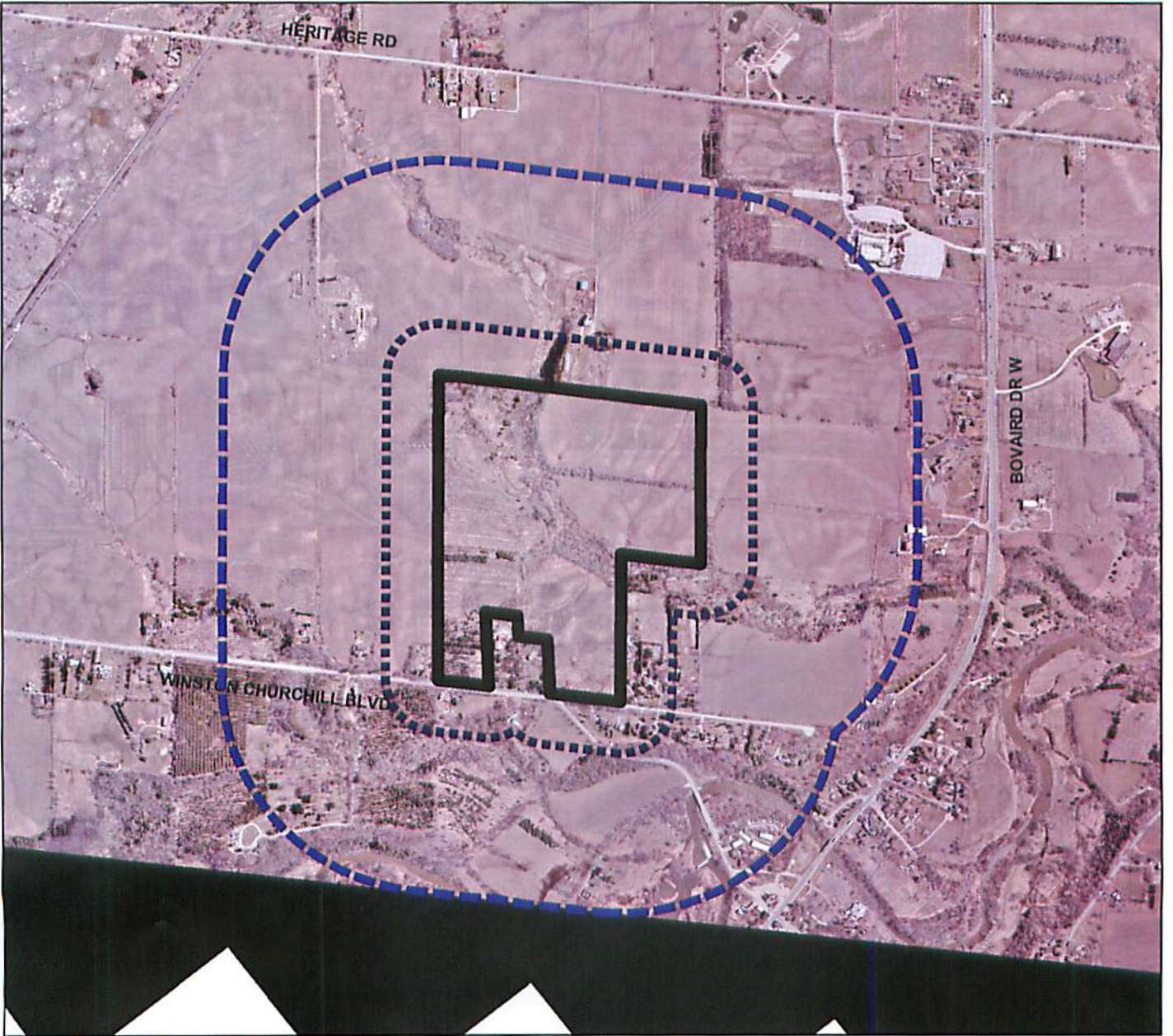
FIGURE 1 - AERIAL AND LOCATION MAP



Date: 2008/12/08

Map No.: 19-10

Drawn By: CJK



of ten years (2016) at which time a review will be undertaken to determine if further protection is required.

As both the City and Regional Official Plans recognize and protect this resource, proposals for shale extraction in the HPMARA do not require an official plan amendment to permit the use (see Figure 2).

Notwithstanding Official Plan policies, the approval of mineral extraction operations is subject to re-zoning (City of Brampton) and licensing process under the Aggregate Resources Act (Ministry of Natural Resources) that consists of a rigorous evaluation and assessment, including multi-agency review.

Provincial Legislation

There are several pieces of Provincial legislation, procedures and approvals that must be obtained by an applicant before a new mineral aggregate operation can be established in Ontario. The key legislative instruments affecting new proposed aggregate extraction operations are:

- The Aggregate Resources Act (ARA) - The Ministry of Natural Resources is responsible for the issuance of a Licence in accordance with the ARA; and
- The Planning Act - The City of Brampton and the Region of Peel are responsible for processing such applications as applicable for proposed mineral extraction in accordance with the Planning Act.

