

SAVING ONTARIO'S NIAGARA ESCARPMENT: THE QUARRIES, THE POLITICS AND
THE MYTH OF THE DUFFERIN GAP, 1950-1970

By MARY-WYN GUNN

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Abstract

The preservation of the Niagara escarpment has long been a matter of concern for the people of Ontario. This study traces the rise of the movement to save this iconic landform in the county of Halton during the 1960s. Beginning with a natural history of this section of the escarpment located to the west of the City of Toronto, this study examines the development of the large-scale crushed rock quarrying industry on the escarpment, the emergence of local demands to curb this industry's blasting practices and the shift of the campaign to the provincial level. It ends in 1970, with the implementation of the first provincial legislation to regulate the extraction of industrial minerals on the Niagara escarpment.

The significance of the research lies primarily in its re-interpretation of the standard account put forth by Ontario scholars and others, who have consistently emphasized the actions of urban-based environmental groups in this history. By focusing instead on the traditional rural populations and their struggles with the major quarry operators, this study underscores the importance of the small rural landowner in shaping political consciousness on the Niagara escarpment during this foundational chapter of its protective history. Next, by offering the first comprehensive account of the series of events leading to the passage of this legislation, this dissertation reveals how both the local and environmental actors were side-lined by this industry and its supporters within government, who then shaped this legislation to suit their special interests. Lastly, while most mining histories in Canada deal with hinterland case studies where private property regimes are practically non-existent, this research makes an important contribution to our understanding of extractive histories in the more densely populated areas of the country, where property ownership is the main form of land tenure.

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List of Abbreviations

APAO	Aggregate Producers Association of Ontario
BTA	Bruce Trail Association
CONE	Coalition on the Niagara Escarpment
EMO	Environmental Movement Organization
FON	Federation of Ontario Naturalists
GTA	Greater Toronto Area
MRC	Mineral Resources Committee
NE	Niagara Escarpment
NEC	Niagara Escarpment Commission
NEP	Niagara Escarpment Plan
NEPA	Niagara Escarpment Protection Act
NEPDA	Niagara Escarpment Planning and Development Act
NEPOS	Niagara Escarpment Parks and Open Space System
NGO	Non-Government Organization
OMA	Ontario Mining Association
OMB	Ontario Municipal Board
UNESCO	United Nations Educational, Scientific and Cultural Organizations

Introduction

In the spring of 1970, the Ontario government passed Bill 79, *the Niagara Escarpment Protection Act, an act to protect the escarpment and its vicinity*. Thus began the era of government intervention in protecting the 725-kilometre ridge of mostly forested limestone rock, extending across the southern half of the province from Niagara Falls to the tip of the Bruce Peninsula. In the fifty years since the passage of this legislation and particularly since its designation as a UNESCO biosphere in 1990, the landscapes of Southern Ontario's "most important topographical feature" have been intensively studied: In the 1980s, provincial scientists began cataloguing the escarpment's flora and fauna and after a decade completed one of the most comprehensive ecological surveys ever done on a provincial landform.¹ In the late 1990s, social scientists set about the task of capturing the complex array of values, uses and interactions between the people and this special provincial landscape; and by the second decade of the new century, these scholars arrived at what they believed was a good understanding of the series of events that called forth these protective measures for the Niagara escarpment in the first place.

There was an outcry in the sixties, when a visible section of the escarpment cliff face... just north of the busy Highway 401, was dynamited and breached, to facilitate access to a gravel pit.²

The establishment of the Niagara escarpment as a green corridor started with the efforts of the Bruce Trail Committee in the 1950s to create a hiking path

¹ John L Riley, Steve Varga and Jarmo V Jalava. *Ecological Survey of the Niagara Escarpment Biosphere Reserve*, (1996).

² Peter E. Kelly and Douglas W. Larson, "The Niagara Escarpment," in *The Last Stand: A Journey Through the Ancient Cliff-Face Forest of the Niagara Escarpment* (Toronto: Dundurn Press, 2007). 17.

across the spine of the escarpment... The Dufferin Gap, a breach in the escarpment created by Dufferin Aggregates provided the impetus for protests over aggregate operations in the Niagara escarpment, visible from Highway 401, first called attention to the importance of maintaining the continuity of natural landforms.³

In 1962, blasting from the Dufferin Aggregates Milton Quarry blew a hole in the Niagara escarpment, one of Southern Ontario's most prominent landscapes. The visibility of the transformed landscape was a catalyst for the fledgling environmental movement in the province and the public construction of the Escarpment as a specific and valuable landscape.⁴

As indicated by the above passages, many scholars believe that the history of environmental protection on the Niagara escarpment began when a major quarry company blasted through the escarpment in the early sixties. This 1962 breach or gaping hole blown in the escarpment set off a chain reaction igniting a public outcry, which prompted the provincial government study that culminated in the enactment of the 1970 *Niagara Escarpment Protection Act* - the legislation designed to protect the escarpment from the ravages of quarrying.

References to this story appear in studies on the Oak Ridges Moraine, the biosphere, and the Ontario greenbelt. Even legal scholars have referenced this heroic tale to provide background or historical perspective to their studies on how “notions of rurality have shaped the people’s relations with the lands” on the Niagara escarpment.⁵ There can be little doubt that scholars consider this official history of Canada’s first large-scale environmental plan as the key to understanding the evolution of the first environmental legislation and policy, not only on the

³ L. Anders Sandberg, Gerda R. Wekerle and Liette Gilbert, *The Oak Ridges Moraine Battles: Development, Sprawl, and Nature Conservation in the Toronto Region* (University of Toronto Press, 2013), 65-66.

⁴ Estair Van Wagner, "Law's Rurality: Land Use Law and the Shaping of People-Place Relations in Rural Ontario," *Journal of Rural Studies* 47 (2016), 319.

⁵ Van Wagner, "Law's Rurality." 314.

Niagara escarpment but throughout the province. The story of the Gap and the environmentalist hikers who purportedly saved the Niagara escarpment from the ravages of quarrying, is now widely accepted among scholars. But is it true?

This dissertation traces the story back to its origins and finds that while this account contains some kernels of truth, it does not hold up under the harsh light of history. By re-examining the sequence of events leading to the enactment of this 1970 legislation and considering first, how quarrying on the escarpment emerged on the public radar and second, what actions were taken to address this concern, this dissertation demonstrates that the weight of evidence supports a different interpretation. Contrary to the claims made by these scholars that the Gap and the environmental movement played the central role in the campaign to protect the escarpment's recreational and aesthetic features; this dissertation finds that the environmentalist hikers and the blasting of the Gap were peripheral to this history. While quarry blasting played a crucial role in this history, no single blasting episode galvanized the Ontario environmental movement or called forth these protective measures for the protection of the Niagara escarpment. Rather, this dissertation shows that in the period leading up to the passing of the legislation, increased tensions between the escarpment landowners and the quarry operators over land use, was the decisive factor in focusing the public's attention on the problems of quarrying on the Niagara escarpment.

However, in the final analysis, it was industry's response to these tensions that prompted the passage of this legislation in 1970. By tracing the shifting positions of local and provincial politicians toward the quarry operators, this dissertation arrives at its central thesis that this legislation was enacted largely at the instigation of the aggregate industry and primarily for the purpose of safeguarding its future rock rights on the escarpment lands. Not only was this faction

influential in persuading the Ontario legislature to adopt relatively weak measures to protect the escarpment's facial features, but the producers were also successful in convincing provincial policymakers to adopt robust measures to preserve for future use, some of the richest deposits of limestone on the continent. The arguments contained in this dissertation pose a major challenge to the accepted version of this history. But in addition to providing an important corrective to this history, this revised account places these issues in a broader historical context while offering a critical insight into the origins of a provincial policy which fifty years later, continues to support and promote industrial quarrying on the Niagara escarpment.

The following section contains the major justification for doing this research. It begins with a systematic reflection on the story of the Gap and a review of some of the pertinent literature that contributed to the widely accepted interpretation of this history. It traces the wellspring of this heroic narrative to the early 21st century writings of environmental geographers and planning scholars and identifies several problems with their account of how regime-change came to the Niagara escarpment. Along with documenting problems with primary and secondary evidence, the interpretation of this evidence and the inappropriate use of sources, it also shows how simplistic assumptions about the workings of "social capital" (trail-building networks) on the escarpment also affected this scholarly interpretation of past events. In the end this analysis demonstrates that while the story of the Gap and the hikers who saved the escarpment is an interesting and provocative tale, it is in fact bad history. It ignores the influence of the escarpment's rural landowners while exaggerating the role of the environmental movement, and in the end fails to give an accurate or convincing account of how and why regime change took place on the Niagara escarpment.

The Gap story, which is now widely accepted as true, first made its scholarly appearance in a paper published in this country's flagship geographical journal, *The Canadian Geographer* in March 2005. In their paper entitled, "Winning Back More than Words?", two environmental geographers from York University set out to explore the links between "power, discourse and quarrying on the Niagara escarpment." The object of their study was the Dufferin Milton quarry, the subject was the company's 2001 license-application to the Niagara Escarpment Commission to expand the quarry. These authors were primarily concerned with writing an account of the complex dynamics that resulted in the Commission's decision to approve the quarry expansion several years later. Dufferin's was the first of many controversial hearings for such quarry approvals on the Halton escarpment, providing fertile ground for the study of "discourses" while affording ample opportunity for these researchers to discover how the outcome in this struggle between the "productive" and "post-productive" forces was determined.⁶

To make sense of the "tensions, conflicts and the outcome of the Dufferin case", these researchers consulted several critical literatures and applied a complicated conceptual framework or critical gaze to a wide variety of textual materials and documents. In attempting to make sense of the forty years of history preceding this conflict, they evidently suspended some of their critical faculties and accepted one particular version of the past as told by the Coalition on the Niagara escarpment or CONE. Everything these researchers had to say about the Milton quarry

⁶ Sandra Patano and L. Anders Sandberg, "Winning Back More Than Words? Power, Discourse and Quarrying on the Niagara Escarpment," *The Canadian Geographer / Le Géographe Canadien* 49, no. 1 (2005).

and its history on the Niagara escarpment came from the group whose primary mission was to stop this quarry expansion dead in its tracks:

In 1962, Dufferin Aggregates blasted a large gap out of the Niagara Escarpment cliff face, igniting public concern about protecting the Escarpment. “The Gap” was the single most important event prompting provincial government actions that led to Escarpment protection legislation and formation of the Niagara Escarpment Commission in 1973, then passage of the Niagara Escarpment Plan in 1985.⁷

Despite their expressed intention to subject “the various narratives or story-lines to close scrutiny”, and to pay particular attention to how these storylines were used to advance particular agendas or version of reality, the authors simply reproduced CONE’s version of this truth as if it were authentic history and repeated the oft-told tale that “The gap triggered the creation of the legislation which was designed to protect the escarpment.”⁸

⁷ CONE is an NGO incorporating 32 environmental and community organizations, founded in 1978. Linda R. Pim, Ian Attridge and Rick Lindgren, *Protecting the Niagara Escarpment: A Citizen’s Guide* (Toronto: CONE, 1998).

⁸ Patano and Sandberg, “Winning Back More Than Words.” 32, 26.



Figure 1. The Dufferin Gap (Spring 2022). Source: Author.

However, it was left up to Graham Whitelaw, a former Ontario environmental ministry employee and environmental consultant turned planning scholar, to link the Gap story with the hikers and transform both the environmentalists and the regional planners into the heroes and main protagonists of the story. After completing his doctoral research in 2006, Whitelaw's findings on "the role of environmental movement organizations in land-use planning", were published in an international planning journal in 2008. The essence of his story or explanation for the Niagara escarpment domain-creation and regime-change is contained in the following passages. There are many versions of this story which continue to be shared by scholars and while these versions differ somewhat in their specifics, the essential components are consistent:

Prior to the 1960s, there was no widespread recognition of the NE as a distinct landscape feature or geographic space until one dramatic event in 1962 raised awareness of the Escarpment. In that year, Dufferin Aggregates Inc. blasted a hole through the face of the NE in their Milton quarry. This highly visible scar on the landscape could be observed from Ontario's busiest highway, Highway 401 and this visibility increased public awareness of both the landscape value of the NE and development threats to it, contributing to the creation of the NE domain.

This 1962 event also gave urgency to the creation of the Bruce Trail during this period 1963-1967, which was instrumental in the creation of the NE domain. As hiking increased, widespread public recognition of the NE developed along with appreciation of the NE's scenic and biological values... The work of the FON and the Bruce Trail Association contributed to the creation of the NE as a planning domain.

Public and EMO concern and action over the NE protection prompted the 1968 provincial study...[known]... as the Gertler report. The government responded to the Gertler report in 1971 with steps to increase funding for land acquisition and the development of a policy governing mineral resource extraction...⁹

Whitelaw's doctoral dissertation is one of a dozen environmental studies which focussed on the Niagara escarpment during the first decade and a half of the 21st century. Case studies on the Niagara escarpment were used to test the applicability of a multitude of theories from concepts of landscape values and continuity to the importance of civil society and the

⁹ Graham S. Whitelaw, Paul F. J. Eagles, Robert B. Gibson et al., "Roles of Environmental Movement Organisations in Land-Use Planning: Case Studies of the Niagara Escarpment and Oak Ridges Moraine, Ontario, Canada," *Journal of Environmental Planning and Management* 51, no. 6 (2008), 805-806.

governance of the biosphere.¹⁰ His was not the first doctoral dissertation to focus on the Niagara escarpment but it was the first to provide such a detailed history of regime-change. Whitelaw's insights on the role of the environmental movement in the evolution of collaborative planning have been somewhat influential within his discipline whereas his historical account the Niagara escarpment caught on beyond the boundaries of environmental planning. In 2013, a major interdisciplinary study on the politics of sprawl on the Oak Ridges Moraine had accepted Whitelaw's narrative of how and why regime change came to the Niagara escarpment and since then, an increasing number of scholars across a variety of disciplines have followed suit.¹¹

In many ways, this nature protection narrative which focusses on the heroic activities of urban hikers and the mainstream environmental movement is not entirely novel. It provides analytical support for sociologist Ronald Inglehart's 1977 study of Western politics and historian

¹⁰ Susan M. Preston, "Landscape Values and Planning: The Case of Ontario's Niagara Escarpment" (Ph.D. thesis, University of Waterloo, 2003). <http://www.collectionscanada.gc.ca/obj/thesescanada/vol2/001/nq92025.pdf>; Jennifer Foster, "The Social Construction of Landscape Continuity on the Niagara Escarpment and Oak Ridges Moraine: Whose Continuity? Whose Landscapes?" (Ph.D thesis, York University, 2005). https://central.bac-lac.gc.ca/.item?id=NR19834&op=pdf&app=Library&oclc_number=300580285; Graham S. Whitelaw, "The Role of Environmental Movement Organizations in Land Use Planning: Case Studies of the Niagara Escarpment and Oak Ridges Moraine Processes" (Ph.D. thesis, University of Waterloo, 2006). https://central.bac-lac.gc.ca/.item?id=NR17484&op=pdf&app=Library&oclc_number=298591091; Corrine Cash, "Understanding Decision-Making at the Rural-Urban Fringe: The Cases of Cape Winelands Biosphere Reserve, South Africa and the Niagara Escarpment Biosphere Reserve, Canada" (Ph.D thesis, University of Waterloo, 2014). https://uwspace.uwaterloo.ca/bitstream/handle/10012/8366/Cash_Corrine.pdf?sequence=1&isAllowed=y; Wendy Burton, "From Greenspace to Greenbelt: The Role of Civil Society in Landscape Protection in the Toronto Region" (Ph.D. thesis, University of Toronto, 2016). https://tspace.library.utoronto.ca/bitstream/1807/92680/1/Burton_Wendy_J_201611_PhD_thesis.pdf.

¹¹ Sandberg, Wekerle and Gilbert, *Oak Ridges Moraine Battles*, 65-66.

Samuel Hays's 1987 work on American environmentalism. Both these scholars argued at the time, that environmental awareness developed in advanced industrial societies in the years after World War II, because of new interests or quality of life issues - expanding material affluence, increased leisure time, and rising levels of education - all of which according to Inglehart brought these new "postmaterial values" into politics. While Hays's historical account does not rely on a postmaterial values theory, it does specifically point to the expansion of outdoor recreation in the 1950s, which he argued "infused the masses with an inherent appreciation of natural areas".¹² So the idea that a fledgling EMO hiking group had played some part in these events on the Niagara escarpment during this decade, is not an unreasonable proposition and nor is that the issue.

The problem is that Whitelaw and his senior colleagues go much further than this. By claiming that these groups forced a rethinking and transformation of established practises and beliefs in mobilizing support for policy proposals regarding the escarpment, they are essentially arguing that these groups were driving these events in the first half of the 1960s. It is important to note that academic historians have found little evidence of such frenzied activity within the Ontario environmental movement in the early part of this decade. For most of these scholars the importance of the Ontario environmental movement in shaping political debate did not begin

¹² R. Inglehart, *The Silent Revolution* (Princeton New Jersey: Princeton University Press, 1977); Samuel P. Hays, *Beauty, Health, and Permanence : Environmental Politics in the United States, 1955-1985* (Cambridge University Press, 1987).

until the late 1960s (or 1969) and even these very modest victories were not achieved until the 1970s.¹³

It would naturally be expected that such large claims about the primacy of organizations such as the Bruce Trail in this history were backed by some weighty evidence, but this is not the case. This historical account of regime-change on the escarpment is largely devoid of archival sources. Whitelaw and some of these scholars used many of the same secondary sources to support their arguments, these included the Bruce Trail Association's websites (2005-2015), a 1978 York University undergraduate paper written by a senior staffer at the Niagara Escarpment Commission, on the decision-making process that led to the passing of the *Niagara Escarpment Planning and Development Act* and Leonard Gertler's 2004 *Radical rumblings: confessions of a peripatetic planner*.¹⁴ However, a bigger problem than the use of these rather flimsy secondary sources is what passed for primary evidence in this study; the latter consisted mainly of a content analysis of ten speeches given at CONE's 25th anniversary celebration held at the University of Toronto Faculty Club on October 15th, 2003.

The CONE event was evidently well attended by members of Ontario's environmental movement, provincial politicians of various political stripes and past and present NEC staffers.

¹³ On the evolution of modern environmentalism in Ontario see, Ryan O'Connor, *The First Green Wave: Pollution Probe and the Origins of Environmental Activism in Ontario* (Vancouver: UBC Press, 2015); Gerald Warecki, "Balancing Wilderness Protection and Economic Development: The Politics of Planning for Atikaki, 1972-1983.," *Ontario History* 102, no. 1 (2010); Jennifer Read, "Let Us Heed the Voice of Youth: Laundry Detergents, Phosphates and the Emergence of the Environmental Movement in Ontario," *Journal of the Canadian Historical Association* 7, no. 1 (1996).

¹⁴ Whitelaw, "Role of Environmental Movement Organizations ", 64, 84.; Burton, "From Greenspace to Greenbelt," 74-75.

Several speakers at this event recognized the significance of the environmental movement to the cause, the environmental movement recognized the dedication of the NEC staff who in turn recognized the vital role played by CONE and so on. In short, Whitelaw claims to have found ample confirmation for his working theory that these groups had played a “major role” in this history from analyzing the content of speeches delivered four decades after the events took place.¹⁵

Whitelaw’s analysis of these speeches certainly demonstrated that many of these speakers such as the members of the Federation of Ontario Naturalists (FON), were more than eager to project the image of themselves or their groups as part of a movement which had always been vital to the cause of saving the Niagara escarpment. It is quite possible that these speakers did earnestly believe they had played such an important role in this history. But it can also be argued that in recalling or resurrecting the distant past, the participants at this event were doing something more than simply marking the 25th anniversary of the NEC’s “environmental watchdog with a big bite”. Since this not a study of public memory, I will leave the task of probing into the social or political context of commemoration to others. But I will say that many of these speakers at the CONE event were not recalling any version of the past that can be found or easily verified by consulting the historical record.

In the first place, Whitelaw’s argument for the centrality of the environmentalist hikers in this history rests primarily on the establishment of a direct causal connection between the blasting of the Gap and the construction and promotion of the Bruce Trail footpath. These two events apparently worked in tandem to bring about the public outcry which, in turn provided the

¹⁵ Whitelaw, “Role of Environmental Movement Organizations”, 5, 86-96.

original impetus and rationale for the protection of the Niagara escarpment. However, if the 1962 blasting of the gap were such a significant moment in the launching of the Bruce hiking trail and in galvanizing the public awareness campaign to save the Niagara escarpment, it is at least worth asking what the historical actors had to say about this infamous event. Therein lies the problem as no references to this or any other blasting episode can be found within the archives of the Bruce Trail Conservancy. This organization published at least two trail guides, issued numerous press releases and several Club newsletters during this period but none of these sources refer to this event.¹⁶

Moreover, there is no mention of this (or any other) blasting incident in Norman Pearson's 2005 tribute to this famous footpath in *The Making of the Bruce Trail 1954-2004*. This is quite an omission on the part of this author, who was one of the founders of the trail group and served four years as the Bruce Trail Association's first president. The author spends several pages in the first chapter of this book talking about the backgrounds of the trail founders and explaining their various reasons for undertaking this project, but he does this without broaching the subject of quarries, landscape values or mentioning that the trail would somehow galvanize the people to put forth their efforts to save this iconic landscape. And while there can be little doubt that grandiose motives and deep personal convictions about the need to save this treasured landscape lay behind this trail-building scheme, it is important to note that as far as Pearson recalls his motivation for undertaking this project stemmed primarily from "his determination to find somewhere to walk!"¹⁷

¹⁶ A Guide to the Bruce Trail Conservancy Archives, ca. 1963-2013, Bruce Trail Conservancy Archives, Peel Art Gallery, Museum and Archives.

¹⁷ Norman Pearson, *The Making of the Bruce Trail, 1954-2004*, 1st ed. (Port Stanley, ON: Norman Pearson & Associates Ltd., 2005), 8.

In the decade leading up to the passage of the initial 1970 Niagara escarpment legislation, ‘the Bruce trailers’ were busy with many things but as Pearson points out, their energies were mostly directed toward building the footpath. This network of trails followed roads and passed through several public conservation areas, but more than half of this trail crossed over private property, where according to Pearson the Bruce Trail owed its very existence to the “kind permission of the landowners” who “freely granted access” to their lands. The author then proceeded to explain just how this access was secured. First came the promise that the presence of the trail would “enhance the value of the property” and that it would “lend prestige to the land”. Next came the reassurance to the landowners that the trail posed minimal threat to their existing rights, created “no easement or public right of ways on their land”, so that the owners retained all their rights to the land and could close the trail at will. To further demonstrate their good faith and commitment to protecting their property interests, the Bruce Trail founders even offered to join the landowners “in prosecuting anyone caught destroying property, trees, signs or styles” along or near the trail.¹⁸

The trail founders recognized that gaining access to the Niagara escarpment was the critical first step in building the Bruce Trail, as this corridor lay mainly on privately held lands. The first and most important task was to establish the bonds of trust with landowners along the escarpment. The trail was built by volunteers who went out of their way to demonstrate their utmost respect for this important group of landowners, without whom “there would be no trail”. The trail project was completed by 1967, built on informal handshake agreements and backed by a shared understanding of what this writer referred to as, “North American property rights.”

¹⁸ Pearson, *The Making of the Bruce Trail, 1954-2004*, 47, 71.

Pearson's account of the Bruce Trail makes no specific references to what the landowners were doing with their lands or how these practices might have impacted the scenery along the trail or the beauty of the escarpment. This silence should in no way be taken as indifference to these issues, for there can be little question that the trail-builders had strong feelings about what quarrying was doing to the escarpment. The point is, they didn't get the trail built by lecturing the landowners on their land-use practices and they didn't keep this trail by issuing public statements about how these landowners were abusing their lands. In any event, they had the good sense at least during this important decade to keep these controversial views to themselves.

Whereas this search of the historical records has turned up little evidence to support the claims made in the literature, that these environmentalist hikers were making much fuss about the Dufferin Gap or similar gaping holes, the possibility still exists that this episode gave urgency to the building of the Bruce Trail. However, it is difficult to understand how not speaking out or remaining silent about this issue could have provided the impetus or galvanized the public to fight for the protection of the escarpment. This is not to suggest that the Bruce Trail founders did not play some role in educating members of the public about the recreational benefits of hiking along the escarpment. For in addition to bonding with the landowners over shared understandings of property rights, the founders wrote hundreds of letters to the heads of Ontario corporations seeking funds for the trail and spent much time talking to provincial politicians about the merits of a publically-sponsored trail along the escarpment. The question is how all this translated into public awareness about the Niagara escarpment and the will to protect it, when knowledge of this trail was largely confined to a few dozen landowners and a handful of trail-building volunteers.

If as this evidence suggests, it was most improbable that an urban-based EMO group was leading the public charge against quarrying on the Niagara escarpment and knowledge and use of the trail was confined to a small segment of the population, then why would these scholars have believed this was how things happened? The answer can be found partly in Whitelaw's interpretation of the evidence and in his research agenda. Whitelaw's claims for the importance of the hikers and naturalists are inextricably connected with his claims for the marginality of landowners and both are based on his media analysis of two major Toronto newspapers for the period 1968-1973. This media analysis turned up plenty of evidence that "gravel pits and quarries were the most commonly-reported conflicts on the escarpment" but that "community groups (other than the occasional ratepayer's associations), were rarely heard from." To his credit, Whitelaw does acknowledge this anomaly, but because his aim was to explore the role of EMOs and not the landowners, he chose to ignore it and arrived at the bold conclusion that in the 1960s, "The Niagara escarpment domain and its subsequent protection, was not a NIMBY driven process involving local citizens mobilizing to stop a particular development in their area. Rather it was driven by a group of naturalists, and their efforts to build landscape value... In fact [he argues], the landowner network actively worked against the protection of the Niagara escarpment."¹⁹

Also worth noting is that Whitelaw's media analysis was confined to the *Toronto Star* and the *Globe and Mail*, and his record search (inexplicably) excluded evidence from the years prior to 1968. More significantly, this researcher used only those two newspapers to study events that took place in geographic townships located at a considerable distance from the City

¹⁹ Whitelaw, "Role of Environmental Movement Organizations ", 101, 86, 92.

of Toronto. By neglecting to consult any local sources and ignoring evidence from the better part of the decade, he missed the most important part of the story. Some of the earliest and most vocal opposition to quarrying on the Niagara escarpment came not from urban-based hiking groups but from local landowners living cheek by jowl alongside this industry. In short, the very groups that Whitelaw claims “were rarely heard from” during this period had been sounding the alarm about the quarry operators running amok on the escarpment since the early 1960s. And by far the loudest cries against quarrying on the escarpment were emanating from the people living in the Nassagaweya township.

Few areas were more pivotal to the road-building economy in southern Ontario, than the Nassagaweya, a township with a mostly rural population, a few scattered hamlets and one small police village. During the late 1950s, commercial quarrying developed rapidly on the township’s abandoned farmlands in response to the insatiable demand for crushed stone aggregate, the main ingredient in the province’s expanding network of high-speed highways. By the mid-1960s, the highest concentration of aggregate mining on the escarpment could be found within and along the township’s eastern border.²⁰ In this area north of Milton, about a dozen landowners lived an uneasy but mostly peaceful existence beside these massive operations since the 1950s. However, this peace was shattered when clashes erupted between these groups in the winter of 1966. From this point on, practically every other issue of the local newspapers contained stories about Nassagaweya’s fractious relations with its pits and quarries operators and in one of these papers, coverage of quarrying in Nassagaweya was a regular feature. There is some evidence to suggest

²⁰ Early Localized Issues Affecting Regional Sustainability: The Case of Ontario, Canada's Niagara Escarpment, December 2001, Len Gertler fonds, 2.B.2.6.6, Wilfrid Laurier University, Waterloo.

that conflicts over quarrying were amenity-related, but for the people who were being driven out of their minds and homes by the relentless blasting at the quarries, preserving the rural idyll or the beauty of the escarpment was not a major concern.

This discovery is important for a couple of reasons: First, it suggests that scholars who exaggerate the importance of the environmentalist actors to this history, while downplaying the role of the escarpment's landowners have gotten this wrong. This introduces the possibility that higher-order amenity and recreational values of urban hikers were far less influential than the more pragmatic concerns of the rural landowners in drawing attention to the Niagara escarpment. While allowing that aesthetic and amenity factors may have played a part in drawing attention to the need to protect the escarpment, the causal importance of the urban environmental actors in the emergence of the Niagara escarpment protection campaign has not been demonstrated and must remain for now, an open question. And second, the recognition that the impetus to protect the escarpment began with the local landowners and their pre-occupations with the destructive effects of blasting on their homes and properties, means taking a very different approach to this topic. While previous accounts focussed mainly on the hikers and naturalists and implicitly stressed postmaterialist values in saving the escarpment, this dissertation approaches the escarpment as a working and settled landscape. Thus, it takes the view that what mattered most in this history was the gritty material world of quarrying and how this world impacted the people who called the Niagara escarpment home.

Finding evidence that the groups least likely to be holding "postmaterialist values" (to use Inglehart's term), were leading the charge against quarrying on the escarpment and were some of the earliest critics of this industry, raises questions with a strictly postmaterialist understanding of this phenomenon. While it's clear that emphasizing the more materialist basis

of their activism puts this dissertation at odds with Inglehart, it is not entirely clear where most environmental historians stand on this issue. According to Inglehart's critics, "historians such as Hays, Melosi and Gottlieb have consistently demonstrated that environmental consciousness arose as a reaction to widespread environmental deterioration" as opposed to an "environmentalism of affluence" that Inglehart posited.²¹ In short, Inglehart's critics within the sociological community believe that some of the major historians of the modern environmental movement have argued against the postmaterialist theory. However, against this view that historians like Samuel Hays and others have offered up a competing thesis to Inglehart, are those few Canadian historians who hold quite the opposite view. According to the latter, Hays has been so "powerfully influential in propagating Inglehart's post-materialist theory", this scholar is taken to be the defacto founder and exemplar of the postmaterialist approach to environmental history.²²

This notion was first advanced by Maritime historian Mark Leeming in his dissertation-book on the origins of environmental activism in Nova Scotia. It was further developed and evidently endorsed by the editors of *Environmentalism on the Ground*, a 2019 collection of essays focussed on small-scale and indigenous environmental activism in late 20th century North America. This book's primary goal which was, "to articulate a reappraisal of environmentalism as a small-scale, local activity as much as a large, elite driven one", achieved this mainly by

²¹ Erik W. Johnson and Scott Frickel, "Ecological Threat and the Founding of U.S. National Environmental Movement Organizations, 1962–1998," *Social Problems* 58, no. 3 (2011).

²² Mark R Leeming, "In Defence of Home Places: Environmental Activism in Nova Scotia, 1970-1985" (Ph.D. thesis, Dalhousie University, 2013), 10.
<https://dalspace.library.dal.ca/bitstream/handle/10222/54085/Leeming-Mark-PhD-HIST-August-2013.pdf?sequence=1&isAllowed=y>.

adopting Leeming's historiographic ethic. In reflecting on one of the key themes of this examination of small-scale activism, the editors emphasized how paying "attention to the more material issues at the core of such organizing... shifts the character of late twentieth-century environmentalism away from the influence of post-materialism..." Running through several chapters of this collection of essays is Leeming's taken for granted assumption that a postmaterialist interpretation of environmental history exists, and that its adherents were "so steeped in the post-materialist theory" they completely ignored "...the genuinely environmental explanations for historical change where activism arises when environmental degradation results from industrial development and inequality of power." It is further revealed that for the postmaterialist interpreter of history "environmentalism as a phenomenon has largely been the leisure activity of an urban economic and social elite... [and is explicable solely as the quest] for abstract environmental amenities, [such as] - the pursuit of clean air, clean water and outdoor recreation".²³

The question of where historians such as Hays and others stand on the postmaterialist values theory cannot so easily be put to rest, in large part because historians did not take part in

²³ Jonathan Clapperton and Liza Piper, "Environmental Activism on the Ground: Small Green and Indigenous Organizing," ed. Jonathan Clapperton and Liza Piper (Calgary, AB: University of Calgary Press, 2019). 6, 319-320.; Mark R Leeming, *In Defence of Home Places: Environmental Activism in Nova Scotia* (UBC Press, 2017), 4; See footnote 21 in M. J. McLaughlin, "Not an Easy Thing to Implement: The Conservation Council of New Brunswick and Environmental Organization in a Resource-Dependent Province, 1969-1983," in *Environmental Activism on the Ground: Small Green and Indigenous Organizing*, ed. Jonathan Clapperton and Liza Piper (Calgary, AB: University of Calgary Press, 2019). 255; Mark R Leeming, "Local Economic Independence as Environmentalism: Nova Scotia in the 1970s," in *Environmental Activism on the Ground: Small Green and Indigenous Organizing*, ed. Jonathan Clapperton and Liza Piper (Calgary, AB: University of Calgary Press, 2019). 210 and 209.

these convoluted postmaterialist debates over the origins of late 20th century environmentalism. However, even a cursory glance at some of the paradigmatic examples of the scholarship supposedly constrained by the postmaterialist model raises serious doubts about how some of these emerging scholars have chosen to characterize and label this historical literature.²⁴ In a narrative which has become very familiar, Canadian scholars Jennifer Read and Mark McLaughlin documented the widespread impact of industrial pesticides and pollutants on the environment and the public outcry that eventually led to the measures passed to mitigate or curb these damages. Read's account of detergent phosphates on the Great Lakes, documented the "evolving set of values" and multiple motives that sparked this activism and provided a far more complex explanation for the rise of environmentalism than the mere consumption of environmental amenities. And as McLaughlin's account of aerial insecticide spraying in New Brunswick makes perfectly clear, the central issue revolved around the destruction of the fish population and its impact on local livelihoods, this campaign was not over some abstract post-material desire to improve the quality of life. As Samuel Hays noted and others confirmed, "environmental and ecological concerns in the postwar period were not abstract matters...they were about places where one worked and lived, physical settings that one valued and that often were endangered." In documenting the way in which "environmental degradation moved from the city to the suburbs" Hays repeatedly maintained that environmental concern was not abstract

²⁴ Read, "Let Us Heed the Voice of Youth." 229; M. J. McLaughlin, "Green Shoots: Aerial Insecticide Spraying and the Growth of Environmental Consciousness in New Brunswick, 1952-1973," *Acadiensis* 40, no. 1 (2011).

but was related to specific circumstances where people's interests were at stake, stressing that environmentalists reacted pragmatically to concrete threats to real places.²⁵

With all this evidence that the issue of local environmental degradation (an issue virtually ignored by Inglehart), was given such a central role in explaining the emergence of environmentalism in Hays's body of work,²⁶ it is difficult to believe that the latter went astray because he hitched his interpretation to Inglehart's post materialist values thesis. Not surprisingly, no careful reviewer of Hays's scholarship has ever suggested this.²⁷ It has been said however, (with justification) that Hays was blind to race and class and a growing list of so-called environmental justice issues that underlay these environmental conflicts. The task of filling in these blind spots (or critiquing Hays) was taken up by succeeding generations of historians "as part of a larger effort to bring social divisions, conflict and equity to the field of environmental history".²⁸

²⁵ Hays, *Beauty, Health and Permanence*, 36, 91.

²⁶ For this important point concerning Inglehart, see Riley E. Dunlap and Angela G. Mertig, "Global Environmental Concern: An Anomaly for Postmaterialism," *Social Science Quarterly* 78, no. 1 (1997), 27.

²⁷ Richard N.L. Andrews, "Review Essay: Beauty, Health, and Permanence: Environmental Politics in the United States, 1955-1985, by Samuel P. Hays and Barbara D. Hays," *Environmental Review* 12, no. 1 (1988); D. J. S. Morris. "Help Keep the Peccadillo Alive", review of "Beauty, Health, and Permanence: Environmental Politics in the United States, 1955-1985" by Samuel P. Hays. *Journal of American Studies*, Vol. 22, No. 3 (December 1988). 447-455. <https://www.jstor.org/stable/27555054>; Martin V Melosi, "Government and Environmental Politics: Essays on Historical Developments Since World War Two," *Reviews in American History* 21, no. 3 (1993).

²⁸ Chad Montrie, "Expedient Environmentalism: Opposition to Coal Surface Mining in Appalachia and the United Mine Workers of America, 1945-1975," *Environmental History* 5, no. 1 (2000), 75; Christopher C. Sellers. "Environmentalists by Nature: The Postwar America of Samuel Hays", review of "Explorations in Environmental History" by Samuel P. Hays. *Reviews in American History*, Vol. 28, No. 1 (March 2000). 112-119. <https://muse.jhu.edu/article/29160>.

Much like in the US, the most revisionist aspect of this project within Canadian environmental history came from studies which focussed on the ‘people at the margins’ of society and their various encounters with the environmental management state.²⁹ From the perspective of the scholars who viewed conservation as an instrument of colonial social control, the era of the conservation state was a dark time in this nation’s history. Replacing the mostly celebratory and triumphalist histories written by Hays and some earlier Canadian environmental historians, were long and tortured tales of the expulsion, dispossession and mistreatment of the natives and other non-elites who had attempted through various means to “push back” against the state’s colonizing agenda.³⁰ But much like in the US, scholarly pre-occupations with victimhood coupled with an adherence to an overly narrow conception of environmentalism, prevented most Canadian environmental historians from appreciating that this ‘culture of resistance’ from below had constituted an “alternative environmental tradition”.³¹ Although, there is some evidence in recent scholarship that this is changing.

²⁹ Paul S. Sutter, "The World with US: The State of American Environmental History," *The Journal of American History* 100, no. 1 (2013).

³⁰ Theodore Binnema and Melanie Niemi, "'Let the Line Be Drawn Now': Wilderness, Conservation, and the Exclusion of Aboriginal People from Banff National Park in Canada," *Environmental History* 11, no. 4 (2006); Tina Merrill Loo, *States of Nature : Conserving Canada's Wildlife in the Twentieth Century* (Vancouver: UBC Press, 2006); John Sandlos, *Hunters at the Margin : Native People and Wildlife Conservation in the Northwest Territories* (Vancouver: UBC Press, 2007); Ronald Rudin, *Kouchibouguac: Removal, Resistance, and Remembrance at a Canadian National Park* (University of Toronto Press, 2016); For the idea that the marginalized groups pushed back, see Tina Loo, "High Modernism, Conflict, and the Nature of Change in Canada: A Look at Seeing Like a State," *The Canadian Historical Review* 97, no. 1 (2016), 48.

³¹ Sutter makes this point about U.S. environmental history but it seems equally valid for Canadian historiography. Paul S. Sutter, "When Environmental Traditions Collide: Ramachandra Guha’s *The Unquiet Woods* and U. S. Environmental History," *Environmental History* 14, no. 3 (2009), 546; Sandlos, *Hunters at the Margin*.

Signs of this shifting perspective on environmentalism can be found in the previously mentioned *Environmental Activism on the Ground*, wherein historians and anthropologists documented numerous instances in which marginalized groups and “ordinary people” cooperated with environmental organizations to leverage land claims or to bolster local economic independence. This discovery that the erstwhile victims of the conservation state had at times contributed to and benefited from the rise of the environmental movement has made these scholars more receptive to embracing a more expansive definition of environmentalism. In the view of historians and others who subscribe to postcolonial and global third world theories of environmentalism, (and position their work against this invented postmaterialist school), the actions of the less powerful groups to defend their home-places, livelihoods or traditional territories can represent a variety of environmentalisms, including an “environmentalism of the poor”, “expedient environmentalism”, “environmentalism as anti-colonialism” and an “ecological distribution struggle”. Finding evidence that materialism has practically displaced postmaterialism as the root cause of environmental activism, some of these historians have argued that this third world interpretative framework, is a more appropriate lens from which to understand the rise of the modern North American environmental movement.³²

In addition to disagreeing with what I consider to be a mischaracterization of the canonical literature, this dissertation also takes issue with the proposition that an interpretive framework designed for explaining the rise of environmentalism in the third world can simply be ripped from its historical context and adapted for understanding environmental struggles in the

³² Jonathan Clapperton and Liza Piper, "Lessons and Directions from the Ground Up," in *Environmental Activism on the Ground: Small Green and Indigenous Organizing*, ed. Jonathan Clapperton and Liza Piper (Calgary, AB: University of Calgary Press, 2019); Leeming, *Defence of Home Places*.

developed world. While allowing for the existence of some similarities in these North-South environmental struggles, there were fundamental differences between these two sets of environmental actors that cannot be overlooked. Unlike in the countries of the global South, where impoverished landless peasants fought to survive under ruthless and authoritarian regimes or ‘incomplete democracies’, most of the actors involved in these late 20th century first world environmental conflicts, were property owners living under advanced liberal democracies.³³

Environmental struggles in the West involved face-offs between property owners over the legitimate use of private land. This means that across the spectrum of protesting groups - from ‘back to the landers’ protesting the logging of BC forests, Cape Breton blueberry farmers opposing the province’s aerial insecticide spraying of their crops or indigenous groups negotiating treaty rights or access to natural resources - all based their claims for the protection of the environment on the European concept of property ownership. As Canadian anthropologist Paul Nadasdy has pointed out, it was the language of property, more precisely a European concept of property that determined the outcome of these struggles.³⁴ This failure to recognize how relations of property factored into the rise of the modern environmental movement constitutes a glaring omission by these scholars. By addressing this oversight or gap in the literature, this dissertation makes its most significant contribution to the understanding of this history.

This history of opposition to quarrying on the Niagara escarpment lends support to the argument that local ratepayers were acting to defend homes and community. However, in

³³ I owe this insight to Paul Sutter. See, Sutter, “When Environmental Traditions Collide.”

³⁴ Paul Nadasdy, “‘Property’ and Aboriginal Land Claims in the Canadian Subarctic: Some Theoretical Considerations,” *American Anthropologist* 104, no. 1 (2002), 247-249.

contrast to scholars who perceived these battles as ecological distribution or environmental justice struggles, this dissertation argues that ideas about private property shaped environmental awareness and conflict during this period. It is widely recognized that traditional values and beliefs (including ideas about private property) had constituted important sources of opposition to environmental protection after the passage of this legislation in 1970. But it argued here that these same values had also provided an important source of support for environmental protection, in the decade leading up to the passage of the legislation.

This was the situation in the Nassagaweya township where the earliest opposition to quarrying on the escarpment came from small landowners who regarded their disagreement with quarry operators as primarily a dispute between property owners over the legitimate use of private land. In most cases, the operators acquiring the land with rock rights, believed these deeds entitled them to conduct their blasting regardless of the collateral damage inflicted on the neighbouring properties. The intensification of blasting brought quarry operators into conflict with adjacent property owners, and this dispute pivoted mainly on whether the operators had the legal and moral right to continue nuisance blasting without providing compensation to the landowners for damages to their property. Only later did these landowners demand an end to blasting and then quarrying based on more public control of the escarpment and use of its natural resources.

