

THOMSON ROGERS

LAWYERS

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SENT BY EMAIL

February 9, 2017

Ms. Amanda Knight
Acting Clerk/Director of Legislative Services
Township of Guelph/Eramosa
8348 Wellington Road 124
P.O. Box 700
Rockwood, Ontario
N0B 2K0

Ms. Donna Bryce
County Clerk
County of Wellington
Administration Centre
74 Woolwich Street
Guelph, ON
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Mr. Gary Cousins
Director of Planning and Development
County of Wellington
Administration Centre
74 Woolwich Street
Guelph, ON
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Dear Ms. Bryce, Ms. Knight and Mr. Cousins,

**Township of Guelph Eramosa Zoning By-law Amendment Application ZBA 06/16
County of Wellington Application for Official Plan Amendment, County File OP-
2016-09
Region of Halton and Town of Halton Hills re: Hidden Quarry Proposal, Township of
Guelph/Eramosa
Our File No. 500143**

We are the solicitors for the Town of Halton Hills and the Regional Municipality of Halton (the “Halton Municipalities”).

We are writing to provide the Halton Municipalities’ comments on the recent *Planning Act* applications submitted by James Dick Construction Limited (“JDCL”) to the County of Wellington and the Township of Guelph/Eramosa. These applications are identified as Township ZBA 06/16 and County OP-2016-09 (“the Applications”).

As you know, the Applications relate to JDCL’s proposed Hidden Quarry. JDCL’s related application for a licence under the *Aggregate Resources Act* is currently before the Ontario Municipal Board in case no. PL150494, which is presently adjourned *sine die*. The Halton Municipalities are parties to that OMB proceeding.

In our clients’ view, the Applications in their present form do not constitute good planning, are not in the public interest and should not be approved. There remain outstanding technical concerns with the Applications and the underlying aggregate extraction proposal with respect to the proposed haul route and impacts on traffic safety, natural heritage, water resources and blasting, as well as planning concerns regarding a lack of conformity with the applicable planning documents.

All of these concerns are set out in detail in the witness statements filed on behalf of the Halton Municipalities in OMB case no. PL150494.

In addition to the unresolved concerns set out in those witness statements, the Applications do not conform with planning policies that have come into force since JDCL’s prior *Planning Act* application was filed in 2012. As the Applications were submitted in 2016, they must be assessed for conformity with the current policy regime. The applicable policies include, but are not limited to, the 2014 PPS, Wellington County OPA 83 (in particular the source water protection and Paris and Galt Moraine policies) and Halton Region ROPA 38.

The Applications do not conform to the current policy regime. In particular, they have the potential to increase risk to a vulnerable aquifer, they do not adequately protect the processes and features of the Paris and Galt Moraine and the associated groundwater and surface water functions, and they do not ensure that there will be no negative impacts to natural heritage features and functions in Halton Region.

In light of the foregoing, it is the position of the Halton Municipalities that the Applications are not in the public interest, do not constitute good planning and should be denied.

Pursuant to the provisions of the *Planning Act*, we hereby request that you provide notice of any decision with respect to the Applications to the undersigned as well as to Mr. John Linhardt (JohnL@haltonhills.ca) of the Town of Halton Hills and Mr. Brian Hudson (gr.hudson@halton.ca) of Halton Region.

Yours very truly,

David N. Germain

DNG/dng

cc: John Linhardt, Town of Halton Hills
Brian Hudson, Halton Region
Barb Koopmans, Town of Milton
Aldo Salis, County of Wellington
Greg Sweetnam, JDCL
David White, Counsel for JDCL
Eileen Costello/David Nelligan, Counsel for the Township of Guelph/Eramosa
Chris Barnett/Laura Bissett, Counsel for CRC
Peter Pickfield, Counsel for the County of Wellington