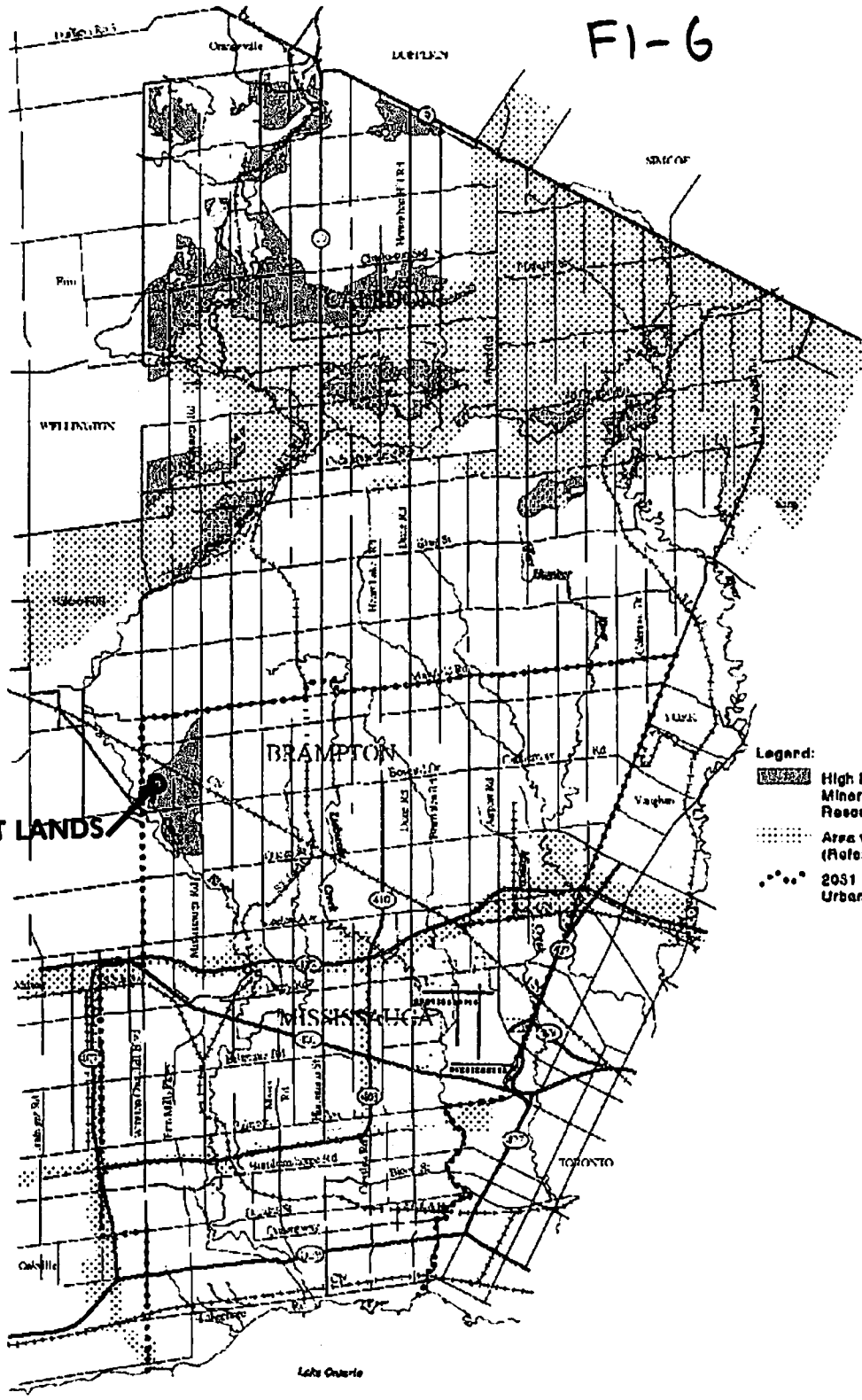
The ARA is the primary statute regulating the approval, licensing and operation of aggregate extraction operations in the Province. Section 2 of the Act sets out its purpose as being to:




- provide for the management of aggregate resources;
- control and regulate aggregate operations on Crown and private lands;
- require the rehabilitation of land from which aggregate has been excavated; and,
- minimize adverse impact on the environment in respect of aggregate operations.

The processing of planning applications to permit resource extraction under the Planning Act can be ongoing while a licence application under the Aggregate Resources Act is being processed. However no licence can be issued if a zoning by-law prohibits the site from being used for the operation of a pit or quarry. The applicant must provide proof of proper zoning during the application process

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SUBJECT LANDS



- Legend:**
-  High Potential Mineral Aggregate Resource Area
 -  Area with Special Policies (Refer to Figure 2)
 -  2051 Regional Urban Boundary

EXTRACT FROM SCHEDULE C OF THE 1995 REGION OF PEEL OFFICIAL PLAN



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**FIGURE 2 - HIGH POTENTIAL MINERAL RESOURCE AREAS
REGION OF PEEL**

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before the licence is sent to the Minister for signing. This must be submitted within two years of the start of the licensing process, or the application is considered withdrawn.

Other Ministry and/or agency approvals may also be required for particular aggregate applications. If the proposed pit or quarry involves the taking or diversion of surface and/or ground water, permits will be required from the Ministry of Environment. The Federal Department of Fisheries and Oceans may become involved under the Federal Fisheries Act where fish habitat is threatened or lost. The Ministry of Natural Resources may also be involved where Rare or Endangered species are at risk and where significant wetlands and woodlands are potentially present. The Ministry of Transportation may become involved where the application affects a Provincial Highway, and the Ministry of Citizenship and Culture where archaeological resources may be impacted.

Section 2(c) of the Planning Act indicates that “ the conservation and management of the mineral resource base” is a matter of Provincial interest. Any aggregate extraction proposal within the City of Brampton would have to be consistent with such policy. The Province provides aggregate extraction policy statements within the following documents:

- Provincial Policy Statement (PPS) 2005;
- Provincial Growth Plan: Places to Grow Act 2005; and
- The Greenbelt Plan 2005.