It is important to note that this coalition of landowners who opposed the blasting practices at the quarries were by no means a homogenous group. A few were dairy farmers with larger (50 acre) landholdings and were some of the original settlers to the township. Others were part-time farmers occupying smaller strips of land who supplemented their income by market gardening and raising poultry. Their leader was a teacher at the local high school who described

this group as “the poor” but these were not the rural poor of the township. From all indications these were people of modest means who had settled in the area well before the large quarries began operating close to their homes and properties and - being neither affluent nor politically connected - could not afford to engage in legal battles against the rich quarry companies.

The people of Nassagaweya who fought against the industry were members of the traditional rural population. They inhabited an area of the township not yet of much interest to urbanites or developers seeking a suburban lifestyle or vacation property and were certainly familiar with the sights and sounds of the working countryside. There is no sense that any of those who fought against these companies were dependent on the quarries for their livelihoods but neither did they object to having quarries in or near their backyards. They sought only an amicable solution to the blasting problem. What galvanized this movement and stirred their activism was the seeming indifference of the quarry operators and some of the local politicians to their plight.

The first part of the study outlines the origins and development of industrial scale quarrying in the province of Ontario, locating its epicentre within the township of Nassagaweya. This section’s in-depth examination of the industry’s changing practices and their impact on the host community of Nassagaweya, provides a clear answer to how, when, and why the issue of quarrying on the Niagara escarpment first appeared on the public radar. This section delineates a history in which local responses to the misdeeds and practices of a few large quarry operators had generated a certain type of environmental awareness that was independent from that which engaged middle class suburban and urban elites. The coalitions of farmers, market-gardeners, woodworkers, elderly widows, the local schoolteacher turned politician and others who organized and lobbied for more stringent quarry regulations, were typically not members of

environmental groups. They had of course shared some concerns of the urban roamers with the conservation of the escarpment's natural resources and in preserving the ecological integrity of the Halton Hills. And at least some had expressed their opposition to quarrying those hills in aesthetic terms. But it was not the issue of aesthetics or hiking trails that kept most of these people up at night thinking about the escarpment. Instead, these people focussed (at times fixated) on the damages caused by the relentless quarry blasting to their farmlands and homesteads, to local infrastructure and of course to their sanity.

It would be fair to say that the local ratepayers were far more likely to decry the destruction of their property values than the destruction of the escarpment's scenery, although they eventually came to see the two issues were connected. Their campaign against the quarry operators was primarily aimed at convincing the industry to curtail their blasting practices and to gain compensation for property damages, the goal was not to put an end to quarrying within the township. In contrast to the environmentalist hikers, there was nothing low-key about the landowners' campaign which included open confrontation, relentless criticism, and harassment of the quarry operators. These were the tactics that brought the misdeeds and destructive practices of quarrying before the public and placed the issue of quarrying on the escarpment on the radar. Though some people claimed to be acting on behalf of the community or in defense of the common good, the landowners remained primarily motivated by self-interest. Contrary to what scholars have claimed, NIMBY was very much a factor in these conflicts where concerns over protection of private property and rock rights took centre stage. And much like those hikers blazing the Bruce Trail, both sides generally maintained a healthy respect for the rights of the individual property owner.

Part two of this study takes up the second and more substantial question posed in this study by examining in detail the various motives that lay behind the passing of this legislation in 1970. Exactly what was the rationale behind the legislation? Many of the researchers whom I have cited, have assumed that Premier Robarts was ultimately swayed by the arguments of the environmentalists and that in 1970, his government passed the Niagara escarpment protection legislation in response to the recommendations made in the Gertler report. This reading of history, which makes a direct connection between the 1967 announcement of the Gertler taskforce and events that occurred three years later, leaves a good deal unexplained. It neglects to consider how the interests of the industry had managed to prevail over those of the environmentalists, and would for some time to come. And it ignores the documentary record and statements of environmental groups made at the time, which support a different conclusion. There can be little doubt that saving the escarpment from quarrying was the pretext for passing this legislation but aside from a few members of the press, there were very few in positions of power who believed that Bill 79, an act which referenced the Niagara escarpment in its title, was passed primarily to protect this landform's amenity and recreational features.

Many of these skeptics included members of the provincial opposition and a few environmental groups such as the FON. Even the minister charged with shepherding this legislation through the legislature had explained this as stop-gap measure, a trial run for the more comprehensive province-wide pits and quarry legislation which the industry supported and government had failed to push through only days before. Released to the public at the same time as the Gertler Report in December 1969, it was this scheme and not the recommendations of Gertler, that the government was aggressively pushing in the six months leading up to the passing of this Act in 1970. And there is little reason to think that the government suddenly

changed its position at the eleventh hour. This scheme reflected the recommendations made by the 1969 Mineral Resource Committee - a task force composed entirely of representatives from industry and government departments tied to this industry - whose aims were markedly different from those that had animated the Gertler task force. In sum, while the latter emphasized the protection of the escarpment's scenic and recreational features and carried a price tag of \$30 million, the former was more concerned with preserving the billion-dollar commercial value of the stones for future use by preventing their 'sterilization'.³⁵

In addition to the introduction, this dissertation consists of four chapters and a conclusion. Chapter one describes how geological, geographical, and human agency came together in the making of Nassagaweya's postwar quarry landscape. The first section of this chapter covers the period 1950 - 1962 and describes how the extension of the provincial Highway 401 westward from the City of Toronto, brought changes in land turnover and transformed this area of north Halton into the centre of industrial quarrying on the escarpment. The second part of this chapter draws upon both secondary literature and provincial geological reports to provide a history of quarrying on the escarpment from the pick and shovel, plug and feather methods to the technologically more sophisticated blasting operations of the mid-twentieth century. Basic distinctions between crushed rock and building stone quarrying are included to show how the different methods of extracting and processing these stones created the different quarry landscapes, which determined the specific timing and character of the opposition to quarrying in this area of the escarpment.

³⁵ Both Canadian and UK sources refer to developments that pre-empt future mineral resource exploitation as "sterilizing the mineral resource" see, Douglas Baker, Christine Slam and Tracy Summerville, "An Evolving Policy Network in Action: The Case of Construction Aggregate Policy in Ontario," *Canadian Public Administration* 44, no. 4 (2001), 171.

The second chapter traces the beginnings of local opposition to quarry blasting through a case study of the Nassagaweya township in the 1960s. It investigates the efforts of farmers and their municipal allies to negotiate more stringent controls on blasting informally and then by means of a quarry by-law. This detailed analysis of the escalating tensions between the newcomers (aggregate producers) and the original landowners along the Nassagaweya-Esquesing Townline, poses some challenge to the literature that holds the amenity concerns of wealthy exurbanites and suburban encroachment onto quarry lands, primarily responsible for driving these conflicts. In Nassagaweya, much of this campaign centred over the effects of quarry blasting and demands that operators curtail the blasting as well as provide compensation for the damages the property owners incurred. Concerns with livestock and agricultural productivity, the integrity of rural life and the destruction of private property provided the basis for these confrontations. This chapter argues that conflictual relations between landowners and quarry operators in this area along the escarpment, brought the issue to the attention of the wider public.

Chapter three is an examination of the Gertler report's dual mandate - the protection of the stones and the protection of the majestic cliffs. It traces the idea for this dual mandate back to an early 1960s encounter between the industry and the local conservation authority. Out of this early encounter came a voluntary agreement to support their mutual agendas of quarrying and conservation, the blasting of the gap, and later an important conservation brief. It is argued that the publicity generated by this brief – *Quarrying and the Niagara Escarpment* -- brought added public attention to the problems of quarrying on the north Halton escarpment and provided the impetus for the appointment of the 1967 Gertler task force.

Chapter four covers the period 1967-1970 and provides the background and legislative history of the *Niagara Escarpment Protection Act*. The first part examines the period during which both government and industry came to believe that legislation was both necessary and desirable. The second part of this chapter documents the brief legislative history of the 1970 Act and the various machinations involved in transforming legislation from a proposal that would not pass, into a bill that did pass. The argument is made that the government's stated rationale for the legislation - the protection of the escarpment's façade - was simply a pretext for the government's actual motive, which was to ensure the long-term protection of the escarpment's mineral deposits.

In the concluding chapter, I summarize these findings and discuss the implications of this revised interpretation of this foundational chapter of the Niagara escarpment planning history and consider what this more realistic appraisal of the role of EMOs and the local landowners during this decade of change, might mean for future studies.

Chapter 1 - Before the Dufferin Gap: A study of a place called the Nassagaweya Township

This story of regime-change on the Niagara escarpment begins, not with a single blasting episode that created the Dufferin Gap in 1962, but with the series of blasts that made possible the construction on an important section of the King's Highway 401. It was 1958 when this 14-mile stretch of highway known as the Toronto By-Pass, was extended from its western terminus in the county of Peel. From here, the 401 crossed the heavily polluted Credit River, and passed just to the north of the area that had come to be known in planning circles as the "Mississauga Conurbation". Thus labelled, the collection of villages and towns immediately to the west of metropolitan Toronto was taken to be the centre and the ultimate embodiment of Canadian urban sprawl.³⁶ However, as it continued west through Halton's Trafalgar township the highway veered north, altering its path to intersect the Niagara escarpment through a wide re-entrant valley, a few kilometres north of the town of Milton. From here, in the area just to the south of what would one-day become the legendary 'Dufferin Gap' the four-lane expressway made a graceful almost imperceptible ascent over the escarpment and continued west in the direction of Kitchener-Waterloo, passing through the heart of Ontario's agricultural belt and on to the American border at Windsor.³⁷

³⁶ Terminology varies: "Canadian Conurbation", "Toronto-Hamilton Conurbation", see Norman Pearson, "Conurbation Canada," *The Canadian Geographer/Le Géographe canadien* 5, no. 4 (1961); D. F. Putnam, "Trends and Problems: a Canadian Point of View," *Canadian Geographer/Le Géographe canadien* 1, no. 2 (1952).

³⁷ John van Nostrand, "The Queen Elizabeth Way: Public Utility Versus Public Space," *Urban History Review/Revue d'histoire urbaine* 12, no. 2 (1983), 20. This author argues that both the path and design of the Highway 401, were dictated by engineering considerations.

This slight change of course had been necessitated to circumvent the one-hundred -foot wall of rock known locally as the Milton outlier. Instead, the highway passed through the centre of the township of Nassagaweya. At the time, this was a “heavily forested economic backwater” with scattered farm units and an over-abundance of idle and abandoned agricultural lands. In this area, which had evidently remained untouched by the forces that had funnelled sprawl and congestion along the shores of Lake Ontario, the arrival of this highway was a much-anticipated event.³⁸ Of course, the local press may reflect the sentiments of the local growth coalition more than the local public but judging from the number of hyperbolic headlines and effusive pronouncements in the local newspapers, there was no shortage of public enthusiasm for the new super-highway. Some officials even predicted, “a new era of prosperity for the township, unseen since the coming of the railroad”.³⁹ And it could also be said that most seemed little troubled by the apprehensions and the gloomy prophecies of planners who foretold of “the Mississauga menace of increased land values and speculation” that would inevitably accompany these new highways.”⁴⁰ In fact many appeared to have welcomed it.

In their exuberance for the new superhighway and their complete disregard for the forebodings of planners, the people of Nassagaweya were hardly unique. They were simply

³⁸ Robert J. Williamson, "Land Use Relationships of Nassagaweya Township" (Research Paper, McMaster University, 1962). (In the late 1950s, independent studies of the area used the term ‘backwater’ to refer to its isolation, and backwardness of its agricultural economy.)

³⁹ "Provincial Super Highway 401 Slices West Across Halton," *Canadian Champion* (Milton, ON), Apr 23, 1959, 9. https://images.ourontario.ca/Partners/MPL/MPL002493947pf_0327.pdf; "\$9,300,000 Stretch of Highway 401 Opening 14 Miles to Milton Today," *Canadian Champion* (Milton, ON), Nov 26, 1959. https://images.ourontario.ca/Partners/MPL/MPL002493947pf_0734.pdf.

⁴⁰ Pearson, “Conurbation Canada.” 14.

reflecting the automobile-dominated views of most North Americans that progress and prosperity were paved with concrete and asphalt. It is worth noting that barely a year had passed since the U.S. had increased investment in its new national highway program and proclaimed it to be “the greatest public works program in the history of the world”.⁴¹ At the time, faith in these public mega- projects to deliver rural populations from their economic doldrums (and Toronto drivers from their traffic congestion) had seemed completely justified. At least it seemed a reasonable proposition to the government of Ontario, which had footed the entire bill for the highway. And over a decade later, when dozens of inner-city expressway proposals came under fire, enthusiasm for the recently completed, newly named MacDonald-Cartier Freeway, colloquially dubbed the ‘four-oh-one’, was still running high.⁴² In 1964 the highway’s contribution “to the suburban and industrial growth of Toronto, London, Windsor and countless population centres along its route”, was accepted as an axiomatic. “The Highway 401”, proclaimed the University of Western Ontario’s geographer and planning enthusiast E. G. Pleva in the *New York Times*, “is the most important single development changing the social and

⁴¹ Sam Silverman, "The Great Highway Program (Fortune Classics, 1958)," *Fortune* LVIII, no. 3 (2011), 106.

⁴² Pierre Filion, "Balancing Concentration and Dispersion? Public Policy and Urban Structure in Toronto," *Environment and Planning C: Government and Policy* 18, no. 2 (2000). 'Unlike the the 1950s, the 1960s expressways had sparked intense opposition because they were cut through built-up areas'.

economic pattern of Ontario. It is still transforming the province's economy, and the social, work and spending habits of its people."⁴³

Such extravagant claims about the impact of the Highway 401 were so completely self-evident, there seemed no need to justify or qualify such assumptions. This extended particularly to the highway's role in Ontario's postwar suburbanization. These justifications arrived much later, in studies that saw postwar highways as not only crucial to the growth of Toronto's suburbs, but responsible for the city's suburbanization.⁴⁴ To be sure this highway brought fundamental changes to the province's rural and urban populations, but not all areas along its route were transformed or suburbanized in quite the same way. In fact, some were not suburbanized at all. This was the case along the Nassagaweya-Esquesing border. There the impact of the highway on the area's economy had been terribly uneven, causing one kind of economic activity to flourish at the expense of others. For it could be said that when bulldozers and the construction industry came to this countryside, they came not to build suburbs but to dig giant holes. Paradoxically, the township that would one day supply the lion's share of raw material for the GTA's transportation infrastructure and the building of its suburbs, had itself experienced little (if any) residential suburban development.⁴⁵

⁴³ "Freeway Alters Life in Ontario; Route 401 Affecting the Industrial and Social Patterns," *New York Times*, Jan 17, 1964, 45-46.
<https://www.nytimes.com/1964/01/17/archives/freeway-alters-life-in-ontario-route-401-affecting-the-industrial.html?smid=url-share>.

⁴⁴ For the clearest expression of this thesis, see John Sewell, *The Shape of the Suburbs: Understanding Toronto's Sprawl* (Toronto: University of Toronto Press, 2009).

⁴⁵ Gerald Hodge, "The City in the Periphery," in *Urban Futures for Central Canada: Perspectives on Forecasting Urban Growth and Form*, ed. Larry S. Bourne, et al. (Toronto: University of Toronto Press, 1974). Chapter 15. (See Table 15.1, which tracks subdivision activity by township for the period 1950-68.)

While the coming of the Highway 401 was undoubtedly the most important single factor in the township's postwar economic development, this area entered the economic orbit of Toronto on very different terms than most. With the building of the highway, the township of Nassagaweya began to rapidly transform from a fledgling agricultural economy to one dedicated almost exclusively to the extraction of industrial mineral aggregates. And by 1966, as the Toronto region's chief source of crushed rock aggregate, this obscure agricultural backwater found itself at the centre "of one of Ontario's greatest mining camps, with a value of mineral production second only to that of Sudbury's".⁴⁶ This did not happen by accident; the construction of the highway and the rise of the extractive industry hinged on the acquisition of land from resident landholders. The following considers how geography and geology along with human agency, had interacted over this six-year period to bring this about.

In the late 1950s, Nassagaweya was still an independent municipality, located in the northwest corner of the county of Halton. The township constituted the westernmost section of the region that would soon become the Greater Toronto area. In terms of total landmass, this township was one of the area's smallest, measuring ten miles from south to north and six miles across. With a total land acreage of only 44,000, it was 25% smaller than the townships of Esquesing to the east and Puslinch to the west.⁴⁷ A survey undertaken between 1959 and 1960 revealed the paramount of importance of agriculture to the local economy. This fact was

⁴⁶ G. R. Guillet. Ontario Geological Survey, Annual Report of Resident Geologists' Section, Miscellaneous Paper 19 (1968), 20.
<http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/MP019/MP019.pdf>. This is a logical inference, given that the area's quarries set the price of crushed stone for the Toronto region.

⁴⁷ Robert Warnock, *A Sketch of the County of Halton, Canada West* (Toronto: Leader Steam Press, 1863).

reflected in the several hundred scattered and dispersed farmsteads, which constituted the predominant feature of land settlement in the township. According to the latest available 1956 census data, close to 75 percent of the township's roughly two thousand residents were farm dwellers. The remaining 25 percent of the population inhabited the principal village of Campbellville in the south (population 364), three smaller villages to the north, and several crossroads' settlements in between.⁴⁸ The author of the survey had considered the physical features of the landscape and its backward, inefficient agricultural economy and quickly reached the conclusion that the township (circa 1960) was an anomaly:

To sum up Nassagaweya one must emphasize its backwoods situation. Despite its close proximity to the core of greatest agricultural and industrial marketing in Ontario' as well as major population centres Nassagaweya's most significant feature has been its lack of urban development and lack of industry. Hindered by the growth of adjacent towns and cities, it has been left behind as a kind of 'no man's land.'⁴⁹

As far as this observer was concerned, a strong indicator of the relative 'backwardness' of Nassagaweya could be found in its agricultural economy which had lagged far behind other areas in the county. During the period where the more productive farms in Halton were evolving into highly efficient mechanized operations, the farmers in Nassagaweya had apparently shown little inclination to 'modernize'. In explaining or accounting for Nassagaweya's disappointing (almost abysmal) agricultural economy, the author had zeroed in on topographical factors in the southern half of the township. These stony, rocky soils had undermined farming and induced

⁴⁸ Williamson, "Land Use Relationships."

⁴⁹ Williamson, "Land Use Relationships," 147-148.

frustration and a culture of defeatism, which led either to farm abandonment or to selling off the land, and not necessarily to the highest bidder.⁵⁰

One of the reasons for Nassagaweya's inefficient farm economy is the ruggedness of the topography. Hilly excessively stony fields difficult and inefficient to farm by modern methods. This inefficiency resulting in low farm income has caused an increase in the number of part-time farmers and created a frame of mind in the farmer that makes him willing to sell his land. Most who have sold are content to remain as tenants on their own farms, driving new cars, and appear to be quite satisfied with their situation.⁵¹

The character of the landscape described above is determined primarily by the dominance of hilly, rocky soils and swamps. The most important fact conveyed about this township was that over thirty percent of the surface supported forest and rough pasture, this factor was considered significant because of its extensiveness. The author described a landscape dominated by the Niagara escarpment, which traverses the area in a general north-south direction. Apart from the re-entrant valley that notches back toward Campbellville, most of the lands in the township are located above the escarpment.⁵² Much of the land in the southern half of the township forms the eastern edge of the large physiographic region which geographers had designated as the Flamborough Plain. According to Chapman and Putnam:

An isolated tract of shallow drift on the Niagara Cuesta has been so named since it spans the Flamborough Township through to the Town of Acton. The limestone has been swept bare in places, particularly near the edge of the

⁵⁰ Williamson, "Land Use Relationships." 103-104.

⁵¹ Williamson, "Land Use Relationships." 104,107.

⁵² J. E. Gillespie, R. E. Wicklund and J. R. Miller. Canada Department of Agriculture and Ontario Agricultural College, Soils of Halton County, Report No. 43 of the Ontario Soil Survey (1971), 38. https://sis.agr.gc.ca/cansis/publications/surveys/on/on43/on43_report.pdf.

escarpment. What little overburden there is on the bedrock, is either bouldery glacial till or sand and gravel... Good soil is not plentiful in this little region.⁵³

These geographers paint a rather bleak picture of the agricultural prospects in the southern half of the township, but not half so bleak as those who would follow in their wake. The latter looked for rural poverty and located it, not surprisingly, in five regions of rural Ontario where limestone landscapes dominate the geography. Nassagaweya could well have gone the way of the many areas, which had been singled out as regions of economic and social disparity. From all indications, it was destined to share the fate of “those beautiful yet barren and brutal regions of Ontario... where the soils had become breeding grounds for economic and cultural disparity, regardless of their geographic location.”⁵⁴ But something else had intervened to alter the course of its history.

In the five-year period beginning in 1958, thousands of acres of Nassagaweya’s agricultural and forested lands changed ownership. Most of these changes occurred on lands within the southern half of the township, where the seven-mile section of the highway ran through the valley. But the land requirements (or expropriations) for the provincial highway and its related infrastructure (rights of way and a clover leaf interchange) would not have amounted to more than a few hundred acres.⁵⁵ The new provincial highway had also provided the impetus for other land use changes, including a new dam project at Kelso, the development of a

⁵³ L. J. Chapman and Donald F. Putnam, *Physiography of Southern Ontario*, 1st ed. (Toronto: Ontario Geological Survey, 1951), 128.

⁵⁴ R. C. Langman, *Poverty Pockets: A Study of the Limestone Plains of Southern Ontario* (Toronto: McClelland and Stewart, 1975).

⁵⁵ At the time, the estimate for major highways was 10 acres per mile, 30 acres per interchange. See Pearson, “Conurbation Canada.” 13.

campground at Milton Heights and the creation of other recreational opportunities in this formerly remote area. Although several of the area's farmlands were carved up (some disappeared), these projects consumed less than half a percent of the township's total land acreage.⁵⁶ Rather, most of the property turnover involved lands at the base of the escarpment and on the vast forested limestone plain. In the southern part of the township, where vertical cliffs of exposed bedrock dominate the landscape, close to 25% of the land changed ownership within this four-year period.⁵⁷ This phenomenon, which would normally have been the catalyst for the spread of suburbia or sprawl, had instead brought something very different into the area.

At the time, the conversion of rural landscapes to urban use was a commonplace occurrence throughout North America. That said, the increased attention paid to this topic by planners and geographers indicated that the pace of this phenomenon in southern Ontario had quite evidently accelerated.⁵⁸ From the beginning, the phenomenon labelled as 'sprawl' was blamed for 'promoting inefficiency through the higher cost of delivering public services', the wastage of land and the lack of public open space and a multitude of other sins. Some of these writings were more specifically concerned with the indirect effects of sprawl on the viability of

⁵⁶ This study mentions an additional 400 acres for a racetrack. See Williamson, "Land Use Relationships," 136-138; "Kelso Dam Project Complete," *Canadian Champion* (Milton, ON), Jan 25, 1962, 1. http://images.ourontario.ca/Partners/MPL/MPL002493951pf_0847.pdf.

⁵⁷ "289 Acres for Stone Quarry," *Acton (ON) Free Press*, Apr 19, 1959, 1. <http://images.ourontario.ca/Partners/HHPL/HHPL000088568p0001f.pdf>; "Quarry Requires 1500 Acres," *Acton (ON) Free Press*, May 18, 1961, 1. <https://images.ourontario.ca/Partners/HHPL/HHPL000088678p0001f.pdf>; "Quarry Development on 600 Acres," *Acton (ON) Free Press*, Feb 15, 1962, 9. <https://images.ourontario.ca/Partners/HHPL/HHPL000088717p0011f.pdf>.

⁵⁸ Marion Clawson, "Urban Sprawl and Speculation in Suburban Land," *Land Economics* 38, no. 2 (1962); Pearson, "Conurbation Canada."

the Ontario farm.⁵⁹ Much later an influential US study would hold the drive-in culture aka ‘sprawling suburbanization’ responsible for the breakdown of community life. An equivalent (or counterpoint) Canadian study had ended by arguing that Canadian postwar suburbs had come to reflect the kind of sprawling or creeping dystopia found south of the border.⁶⁰ While definitions of sprawl might vary, one recurring theme (or narrative) in the literature concerned with postwar suburbanization has remained: Sprawl is something in which highways and the automobile have been complicit and it is also ‘something to be deplored’. This half-century of scholarship dedicated to sprawl has left us with a good sense of how to regard it – “ugly”, “chaotic”, “inefficient” and “formless” - but few ideas about how to end it.

However, the extensive literature on sprawl, has not been helpful in explaining what was going on in the Nassagaweya countryside when thousands of acres of the area’s abandoned and idle farmland changed ownership. This phenomenon, widely recognized as the catalyst for the spread of suburbia or sprawl, had triggered something else. In marked contrast to neighbouring townships - which had been inundated by suburbanites in the second and third decade of the

⁵⁹ See for instance Leonard O. Gertler and J Hind-Smith, "The Impact of Urban Growth on Agricultural Land," in *Resources for Tomorrow - A Series of Background Papers for Discussion at the Resources for Tomorrow, Conference Held in Montreal, October 23-28, 1961* (Canada. Department of Northern Affairs and National Resources, 1962). R. G. Putnam, "Changes in Rural Land Use Patterns on the Central Lake Ontario Plain," *The Canadian Geographer/Le Géographe canadien* 6, no. 2 (1962).

⁶⁰ Kenneth T. Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (New York: Oxford University Press, 1987); Richard Harris, *Creeping Conformity: How Canada Became Suburban, 1900-1960*, vol. 7 (Toronto: University of Toronto Press, 2004). Just to be clear, this author does not use the term 'dystopia'.

postwar - there were no residential subdivisions built in Nassagaweya during this period.⁶¹ The township remained remarkably devoid of any urban form. Instead, in the area containing the largest percentage of escarpment real estate in the GTA, most changes to the landscape involved the transfer of large tracts of abandoned and undeveloped land, which were not subdivided but remained more or less intact.⁶² Through this means, thousands of acres of the township's forested limestone plain came to be acquired initially by "wealthy German industrialists" and eventually by mining companies, one very large cement producer and one of the country's most successful highway construction firms.⁶³ Though "sprawl" which is classically defined as "the spread of unplanned, low-density residential subdivisions onto rural lands", did not occur in the township, the local landscape did undergo a profound change.⁶⁴

This was a particular form of sprawl, where the turnover of a few large properties and their conversion to quarry landscapes or quarry holding zones would have long-term implications for how the escarpment would be protected. The distant future would see the proliferation of square lakes, naturalized wetlands and 'enhanced biodiversity'; in some of these areas, once

⁶¹ There were several references to this in the local press, for instance "Stop Rural Sprawl," *Canadian Champion* (Milton, ON), Aug 11, 1971. http://images.ourontario.ca/Partners/MPL/MPL002496073pf_0675.pdf.

⁶² Williamson had stated that 5000 acres of this land was in the hands of "absentee wealthy German industrialists". Williamson, "Land Use Relationships," 107-108. For the sale to Dufferin, see "Nassagaweya Gives Okay For Sixth Line Quarry," *Acton (ON) Free Press*, Jun 9, 1960. <http://images.ourontario.ca/Partners/HHPL/HHPL000088629p0001f.pdf>.

⁶³ Robert Bradford, *Keeping Ontario Moving : The History of Roads and Road Building in Ontario* (Toronto: Dundurn Press, 2015), 58-59. Associated Aggregates (Dufferin) acquired land (and options) before and after its acquisition by St Lawrence Cement in 1961.

⁶⁴ Hodge, "The City in the Periphery." Bourne points out that as traditionally defined, "sprawl refers to suburban development that is "haphazard, disorganized, poorly serviced and unplanned."

derelict landscapes would undergo the most “outstanding rehabilitation.”⁶⁵ Of course, these transformations were forty or fifty years in the future. In the meantime, the blasting of a cleft in the ridge above the highway in 1962, was not in itself considered particularly newsworthy. The opening of another limestone quarry was news as was the prospect of jobs, but the road cut into the hill to gain access to the quarry was simply regarded in utilitarian terms as something that needed to occur to achieve these ends. In any case, the significance of the event that would later be memorialized in the literature as the episode that ushered in the movement to protect the escarpment seems to have been lost to those who had grown accustomed to seeing gaping holes cut in the hills.⁶⁶ But as pointed out, escarpment advocacy took many forms and one of the more effective campaigns to protect the escarpment had little to do with those who would later claim to have been stirred to action by the blasting at the Dufferin Quarry in the spring of 1962.

A more complete understanding of how this came to pass requires considering not what this large-scale land turnover meant for a few hikers and nature-seekers, but for the dozen original landowners whose small rural properties had quite literally become encircled by four of the largest stone crushing operations in the Toronto region. The vast amount of undeveloped acreage that was converted to quarry land of course had some visual impact on the surrounding countryside – local roads were widened and straightened while crushing and screening plants appeared on the landscape. Although not visually pleasing, aesthetic concerns were not the main problem for locals. When local opposition did surface (almost three years later), it was focused more specifically on the way the rock was extracted. And in the case of crushed stone quarrying,

⁶⁵ S.E. Yundt Limited and Stantec Consulting Ltd., "Outstanding Rehabilitation & Reclamation Sites," (2010).

⁶⁶ "Esquering Quarry Won't Mar Escarpment Face," *Acton (ON) Free Press*, May 18, 1961, 1. <http://images.ourontario.ca/Partners/HHPL/HHPL000088678p0001f.pdf>.

the principal means of extraction began and ended with blasting. Blasting was central to the shaping of the quarry landscape, and it was central to the shaping of local environmentalism.

In sum, the coming of the highway and the expropriation of some of area's better farmlands had evidently hastened the collapse of Nassagaweya's less than stellar agricultural economy. But the highway also paved the way for the rapid rise of the area's crushed stone industry. As a result, when the township of Nassagaweya entered the economic orbit of Toronto in the late 1950s, it would function not as a bedroom community but as the principal supplier of "high quality Amabel" rock for the region's expanding network of expressways. Over the next decade, forty-four kilometres of the 401 were expanded from four to twelve lanes, and a network of collector lanes were added. And when this series of high-speed, high-traffic roads called for only the highest quality road aggregate, the largest percentage of this material came from the escarpment in the township of Nassagaweya. The prospects for the industry were deemed excellent at the time, assured by an unlimited access to the rocks of the escarpment and the all-important proximity to a ready market for the low value, high volume product. Most of these markets were not actually local, they were located forty-eight kilometres to the east where Yonge Street intersects the 401. However, for many of the area's landowners the future appeared anything but certain. This was especially the case for those living along the Campbellville re-entrant valley at the base of the escarpment, where a distinct landscape was beginning to appear.

The sources provide information about the location and consumption of these stones, their methods of extraction and production, and the logistics of transporting the finished product. Explaining the different extraction and production processes is key to characterizing these different quarry landscapes, it also serves as the basis for understanding the specific nature and timing of local activism in this section of the escarpment. (This theme is taken up in Chapter 2)

What follows is a comparative analysis of quarrying on the escarpment guided by two questions: What was the impact of this different quarrying on the local environment, land usage, noise, dust and infrastructure and how did this ultimately shape the local response to environmentalism on the Niagara escarpment?

The diggers of sand, gravel and rock have always been attracted to the Niagara escarpment. Postwar reports and surveys done by geologists clearly show that different types of quarrying were creating different quarry landscapes along the escarpment. This spatial sorting of the escarpment's 'pits and quarries' had begun around 1960, was pretty much complete before the decade came to an end and it was in the areas closest to Toronto where this phenomenon found its clearest expression.⁶⁷ By 1967, this sorting out of the different working landscapes would also make its way into the preliminary planning documents for the preservation of the Niagara escarpment. In the Gertler study, the escarpment was first sorted or classified into six sections and nineteen areas, the latter "representing the variations in topographic character and recreational capabilities" occurring along its length. The section identified in this report as "Mt Nemo to the Caledon Mountain" provides a case in point. Within this section are contained two extremes: On the one hand, the lands north of Highway 401 to Terra Cotta were assigned the

⁶⁷ M. A. Vos. Ontario Geological Survey, Stone Resources of the Niagara Escarpment, Industrial Mineral Report 31 (1969), 4, 15.
<http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/IMR031/IMR031.pdf>
; D. F. Hewitt. Ontario Geological Survey, The Limestone Industries of Ontario 1958-1963, Industrial Mineral Report No. 13 (1964), 45-53.
<http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/IMR013/IMR013.pdf>
.

least priority for protection, while just across the Halton County border, the Caledon Hills were assigned the highest attraction ratings and prioritized for protection.⁶⁸

While never explicitly acknowledged or stated, it was apparent from these various studies that three distinct industrial quarrying landscapes or zones had been created in the five or six years since the Highway 401 had reached the Niagara escarpment. While pits and quarries could be found scattered throughout these landscapes, the trend toward the concentration or clustering of specific aggregate activities on the escarpment had clearly become more pronounced. For instance, the period 1960-1966 witnessed the opening of several crushed stone quarries and the clustering of these quarries on the escarpment north and south of the 401. A few kilometres to the north, crushed stone quarrying ended and the area from Limehouse to Inglewood had become a magnet for the quarrying of building stone. Meanwhile a few kilometres further north, a third zone was taking shape in the area where the escarpment meets the western edge of the Oak Ridges Moraine. Here the quarrying of building stone was relegated to the past, but this area was rapidly becoming one of the leading sources of sand and gravel in the region.⁶⁹ Information on the nature of mining taking place in these zones can be gleaned from the following table which breaks down the various types of aggregate and their respective contributions to the Toronto-Hamilton market for 1966:⁷⁰

⁶⁸ This area is identified as the 'Mt-Nemo-Caledon Mountain' Niagara Escarpment Study Conservation and Recreation Report, 30 June 1968, Len Gertler fonds, 2.B.2.1.1, Wilfrid Laurier University, Waterloo. See Table 2.2, which assigns the escarpment lands north of Highway 401 to Terra Cotta, the lowest rating and lowest priority for protection.

⁶⁹ Stone Resources, (1969). 4; The Limestone Industries of Ontario 1958-1963, (1964).

⁷⁰ Stone Resources, (1969). 3.

(1) PRODUCTION 1966, TORONTO-HAMILTON AREA

Commodity	Number of Producers	Quantity (Tons)	Value (Dollars)
Sand and gravel	86	34,251,694	25,252,199
Clay and shale products	21	-	20,363,086
Crushed stone	23	13,974,567	15,322,128
Portland cement	2	848,800	14,369,500
Lime	3	317,800	4,457,700
Gypsum	2	565,185	1,581,010
Building stone	10	131,375	866,292
Total			\$82,211,915

Figure 2: From the Stone Resources of the Niagara Escarpment.⁷¹

One way of delineating the various quarry landscapes, is to focus only on those operations that had provided the Toronto market with road aggregate, concrete and building stones. As noted by M.A. Vos, the author of this report, most of the rock used to supply the Toronto market was coming from a 40-kilometre stretch of the escarpment between north Burlington (Mt Nemo) and the Caledon Hills. In the category described as ‘crushed stone’, close to 80% of the stones were being quarried from the Niagara escarpment, with the largest share coming from a handful of quarries that had opened or come online in this decade. In 1966, there were five quarries supplying five million tons of high-quality Amabel (crushed stone) to the Toronto market; four of these were operating along a 10- kilometre section of the escarpment whose epicentre was the Campbellville Road and the Nassagaweya-Esquesing town-line.⁷²

⁷¹ Stone Resources, (1969). 3.

⁷² In addition to 'Nelson Crushed Stone', the author mentions the 'Milton Quarries', 'Dufferin Quarries', 'Halton Crushed Stone' and the 'Acton Limestone Quarries'. Stone Resources, (1969). 4.

The newly constructed Highway 401 explains the presence of large-scale commercial quarrying of crushed stone, but another factor explains the concentration of this quarrying close to the brow of the escarpment. This is the area described by Chapman and Putnam as the eastern edge of the Flamborough Plain. Typically, areas closest to the brow of the escarpment feature the thinnest layers of topsoil and “overburden”, the term used to designate layers of soil and rocks above the area to be mined. In fact in many of the quarries, the extent of overburden that needed to be removed to reach the Amabel layer was well below 25 feet – as a rule up to 30 feet of overburden can be removed economically to extract this stone. The area south of Acton marks the end of the Flamborough plain and corresponds to the section’s northern limit of large-scale crushed stone quarrying.

Just south of Acton but slightly east across this buried bedrock valley, the character of the escarpment changes, and a second quarry landscape was beginning to emerge (or to re-emerge) since many of these quarries had been closed at the turn of the century. In this area, crushed stone quarrying was beginning to disappear from the landscape but there was a marked increase in the production of building stone from a group of quarries located along a 15-kilometre stretch of the escarpment between Limehouse and Inglewood. While the category described as ‘building stone’, includes various other types of stone, (limestone, granite, and slates) the largest single type is the whirlpool sandstone. By the mid-1960s, one hundred percent of Toronto’s sandstone for “flagstone, ashlar masonry, copings and steps” was being quarried from this area of the Niagara escarpment.

At one point, there were as many as nineteen sandstone quarries actively engaged in the production of the whirlpool sandstone, marketed under the trade name ‘Credit Valley Stone’.⁷³ Unlike the Amabel stone, which was quarried from the escarpment’s upper bedrock, these sandstone quarries were established on a lower level or ‘secondary scarp’. In some of these quarries, extraction of the stone was hindered by the thickness of overburden, in others by the lack of good quality stone. In all these areas, the commercial quarrying of this stone was restricted to the lowest levels of the escarpment, at the base of small outliers between Limehouse and Glen Williams and north to the Caledon Mountain in the area west of Inglewood.

The demand for natural building stone changed quickly when cheaper stone substitutes began to flood the market, and half of those quarries active in 1962 were closed two years later. By 1966, the total annual output of product marketed under the name Credit Valley Stone amounted to less than thirty thousand tons, valued at half a million dollars.⁷⁴ While these nine remaining quarries had varied in size and output, the average annual output would not have exceeded a few thousand tonnes annually - an amount that was roughly equivalent to a half-day’s production at the Milton Crushed Rock Quarry. For the many smaller producers principally

⁷³ After peaking in 1962, over 50% of these quarries had closed by 1964. D. F. Hewitt. Ontario Geological Survey, Building Stones of Ontario Part IV: Sandstone, Industrial Mineral Report 17 (1964), 19, 20-38.
<http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/IMR017/IMR017.pdf>

⁷⁴ For two reasons, competition from cheaper, artificial substitutes and inaccessibility of the sandstone. See D. F. Hewitt. Ontario Geological Survey, Building Stones of Ontario Part I: Introduction, Industrial Mineral Report 14 (1964), 4.
<http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/IMR014/IMR014.pdf>
. The actual figures that year were "28,016 tons, valued at \$447,954." Stone Resources, (1969). 15.

serving the niche market of metropolitan Toronto, annual production rarely ever exceeded a thousand tonnes. In certain areas farther to the north, such as the Caledon Mountains, this figure was much lower. There were exceptions, but the records from this period indicate that the size of most building stone quarries had paled in comparison with crushed stone operations. Even in this early phase, the minimum amount of land required for a crushed stone quarry was 1500 acres or ten times the acreage needed for most sandstone quarrying.⁷⁵

This raw data tells us that crushed rock quarrying was conducted on a much larger scale than dimension stone, but only hints at what was happening on the ground. The methods of extraction or “freeing the stone” had distinct histories, shaped by evolving technologies and changing market conditions, all of which impacted the land and people in very different ways. Despite some similarities in siting the quarries, the scale of operations and the techniques used for extracting the different stones resulted in significantly different impacts on the local landscape. This difference in output was not merely a function of the obviously higher demand for road aggregate compared to building stone, but also reflected the geological challenges involved in the extraction of the latter. The difficulties of obtaining suitable commercial deposits of whirlpool sandstone from escarpment. The main reason for this was that, unlike the quarrying of crushed rock, the whirlpool sandstone could not simply be blasted out of the escarpment. Rather, liberating the sandstone was a painstaking process, which used methods of extraction that hadn’t changed all that much since the previous century.

⁷⁵ The authors of these reports have consistently referred to these as “small quarries.” See *Building Stones of Ontario Part I: Introduction*, (1964). 7. For the exception, see the description of the Hilltop Quarry in *Building Stones of Ontario Part IV: Sandstone*, (1964). 26-28; “Quarry Requires 1500 Acres,” May 18, 1961.

From the early 19th century, there were a variety of rock splitting methods employed in the building stone quarries of the Niagara escarpment, but the most common method used in this area's sandstone quarries was 'hand-quarrying'. The equipment and methods employed in removal and working the sandstone have changed little over the century. Many of the tools used to extract the rock in the 1960s – drills, crowbars, wedges, chisels and the 'plug and feather' – were also in use when geologist William Parks examined the quarries earlier in the century. The latter had described the plug and feather technique as "the commonest method of breaking stone from beds of reasonable thicknesses", but the process was also employed for the subsequent breaking of the blocks into smaller sizes.⁷⁶ Despite some improvements in technology, the quarrying and processing of the area's thin-bedded whirlpool sandstone had undergone only minor changes throughout this period.

Consequently, when many of these sandstone quarries near Limehouse, Inglewood and on the Glen Williams outlier, were re-activated in the early 1960s, the larger pieces of rock were still being split using the traditional plug and feathers method. This latter procedure involved the hand drilling of holes into the stone, the introduction of steel feathers with a wedge in between and the skillful wielding of a sledgehammer to ensure the stone split with minimal fracturing.⁷⁷ Several accounts describe the necessity of drilling into the quarry face to remove the rock, as

⁷⁶ The term "hand quarrying" in the strictest sense, referred to quarrying without the use of power machinery. See M. F. Goudge. Canada: Department of Mines, Canadian Limestones for Building Purposes, No. 733 (1933), 135. Hewitt's account of hand-quarrying makes reference to power tools. Building Stones of Ontario Part I: Introduction, (1964). 32-33; Wm. A. Parks. Canada Department of Mines, Report on the Building and Ornamental Stones of Canada, 1 100 (1912), 96. <https://archive.org/details/reportonbuildorn01park>.

