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Township opposes 'hidden quarry' but won't fight it at LPAT hearing next month

by Phil Gravelle

BRUCEDALE - With a tribunal hearing looming, Guelph-Eramosa Township has declared its official opposition to the proposed "hidden quarry" on Highway 7 east of Rockwood.

A motion approved on April 15, by a vote of 4-1, denies a rezoning for the land owned by James Dick Construction Limited (JDCL).

Despite the vote, the Local Planning Appeal Tribunal (LPAT) will hold a hearing in the township chambers starting May 21 and make the actual decision on local aspects of the quarry approval process.

Members of the Concerned Residents Coalition (CRC), which has been fighting the proposal for seven years, packed the council chamber on Monday. They voiced support for the decision, but anger that the township will not present witnesses at the hearing to oppose construction of the quarry.

"I'm sorry that you have no guts - we have to fight this," said CRC board member Michele Dawe.

Mayor Chris White responded the township does not have the money to fight the proposal, noting recent peer reviews of JDCL studies, paid for by the township, revealed "no scientific basis" upon which to oppose the pit.

White said council has taken a political position, which will be communicated at the LPAT hearing by a township lawyer.

There was little discussion about the primary motion, which states, "Whereas the proposed quarry will not result in any demonstrated benefit to the township in the form of employment, increased revenues or other community benefits ...the township opposes the rezoning application."

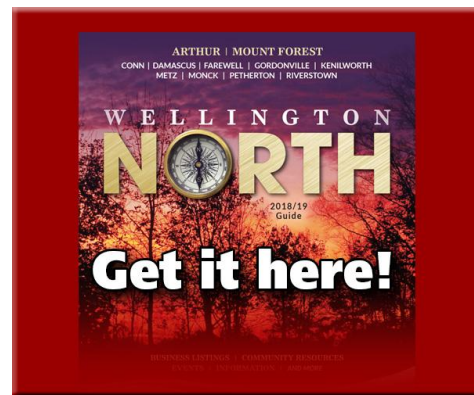
The township is requesting that the tribunal refuse the appeal of the zoning application and refuse to issue the license.

Approval of aggregate extraction licenses is a provincial decision.

"Everybody is against the quarry - I'm against the quarry," said councillor Louise Marshall, one of the four who supported the motion.

Councillor Corey Woods voted against the motion, though he did not speak against it.

JDCL originally applied for a rezoning in December 2012 and in 2015 appealed to the Ontario Municipal Board (OMB) for a decision. The OMB hearing was put on hold in October 2016 after it was learned the JDCL zoning amendment was filed for an outdated bylaw. The OMB was later converted to the LPAT.



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JDCL filed another amendment application in December 2016 and then made a new appeal in 2017, since the township had not made a decision on the re-zoning.

The CRC has conducted a campaign of fundraising and awareness to fight the pit, and will present evidence and witnesses at the LPAT hearing.

The quarry would extract aggregate below the water table and require blasting.

The township was opposed to the pit proposal during the OMB phase of the process, and granted CRC \$70,000 to help it study the issue, but has since provided no further funding.

In addition to opposing the rezoning, the lengthy council motion also requests measures in the event approval is granted. The township wants control over the final bylaw to ensure that conditions previously set will be enforced.

The township also wants the final order delayed until a road agreement is reached with JDCL, at no cost to the township.

Councillor Mark Bouwmeester successfully proposed a series of three amendments to the main motion.

Initially there was no seconder, but Woods offered to second the amending motion so it could be debated.

Bouwmeester supported the main motion, but wanted additional requests added in the event that the pit is approved.

He initially wanted Wellington Road 44 (Guelph Line) identified as a primary haul route, in order to avoid truck traffic through Rockwood, and that any road improvements be at JDCL's cost.

White said he is not comfortable directing truck traffic to that route, saying there are significant safety concerns about the road.

The amendment was altered to simply request that gravel trucks not travel through Rockwood, and then approved.

Councillors agreed they would be in support of a possible arrangement in which JDCL may be able to negotiate an easement with another landowner, to allow trucks to exit the pit via Fellows Road to access Highway 7, instead of the 6th Line.

Council also endorsed a request to have an independent auditor engaged, at JDCL's expense, to ensure the company adheres to all precautions in the site plan.

April 17, 2019

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