The PPS provides guidance on matters of provincial interest related to land use planning. As all planning decisions must be consistent with the PPS in order to ‘represent good planning’, the policies contained therein are a very important component of the development of any strategy regarding the management of aggregate resources.

The following sections of the PPS represent key policies both in the development of an aggregate management framework, and in the consideration of mineral extraction proposals.

“Section 2.5.1 Mineral aggregate resources shall be protected for long term use”.

“Section 2.5.2.1 As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere”.

“Section 2.5.2.2 Extraction shall be undertaken in a manner which minimizes social and environmental impacts”.

The Growth Plan

The Growth Plan allows the Province to develop and implement high level plans for land use and growth in Ontario. The Growth Plan assigns population projections to individual municipalities and establishes requirements for how and where growth will occur. Municipalities are required to ensure that an adequate amount of land is available in order to meet long term population and employment targets, whilst also safeguarding valuable environmental, agricultural and mineral resource uses. In order to meet the need for aggregates by the growing population, ‘significant’ mineral resource areas need to be identified and protected.

The Greenbelt Plan

The Greenbelt Plan identifies where urban growth should not occur. By designating areas as Protected Countryside, it seeks to provide permanent protection to the agricultural land base and ecological form and function of Ontario’s landscape. An additional goal of the Greenbelt Plan is to ensure that renewable and non-renewable natural resources are protected and made available to facilitate social, environmental, economic and growth needs. Mineral extraction operations are therefore permitted on land designated as Protected Countryside, and the Greenbelt Plan provides policies on where such operations will be permitted and on the rehabilitation of mineral extraction sites.

The lands subject to this planning application in the City of Brampton for aggregate extraction are located within the Provincial Greenbelt and designated “Protected Countryside” and “Natural Heritage System” (see Figure 3). Notwithstanding the Protected Countryside permission for extraction, within the Natural Heritage System designation of the Greenbelt Plan, mineral aggregate operations are subject to additional tests to ensure protection of significant habitats and/or species (i.e. significant wetlands and wildlife habitats), connectivity maintenance and enhancement of the post operation landscape.

Current Situation

Planning Application

An application for re-zoning was submitted by Brampton Brick on December 9, 2008. The proposal is to rezone lands at Old Pine Crest Road/Winston Churchill Boulevard in North West Brampton from Agricultural to Industrial Mineral Extraction and related uses (see Figure 4). The site has an area of 34.9 hectares or 86 acres. The following zone provisions are proposed in the application:

