



## LPAT Day 13 – June 11, 2019

Day 13 is done. And with it came the end of the evidence-in-chief from JDCL.

We turn over a new leaf tomorrow to begin with testimony from the other side – from Wellington County (just one witness), from Halton Region and finally from

the concerned residents, that's YOU! Apparently we are breaking daily attendance records for Hearings like this! We will not be ignored!

### IMPORTANT HOUSEKEEPING UPDATES:

1. **Hearing times are 9:30 to 4:45** unless otherwise advised.
2. There will be **no Hearings on Fridays June 14 and 28.**
3. The **agenda for Tuesday** is at the end of this report.
4. [Sign in on our roster here.](#) **Note: This is a new link with the first two weeks of June listed.**
5. **NEW!! Most participants will present their statements on Monday, June 17. Mark your calendars so you can come to support them.**

**Session Content** (This is not a detailed report – just a very simplistic record of activity because of the complexity of the issues, technical analyses and regulatory requirements. Any inaccuracies or opinions are Linda Sword's, not CRC's!!)

**JDCL Planner Michael Wynia** continued his relentless testimony. Yesterday he reviewed Provincial Policy Statement terms for approval; today it was the Wellington County Official Plan. The short report is that JDCL has complied with all criteria in the plan; that HQ does not infringe on Rockwood, being 1 kilometre away; that the site's two lakes and improved natural environment will be just like the Conservation Area; that this is not a cultural heritage landscape; that the best science shows that there will no negative impacts; that the tree plantation was always meant to be interim; that the Official Plan policies were designed to protect the aggregate resource. Mr. Wynia took us through correspondence sent by JDCL to both Wellington County and the Township since 1992, in which they stated that they were planning for extraction, doing tests, managing the trees for future removal, expressing concern that the adjacent lands (to the east) were not being protected for aggregate extraction. (Meanwhile we all slept in peace.) Mr. Wynia concluded that the Hidden Quarry was in the public interest, with no negative impacts and timely extraction of aggregate. In cross-examination by David Germain (Halton), Mr Wynia stated that the company was "in no way required" to comply with Halton Region's Official Plan or the Greenbelt policies, although they were required to consider adjacent lands up to 120 metres away. He also disagreed that there was continuity between Halton Region and Wellington County natural systems because of Highway 7...although he did have to agree that there was a ground water connection. Mr. Germain was focussed on the potential impacts on the Brydson Creek and fish habitat in Halton Region. The Region's concern for this particular natural habitat and stream was not echoed by Mr. Wynia who was focussed on the letter of the law, although he did indicate that JDCL would nevertheless work with the assumption of fish habitat in the Brydson Creek. He affirmed also that the endangered Little Brown Bat would have to be protected, unless new Ontario legislation was in effect. Mr. Germain asked if Mr. Wynia would agree that the quarry should not proceed if the Tribunal ruled that the technical evidence was wrong and consequently denied the application...After much prevarication, Mr. Wynia agreed, sort of, but really felt that nothing would change his opinion given his extensive experience and expertise. Asked about haul route issues in downtown Acton, Mr. Wynia concurred with JDCL that Highway 7 was open for trucks even if that section of the highway was not up to provincial standards, and that the additional truck traffic would not result in social impacts. He asserted that there was no requirement to undertake a social impact study. When Mr. Germain referred to the study done by JDCL Traffic Safety expert, Mr. Forbes, which had showed that it was changes in driving behaviour that slowed Acton traffic down because of road crowding, Mr. Wynia applauded behavioural change as a positive way to make roads safer, rather than to assume more trucks would bring more danger.

Chris Barnett (CRC) began by asking Mr. Wynia if, in his opinion, aggregate had a greater priority than other lands uses...Mr. Wynia responded that aggregate resources should be protected and should preclude other development until extraction was complete. Mr. Wynia had called permitting other land uses in aggregate locations "sterilization" of a good resource – C. Barnett proposed that other uses might be valuable in their own right and would not, therefore, represent 'sterilization'. Mr. Wynia felt that there was intention in the Provincial Policies that aggregate "will be extracted." It should not be hindered if tests are met. C. Barnett then addressed the 6<sup>th</sup> Line Eramosa cultural heritage landscape identified by JDCL Heritage Architect, Peter Stewart. Mr. Wynia differed with Mr. Stewart on the classification, concerned that no rigorous study had been undertaken. C. Barnett confirmed with Mr. Wynia that he did not have a full understanding of the Allen Wetland and was not aware that JDCL ecologist Greg Sheifele had not visited it. Likewise Mr. Wynia had not visited the mushroom farm – it was not necessary. The day ended with discussion of the tree plantation's purpose (C. Barnett to bring original agreement with previous landowner as evidence through CRC Planning Expert) and a discussion of Wellington Official Plan maps of the site which had changed recently, much to everyone's confusion– It will be important to learn how and why.

### **What's on the agenda for Wednesday?**

**Wellington County's first and only witness, hydrogeologist Dave Hopkins will be called. Halton will then call blasting expert, Ray Jambakhsh.**