⁷⁷ For a more refined description, see Canadian Limestones, (1933). 134-135.

well as the occasional use of blasting. In the event where explosives were used to topple blocks away from the rock face, the risk of fracturing the stone dictated that only small amounts of light blasting powder were employed. This accords with Hewitt's description of quarrying sandstone from the Caledon Hills in the early 1960s:

In the Inglewood area where the main sandstone beds may be up to 6 feet in thickness, the break in the quarry face may be achieved by drilling a series of vertical holes through the bed along the desired line 4 to 5 feet from the quarry face and then blasting lightly with black powder.⁷⁸

However, due to the overwhelming concern with weakening, shattering, and reducing the valuable stone to rubble, explosives tended to be used sparingly or completely avoided.⁷⁹ The final processing - dressing, cutting and shaping - of the stones was also done by hand using hammers and chisels. The use of rudimentary tools and non-explosive ("more refined") methods of breakage were commonplace although quarrying for stone was gradually becoming mechanized. Hewitt's account suggests the main modern development has occurred in the use of mechanical equipment for moving stone. Forklifts were in common use to pry the blocks from the quarry face, following drilling and plug and feather splitting. In many of these quarries, the forklift appeared to be the only equipment used when these irregular slabs were extracted at mid-century.

The introduction of forklifts and mechanical methods of stripping overburden meant that by the middle of the twentieth century, quarries that once employed up to thirty quarry men now required only four or five employees. These factors nevertheless increased the difficulty and

⁷⁸ Building Stones of Ontario Part I: Introduction, (1964). 32-33.

⁷⁹ As in the quarries of Glen Williams, where "explosives caused much valuable stone to be shattered". Building and Ornamental Stones, (1912). 139, 95.

cost of extracting the whirlpool sandstone in these quarries, it made for a time-consuming, labour-intensive and above all a relatively quiet extraction process. Some provincial geologists had gone as far as to describe even the larger building stone quarries as “small inconspicuous operations, contributing minimal noise, dust and traffic and minimal environmental disturbance”.⁸⁰

The above depictions of quarrying for the whirlpool sandstone at the base of the escarpment can be contrasted with the working landscapes that emerged only a few kilometres to the south, where several crushed stone quarries clustered on the brow of the escarpment. While it cannot be said that stone crushing operations were ever considered to be low-key or inconspicuous, these activities had not always loomed so large in depictions of the provincial or national economy. This was surely the case in the late 19th century when national census takers had deemed “the crushing of stones, the bottling of liquids and the splitting of wood into kindling” as activities “that did not involve sufficient change in form of the materials used to meet (the) definition of an industrial establishment.”⁸¹

At that time and well into the next century, these resources were for local use. And for as long as this prevailed, the production of crushed stone in Ontario was not considered to be an economically significant activity. This can be further inferred from the early records, which made no distinction between crushed and dimension stone until the second decade of the 20th century. It was not until 1928 that Canadian geologists first recognized that the crushing of stone

⁸⁰ G. R. Guillet. Ontario Geological Survey, Mineral Resources of South-Central Ontario, Open File Report 5431 (1983), 26-29.

⁸¹ Kris Inwood, "The Representation of Industry in the Canadian Census, 1871-1891," *Social History* (1994), 350.

constituted an industry, with a total Canadian production of 6 million tons valued at close to \$6 million. By comparison, the total value of building stone marketed by this country's quarries was less than one third of this figure.⁸²

The development of Portland cement in the late 1920s contributed to the declining use of stone as a building material. The official acknowledgement of the crushed stone industry's importance to the Canadian economy occurred decades after the Portland cement and concrete industries (whose main ingredient is crushed rock) had overtaken natural stone in the market.⁸³ In the early years of the twentieth century, Parks reported over a hundred active building stone quarries in Ontario, but only a few dozen of these were still engaged in the production of building stone twenty years later.⁸⁴ With the advent of cement, the crushed stone industry surpassed dimension stone in tonnage and value. Presumably, close to one half of this annual national production of crushed stone can be attributed to the province of Ontario, although this has been difficult to determine.⁸⁵ While the crushing of stone had evidently become sufficiently valuable to qualify as a separate industrial activity, there is little recognition of this at the quarry level.

Few of these remaining producers of building stone showed much interest in the burgeoning market for crushed stone. There is no indication that they invested in stone crushing

⁸² Up until 1909, only production figures of limestone for lime-burning and flux were recorded separately. M. F. Goudge. Canada: Department of Mines, Investigations of Mineral Resources and the Mining Industry, 1929: Limestone in Industry, No. 719 (1929), 24, 50.

⁸³ The Canadian Portland cement industry was established in the last decade of the 19th century. See T. Ritchie, "Roman Stone and Other Decorative Artificial Stones," *Bulletin of the Association for Preservation Technology* 10, no. 1 (1978), 20-21.

⁸⁴ *Building and Ornamental Stones*, (1912).

⁸⁵ Goudge's reporting does not break this figure down. Investigations of Mineral Resources, (1929). 50.

facilities, which could have been used to salvage the high percentage of waste generated in the production of building stone. Presumably, the high costs of handling and transporting crushed stone did not justify such an investment and most of these producers continued to regard this as waste material. Gradually, with the expansion of rail and roads, and the grudging acceptance that reinforced concrete was more than a passing fad, most of the larger building stone quarries in the Niagara region made the switch to crushed stone production. What followed was a natural phasing out of building stone quarrying and the intensification of stone crushing.⁸⁶ As late as 1948, however, there were still only a few dozen quarries in Ontario producing the minimal required tonnage of crushed stone to make the list of bona-fide producers.⁸⁷ None of these evidently elicited sufficient interest to be singled out by Hewitt for a detailed description. (This is unaccountable given that at Dundas, the Lafarge Quarry had been going full throttle, supplying crushed stone for refractory in the local steel mills.)

Yet it was not until the second decade after the war, that crushed stone and the aggregate industry came of age in the province of Ontario. The economic importance of this sector to the provincial economy could of course be measured by its contribution to GDP. But it could also be seen in a 1950 Ontario geological survey (evidently one of the first) which had reported

⁸⁶ This author's source pointed out that 'quarrymen had looked askance at the new material'. Ritchie, "Roman Stone." 21; Most of the larger quarries in the Niagara region converted to stone crushing during this period. Gerard V. Middleton, Nick Eyles, Nina Chapple et al., "Niagara Rocks, Building Stone, History and Wine," *American Geophysical Union and Geological Association of Canada Field Trip A3: Guidebook* (2009).

⁸⁷ At the time, this was set at 40,000 tons. See D. F. Hewitt. Ontario Geological Survey, *The Limestone Industries of Ontario, Industrial Mineral Circular 5* (1960), 2. <http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/IMR005/IMR005.pdf>

quantities and values of provincial crushed stone production – a tonnage of just under 4 million valued at approximately \$5 million.⁸⁸ After this, demand for raw construction material soared, as mega-projects such as the St Lawrence Seaway, hydroelectric dams and provincial highways called for unprecedented levels of crushed stone. These giant public expenditures triggered the first series of reports dedicated to tracking the province's industrial minerals.⁸⁹ These minerals included many common low value construction materials such as rock, sand and gravel, clay, gypsum and salt. In the late fifties, teams of government geologists were sent into the field to conduct the first comprehensive survey of the province's crushed stone quarries. These results were released in a 1960 report, which documented the meteoric rise of the limestone industry in Ontario by indicating that industry output had increased by 300% in less than a decade. That same year, production from limestone industries had overtaken all other industrial minerals in tonnage and value. With over 70% of Ontario limestone destined for crushing and cement plants, stone crushing was no longer a by-product; it had become the industry's primary focus.⁹⁰

Alongside the small-scale niche market for building stone, there developed a ready market for fragmented rock (aggregates and cement), which could only be met through a massive expansion of the industry. The local sources suggest that this conversion to large-scale quarrying began in the mid-1950s and that it happened rapidly. In addition to Nelson Crushed Stone, which topped the chart of provincial producers two years before, four quarries in north Halton came into production in the period 1958-1962. All but one of these operations joined the ranks

⁸⁸ The Limestone Industries of Ontario, (1960).

⁸⁹ This is a reference to the 'Industrial Mineral Reports', which were issued by the province between 1953-1975. The Limestone Industries of Ontario, (1960).

⁹⁰ Much of the support for these claims can be found in, The Limestone Industries of Ontario, (1960). 1-3.

of million-ton producers within three years. The year 1966 witnessed the largest single concentration of extractive activities this close to population centres in Ontario. Outside of Sudbury, few were more conspicuous or objectionable than the operations which had evolved to meet the postwar demands for paving Ontario's super-highways. Crushed stone quarrying had developed into a highly sophisticated operation that bore little resemblance to the earlier small-scale crushing plants. To some extent, those industry insiders who have written about the development of the aggregate industry in Ontario have recognized this:

Pits and quarries were usually small family-run enterprises that supplied the modest needs of neighbours in the nearest village, town or city. Complaints concerning pits and quarries were few since the extraction activity was not usually operated on a continuous basis. There was a general recognition on the part of all concerned that these operations performed a necessary community need. This situation more or less continued unchanged up to the middle of the century...To achieve economies of scale, large corporations and even multinationals joined the ranks, some producing as much as five million tonnes annually at their various sites across the province.⁹¹

Despite this important observation, most accounts of the development of the industry tended to place all aggregate extraction on an equal footing, neglecting to differentiate 'pits' from 'quarries', 'quarries' from 'sand and gravel pits', or 'sand and gravel' from crushed stone operations. By masking these distinctions, these writers effectively create the illusion that all forms of aggregate extraction were either equally objectionable or equally benign. But from the standpoint of those communities who played host to the escarpment's crushed rock quarrying, this was not the case. To meet and maintain those impressive levels of output, the approach taken to extracting and processing the rock was quite different from other forms of aggregate

⁹¹ S. E. Yundt and B. P. Messerschmidt, "Legislation and Policy Mineral Aggregate Resource Management in Ontario, Canada," *Minerals and the Environment* 1, no. 3 (1979), 102-103.

mining and it was radically different from quarrying for building stone. One authority on the subject has explained this in terms of two very different objectives:

In contrast to industrial minerals, such as crushed stone, the aim in building stone quarrying is to extract the stone in pieces as large as possible. There is therefore, no blasting or crushing resulting in very low noise and dust levels. As a result, building stone quarries can be located in areas where other mineral extraction would be totally unacceptable.⁹²

This description accords with the previous discussion of quarrying for whirlpool sandstone, where because the aim was to extract the largest possible block from the rock face, extreme care must be taken to ensure that the stone remains free of cracks and splits. This can be contrasted with quarrying, where the aim is to produce “relatively small pieces that are suitable for crushing into gravel-sized particles”, hence the name ‘crushed stone’.⁹³ Whereas the main objective of all aggregate operations is to extract the largest possible quantity at minimum cost, only in crushed rock quarrying is this achieved through relentless blasting of the rock. And in the era with few restraints, there was little regard for the impact on the environment or the effect on local populations.

From the various general descriptions, a picture begins to emerge not just regarding the importance of blasting in the quarrying of crushed rock, but the vital role that an effective and efficient blasting program plays in the entire production process. Quarry operators agree that the most effective blasting has taken place when the initial blast reduces the rock to the optimal size for feeding into the crushers. Otherwise, oversized material must be set aside, re-blasted and the

⁹² D. P. Jefferson, "Building Stone: The Geological Dimension," *Quarterly Journal of Engineering Geology and Hydrogeology* 26, no. 4 (1993), 312.

⁹³ U.S. Department of the Interior, U.S. Geological Survey, Potential Environmental Impacts of Quarrying Stone in Karst--A Literature Review, OF 01-0484 (2001), 7.

entire production process comes to a grinding halt. It was this unfortunate state of affairs that prevailed in many of the crushed rock quarries on the escarpment in Halton. Unlike the ‘easy-blasting’ conditions that were encountered in the Flamborough quarries further to the south, blasting through the massive-bedded Amabel units on the Halton escarpment tended to produce large, oversized boulders, which called for “considerable secondary blasting”.⁹⁴ Whether the reasons were related to the peculiarities of the Amabel stones or the learning curve, secondary blasting was a common practice in the Halton quarries in the 1960s. While this had evidently caused additional inconvenience and extra costs for the extractors of this rock, it also meant additional hazards for workers and more violent blasts for the unsuspecting locals.⁹⁵

In contrast to the minimal amount of blasting required in the extraction of sand and gravel or building stones, crushed rock quarrying on the escarpment was and remains an explosive business. And much like mining, which also required the removal of large quantities of rock, quarrying was a hazardous occupation. Today there are high-tech methods for calculating the quantity of explosives when blasting the rock apart as well as measures to mitigate the collateral damage. But in the 1960s things were very different and no one could be exactly sure what would happen. This is not to suggest, as had some residents, that blasting at these quarries was conducted with reckless abandon or that it was “out of control”. Although it

⁹⁴ The Limestone Industries of Ontario, (1960). 120; The Limestone Industries of Ontario 1958-1963, (1964). 52-54.

⁹⁵ This source notes both the violent and hazardous blasts that result from secondary blasting. Richard A. Dick, Larry R. Fletcher, Dennis V. D'Andrea. Bureau of Mines Information Circular, Explosives and Blasting Procedures Manual, 8925 (1983), 65-66. https://files.dep.state.pa.us/Mining/BureauOfMiningPrograms/BMPPortalFiles/Blasting_Research_Papers/USBM/IC%208925%20Blast%20Proceedures%20Manual%201983.pdf.

probably appeared that way to local landowners, the point of the blast was not to obliterate the rock face, as doing so would render further blasting and extraction much more difficult.⁹⁶

Despite the massive postwar expansion in the use of explosives in mining and quarrying, these workplaces were not rendered any more hazardous due to blasting activities. The number of explosive-related accidents in Ontario's mines and quarries had peaked (at 37) sometime in the late fifties and then began to decline.⁹⁷ This figure reached its lowest point in 1964; the last year in that decade which these sectors had reported injuries from blasting. While it was true that the number of Ontario mine workers had also declined by 15%, the number of explosives-related accidents in this period had fallen by over 50%. The last reported blasting fatality occurred in a surface mine in 1964. Throughout the sixties, the number of deaths from the direct impact of a blast reached a record low for underground miners and was reduced to zero for surface miners and quarry workers.⁹⁸

Technological advances rather than a concern for worker safety or government regulation resulted in important changes in the industry. A heightened scientific interest in the mechanics of drilling and rock fragmentation in the early 1950s, led to a whole range of innovations in drilling and blasting technologies. One of the more significant developments occurred in the

⁹⁶ J. Gunn and D. Bailey, "Limestone Quarrying and Quarry Reclamation in Britain," *Environmental Geology* 21 (1993), 168.

⁹⁷ Ontario. Department of Mines, Ontario Geological Survey, Report on the Mining Accidents in Ontario in 1950, Bulletin 143 (1951).

⁹⁸ 'Causes of Accidents from Explosives' Ontario. Department of Mines, Ontario Geological Survey, Report for 1958 on Mining Accidents, Bulletin 157 (1959), 12; 'Fatalities at Surface Mines' Ontario. Department of Mines, Ontario Geological Survey, Mines Inspection Branch Annual Report 1964, Bulletin No. 164 (1965), 5; 'Fatalities at Surface Mines' Ontario. Department of Mines, Mines Inspection Branch Annual Report 1969, Bulletin 169 (1970), 7.

mid-fifties when a “cocktail of ammonium nitrate and fuel oil” (or ANFO) became available for commercial blasting. Before this, the only AN available was in a form that required mixing with TNT - the highly volatile and unpredictable compound that had caused so much grief for the hapless Wile E Coyote. Many sources have described the impact of this safer blasting agent called “prilled AN” as nothing short of revolutionary, noting that the entire explosives consuming and producing industries were converted overnight from “dynamite-based materials to simple fuel/oxidizer mixtures” or blasting agents.⁹⁹

Some early and very brief references to the use of “prilled AN” in Ontario can be found in D. F. Hewitt’s 1960 account of blasting at both the Nelson (Burlington) and the Milton Quarries. The blasting agent which the author described as “prilled AN”, was being mixed with “40% forcite”, and poured into the drill holes. Because this chemical mixture offered better water resistance for quarrying below the water table, it had all but replaced dynamite in some of the area’s larger quarries. By the early 1960s, ANFO in various forms was the blasting agent of choice at most of the larger crushed rock quarries on the escarpment and no doubt throughout the province. ANFO was safer, cheaper and gave better fragmentation than dynamite when blasting through rock. And although blasting with ANFO no doubt minimized the need for secondary blasting, it did not eliminate it. There is ample evidence from Dufferin and Halton Crushed Stone as well as the Acton quarries that secondary blasting continued until the end of the decade.¹⁰⁰

⁹⁹ To be clear, ANFO was classed as 'a blasting agent', not an explosive. Alexander Beveridge, *Forensic Investigation of Explosions*, (Abingdon, Florence: CRC Press, 1998); Sydney Meyers and Edward S. Shanley, "Industrial Explosives-A Brief History of Their Development and Use," *Journal of Hazardous Materials* 23, no. 2 (1990), 197-199.

¹⁰⁰ The Limestone Industries of Ontario, (1960). 114-115, 119-120.

By the 1960s, blasting (for those working with explosives) became a much safer activity. These new methods allowed for more efficient extraction at the quarries, by drilling and blasting larger quantities of rock. But while ANFO and other technological breakthroughs solved many problems, they evidently unleashed others. This was because basic knowledge of rock mechanics had simply not kept pace with all those technological advances in drilling and blasting.¹⁰¹ In other words, notwithstanding these technological advances, rock blasting remained more of an art form, involving a great deal of trial and error. If this had been otherwise, then presumably there would have been less need for secondary blasting and the effects from these detonations would have been confined to the blast sites. Instead, much of this “renegade energy” was dissipated over the north Halton countryside.¹⁰²

One of the earliest and possibly more dramatic displays of this rogue energy made local news in the winter of 1959. The episode began as a rapid succession of blasts set off at a small quarry five kilometres west of Georgetown and ended “with half an acre of the escarpment, 24 feet deep reduced to a pile of rubble”. What made this blast newsworthy had little to do with the destruction of the cherished hillside, but the fact that it had resonated so far from its intended target. The blast, described as “the heaviest charges of dynamite ever let off in any of the district quarries”, had registered as far away as Terra Cotta, on the border of Peel. In this area six and a half kilometres due north of the source of the blast at the Armstrong quarry, residents had compared the blast to the large cracking noise made when the Avro Arrow shattered the sound barrier (and several windows) over the town the previous summer.

¹⁰¹ Melvin A. Cook, "Modern Blasting Agents," *Science* 132, no. 3434 (1960).

¹⁰² Douglas A. Anderson, "Lowering the Boom," *The Sciences* 35, no. 6 (1995).

A similar set of shock waves hit the town of Milton in the spring of 1966, but this disturbance had been felt rather than heard. It caused the old county Courthouse “to shake visibly for eight to ten seconds”, which convinced many of the workers on the upper floor that they had just experienced an earthquake. There was much relief in the town, when it was later discovered that the “quake” had been just a dynamite blast set off at a nearby stone quarry. The nearest quarry was located almost five kilometres from the Courthouse.¹⁰³ Admittedly, the incidents described above were only considered newsworthy because they rarely ever happened, at least in the more urbanized centres. In most instances, when blasting made the news, it involved those living not kilometres away, but a mere hundred metres from the quarries and the blast site. In these rural areas, where the intensity and frequency of the blasting had escalated, the situation was becoming intolerable.

While it was true that developments did make blasting safer, cheaper, and more efficient for the industry, almost a decade would pass before the industry and government began to address the adverse consequences of this wayward or renegade energy on the neighbourhood. In the meantime, with neither government nor industry willing to admit there was a problem, the full force of the adverse effects of the blasting at the quarries would be absorbed by the local landowners. In this area straddling the boundary of the Nassagaweya- Esquesing townships, several crushed stone quarries removed millions of tons of rock from the escarpment. In many cases, quarry faces up to 40 metres high, were drilled and blasted several times a week to break the rock into pieces suitable for crushing. Following this, the blasted material was transported

¹⁰³ "Sunday "Bump" Was Blast at Armstrong Quarry," *Georgetown (ON) Herald*, Jan 14, 1959. <http://images.ourontario.ca/Partners/HHPL/HHPL000091457p0001f.pdf>. Building "Quake" Just Quarry Blast," *The Canadian Champion*, June 15 1966.

via earth-moving equipment - giant dump trucks, front-loaders, backhoes, and scrapers - to the crushing and grinding machines. At the time, these machines were not tucked inside the quarry, but were placed in the front at the base of the escarpment. While this multi-step production process would certainly suggest additional sources of noise and dust pollution that were not present (or were present to a far lesser degree) in the quarrying landscapes of whirlpool sandstone, one additional thing set this crushed stone quarrying landscape apart. This had to do with the logistics of transporting the finished product and the cumulative effect of moving 3-4 million tons of aggregate over local roads, which were not exactly suited to handle this type of heavy traffic.

Throughout the 20th century, and especially since the Second World War, the quarrying of crushed rock evolved into a highly mechanized, highly efficient extraction process, which bore little resemblance to the earlier crushing plants or to contemporary sandstone quarrying. Compared to other aggregate sources, the production of building stones continued to represent only a fraction of the total market. Functioning as more of a niche market, where several small firms produced batches of stone on demand, the production of building stones was strictly a business for the small entrepreneur. By way of contrast, a small number of large firms began to dominate the crushed stone industry in the late fifties and by the end of the 1960s, as producers and distributors partnered with road companies, the industry was already highly vertically integrated.¹⁰⁴

The differences between the various types of aggregate extraction were clearly of concern to the producers and to government geologists, but they were monumentally important for those

¹⁰⁴ These and other writers have made the point that this trend began in North America in the 1950s. Baker, Slam and Summerville, “Evolving Policy Network in Action.”

living next to these operations. And these different quarry landscapes most certainly shaped the character of the early local opposition to quarrying on the escarpment. So, while quarrying was a ubiquitous feature on the Niagara escarpment, local communities had responded differently to this quarrying. Whereas some of the fiercest opposition to aggregate extraction had taken place in the area between Campbellville and Acton, the 1960s re-opening of dozens of small stone quarries only a few kilometres to the north had barely caused a stir in these communities.

Although the nature of the crushed stone quarrying industry would later raise concerns and opposition, initially it seemed to have been welcomed in the township of Nassagaweya. With the completion of the “14-mile western extremity” of the new highway to Preston in the township of Puslinch, the so-called limited and local requirements for crushed stone came to an end. In 1961, came the official announcement that Dufferin Aggregates, a division of the St Lawrence Cement Company would be opening another quarry in the area to supply the Toronto market with road aggregate. And in the following spring, Dufferin constructed a road from the base to the top of the escarpment to gain access to the rock above. Presumably the gap was blasted in the escarpment sometime in the spring of 1962, but there is no way of knowing what the locals thought of this cataclysmic event that would much later be immortalized in the writings of planners and others as that pivotal turning point in the history of the Niagara escarpment. Apart from providing a glowing account of the progress made to prepare for the opening of the quarry, which described the removal of trees and overburden and noted that “a

road has been constructed from the base to the top of the escarpment to access the quarry above”, the local press did not report on the blast itself.¹⁰⁵

Yet it also needs to be acknowledged that the establishment of large-scale crushed rock quarrying in the township of Nassagaweya, had proceeded relatively smoothly, unopposed and (much like the construction of the highway) with almost as much fanfare. In fact, three years (and three municipal elections) would pass before there was any inkling that all was not well for landowners at the base of the escarpment. Part of the explanation for this delayed reaction can be found by examining the output that had been reported for the various operations in the three or four years ending in 1966. As previously stated, almost 40% of the total Toronto region’s crushed stone production was being sourced from five separate quarries between north Burlington and Acton. Three of these were located within the study area and had recently acquired the status of “major producer”. Whereas provincial geologists had reported fairly moderate levels of activity at these quarries in the summer of 1962, they also observed that “modifications to crushing and grinding facilities” at these plants, would make it possible for these operations to substantially increase their current capacity.¹⁰⁶ From an estimated 1.5 million tons in 1962 - the first year when all these mines were fully operational - their combined output had risen by 1965, to 3 million tons.

The available evidence suggests that sometime during 1965, all three of these producers – Halton Crushed Stone, the Milton Quarries, and Associated Aggregates (Dufferin) - either

¹⁰⁵ "Many Try out New Highway," *Acton (ON) Free Press*, Nov 24, 1960, 3. <https://images.ourontario.ca/Partners/HHPL/HHPL000088653p0004f.pdf>; "Quarry Development on 600 Acres," Feb 15, 1962; "Dufferin Quarry opens 600 Acres," *Canadian Champion* (Milton, ON), Feb 8, 1962, 1. https://images.ourontario.ca/Partners/MPL/MPL002493951pf_0873.pdf.

¹⁰⁶ Plant capacity would increase from 250 to 500-1000 tons per hour. See *The Limestone Industries of Ontario 1958-1963*, (1964). 49, 52, 55.

reached or exceeded the level of output necessary to achieve economies of scale. At this time, overall production costs were minimized at a million tons per annum. This placed the total annual production from the area's crushed stone industry in the year 1965 at 3 million tons; indicating a 100% increase in rates and depth of extraction had taken place at the quarries in just over three years.¹⁰⁷ To achieve these impressive output levels, both the frequency and severity of blasting at the quarries would also have increased, and quite dramatically. This was especially the case as the more accessible rocks were mined out and technological improvements at the plants allowed for faster rates of extraction. At the time, the rule of thumb was that it took only "one good shot of ANFO, to bring down 20-30 thousand tons of Amabel stone", which suggests that blasting at the quarries was occurring several times a week.¹⁰⁸

This increased ability to blast, a ready market for their product and the apparent ease with which quarry operators displaced environmental and other social costs onto the host community had all combined to make the quarrying of crushed rock so attractive to the industry in the Nassagaweya township. And it was the displacement of these externalities onto the local landowners that generated the early demands to control industrial-scale quarrying on the Niagara escarpment. In the following chapter, a detailed analysis of the conflict between these groups examines why these activities had suddenly become so objectionable in the countryside and considers whether a post-materialist argument advanced by the literature offers the best description of these clashes.

¹⁰⁷ Stone Resources, (1969).

¹⁰⁸ "Milton Quarry Demonstration Blast," *Canadian Champion* (Milton, ON), Sep 17, 1969, 6. http://images.ourontario.ca/Partners/MPL/MPL002496071pf_0781.pdf.

Chapter 2 - “Our Farms lie in the Midst of Chaos and Shambles.”: Opposition to Quarry Blasting in Nassagaweya

On the 11th day of January 1967, the *Canadian Champion* published a lengthy letter to the editor under the simple heading, “Beautiful Rural Road Destroyed”. It was written by local school teacher Anne MacArthur on New Year’s day but offered up none of the usual bromides of hopeful reassurances for the upcoming new year; instead of comfort and joy, the readers received only grim tidings and the ugly truth, “that the people living in the heart of the hills of Halton can hardly take pride or rejoice in the natural beauties that have been given us” in a landscape which in its present state evokes only “twinges of bitterness”. Before describing in detail these appalling conditions in the township, the author reflected to a time when the countryside looked very different:

Only a decade ago, you could depart from the quiet, pleasant village of Campbellville, drive along a scenic road, unsurpassed for its beauty by any in the Province of Ontario. On the way, you would go by the pond, past the Austin place nestling in the quiet beauty beside the Sixteen-Mile Creek. As you proceeded, glance with pride at the lovely face of the Niagara escarpment rising on either side. Now a far different picture meets our eyes... a gash has been cut in the escarpment and a provision for another has been made...the farms lie in a state of chaos and shambles.¹⁰⁹

This was much more than a simple lament for a lost landscape, the writer was articulating the stakes of losing local control of nature. She went on to describe the privatization of the escarpment’s public space, the severing of rural ties with the past and the undercutting of local democracy all in the name of dubious economic development. She rebuked and denounced these developers as outsiders, “as butchers who would cut down the beautiful maple trees” or cut gashes “in our beloved hills, without putting the trees to good use”. But for private citizens like

¹⁰⁹ Anne J. MacArthur, "letter to the editor," *Canadian Champion* (Milton, ON), Jan 11, 1967, 9. http://images.ourontario.ca/Partners/MPL/MPL002496069pf_0026.pdf.

MacArthur, the local escarpment was what infused this rural space with deeply felt value. At a time when the tide of public opinion began to call for the preservation of the Niagara escarpment for the people of Ontario, the writer's sentiments were not so very unusual. What made these exhortations quite remarkable, was that they were not the utterings of a private citizen, they came from an elected representative of an area heavily dependent on the assessment revenues derived from the escarpment's mineral extraction. Only a short time before, lacking any sense of identity tied to the Niagara escarpment, residents and their elected officials had generally regarded these hills as little more than working landscapes.

What's more, MacArthur was not content with just describing the condition of the landscape, she aimed to change it and change how the locals regarded it. This letter read more like a manifesto or call to arms - replete with rhetorical questions and calls for "we the people" to rise up against the injustices perpetrated by these "outsiders" – and like all good manifestos it offered up a solution. This letter was significant because it contained the blueprint for a major transformation in the town's current relations with the local quarry operators. In the weeks and months that followed, the aggregate wars would begin in earnest, and bring an end to almost a decade of peaceful co-existence between the people of Nassagaweya and the township's principal quarry operators.

Sometime during the mid-sixties, local attitudes toward the environment and particularly the escarpment, underwent a seismic shift. Practices that had been tolerated only a short time before, were now thought to be an abuse or an outrage. That a change had occurred could not be read in the local landscape which according to MacArthur had for some time been in a chaotic state. The writer's defiant tone suggested things were not as they had been. In fact, the events of the previous year had dramatically altered the relations between the township of Nassagaweya

and the quarry operators on the escarpment. Throughout the year 1966, this area's principal quarry operators came under sustained and unprecedented public scrutiny, some were subjected to public shaming, individually insulted and on one occasion physically threatened. After enjoying close to a decade of relative peace and freedom to operate "unmolested with minimal social constraints", the mineral extractors of the township were now on the defensive.

Practically overnight, the Nassagaweya Township had transformed from one of the most quarry-friendly areas of the GTA into a hotbed of resistance against the extractive industry.

The township had evidently undergone a kind of cultural shift, but exactly how this transition came about is not well understood. Most of those who have examined this phenomenon have identified "the new middle classes" as the agents of change. The most common understanding of this cultural shift is one of social conflict between in-migrants or exurbanites and long-term residents over land use issues. The assumption that wealthy exurbanites were leading the charge against quarrying on the escarpment exercises a strong influence on the literature and continues to do so.¹¹⁰ When it comes to the Niagara escarpment, most descriptions of these cultural clashes or aggregate wars adhere to a rigid and oversimplified template which has pitted "old-timers against newcomers" or "the working/productive landscapes against landscapes of consumption". This clash or conflict is said to have happened because amenity-migrants or exurbanites held views of the rural landscape that others (such as farmers, foresters and mineral extractors) regarded as threatening to their interests.¹¹¹ The

¹¹⁰ Anne Varangu, "A Clash of Values: Planning to Protect The Niagara Escarpment in Ontario, Canada," in *National Parks and Protected Areas* (Springer, 1997); For studies dealing specifically with land-use conflicts on the Niagara escarpment near Milton, see Patano and Sandberg, "Winning Back More Than Words."

¹¹¹ Peter Walker and Louise Fortman, "Whose Landscape? A Political Ecology of the 'Exurban' Sierra," *Cultural Geographies* 10 (2003).

unstated assumption in many of these writings is that the principal threat to quarrying on the escarpment came from exurbanites and outsiders. It follows from this that those who remained tied to the old productive landscapes either actively supported quarrying or posed little threat to the interests of aggregate producers. Of course, the situation on the ground was not this cut and dried.

There is little question that the Caledon Hills and the Forks of the Credit and similar areas further north on the escarpment had become virtual magnets for “amenity-seekers”, “urban escapists” and “second-homers” in the 1950s. However, things turned out differently in areas along the escarpment where these wealthy landowners were all but absent from the scene. In the economic backwaters of north Halton and in townships where exurbanization was delayed, many aspects of these old productivist economies lingered long after actual farms began to disappear from the landscape. In areas where the disappearance of the bona-fide farm paved the way for massive quarrying and not for the wealthy exurbanite, it was the traditional rural populations who clashed with aggregate producers and fought these early quarry wars. And it is important to note that these people fought these battles for different reasons. Unlike the wealthy exurbanites, who sought to prohibit quarrying to protect the peace and tranquility of their country homes, these aesthetic concerns barely even registered for the residents of these economic backwaters - at least they were not mentioned publicly. This was mainly because the people who had moved onto these impoverished landscapes in the early decades after the war, were firmly tied to the local culture and were keenly aware of the importance of quarrying to the local economy. In these sparsely populated rural areas, where the industry’s contribution to the local tax base was substantial, banning these operations (however unsightly or unpleasant) would have been considered quite unthinkable, if not impossible to do.

This was particularly the case in the Nassagaweya Township in the winter of 1965. This was when it first became apparent that the quarries were causing serious problems for these rural dwellers, and that what the quarries were doing to the local scenery was almost beside the point. It was around this time that the issue received its first public airing when one of the candidates for local council had described “the awful conditions along the Campbellville side road” which she compared to “a drag strip for gravel trucks... In nearly every house blasting from the stone quarries had cracked plaster, crumbled chimneys... [and occupants were] fearful of being blown to Kingdom Come.” But this speaker had drawn the loudest applause with her searing attack on “the municipal government, that stone foundation of democracy, which had clearly shifted in her district from the people and in favour of the quarries.”¹¹² Within a few weeks, Nassagaweya had elected its “first lady councillor” and the problems of the landowners were added to the list of the many pressing issues taken up by the local government in the New Year.

This backlash against the quarries had originated with the specific grievances of MacArthur and a handful of landowners, but it was not limited to this group. This latter faction also received support from another disgruntled group of residents, who had recently formed the Nassagaweya Ratepayers Association. Within a few months, this movement crossed into Esquesing, where one of the largest quarrying operations straddled the town-line. Two of the group’s founders had been elected to the Nassagaweya council in 1965, promising that something would be done about the quarries, but it took several months and a great deal of arm-twisting before the quarry operators could be convinced to make an appearance at council. Early

¹¹² "Full Slate in Nassagaweya - - Reeve, Deputy, Councillors are Challenged," *Canadian Champion* (Milton, ON), Dec 1, 1965, 2, 7.
http://images.ourontario.ca/Partners/MPL/MPL002493967pf_0948.pdf.

in the spring of 1966, the owners and/or representatives of the Dufferin Quarries, Domtar, Halton Crushed Stone, the Milton Quarries, and the Campbellville Gravel Supply finally agreed to attend the special council session, and local officials took what they believed was “the first important step toward relieving nuisances caused by quarries in the Nassagaweya Township.”¹¹³

This ‘quarry-ratepayer summit’ received extensive coverage in the local newspapers. By all accounts, the four-hour meeting did not go well. *The Acton Free Press* and Milton’s *Canadian Champion* described the scene in the Brookville council chambers as a “hotbed of controversy”, in which several “violent arguments” broke out between the members of the different groups. A few of the ratepayers were particularly vexed that the Reeve and some Councillors chose to devote more than half of the meeting on aesthetic issues at the quarry sites. For the first two and a half hours of the meeting, members of council “had grilled the operators on their future plans” for cleaning up their derelict properties and decided to make an example out of one in particular: “...at Milton Quarries, there is a dreadful mess - it looks like the edge of the badlands.” “Oh, we plan to back-fill in the holes, but what you probably object to is our stockpiles”, stated this company’s representative, while pointing out that it is an industrial site.

However, by the end of the session the Councillors did manage to extract from most of the operators a few verbal commitments to ‘backfill the holes, to re-vegetate’ and a rather grudging promise from one of the larger quarry operators to screen these eyesore operations from public view by at least planting some trees. “Fine, we’ll plant some trees, but you must understand there were no trees to start with.” After some prodding and coaxing on the part of the

¹¹³“Nassagaweya Residents Form Ratepayers Group,” *Acton (ON) Free Press*, Nov 18, 1965, 7. <http://images.ourontario.ca/Partners/HHPL/HHPL000088913p0007f.pdf>; “Ratepayers Complain of Quarry Nuisances,” *Acton (ON) Free Press*, Mar 29, 1966, 1. <http://images.ourontario.ca/Partners/HHPL/HHPL000088932p0001f.pdf>.

Councillors, a few of the operators were prepared to admit there might be some merit in making the most of these post quarry landscapes. In the words of the owner of the Campbellville gravel pit, “Of course it would be stupid not to make them into desirable properties, especially when there is reason to believe that someday there will be a lake.”¹¹⁴

There was a general assumption that ‘someday’ applied to the near future. Quarries – much like the dozens of sand and gravel pits, which also dotted the local landscape – were considered by the locals to be fly-by-night operations that would after a few years move out and leave behind giant craters. These holes in the ground were more than simply blights on the local landscape, they were also safety hazards, which devalued neighbouring properties and eroded the tax base. And while these were all legitimate concerns for Council, they were not the most pressing issue for the landowners. These half-baked schemes and promises to ‘do better’ someday were all very well but they were small comfort to those who were looking for immediate relief from the quarry operators. For close to two hours, more than twenty embittered ratepayers from the township of Nassagaweya testified about the impact of quarrying on their lives. Surprisingly few people mentioned that noise was the problem. In fact, the issue of noise only came up as a way clarifying the nature of their grievances. One of the spokespeople made it abundantly clear that “We’re not complaining about ordinary blasting noises, you hardly notice those. But when the earth shakes - it bothers you.”¹¹⁵

¹¹⁴ Nassagaweya Township fonds, 1966, Nassagaweya Township fonds, Archives of Ontario; "Nassagaweya Quarries Hotbed of Controversy," *Acton (ON) Free Press*, Apr 7, 1966, 8. <http://images.ourontario.ca/Partners/HHPL/HHPL000088933p0008f.pdf>; "Buy Niagara Escarpment Conservationists Urge MPPs," *Toronto Daily Star*, July 27, 1966, E11. <https://search-proquest-com.ezproxy.torontopubliclibrary.ca/hnptorontostar/docview/1420167411/pageviewPDF/9DAABB8457354635PQ/8?accountid=14369>; "Operators Plan Improvements," *Canadian Champion*, Apr 6, 1966. https://images.ourontario.ca/Partners/MPL/MPL002496068pf_0273.pdf.

¹¹⁵ Nassagaweya Township fonds, (1966).

The ratepayers' grievances stemmed more narrowly from the effects of vibration (ground and air) caused by what they perceived as unusually powerful blasts. There was a recognition that rock blasting at the quarries had not only increased but a shared perception among ratepayers that it was becoming more reckless. One of the farmers in the area described a blast so forceful it "knocked him clear off his milking stool": his neighbour on the next farm over told a similar story and accused the blasters "of stuffing too much stuff down those holes and people are getting sick of it. If you cut down on the size of the blasts, it won't cause damage." Blasting that "was known to rock homes" provoked the deepest anxiety, which some described as a jolt or shock, and others as a form of personal as well as financial loss. Most of the landowners reported cracked and falling plaster, crooked walls and broken dishes in homes which had evidently been shaken off their foundations. While cracks in windows were common enough complaints, one of the homeowners reported that all "five windows, each one quarter of an inch thick were broken by blasting."

There arose within this small community the belief that excessive and unsafe levels of blasting at the quarries was the cause of extensive structural damage, the cumulative effects of which rendered their homes and properties worthless. One of the property owners, a self-described widow; "was there long before the quarries" and would never have bought the property if she had known she wouldn't be able to move, "The houses on the Campbellville Road, they just won't sell. People won't buy them because of the damage they receive from blasts going off." In summing up their grievances, the councillor who arranged the meeting made a special point to mention that the issue was not about the noise level: "The people of the Township are reasonable and they don't want to grind any axe over loud noises, by now most of them are used

to it. They don't, however, feel they should have to suffer losses caused by someone else."¹¹⁶ It bears repeating that most of the ratepayers were not there to complain about regular blasting noises, nor did any of these people mention anything about the aesthetic and visual impacts of quarrying.

This Councillor's comment regarding having "no axe to grind over loud noises..." is unclear here but there is good reason to question this politician's assertion that she was speaking "for the people of the township". In truth, public outrage over quarry blasting at this time was confined to a few dozen residents living in a particular section of the township. The most vocal opposition to industrial quarry blasting came from those who occupied the lands located at the mouth of the Campbellville re-entrant or spillway valley. These spillways are known to contain excellent kame or sand and gravel deposits, but the soils in the area to the east of Campbellville had at the time supported a mixture of productive and marginal farms. The evidence indicates that as recently as 1962, the people living in this part of the township were still cultivating "tree fruits, fodder grains, hay and root crops".¹¹⁷ Some of those who spoke out against the quarry blasting were farmers or were the descendants of generations of farmers going back well before the original settlement of the township, others had moved onto these abandoned farms in the first decade after the war. Some seem to have migrated from nearby townships and were making their living as poultry and dairy farmers, at market gardening and woodworking. One was a

¹¹⁶ This was in response to a comment made by one of the quarry operators, 'that loud blasts were not the cause of the damages.' "Ratepayers Complain of Quarry Nuisances," Mar 29, 1966; "Nassagaweya Quarries Hotbed of Controversy," Apr 7, 1966.

¹¹⁷ This author had noted that "the stony nature of the soil is a problem, but once cleared can be productive." See, Williamson, "Land Use Relationships." 35,45.

teacher in the local school.¹¹⁸ Whatever their origins and occupations, these were people of modest means whose choice to purchase and remain on the land was quite clearly economically motivated; this is where they found acceptable housing at affordable prices. (See Figure 3.)