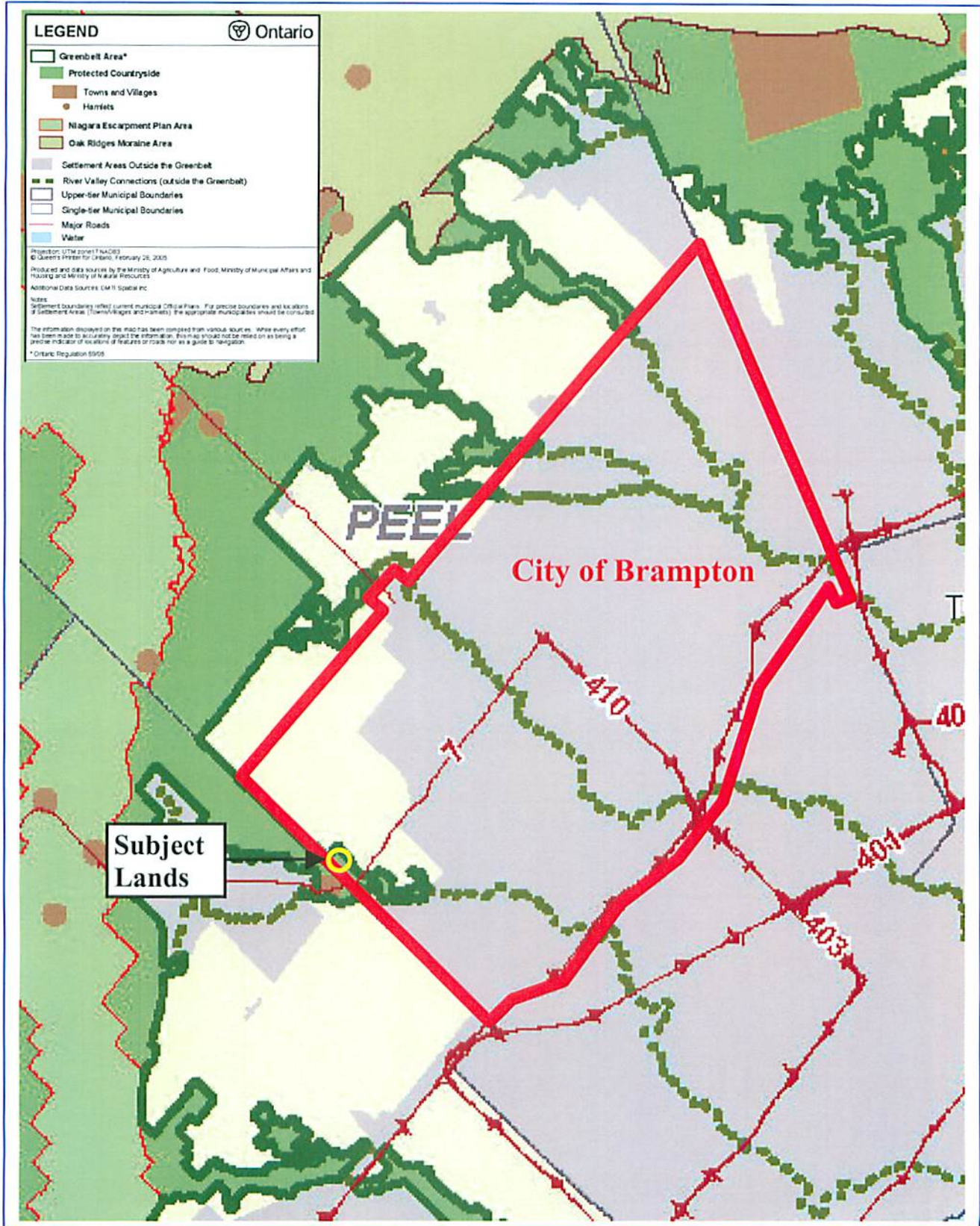


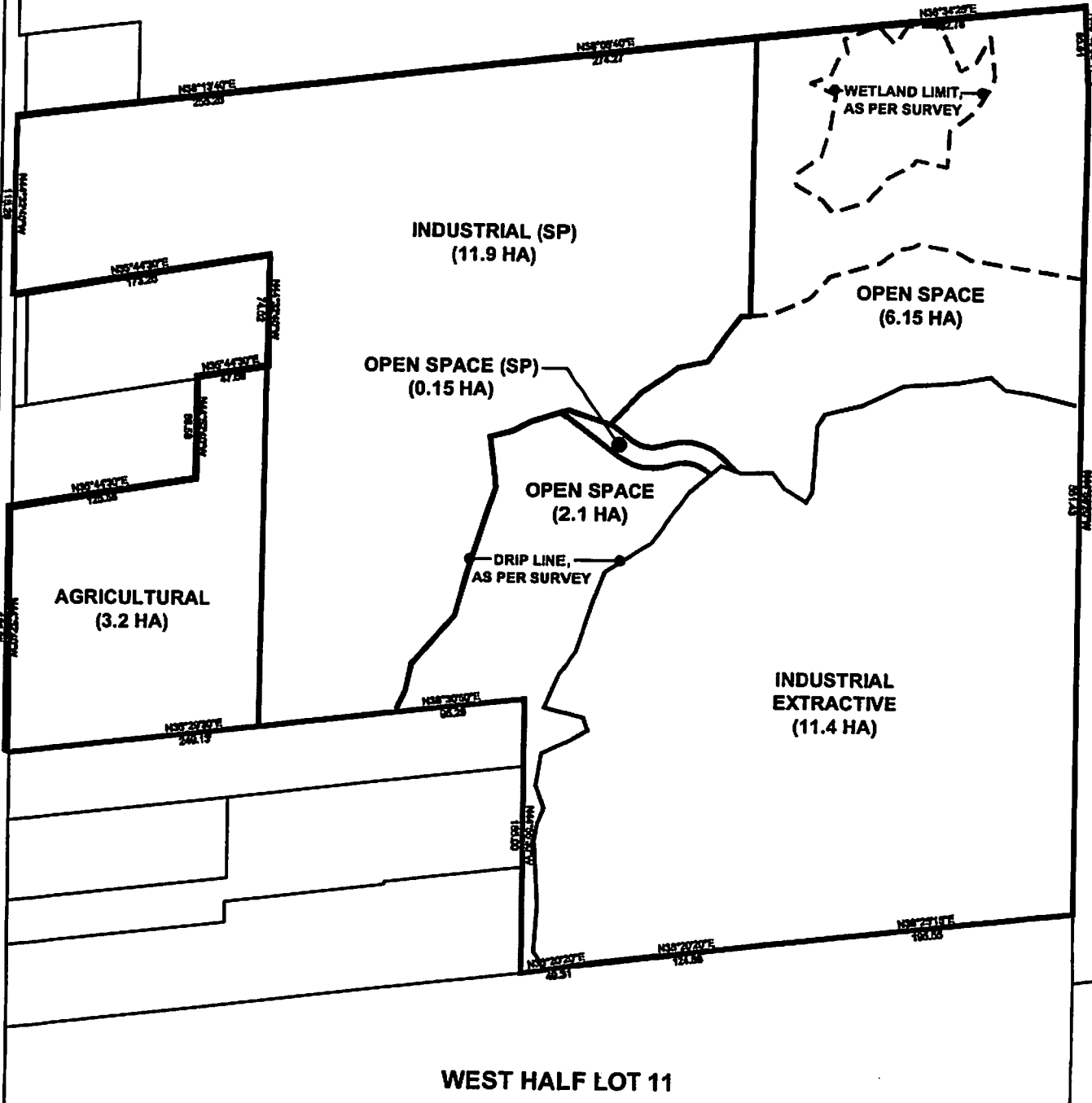
Figure 3 – Location of the Greenbelt Area in The City of Brampton

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WEST HALF LOT 13

WINSTON CHURCHILL BOULEVARD

OLD PINECREST ROAD



WEST HALF LOT 11



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**FIGURE 4 - PROPOSED ZONING DESIGNATIONS
NORVAL QUARRY (BRAMPTON BRICK)**

Date: 2009 01 09

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- Extractive Industrial – 11.4 hectares ha active excavation area and setbacks (this area is located towards the rear of the site);
- Industrial with Special Provisions – 11.9 hectares for stockpiling, truck loading, berming, landscaping, and haul road facilities;
- Open Space – 8.25 hectares main tributary area and wetlands;
- Open Space with Special Provisions – 0.15 hectares of valley crossing and bridge corridor; and,
- Agricultural – 3.2 hectares zone retained to buffer property on Old Pine Crest Road/Winston Churchill Boulevard frontage.

