



The Corporation of the TOWN OF MILTON

Report To: Council

From: Barbara Koopmans, Director of Planning & Development

Date: August 24, 2015

Report No: PD-036-15

Subject: James Dick Construction Ltd. – Proposed “Hidden Quarry”
Zoning By-law Amendment Application (ZBA 09/12)
Part of West Half of Lot 1, Concession 6,
Guelph / Eramosa Township, County of Wellington

Recommendation: **THAT Planning Report PD-036-15 entitled James Dick Construction Ltd. – Proposed “Hidden Quarry” be received for information; and,**

THAT the Clerk forward a copy of Report PD-036-15 to Halton Region and the Town of Halton Hills.

REPORT

Background

James Dick Construction Limited (JDCL) has made an application to amend the Guelph / Eramosa Township’s Zoning By-law, in conjunction with a corresponding Aggregate Resources Act (ARA) licence application, to permit a new Category 2, Class ‘A’ aggregate extraction operation on lands immediately north of the Town of Milton boundary in Guelph / Eramosa Township. The proposed 39.4 hectare quarry is north of Highway 7.

Staff has been monitoring the applications and has communicated with Halton Region, Halton Hills and Grand River Conservation Authority staff, along with the Township. The Town of Milton has provided the Ministry of Natural Resources and Forestry (MNR) with a formal objection to the aggregate licence application.

In January 2015, JDCL responded to the Town’s correspondence of April 2013 wherein the Town notified JDCL, the Township and the MNR of the Town’s formal objection to the applications. In accordance with the provincial standards under the ARA, the Town was obliged to respond to MNR regarding whether the Town was to maintain its objections or whether resolution of same had been achieved by 12 February, 2015.



In a letter to JDCL, MNR and the Township, Town Planning staff noted its concern with the quarry application until such time as outstanding matters have been satisfactorily resolved. These matters relate to the proposed haul route, reviewing any resolution of natural environment and water resources issues, and non-payment of fees.

Discussion

The Hidden Quarry applications were filed in late 2012. Since that time, Town staff has been co-ordinating the review of the applications and comments thereto, with Halton Region, Grand River Conservation Authority, and the Town of Halton Hills with respect to matters as they may affect Milton and Halton Region. Town staff has also provided comments on the applications to Guelph / Eramosa Township, MNRF and the applicant.

In February 2015, the Town issued a letter to Guelph / Eramosa Township, the MNRF and JDCL reiterating the Town's objector status. Town staff has also met with the Concerned Residents Coalition (CRC) to discuss matters of concern to CRC.

The Ontario Municipal Board has acknowledged an appeal from JDCL due to lack of decision on behalf of the Guelph / Eramosa Township. Although the proposed quarry is within another municipal jurisdiction, Milton has a peripheral interest in the matter due to potential implications to the haul route and water resources. Halton Region has taken a lead role in advancing these matters and Town staff is providing input to Halton Region and the other commenting agencies. As such, Town staff does not anticipate attending the OMB hearing as either a party or participant. Outstanding matters related to the proposed quarry are concise enough to be addressed through submissions by Halton Region on behalf of the local municipalities.

It is expected that there will be a Special Meeting of Guelph / Eramosa Council in September 2015 to consider a planning report on this matter, followed by a public meeting for the Council to receive public input and comments regarding the planning report.

Town staff will continue to work with Guelph / Eramosa Township, the Town of Halton Hills, Grand River Conservation Authority, Halton Region and James Dick Construction as necessary to resolve identified issues.

Relationship to the Strategic Plan

This report addresses the following strategic goals:

A Safe, Liveable and Healthy Community



The Corporation of the TOWN OF MILTON

Report #:
PD-036-15
Page 3 of 3

Financial Impact

None identified at this time.

Respectfully submitted,
Barbara Koopmans, BES, MCIP, RPP, CMO
Director, Planning and Development

For questions, please contact: Gabe Charles 905.878.7252 x2304

Attachments

CAO Approval
William Mann, MCIP, RPP, OALA, CSLA, MCIF, RPF
Chief Administrative Officer