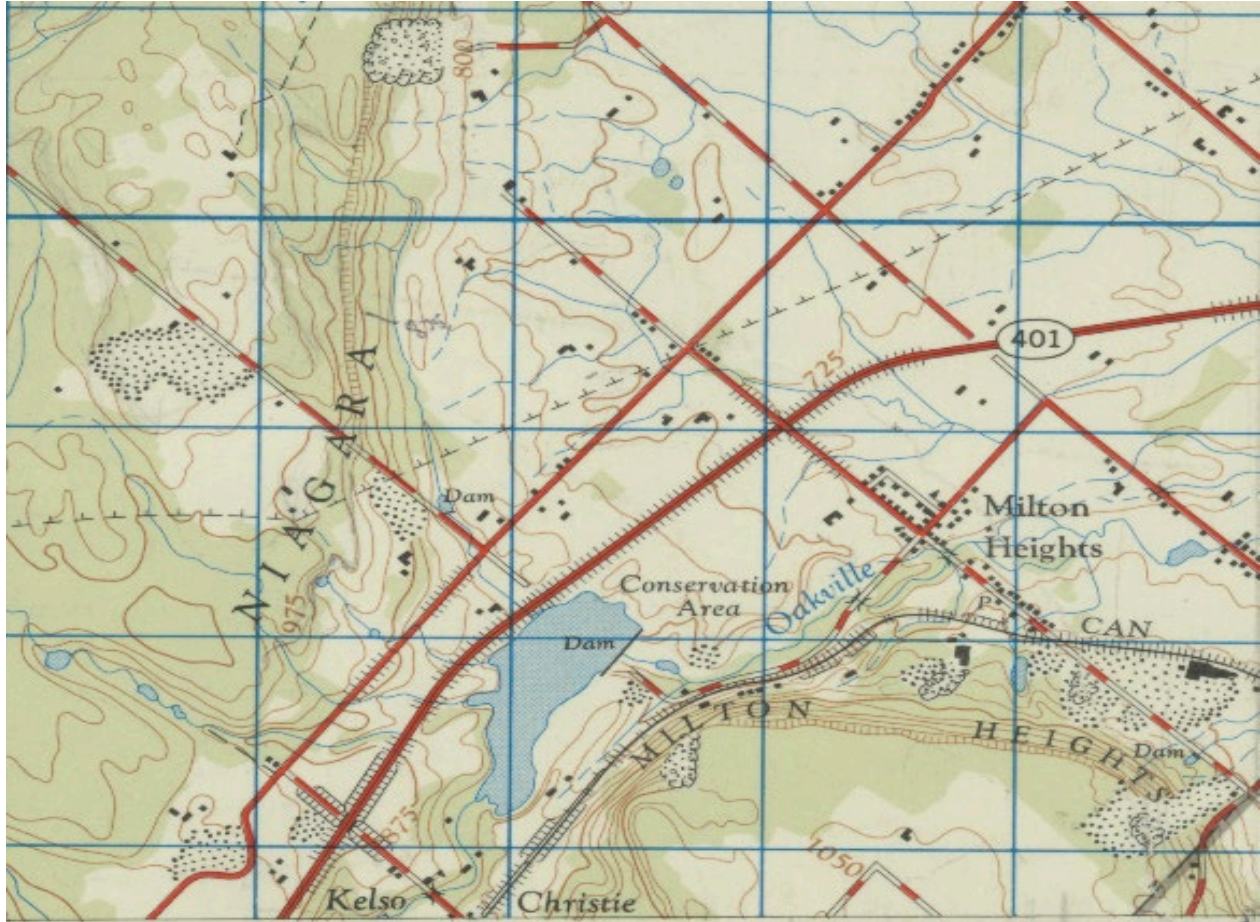


Figure 3: This map from 1964 shows the location of the Nassagaweya landowners relative to the quarries, the Highway 401 and the Niagara escarpment. Source: Map Sheet Brampton 30M/12w.

¹¹⁸ "Nassagaweya Reeve Council all Return," *Acton (ON) Free Press*, Dec 15, 1966, 1. <http://images.ourontario.ca/Partners/HHPL/HHPL000088969p0001f.pdf>; "Obituary: Charles MacArthur," *Canadian Champion* (Milton, ON), May 28, 1969, 2. http://images.ourontario.ca/Partners/MPL/MPL002496071pf_0433.pdf; "Obituary: Archie Service," *Canadian Champion* (Milton, ON), Jul 24, 1974, B7. http://images.ourontario.ca/Partners/MPL/MPL002496076pf_1150.pdf; Cindy Lunau, "Tribute to Anne MacArthur," *North Halton Compass* (Eden Mills, ON), Jul 31, 1998, 6. <http://images.ourontario.ca/Partners/HHPL/HHPL0106995006pf.pdf>.

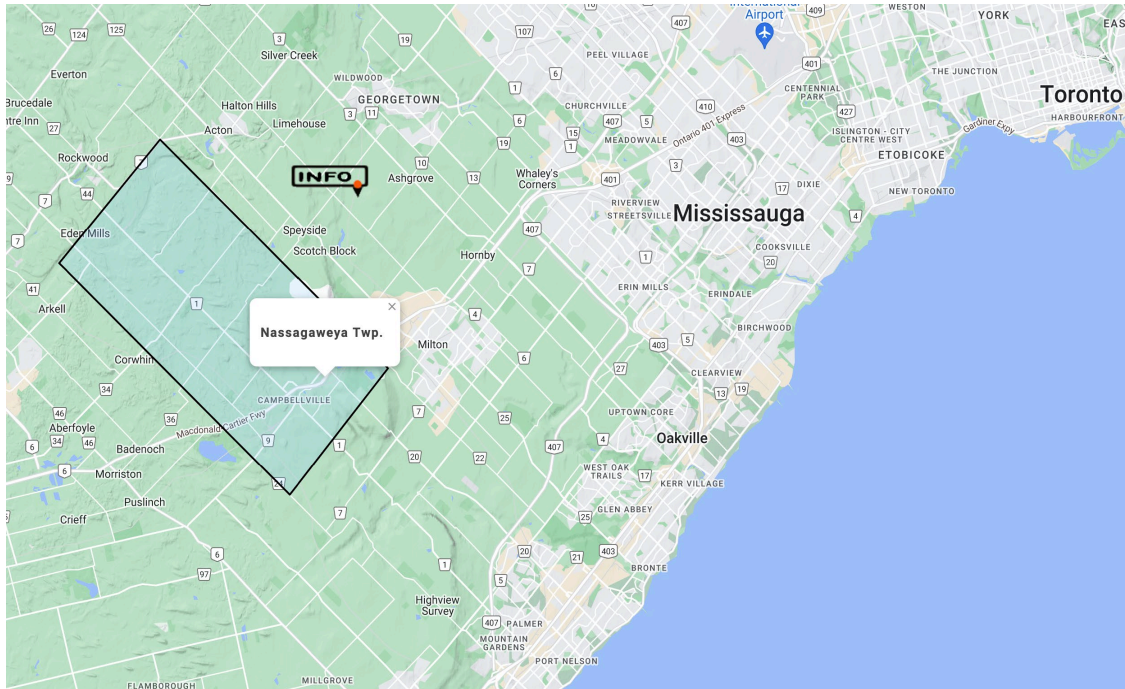


Figure 4: This map shows the location of the Nassagaweya Township within the GTA. Source: Google Maps.

It is unlikely, statistically speaking, that this latter group was practicing farming on a full-time basis, which opens the possibility that at least a few of those embittered ratepayers were the so-called ‘exurbanites’ of which much has said and written. Some insight into this phenomenon can be found in Robert Williamson’s contemporaneous account of land-use patterns in the Nassagaweya Township. The author of this study travelled through the area in the summer of 1962 and made the following observations about the farms in a different area of the township. Williamson’s account describes the farms located along the Guelph Line about six miles north of Campbellville:

An interesting characteristic of the farm economy in the part of the township peripheral to the limestone plain, east and south of Sodom... This area contains some of the best agricultural soils in southern Ontario, some five thousand acres have been purchased by Germans still living in Germany... This scheme has been carried out by some recent German settlers, notably Wolf Von Richtofen.

The author explains that Von Richthofen had convinced some Germans to buy up farms in this area and become absentee landlords, that the farmers who sold this land “are now tenants on their own farms, bought up by German investment”. Only two examples of what could pass for exurbanites are mentioned in this study, both of these “nouveau hobby farmers” settled on large country estates to the north and west of this area.¹¹⁹ While not dispelling all doubts about the presence of exurbanites in the Campbellville spillway, the evidence does strongly suggest that these few exurbanites had at this time put as much distance and acoustical barriers between their properties and the crushed rock quarrying as possible. Most of these country estates were located on the far side of the most densely forested part of the Nassagaweya Township. Not only had there been little pushback from these ‘urban escapists’ when these massive operations were first becoming established in the township, some had encouraged and profited from it.

When serious and sustained resistance to the blasting practices at the rock quarries had emerged in the township of Nassagaweya, it had come first from the “old-timers” and other rural dwellers more closely tied to the traditional agrarian/resource economy. Furthermore, these were people whose tenure on these lands had preceded both the coming of the super-highway 401 and the massive quarry operations that followed in its wake - they were well aware of the quarries’ economic contribution to the township and were not bent on zoning the quarries out of existence. Most of these ratepayers were rural dwellers who would have been quite accustomed to the sights and sounds of the real countryside and were not complaining about regular blasting

¹¹⁹ Williamson, “Land Use Relationships,” 99, 107, 91.

noises.¹²⁰ These particular property owners could be found a few kilometers east of the village of Campbellville, along the Fifth (Campbellville) Sideroad, living on narrow strips of land that had recently become sandwiched between the new Highway 401 to the south and the newly-installed crushing & screening plants located at the base of the escarpment to the north and the south of the highway.

The evidence introduced at the beginning of this chapter suggests that, much like thousands of postwar Ontario property owners, many of the farms along the Campbellville sideroad had been subjected to some form of land expropriation during the period 1959 to 1966.¹²¹ This was of course to be expected for lands that lay in the path of the new highway, but for some surrendering portions of their property ‘for the public good’ had evidently become a way of life during this time. One of those in attendance at the March 1966 meeting with the quarry operators was dairy farmer Lloyd Chisholm, whose land had been targeted on three separate occasions by three different expropriating agencies. Chisholm’s original 150- acre Century farm had remained intact until the late 1950s but was reduced by two thirds its size when first the Department of highways and then the local conservation authority claimed a hundred acres for the Kelso dam project.¹²² This had forced Chisholm to sell-off most of his herd of “prized Guernsey milkers” and turn to raising horses. A few years later, (around 1962)

¹²⁰ An earlier anti-quarry campaign by residents of Campbellville, had ended when the Township approved the quarry. See, "Villagers Move to Stop Stone Quarry North of Campbellville," *Acton (ON) Free Press*, Feb 25, 1960, Second Section.
<http://images.ourontario.ca/Partners/HHPL/HHPL000088614p0007f.pdf>.

¹²¹ MacArthur's letter contains several references to the expropriation of farmlands on the Campbellville Road for the highway, for the Kelso Dam and for the purpose of road widening for the quarry trucks. MacArthur, "letter to the editor," Jan 11, 1967.

¹²² "Historic Farm Being Gobbled Up By "Ruthless" Expropriation," *Georgetown (ON) Herald*, Aug 7, 1969, 3. <http://images.ourontario.ca/Partners/HHPL/HHPL000092016p0005f.pdf>.

the Conservation Authority removed additional land from the Chisholm farm along with some other properties fronting the Campbellville sideroad. As a result of the latest 1965 expropriation by the County of Halton - for which these property owners were still awaiting compensation for the loss of two acres - this quiet country road had been widened and straightened to accommodate the increased trucking traffic from the quarries. In the spring of 1966, the homes and farms that first made way for the new superhighway in 1959 now lay directly in the path of these rogue blasts, carried by prevailing winds blowing off the Niagara escarpment.

While it was evident that most of the councillors had taken the ratepayers' concerns very seriously, the same could not be said for the quarry owners. This latter group showed little desire to engage with some members of council and were even less inclined to deal with the landowners. But to be fair, these operators were a rather rough group who were not expected to be experts in community relations, and most had expressed little enthusiasm for attending this meeting in the first place. In any case, the impassioned appeals of the ratepayers "to conduct more reasonable blasting" had evidently fallen on deaf ears. Most of the larger quarry producers had little to say about the subject of quarry blasting, apart from a very curt and carefully scripted reply that they "chart all major blasts." In other words, the operators were saying that these damages –if there were such damages - were certainly not caused by blasting at their quarries.

Not all the quarry operators possessed the scientific wherewithal or the legal savvy to deny the damage claims. One of the smaller operators had agreed to discuss reimbursement for the homeowners, but had quickly reconsidered due to "the difficulty in assessing who or what is really to blame."¹²³ This had led to a discussion among the ratepayers about the obvious

¹²³ Nassagaweya Township fonds, (1966).

challenge of assigning individual blame for “nuisance damages”, given that there were several large quarries conducting their blasting operations within a few hundred feet from their property lines and none were prepared to accept responsibility for causing the damages. It would be wrong to suggest that this meeting had not ended on a positive note or at least it had seemed that way to one of the councillors who had remarked “I think you’re sympathetic to their problems and if so, I’ll be happy to take you as a group to talk to the people who have been affected.”¹²⁴ And so ended the meeting, with the local councillor putting the best possible spin on this encounter which had been characterized by onlookers as one of the more raucous council sessions in recent memory.

The official minutes of March 29th, 1966 noted only that the net result of the meeting was “to continue discussions with the quarries, to draw up a list of points brought out at these meetings and report back to council and the ratepayers”.¹²⁵ There is no evidence that these meetings ever took place. Instead, the council of Nassagaweya was informed via letter sent the following week from the manager of the Milton Quarries, that he “...was pleased to have attended the meeting about quarries and gravel pits. However, I want it understood that any further meetings will be held with council only and not with a gallery of ratepayers present.”¹²⁶ Further hopes of reaching an amicable settlement began to fade when some of the other quarry operators also made known their intentions to limit any further contact with this group of ratepayers. These requests to exclude the press and the public were not unusual and the Council

¹²⁴ "Councillor Sums Up Quarry Objections," *Acton (ON) Free Press*, Apr 7, 1966, B3. <http://images.ourontario.ca/Partners/HHPL/HHPL000088933p0009f.pdf>.

¹²⁵ Council Minutes, Nassagaweya Township fonds, Archives of Ontario

¹²⁶ "Nassagaweya Council Briefs (1)," *Acton (ON) Free Press*, Apr 14, 1966, 2. <http://images.ourontario.ca/Partners/HHPL/HHPL000088934p0002f.pdf>; Council Minutes. Apr 4, 1966..

had every right to hold these sessions “in committee”. Besides, the local politicians were most anxious to avoid another turbulent council meeting and convinced that this issue “was simply a matter of public relations”, they made the decision to accommodate the quarry operators by shutting the ratepayers out of any future discussions concerning the quarries.

The first (and evidently the only) public meeting between these aggrieved ratepayers and the quarry operators of the Nassagaweya Township was emotionally charged, fraught with tension and ended in an impasse. At the very least, it might have provided a forum for an honest exchange of information and opinions. Certainly, the small landowners had made their position quite clear. These property owners were seeking only restitution from the quarries for the economic hardships caused by their blasting practices, which they believed were “unreasonable, excessive and downright wrong”. Their primary concern was not with regular quarry blasting or the attendant loud noises but the fall-out or property damage from excessive blasting. These people had said nothing about the aesthetic impact of quarrying on the local scenery or mentioned anything connected to disturbances of the rural peace and quiet. Nor had the landowners suggested that local elected officials might in any way be responsible for their current predicament. In fact, the issue of local government regulation – bylaws that might have prevented or mitigated the worst effects of the blasting- or local government responsibility for enforcement of the rules had not even been broached. But this was not because the township lacked these bylaws.

Much of this restrictive legislation in the township had been in place since 1959, when an amendment to the Planning Act had re-affirmed the right of Ontario municipalities to control these operations through special by-laws. As one of the few types of land-uses that could be specifically prohibited under this Act, the people/public in Halton had sent a strong message to

the industry about their attitude toward pits and quarries. As early as 1959, the town of Burlington had introduced restrictions on blasting and taken measures to prohibit the further expansion of Nelson Aggregates on the escarpment. And by 1963, the neighbouring town of Oakville had successfully banned the operation of all pits and quarries and most aggregate extraction within its borders.¹²⁷ At a time when some Ontario municipalities were exploring ways to control and restrict quarrying operations in the late 1950s and early 1960s, the township of Nassagaweya sent a mixed message to the industry.

An April 1960 by-law requiring a 300-foot set-back from the boundary was reduced two years later to 100 feet, ostensibly to facilitate work on the Highway 401 overpass. When later questioned about this at a town hall meeting, one of the councillors explained that “since violations of the more restrictive rules had caused no harm...it was the general feeling of council, that these set-backs were unnecessary.” The same rationale had evidently underpinned the council’s decision to extend blasting hours in the township. There were a few who expressed concerns about allowing so many pits and quarries into the area, but these were easily shouted down by those in the town who believed “Nassagaweya should let them have all the rocks they want”. In any event, most were quite prepared to accept the wisdom of the Deputy-Reeve, who had simply stated: “Our natural resources are only of value if you use them.”¹²⁸

¹²⁷ "No Gravel Pits in Burlington," *Canadian Champion* (Milton, ON), Apr 23, 1959. https://images.ourontario.ca/Partners/MPL/MPL002493947pf_0332.pdf; "The Ontario Municipal Board, By-Law No. 1962-145," *Canadian Champion* (Milton, ON), Jan 17, 1963, 6. https://images.ourontario.ca/Partners/MPL/MPL002493951pf_0873.pdf.

¹²⁸ "Pits, By-Laws, Assessments Major Issues at Nomination Meeting," *Acton (ON) Free Press*, Nov 29, 1962, 2. <http://images.ourontario.ca/Partners/HHPL/HHPL000088758p0002f.pdf>; "Blasting Hours Lengthened," *Canadian Champion* (Milton, ON), Dec 22, 1960, 1. http://images.ourontario.ca/Partners/MPL/MPL002493949pf_0460.pdf.

In 1960, local authorities learned that passing a by-law was one thing, enforcing it was something else. This was especially true when the pay-off or return for those who broke the rules could be calculated in millions and the risk was a mere pittance. As the councillor and future Nassagaweya Reeve explained in 1962, it was a simple matter of quarry economics: “The fine for breaking the 300-foot setback by-law is only \$50, and most of the large operations would quickly pay it if they were prosecuted for breaking the by-law. It is hoped that the township, the conservation authority and the quarries can in the future work together in such matters.” At the time “working together” meant accommodating the quarries. As another former councillor explained, when asked why the township’s 1959 setback bylaw had been reduced to 100 feet: “The feeling of council was that since most of the quarries were violating the 300 foot setback, and causing no real harm then perhaps the bylaw had been too restrictive in the first place”.¹²⁹ Rather than attempting to enforce the bylaw, it made more sense for the township to simply change the by-law, to reflect the reality on the ground.

Throughout the period when the wealthy exurbanites were everywhere rising up against the aggregate industry, the evidence from the county of Halton suggests that not all areas had embraced these new powers with the same level of enthusiasm. To be sure, some of the most restrictive zoning had emanated from the wealthier and more densely populated areas along the lakeshore. But in the more remote townships to the north, the local council appeared to be going out of its way to accommodate the newest and largest single taxpayers, in some cases even rolling back restrictions that had earlier been placed on these operations. The township had

¹²⁹ “Pits, By-Laws, Assessments,” Nov 29, 1962.

remained one of the few places to offer sanctuary to this much reviled industry. It was doing little to discourage it.¹³⁰

In the early spring of 1966, there was evidently a tacit understanding in this township that these differences or disputes with the quarry operators would not be settled through so-called command and control mechanisms (i.e., by-law enforcement) but through informal means. By talking things over with the producers and appealing to their sense of reasonableness or fair play, perhaps this matter could be resolved through a kind of moral suasion. This approach to the problem was neither wishful thinking nor was it naïve, it was simply the recognition that previous attempts to control or regulate the quarries through coercion had failed so miserably. Much of this information had come to light earlier that year when the newly elected officials of Nassagaweya met to discuss an issue that rarely came up for discussion in the township – the annual renewal of pit and quarry permits. This debate over the permits was sparked by the new Deputy Reeve’s suggestion that “the quarry operators might be more willing to curb their blasting” if the quarry permits in the township were not so freely and readily dispensed. This meeting of Council took place on the 21st of March 1966 and included the following exchange:

- | | |
|-----------------------|--|
| Councillor Mahon: | If we’re going to do anything about the pits and quarries, there’s no use antagonizing them by not issuing the permits they’re going to continue anyway. |
| Councillor Gordon: | There’s a lot more traffic noise from the horse track and no one seems to complain about that. |
| Councillor MacArthur: | Honestly Ross, sometimes I wonder if you can tell the difference between a horse, a car and a twenty-ton gravel truck. |

¹³⁰ Yundt and Messerschmidt, “Legislation and Policy Mineral Aggregate.” 103; A. G. McLellan, "Aggregate Mining and Rehabilitation," *Minerals and the Environment* 1, no. 1 (1979), 31.

Reeve Coulter: I consider this a matter of vital importance. I don't want to put the township in the position of losing tax assessments because the permits aren't granted. The licenses should be considered because of the assessment angle – refusing them a license is no excuse for loss of assessment.

Deputy Reeve Hoey: Still, we know there is ratepayer opposition. We'll be in a much poorer position with the operators if we grant the licenses and then try to talk to them about it.¹³¹

The Councillors of course, were acutely aware of the growing concerns within the community regarding the impact of the mining operations. But with less than a week to go before the aforementioned “special ratepayers meeting”, the decision to grant the permits or quarry licenses was carried three votes to two. It is possible that green lighting these licenses placed the township in a “poorer position” to negotiate with the operators, but with over 10% of the town's operating budget coming from quarry tax assessments, the more seasoned councillors weren't about to put it to the test. Thereafter, in the weeks and months that ensued, dozens of these applications for pits and quarry licenses came up for renewal and were pushed through with seemingly little concern for the plight of the ratepayers or for the township's bargaining power with the quarry operators. In theory, withholding the quarry permits, would have induced the operators to comply with the set-back law and alleviated the blasting problems for the ratepayers. However, this pre-supposes that the quarry permit system in the township of Nassagaweya was operating according to plan, but the situation was not that simple.

From the local perspective, adopting a more conciliatory approach to the quarry industry made sense on several levels, but mostly it made good economic sense. This epiphany came in

¹³¹ Council Minutes. Mar 21, 1966.

the fall of 1961, when the local watershed authority attempted to execute an expropriation order against one of the area's largest quarry companies for operating too close to a protected area.¹³² Rather than surrender the parcel of land in question, which in all fairness "would have cut the company's operations in two", the quarry owners through their lawyers made the authority an offer. This offer, which took the form of a \$2.5 million countersuit, stopped the fledgling watershed authority in its tracks. This phase of the dispute came to an end in the spring of 1962, when one of this province's largest construction firms proceeded to blast through the rock, giving rise to the unique geological feature, which came to be known in environmental circles as the Dufferin Gap.¹³³

The creation of this Gap, which purportedly launched Ontario's environmental movement and set the escarpment on its path to salvation, produced a different response at the local level. The Gap served as a powerful and tangible reminder to the township as well as to the conservation authorities that when it came right down to it, the quarry companies and their rock rights held the balance of power on the Niagara escarpment, and it was best to give them a wide berth. Soon thereafter, the local politicians abandoned their attempts to get control of the quarries through bylaws and placed their hopes on "maintaining friendly relations" with the quarry operators and "working together in such matters". This inability to control or regulate the quarries through 'command and control' measures stemmed not from an absence of by-laws, or a

¹³² Note, at a time when "conservation authorities had seldom resorted to expropriation", this action was quite unusual. See, Ontario. Report of the Select Committee on Conservation Authorities, (1967), 82. <http://archive.org/details/reportofselectco1967onta>.

¹³³ "Associated Quarries Sold to St. Lawrence," *The Globe and Mail* (Toronto), Mar 22, 1961, 21. <https://www-proquest-com.libaccess.lib.mcmaster.ca/docview/1284985280/pageview/1CE2D583C22541E2PQ/4?accountid=12347>.

lack of political will, but from the limited capacity of the small rural municipality to enforce these by-laws in the first place. It also arose because previous attempts to enforce rules or interfere in the affairs of the large quarry companies carried the risk of triggering the kind of legal quagmire that was enough to send the locals running for cover. When it came to the quarries, the strategy in this township - to the extent that a coherent strategy existed - was to adopt a more conciliatory approach and hope for the best.

By 1966, some of the local politicians began to describe their method of dealing with the quarries as one of “peaceful coexistence”. “Peaceful coexistence”, at least as practiced within the township of Nassagaweya emerged out of necessity; it was a pragmatic response to the recognition that there was only so much the township could do to control their activities through coercive means. While this peaceful or passive approach to regulating the quarries was adopted out of pragmatism, local public opinion played no small role in sustaining it for the better part of this decade. There is little reason to think that the majority of Nassagaweya’s 2500 residents were perfectly fine with the way the local politicians were handling the situation at the quarries; but neither is there a reason to believe that they were terribly concerned about it. If the views of the elected representatives can be taken as an accurate gauge of public sentiment, then it could be said that most of the township’s residents remained indifferent to what was happening at or in the immediate vicinity of the quarries.

However, before 1966 came to an end, the people of the township had shaken off their ambivalence regarding the quarries. The initial attempts to resolve the problem through quiet diplomacy or manage the situation by shutting the ratepayers and the press out of discussions with quarries, did not achieve the desired outcome. Rather it had the opposite effect and the tensions only escalated. Throughout the spring and into the summer of 1966, the situation began

to deteriorate, the “misdeeds and misbehavior” of the quarry operators and some of the ratepayers were laid before the public gaze and became the talk of the town(ship). By the fall of 1966, most of the councillors in the township were receiving complaints about the quarries, and there were precious few residents left in the area who were not intimately acquainted with the activities of the four large, crushed rock quarries and the impact these operations were having on their neighbours living at the foot of the escarpment.

There were numerous complaints about the quarries as well as several instances of conflict between the property owners and the quarry operators, but most were strictly verbal altercations. A few of these encounters involved “abusive language, threats and insults” and threatened to turn violent, which brought forth warnings from community leaders “that when people confront each other with daggers, you’ll get blood.” One such incident occurred on a Friday night in May 1966 after a series of powerful blasts were set off at the quarries of Halton Crushed Stone. After receiving a rash of calls about the “nuisance blasting”, the Reeve notified the quarry superintendent who then waited until the following Monday before following-up with his investigation into the complaints. Upon arriving at one of the homes, the quarry manager later testified that he was “greeted with a series of rude words, physically threatened and then was helped out of the house”, adding that, “he had never been treated that way, [and] he didn’t know what to do.” Which is why he turned up at council looking for a sympathetic hearing and no doubt an apology. But the quarry operator’s alleged assailant was unrepentant and told a slightly different version of events: “He’s not exactly blameless, when he came to my home, he asked why you don’t just go to court if you don’t like the blasting. I simply told him, I’m in no

position to sue a million-dollar organization. He might have heard two curse words, but it could have been worse...after that I decided to help him off my property.”¹³⁴

It is telling that while blasting was a frequent cause of these disputes, the cavalier attitude of the quarry manager to the landowner’s predicament likely triggered his more aggressive response. There were no guns or daggers and no blood was spilled in any of these encounters, but they were illustrative of the escalating tensions that were developing between these groups. This incident received extensive treatment in the local press, mainly because one of the parties involved was an elected official and the injured party appeared at the regular session of council, still visibly shaken by the encounter. Once the clash spilled over into the political arena, it inevitably drew in those councillors who would have preferred that these matters be settled quietly and without the whole community watching. Before leaving the meeting, the manager of the Halton quarries received no apology but he did make a very solemn “promise to do everything in his power in any shape or form to be less a nuisance from now on.”¹³⁵ There is no reason to think that the quarry official did not intend to keep this very solemn promise but there is not a shred of evidence to suggest that he did.

With drilling and blasting being essential to the extraction of stone, the blasting nuisances continued much as before, only this time under the watchful eye of the public. Courtesy of the local press, the community was now receiving a steady stream of updates concerning the topic of quarry blasting and what the local leaders were attempting to do about it. From early in the year when the Nassagaweya council had first turned its attention to doing something about the

¹³⁴ "Blasting Problems Back on Agenda," *Acton (ON) Free Press*, May 5, 1966, 3.
<http://images.ourontario.ca/Partners/HHPL/HHPL000088937p0003f.pdf>.

¹³⁵ "Blasting Problems Back on Agenda," May 5, 1966; Council Minutes. May 2, 1966.

quarries, the issue of blasting had moved from being “one of number of issues before council” to “the recurring hot-topic”, “that touchy subject”, “the sore-spot” and before the end of the year it had become the “most vital problem facing the township of Nassagaweya.” The ins and outs of quarrying – where they operate, the effect on their neighbours, the never-ending quest “for a ‘neutral’ blasting expert”, “the nasty things they dump in those giant holes” - had all been discussed and debated at council to the point of exhaustion. In the fall of 1966, during yet another gripping session devoted to the quarry topic, the Nassagaweya council made the decision, “to go to the top for help” to have these quarry nuisances relieved in the township. The collective sense of exasperation with the whole quarry thing was conveyed by the Deputy-Reeve, when he stated, “Somebody has to stop this complete circle we’re going around in – everybody we talk to seems to have an ax to grind, surely the Deputy Minister of Mines for Ontario doesn’t have one.”¹³⁶

By the end of the year, and still no response from the deputy minister, the three-member ‘Quarry and Gravel Pit Committee’, whose sole purpose was to do something about the blasting nuisances, had seemingly little to show for the countless hours they had spent on this issue. There was no immediate relief for the ratepayers, but it would be wrong to suggest that this committee’s efforts had been in vain. Their campaign evidently captured the attention of the press and the people in the surrounding townships, and it clearly got the attention of the industry.

As a result of this very public struggle to get control of the quarries, the various aspects of mineral extraction in the township were now being challenged and frequently held up to

¹³⁶ “Blasting Problems Back on Agenda,” May 5, 1966; “Nassagaweya Reeve Council all Return,” Dec 15, 1966. See also; Council Minutes, Archives of Ontario, Toronto. Apr 4, May 2, June 6, Aug 8, 1966. Special Meeting on Quarries, Council Minutes. October 17, 1966

ridicule. One of the committee members stood out as a relentless and devastating critic of the quarry practices and the various policies that enabled them. This was local high school teacher Anne MacArthur, who had blitzed her fellow members of council with embarrassing questions concerning “special concessions for quarries”, “ridiculous \$2 license fees”, and those “secret quarry meetings”. She rarely missed an opportunity to denounce the principal quarry operators as uncaring outsiders who treat the township “as a dumping ground for metro Toronto’s garbage”. And most importantly, MacArthur understood from the beginning that quarry blasting was an issue which transcended the political and geographic boundaries of the township, and she had evidently made it her personal mission to talk to every one of them about it: “I would like the residents of Milton and Esquesing to write or call me, if they are experiencing shocks from quarry blasts operating in Nassagaweya.”

Before 1966 came to an end, this local campaign against the quarries had spread beyond the borders of Nassagaweya, into the fringe areas of Esquesing where hundreds of other landowners were encouraged to sign petitions in condemning these “most unreasonable blasting practices at the quarries”.¹³⁷ These meetings sponsored by the local ratepayers and MacArthur’s ceaseless interrogation of fellow councillors and the quarry operators all contributed to the growing public awareness that the township had not fully understood what was in store when it allowed this scale of quarrying into the area. Few could possibly have conceived of the sheer magnitude and tonnage of rock that would be removed from the local hills, or the toll it would take on the local landscape and its people. Nor could they have predicted that unlike small

¹³⁷ “Nassagaweya Council Briefs (1),” Apr 14, 1966.

gravel pits that dotted the landscape, quarries would become such permanent fixtures, still in business and thriving more than sixty years later.

Local media coverage tended to reinforce the idea that dramatic and long-term economic benefits would accompany large-scale mineral extraction. But public scrutiny and anti-blasting campaigns placed even these commonly held assumptions in doubt. As a result, some of these landowners were beginning to wonder whether quarries were worth all the trouble they were causing. One of the landowners on the Esquesing side conducted his own investigation into the value of the quarries and after factoring in the damages to local roads and infrastructure, properties, wells, and livelihoods, he decided “that big quarry money was merely a trickle”. This was a bold if somewhat unscientific re-appraisal of the economic value of quarrying that concluded that, “if ever there is to be ‘peaceful co-existence’ between quarries and residents of the escarpment, quarries must pay more taxes and they must stop blasting.”¹³⁸

Despite concerns about the environmental damage that may result from quarrying, local decision-makers and the public had always assumed that quarrying in the township would bring significant economic benefits and more importantly that locals would reap these benefits. But the promised quarry jobs did not materialize. Many of the earlier projections of job creation had depended on assumptions about where those employed with the industry would be living. Given the geographic organization of the quarry industry and its concentration along the Nassagaweya-Esquesing Townline, it was expected that residents of the township would supply most of the

¹³⁸ "Quarry, Pit Licences Contentious, Review Fee, By-law Enforcement," *Acton (ON) Free Press*, Mar 10, 1966, 3. <http://images.ourontario.ca/Partners/HHPL/HHPL000088929p0003f.pdf>; "Blasting Problems Back on Agenda," May 5, 1966; W. A. Johnson, "letter to the editor," *Acton (ON) Free Press*, Sep 7, 1966, 12. <http://images.ourontario.ca/Partners/HHPL/HHPL000088954p0012f.pdf>; "Petitions: Esquesing Owners Condemn Quarry Blasting," *Canadian Champion* (Milton, ON), Nov 30, 1966, 14. https://images.ourontario.ca/Partners/MPL/MPL002496068pf_0968.pdf.

labour in the quarries. For example, the press releases issued by the Halton Crushed Stone and the Dufferin Quarry representatives had projected that quarrying would supply 20 to 30 jobs to the local economy in 1960. Collectively, the opening of four large quarries should have generated close to 100 jobs for the township. While the best available evidence suggests that the actual number of jobs from quarrying was probably double this figure, the problem was that most of these jobs (in trucking and heavy equipment) did not go to Nassagaweya residents.

This is clear from a statement made by G.G. Heym, the president of the Oakville District Labour Council in the fall of 1966, who asserted that, “There are 200 people who earn a living working in the quarries of North Halton. The wages earned represent a payroll of 1 million dollars which is entirely spent in North Halton, since these employees are residents of Milton, Georgetown, and Acton.” When Heym, a self-described “faraway outsider” from Oakville, went public with this information, he intended it to be a defense of the embattled industry. But his intervention in local affairs seems to have backfired. Locals were quick to condemn this insensitive outsider for defending the quarries and his callous disregard for the plight of those who were forced to live next to them. And by spelling out how many jobs were on the line, who these jobs had gone to and how much they were paying, Heym had unwittingly poured oil on the fire. It was all too clear that most of the quarry workers were living and paying taxes in these more urbanized areas located a considerable distance from the quarries. In any event, they were little troubled by the externalities of industrial crushed rock quarrying.¹³⁹

In December 1966, with these debates and nagging doubts over the net benefit of mineral extraction to the local economy looming ever larger, the voters of Nassagaweya went to the

¹³⁹ Wilf Fortowsky, "Our Readers Write: Big Quarry Money, Slows to Trickle," *Acton (ON) Free Press*, Dec 15, 1966, B5. <http://images.ourontario.ca/Partners/HHPL/HHPL000088969p0011f.pdf>.

polls. There was nothing about this election which indicated that anything out of the ordinary had occurred in the township: all five incumbents were re-elected, the Deputy Reeve by acclamation. Since there occurred no major upset, it is difficult to say which factors had influenced the 800 or so who cast their ballots. As was the case with many rural municipalities throughout southern Ontario, the voters in the township of Nassagaweya listened to the usual speeches, engaged in debates over schools and property taxes, and expressed their views on roads or the implications of the Plunkett Report. But while all these issues were certainly important, none were particularly divisive and nor were they the most pressing. Few issues had so consistently captured the attention of the local newspapers as the township's ongoing problems with the quarries, so it is reasonable to assume that this issue had some effect on the voting patterns.

Since it first leapt into prominence in the winter of 1965, the blasting topic not only held the attention of council, but it also showed no sign of fading from the public consciousness when the voters went to the polls the following year. These conflicts with the quarries were numerous and often intense, but they never led to a complete breakdown in communication between some of the senior members of the council and the quarry operators. There remained on the Nassagaweya council a few staunch defenders of this group who continued to believe in the possibility of peaceful co-existence with the quarries. The Reeve for one, was not prepared to give up on the quarries and he continued to push for "the kind of dignified voluntary agreement like the one the Conservation Authorities has with the Dufferin Quarries". "These agreements, (said the Reeve) are binding and much less complicated and costly to enforce than by-laws". But a closer look at the numbers would suggest that the voters saw things somewhat differently.

The popular Reeve was re-elected by a healthy margin, but the largest number of total votes in the township went to the candidate who had in her own words, “kept the misdemeanours of the quarries before the public”, exposed their flagrant violations and disregard for private property, and the only candidate who had staked her political career on putting an end to the practice of peaceful co-existence with the quarries. “It is deeply concerning to hear some members of council talk of peaceful co-existence with the quarries”, Anne MacArthur said time and again. On the subject of ‘dignified agreements’ with the quarries, she cautioned “They waltzed us around the mulberry bush before and they’ll do it again...I should think we would be very careful about signing away rights to these mining companies...The ratepayers definitely don’t want to enter into any (voluntary) agreement with the quarries.”¹⁴⁰

In the end it mattered little whether seismographs could prove that blasting from the quarries was the cause of all this property damage, the people not scientific gadgets would be the ultimate arbiters of common sense in the township of Nassagaweya. The new year would bring an end to the practice of peaceful co-existence with the quarries and the township would not be entering into any voluntary agreements with any of the quarry operators, however dignified or legally binding. It did however take a much more aggressive approach to zoning these operations in the township. This more assertive stance was justified on many grounds, one of these included saving the escarpment. In 1967, the township of Nassagaweya joined the ranks of dozens of Ontario municipalities, which had placed tougher restrictions or cultural constraints on the activities of its pits and quarries. At least it attempted to do so.

¹⁴⁰ ”Nassagaweya Reeve Council all Return,” Dec 15, 1966; ”Meet-the-Candidates Nassagaweya Twp.,” *Acton (ON) Free Press*, Dec 15, 1966, B2. <http://images.ourontario.ca/Partners/HHPL/HHPL000088969p0008f.pdf>; ”Blasting Problems Back on Agenda,” May 5, 1966; ”Nassagaweya Council Briefs (1),” Apr 14, 1966.

What took place within the Nassagaweya Township during this period was unique but quite unexceptional and had a few things in common with thousands of other municipal reform movements that had swept the province and the continent from the middle of the 1960s to the early 1970s. According to historian Steven Penfold, there were countless causes and factors at work in these movements, but what had united the various, “community groups, political radicals, ratepayers’ associations, anti-highway activists and not-in-my-backyard homeowners”, was their opposition to unchecked development and a vague sense of democracy or so-called “people power.” Penfold and other scholars place these protests within larger debates surrounding the form and use of automobile landscapes, runaway progress, and postwar economic prosperity. More than a few have thought it necessary to invoke some interesting and confusing language to account for the emergence and popularity of this phenomenon; on the one hand these protests are thought to represent “high modernism at a crossroads”, on the other it was a backlash against the “drive-in culture” and low modernism or “honky-tonk modernity”.¹⁴¹ Many of these catchy phrases were meant to convey the idea that something akin to modernist angst was at the root of all this railing against the landscapes built not for people but for automobiles.

These scholars provide a great deal of insight into the values, beliefs, motives, and socio-economic status of the people making up these reform movements. More significantly, they show these protesters to be pre-occupied with a new set of values, which presumably eclipsed traditional concerns such as livelihood, economic growth and the basic bread and butter issues.

¹⁴¹ Steven Penfold, "Are We to Go Literally to the Hot Dogs? Parking Lots, Drive-Ins, and the Critique of Progress in Toronto's Suburbs, 1965–1975," *Urban History Review/Revue d'histoire urbaine* 33, no. 1 (2004). 8-9.

These new values or ‘bourgeois sensibilities’ revolved around ‘quality-of-life’ issues, aesthetics, and environmental concerns. Whether as a movement emanating from the outer suburbs of Oakville-Burlington or the inner city, the bulk of the support came either from affluent suburban dwellers or the chattering classes residing in downtown Toronto.¹⁴² Distinctly urban and middle class in impetus, these political battles over issues such as highways and drive-ins appear to have been only vaguely connected with what was occurring in the surrounding countryside. Of course, these conflicts over land-use could and did develop anywhere, and it is worth asking whether the events just described were more than pale imitations of what had occurred in these more densely populated and more affluent areas. Or how or whether they were related.

While the Nassagaweya ratepayers may have shared some of the concerns of the urban protesters about aesthetics, quality of life and runaway progress, these were not the major problems in areas where quarry blasting damaged homes and dried up wells, “destroyed beautiful rural roads” and in some cases threatened livelihoods. These sets of grievances were distinct, but they were not unrelated to what had so animated this anti-modernist backlash. In fact, these blasting grievances in so-called landscapes of production can be traced directly to what was occurring in the urbanized landscapes. The very places where crushed rock aggregate was most in demand were not the rural backwaters but areas within the GTA passed some of the most restrictive pits and quarry zoning.

Having fled from the noise, dust and vibration of the cities and factories and faced with similar types of proposals a significant number of residents in these areas saw to it that these

¹⁴² Danielle Robinson, "Modernism at a Crossroad: The Spadina Expressway Controversy in Toronto, Ontario ca. 1960–1971," *Canadian Historical Review* 92, no. 2 (2011), 296. 296; Penfold, “Are We to Go.” 8-9. 8-9.; Robinson, “Modernism at a Crossroad.” 309-310, 314.

resources would be effectively “sterilized”. And it was no co-incidence that the most affluent and fastest growing municipalities in Halton were those which took decisive steps to curtail the activities of pits and quarries (as in Burlington), or completely zone them out, as Oakville had done in 1963. It seemed a tad ironic when the newspapers of the town which had effectively zoned these operations out of existence, had in the fall of 1966 screamed the loudest about “the giant Halton quarry operations cutting sores in the escarpment.”¹⁴³

Since the pits and quarries provided the essential building blocks for GTA’s growth, not all could be zoned out of existence. But they could be banished to the countryside. Whether it was a road, a sewer, or the foundation wall of a shiny new tower somewhere in the GTA, every infrastructure project had started in a quarry somewhere in Ontario’s rural fringe. More than likely this material was blasted out of a quarry located in or adjacent to the Nassagaweya Township. When gravel pits were zoned out and when quarrying was banned, these aggregate operations had moved onto the escarpment where wealthy exurbanites were certainly not present in the sufficient numbers to prevent this from happening. In the absence of these well-connected, well-heeled and articulate wealthy exurbanites, quarrying would flourish, and it would do so at the expense of the small rural property owners. For all these reasons, the experience of the township of Nassagaweya in the period leading up to the 1970s would not quite

¹⁴³ Nowhere throughout Halton had the newspaper headlines screamed louder about “the giant quarries destroying the Escarpment”, than in Oakville. “Giant Quarry Operations in North Halton,” *Daily Journal Record* (Oakville, ON), Sep 21, 1966, 1; “Ontario Urged to Buy 300-mile Escarpment,” *Toronto Daily Star* (Toronto), Nov 23, 1966, D4.
<https://www.proquest.com/hnptorontostar/docview/1420167411/64BDB1A6F0D449FCPQ/101?accountid=14369>

measure up to the golden age described by later scholars when “municipalities had considerable control over the presence of pits and quarries... because bylaws and official plans could be used to exclude and regulate aggregate extraction within their boundaries.”¹⁴⁴ In sparsely populated rural townships, the situation was much more complicated.