There are no onsite processing activities proposed. A 'decanting pond' will be necessary within the Extractive Industrial zone to dewater the quarry. The truck loading area and haul route will be paved. Figure 5 represents a concept site plan for the proposed quarry that was included with the applicant's submission.

The site is currently identified in the City's Official Plan as North West Brampton Policy Area, North-South Corridor Protection Area and Shale Resource Area and designated Protected Countryside in the Greenbelt Plan (see Figure 6).

Planning Application Process

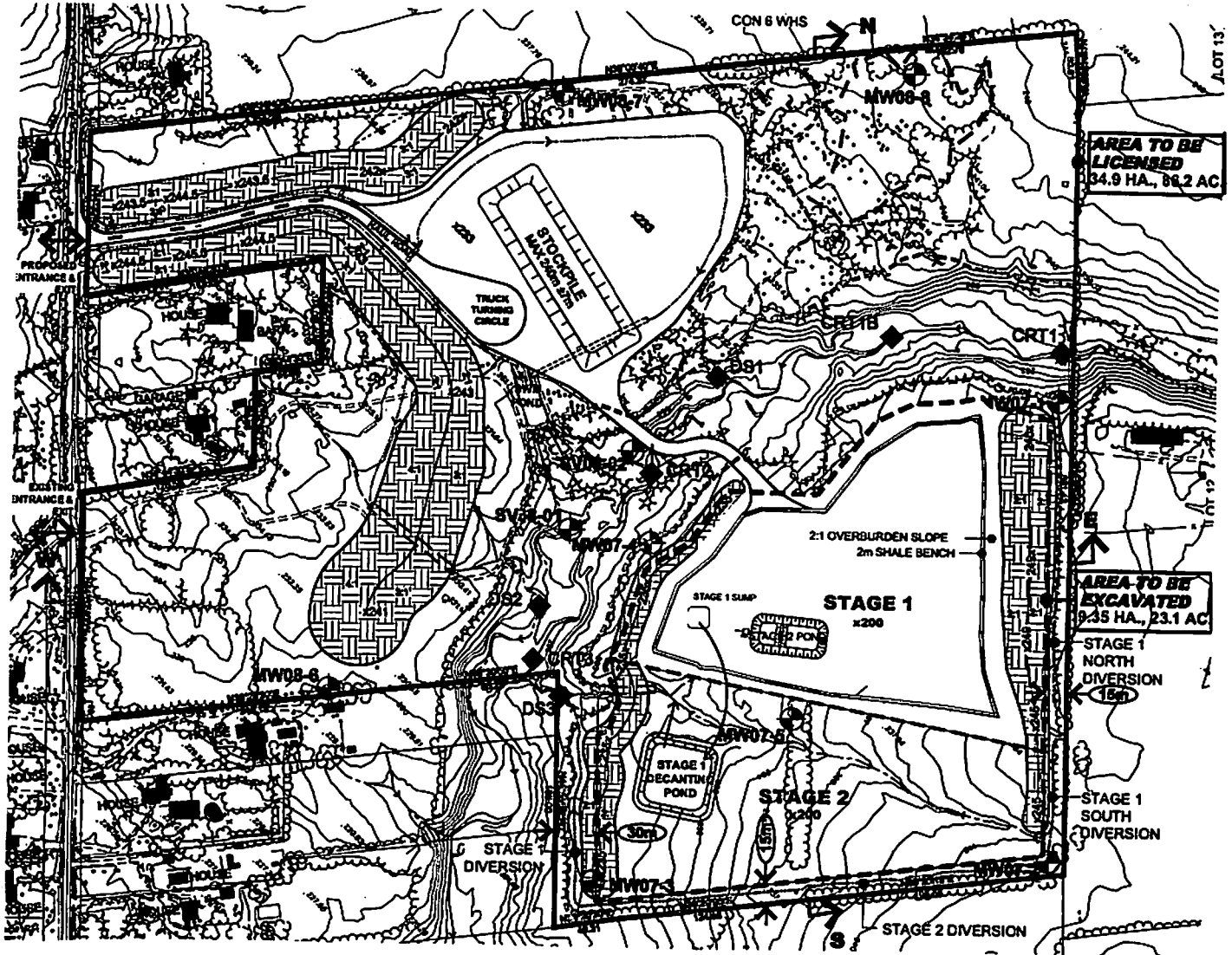
Under the provisions of the Planning Act, the City has 30 days from the date of submission to review the application to ensure completeness and to notify the applicant of this. Once the application is deemed complete the formal circulation and consideration of the details contained within the application and its associated studies begins. This is not to say by any means that the application meets the technical requirements necessary to support the proposal but under the broad requirements of the Planning Act, all the necessary studies have been submitted to the City to initiate the review.


In support of the proposed quarry, the applicant with the rezoning application has submitted the following technical studies:

- Planning;
- Surficial Soils and Agriculture;
- Natural Environment;
- Noise Control;
- Cultural Heritage (Archeology);
- Hydrogeology;
- Hydrology;
- Air Quality;
- Transportation and,
- Visual Assessment.


City staff examined the submission requirements for aggregate applications of the Town of Caledon, Town of Halton Hills and the Region of Halton, all

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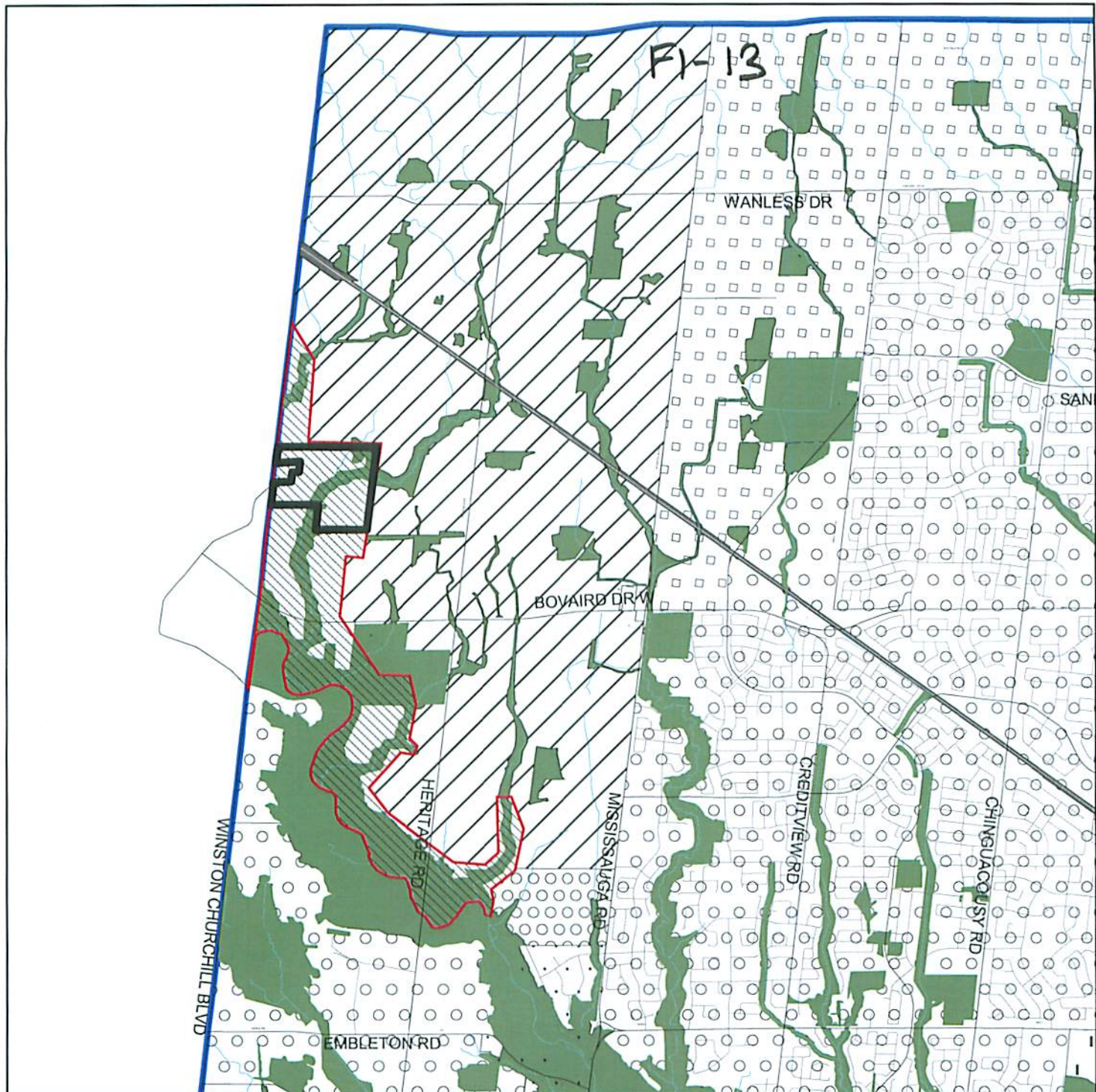
FLOWER CITY

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PLANNING,
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**FIGURE 5 - OPERATIONAL CONCEPT SITE PLAN
NORVAL QUARRY (BRAMPTON BRICK)**



EXTRACT FROM SCHEDULE A (GENERAL LAND USE DESIGNATIONS) OF THE 2006 CITY OF BRAMPTON OFFICIAL PLAN

- | | | | | | |
|--|---------------------|---|---------------------------|---|------------------------------|
|  | SUBJECT LANDS |  | CORRIDOR PROTECTION AREA |  | SPECIAL LAND USE POLICY AREA |
|  | RESIDENTIAL |  | OPENSOURCE | | |
|  | VILLAGE RESIDENTIAL |  | PROVINCIAL GREENBELT AREA | | |

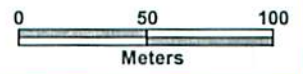


FIGURE 6 - 2006 OFFICIAL PLAN DESIGNATIONS

City staff examined the submission requirements for aggregate applications of the Town of Caledon, Town of Halton Hills and the Region of Halton, all municipalities who have dealt with aggregate extraction applications in the past.

The submission criteria established by the City of Brampton during pre-consultation were measured against these. Whilst the terminology of the study titles may be different, the studies required by all these municipalities correspond with the submissions requested by Brampton and submitted by the applicant.

The City informed Brampton Brick that their application submission is complete and that the review process will begin with all relevant stakeholders and commenting agencies, including local area residents and the general public. The letter also advised the applicant that the City may request further technical information necessary for its review.

Under the re-zoning process, once the application is deemed complete the City must provide notice. A sign clearly visible on the application site giving details of the proposed re-zoning must also be erected and maintained by the applicant. The City must also hold a statutory public meeting prior to determination of the application.