This study of the Nassagaweya Township’s experience with the pit and quarry operators has identified several constraints on the local capacity to act against the quarries, including limited resources to police their activities and little ability to determine whether blasting violations were even occurring. The evidence from Nassagaweya suggests that in addition to these limitations, the scale and political might of the aggregate industry and the township’s lack of experience in dealing with large operations combined to make it difficult if not impossible for local governments to protect the ratepayers’ property, their health, and the natural landscapes through coercive means. Much of this contributed to the belief by the Reeve of the township that ‘voluntary agreements’ with the quarries would be preferred to the enactment of new zoning bylaws; the latter approach to regulating the quarries was considered “too complicated and costly and much too difficult to enforce”. We have also seen that when this policy of ‘minimal quarry interference’ was initially challenged by the ratepayers, it came not from a desire to protect the cherished hills or save the escarpment for its own sake. Rather economic arguments were used as the primary justification for altering this policy in the township of Nassagaweya. The tipping point was reached when the costs and trouble of regulating these major extractive industries began to outweigh the dubious benefits they were supposedly bringing to the local economy.¹⁴⁵

¹⁴⁴ Sandberg, Wekerle and Gilbert, *Oak Ridges Moraine Battles*, Chapter 7.

¹⁴⁵ "Strong Opposition from Quarries: Controversial Zoning Passed," *Acton (ON) Free Press*, Apr 5, 1967, 2. <https://images.ourontario.ca/Partners/HHPL/HHPL000088985p0002f.pdf>.

Sometime during this period, the Niagara escarpment would pass in the public mind from being a strictly working landscape, to one appreciated for its amenities or intrinsic values. It would be a while before this would come to pass in the Nassagaweya Township, but this shift would lead people to deplore things done to the hills and ridgelines that only a short time before, were considered perfectly acceptable. Scholars continue to insist that this moment can be traced to one specific action and to ‘the sense of loss of place’ following the creation of the Dufferin Gap. It is possible that the visibility of the transformed landscape had acted as a catalyst for the fledgling environmental movement in the province and led to the construction of the Escarpment as a special and valuable landscape. But it is certain that for locals, this episode known as the blasting of the Dufferin Gap carried real consequences that went beyond the merely aesthetic or loss of place. There is scant evidence to indicate that these protests were meant to save an endangered landform independent of its relevance to the local population. Rather, these people were striving to attain a kind of social justice for the protection of their homes, properties, and livelihoods.

Yet, it should be noted that the New Year 1967, did bring a change from a movement narrowly focused on the defence of private property to the quickening of rural identity tied more specifically to saving the escarpment. Exactly how this occurred is unclear, but it is undeniable that for some of the landowners, aesthetic concerns were added to their grievances over quarry blasting and defense of private property. As one of the leading local activists, Anne MacArthur herself had framed the struggle against the quarries almost exclusively in terms of compensation for damages to private property and not in terms of aesthetics. Beginning in 1967 however, quarry blasting was no longer construed simply as a problem affecting the landowners, it was a matter of concern for the whole community, with widespread consequences for property taxes,

for services and for infrastructure. This period also witnessed a more deliberate campaign to link threats to the escarpment landscape with an attack on rural identity. In this period, the crumbling escarpment would be linked with the crumbling of property values and calls for the end of the blasting would soon lead to demands for the complete banning of quarrying from the Niagara escarpment.¹⁴⁶

One of the best examples of these shifting values in the township can be seen in the letter written on the first day of January 1967 by this area's leading anti-quarry activist Anne MacArthur. After dispensing with the customary New Years' greetings or "blessings", she immediately turned her attention to the dismal conditions in the village:

The village of Campbellville is disturbed from early morning by the rumble of gravel trucks, the Austin farm sits in the midst of chaotic shambles...on the side of the road a crude sign warns of trucks crossing...where further on the road widened to accommodate the thundering herd of stone trucks...built not for the convenience of the landowners but for the quarry owners, at a cost of \$70,500 a mile...

For MacArthur, this setting, which had once evoked such feelings of contentment and harmony, has become through "mismanagement, short-sightedness and greed", a living nightmare. Quarrying which had "made a cut in the hill", has wreaked havoc on this landscape and destroyed what was once a proud agricultural community. But as the writer wonders how to prevent further destruction of the land and the irreplaceable resources of other townships from "similar indignities", she offers up a few solutions:

...Seismograph readings are taken to record blasting by the stone quarries. Our [provincial] government should provide facilities to check on the records made by the quarries to protect their own interests. When by-laws that seek to contain or restrain the operators are proposed, the representatives plus their

¹⁴⁶ Fortowsky, "Big Quarry Money, Slows to Trickle," Dec 15, 1966.

lawyers, huff and puff in, and cry about their misery...Dog owners have to pay a fee for the damages their animals might cause. Why shouldn't operators have to pay municipalities...for damages and to help in restoration?¹⁴⁷

The blasting of the hills, and the alien technology used to prove that the effects of these explosions were simply a product of “local imaginations”, had functioned as a metaphor for the social disruption and the more general economic pressures that the Nassagaweya community and communities like it were made to endure. By asking who should bear the burden of the quarries - “destruction of rural roads” and “the expropriation of farmlands” undertaken “for the convenience of the quarry owners”- the writer had pointed to some of the key aspects of this conflict which distinguished it from other campaigns to save the escarpment and from other urban reform movements.

MacArthur's writing combined a mild critique of government with harsher condemnation of industrial quarrying, which strongly suggested that trust between these communities and big corporations had been eroded. This might explain why the overtures from the quarry companies to negotiate voluntary agreements were rejected out of hand by a few members of council. Her letter certainly implied that going to the top with their complaints over four quarries had elicited the same indifferent response from the province that the town of Acton received when it had gone to the Department of Mines about this issue only two years before: It was the official position of the Ontario mining authority in 1965, that the regulations ‘were designed to protect the safety of the workers at the quarry and only indirectly address the issue of nuisance blasting to nearby properties’. While allowing for the fact that some blasting within legal limits may cause damage to properties in the vicinity of the quarry, Acton ratepayers had been advised by

¹⁴⁷ MacArthur, “letter to the editor,” Jan 11, 1967.

the deputy minister that they should take their case to the Attorney-General. Or as the manager of the Halton Crushed Stone less tactfully put it to the Nassagaweya landowner, “if you don’t like the blasting, you can always go to court”.¹⁴⁸

Feeling abused and bullied by the quarries and abandoned by senior levels of government (such as the Department of Mines) which had tacitly sided with the big quarry companies, the rural municipalities were in no position to act unilaterally to solve their problems. There was however, the possibility of joining with other rural areas to mount a more effective political challenge to the quarries. For Nassagaweya, the opportunity to turn their local dispute with the quarries into a higher profile political issue arrived on the 14th of February 1967 at the 35th annual convention of Ontario rural municipalities. The township of Nassagaweya was instrumental in passing a province-wide resolution to “make all extraction of crushed stone and gravel subject to the first ever tonnage levy.” It was Anne MacArthur who stepped up to explain the rationale behind this action:

Nassagaweya has four crushed stone quarries, each with a million-ton capacity, thereby defacing large acreages of the Niagara escarpment and surrounding land, because quarrying is a competitive industry, local by-laws alone will be inadequate to make this enforceable, only the adoption of a province-wide resolution can make this work.¹⁴⁹

In an era that witnessed rampant destruction to the environment, it has been comforting to believe that the impulse to preserve the Niagara escarpment had sprung from a deep and uncompromising love of this previously unrecognized landform “for its own sake”. For the

¹⁴⁸ "Quarry Blasting Not Controlled by Legislation, Committee Told," *Acton (ON) Free Press*, Oct 11, 1965, 1. <http://images.ourontario.ca/Partners/HHPL/HHPL000088909p0001f.pdf>; "Onus on Private Individuals to Press Charges on Blasting," *Acton (ON) Free Press*, Oct 28, 1965, 1. <http://images.ourontario.ca/Partners/HHPL/HHPL000088910p0001f.pdf>.

¹⁴⁹ "Convention Approves Township Plea for Gravel, Stone Levy," *Canadian Champion* (Milton, ON), Feb 22, 1967, 5. https://images.ourontario.ca/Partners/MPL/MPL002496069pf_0142.pdf.

urban- based environmental groups – the hikers, the birders, the naturalists – the issue was primarily an aesthetic and a spiritual one. But for the people living in the Nassagaweya Township who sought relief from the relentless blasting, aesthetic concerns related to the face of the escarpment were secondary to more pragmatic considerations over the protection of their property, homes and their livelihoods. And this was very much a grassroots NIMBY campaign with little evidence that environmentalist groups were a part of their movement.

In terms of how the Niagara escarpment arrived on the public radar, the question is not whether a hikers' campaign had occurred but what this low-key, behind-the-scenes campaign had achieved. Given the evidence introduced earlier regarding the hikers' propensity for steering clear of controversy, it seems unlikely this campaign was responsible for drawing attention to the escarpment as a landscape worthy of protection from the ravages of quarrying. And yet, it is undeniable that in the spring of 1967, aesthetic concerns had risen to the forefront in the debate over the escarpment while the local grievances over quarry blasting were swept aside. How this happened and what it meant for the protection of the Niagara escarpment, are some of the questions taken up in the following chapters.

Chapter 3 - The Gertler report's dual mandate - the evolution of an agenda for the protection of the Niagara escarpment

For the many urban-based environmental groups, saving the escarpment had come down to defending the rocks, the trees, the birds and the bees and the rights or privileges of these city dwellers to roam freely over the countryside. Which is something quite different from defending the rights of private property owners against quarry blasting. Somehow, when the province of Ontario turned its attention to saving the Niagara escarpment, the concerns of the locals were either dismissed or completely overlooked and saving the escarpment from quarrying became quite literally about saving its face “from mutilation, cuts and sores”. As the Gertler Report made very clear, these protective measures were meant to address aesthetic issues and topographic features:

The inner zone is most critical because of the natural scenic qualities of the Escarpment face...special consideration should be given to the preservation of these features. New openings in, or breaches such as cuts in the face, are not permitted. New openings in the Milton and Georgetown outliers are specifically not permitted.¹⁵⁰

The Gertler Report had a great deal to say about quarrying and more specifically about quarrying on the North Halton escarpment. In Chapter six of this report, entitled “The Extractive Industry and the principles of Multiple Use”, three specialists with close ties to the extractive industry laid out their “model for the regulation of the extractive industry along the entire Escarpment”. This plan would serve as the template for the regulation of pits and quarries not just along the Niagara escarpment, but across the province of Ontario. The authors’ treatment of the impact of quarry blasting on local property owners was interesting to say the least, since it appeared to side-step the entire problem. On blasting, the authors had only this to say: “Nearby

¹⁵⁰ Conservation and Recreation Report, (30 June 1968). 142.

residents and passing traffic shall be informed (warned) when blasting is to occur. Blasting is to occur only at times when neighbouring property holders shall not be disturbed”. However, the authors were also quick to point out that blasting need not necessarily be disturbing but could also have a recreational value: “Open pit mines in the vicinity of Asbestos Quebec, for instance, schedule tours so that on-lookers can observe the blasting process.”¹⁵¹

Nowhere in this chapter on ‘the extractive industry’ or anywhere in the Gertler Study had the writers given any thought to the destructive impact of quarry blasting on the local landowners. Presumably these writers subscribed to the prevailing opinion of industry that if the operators “chart all major blasts” then the effects of these explosions outside the quarries would be quite negligible. In other words, the issue which so consumed the people living along the Nassagaweya-Esquesing Townline somehow managed to slip through the cracks. To understand how or why this happened is to pose some even more basic questions: What was the rationale for protecting the Niagara escarpment and which groups set the agenda? Why did these agendas prevail? These and other issues will be taken up in this chapter.

It took only a few short years for the Niagara escarpment to transform from a scarcely mentioned landscape feature into an environmental icon for residents, environmental groups, and a conservation object for the provincial government. In March 1967 the Ontario Conservative premier John Robarts, announced his government’s intention to undertake a study “of the Niagara escarpment with a view to preserving its entire length.” Many scholars would later cite this speech and point to the multiple factors that were involved in the government’s decision to

¹⁵¹ Conservation and Recreation Report, (30 June 1968). 19, 148.

intervene to protect the escarpment - including concerns over aggregate extraction, subdivision development, conflicts over recreation uses and the desire of the public to protect the escarpment.¹⁵² But while all these factors were mentioned in the Robarts' speech, they did not carry equal weight in the government's decision to intervene to protect the Niagara escarpment. And to give equal weight to all these issues is to ignore the documentary evidence that suggests otherwise.

When the government endorsed in principle the idea of protecting the Niagara escarpment and followed this up with the appointment of the Gertler study group, the most urgent and pressing problem in the southernmost areas of the escarpment surrounded the issue of quarrying. All other issues were of secondary importance. But to be clear, when it came to the quarries, the issue of protecting the escarpment was not only about the aesthetic threat that quarrying posed to the cliffs, but there was also the threat posed to the escarpment's mineral resources from urban encroachment. This dual mandate is a central feature of the Gertler Study that is not well understood to this day. Not only had the safeguarding of its scenery and mineral resources been considered equally important agendas, the lead author of the Gertler Report had placed the protection of the rocks or mineral resources of the Niagara escarpment above aesthetic concerns when discussing the study's purpose:

The rationale for this Study can be better understood by looking at the major characteristics of the escarpment... It is the totality of all these elements, expressed as a unique element in the landscape of Ontario, that underlies the

¹⁵² "Robarts Says Escarpment to be Public Playground," *The Globe and Mail* (Toronto, ON), Mar 11, 1967, 5. <https://search-proquest-com.libaccess.lib.mcmaster.ca/hnpglobeandmail/docview/1270016219/fulltextPDF/2253CB19C5CC4DBAPQ/2?accountid=12347>; Graham S. Whitelaw and James Hamilton, "Evolution of Niagara Escarpment Governance," (2016).

present concern for its preservation and gives focus to this Study. 1.The Escarpment as a Resource. The rock of the escarpment – the sandstones, limestones, shales and the dolomites - forms the basis of a multi-million-dollar building material industry, as well as the rugged cliffs that provide a dramatic accent in an otherwise gentle southern Ontario topography.¹⁵³

The Niagara Escarpment Conservation and Recreation Report, was completed in June 1968 and finally released to the public in December 1969, was a plan with a dual mandate; to protect the geological deposits for future commercial exploitation and to preserve the most recognizable features - scenic cliffs and waterfalls - for recreation. But where did this agenda come from? Most of these ideas can be found in a 60-page document written more than three years before the Gertler Report was finally revealed to the Ontario public. This document or brief, entitled *Quarrying and the Niagara escarpment* had been presented and submitted to the Select Committee on Conservation Authorities in late November 1966 by the Halton and Hamilton Conservation Authorities. Many of the arguments, ideas and recommendations put forth in this brief came directly from the local watershed authorities' experiences and their encounters with the principal quarry operators on the North Halton escarpment. It represented more than half a decade of defining problems, taking positions, forming judgements, and making recommendations. In 1966, an "escarpment sub-committee" was formed to document their findings: This group reached the conclusion that the major challenge was to safeguard the limestone deposits and protect the escarpment from defacement; the environmental effects of the rock blasting on nearby private properties were treated as trivial matters. Gertler and his team of experts would come to the same conclusion sometime later. But this is getting ahead of the story.

¹⁵³ See the original 1968 Gertler Report, Conservation and Recreation Report, (30 June 1968). ; Conservation and Recreation Report, (30 June 1968). 10.

It is possible to trace the origins of the 1966 “quarrying brief” to the spring of 1961, when the members of the Sixteen-Mile Creek Conservation Authority first realized (or first publicly acknowledged) that quarrying posed a threat to the escarpment and more importantly, that it was this group’s responsibility to do something about it. On the sixth of April, the members of the Sixteen’s watershed authority held extended discussions, assessed the situation, and took a leap into what would have been for this group *terra incognita*. The members voted unanimously “to notify the landowners of the Escarpment of the agency’s intention to purchase this land at a price of \$200.00 per acre for preservation of the Escarpment as it is. Expropriation proceedings will follow if necessary.”¹⁵⁴ This was a bold move for the public agency whose leaders had always maintained that the forced taking of land would only be used as a measure of last resort, reserved “for large public projects such as dams and reservoirs.” Moreover, this action could hardly have been predicted from a group whose representative had, less than two years before stated quite emphatically that the protection of the escarpment “was not a matter of public interest”, which is to say it was not a significant issue for the Authority.¹⁵⁵ Throughout this period when massive quarry operations posed a clear and present threat to the escarpment this group had decided to bide its time and wait for this process to unfold. To explain this sudden change of heart requires some understanding of the events that brought this quasi-public organization into existence.

¹⁵⁴ Sixteen-Mile Creek Conservation Authority: Meeting Minutes, Apr 6, 1961, Halton Region Conservation Authority Historical Records, Burlington, ON.

¹⁵⁵ "Conservation Authority Possible as Five Municipalities Study Need," *Canadian Champion* (Milton, ON), Aug 9, 1956, 12. http://images.ourontario.ca/Partners/MPL/MPL002493371pf_0706.pdf; "Department Publication Tells Work of Two Local Authorities," *Canadian Champion* (Milton, ON), Aug 6, 1959, 9. http://images.ourontario.ca/Partners/MPL/MPL002493947pf_0525.pdf.

The Sixteen-Mile Creek Conservation Authority was formally established in December 1956, with the aim of protecting as its name implies, a regional watershed. The Sixteen Mile Creek's journey to Lake Ontario begins in the wetlands and forested swamps above the Niagara escarpment, which crosses the northwestern section of the watershed. The waters of this creek flow southeasterly through agricultural lands for 21 miles and enter the lake through the Oakville harbour, less than 15 miles to the west of what was then the border of the City of Metropolitan Toronto. This watershed was at that time entirely contained within the boundaries of Halton County. Its streams drain a small section of Nassagaweya, a larger section of Esquesing and a very large section of Trafalgar Township; the latter includes this watershed's only urbanized areas of Milton and Oakville.¹⁵⁶ The Authority, which was established only two years after tropical storm Hurricane Hazel swept through the province, was one of the few conservation authorities that did not owe its existence to the so-called 'storm of the century'.¹⁵⁷ At this time, the Sixteen was a relatively undeveloped and sparsely populated watershed, which had experienced minimal flooding from this storm. The usual arguments for the establishment of a watershed authority – 'flooding, the regulation of summer flows and the improvement of agricultural lands' – had all been put forward in the preliminary discussions. But these arguments had carried little influence with the local elected representatives. In making the case

¹⁵⁶ A. H. Richardson. Department of Planning and Development, Sixteen-Mile Creek Conservation Report, (1958).
<https://digitalarchive.mcmaster.ca/islandora/object/macrepo%3A6420#page/2/mode/2up>.
Chapter 1, Page 1.

¹⁵⁷ Sarah Michaels, Nancy P. Goucher and Dan Mccarthy, "Policy Windows, Policy Change and Organizational Learning: Watersheds in the Evolution of Watershed Management," *Environmental Management* 38, no. 6 (2006), . 987-988.

for the establishment of the river basin authority, its founder and Reeve of Trafalgar had stressed the recreation imperative above all else:

I can see many great advantages in the conservation of recreational areas. We're in one of the fastest growing areas in the continent of North America and the Planning Board feels we have to act now before the door is closed on some of these natural beauty spots we've seen.

Meanwhile, the representative from the town of Oakville could see some merit in joining the authority “probably for its recreational value... although they haven't been troubled by flooding.” admitted the Town Manager. There had been some suggestion that spring flooding had been a problem in the town of Milton, but this town had not even bothered to send a representative to these early meetings. Nor for that matter had the Nassagaweya township. When the Sixteen-Mile Creek Conservation Authority finally took shape, the primary impetus for this river basin authority had been recreational and the driving force behind it all had been the township of Trafalgar.¹⁵⁸

The reason for this had been partly geographical – nearly 80 percent of the watershed is located within the boundaries of the Trafalgar Township. But mostly it came down to a question of demographics. In 1956, this township was booming. Three years before, the new Ford of Canada plant, “the largest industrial space in the British Commonwealth” had set up shop in the southern part of the township. By 1956, this once quiet countryside to the north, west and east of Oakville, had been transformed into a” landscape of industry and subdivisions.” In the space of three or four years, the township's population more than quadrupled. By 1957, the population

¹⁵⁸ ”Conservation Authority Possible,” Aug 9, 1956; ”Conservation Authority Possible,” Aug 9, 1956.

was approaching 18,000 and approximately 12,000 of these new residents were now residing near the valley of the Sixteen.¹⁵⁹

With 60 percent of the watershed's population contained within its geographic boundaries, it was perhaps only natural that the pre-occupations and concerns of this so-called lower township would set the agenda for this agency's activities. But there had been mixed enthusiasm for the formation of a conservation authority in this watershed. Four efforts at organization had taken place before the Authority was finally constituted in December 1956. A month later, the members held their first official meeting, electing the Reeves of Trafalgar and the town Milton to the positions of Chairman and Vice Chairman respectively. One of the first actions of Ontario's newest conservation authority was to petition the Minister of Planning and Development to have a survey done on the watershed. This survey was undertaken over the spring and summer of 1957 and was presented to the Authority with much fanfare the following year.¹⁶⁰

The 1958 Sixteen-Mile Creek Conservation Report had been prepared in sections or technical reports covering land, forest, water, wildlife, and recreation. Throughout this Report, the authors made several references to the presence of the escarpment and its relationship to "the

¹⁵⁹ Wilfred List, "Plan Big Trafalgar Development," *The Globe and Mail* (Toronto ON), Apr 15, 1954, 5. <https://search-proquest-com.libaccess.lib.mcmaster.ca/hnpglobeandmail/docview/1289185029/fulltextPDF/DCD2C5405D924D58PQ/2?accountid=12347>; "Oakville in Shadow of Booming Trafalgar," *The Globe and Mail* (Toronto), Nov 18, 1954, 5. <https://search-proquest-com.libaccess.lib.mcmaster.ca/hnpglobeandmail/docview/1290236480/fulltextPDF/DCD2C5405D924D58PQ/3?accountid=12347>.

¹⁶⁰ "Robert Marshall First Chairman of Watershed," *Canadian Champion* (Milton, ON), Jan 24, 1957, 1. http://images.ourontario.ca/Partners/MPL/MPL002493371pf_0993.pdf; "31 Recommendations: Present Conservation Report," *Canadian Champion* (Milton, ON), Feb 18, 1960, 1. http://images.ourontario.ca/Partners/MPL/MPL002493947pf_0928.pdf.

formation of the wooded corridor”, as “the source of the various streams within the watershed and as a habitat for the watershed’s flora and fauna.” The writers of this report described the Niagara escarpment as “the most striking physiographic feature in the watershed...a landform, spectacular, interesting and important. From the point of recreation, the Authority will no doubt be paying it considerable attention.” The experts at the Conservation Branch also stressed the importance of public ownership of key sections at the top of the escarpment or cliffs. But for all the attention paid to the escarpment’s ecological significance and its beauty and recreational potential, only two small sections of the ‘cliff edge’ were singled out in this report as deserving of any “special consideration”. Both sites were located north of the proposed Highway 401, in the watershed’s densely wooded and undeveloped areas of Esquesing. The first site mentioned was about 50 acres in the township’s Speyside district, while the second was located to the east of the Nassagaweya-Esquesing Townline. This second or alternative site was described in this report as consisting of,

... almost 93 acres of extremely spectacular views from the top of sheer cliffs or steep slopes from several points. The area is covered with second growth trees of birch, maple, poplar.... One point on a rocky hill near the escarpment edge offers an excellent view in three directions and a lookout tower could be erected.¹⁶¹

¹⁶¹ Sixteen-Mile Creek Conservation Report, (1958). Land, Chapter 1, 9-11; Recreation, Chapter 4, 13-15

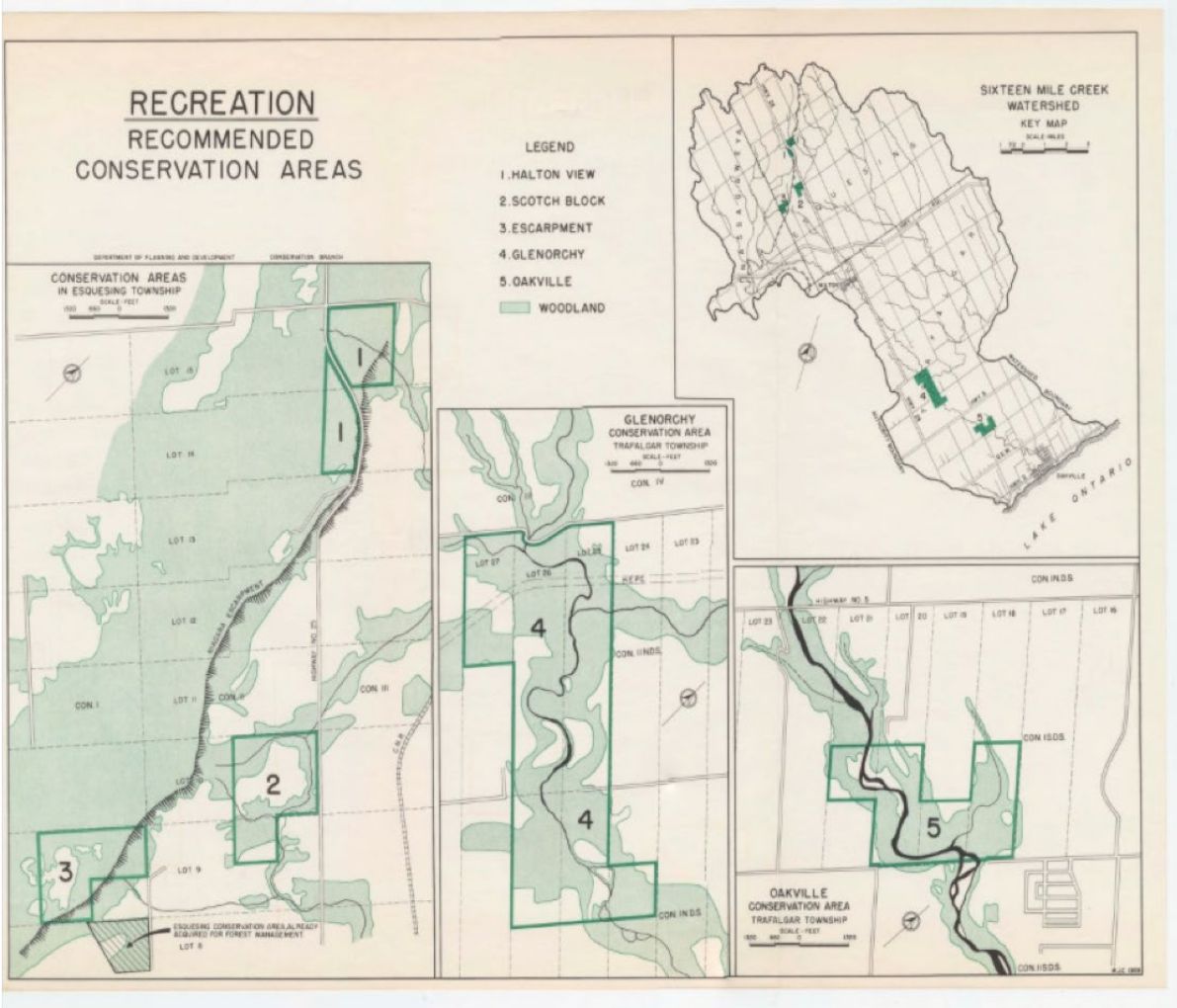


Figure 5: This map shows the location of the proposed conservation areas for the watershed. The area described in this text is labeled in this map as 3. Escarpment. Source: the 1958 Sixteen-Mile Creek Conservation Report.

The combined acreage of these two escarpment sites represented about 10 percent of the total 1400 acres that the Report recommended be set aside for recreational land; the remaining almost 1250 acres, were said to be ‘scattered throughout the watershed’ but were concentrated along the ‘Sixteen Valley’ in the Trafalgar township. Notwithstanding all the attention paid to the ‘spectacular cliff edges’, the experts laid out a modest program of land acquisition along the escarpment. This decision was influenced in part by the demographic realities of the watershed

and the need to locate these conservation areas closer to the urban populations. It also reflected the problems associated with accessing these more remote areas where the roads were said to be either ‘very rough or nonexistent’. But there existed a much more fundamental reason for why the bar for purchasing escarpment lands was set so low. As the report explained:

Recent investigation has uncovered options giving the right to mine or remove limestone on the face of the escarpment, or near it, contained in many of the present property deeds. This situation poses a great threat to the retention of the escarpment edge for future generations and makes it all the more important that the Conservation Authority should acquire sections of the cliff edge immediately.¹⁶²

Despite their professed concern for the escarpment edge, the authors recommended a modest and selective policy of acquisition, recognizing that these purchase options would complicate the process. The CA disregarded even this recommendation and took a pass on the immediate acquisition of any escarpment land in the summer of 1959:

The Authority is of the opinion that it is not in the interests of the public to acquire any of these lands for Conservation Area purposes, on which rock rights exist. Consideration has been given to rehabilitation on the lands which have been worked-out by quarry companies but to date, a satisfactory solution has not been found.¹⁶³

What was viewed as ‘impossible and not in the public interest’ by this Conservation Authority was considered a matter of the utmost urgency by an even newer watershed authority only ten or twelve miles away at Mount Nemo. This watershed, which flows south to Lake Ontario through the western half of Halton, drains a part of Nassagaweya, a small section of

¹⁶² Sixteen-Mile Creek Conservation Report, (1958). Chapter 4, 3a & 13.

¹⁶³ "Our Valley" July 1959, Vol.5 Issue 2, Ontario Department of Planning and Development, reprinted in "Department Publication," Aug 6, 1959.

Trafalgar Township including Milton and Bronte (Oakville) and a larger section of Nelson Township including the town of Burlington. It was in this heavily forested area of north Burlington where the newly formed Twelve Mile Creek Conservation Authority chose to make a stand against a small quarry operation in the summer of 1959.¹⁶⁴

In the spring of 1959, Mount Nemo was another escarpment cliff edge which the Twelve Mile Creek Conservation Authority, with little prompting from the Conservation Branch, had earmarked for conservation. This area consisted of 65 acres of farm and forest lands, affording “magnificent views of the surrounding countryside.” Although the Authority verified that a local quarry company had made ‘purchase offers to local landowners’ - presumably these offers were for the rock rights - rather than throwing in the towel – it stepped up its efforts to acquire this land:

A quarrying company has been doing considerable very heavy blasting within 200 feet of the edge of the escarpment. There is a fear that the company intends to break through the face of the cliff itself for the purpose of cheaper quarrying. It is felt, however, by the Authority that this action would disrupt the stream sources as well as eliminate the beauty spot, which is against the wishes of the local populace. The Authority has therefore decided to take positive steps to conserve this area.¹⁶⁵

Those “positive steps to conserve this area” referred to the Authority’s expropriation of edge lands from the Lowville Quarry Company in the spring of 1959. A year later, the small quarry company with nowhere to go, closed its operations on Mount Nemo. The decisive actions taken by the Twelve Mile Creek Conservation Authority were evidently a response to public

¹⁶⁴ “31 Recommendations,” Feb 18, 1960; “Purchase, Expropriation First Scheme for 12 Mile Conservation Authority,” *Canadian Champion* (Milton, ON), July 9, 1959, 1. http://images.ourontario.ca/Partners/MPL/MPL002493947pf_0466.pdf.

¹⁶⁵ “Department Publication,” Aug 6, 1959.

pressure. Soon after the formation of this Authority in 1958, “a group of 40 district landowners had marched into one of its meetings and urged the Authority to box in the 53-acre quarry, so that it couldn’t wreak more damage.” These landowners had very different plans for the area, including the development of country estates and golf courses. In fact, it was this expropriation, resulting in the acquisition of 88 acres at Mount Nemo, which would later be considered the catalyst for the formation of the Twelve Mile Creek Conservation Authority. From this point on, the history of the Twelve Mile Creek Conservation Authority would be closely tied to the protection of the escarpment. But it would be another two years before the members of the Sixteen-Mile Creek Conservation Authority would get around to protecting their section of the escarpment.

For five years after its formation, the Sixteen-Mile Creek Conservation Authority pursued what could only be described as a hands-off approach when it came to the acquisition of escarpment lands. The decision to do nothing about the escarpment would of course prove to be shortsighted, but it was not wrong. At the time, the conservation authority was under no public pressure to take any action. Those who would have paid the price for re-acquiring the rock rights on these scenic cliff edges were simply not demanding picnic sites, hiking trails, or lamenting the loss of the scenery. These cliff edges were located in the forested backwoods of the townships where it was still considered politically correct to say publicly, “that the quarries should have all the rock they wanted”, and where most residents had supported their local politicians who believed that “the township’s natural resources were there to be used.”¹⁶⁶ In any event, the conservation officials would have been hard pressed to find along the Nassagaweya-Esquesing

¹⁶⁶ “Villagers Move to Stop,” Feb 25, 1960; “Issues at Nomination Meeting,” Nov 29, 1962.

Townline, the kind of public outrage displayed by the landowners at Mount Nemo over the desecration of these majestic cliff edges. Separated by only a few miles, these local communities were worlds apart in their views regarding the protection of the Niagara escarpment and the two conservation authorities responded accordingly.

In 1961, the Sixteen-Mile Creek Authority finally turned its attention to saving these cliff edges. Why this sudden change of heart? There were a few official reasons given which included the need to protect the springs below the mountain, the water table and the area's natural beauty. Unofficially, it appeared that the members of the Authority did not find the verbal reassurances of the spokesman for the large quarry company particularly convincing: Said Dufferin geologist Frank Beales at the time, "Apart from a few minor cuts, the face of the escarpment will not be destroyed."¹⁶⁷ In May of 1961, this conservation authority was now very determined to take immediate steps to preserve the face of the escarpment and "the impressive natural beauty of the area northwest of Milton." The committee had carefully considered the situation before unanimously deciding it had a responsibility to signal its concerns about what it now described as, "this particularly troubling situation". In June 1961 the Authority issued the letters that would set 'Escarpment Conservation Area Scheme #7' in motion and the following month, the local watershed authority began formal expropriation proceedings against the various landed interests.

The first of three consecutive notices to expropriate these lands appeared in the local newspaper on July 6, 1961. In this notice, the Sixteen-Mile Creek Conservation Authority described its intention to secure possession of a certain "parcel or strip of land having a width of

¹⁶⁷ "Start New Esquering Quarry Won't Mar Escarpment Face," *Acton (ON) Free Press*, May 18, 1961. <http://images.ourontario.ca/Partners/HHPL/HHPL000088678p0001f.pdf>.

300', lying Westerly of the precipitous face of the escarpment and extending north through lots 7 and 8, Concession 7 Nassagaweya and lots 8, 9 and 10 Concession 1 Esquesing." The justification for this taking stated only that,

The said land shall be used for the preservation of the springs in the escarpment, to protect the lands below the escarpment and as a multi-purpose conservation area for water storage, recreation and wildlife and generally for all and any conservation purposes, which the said Authority may deem expedient.¹⁶⁸

The purpose of posting these notices was to establish the formal deadline for the filing of the property owners' compensation claims, which the Authority stated would occur one month from the date of the posting of the first legal notice or August 6, 1961. However, under the prevailing law and as indicated in the notice, the Authority became the legal owner of these lands on July 10, 1961, when it registered its expropriation plan at the Public Registry Office in Milton. From this point on, the landowner remained in possession of the land, but the legal title or right to access this land belonged to the Authority. In the eyes of the law and the locals, this expropriation was a 'done deal' and the only question remaining was the amount of compensation that the Agency would pay to the owners of these lands.

For the local press, the taking of land spanning the two townships and involving several lots and concessions was considered an event deemed worthy of special attention - 'Expropriate Escarpment', the headline proclaimed. But as impressive as this sounded to the local media, this was only a partial taking of strips of the escarpment, which bore only the slightest resemblance to the 93 acres that had been originally earmarked for conservation in the 1958 Conservation

¹⁶⁸ "Legal Notice: IN THE MATTER OF, the Conservation Authorities Act, R.S.O. 1960, Chapter 62," *Canadian Champion* (Milton, ON), Jul 12, 1961.
http://images.ourontario.ca/Partners/MPL/MPL002493951pf_0346.pdf.

Report. The reason for this modest taking was that much had changed in three years. One thing could be said, the Conservation the Authority no longer faced the ‘impossible situation’ of acquiring options from local landowners; that ship had sailed. The options to purchase these lands were taken-up, the “extremely spectacular cliff edge” was sold and was about to become much less spectacular. In the meantime, the Sixteen-Mile Creek Conservation Authority wisely decided that it was unrealistic to attempt to acquire the original tract, (now a fully licensed quarry) and so the Authority settled for taking these 300-foot strips of land across the Nassagaweya-Esquesing Townline.¹⁶⁹

Nonetheless, the early phase of these planned expropriations went relatively well, at least on the Nassagaweya side of the town-line. The authority acquired two of the ‘300-foot strips’ of land (70 acres) through “friendly negotiations” with local landowners, for an amount close to offering price. It acquired the third strip through a slightly more involved, less amicable expropriation but completed the purchase in less than a year, albeit at a price somewhat higher than the original offer. Acquiring the last remaining strip of land proved considerably more challenging for the Authority. Although its December 1962 report was correct in indicating that the agency did not pay anything for this land, in truth the cost to the public was high.¹⁷⁰ The fate of this piece of escarpment property remained up in the air for almost five years. During this period, the Authority spent thousands of dollars in legal bills and professional surveys on this land, not to mention the countless hours these paid public servants spent in meetings and

¹⁶⁹ "Expropriate Escarpment," *Canadian Champion* (Milton, ON), Jul 13, 1961, 3. http://images.ourontario.ca/Partners/MPL/MPL002493951pf_0342.pdf.

¹⁷⁰ The strip was booked at no cost or "Nil" to the Authority. See, Sixteen-Mile Creek Conservation Authority: Escarpment Conservation Area - Scheme #7, Dec 31, 1962, Halton Region Conservation Authority Historical Records, Halton Region Conservation Authority, Burlington, ON.

informal negotiating sessions, just to resolve this land's status. The actual cost of this land to the public will probably never be known but rest assured the Authority paid dearly for the 35-acre parcel of land the Authority was written up as "Nil" on their books. Moreover, the cost would have far exceeded the \$200 an acre that was originally offered as compensation for the land. But in 1961 this was no longer an ordinary strip of land.

These lands now formed a small but important part of a much larger landholding, which had recently been assembled by one 'Otto Friederich Prince Zu Isenberg'. Zu Isenberg was acting as agent for the Associated Quarries Ltd, aka the Dufferin Materials & Construction Ltd. The task of assembling this 1500 acres from 15-20 individual parcels spread across two townships would have been a difficult and time-consuming one: It would mean tracking down dozens of property owners, many of whom were absentee landowners (possibly residing in Germany) and then negotiating separately with each one of them. In the spring of 1960, Dufferin was granted the permit to quarry the land and the following spring this company was sold to the St Lawrence Cement Company. The latter Company's majority shares had been acquired only five years before by a global cement giant, the Swiss-based Holderbank Financière Glaris.¹⁷¹ It bears repeating that these companies, having gone to all this trouble to acquire this parcel of land, were not about to let it go without a fight.

¹⁷¹ "Associated Quarries and Construction Ltd. Sold to St Lawrence ", *Globe & Mail* (Toronto), Mar 21, 1961; U.S. Federal Trade Commission, Decisions: Findings, Opinions, and Orders, 82 (1973), 1155-57. <https://books.google.ca/books?id=BCZ--3p0x0EC&pg=PA1157&lpg=PA1157&dq=Federal+Trade+Decisions+St+Lawrence+cement+industry&source=bl&ots=Lv8GNPTnRm&sig=ACfU3U1GyHdtio4Zm3zw8MhqshUaARIN1w&hl=en&sa=X&ved=2ahUKEwiA2fXw4Kj1AhUBvJ4KHc2OAnQQ6AEwAHoECAkQAQ#v=onepage&q=Federal%20Trade%20Decisions%20St%20Lawrence%20cement%20industry&f=false;> "Nassagaweya Gives Okay," Jun 9, 1960.

Moreover, the St Lawrence Cement Company had already gone to considerable trouble with this land, in the five months since acquiring what this Company's representatives were now calling the 'Dufferin Quarry.' Teams of engineers and surveyors had analysed gradients, measured the depth of the overburden, calculated the cost of its removal and made careful determinations of the most efficient way to get at these precious limestone deposits at the top of the escarpment and the best possible location for its crushing and screening plant at the base of the mountain. By the spring of 1961, another burst of construction activity had resulted in the building of an "access road through the old farm running from the first line Esquesing" to the base of the escarpment as well as "another circular road." The St Lawrence Company was just starting to build the road up the face of the escarpment when its people received the formal notice of the Authority's intention to expropriate this strip of land, which ran right through the centre of their property. The effect of the Authority's action, in the words of the Company spokesman, "would have cut their operations in two."¹⁷²

For the Company, which was now poised to commence full-scale production the following month, the timing of the Authority's action could not have been worse. All this came to light in a series of discussions held early in August between the Company's representatives and the Authority's Vice Chairman Dr. C.A. Martin. By the third week of August, however, the situation was much improved and Martin would announce at the Conservation Authority's general meeting that the Company was very anxious to begin quarrying and were prepared to

¹⁷² "Limestone Quarry Development Opening on 600 Acres Near Town," *Canadian Champion* (Milton, ON), Feb 8, 1962, 1. http://images.ourontario.ca/Partners/MPL/MPL002493951pf_0873.pdf; "Valuable Conservation Lands Given Conservation Authority," *Canadian Champion* (Milton, ON), Jun 28, 1967, 6. http://images.ourontario.ca/Partners/MPL/MPL002496069pf_0527.pdf.

make a deal: “The lawyers for the Company had prepared this brief... describing the extent of their intended operations in the vicinity of the Escarpment and what they were prepared to do to preserve the face of the Escarpment. I feel they are prepared to make a settlement, if the Authority were to drop the expropriation proceedings.” But on the advice of their legal counsel, the Authority declined this offer to settle and proceeded with the expropriation action against the Company for the 35 acres of land.¹⁷³

In November 1961, the Saint Lawrence Cement Company remained in physical possession of this land and persisted in its efforts to convince the Conservation Authority “to withdraw the expropriation order”. The Authority’s Escarpment Committee held a special meeting so that they could once again, “discuss this situation with the St Lawrence Company and the Escarpment” – but little discussion took place. The Acting Chairman did most of the talking, the lawyer did most of the listening and the rest of the Committee nodded in agreement while Dr. Martin stated the following:

It is my opinion, that a deed be prepared immediately giving the St. Lawrence Cement Co., the 100’ strip of land up the escarpment for a roadway so that their operations should not be held up... And that a second roadway if required be given to the St Lawrence Cement Co. through the former McTrash property, ...And that when the proposed agreement has been prepared it should be turned over to an expert such as Dr. Lord for review to ascertain whether the agreement is going to be a deterrent to operations of the St Lawrence Cement Company, thereby leaving the Authority open to claims for damages or loss of compensation.

¹⁷³ Sixteen-Mile Creek Conservation Authority: General Meeting, Aug 21, 1961, Halton Region Conservation Authority Historical Records, Burlington, ON.

The attorney then remarked - and all agreed - “that this was a very wise move”, since it would not do “to have the Company place a claim for loss of compensation” against the Authority.¹⁷⁴

Exactly what transpired in the weeks leading up to this “special meeting” cannot be known with certainty. The Authority’s minutes refer to a series of meetings, which took place at the Company’s Toronto offices, attended by the Vice Chair, the Authority’s legal counsel and the Company’s lawyers. The Authority’s representatives also met with Mr. Chapdelaine, the Vice President of the St Lawrence Cement Company. Their encounter with this “Mr. Chatelaine” evidently was very pleasant; the encounter with the Company’s lawyers was evidently much less so. During these meetings, the Company’s in-house lawyers seemingly accused the Authority’s representatives of “trying to stop their operations”, “taking more land than was necessary to protect the escarpment” and of “attempting to deny the Company access to its rock quarry.”

When the Conservation Authority protested that this was not its intention, the Company replied that it was very much its intention to file a counterclaim against the Authority for injurious affection resulting from this expropriation action. Since the amount of the Company’s counterclaim was considerably more (about \$2.5 million more), than what the Authority had offered for the 35 acres, the Escarpment Committee understandably backed down and agreed to “immediately deed back the 100 foot wide strip of land up the face of the escarpment, for a

¹⁷⁴ The members had decided they would "in future confer with the Company Vice President, and not with the Company's solicitors." Sixteen-Mile Creek Conservation Authority: Meeting of the Escarpment Committee, Nov 27, 1961, Halton Region Conservation Authority Historical Records, Burlington, ON.

roadway, so that it's operations would not be held up".¹⁷⁵ However, in one very crucial area the escarpment committee held their ground: The expropriation order against the Company would stand, and the Authority's offer of \$200 an acre for the 300-foot horizontal strip back from top of the escarpment remained in effect.¹⁷⁶

It was late December 1961, when the Authority was called to another special meeting with the St Lawrence Cement Company and the members were informed that the Company had "amended" the deed. "The only basic change", the Authority's solicitor observed wryly, "is this covenant which would give the St Lawrence Cement Company the right to do just about anything they wanted to do within this roadway". This news evidently unsettled some of the committee members who were starting to believe that the Company intended to do much more with this road allowance than simply 'access their quarry'. As the Vice Chair pointed out, "they could use it for a road, but it could also be used for water disposal...or some kind of sluiceway".¹⁷⁷ The Authority was still mulling over "this business with the roadway" when they were joined by the six-member delegation from the St Lawrence Cement Company.

It was left to the Company's lead negotiator, Dr Frank Beales, to explain that the Company "could not be handicapped or restricted in its use of the road and required a more open

¹⁷⁵ For the reconstruction of these events, see the Authority's minutes of November 27th and December 28th 1961. Sixteen-Mile Creek Conservation Authority: Meeting of the Escarpment Committee, (Nov 27, 1961). See also, the remarks of A.J. Nichols in "Quarry, Conservation Agreement First of its Kind in Province," *Acton (ON) Free Press*, Dec 8, 1966, 3. <http://images.ourontario.ca/Partners/HHPL/HHPL000088968p0003f.pdf>; "Valuable Conservation Lands Given Conservation Authority," Jun 28, 1967.

¹⁷⁶ Sixteen-Mile Creek Conservation Authority: Meeting of the Escarpment Committee, (Nov 27, 1961).

¹⁷⁷ Sixteen-Mile Creek Conservation Authority: Special Meeting, Dec 28, 1961, Halton Region Conservation Authority Historical Records, Burlington, ON.

clause.” But to quell the fears of the conservationists about the roadway, Beales gave his personal assurance that “the road up the escarpment would be used for no other purpose than for taking their machines through” and that “it would not be used to dispose of water as this could potentially wash away the Company’s whole operation.” When asked about the effects of the digging and blasting on the local water table, the Company’s representative admitted these were all difficult questions, “but if contingencies arose, they would surely take care of them, within reason.” This answer seemed to satisfy the escarpment Committee and the parties finally agreed that the road allowance, “should be used only for the purpose of constructing a roadway and conveyor system, and for any and all other purposes which the company and the Authority mutually agree are consistent with the operation of a quarry.”¹⁷⁸

One would have thought that this geologist’s vague verbal assurances combined with the kind of wording broad enough to drive a truck through, might have at least given the Authority some pause for thought; especially given the liberties the company had already taken within the roadway. But when it came right down to it, the Authority’s most pressing concern was to protect their land located just east of the roadway. The Authority had recently acquired 35 acres of ‘virgin timber forest’, which it was managing as a commercial woodlot. Having obtained the Company’s assurance that the roadway would not be used for water disposal, (which could have flooded their woodlot), the aesthetic effects of this roadway were seemingly set aside.

It could be argued that the Conservation Authority was under considerable pressure in their dealings with this Company or that its legal advisors were outgunned and outmaneuvered in these negotiations, but it could not be said that these committee members were in any way

¹⁷⁸ Sixteen-Mile Creek Conservation Authority: Special Meeting, (Dec 28, 1961).

misled about the Company's true aims for this roadway. These intentions were clearly spelled out in Paragraph 13 of the agreement, which outlined the Company's plans "to make a Y-shaped cut 150 feet from the edge, extending at an angle of 45 degrees from both sides of the roadway". On December 28, 1961, the Sixteen-Mile Creek Conservation Authority signed off on the clause granting the St Lawrence Cement Company permission to blast their way through the top of the escarpment.¹⁷⁹

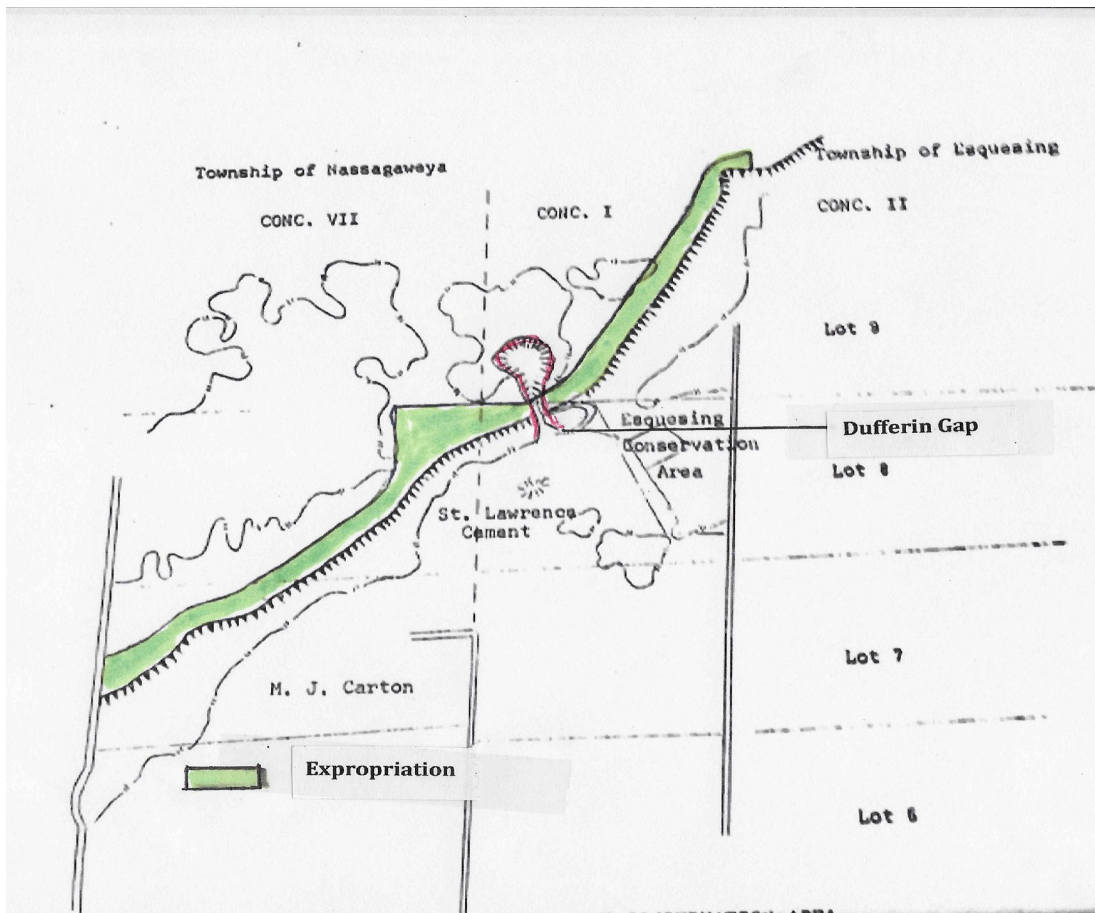


Figure 6: This is a sketch drawn by the 16 Mile Creek Authority's field officer D.J. Murray (circa 1961) of the Escarpment Conservation Area scheme #7. (Colour- enhanced)

¹⁷⁹ For the actual discussion of this Clause see, Sixteen-Mile Creek Conservation Authority: Executive Meeting, Jan 8, 1962, Halton Region Conservation Authority Historical Records, Burlington, ON.

By the end of January 1962, this phase of the negotiations between the Sixteen-Mile Creek Conservation Authority and the St Lawrence Cement Company came to an end. In the six months that had passed since the expropriation, the parties had arrived at a shared vision for managing these lands. This Agreement, which was spelled out in twelve pages and seventeen clauses, had been more than seven months in the making. In addition to the existing roadway or cut up the escarpment, the Authority agreed to grant the Company an additional or “substitutionary road” (or cut) to cross the escarpment to the west in the vicinity of the Sixth Line Nassagaweya township. The substitution road was to be given the same terms as the original roadway - no sluiceway or spillway but a cut. Meanwhile, the Company agreed that it would ‘give up’ or donate to the Authority, ‘a 300-hundred-foot strip of land’ but allowing for the provision that the back 100 feet or one third of this strip could be used for the placement of overburden and stockpiles. In return for the Company’s surrendering of this land, the Authority agreed to cancel the expropriation order against the Company and to expunge all references to the expropriation and write in that “the lands had been conveyed (to the Authority) by registered title.”

At this time, the Authority issued an official statement to the press that the Conservation Authority had come to an agreement with the Company and settled their dispute over the escarpment lands. The Authority emphasized the Company’s donation of the lands and its intention to “maintain the scenic beauty of the escarpment” but tactfully refrained from mentioning the nasty business with the threatened countersuit. For its part, the Company also issued a press release to announce that the expropriation order was cancelled and it was now full steam ahead for its operations and that “it expected to beat its initial production target of a

1,000,000 tons that year at the Dufferin Quarry”.¹⁸⁰ While it was technically true that the expropriation had been cancelled, it was also true that the negotiations had taken place with the expropriation in place and with the Conservation Authority as the registered owner of this land. So why at this late stage in the game did the company continue to insist on the cancellation of the expropriation?

If the expropriation had gone ahead as planned, the Company would have been removed from the land, forced to relinquish its rights to the property and under the expropriation law of Ontario qualified ‘for fair and reasonable compensation’.¹⁸¹ But this is not what happened. In this case, the land was leased back to the Company for the life of the quarry. Once the Conservation Authority agreed to cancel the expropriation and forge this alliance with the St Lawrence Cement Company, one of the principal impediments to the Company’s quarry development was removed or at least effectively neutralized. Under the terms of the voluntary leaseback agreement, the parties agreed to support their presumably mutually exclusive agendas - quarrying and conservation - until the middle of the 21st century.

For the owners of the Dufferin quarry and ‘its nominees and successors’, this alliance with the Conservation Authority would one day prove to be invaluable. But in the meantime, the Company evidently saw no reason to immediately consummate this partnership. Having secured its access roads, and made its fateful cut in the spring of 1962, it was in no rush to be legally bound by these restrictive covenants that didn’t apply to its major competitors. For several

¹⁸⁰ ”Kelso Dam Project Complete,” Jan 25, 1962; ”Limestone Quarry Development Opening,” Feb 8, 1962.

¹⁸¹ See Rules on expropriation, *Conservation Authorities Act, RSO 1960, c 62.* : 564-567.

years, the hard-fought quarry agreement sat on the shelf, awaiting signatures and land surveys but serving no particular purpose other than to gather dust. The Agreement seemed all but forgotten when it - or something very like it - surfaced a few years later and was heralded as one of “the most progressive quarry documents in the history of the province.”¹⁸²

On a warm sunny afternoon in June 1967, a grassy field atop the escarpment, just a stone’s throw from the now infamous Dufferin Gap, provided the perfect backdrop for a unique presentation ceremony. The event, which was hosted by the HRCA, was closed to the public but there were fifty-five guests in attendance, including local and provincial politicians and several representatives of the district quarries. They all came out to witness the exchange of cheques, and the transfer of valuable property from Dufferin to the Conservation people. The press reported that the ceremony was “staged by the company to impress” on those in attendance that the quarry industry can be a force for good in the community. Spoke the President of Dufferin, James L. Franceschini, “It is unfortunate that the quarrying industry has been so often considered such an undesirable element ... We hope we have shown our concern with the preservation of natural beauty, and our desire to be good citizens and a good neighbor.” The neighbours were not invited but the event evidently made the desired impression on the local media. Headlines in the local papers proclaimed the news that “quarrymen and the conservationists had combined to save the escarpment” or that the “escarpment has been given a new lease on life in Halton.”¹⁸³

¹⁸² “Quarry, Conservation Agreement,” Dec 8, 1966.

¹⁸³ “Quarrymen, Conservationists Combine to Save Escarpment,” *Georgetown (ON) Herald*, Jun 29, 1967, 8.
<http://images.ourontario.ca/Partners/HHPL/HHPL000091905p0008f.pdf>; “Valuable Conservation Lands Given Conservation Authority,” Jun 28, 1967.

The press was simply repeating what they heard from the politicians and the politicians were in raptures over Dufferin's gesture of goodwill. George Kerr, the MPP for Halton, now joined the Halton Warden in declaring this to be a "new era of co-operation between the limestone industry and the conservation authorities". Not to be outdone by his political colleagues, J. R. Simonett, the Minister of Energy and Resources, used the occasion to issue a blanket condemnation of all those who would dare portray "the quarry industry as failing to preserve the escarpment's natural beauty, the fallacy of such over-simplified thinking about the industry is witnessed today by this ceremony and donation of Escarpment lands to conservation". More than the donation of conservation lands, the Agreement itself received high praise from these politicians, proclaiming it "the most progressive quarry document ever produced".¹⁸⁴

The agreement that was said to be giving the escarpment its new lease on life, was the 'leaseback arrangement' between Dufferin Construction and the HRCA, which was finalized on the first day of April 1966 and which received formal ratification by the Nassagaweya and Esquesing townships the following December. There appeared to be no material difference between this "most progressive quarry document" and the original agreement from four years earlier. And while most of the Company's promises involved expenditures or initiatives that it would have undertaken in any case, it was clear that the passing of the years had given this Agreement a new meaning and a new urgency. In the mid-sixties, the plight of the escarpment, and the future of the extractive industry on the escarpment, became a matter of regional and provincial importance. Most of the district's quarries were under attack but Dufferin, for reasons of size and its high visibility, emerged as the poster child for everything that was wrong with the

¹⁸⁴ "Quarry, Conservation Agreement," Dec 8, 1966.

quarry industry. The Company was especially anxious to align itself with the goals of those who were perceived to be part of the solution, which would also have sparked its desire to finalize this Agreement.¹⁸⁵

It is not difficult to understand, given the political climate, why this agreement would have garnered such widespread support from the politicians. Coming as it did on the heels of the government's announcement to protect the Niagara escarpment, and with a provincial election only months away, the timing of the deal could not have been more propitious. The local and provincial political leaders were most anxious to convey the impression to voters that something was being done about the escarpment and their presence at this ceremony showcasing Dufferin's good words would have been standard political fare. But the attendance of the district quarry operators at this event can only be understood or appreciated by considering the Minister's message. The Minister's endorsement of this agreement, "as one that should be emulated" must be seen as something more than a gentle prodding to the other quarry operators to follow Dufferin's example.

In addressing this group, Simonett made a special point to link this Agreement with a very specific government agenda: "We hope that other quarrying interests would follow the example of this company, which means that very effective preservation of the escarpment could be achieved with very little interference in a basic industry." And it was at this point that Simonett, whose department oversaw the provincial Conservation Authorities, expressed his hope that their "dream of a publically-owned escarpment, a haven of green in the golden

¹⁸⁵ "Quarry, Conservation Agreement," Dec 8, 1966; Dufferin Materials & Construction: Indenture/Easement Agreement, Apr 1, 1966, Halton Region Conservation Authority Historical Records, Burlington, ON.

horseshoe could be realized without the need for provincial interference.” The foregoing remarks would have been especially welcomed by the quarry operators in the room.

In the summer of 1967, there were two things that struck fear into the hearts of the escarpment’s pit and quarry operators. The first was an existential threat for their very survival. This came with the knowledge that “the entire escarpment was now being evaluated as a provincial park” and under the current mining laws the extractive industry could potentially be sent packing. Related to this and almost as frightening for the operators was the specter of increased provincial oversight or unnecessary “meddling into the affairs of this great basic industry”.¹⁸⁶ Therefore the industry celebrated long-term voluntary agreements such as Dufferin had just signed as the major mechanism by which the industry could forestall both threats. What is perhaps more interesting is the part that the industry or Dufferin as industry-leader had played in bringing about the very crisis that it was now working so furiously to manage or control. To understand how this came about requires asking one very basic question - Why did the escarpment suddenly become an object of public interest, and quarrying a matter of regional and provincial concern in the mid-1960s?

Before it became fashionable to credit the environmental movement, various scholars posited a direct lineal connection between a study conducted by the Conservation Authorities on the impacts of quarrying on the Halton escarpment and the government’s announcement to look into ways of protecting the Niagara escarpment.¹⁸⁷ The study or brief entitled *Quarrying and the*

¹⁸⁶ This is due to the fact that "the Ontario Mining Act supports the Provincial Parks Act, in banning mining/quarrying from provincial parks", See Annual Report of Resident Geologists' Section, (1968). :25-26; George Kerr, "Kerr's Column," *Georgetown (ON) Herald*, Mar 9, 1967, 4. <http://images.ourontario.ca/Partners/HHPL/HHPL000091888p0004f.pdf>.

¹⁸⁷ Sandberg, Wekerle and Gilbert, *Oak Ridges Moraine Battles*, 65.

Niagara Escarpment had been submitted to the Select Committee on Conservation Authorities in late November 1966. A few scholars quite properly recognized this report as the first to draw provincial attention to the escarpment as a landscape under threat and in need of protection. But despite its significance in the chain of events leading to the Niagara escarpment's protection, there has been no serious scholarly treatment of this study. Most have simply taken this to be the work of the conservationists and have left it at that. However, if the role of the quarry industry in creating this 'crisis' is to be understood, then the notion that this study was exclusively the work of the conservationists should be further investigated. The authorship of this brief – who contributed what to the final draft of *Quarrying and the Niagara Escarpment* - cannot be known with any degree of certainty. Presumably, the Halton and later Hamilton Conservation Authorities had a hand in shaping this study. But the impetus for this study and many of the ideas and recommendations contained within its pages did not originate with the conservation authorities but with Dr. Frank Beales, Associate Professor of Geology at the University of Toronto.

The story of how the former lead negotiator for the St Lawrence Cement Company came to be involved in the writing of this brief, is less important than the fact that the Authority had seemingly welcomed the engineer who blasted the gaping hole in the escarpment with open arms. The ink was barely dry on the Dufferin voluntary agreement when Beales showed up at the HRCA's Milton field office and offered to help with their submission to the Select Committee. The geologist's offer was readily and gratefully accepted by the Halton conservation group who, as it turns out, hadn't given this matter very much thought. Beales had evidently given this matter a great deal of thought, since he arrived at the Milton field office with a completed first draft of the report. Things fell quickly into place and the former supervisor at

the Dufferin Quarry was placed in charge of the project, formed his own ‘escarpment subcommittee’ and by the second week of April 1966 was already presenting the 60- page brief at the group’s first meeting. It was clear that when Beales presented the first draft of this report, that the newly appointed subcommittee of six were hearing and discussing these ideas for the first time. While the report certainly bore the imprimatur and stamp of approval of the Conservation Authorities, there can be little doubt that, from start to finish this was Frank Beales’ Report.¹⁸⁸

The following is an excerpt taken from a speech given by Beales about two months before this brief was presented to the Select Committee looking into Ontario’s Conservation Authorities. The setting was the Tenth Biennial Conservation Conference, hosted by the Halton Region Conservation Authority. It was one of the first opportunities for Beales to speak publicly about his work with the Halton escarpment committee. He was one of seven speakers at this conference, “offering their provocative evaluations of the conservation picture.” The Metro Toronto Conservation Authority chairman Dr. Ross Lord, introduced Beales as “the leader of the group studying ways to preserve the escarpment:”

The great urban sprawl from the Golden Horseshoe at the west end of Lake Ontario is in danger of becoming a tidal wave sweeping away the irreplaceable asset of the Niagara escarpment. Quarrying, however, is the greatest concern in the immediate problem of the preservation of these finest limestone deposits on this continent. [Beales went on to recognize the value of the quarrying industry in Ontario, and to state that] he was not advocating the complete locking up of the escarpment stone supply. Zoning a wide belt of land to a very restricted purpose amounts to expropriation without compensation. Prohibition of quarrying altogether ignores the enormous

¹⁸⁸ In attendance at this first meeting, F. Beales, N. Wilson, G. West, R. Sherwood, C. Thomas (Staff), D. Murray (Field Officer), Halton Region Conservation Authority: Escarpment Subcommittee Minutes, Apr 18, 1966, Halton Region Conservation Authority Historical Records, Burlington, ON.

advantages to us all if normal market forces are allowed to determine the efficiency of this great basic industry.

Beales then proceeded to advocate “uniform regulations for quarries, minimum conservation standards, minimum nuisance controls, and liaison between the industry with all conservation authorities”. Lastly, this speaker pointed out that “public ownership and administration of escarpment lands offers the only ultimate protection. But acquisition of and control of all lands of the slope and strip of the brow is an urgent necessity.” The speaker’s tone is difficult to determine but so too are his basic claims, which left plenty of room for ambiguity. The “irreplaceable asset” that this speaker fears is being swept away could be the Niagara escarpment’s majestic scenic cliffs but it could also be the valuable mineral deposits, which Beales had so eloquently described as “the finest limestone deposits on the continent.” For Beales, quarrying is seen as “the greatest concern”, possibly because it constitutes a threat to the escarpment but also because quarrying is an industry whose very survival is threatened - from ‘restrictive zoning’ or ‘complete prohibition’, both of which Beales has stated unequivocally, “amounts to expropriation without compensation.” (It might be instructive at this point to reflect on the fact that Beales was addressing these remarks to a group of conservationists and not a room full of quarry operators.) And while Beales patently rejected any measures that would interfere with the efficiency of “this great basic industry” he then finished by advocating for the public acquisition of “the slope and brow of the escarpment”, which is exactly the kind of thing that would be construed by the quarry industry as interference.¹⁸⁹

¹⁸⁹ F. W. Beales, "Conservation Authorities Conference" (paper presented at the Tenth Biennial Conservation Authorities Conference, Hamilton, 1966).

To make better sense of what Beales was saying requires a closer look at the document or brief that his group had submitted to the Select Committee and recognizing from the outset that *Quarrying and the Niagara Escarpment* set out to resolve a paradox: To paraphrase the authors, ‘the quarry industry, this vital and necessary contributor to the province’s wealth, is destroying the escarpment... a vital contributor to Ontario’s cultural identity’. A great concern for this committee was “this problem of defacement by industrial development”:

In one case a fantastic and irredeemable mess is created, in another defacement may be minimal and the abandoned quarry may become an asset. But on the whole, an operating quarry is aesthetically detrimental to the escarpment regions, while it is a vital economic asset.¹⁹⁰

Thus, how to protect one without doing harm to the other was the central problem that Beales’ study group had confronted. However, before attempting to resolve this conundrum, it was considered both necessary and appropriate to set the record straight for the legislative committee and for posterity, to dispel some popular misconceptions about these quarry operators and the extractive industry in general. The argument, which unfolded over several pages of this report can be easily summed up in the following sentences: ‘It’s not the quarry operators’ fault, they’re just doing what they’re supposed to do. If anyone’s to blame for the way the operators are conducting their affairs, it’s the people’. A significant part of the report was given over to defending of the pit and quarry operators and criticizing existing public policies that encourage their bad practices, before recommending a course of action that would resolve this dilemma.

It would have been simple enough to provide illustrations or give specific examples of the types of serious defacement of the escarpment that was occurring at the various quarry sites.

¹⁹⁰ The Halton and Hamilton Region Conservation Authorities: Escarpment Committee, F. W. Beales, T. A. Beckett et al. *Quarrying and the Niagara Escarpment: A Brief to the Select Committee on Conservation of the Ontario Legislature*, (November 1966). 4, 20.

But the Escarpment sub-committee made the decision to be constructive to emphasize only the positive and not to name or target specific offenders, “it would do no good to cry over spilt milk.” Furthermore, argued this committee, it does no good to blame the operators when “the fault if there is one lies squarely on the shoulder of the people and not the developer”. Moreover, the authors explained that quarry companies were only behaving in ways that were rational within the business world, “and that it would be economic suicide for a quarry company not to locate in the most desirable area because of aesthetic considerations, and leave this available for another competitor”.¹⁹¹ This economic rationale for ‘quarry misdeeds and misbehavior’ set the tone for much of this report’s recommendations, which were designed to protect the escarpment’s facade while causing the least possible inconvenience, interference or disruption to this great basic industry.

The Halton Conservation’s Escarpment Committee had undertaken a thorough review of the existing legislation and municipal bylaws, and not surprisingly they had reached the conclusion that “THERE ARE NO EFFECTIVE PROTECTIONS FOR THE ESCARPMENT.” It might have been a simple enough exercise to discover which of these big five quarry operators were running roughshod over local bylaws and to hold these perpetrators accountable.¹⁹² The Nassagaweya Town Council might have been a good place to begin. But since the authors of this Report made it perfectly obvious that the problem was not with the quarry operators, or their ‘public be damned’ attitudes, the writers decided that bad laws or bad public policy were at the root of the problem. Again, quarry operators can hardly be faulted for breaking the laws if the laws themselves are bad or bad for business. “Under the current municipal assessment, quarry

¹⁹¹ Quarrying and the Niagara Escarpment, (November 1966). 25, 20, 21.

¹⁹² Quarrying and the Niagara Escarpment, (November 1966). 5.

operators are penalized (with higher assessments) for improving the appearance of their sites. This creates a disincentive to make any improvements”. The only reasonable solution was to offer a tax break, an economic incentive to these scofflaws if we expect them to clean up their messes. The solution was not to penalize the quarry operators for violating the by-laws but to offer them an extra inducement to obey the rules. The committee’s solution was to change the laws.

The language of much of this report was couched in terms that would have placed a major responsibility on the conservation authorities; as “recipient of the aggregate levies, as purchasers of escarpment lands, as industry watchdogs”. At the same time, the report also stressed that “the conservation authority is not suggested here as a regulatory body and that co-operative rather than compulsory action” is preferred. How then, did this committee proposed to achieve their goal of saving the escarpment without resorting to compulsory action? It was obvious that when it came to the large quarry operators, the principal means of achieving co-operation would not be through command-control but through voluntary mechanisms. Several references to these “imaginative private-public partnerships” and “co-operative programs with quarrying interests” are scattered throughout this report. Next to an illustration of what was quite evidently the Dufferin quarry site, the committee made note of the Company’s land donation and provided a brief description of the long-term agreement this Company had recently forged with the local Conservation Authority. Not surprisingly, one of the committee’s major recommendations was, “that long-term agreements on conservation matters should be negotiated

with local industries and the amicable maintenance of these agreements the continuing concern of all Conservation Authorities.”¹⁹³

When the report examined the impact of quarry development on the escarpment and proposed its conservation measures, it was clear that the writers in no way viewed these as inherently incompatible: “No conflict need develop between the needs of an efficient extractive industry and conservation providing continual co-operation and understanding is achieved.” But achieving cooperation and understanding from the other quarry operators required convincing them that what was good for the escarpment, was also good for the industry. Many of their recommendations and proposals for saving the escarpment were geared toward saving the quarry industry or as the authors asserted “the promotion of long-term healthy, vibrant quarry industry”. The discussion surrounding the proposed aggregate levy is a case in point.

Many of the operators evidently believed that the levy was intended to be a tax on profits as opposed to a consumer tax, while others were convinced that the aggregate levy was “discriminatory” and would bring about “a province-wide increase in pit and quarry material costs and cause a major diversion to other materials”.¹⁹⁴ It was therefore incumbent upon the committee’s chairman to convince the producers that this levy and other proposals “would not put an unwarranted burden on the quarry operators by adding to their operating costs,” but that it was designed to work in their very best interest. Said Beales, “This levy is intended to be no more discriminatory than the liquor tax on the distiller.” And as the report put it, “the cost of rehabilitating these derelict lands should not fall on the producer, but on those who ultimately benefit from the roads, the schools, etc.” (And with 80% of the product destined for provincial

¹⁹³ Quarrying and the Niagara Escarpment, (November 1966). :23b, 8-9.

¹⁹⁴ “Ontario Urged to Buy 300-mile Escarpment,” Nov 23, 1966.

infrastructure, most of the larger producers might in any case be exempt from the levy?) Furthermore, the report made it clear that operators who negotiated long-term agreements would more than likely be exempted from this levy. By the time the Halton escarpment committee submitted this final report, a few of the operators remained skeptical but most of the quarry producers had come to see “that the advantages of the levy would outweigh the costs” and had given their full backing to the levy.¹⁹⁵

When this brief, *Quarrying and the Niagara Escarpment* was presented in late November 1966 it was said to have been well received by the Select Committee and met with a slightly sensationalist, but overall positive reception from the urban press. Most headlines ignored the issue of quarrying entirely and focused on the public ownership of escarpment lands: “Escarpment to be saved” proclaimed the *Globe and Mail* while the *Toronto Star* led with “10 million dollars to be spent buying escarpment”. The brief was front page news in Oakville and Milton where stories also focused on the 10 and 20-million-dollar price that the government was being urged to pay for the escarpment. No one thought to wonder how this committee, which had set out to study the effects of quarrying on the escarpment, had suddenly become such experts on the value of its real estate. In fact, the authors of this report, after having urged this

¹⁹⁵ See quarry operators Comments, *Quarrying and the Niagara Escarpment*, (November 1966).

massive public spending, had readily admitted that “the costing of a worthwhile land acquisition program, was extremely difficult to assess at this stage.”¹⁹⁶

In the aftermath of the Escarpment Committee’s presentation, a consensus quickly emerged on the aptness of their diagnosis that something must be done about preserving the escarpment’s facial features but there developed no clear sense about how this protection would be achieved. When the *Select Committee on Conservation Authorities* finally tabled its report the following March, it had considered “the mutilation of the escarpment’s face a matter of deep concern” but had largely ignored or side-stepped this conservation group’s major recommendation for a massive public buy-out of escarpment lands. The omission of one of the most popular but least well thought out of the Escarpment Committee’s recommendations was not surprising, especially since it conflicted with one of the Select Committee’s key recommendations concerning land acquisition, “that conservation authorities acquire limited estates in privately owned land, rather than full ownership”. In an obvious nod to those in industry and government who evidently believed that the escarpment could be saved using a voluntary approach, the legislative committee had instead endorsed the Escarpment Committee’s recommendation that the “the co-ordination of conservation authorities and public and private

¹⁹⁶ “Buy Niagara Escarpment Conservationists Urge MPPs,” July 27, 1966; “Brief Wants \$20 Million Spent on Preserving Niagara Escarpment,” *Daily Journal Record* (Oakville, ON), Nov 24, 1966, 1. <https://news.halinet.on.ca/1545658/data?n=325>; “Brief Recommends ways of Preserving Niagara Escarpment,” *Canadian Champion* (Milton, ON), Nov 23, 1966, 3. http://images.ourontario.ca/Partners/MPL/MPL002496068pf_0935.pdf; Quarrying and the Niagara Escarpment, (November 1966). :36; “Government Urged to Buy Escarpment,” *The Globe and Mail* (Toronto, ON), Nov 24, 1966, 2. <https://search-proquest-com.libaccess.lib.mcmaster.ca/hnpglobeandmail/docview/1270677431/fulltextPDF/E7D764A3B4644D73PQ/1?accountid=12347>.

agencies would go a long way toward preserving the Escarpment's aesthetic features." Lastly, the Select Committee had on the one hand stressed the need for "a uniform set of by-laws to govern the opening, operation and restoration of pits and quarries", while at the same time recommending that the power to regulate "these matters of purely local interest" must remain with the local government.¹⁹⁷

Three months after Beales' brief was presented to the Select Committee, the Premier of Ontario announced the government's intention to study "the scope and means for the protection of the Niagara escarpment with a view to preserving its entire length as a recreation area for the people of Ontario". There can be little doubt, that the publicity generated by this industry-inspired quarrying brief had induced the government to turn its attention to the Niagara escarpment. Subsequent public pronouncements made by the Premier and others in the run-up to the 1967 general election, continued to emphasize the government's commitment to some sort of policy for the Niagara escarpment. But they also reflected the growing appreciation (or apprehension) for the cost and complexity that turning the escarpment into a public playground might entail. Aside from the appointment of the Gertler study group, there was no clear sense in the summer of 1967 as to how this could be done.¹⁹⁸ Although the evidence suggests that some key government and industry stakeholders preferred to handle this issue by means of a Dufferin style voluntary agreement. Within these circles, it was widely believed that such an agreement when amicably worked out between quarry operators and conservation authorities, would

¹⁹⁷ *Report of the Select Committee on Conservation Authorities*, (1967). 130, 86-87.

¹⁹⁸ "Escarpment to be Public Playground," Mar 11, 1967; Announcement of Niagara Escarpment Study and Len Gertler's appointment, 19 July 1967, Leonard O. Gertler, Wilfrid Laurier University.

provide public and aesthetic protection to the escarpment, and cause the least possible disruption to the quarry industry.

Ultimately the Gertler report did propose solutions to the problem of aggregate production on the Niagara escarpment that were mostly consistent with those developed in the earlier 1966 report generated by conservationists and industry consultants. Much like the Beales' brief, the Gertler report had recognized the aggregate industry as a pillar of the provincial economy and did not propose the relocation of existing quarries or the banning of future quarry operations on the Niagara escarpment. Rather, the Gertler team had recommended a set of standards for the extraction of mineral resources, which included licensing, site development plans, performance bonds and a 100-yard buffer or prohibited zone to orient the quarry operations away from the most visible areas of the escarpment. Most of Gertler's provisions for the extractive industry related to the visual appearance of the operations. Apart from the special provision which prohibited "new (but not existing) openings within one mile on both sides of the Escarpment face", these aesthetic fixes did little to address the blasting concerns of the local populations. If anything, by recognizing quarry blasting as a spectator sport they appeared to be trivializing these concerns.¹⁹⁹

The Gertler report was the first provincial-level study which had focused on conservation and recreation on the Niagara escarpment. Perhaps because of this, scholars have regarded the Gertler report as the definitive link in this causal chain of events, culminating in the enactment of legislation two years later.²⁰⁰ However, in proposing the government spend \$32 million on an

¹⁹⁹ Conservation and Recreation Report, (30 June 1968). Appendix 4, 140-144.

²⁰⁰ Preston, "Landscape Values and Planning," 92; Whitelaw, "Role of Environmental Movement Organizations ", 96.

elaborate park system, Gertler went much farther than the Select Committee's modest proposals for the escarpment. As a result of this overreach, the immediate response of the government was not to implement the report's recommendations and nor was it to pass legislation. Instead, the government responded by withholding the report from the public for a year and a half while it considered whether "... to proceed or to delay proceeding with this program".²⁰¹ In the meantime, events took place at the local and provincial level and within government circles that proved to be far more consequential in determining the outcome of this history than the Gertler report. As the following chapter argues, there was legislation passed in 1970 that related to the Niagara escarpment, but the Gertler report was more the pretext than the reason for enacting this legislation.

²⁰¹ Memo from Kerr to Robarts office Re: Niagara Escarpment, October 14 1969, Ontario, RG 12-45, Archives of Ontario.

Chapter 4 - The Background and Legislative History of the 1970 Niagara Escarpment Protection Act

For the better part of the 1960s, the quarry operators of North Halton used a combination of money, legal threats, voluntary alliances, and political clout to maintain and defend their economic interests on the escarpment. Throughout this time, this group evidently found their relationship with local governments to be quite satisfactory; they continued to insist that local government oversight of their industry was in their best interest and that any additional provincial meddling in their affairs would be unnecessary and most unwelcome. For its part, the Robarts government had taken its cues from the industry and observed a policy of minimal interference. It has been suggested that this government, along with its postwar predecessors, had taken a “facilitative and managerial” approach to the Ontario economy.²⁰² If so, then this style of governance as applied to the aggregate industry had meant that the government had taken measures to encourage its economic development, to promote the health and safety of the quarry workers, but to otherwise refrain from directly intervening in the industry.

Since the provincial government had not sought an expanded role in this industry - until it became politically expedient to do so - all decisions concerning the location and expansion of the pits and quarries, as well as the regulation of their operations, were left up to the local government. However, by the late 1960s, the aggregate producers were starting to rethink their relationships with local governments, and to make the claim that they were having to deal with a hodgepodge of municipal regulations. Whether this was in fact the case remains to be seen, but

²⁰² Mark S. Winfield, *Blue-Green Province: The Environment and the Political Economy of Ontario* (Vancouver: UBC Press, 2012). The author notes that this approach applied specifically to 'urbanization, individualization and natural resource extraction.'

most industry-watchers agreed that the dog's breakfast of local rules had at least two things in common: they were poorly monitored and lacked enforcement.

Whether it concerned the mining of hard rock in the North or aggregate mining in the South, this 'business as usual' approach had been the preferred stance of Ontario's government for the better part of the 20th century. Nor can it be said that the sixties brought about significant changes to the Robarts government's attitude regarding the aggregate industry. Increasing public concerns over the protection of the environment, and more specifically the industry's defacement of the escarpment, led in 1967 to the appointment of the government task force to study the situation. However not only had the provincial government demonstrated a marked reluctance to interfere with the industry, but it had also continued to maintain that a publicly owned escarpment was something that could be achieved through voluntary agreements with the quarries and "with very little public interference with a basic industry."²⁰³

These public pronouncements coming from Ontario's natural resources minister were consistent with private comments made by other members of Robarts' cabinet in the spring of 1967. When the Ontario Minister of Mines was asked by the Premier to give his views about his department's activities on the Niagara escarpment, the former had responded most emphatically "that due to their importance to the economy of these industrial minerals, no future restrictions be placed on their development", and furthermore "that the number of quarries on the escarpment will be guided by supply and demand." Of course, as the Premier certainly recognized, the situation in the spring of 1967 was more complicated. But it should be noted that the Premier himself reassured the quarry operators that when it came to the government's plans

²⁰³ "Valuable Escarpment Lands Given Conservation Authority," *Canadian Champion* (Milton, ON), Jun 28, 1967, 6.

for the development of the Niagara escarpment “the very important contribution of the Department of Mines would in no way be overlooked.” An entire chapter of the Gertler report would be dedicated to ensuring that the extractive industry would have continued access to the Niagara escarpment. This report had in 1968, recommended a provincial policy to govern the operation of the extractive industry in Ontario. However, the delayed release of this report until almost 1970, had also suggested that this government was in no rush to implement some of its more far-reaching recommendations.²⁰⁴

There was no better symbol of the provincial government’s attitude to the industry than what could be found along the Niagara escarpment in North Halton: in this juxtaposition of the largest and most obnoxious concentration of industrial crushed rock quarrying in the province and one of the most modern, high-speed highways on the continent can be found the embodiment of the government’s minimalist approach to the industry. Moreover, the rich limestone deposits - one of the key ingredients in these high-tech highways -- were being quarried and sold at bargain prices: the cost of extracting and processing these stones and even of transporting the final product to market all remained low throughout this period. This bargain price for aggregate reflected the industry’s ability to ensconce itself in this area, to conduct its blasting with minimal restrictions and to move the blasted product freely through the local roads. Most importantly, it reflected the industry’s ability to expand their quarrying operations virtually unencumbered by government intervention and public pressure.²⁰⁵

²⁰⁴ Memorandum from George Wardrope to John Robarts, January 30 1967, John P. Robarts fonds, RG 3-26, Archives of Ontario; Ontario Mining Association to John Robarts, July 19 1967, John P. Robarts fonds, RG 3-26, Archives of Ontario.

²⁰⁵ Frank Beales to Allan Lawrence, December 15 1969, Ontario Minister of the Environment Correspondence, RG 12-45, Archives of Ontario.

All these factors explain why the Halton quarry operators as a group demonstrated very little enthusiasm for provincial meddling and why they continued to insist well into the fall of 1967 that local municipal government was the proper authority to oversee their activities. For the most part, the decade beginning in the late 1950s had been, on the surface at least, part of a golden era of local government restraint and accommodation to the industry that extended into the mid 1960s. And yet, looking back, it was only the calm before the storm. In early 1968, Halton's big five quarry operators began to re-evaluate their relationship with these local governments and to re-consider their longstanding opposition to provincial government interference. The government quickly fell into line with the industry's wishes and the wheels were set in motion for provincial legislation that followed two years later.

There is little question that the aggregate industry's change of heart regarding provincial intervention occurred because the once so dependable and accommodating local governments began taking steps that were no longer quite so conducive to the promotion of aggregate mining. In fact, these locals were being downright antagonistic to their interests. In January 1968, the industry made a formal request to seek protection from the provincial government or to intervene on their behalf to remedy a situation which they now were describing as 'confusing and chaotic'. The decision to petition the provincial government was a response to a specific threat coming from the local levels of government. For the quarry operators along the Nassagaweya-Esquesing town-line – the group who led this initiative - uncertainty over what the Gertler report might recommend may have factored into their decision to petition the government, but the weight of evidence suggests that producers took this step in the hope of staving off (or pre-empting) a more immediate threat. This more immediate threat came from a series of decisions and actions taken by the Nassagaweya government.