As previously mentioned, the processing of a rezoning application can be ongoing while a licence application under the Aggregate Resources Act is being processed. At present the proponent has not initiated the licensing process. Without proof of proper zoning a License cannot be issued by the MNR. If proper proof is not supplied by the applicant within two years of initiating the licensing process, the application is deemed withdrawn by the MNR. For this reason, many aggregate proponents initially submit applications for re-zoning under the Planning Act.

The applicant has indicated that they currently intend to submit this application in about a year. Staff are of the view that the planning application should be appraised in the context of the review required by the Licensing Application under the ARA to the MNR. The City expects MNR to provide some indication that the License Application is acceptable as part of reviewing the rezoning proposal.

Brampton Aggregate Review Committee

In order to process efficiently and effectively what will become a complex planning application and based on the experience of other municipalities, staff are recommending the creation of an Aggregate Review Committee to assist with plan review. The details of the Aggregate Review Committee are described in a Terms of Reference attached hereto as Appendix A.

The Aggregate Review Committee is intended to be flexible rather than prescriptive and would consist of City staff from Planning, Design & Development, Works & Transportation and Legal along with the two Ward Area Councilors.

The objectives of the Aggregate Review Committee are to:

- provide clarity for the public, commenting agencies and the applicant;
- direct the applicant to supply all information needed to undertake a comprehensive plan review of the application;
- co-ordinate and streamline all government staff actions including processing, circulating, consulting and commenting on the planning application;
- facilitate effective review and comment by the public by providing information early in the process and responding to questions and issues; and,
- reduce duplication of effort and resources required to review the application.

Staff advise that the pre-submission consultation stage has already been completed as the applicant meet with City staff and representatives from the Regions of Peel and Halton and Credit Valley Conservation in mid 2008.

To facilitate external comments from adjacent municipalities and commenting agencies, the City is proposing to establish a Joint Area Review Team (JART) with the City acting as the JART leader. Through JART, the would organize meetings (including any public meetings), ensure the timely circulation of the application, co-ordinate comments, track and respond to public and agency input. The City will chair all JART meetings and ensure positive opportunities are provided for information exchange throughout the plan review process.

Joint Agency Review Teams have been set up in adjacent municipalities like Halton Region and Hamilton to review mineral aggregate extraction applications and have proven to be beneficial assisting the host municipality with the plan review function. This is especially the case where peer review consultants will need to be retained by the City and/or JART to critique the technical studies. Staff advise that the current practice in other municipalities is for the applicant to fund the hiring of peer review consultants. The City is proposing to follow the same approach for the subject application.

While the Committee helps to improve co-ordination and communication between all parties, it does not bind any of the participating public agencies to a

predetermined position. The Aggregate Review Committee does not impede the independent authority of each decision-making body. It is not the intent of the Committee to seek consensus but rather the sharing of technical expertise to facilitate the plan review process.

The Aggregate Review Committee enables the City to suspend the JART review process if needed. Furthermore, the City is free to hire a peer reviewer to provide strategic and process oriented advice independent of JART and its members.

Conclusion

The rezoning application for the proposed Norval Quarry is in the early stages of plan review. This report proposes to establish an Aggregate Review Committee to assist the City in the technical review of the subject application and through the Joint Agency Review Team, provide for the co-ordination of review by the public agencies involved. However, the City will continue to be free to retain consultants to provide independent advice throughout the review of the application.

The City has informed Brampton Brick that their application is complete and that a comprehensive and rigorous plan review process will begin. All relevant stakeholders, including local area residents and the general public, will be invited to comment on the proposal.

Respectfully submitted,


Original Signed By

Adrian Smith, MCIP, RPP
Director, Planning and Land
Development Services


Original Signed By

John Corbett, MCIP, RPP
Commissioner, Planning, Design &
Development

Authored by: Joanne Warner/David Waters

Attachment:

Appendix A – Aggregate Review Committee Terms of Reference

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Appendix A
Aggregate Review Committee Terms of Reference

CITY OF BRAMPTON TERMS OF REFERENCE FOR AN AGGREGATE REVIEW COMMITTEE

An Aggregate Review Committee is proposed to be established by the City to administer the review and consultation process for this planning application submitted by Brampton Brick proposing the development of a shale quarry in North West Brampton.

The Aggregate Review Committee will be comprised of the Director of Planning, & Land Development Services, Director of Development Engineering and the Manager, Land Use Policy from Planning, Design & Development, the Director of Operations from Works & Transportation and the City Solicitor along with the two Ward Area Councilors.

A key element of the Aggregate Review Committee will be the establishment and facilitation of a Joint Area Review Team (JART) to coordinate technical review and consultation as described herein starting on page 2.

The objectives of this Terms of Reference are to:

- provide clarity for the public, government bodies and aggregate industry;
- direct the aggregate industry in providing all information needed to consider aggregate related applications;
- co-ordinate and streamline government staff actions including processing, circulating, consulting and commenting on aggregate applications;
- facilitate effective review and comment by the public by providing information early in the process and responding to questions and issues; and,
- reduce duplication of effort and resources required to review this proposal.

The Terms of Reference is flexible rather than prescriptive, and is based on voluntary agreement of all the parties involved with regards to the Joint Area Review Team (JART).

The City of Brampton will undertake all administrative duties as required and establish the Joint Agency Review Team, organize meetings, ensure the timely circulation of the application, co-ordinate comments, track and respond to public and agency input. The City of Brampton will also chair all JART meetings and

ensure positive opportunities are provided for information exchange throughout the process.

While the Terms of Reference helps to improve co-ordination and communication between all parties, it does not bind any of the participating government agencies to a predetermined position. This Terms of Reference does not impede the independent authority of each government decision-making body. It is not the intent of This Terms of Reference to seek consensus but rather the sharing of technical expertise.