In March 1967, the township stopped talking about the quarry problem and decided to go ahead with a costly and controversial land use plan. The decision to go forward with this Official plan was not taken lightly; from the moment it was first unveiled to the township, it sparked an angry reaction from dozens of small landowners. Most had decried ‘the wanton wastefulness of the plan’s 5-acre minimum lot size,’ and the minimum 2000 square foot residential requirement for future separations, which they considered much too large. The “Plan and the set of by-laws which were needed to give it teeth” were opposed by dozens of landowners for various reasons and resulted in several public hearings. But the most rigorous and sustained criticism of the plan came from the major quarry operators, by way of their legal representatives. In addition to voicing their general dissatisfaction with various aspects of the plan - over which they had not been consulted - the quarry lawyers ended by attacking the plan’s bylaw which they claimed was “discriminatory”, “extremely arbitrary”, amounting to what they regarded as, “expropriation without compensation.”²⁰⁶

Most of these complaints and criticisms stemmed from the industry’s concerns over ‘future rock rights’ and more specifically the designations of quarry and quarry holding areas in the proposed zoning by-law. In addition to the hundreds of acres of land marked ‘Q’ for quarrying, the plan called for thousands of acres of land to be classified as ‘QH’ or “quarry holding” zones. This latter designation applied to lands where quarrying was anticipated but not currently taking place. In designating these quarry zones, the township was adopting the model

²⁰⁶ "Council “Prepared to Pass” Zoning By-law, Official Plan for Nassagaweya Township," *Acton(ON) Free Press*, Mar 8 1967, 3; "Strong Opposition from Quarries: Controversial Zoning Passed," Apr 5, 1967. "Valuable Conservation Lands Given Conservation Authority," Jun 28, 1967.

used by the rural township of Puslinch, its neighbour to the west. At the time, independent consultants to the aggregate industry had considered this zoning model to be a most acceptable form of land use control, because “it allowed for access to untapped reserves, while still giving council close control over new pit locations”.²⁰⁷

Of course, it could be argued that the plan’s boundaries were less than precise, or that its mapping did not accurately reflect all the potential quarry expansion but, given the information available at the time, the Nassagaweya Planning Board had made an honest attempt to do so. In terms of municipal zoning, and the different ways the industry could be treated, by choosing to follow the example of Puslinch township the Nassagaweya Council had adopted a model that was ‘neither overly permissive nor too restrictive’. It had instead opted for one of the most reasonable and appropriate ways to treat this industry. Like Puslinch, Nassagaweya had passed a separate set of by-laws to regulate the operation of pits and quarries with 300-foot setbacks and reduced blasting hours. These were not exactly draconian measures according to prevailing standards.²⁰⁸

Whereas under the previous system, quarrying was permissible throughout most areas of the township, this would change under the new planning regime. Under the provisions of the new plan, everything not specifically designated was placed in an agricultural zone. In the event that a quarry operator needed to expand into this agricultural zone, it would be necessary to apply to council for an amendment. In essence what the township was attempting to do was to

²⁰⁷ These authors made specific reference to this earlier 1960s Puslinch by-law, See C. R. Bryant and A. G. McLellan, "Towards Effective Planning and Control of the Aggregate Industry in Ontario," *Plan Canada* (1975).

²⁰⁸ Bryant and McLellan, “Towards Effective Planning.” 178; "Nassagaweya Council Briefs (2)," *Acton (ON) Free Press*, Nov 10, 1966, 8.
<https://images.ourontario.ca/Partners/HHPL/HHPL000088964p0008f.pdf>.

exercise some control over the industry's expansion, to ensure that mistakes of the past weren't repeated in the future. But, at the same time, the Reeve wanted the operators to understand that the designations weren't cast in stone and council intended to be flexible when applying them:

You have to start somewhere...these large areas of the township were marked agricultural or rural because this was the easiest way to allow for change. You have to make it something and that is what it was to begin with. Some areas were zoned QH (quarry holding) to warn potential housebuilders. Others were not because there was no anticipation of expansion. But if you needed room to expand, council would entertain an amendment.²⁰⁹

The Reeve was responding to industry operators' criticisms that all significant resources in which they had purchased rock rights "had not been properly recognized as quarry or quarry holding zoning", so "the entire plan must be wrong." The Reeve of Nassagaweya was speaking as the voice of reason, in the true spirit of peaceful co-existence, and his message had evidently been intended to reassure the quarry operators that allowances would be made, their expansions would be accommodated, and most importantly that their rock rights would be respected. The industry received another message from council, however, which was not reassuring and would certainly have given them a far better sense of how they would be treated under the new regime. From the lips of one of the councillors came the following pronouncement on the industry:

I think these guys are just disgusting. They go about rooting up the landscape like a bunch of great pigs. No one pursues anything with these birds, and no company in Ontario breaks more laws. There seems to be one law for these people and one for poor people. I'm sure they're breaking the law. We've always been lenient and have given consideration to what it would cost Nassagaweya to enforce these laws, but I really feel it's time to do something.

²⁰⁹ "Quarries Blast Nassagaweya Zoning By-Law at OMB Hearing," *Acton (On) Free Press*, Mar 27, 1968, B3.
<http://images.ourontario.ca/Partners/HHPL/HHPL000089036p0012f.pdf>.

We've pitter-pattered long enough and it's time we do something and, she concluded, I'm not afraid of them.²¹⁰

These words, as spoken by Anne MacArthur, painted a vivid mental picture of the industry's impact on the local landscape. While her remarks were more specifically directed at the Campbellville Gravel Company, she had also delivered a message about how the industry could realistically expect to be treated under the new planning regime. More to the point, she was expressing the shared belief of many others in this community that the township now had the means of enforcing the bylaws and was determined to do something about it.

It was widely recognized that an Official Plan was not a magic formula to cure all the township's land issues. But there was also a sense that this more comprehensive plan would be a game-changer for the township in their ongoing battle with the quarry operators. At the very least, it would provide this government with the means of levelling the playing field. This was because, under the new planning regime, any operator caught breaking the rules could be denied permission to expand into these 'quarry holding zones.' By making access to these lands and their deposits contingent on following the rules, the council believed they could gain the upper hand with the quarry operators. It should be noted that it would still be possible for the quarry operators to challenge the township's refusal to grant the zoning amendment, by filing an appeal with the Ontario Municipal Board (OMB). However, should it come to that, the Council was confident of receiving a sympathetic hearing from the province's land tribunal. There was good reason to believe that the OMB, which had authorized the Official Plan and "recognized the right

²¹⁰ "Gravel Companies Roasted," *Canadian Champion* (Milton, ON), Apr 3, 1968, 12. http://images.ourontario.ca/Partners/MPL/MPL002496070pf_0271.pdf.

of the township to determine the location and environmental conditions for mining within its borders”, would side with the township.²¹¹ At least that was the thinking in June 1968, when the Official Plan went into effect in the Nassagaweya township.

From all indications, the quarry operators were on the threshold of another major expansion onto these lands and were extremely agitated at the prospect of “having to get council approval every time they needed to expand onto their own lands”. While pointing out that distinctions were “meaningless” and that land designations were “not realistic solutions” but wrong-headed “stop-gap measures”, the industry’s legal representatives had arrived at the conclusion “that decisions of this magnitude were far too important to be left up to the whims of local politicians and their incompetent planning boards”. They would take their case to the Premier.

In January 1968, two briefs were received by the Ontario government, one from the Ontario Mining Association (OMA) writing on behalf of the five quarry operators and another from the Aggregate Producers of Ontario (APAO) on behalf of the sand and gravel producers. In their briefs, which they presented to the Premier and three government ministries, the OMA and the APAO called for provincial protection for their industry but had first made two things clear: The aggregate industry is an economic force in the province, ‘since nothing gets built without aggregate’, and the industry was facing a major crisis. This threat was not one of scarcity or

²¹¹ For evidence that supports this analysis, see Baker, Slam and Summerville, “Evolving Policy Network in Action.” Page 478 specifically mentions that in decisions involving the aggregate industry, the Board tended to favour local interests; John George Chipman, *A Law Unto Itself: How the Ontario Municipal Board has Developed and Applied Land Use Planning Policy* (University of Toronto Press, 2002).

natural depletion of these resources but was due primarily to the actions of local governments – the aggregate producers claimed to be under attack from “a multiplicity of municipal laws”, which was creating a climate of confusion in the industry.²¹²

In these briefs, the industry lobbyists described such plans and other measures taken by the townships as “unrealistic, unnecessarily restrictive and a serious jeopardy to the future development of our property”. The writers pointed to the sheer “multiplicity of legislation” as the primary cause of the vast amount of “time, money and resources expended on the part of the industry, just to bring about more agreeable conditions”. And while it could be said that the writers of the briefs made some attempt to present the other side of the story or to understand the various causes or attitudes behind these local government decisions, it should also be mentioned that these writers had conveniently overlooked the reasons why these “stringent local controls” were introduced in the first place. From the aggregate producers’ point of view, the problem was not that the quarry companies blast the top off the hills, shake the houses to their foundation, turn the area into a moonscape and devalue properties - none of these explanations had been considered worth mentioning. While these producers were prepared to admit that their operations were not the most “aesthetically pleasing”, as the industry would have it, the problematic attitudes of locals stemmed largely from their lack of appreciation or respect for the industry: “Undoubtedly, these attitudes were caused by a lack of understanding of the economic value of the industry, perhaps it was rooted in local indifference to our needs, or a lack of understanding for the after-uses of these lands.” Of course, none of this mattered, since the industry evidently knew just what needed to be done about these troublesome local attitudes.

²¹² Aggregate Producers’ Association of Ontario to John Robarts, January 31 1968, Ontario Minister of Mines Correspondence, RG 13-1, Archives of Ontario.

After framing the problem in terms of ‘it’s them not us’, the aggregate producers then put forth a modest two-part proposal for its resolution:

First, we propose realistic zoning and control over the location of acceptable deposits... which can only be accomplished through Provincial intervention and we request that consideration be given to the principle of designating for pits and quarry operations, lands at present owned for that purpose and other known deposits and in addition to deposits which might subsequently be located.

Second, we suggest Provincial legislation which will regulate in a reasonable manner the operation of pits and quarries and to have regard for their after use.²¹³

The first thing to note about the aggregate industry’s proposal to the Premier is that it is something more than just a proposal. That is, the industry was not simply offering a solution to the problem, these groups were essentially making an offer to negotiate with the provincial government. In return for gaining “realistic control over the location of all present and future acceptable deposits”, they were offering in part two to submit “to reasonable regulations over the operation of pits and quarries” and to “have regard for their after-use”, which is something like but not quite the same as rehabilitation. It is also important to note that since both these suggestions would require provincial legislation to work, the aggregate industry, which had long resisted government meddling in their affairs, was now making a case for government intervention.

It may seem like an obvious point, but it bears repeating: if the province’s aggregate industry was prepared to go to this length to get “control over these mineral deposits and those subsequently located”, then it is reasonable to assume that the location issue mattered a great deal to this industry. There are at least two good reasons for this. As mentioned in the briefs,

²¹³ Aggregate Producers’ Association of Ontario to John Robarts, (January 31 1968).

“the operators have no control over the location of the deposits”, meaning that the location and size of the mineral deposits are fixed by geological events. This would explain the propensity of the quarry operators to cluster atop the escarpment or for the diggers of sand and gravel to seek out the bottom of dried-up riverbeds. However, an equally important locational factor concerned the cost structure of this industry or as the authors put it, “The proximity of the source of supply to the point of use is an important consideration, the cost of transportation to the consumer was equivalent to approximately sixty-five per cent of the selling price f.o.b. pit or quarry, of our products”. Here is an attempt to spell out the economic costs to the “consumer” of forcing the industry to locate their operations at greater distances from their major markets. The writers could have pointed out that most of their products- close to 80% - were being used for the construction of roads and their largest single “customer” was the Ontario department of highways. But perhaps they believed this point was a little too obvious. In any event the aggregate producers had done the math: Guaranteed access to these deposits was well worth the price of having to put up with a little government interference in their industry.

In any event it appears that, considering the urgent existential threat now faced by the pit and quarry operators, they were now prepared to abandon whatever scruples they once held regarding this longstanding shibboleth over ‘provincial interference in their great basic industry’, and because of this the government of Ontario was willing to do the same. Before the end of February 1968, the new mining minister Allan Lawrence had also come to endorse the new view of his department, that the proper way to solve the problem was just as the briefs suggested, “through long-range planning and control best done by Provincial intervention”. While these briefs had struck a chord within the department of mines, support for this initiative within Robarts’ cabinet also appears to have been very strong. One of the first duties of the newly-

appointed mining minister was to notify this industry's representatives "that this important matter should not be delayed, and the recommendations contained in your briefs should become part of the policy of the Government of Ontario."²¹⁴

Given that this was such a monumental change of position for the department of mines and one which would have presumably required a substantial commitment of its resources, it is at least worth asking how it came to pass that this department had so effortlessly come to embrace this scheme. The extant literature on this subject would have us believe that the provincial government simply jumped on this particular bandwagon, merely because the industry decided that it was an idea whose time had come or that it was now the proper thing to do.²¹⁵ But an explanation that focuses only on the role of industry as the primary agent of change in this story does a disservice to the many other factors that influenced the course of events. In other words, there's more to the story. In committing to this course of action with such unbridled enthusiasm, the Minister had sought the advice of his trusted deputy minister, who in turn looked to the experts in the department, as was long the custom. One of these experts was Dr. Donald F. Hewitt, the province's first industrial minerals specialist. Hewitt had been recommended to the new mining minister, as someone "in constant touch with the Aggregate Producers, who understands their problems and has some ideas as to their solution." In truth, Hewitt had been thinking and writing about these problems for close to a decade and had more than just 'a few ideas' about what to do.

²¹⁴ Aggregate Producers' Association of Ontario to Allan Lawrence March 6 1968, Ontario Minister of Mines Correspondence, RG 13-1, Archives of Ontario.

²¹⁵ Most accounts of this history, strongly imply that the impetus for this regulation came solely from industry. See, Yundt and Messerschmidt, "Legislation and Policy Mineral Aggregate."; Baker, Slam and Summerville, "Evolving Policy Network in Action."

Many of the ideas, proposals and arguments contained in the producers' briefs, appeared some time before in the writings and reports of Ontario's chief industrial minerals specialist. Hewitt first broached the issues of sequential land use and rehabilitation in an early 1960s paper he wrote on the mineral industries of the Toronto-Hamilton Area. In this 1962 report, published under the auspices of the Department of Mines, Hewitt had described how zoning accompanied by rapid growth created problems for access to aggregates and more importantly how this impacted the cost of these materials for the Toronto consumer: "Haulage costs from pit to the Toronto market, average about \$1.00 per ton... Zoning restrictions that drive producers 10 miles farther from Toronto cost the Toronto consumer an additional 35 cents per ton for haulage." At the time, Hewitt's main concern was that the problems that Toronto producers had encountered 40 years before were now spreading to the townships "30 miles from the metropolitan area". To forestall this, he argued for "the rational development of all essential services, including mineral resources", and advocated for the use of these resources "for the benefit of the community." Thus, as early as 1962, the faint outline of a mineral resources zoning program is discernible in Hewitt's admonition to the townships that "All known sites of mineral deposits should be placed in zones reserved for their development, to ensure such deposits are not lost by prior development of the land by other uses."²¹⁶

Hewitt's ideas on land-use planning and urban mining, were not exactly original. They were certainly informed by a wider international community of government scientists in the United States and Britain, and to some extent the US aggregate industry. Five years later in

²¹⁶ D. F. Hewitt. Ontario Geological Survey, *Urban Expansion and the Mineral Industries of Toronto-Hamilton Area*, Industrial Minerals Report No. 8 (1962), 2.
<http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/IMR008/IMR008.pdf>

1967, Hewitt employed the insights of the new “socially orientated” environmental geologist to inject into his older message a slight touch of social responsibility and a heightened sense of urgency. Writing about the various aspects of environmental geology, this mining geologist found himself in complete agreement with these new age apocalyptic thinkers: “As Frye has pointed out, we must change our attitude toward the Earth, toward the air we breathe and the water we drink or face catastrophe within a few generations”, Hewitt boldly prophesized, as the writer now contemplated the equally catastrophic implications of a future without construction aggregates - or at least the cheapest available ones. “We need only consider the unplanned and heedless way we have approached our mineral resources...and a raw material base which will be inadequate to support the urbanizing areas.”, he warned his readers. Hewitt was still talking about the “local zoning problem”, but it was clear that his message was aimed not at the inhabitants of urban areas - who had paved over their own mineral resources - but at the rural populations. While lamenting the fact that the largest single concentration of construction aggregates in the province, lay buried under the city of Toronto, it was now Hewitt’s firm belief that it was the solemn duty of these rural areas to keep a lid on the costs of construction aggregate for the benefit of the Toronto market. ²¹⁷

Donald F. Hewitt has been rightfully regarded as a pioneering figure in the field of industrial minerals and has been credited by one of his colleagues for single-handedly “drawing attention to the rapid urban expansion in Ontario, the need for rehabilitation of pits and quarries

²¹⁷ D. F. Hewitt. Ontario Geological Survey, Some Aspects of Environmental Geology, Industrial Mineral Report No. 28 (1968).
<http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/IMR026/IMR026.pdf>

and the urgent need to properly manage our finite resources of mineral aggregates.”²¹⁸ For Hewitt, the biggest single obstacle to the proper management of mineral aggregates and the root cause of the problem facing the aggregate industry in Ontario were “municipal zoning practices”. And by the mid-sixties, Hewitt had also come to believe that decisions of such magnitude as quarry zoning were far too important to be left in the hands of these local planners who were not overly concerned about the price of construction aggregate for the Toronto consumer. By then, Hewitt along with many of his colleagues in the department of mines, were all asking the same question: “Can we continue to allow the individual municipalities to decide the future of their own mineral areas?”²¹⁹

Of course, this question which came up repeatedly at mining conferences and in the writings of provincial geologists, was never seriously debated in any of these forums. Like many of his colleagues in the department, Hewitt had concluded that most local governments were either unwilling or incapable of dealing objectively with the conflict between regional needs for construction aggregate and local opposition. To their minds, this matter was no longer up for debate. The question was not whether they should be allowed such control over these resources but how to remove this power or at the very least, to seriously curtail the ability of these governments to exercise it. It should also be mentioned that when it came to the proper management of these mineral resources, Hewitt believed in “conservation through maximum exploitation”, a kind of leave no stone unturned approach to the landscape; and from whence he

²¹⁸ W. R. Cowan. Ontario Geological Survey, *Toward the Inventory of Ontario’s Mineral Aggregates*, Miscellaneous Paper MP73 (1977), 1.
<http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/MP073/MP073.pdf>.

²¹⁹ Annual Report of Resident Geologists’ Section, (1968).

also developed his credo that “the natural depletion of mineral deposits was expected, but sterilization of these resources was most regrettable”.

So, in the early months of 1968, when Hewitt was asked to render an expert opinion on the producers’ briefs, or what action should be taken on these briefs, he was certainly ready with an answer. And a decade of his thoughts and ideas on this subject came pouring out of his typewriter, all of which he somehow managed to squeeze into a three-page memo. Much of what Hewitt had to say in this memo dealt with the ‘local zoning problem’ and merely repeated the claims made by the producers in their briefs, “that property held for quarries and gravel producers should be zoned for extraction and that it was not, and that potential quarry and gravel sites should be opened in townships where they had been frozen due to prohibitive by-laws.” The Niagara escarpment was given priority in this memo as Hewitt believed this is “an asset of great value, which must be protected.” But protection from whom and for what purpose? Hewitt was primarily concerned with the situation faced by the quarry operators in Halton. This focus had reflected the recognition that first, this was primarily the area to which the metropolitan Toronto market will be looking for its supply of construction raw materials. And second, all five of the producers who had affixed their signatures to the OMA brief were currently operating on the Halton escarpment and now represented the largest concentration of industrial crushed rock quarrying in the province.²²⁰

Hewitt was especially troubled by the situation in the Nassagaweya township, “which has only allowed 30 percent of quarry lands held by a company for the extraction of stone” and in the Nelson township, “where quarrying has been frozen by prohibitive by-laws (and where) no

²²⁰ Stone Resources, (1969).

future quarry operations are to be allowed in this important section of the Niagara escarpment.” With the majority of the GTA’s potential limestone deposits concentrated in this area, the fate of these stones had become a central pre-occupation for Hewitt, the big five quarry operators and anyone interested in the future of construction aggregates. Furthermore, Hewitt and his colleagues in the industrial minerals branch had at the request of these operators, gone to great lengths to map, to survey and to inventory the stone resources in this area, so that the producers “could tie up the lands” for quarrying. Any discussion of “freezing, restricting or tying up these lands” for any other purpose was simply crazy talk in these circles.

Not content to merely corroborate the quarry operators’ claims regarding these townships, Hewitt’s memo to the new Minister of Mines also sought to amplify them. With this evidence, Hewitt laid the groundwork for his key recommendations (or suggestions) to the Minister, that revisions to the Planning and Municipal Acts, as well as amendments to the Mining Act could be used “to supersede the local by-laws in these matters.”²²¹ Hewitt’s brief memo to the Minister of Mines contains the virtual blueprint for the wholesale provincial takeover of all aspects of the industry regulatory powers from the municipalities. By simply reiterating the economic importance and pervasive nature of the industry and emphasizing the cost of this prohibitive zoning, he had made a case for provincial intervention in the industry and a program of massive change. A more co-operative approach that might have permitted the province to, on the one hand recognize the essentially provincial nature of the industry regulation while, on the other, allow municipalities to deal with genuinely local concerns, was not put

²²¹ Memorandum from D. F. Hewitt to Allan Lawrence, March 26 1968, Ontario Minister of Mines Correspondence, RG 13-1, Archives of Ontario.

forward or entertained in Hewitt's all or nothing approach to the problem of quarrying on the escarpment or the regulation of the industry.

It is important to note that in the early months of 1968, while the Gertler report was still a work in progress, Allan Lawrence was having the issues defined by the industry and government bureaucrats sympathetic to the industry. According to the latter, the problem on and off the escarpment was to secure future access to the mineral resources, in the face of local prohibitive zoning. However, for the Gertler team, the task was to assure that extractive resources were developed "in a manner consistent with the recreational use and enjoyment of the recreational resources of the Niagara escarpment". Here the focus was on areas where quarrying was prohibited, specifically mentioning that "breaches of the face of the Escarpment are not permitted." These concerns over "the mutilation of the escarpment face" do not appear in Hewitt's 1968 correspondence with the Minister of Mines. A year later this minister did sign off on the Gertler recommendations for escarpment development which prohibited "...quarrying in the inner zone, except for those quarries already established..." as "not unduly restrictive". Apart from this caveat, Gertler's final recommendations for the extractive industry do not contradict Hewitt's views, and in many respects, they appear to align with industry's sudden change of heart regarding the desire for provincial control over their operations.²²²

The current Minister of Mines was under no obligation to take Hewitt's advice. In fact, like his immediate predecessors, he could have chosen to completely disregard it. While many of his colleagues in cabinet and those with lesser political ambitions might have passed on it,

²²²Conservation and Recreation Report, (30 June 1968). 28, 142; Memos from Ontario Parks Integration Board to Lawrence and his Response Re: Gertler Report, May 1 1969, Ontario, RG 13-1, Archives of Ontario.

Lawrence had spent far too long waiting in the wings to consider this option. Allan Lawrence had entered provincial politics in 1958, after winning his seat in a provincial by-election for the downtown Toronto riding of St-George. At the age of 32, he was the youngest member ever elected to the Ontario legislature. He was a constant presence in Ontario politics during that first decade but had been relegated to the PC's back benches, usually slotted into minor roles, playing second-fiddle to those far less capable. The ambitious Lawrence needed to find an opportunity to slip into a role prominent enough that could potentially alert the party and the public to the political star in their midst. This window of opportunity opened in 1967, when George Wardrope, the lacklustre mining minister from the northern Ontario riding of Port Arthur lost his seat, and Allan Lawrence stepped in as his replacement in February 1968.

The amazing thing about the mining ministry in the trajectory of Lawrence's rise to the top of Ontario politics is that it is the least desirable of all the Cabinet posts. By the summer of 1970 Lawrence would be making the most of this modest portfolio, building his ministry up, and adding 'northern development' to his responsibilities. It was his first chance to showcase his talents, even some leadership qualities. His appointment to the mining portfolio was part of a long arc which propelled him from 'rogue MPP' and an outcast in his own party, to an up-and-comer and a serious contender for the Premier's job. Along the way, he managed to portray himself as one of the most dynamic, hard-working, and tough-talking ministers in the Ontario cabinet. It is important to think of Lawrence's performance in this role as that of the political animal who realizes this is finally his shot, and he's determined to make the most of it.²²³ That

²²³ Donald Newman, "An Elevated Rebel Builds a Northern Base," *The Globe and Mail* (Toronto, Ont.), Oct 04 1969, A3.
<http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/elevated-rebel-builds-northern-base/docview/1242414003/se-2?accountid=12347>.

said, there are other reasons, which only Allan Lawrence can explain, why he whole-heartedly got behind Hewitt's plan. Perhaps he found Hewitt's arguments compelling, or the logic of the producers' briefs much too unassailable, to admit to any other course of action. But whatever the reason, Lawrence had embraced Hewitt's plan and then committed the resources of the Department of Mines to advancing it. In the months that followed, Hewitt immediately set about the task of amending the Mining Act while the department's geological branch jump-started their mapping of the entire Niagara escarpment.

Subsequently, an interdepartmental group (from Mines, Municipal Affairs and Treasury) was established to study the two industry briefs and in November 1968 this committee reached this most forceful conclusion: "There is little doubt that considerable uneasiness between the industry and municipalities caused by the proliferation of regulations and little doubt of the desirability of Provincial legislation as the antidote...". Having removed any lingering doubt as to which group was responsible for these problems and what should be done to resolve these tensions, this small committee recommended that a larger technical committee (including members from the extractive industry) be established for the purpose "of making recommendations on the extent and nature of Provincial regulations that would be necessary to govern or control all these aspects - siting, development, operation and rehabilitation - of the industry." For all intents and purposes, this statement served as the broad terms of reference which guided this committee's work. The inclusion of the extractive industry was deemed essential given the necessity of determining exactly how much interference the pit and quarry operators would be willing to accept in their affairs. The exclusion of the municipal governments and local conservation authorities from this committee was quite deliberate. However, at the insistence of the Minister of Municipal Affairs there was a small concession

made to the local governments, that they would be given some limited control over the location of the pits and quarries.²²⁴

The Mineral Resources Committee (MRC) was established under the authority of the Minister of Mines and came into being on January 27, 1969, at which point its membership more than tripled. Just how this committee of ten was chosen cannot be known with absolute certainty, since no information regarding the identity of individual committee members appeared in the original report released to the public. However, a later version of this report suggests that the members were chosen to reflect a good balance between government and the private sector. In addition to Hewitt and two of his colleagues from the Department of Mines, the Committee included representatives from the Departments of Treasury, Municipal Affairs and Highways and a good number of industry groups. This final group appears to have been selected from a list of producers representing the top three industrial minerals commodities and included a representative from the sand and gravel producers, the quarry operators, the clay manufacturers and the Ontario roadbuilders thrown into the mix for good measure.²²⁵ The inclusion of a representative from the Ontario roadbuilders was certainly no mere afterthought, the annual provincial expenditures for highways in 1969 having reached half a billion dollars.

The MRC served as one of the province's first forums for the exchange of information, views, and best practises across the aggregate industry on matters of policies, municipal by-laws, and rehabilitation initiatives. The Committee met at least once a month for seven months and,

²²⁴ Ontario. Department of Mines, Report of the Mineral Resources Committee to the Minister of Mines, (September 1969), 1-2.; Ontario, *Legislature Debates No 45*, 28th Leg, 3rd Sess, Vol 2 (21 April 1970), 1822.
<https://archive.org/details/v2hansard1970ontauoft/page/n380/mode/1up>.

²²⁵ Report of the Mineral Resources Committee, (September 1969). See "Committee Members", 44.

after completing their work in August, submitted their report to the Minister of Mines in early September 1969. Over the course of this short period, this group toured numerous pits and quarries, viewed a few rehabilitation sites, and examined the existing municipal bylaws, with the goal of choosing the most appropriate uniform regulations, of developing proposed amendments to the planning, municipal and mining laws, and of overseeing the production of a rehabilitation manual. The most striking single feature about this committee was the speed with which they accomplished all these tasks. Hewitt's progress report to the Minister of Mines at the end of March indicates that the lion's share of this work was completed after only a few sessions. Only the issues of 'the performance bonds and wayside pits' remained unresolved. It appears that after quickly arriving at a consensus that an amount of one cent a ton was more than sufficient to cover the costs of rehabilitation, the remainder of these sessions were spent debating how the industry would go about paying for this onerous financial burden. The issue of payment via performance bond versus a levy seems to have been one of the few over which serious disagreement occurred.²²⁶

The first and really the only stated principle that guided this committee's deliberations was that the "maximum exploitation of available mineral resources is desirable in view of their eventual depletion." On this there had been little or no disagreement among the committee members. What this lofty principle meant in practice was that 'local planners should aim for multiple or sequential use of the land', that is, "exploitation of the mineral deposits should occur first followed by rehabilitation of the land, where possible." In setting out this premise of

²²⁶ It was decided that 'wayside pits', because of their temporary nature, should be exempted from the onerous standards placed on the permanent operations. See, Report of the Mineral Resources Committee, (September 1969). 15.

“maximum utilization” the committee recognized that it was advocating a concept of land use that had been endorsed by the producers but was “totally foreign in local zoning.” The Committee shared the industry’s perspective “that local zoning was extremely restrictive and objectionable”, quoting entire sections of the industry briefs verbatim.

These principles and concepts, coupled with the broad goals embodied in the committee’s terms of reference, were reflected in the MRC’s two major recommendations: First, “that acceleration of mapping by the Department of Mines of present and future deposits is to be used as a basis for the comprehensive establishment of a provincial Mineral Resources Zoning Policy”. This would ensure “that all resources as yet undeveloped” were set aside for development. And second, “that provincial control be established over all aspects of the industry - the establishment, operation, development and rehabilitation of pits and quarries”. This province-wide control would mean that minimum disturbance over the environment would occur during the operations and rehabilitation of the mined-out areas. These recommendations included proposed amendments to the Planning, Municipal and Mining Acts. The net effect of these amendments and recommendations were to limit the powers of the local governments to prohibit [and regulate?] the quarries and to transfer this power to the province, specifically to the Minister of Mines. Since these recommendations deviated so little from those contained in the original industry briefs, it would be fair to say that the committee’s objective - which was to translate the proposals contained in the briefs into provincial policy on terms that industry would find most acceptable - had been accomplished.

The Report of the Mineral Resources Committee to the Minister of Mines, was completed in record time and submitted to the mining minister in September 1969, who presented it to the legislature the following December. It was only then that copies of the report were sent to all the

municipal councils and major municipal associations for the purpose of obtaining their views by the middle of February 1970. There was at this time an expectation within certain government circles that legislation providing for the regulation of Ontario's pits and quarries would follow shortly thereafter.²²⁷ This expectation was based on the belief that the report's recommendations would be favourably received by the lower levels of government. But it is not clear why this government should have expected such an optimistic outcome. To begin with, the general tone and tenor of this report was exploitive to an excessive degree and many of its proposals demonstrated a callous disregard for the concerns of rural residents. In calling for "maximum utilization of all available mineral resources... followed by rehabilitation, where possible", the committee had conveyed the impression that no land was off limits to the industry, regardless of compatibility with existing land uses, providing that minimal rehabilitation was carried out. Finally, while much of the language in the report had been described as vague, confusing, and open to various interpretations, it had nonetheless left many readers with the distinct impression that local decision-making authority regarding the location of pits and quarries would be removed and turned over to the Minister of Mines.

Rather than the strong rebuke of the pits and quarry operators that many locals were expecting, and which was sorely needed to curb the industry's malpractices, the committee took the approach that the local governments were the ones to blame for the industry's excesses. Despite the MRC's grand assertions that its proposed measures "were fair and equitable and the regulations were positive and a big step forward for the benefit of the public", most of its

²²⁷ Ontario, *Legislature Debates No 244*, 28th Leg, 2nd Sess, Vol 7 (12 December 1969), 9571. <https://archive.org/details/v7hansard1969ontauoft/page/9569/mode/2up>; Report of the Mineral Resources Committee, (September 1969). 10-15.

recommendations were in fact strongly biased toward the industry. There were many proposals in this report that local governments found offensive and which by no means guaranteed its easy passage through the legislature in the spring of 1970. In short, the *Report of the Mineral Resources Committee to the Minister of Mines* was a ticking time bomb and was destined for controversy.

Despite its many shortcomings, the 50-odd page report initially met with a mixture of approval and disinterest by a significant number of the municipalities; this the Minister of Mines took as a very good omen. The early cordial reception given to the report came from a few urban centres and from some of the more remote communities in the north and was by no means indicative of things to come. In the areas where the impact of the proposals would be most severe, and whose populations would bear the brunt of the recommendations, the reaction to the report was anything but cordial. Some of the earliest and most scathing reviews of the committee's work came from the rural municipalities of Uxbridge and Whitchurch, to the north and west of metropolitan Toronto, where quarries also were an active concern. Immediately following the report's release to the press, one official from the township of Uxbridge issued a lengthy statement to the press, condemning the report as the Ontario government's attempt "to legitimize the rape of the rural areas by putting in window dressing to make it look positive and progressive." "The regulations will do nothing to stop the destruction of villages around Toronto by pit and stone quarry operators", he had gone on to point out.²²⁸ This sort of hyperbolic reaction to the report might have been expected from these host communities for the industry's

²²⁸ "Assailed by Uxbridge Councillor: Proposals 'Legalize Rape of Townships around Toronto'," *Globe and Mail* (Toronto), Dec 13, 1969, 5.
<http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/assailed-uxbridge-councillor/docview/1242169406/se-2?accountid=12347>.

sand and gravel pits, where most of the province's aggregate mining was taking place. But this was only the beginning of the tide of protest that rose to oppose the MRC's proposals and its dissenters were by no means confined to those dwelling in the province's 'gravel belt'.

The release of the MRC's report prompted considerable reaction in the national press, in regional and local newspapers, and in other media. Most of this reaction was negative and focussed on the glaring weaknesses in the report and on the issue of municipal versus provincial jurisdiction over planning for aggregate extraction. Some of the harshest criticism report emanated from the more urbanized centres or groups representing these areas. It was the Pickering member of the Metro Toronto Planning Board who had vehemently opposed any amendment to the Planning Act by the province that would reduce the power of the municipalities to determine the location of pits and quarries. Others on this board suggested that the committee's proposals amounted to a provincial power grab, "What they were offering the industry was the license to butcher up any particular area, where deposits of sand and stone existed," regardless of the existence of a local official plan. And at least one member of Toronto's legal community evidently agreed with this board's appraisal, contending that it was most improbable that any deposits would be safe from the industry since the Department of Mines would always have the final say in the matter: "What price are rural communities having to pay, for putting their heads on the ministerial chopping block awaiting the swing of the axe (or shovel) wielded by the pit and quarry operators?" asked this Toronto lawyer, who also happened to be the country's foremost authority on municipal and planning law.²²⁹

²²⁹ ; I. MacF. Rogers, "letter to the editor," *Globe and Mail* (Toronto), Mar 6, 1970, 7. <http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/pits-quarries/docview/1241920870/se-2?accountid=12347>.

The Report also provoked an emphatic dissent from one of the province's oldest conservation organizations. The usually conservative Federation of Ontario Naturalists (FON) was particularly critical of the exploitive gist of the report for basing its findings "on unproven assumptions about rehabilitation, which has never been done successfully to date". This report, in the opinion of the FON's executive director: "... is a mining geologist's dream which could hardly be more satisfactory to the aggregate producers if they had written it themselves." This was not far off the mark. While no one person or group had claimed authorship of this document, the fact that entire sections of the report were simply cut and pasted (or copied verbatim) from provincial geological reports and the aggregate producers' briefs strongly suggests that it was more of a collaborative effort.²³⁰

The MRC's proposals were described by these critics as providing the industry with *carte blanche* authority to "rape, butcher and chop up all the land of the countryside"; the report was seen as a mining geologist's dream, a conservationist's nightmare - once it was unleashed on these unsuspecting populations there was little hope of escaping this environmental chamber of horrors. But in the scheme of things what really mattered was the opinion of the various local governments, and as of the middle of February deadline more than 30 percent of these municipalities decided to reject the proposed legislation. Most of their objections revolved around the committee's proposal for a "provincial mineral resources zoning policy": Despite the protestations of the Minister of Mines to the contrary, these local governments remained convinced (and extremely suspicious) that existing municipal pit-banning bylaws would be

²³⁰ Gerald McKeating, "letter to the editor 3," *Globe and Mail*, Feb 28, 1970, 6.
<https://www-proquest-com.libaccess.lib.mcmaster.ca/hnpglobeandmail/docview/1241916564/fulltextPDF/B5E2F3E5E574159PQ/1?accountid=12347>.

repealed by the province should this major proposal be implemented. And as many of these objectors were quick to point out, this issue was a matter of ‘local autonomy’ - the Ontario government had defined planning as a municipal responsibility and with this came the right to decide for themselves the location of their pits and quarries and to even disallow them entirely if they chose to do so.

At the centre of this rising political storm stood the Honourable Allan Lawrence QC, PC, MPP for Toronto-St George and the Minister of Mines. Since introducing the controversial report in December, Lawrence was accused of a multitude of sins from “not having read or understood the report” to “allowing himself to be duped by his civil servants in the industrial minerals branch” and to the unkindest cut of all, “being in the pocket of the Aggregate Producers”. To his growing list of detractors, only ministerial stupidity, ignorance or greed could explain why a supposedly politically savvy politician would have embraced the committee’s recommendations or stood behind this “most comical and blatantly biased industry document.” But Lawrence saw nothing intrinsically wrong with the Report - it had simply been misunderstood by the press, misinterpreted by the public and, in his opinion, wrongly maligned by its critics. Evidently, the only one who completely understood this report was the Minister of Mines and he made it his personal mission to set the record straight. However, much of the misinformation and confusion surrounding this report seemed to come not from the public or the press but from Allan Lawrence himself.²³¹

²³¹ I. MacF. Rogers, "letter to the editor 2," *Toronto Daily Star* Mar 9, 1970, 7. <https://ezproxy.torontopubliclibrary.ca/login?url=https://www.proquest.com/historical-newspapers/page-7/docview/1416793727/se-2?accountid=14369>.; "Assailed by Uxbridge Councillor ", Dec 13, 1969.

The problem was that Allan Lawrence was quick to embrace the big idea of the necessity for the provincial legislation but was slow to grasp the actual mechanics of the program. (Or he found the details of the program far less interesting). One major source of misinformation perpetrated by the Minister concerned exactly which government ministry would be assuming ultimate control over the location of pits and quarries. Clarifying the committee's intentions in this regard was particularly important if the goal was to convince the local governments that the Department of Mines was not teaming up with the aggregate producers to sharply curtail their powers. The committee members adamantly insisted that "this power would remain with the Minister of Municipal Affairs, and that any lawyer who read the report and had any bloody brains would have understood that to be the case".²³² The problem was that Lawrence just happened to be one of those lawyers who was under the impression that this authority would be assumed by his own ministry. Moreover, he had on several occasions made public statements to that effect. The Minister's early confusion over the correct interpretation of the document, coupled with his eagerness to push these proposals through, made it difficult to persuade many of the local governments that the proposed legislation was being introduced in their interests. Rather it confirmed their suspicions that the industry and the department of mines were in cahoots to sharply reduce their powers to control these operations.

The situation called for someone who could convey the appearance of neutrality while also possessing a good grasp of the details of the program, but Lawrence fell short in both these areas. As the Minister of Mines, his responsibility was to promote the development of the

²³² Chris Braithwaite, "Has the Get-Tough Line on Gravel Pits Gone Soft?," *Globe and Mail* (Toronto), Jul 23, 1970, 7.
<http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/has-get-tough-line-on-gravel-pits-gone-soft/docview/1242147176/se-2?accountid=12347>.

industry, to get the minerals out of the ground. At the best of times, it would have been difficult to convince the local officials that the Minister of Mines, who had for years turned a blind eye to their complaints, now cared about their problems. Lawrence's 'clean-up or close down' speech to the industry serves to illustrate many of these points. The Minister of Mines had accepted an invitation in early February 1970 to address the province's aggregate producers at their annual convention in Toronto. The audience might have thought that the Minister was there to hand out some "beautification awards" and to outline a few of the MRC's proposals but Lawrence decided to use this platform to drive home a much bigger message about this program: the recommendations would soon become the law of the land in the province, and he alone would be given the ultimate say over where these pits would be placed:

The provincial Government has accepted the recommendations that it assume control over all the sand and gravel and stone quarries in the province, and the legislation gives the authority to the Minister of Mines to decide the location of the pits and quarries... The legislation will not be enacted in your interest, but rather in the interests of the public at large... who deserve a better break than they have received from this industry in previous years. For an industry that has the reputation and image of yours through no one's fault but your own and from your predecessors, the lesson is clear: cleanup or close down.²³³

Lawrence's 'industry smack-down speech' made some waves in the press. At the time, many saw it as a show of strength from a Minister taking command of the situation and prepared to do whatever it took to get this industry under control. Behind the scenes and the tough-talking rhetoric, Lawrence was experiencing his own smack-down at the hands of the quarry operators.

²³³ "Gravel Pit Control Favoured by Ontario," *Globe and Mail* (Toronto), Feb 4, 1970, B12. <http://libaccess.mcmaster.ca/libaccess.lib.mcmaster.ca/login?url=https://www-proquest-com.libaccess.lib.mcmaster.ca/historical-newspapers/gravel-pit-control-favored-ontario/docview/1241926964/se-2?accountid=12347>.

Only days before, he had failed to dissuade the major quarry operators along the Nassagaweya-Esquesing town-line from launching an assault on the face of the escarpment. As this group pointed out to the Minister, without provincial legislation they were going forward with their plans and “there was nothing he could do to stop them”.²³⁴

For Lawrence, whose department had signed off on the Gertler recommendations, saving the escarpment’s face was now inextricably connected with the speedy passage of this legislation but the hopes of this happening in the spring session were rapidly fading. Lawrence’s speech was an attempt to allay local fears that the Department of Mines intended to be tough on the industry, to garner support for the recommendations and expedite the passage of the legislation. Instead, it evidently created the impression in many of the rural townships, that this legislation was about to be passed against their wishes and only served to strengthen their resolve to reject the proposals. By the middle of February, four of the province’s municipal associations had made a request to extend the deadline to study the proposals, thereby dashing the Minister’s hopes that the bill could be passed before the legislature broke for the summer recess.