At any time during the process, the City of Brampton can suspend the JART process. Should this be the case the JART members will be notified, and the City of Brampton will continue to process the application as directed under the Planning Act.

The three major stages are:

1. Formal Submission, Circulation and Review;
2. Detailed Local/Regional Review and Decision Making; and,
3. Decision Making.

The following seven key initiatives occur during the above three stages:

1. Formal Submission and Circulation;
2. Establishment of a Joint Agency Review Team (JART);
3. Applicant Agreement on the Procedure;
4. Holding of Joint Public Information Meeting(s);
5. Joint Agency Review and Analysis of Agency and Public Comments;
6. Holding of Statutory Public Meetings (under the Aggregate Resources Act and Planning Act); and
7. Local & Regional Council Decision-Making & Possible Planning Act Appeals.

Each of the seven key initiatives a described below.

1. Formal Submission and Circulation

After submission of the application and supporting material, the City will prepare a circulation letter describing the review process, and undertake internal and external circulation. The external agencies and interest groups may include such organizations as utility companies, the school board, etc and local residents. As a result, the City will require additional application packages for circulation.

2. Establishment of a Joint Agency Review Team (JART)

The role of the Joint Agency Review Team (JART) is to provide an opportunity for all review agencies or bodies to co-ordinate all review efforts, reduce duplication, provide opportunities for public participation outside the standard statutory meetings, respond to the public and government decision-makers on issues and concerns, and promote better government decision-making. Subcommittees of the JART may be established to deal with specific areas of concern. The City of Brampton will chair all JART meetings.

In addition to the City of Brampton, the following agencies have been identified as potential JART members:

- Region of Peel
- Town of Caledon
- Town of Halton Hills
- Region of Halton
- Credit Valley Conservation
- Ministry of Natural Resources
- Ministry of Municipal Affairs and Housing

Each JART member will report on the merits of the applications to their respective Council, Board or Commission. The applicant and all JART members will be made aware of the staff reports and dates of Council, Board or Commission consideration.

At the initiation of an aggregate application or at any time during the process, the City of Brampton, can determine that an application will not require a full JART process review.

3. JART Agreement on the Procedure

Taking into consideration this Terms of Reference, the proponent and the City should establish a work plan and timetable to ensure effective and efficient processing of the application. The work plan should consider the joint circulation and processing, public notification and advertisement, agency review, comment and decision-making on all necessary applications for mineral aggregate extraction. The applicant and applicant's consultants should be in regular contact with the JART since the applicant is expected to provide the information needed for assessment of the information submitted.

4. Holding of a Joint Public Information Meeting

More than one Public Information Meeting may be arranged and hosted by as part of this Terms of Reference. It should involve all members of Aggregate Review Committee, JART, including the MNR, the Peel Region and the

proponent. The preparation and cost of public notices for Public Information Meetings will be the responsibility of the City of Brampton. The notices will generally inform the public on the nature and processing of the application and the role of the Aggregate Review Committee, including JART.

The applicant and the applicant's consultants will be provided with an opportunity to explain/present the application, provide some technical information, receive preliminary public feedback, and respond to questions.

Although Public Information Meetings are outside of any legislated requirements (not mandatory), it could assist the public by providing key information early in the process to enable them to provide meaningful input as the process progresses. The public is advised at the Public Information Meeting of the anticipated timeframes and of any statutory public meetings under the Planning Act. The City of Brampton may decide to hold more than one Public Information Meeting.

The JART process could allow information to be exchanged with the public in a less formal atmosphere, and public meetings can be tailored to suit the needs of the community. This will not replace the Statutory Public Meeting to be held by the City of Brampton in accordance with the Planning Act.

5. Joint Agency Review and Analysis of Agency and Public Comments

Agency comments on the proponent's package and public and agency comments will be shared amongst JART members. It may be necessary for the JART to arrange for third party reviews of some of the proponent's technical studies that are outside of the expertise of the review agencies. The costs for third party reviews will be billed directly to the proponent. The City will co-ordinate agency positions where possible. Where there are differences of opinion, the reasons for those differences will be documented. The applicant will be afforded an opportunity to address any outstanding issues and concerns.

6. Holding of Statutory Public Meetings (Planning Act & Aggregate Resources Act)

Formal notification and statutory public meetings under the Planning Act and Aggregate Resources Act will be held by each approval agency mandated to hold such meetings as part of their approval process. The applicant will have the opportunity to make a presentation and respond to questions at these public meetings.

If MNR deems the application to be complete for ARA review purposes, the applicant must provide notification via letters, newspaper notices, and signage on the proposed aggregate site. The applicant is then required by the *Aggregate*

Resources for Ontario Provincial Standards to hold a public information session in accordance with legislative requirements.

7. Council Decision Making and Possible Planning Act Appeals

Zoning by-law Amendments must be in conformity with the Peel Region and Brampton Official Plans.

Under the Planning Act, should the Zoning by-law be refused by Council, the applicant is provided with the opportunity to appeal the decision to the OMB.

Should the Zoning by-law Amendment be approved without an appeal, the City will advise the MNR that the Minister or Cabinet can make a decision on the approval of the Aggregate Resources Act License application.

Should there be an appeal of the Planning Act application (Zoning By-Law) and/or an appeal of the Aggregate Resources Act application, the file material, reports and recommendations will be sent to the OMB for a hearing.

**JART as a complimentary process to aid the efficiency of the
City of Brampton Aggregate Review Committee**