Rather than guiding the promised bill through the legislature, the end of April 1970 would find the Minister before the House still discussing his department’s plans with regard to the aggregate industry and doing his level best to avoid taking any responsibility for what had gone wrong during the past six months: “Because of these misunderstandings, the red flag has been run up the flagpole and a complete halt has been put on it (the legislation) until the proper

²³⁴ Farrell Crook, "Legislation Will Limit Pit, Quarry Operations: Mining Controls for Niagara Escarpment," *Globe and Mail* (Toronto), May 7, 1970, 53.
<http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/legislation-will-limit-pit-quarry-operations/docview/1241965725/se-2?accountid=12347>.

explanation has been given to the people who are concerned about it...” It is possible that Lawrence was blissfully unaware of his role as the source of confusion or, as the NDP member from Hamilton East observed about Lawrence’s performance, “the Honourable Minister had done a very fine job of extricating himself from a very inept, sloppy and dictatorial handling of a very serious situation. He can talk for a week about what he intended to happen but cannot avoid facing up to what happened to this report which emanated from his department.”²³⁵

In Allan Lawrence’s defence, when he took the time to read the report that emanated from his department, he was quite prepared to admit that it was somewhat flawed. But as to what became of the MRC report, it is important to note that the committee’s recommendations were put to very good use. When this more ambitious and controversial scheme for provincial legislation had been temporarily put on hold, most of the committee’s original proposals were incorporated into a hastily prepared bill that Lawrence introduced in early May 1970, as “an act to provide for the protection of the Niagara escarpment and its vicinity”.

When announcing Bill 79 in the House, the Prime Minister’s spokesman made specific reference to the expansion of the quarrying industry on the escarpment and stated that “this legislation is intended to give the government the power to deal with certain emergency situations which have arisen because in much of the escarpment area, meaningful municipal controls over the mining industry are non-existent.” The bill, he added, “is designed to reinforce the control which some municipalities have imposed by means of their official plans.” Similarly, during the bill’s second reading, the Minister of Mines stated somewhat more forcefully that the bill was necessary “to deal with one or two emergency situations (related to quarrying) that could

²³⁵ *Legislature Debates No 45*, (21 April 1970), 1820-1821.

take place over the summer months with absolutely no control from anybody -from the municipal level or the provincial level.” Thus, it can be safely assumed that this ‘complete lack of meaningful municipal controls in areas where the escarpment was most under threat from quarrying’ was the stated rationale for introducing this emergency legislation in 39 of the province’s geographical townships.²³⁶

Nowhere in the province of Ontario was the escarpment under a greater threat from quarrying than in the Nassagaweya township and few other municipal councils had worked harder to get the industry under control. In 1968, the Nassagaweya Council passed a set of by-laws to regulate the quarries which in many respects were every bit as meaningful as those contained in Bill 79. If anything, these measures, which had been singled out by officials in the department of mines as “overly restrictive, completely unnecessary and unreasonable or unfair to the quarry operators”, were probably a little too meaningful to suit these officials. It was quite possible that the government now comprehended a great deal more in their idea of ‘meaningful measures’ than they had only a year before, but it is also possible that it comprehended a great deal less.

The point is, this Act which contained no definition for the term “meaningful,” now left it entirely up to the discretion of one government minister to determine its meaning while making it very clear that by Minister, it meant “the Minister of Mines and Northern Affairs”. A closer reading of this Act also suggests that much like what had been proposed by the MRC, this Bill 79 was aimed more at increasing the powers of the minister to allow for the expansion and

²³⁶ Ontario, *Legislature Debates No 60*, 28th Leg, 3rd Sess, Vol 2 (6 May 1970), 2390. <https://archive.org/details/v2hansard1970ontauoft/page/n1006/mode/1up>; Ontario, *Legislature Debates No 87*, 28th Leg, 3rd Sess, Vol 3 (2 June 1970), 3490. <https://archive.org/details/v3hansard1970ontauoft/page/3480/mode/2up>.

promotion of the quarry industry than to provide for the protection of the escarpment or the local community. For example, sections 3, 4 and 5 of Bill 79 spelled out the powers of the Minister or his staff in the Department of Mines to impose penalties on the operators, to issue and revoke quarry permits, while omitting any references to existing local official plans and municipal by-laws.²³⁷

There were many similarities between these two bills, but for all the many streams of continuity between the previous scheme and the new ‘Lawrencian bill’ now placed before the members of the legislature, it was the fact that they were both within the purview of the Minister of Mines that the NDP opposition found most objectionable about it. The problem with Lawrence, according to the NDP’s Stephen Lewis, was that “His whole bent of mind, his whole psyche, and whole mentality is so well-disposed to stimulating mining, quarrying and other activities on the escarpment and so ill-disposed when it came to preserving it.”²³⁸ And there were many members on both sides of the house who would have agreed that protecting the escarpment called for someone with considerably less bravado and far less passion and determination than Lawrence had displayed while carrying out the duties of Ontario’s Minister of Mines.

The bill granting such wide discretionary powers to the Minister of Mines over 39 of the province’s townships incorporated some of the most controversial features of the MRC’s proposal. But unlike the draft proposals contained in the MRC report, few members doubted the necessity for this new piece of legislation. Nor did it seem important to ask whether municipal legislation was in existence in some areas and, if so, why the government could have not

²³⁷ *c 297 Niagara Escarpment Protection Act.*

²³⁸ *Legislature Debates No 87, (2 June 1970), 3489.*

achieved the desired goal of protecting the escarpment by simply strengthening the existing municipal powers to enforce it. It was simply taken on faith that the escarpment must be saved, and the provincial government must do the saving. The issue for the opposition was not whether the province should intervene to save the escarpment but that, of all the government ministries, this responsibility should fall to the Ministry of Mines. But when it came down to the vote, Bill 79 had two things working in its favour that the original had lacked: For one, its geographical scope was much narrower; this made supporting a bill which sought to impose emergency measures on a few dozen rural townships, many of which were quite remote and sparsely populated, a far less politically risky proposition for all concerned. The second and probably more important thing this bill had going for it was its very name. Or so it seemed to the NDP members of the house who, had they succeeded in changing its name, would in all probability have given this bill a hoist.

More importantly, by linking this bill with the widely popular Gertler report and labelling it “an Act to provide for the Niagara escarpment protection and its vicinity”, the government made it very difficult for the NDP members to even consider voting against this bill. As had been pointed out by the member from Hamilton East, “the only good thing about this bill is the title but it is a façade of nothing. It has nothing or little to do with the preservation of the Niagara escarpment...it is fundamentally a wishy-washy and defective bill regulating the quarries on the escarpment while ignoring the recommendations of the Gertler report”. However, these members feared backlash from the press for being the party which dared to vote down legislation that was purporting to protect the Niagara escarpment. Notwithstanding the many reservations expressed by these members of the opposition, they apparently voted in

favour of the legislation, about which they held substantial doubts, because it would have been too difficult to explain to the press or to their constituents why they had not supported it.²³⁹

The Bill providing for the preservation of the escarpment and vicinity also drew some very favourable reaction from the press and a somewhat cautiously optimistic review from the FON:

While the Act is vague and it does not contain many of the recommendations suggested by Prof. L Gertler in his Niagara escarpment study, noted the executive President. It does provide some control over the extractive industry, until more effective legislation is introduced. The Ontario Government has been excessively slow in implementing the recommendations of the Gertler Report...however the implementation of controls on the quarrying industry is a step in the right direction.

This statement by the FON's executive director, which hardly constituted a ringing endorsement of the Act, nonetheless provided Lawrence with all the encouragement that he needed to move forward with the government's program for the escarpment. There was a general sense from press reports and on the part of the conservation organizations that while this legislation was modest and vague, it was a necessary first step in the preservation of the escarpment, which was better late than never. There were even positive words for the Minister of Mines who had taken on the responsibility of guiding this bill through the legislature. In a matter of weeks, Allan Lawrence, once the object of considerable ridicule in the press, was now being praised for "recognizing the threat posed by mining and acting immediately with a sense of urgency to address it." These were heady days for Allan Lawrence. Not only was his political

²³⁹ *Legislature Debates No 87*, (2 June 1970), 3487.

profile on the rise, but he was also now being held up as “a shining example, that others in the Robarts Cabinet would do well to follow”.²⁴⁰

This slight turnaround in Lawrence’s political fortunes was due only in part to his exertions on behalf of this bill inside the halls of Queen’s Park. To completely understand what tipped the political scales in Lawrence’s favour, we must also consider his activities outside of the legislature. The Minister had spent the better part of the month of May and early June on a conference tour of southern Ontario. This tour took the Minister to six major cities including London, Ottawa, Barrie, and Brampton, and including stopovers in the gravel-belt regions of Uxbridge and Caledon. The stated purpose of the tour was “to reach a partial consensus on what action the government should take regarding this very crucial issue of the regulation of pit and quarry operations in the province.” These so-called ‘Pit and Quarry conferences’ were structured as informal public hearings: providing anyone with even the slightest interest in this topic with the opportunity to meet with the Minister and have their say about the present and proposed more comprehensive province wide legislation. Lawrence was given a list of talking points. Some of these suggested that the government’s previous hardline position on provincial control of the industry might be softening while others continued to hit hard on the fact “that municipal legislation was meaningless” and that the provincial take-over of the industry was quite necessary and inevitable. Lawrence evidently believed that, if only he could get in a room with

²⁴⁰ Gerald B. McKeating, "letter to the editor 2," *Canadian Champion* (Milton ON), Jun 17, 1970, C5. https://images.ourontario.ca/Partners/MPL/MPL002496072pf_0546.pdf; "The Objectives are Missing," *Globe and Mail* (Toronto), Jun 8, 1970, 6. <https://www.proquest.com/docview/1242121887?accountid=12347&parentSessionId=jOOY0s1gmKtaFv1%2BWow8plMdXNBviNAfuPD4tw4RjHA%3D>; Crook, "Legislation Will Limit " May 7, 1970.

local officials, that his charm and arguments and above all his sincerity would impress themselves upon these people. While he failed to charm some of the hardcore critics who continued to dismiss this Minister as the “industry’s pawn”, who was simply “talking a good gravel-line,” Lawrence made a very different impression in some of the townships along the escarpment.²⁴¹

In his official capacity as Minister of Mines, Allan Lawrence travelled to the Nassagaweya township on two separate occasions between May and June 1970. While there, he met with local politicians and ratepayers, some conservation people and with members of the local quarry industry. He also visited some local conservation sites and in the company of the North Halton MPP, made a tour of the quarries. His reaction to what he saw was noted by the local press: “The devastation of the escarpment lands just makes my blood boil,” Lawrence told his fellow MPP, and both politicians concurred, “that the Halton quarries are among the very worst offenders in cutting up the escarpment face.” From all indications, he was informed, sympathetic and said all the right things.²⁴² He listened to the people and made promises that under this bill and under his watch things would be different. And many people, including the newly elected Reeve Anne MacArthur, were prepared to believe him. The council had just recently rejected the Milton Quarries application for a permit and ‘for the first time in years MacArthur felt optimistic about the future of her township’:

We’ve never had any real backing before from the province but...there’s a new council and a new mines minister... I think now we will. And I think Milton Quarries and all the rest of them that have ignored us when we’ve

²⁴¹ Pits & Quarries Conference, May 1970, Ontario Minister of Mines Correspondence, RG 13-1, Archives of Ontario; Braithwaite, “Has the Get Tough,” Jul 23, 1970.

²⁴² “Freeze Quarries to Preserve Niagara Escarpment for Parks,” *Acton (ON) Free Press*, May 20, 1970, 3. <https://images.ourontario.ca/Partners/HHPL/HHPL002313673p0003f.pdf>.

refused licenses are not going to be allowed to continue. I think Mr. Lawrence will say, 'Here is a quarry that when they had a small municipality at their mercy, they violated everything in sight'. I'm hoping he'll say no way to Milton Quarries license and the province will back us up in court. If he does, the quarry operators are going to have to reassess their position. Will Milton Quarries still be so arrogant when the province is concerned? Lawrence has already said he's not going to tolerate extraction companies raping the land. I have a great deal of faith in him.²⁴³

The Nassagaweya council had, like many rural townships, expressed serious reservations about relinquishing control over the quarries to the provincial government. But there is little trace of such concern in the Reeve's statement. In fact, MacArthur now seemed quite prepared to accept the public pronouncements and reassurances of the new mines minister that he intended to use this emergency legislation to get tough or crack down on the quarry operators. MacArthur clearly saw in Allan Lawrence a kind of white knight or the new sheriff in town, who was about to become the extractive companies' worst nightmare. This new confidence in the Minister of Mines was not confined to starry-eyed local politicians like MacArthur, it also came through in several of the press accounts that appeared in the immediate aftermath of the passage of Bill 79.²⁴⁴ Many of these accounts conveyed the sense of a new era for the Niagara escarpment under Lawrence, who had in turn come to embrace his new role as defender-protector of this now iconic provincial landscape: He stood before the people and vowed to stop this rape of the land and before his colleagues in the legislature and declared "We need this bill, we need it now," while hastily adding, "If there is not a satisfactory record a year hence, castigate me then

²⁴³ "Gets Tough - Nassagaweya Refuses Quarry License," *Georgetown (ON) Herald*, Jul 16, 1970, 1. <https://images.ourontario.ca/Partners/HHPL/HHPL002315153p0001f.pdf>.

²⁴⁴ Martin H. Edwards, "letter to the editor," *Globe and Mail* (Toronto), May 23, 1970, 6. <http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/pits-quarries/docview/1242098639/se-2?accountid=12347>.

for my motive and my intent...” Lawrence’s bill, providing for the emergency protection of the escarpment was passed and received its royal assent on June 25, 1970, just in time for the summer recess. And the scrutiny and castigation of Allan Lawrence by the press got underway a few weeks later.²⁴⁵

As the minister responsible for the Niagara escarpment policy, it was only natural that Lawrence would be held accountable for putting this policy into practice. And there is little doubt that this Minister’s performance regarding this matter was an important issue for the public and for the responsible press. But few, aside from the editorial staff at the *Globe and Mail*, could have predicted the kind of intense media scrutiny that would be in store for Lawrence in the summer of 1970. Unfortunately for Allan Lawrence, that was the summer when the editors of the *Globe and Mail* decided it was not enough to simply cover the news, their paper must also champion a cause. When the paper decided that ‘Saving the Hockley Valley’ would be its principal cause, Allan Lawrence became the newspaper’s number one whipping boy. It is precisely for this reason, that dispassionate accounts of Lawrence’s performance in this role were practically nonexistent. The desire of this newspaper to bury Lawrence had so eclipsed the desire to praise him that it completely overwhelmed the will of most of its writers to give a realistic appraisal of how this minister performed this job. Other major news outlets such as the *Toronto Star* covered this story, but few subjected Lawrence to the kind of intense scrutiny than did the *Globe and Mail*, the country’s most widely read newspaper. Its coverage of these events continued throughout the summer and into the fall and it quite evidently drove this narrative, perhaps even forcing the minister’s hand following the passage of this bill. However, the public

²⁴⁵ *Legislature Debates No 87*, (2 June 1970), 3494.

debate would have benefited from a less dramatic narrative (with fewer saints and villains) than the one this newspaper presented.

A perfectly commonplace event had served as the catalyst for Allan Lawrence's castigation by the press in the summer of 1970. It was triggered when the owner of a Toronto gravel company bought a farm in Mono township and promptly announced his intention to seek permission to extract substantial quantities of gravel from this property. This property, which consisted of almost 200 acres of rolling morainic farmland, was located just above the escarpment and within the Hockley Valley – an area perfectly suited for recreation and leisure, all within an hour's drive of Toronto. However, it was precisely because this valley was so perfectly suited for recreation and leisure that a group of Toronto-based lawyers and other professionals had chosen to make it their second home. In short, it was “mostly city people with weekend retreats” who rose in opposition to this proposed gravel pit, to protect the scenic and recreational value of their lands.²⁴⁶

All these factors – the unfamiliarity of the legislation, several competing resource agendas - introduced a complexity into this situation for the Minister, which the responsible press in hot pursuit of its latest cause evidently chose to overlook. As the reporter from the *Globe and Mail* would have it, the choice for Allan Lawrence was simple: would the Minister who had vowed to protect the escarpment from the ravages of the aggregate industry, side with the “Mono taxpayers' association” and deny the permit? Or would the Minister side with the gravel company, the Mono council and the local farmers and grant the permit? Within a matter

²⁴⁶ Correspondence to Multiple Ministers Plus Robarts to/from Solicitors for “The Save the Hockley Valley Committee”, September 7 1970, Niagara Escarpment Commission Correspondence, b396647, Archives of Ontario.

of weeks, a most ordinary and commonplace occurrence (at least in the Nassagaweya township) had become in the valley of the Hockley an epic battle between the saints and scoundrels to save one of the most scenic areas in southern Ontario. It was portrayed in the press as “the first big test for the new legislation” and it was a test this Minister was failing.²⁴⁷

It did little good for the Minister to point out “that ruling on a gravel permit when the application had not even been filed would be most difficult and highly irregular”, or to claim, “that a decision such as this required more information than what was available from garbled press reports.” The press was evidently not looking for equivocation from this Minister; only a clear statement of his policy intentions would do. When the reporters didn’t get this or weren’t satisfied with his answer, they ramped up their attacks on this Minister who had after all “made regulation of the industry a key issue and gained a reputation for his get-tough approach”. Anything less than a clear and unequivocal statement of policy from Lawrence fueled speculation that he was about to “soften his stand” on the industry or that he was about to cave to their demands. By August, the coverage began to focus more broadly on the “perceived weaknesses in the Niagara escarpment legislation.” It was at this point that factual reporting of this story started to give way to journalistic speculation over how the Minister of Mines might interpret or apply the rules covered by the emergency legislation, which was now being described as having been “rammed through before the summer break”: Had the strict control

²⁴⁷ Chris Braithwaite, "Ontario: First Big Test for a Scenic Valley," *Globe and Mail* (Toronto), Aug 15, 1970, 8.
<http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/ontario/docview/1242185590/se-2?accountid=12347>; *Legislature Debates No 60*, (6 May 1970).

measures “applied just to the face of the escarpment or to a wider area”, one reporter wondered. “Did this bill prohibit both pits and quarries on the face of the escarpment, or did the ban apply only to quarries?... Would new quarrying be allowed to continue in the protected zone, provided the land underwent rehabilitation?” The reporter then finished by suggesting that perhaps this minister did not even have the power to prevent new pits from opening in the face.²⁴⁸

While some of these questions seemed to be genuine attempts to clarify the Minister’s position regarding this proposed gravel pit in the Hockley Valley, others were more hypothetical in nature and seemed deliberately contrived to bait the Minister and to stoke the public’s fears about what might happen in the worst scenario. The *Globe and Mail* came out swinging hard at the Minister of Mines that summer. Lawrence’s reluctance to take a firm stand in the Hockley Valley was taken as evidence that he was backing off his commitment to the general legislation and softening his position toward the industry. Perhaps this paper did not set out in the summer of 1970 to deliberately undermine the public’s confidence in the Minister of Mines or to create the impression that the provincial government’s plan to save the escarpment might have been a little half-baked. But judging from the letters it received - or at least the ones its editors chose to publish - the paper had managed to achieve both these goals. “The people are entitled to their skepticism and suspicions”, one of its editorials declared, referring specifically to Lawrence, “and justified in demanding immediate temporary action when the legislature resumes in the fall.” It’s simply “One too many jobs for a Mines Minister” another headline boldly proclaimed,

²⁴⁸ Braithwaite, “Ontario: First Big Test for a Scenic Valley,” Aug 15, 1970.

while calling on the Prime Minister “to step up and clear up this confusion over the Hockley Valley and relieve this Minister of his duties.”²⁴⁹

The Prime Minister did not step up but left it to his mining minister to clear up all the confusion over the Hockley Valley and sundry other matters concerning pits and quarries on the Niagara escarpment. Allan Lawrence was no shrinking violet when it came to the press, and he used the opportunity to strike back at the paper for publishing what he described as all those “misleading articles and erroneous editorials.”:

‘I am genuinely incensed by articles in the *Globe and Mail* and editorials about the situation. I feel, somewhat conceitedly, I suppose that for the first time in this portfolio, a Minister of Mines is attempting to provide initiative and leadership in attempting to prevent further serious abuse of our environment, and instead of condemnation, I would like support and constructive comment from our responsible press. I would deeply appreciate an apology from the *Globe and Mail* respecting this.’

In addition to this stinging rebuke of the newspaper’s coverage of the Hockley Valley, the minister had lashed out at local governments and their municipal associations for their earlier attacks on his province-wide proposals for pits and quarries and, like the press, for “not [offering] much in the way of constructive alternatives...” Somewhere buried in this eleven page press release was the Minister’s clarification of his position on the Hockley Valley: No permit would be issued to the Connor Sand and Gravel Company under Lawrence’s watch, until he received “further information on this company’s plans.”²⁵⁰

²⁴⁹ "One too Many Jobs for a Mines Minister," *Globe and Mail* (Toronto), Sep 12, 1970, 6. <http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/one-too-many-jobs-mines-minister/docview/1242203027/se-2?accountid=12347>.

²⁵⁰ "Lawrence Defends Policy on Niagara Escarpment," *Globe and Mail* (Toronto), Sep 03, 1970, 2. <http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/lawrence-defends-policy-on-niagara-escarpment/docview/1242167155/se-2?accountid=12347>.

The *Globe and Mail*'s press campaign to Save the Hockley Valley had been laser-focussed on the discrepancy between the tough-talking image cultivated by the minister and his reluctance to take a strong stand when it mattered. For both local and provincial politicians, the battle over the Hockley Valley would provide an early lesson in just how determined and effective these wealthy outsiders could be when it came to defending the more pristine landscapes of the Niagara escarpment. Lawrence would eventually deny the gravel permit in the Valley, citing "concerns over compatibility" and the "public interest" and this decision earned him high praise from the FON. However, a great deal of credit for saving the Valley went to the *Globe and Mail* reporters who had "goaded the minister into doing the right thing".²⁵¹

It could be argued that while the exurbanites backed by their allies in the press had played little role in ushering in the Niagara escarpment Act, their appearance on the scene following its enactment suggested a determining role in how it would be enforced, at least with respect to the opening of new pits in pristine landscapes. However, it should be noted that this stop-gap legislation had been passed primarily to deal with the existing quarries, "those emergency situations involving a few black sheep", who had basically told the Minister, they were going ahead with their assault on the face of the escarpment and there was nothing he could do to stop them. So, the real test of Lawrence's commitment to this legislation was yet to come.

On September 23, 1970, Lawrence held another press conference, his third in three weeks. Its purpose was to announce, that 15 quarries on the Niagara escarpment were in violation of provincial standards and had been ordered to stop-working. Three months had

²⁵¹ Frank Chamberlain and David W. Forrester, "letter to the editor," *Globe and Mail* (Toronto, Ont.), Aug 27, 1970, 6.
<http://libaccess.mcmaster.ca/login?url=https://www.proquest.com/historical-newspapers/mercury-poisoning/docview/1242150675/se-2?accountid=12347>.

passed since the emergency legislation was enacted and the grace period for the filing of site plans and applying for licenses was coming to an end for the quarry operators. With the deadline closing in, only a small percentage of these operators had bothered to apply to the Ministry for their licences. Most of the firms named in the shut-down order were in north Halton and many of these were the so-called “black sheep”, that Lawrence had previously mentioned were prepared “to fight this legislation tooth and nail.” This illustrious list now included the Dufferin Quarries, Halton Crushed Stone, the Milton Brick Works as well as several of the region’s smaller stone quarries. Among the list of premises that were now being denounced as “unholy messes” could be found one that only six months before had been awarded a “beautification certificate” by the Minister himself. Now this operation as well as several smaller stone quarries were being singled out as very offensive and being ordered to shut down, get their houses in order, or face hefty fines.²⁵²

The announcement of the impending closures hit the north Halton economy like a proverbial bombshell. Or so it seemed to the local press who predicted the impact of these closures would be simply disastrous, “throwing dozens out of work.” However, the evidence suggests that this news was somewhat overblown and had been received quite differently across the industry. Many of the smaller quarry operators (for instance, the stone cutters) were predicting a doomsday scenario, but the area’s larger quarry operators were seemingly unfazed by the news. In the first place, their contacts in the Department of Mines had been warning them

²⁵² "15 Quarries on Escarpment Ordered to Close by Saturday," *Toronto Daily Star*, Sep 24, 1970, D17. <https://search-proquest-com.ezproxy.torontopubliclibrary.ca/hnptorontostar/docview/1434830449/pageviewPDF/B90EBDDCC514405FPQ/28?accountid=14369>; Press Release by Allan Lawrence on the implementation of the NEPA., September 24 1970, Ontario, RG 13-1, Archives of Ontario, Toronto.;

to expect this announcement for months. More to the point, the larger producers had the perspicacity and wherewithal to prepare for it, much like they would have prepared for an impending strike. The stop work order only applied to the act of quarrying or to extracting the material, not to the sale of previously extracted material.

Having spent the summer assiduously stockpiling and building up their inventories of crushed rock, the larger producers were at least for the short term quite prepared to weather this shutdown should it come to that. According to a spokesman from the Dufferin company, “they weren’t in the least concerned”. The company could afford to be complacent but, in the face of \$5000 a day fine, it was not prepared to be reckless. On the following day, a delegation from Dufferin arrived at the Minister’s office with site plan in hand and were granted a temporary license to continue quarrying. Within a week, the rest of the quarry operators followed suit and were back in business. Before the local weekly newspapers had even gotten around to announcing the closures, the crisis in the Halton quarry fields had already come and gone.²⁵³

The crisis was over so quickly, many were left wondering what all the fuss had been about. With the industry-government stand-off at an end, two things became apparent: The Minister never intended to put these operators out of business. His objective with this “crack-down” was simply to bring them under the control of the provincial government. The industry was now under the protective wing of the Minister of Mines. Going forward, this department would now be enforcing the rules, issuing and revoking licenses, monitoring its activities, and

²⁵³ "Closure Called Disaster," *Canadian Champion* (Milton ON), Sep 30, 1970, 3; "Minister Clamps Down on Quarry Operators," *Acton (ON) Free Press*, Sep 30, 1970, 3. <https://images.ourontario.ca/Partners/HHPL/HHPL002313692p0003f.pdf>.

investigating complaints. It was also becoming increasingly clear to the locals and their government that when it came to the siting, location, and expansion of the quarries the provincial government was now in control of the industry and they had effectively been by-passed. Some believed they had been completely shut out of the process.²⁵⁴

This chapter has demonstrated that, as the debate over quarrying on the Niagara escarpment moved up the ladder from the local and municipal level to the realm of provincial politics, the blasting concerns were increasingly pushed to the sideline and saving the escarpment became about preserving the escarpment's aesthetic features and the safeguarding of the mineral resources. The latter was always an important goal for the government and industry, but the issue became more urgent when in 1968 the Nassagaweya government stepped up its efforts to curtail the quarry blasting by limiting the expansion of the industry in the township. Although it is clear from the documents that local blasting concerns had been eclipsed by aesthetic concerns and in some provincial reports they were even trivialized, the rationale behind this can only be surmised. One possible explanation is that the collateral damage inflicted on neighbouring property owners from quarry blasting was simply not an issue that resonated with the extractors of sand and gravel. Unlike aesthetic fixes which could be implemented across the aggregate industry, measures aimed specifically at the adverse effects of quarry blasting would require far more stringent restrictions. These additional restrictions would have placed the quarry operators at a competitive disadvantage relative to the sand and gravel operators.

From the late 1960s, industry and Ontario's political leaders began investing a great deal of time and energy in changing the public's perception of the aggregate industry. Convinced that

²⁵⁴ "Want Right to Appeal About Quarry Permits," *Acton (ON) Free Press*, Aug 12, 1970, 1. <https://images.ourontario.ca/Partners/HHPL/HHPL002313684p0001f.pdf>.

better PR was the key to the survival of their industry, they set out to improve their tarnished image. The reframing of the escarpment debate as something that could be resolved by applying aesthetic remedies was a critical part of this campaign and was reflected in the emergency legislation that was passed in 1970. Under the *Niagara Escarpment Protection Act*, the quarries effectively were ordered to undergo a beauty treatment. Stockpiles and crushing plants were ordered removed (or hidden from sight) so as not to mar the face of the escarpment, while site plans provided for progressive and ultimate rehabilitation in the distant future to enhance the appearance of the Niagara escarpment.²⁵⁵ In return for agreeing to implement these cosmetic improvements, the producers were granted access to the mineral resources. The Act achieved this by removing control over the siting, location, and operation of the quarries from the townships along the escarpment and investing this authority with the provincial ministry of mines.

While the quarrymen had been the initiators of this legislation, they were no more inclined to curtail their blasting under provincial control. Nor could the government be expected to fulfill its promises to the people of Nassagaweya without making provision for much stricter blasting legislation, which it did not do in the dying days of the Robarts regime, or in the years to come for that matter. Consequently, excessive blasting at the quarries continued to be an issue in the township, and complaints continued to be lodged with the local council. Several calls were made to the Minister of Mines; most went unanswered. Occasionally, some investigators from the department of mines were dispatched to the scene, but finding “no evidence of excessive blasting”, they soon departed.

²⁵⁵ D. F. Hewitt. Niagara Escarpment Task Force, S. J. Clasky, Letter to S. J. Clasky from D. F. Hewitt on Pits and Quarries, (December 30 1972).

“The township should start a crackdown on the quarries, as the province appears disinclined to act on local by-laws,” the new starry-eyed town clerk had pointed out to the newly elected Reeve Anne MacArthur, whose jaded response suggested that she was no longer quite so enamoured with Allan Lawrence or his new legislation: “This council has refused the firm a license to operate, yet the provincial licence allows them to go ahead. They continue to break the law and shake up the people...and to blast everybody off the map.”²⁵⁶ Five years had passed, and it was déjà-vu all over again at the Nassagaweya council, except this time there was provincial legislation in place to protect the face of the escarpment and the interests of the quarry operators. The locals it seemed would have to fend for themselves.

²⁵⁶ "Claim Blasting Damages Homes," *Acton (ON) Free Press*, Dec 9, 1970, B6. <https://images.ourontario.ca/Partners/HHPL/HHPL002313702p0015f.pdf>.

Conclusion

The political rhetoric of saving nature notwithstanding, the Ontario government passed the *Niagara escarpment Protection Act* in 1970 as a means of ensuring that the greater Toronto region would have continued access to the escarpment's mineral deposits. From the onset of the region's postwar highway boom, it was understood that the vast majority of these mineral resources would be sourced from the Nassagaweya township. Industrial scale quarrying developed rapidly on the township's abandoned farmlands in response to the insatiable demand for crushed stone aggregate, the key ingredient in the province's expanding network of high-speed highways. By the mid-1960s this agricultural backwater of north Halton had earned the dubious distinction as the epicentre of crushed stone quarrying on the escarpment, supplying 50% of the Toronto market's road aggregate. But this status was by no means foisted on this township.

All this happened under the watchful eye of the local government and was initially aided and abetted by the people. At a time when southern Ontario's more urbanized and affluent municipalities were closing their doors to aggregate mining industry, no producer had found a more accommodating partner than the government and the people of Nassagaweya. In the first half of this decade, the values of the aggregate producers and those of the locals who encouraged the producers 'to take all the rock they needed' were closely aligned. In the fall of 1965, however, a dramatic increase in production levels at the township's quarries which accompanied the dramatic escalation in the intensity and frequency of blasting at the quarries, set these values on a collision course.

As this study argues, the earliest and most significant opposition to quarrying on the escarpment developed in the quarry fields of Nassagaweya. The early phase of this campaign

was led by people living closest to the giant quarry operations. Their campaign was not directed against quarrying per se; it focussed mainly on the blasting practices of the quarry operators. Most of those involved in this campaign demonstrated some concern for the aesthetic effects of quarrying on the wider community but were primarily concerned with the damage to farms, livestock, and property values. Their failure to induce the operators to reduce blasting limits or to gain compensation for property damages led eventually to calls for stronger bylaws to control the expansion of the industry.

In 1967, an increasing number of the area's landowners had come to see crushed rock quarrying as fundamentally detrimental to the local economy and were beginning to talk about banning the quarrying operations from the township. Yet despite their different views and assessments of the value of the industry, most of those who initially opposed the industry's practices were the small landowners who were members of the traditional rural population. Conspicuously missing from the ranks of these protesting groups were the environmentalists or the wealthy exurbanites who play such a central role in the traditional narrative of postwar environmentalism put forward by scholars. Also missing is evidence that these groups were overly concerned about the gaping hole blasted in the escarpment by the Dufferin Quarry Company.

The interpretation presented in this dissertation poses a considerable challenge to the standard account of regime change on the Niagara escarpment. As the latter would have it, this fateful 1962 blasting episode led to the chain of events that culminated a decade later in the legislation to save the escarpment. Supposedly, an urban hiking group cried out for the protection of this cherished provincial landscape while rural communities stood idly by or sided with those forces bent on the escarpment's destruction. However, the muted reaction of these

groups to the blasting of this ridge north of the Highway 401 combined with the evidence presented here that the blast was carried out as part of a negotiated agreement which was sanctioned by the local conservation authorities, makes this blasting episode an unlikely catalyst or trigger for this history. Even more significantly, the standard narrative which also holds that local rural populations sided with the aggregate producers and thus were part of the problem, while environmental groups actively campaigned against the industry, is simply not supported by the documentary evidence.

The interpretation presented in this dissertation also adds another level of complexity to previous accounts which seek to characterize early environmental protest movements. This study provides some support for the view posited by Hays and others that early environmental concerns had a material component which “grew out of local concerns about where one worked and lived”. But the people who opposed the aggregate industry in the Nassagaweya township were neither working class nor the rural poor. Nor could it be said that their campaign was animated by the pursuit of postmaterialist or quality of life concerns. For the most part, this eclectic coalition of rural landowners were united in their desire to ameliorate the destructive effects of the blasting and to defend their rights as property owners. The issue of property rights was an emotional one for these landowners and was linked to livelihoods, the well-being of their community and indeed their way of life. Their status as ratepayers gave them some political clout, at least at the local level. However, unlike wealthy exurbanites living in the countryside, these were people of modest means who did not possess the ability to ensure their property rights were not infringed upon by the powerful quarry industry.

Property ownership is typically associated with those who stood opposed to early environmental land use initiatives on the Niagara escarpment. Historians and other scholars

would be well advised to pay more attention to the role that property ownership -- and not just among suburban or exurban residents of the countryside -- played in the formation of these environmental protest movements. For the better part of the 1960s, it was the environmentalists who remained silent about the quarrying issue, while rural populations were some of the earliest and most active participants in the conflicts that erupted over quarrying on the escarpment. Starting in 1965, in key quarrying regions along the north Halton escarpment, diverse rural groups of landowners - including widows, veterans, teachers and farmers faced off against the quarry operators - pushed them to reduce this nuisance blasting and fought to limit the expansion of industrial quarrying on the escarpment. Future researchers may determine that environmentalist hikers had achieved much more with their behind-the-scenes government lobbying than uncovered by this research. But there can be little question that it was this sustained campaign of open confrontation, harassment and public shaming of the quarry operators carried out by the people and the government of Nassagaweya in the mid 1960s, that placed the problems of quarrying on the public radar.

However, when the government of Ontario finally turned its attention to the issue of saving the Niagara escarpment, it cannot be said that either the blasting problems of the people of Nassagaweya or the preservationist concerns of the urban hikers and naturalists had spurred this government to action. Instead, the raw material requirements of the provincial pits and quarry operators, more specifically their claims that local municipal zoning posed a clear and present threat to the survival of their industry, was the more important determinant of state intervention. In the late 1960s, as the high producing GTA townships began cracking down on the aggregate producers, rescuing the industry from the perceived unjust and arbitrary municipal zoning became a matter of the utmost importance to the provincial government. But nowhere

was this rescue mission evidently more pressing than in Nassagaweya, where once quarry-friendly elected officials had turned against the major quarry producers and were making it increasingly difficult for this group to continue extracting the escarpment's mineral resources.

In an unexpected twist of events, the strongest and most persistent demands for provincial intervention came from the class which had long resisted any form of provincial interference in their great basic industry. In 1968, the four major quarry operators of north Halton joined forces with the province's sand and gravel operators, the Ontario Road builders, and their allies in the Department of Mines, to push this modest interventionist agenda forward. While an earlier unsuccessful attempt by Dufferin to broker a 'voluntary quarry agreement' with the Nassagaweya township may have served as the catalyst for this initiative, it was clear that much of the momentum for this legislation was provided by this powerful industry-government alliance. In the final analysis, the Act which the Ontario legislature passed in the spring of 1970 "for the protection of the Niagara escarpment and vicinity", afforded ample safeguards for the development of the escarpment's commercial limestone deposits, offered minimal protection for its aesthetic and recreational amenities, and failed to address the blasting concerns of the escarpment landowners.

Although rarely acknowledged in the academic literature, the emergency legislation for the Niagara escarpment also paved the way for the series of measures (on and off the escarpment) whereby the extraction of mineral resources would take precedence over all other land uses. Beginning in 1973, as part of an ambitious province-wide planning initiative, the Ontario government passed several pieces of legislation which were meant to advance this agenda. Of these the most significant and enduring was the *Niagara Escarpment Planning and Development Act*. This Act, which established the 17-member Niagara escarpment Commission

charged with preparing the Plan, stipulated that public consultation be a part of the process. Most scholars rightly acknowledge the vital role that public input from this labyrinthian network of interest groups played in transforming the Commission's highly controversial set of proposals for the escarpment into the more acceptable (and much reduced) Plan that passed into law a decade and a half later. But the relative importance of the various non-state actors – the environmentalists, landowners, and aggregate groups - in 'legitimizing' the original Niagara Escarpment Plan in 1985 remains a point of contention among these scholars.

Whereas the planning scholars have decided to cast the landowners as the villains in this piece and the EMOs in the starring role as the legitimizers of the Plan, others have given short shrift to the actions of the environmentalists in this history. Among this latter group is Ontario policy scholar David Pond, who argues that "...the Commission owes its success as a forum for depoliticized land-use decisions, in part to the initial exclusion of the most controversial class of lands from its jurisdiction... If the Commission had retained responsibility for these areas, it might not have been legitimized as a successful vehicle for containing disputes over Escarpment lands at the regional level".²⁵⁷ While policy analysts have underscored the importance of the landowners in legitimizing the Plan, planning scholars continue to maintain that "EMO's conferring legitimacy on the NEC's proposals was the major cause of regime change on the Niagara escarpment".

Quite clearly, knowing more about the interest group dynamics that led to the development of Canada's first large scale environmental plan is important for a more accurate appraisal of their role in this history. But the presumption that throughout the 1960s and early

²⁵⁷ David Pond, "Institutions, Political Economy and Land-Use Policy: Greenbelt Politics in Ontario," *Environmental Politics* 18, no. 2 (2009), 249.

1970s, this small group of urban elite environmental actors were leading the charge against quarrying while landowners looked on with indifference is no longer tenable. By initiating the battles that first drew attention to the problems of quarrying on the escarpment, and as the major protagonists in these early quarry wars, it was the landowners and not the environmentalists, who set in motion the series of events that brought regime and policy change to the Niagara escarpment.

Almost forty years have passed since the approval of the first Niagara escarpment Plan in 1985. Back then, in the *Journal of Soil and Water Conservation*, senior government planners wrote of their involvement in “what proved to be a controversial, difficult, lengthy and expensive exercise” while offering up the Plan as a solution to the conflicts over aggregate extraction on the escarpment.²⁵⁸ Four major quarry battles to amend the Plan on the Halton escarpment in the first two decades of the 21st century, each one more protracted, more controversial, and more costly than the one before - might suggest a need to temper these earlier expectations. But it would be wrong to regard the outcome of these battles, in which all but one ended with the Commission supporting this industry, as evidence that this agency should be disbanded for failing to fulfil its regulatory mandate to protect the escarpment.²⁵⁹ From the outset, the Act which provided for the protection of the escarpment, also provided for the protection and exploitation of its valuable mineral resources, and specifically required that areas of the escarpment be designated for new pits and quarries. In many ways the Commission’s decisions to alter the plan in favour of

²⁵⁸ George McKibbin, Cecil Louis and Frank Shaw, "Protecting the Niagara Escarpment," *Journal of Soil and Water Conservation* (1987), 79.

²⁵⁹ For the view that the NEC functions to facilitate development, see Winfield, *Blue-Green Province*, 159-162.

industry continued to reflect the views of the Ontario public and their provincial government, which have come to equate good conservation with economic growth.²⁶⁰

That industrial quarrying has been allowed to thrive on the Niagara escarpment is undeniable. This is especially true for the Halton escarpment where the Nelson Burlington, the Dufferin Acton and the Dufferin Milton quarries (one of the largest aggregate operations in the country) have greatly extended and expanded their borders into the escarpment's protected buffer zone and continue to supply the GTA with the lion's share of its high-quality road construction aggregate. Critical geographers, legal and planning scholars will continue to quibble over the meaning of "sustainable", the quality of quarry rehabilitation and whether provincial policies designed to promote exploitation of cheap, 'close-to-market' aggregate sources are better or worse for the planet. And many of these scholars will no doubt continue to appear surprised and dismayed at the ease with which industrial quarrying has been allowed to expand on the Niagara escarpment, notwithstanding its UNESCO biosphere designation and the robust provincial policies put in place to curtail these activities.²⁶¹

The expansion of this industry is of course remarkable and as a symptom of urban sprawl it is also regrettable, but it is hardly surprising. In fact, this is the outcome of a very deliberate

²⁶⁰ For a detailed discussion on the Dufferin Milton quarry expansion, see Patano and Sandberg, "Winning Back More Than Words."; For Nelson Aggregates Burlington, see Estair Van Wagner, "Putting Property in its Place: Relational Theory, Environmental Rights and Land Use Planning," *Revue generale de droit* 43 (2013); For Dufferin Acton and the ongoing Nelson struggle see, Ministry of Natural Resources and Forestry. Dufferin Aggregates: Approval of an Amendment to the Niagara Escarpment Plan, (2019). <https://ero.ontario.ca/notice/010-7124#decision-details>; Ministry of Natural Resources and Forestry. Nelson Aggregate Co: Issuance of a Licence to Remove Over 20,000 Tonnes of Aggregate Annually From a Pit or a Quarry, (2020). <https://ero.ontario.ca/notice/019-2698>.

²⁶¹ Patano and Sandberg, "Winning Back More Than Words." 38,34; Cash, "Understanding Decision Making," 258-259; Van Wagner, "Law's Rurality." 321.

and successful intervention scheme carried out by industry and their allies in the Ontario government at the height of the Keynesian era “to save the richest limestones on the North American continent for future use”, which has been more than a half century in the making.

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