

Township Council directs legal counsel to advise OMB it does not support Hidden Quarry proposal

ROCKWOOD, Ontario, June 27, 2016: Guelph/Eramosa Township's Council has voted to direct its legal counsel to advise the Ontario Municipal Board (OMB) that Council does not support the approval of the Hidden Quarry proposal and to request that the OMB refuse the rezoning application and extraction license.

The application is now before the Ontario Municipal Board (OMB) for a final decision on the zoning by-law and extraction license referral following an appeal being filed by the applicant, James Dick Construction Ltd. The OMB is an administrative tribunal that conducts hearings and makes decisions that have been appealed under certain provincial legislation.

"Members of Council continue to have concerns about the Hidden Quarry operating near Rockwood, our largest urban area," says Mayor Chris White. "Even though Township consultants determined that potential risks could be mitigated through conditions, in the opinion of Council, the potential impacts related to blasting and to water quality and quantity provide an unacceptable level of risk to our community. There is no demonstrated overall benefit to our Township."

The Ontario Municipal Board has scheduled hearings for late September 2016. The Township's Solicitors will attend the hearing and advise the Board of the Township's position.

"If the OMB decides to approve this application, our consultants have worked hard to develop a series of conditions and rules around the operation of this quarry. We hope that they are implemented and enforced, should the OMB ultimately approve this," stated Mayor White.

Council also voted to provide a donation of \$70,000 to the Concerned Residents Coalition, which is a community group that formed as a result of the Hidden Quarry application and will be attending as a party, with legal counsel and witnesses, at the OMB hearing.

"Council Members continue to have concerns and support the CRC having a voice at the OMB hearing," explained Mayor White.

Residents and other concerned parties wishing to take part in the OMB hearing or ask questions about the hearing should contact OMB at www.omb.gov.on.ca or call 1-866-448-2248.

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For additional information:
Meaghan Reid, Clerk/Director of Legislative Services
Phone: 519-856-9596 ext. 107
Email: mreid@get.on.ca



Frequently-Asked-Questions about the Hidden Quarry

Q. What is the Hidden Quarry?

A. In 2012, James Dick Construction Ltd. submitted an application to Guelph/Eramosa Township to re-zone a 100-acre parcel of land near Rockwood in order to permit a quarry. The proposed quarry is identified as “Category 2”, meaning extraction of minerals would be made above and below the groundwater table at a rate of 700,000 tonnes of aggregate material annually from the site located northeast of Highway 7 and the 6th Line.

Q. What types of concerns have been expressed to Council about the Hidden Quarry?

A. Guelph/Eramosa Township residents have expressed a number of key concerns related to a new quarry: decreased property value, contamination of private wells, additional infrastructure requirements (road upgrades, traffic lights, etc.), blasting/vibration, air quality, noise, impact on natural environment (water quality, wetlands and wildlife), property damage, cultural heritage, karst topography (shafts, tunnels, caves caused by water drainage), visual impact, effect on quality of life, tourism, and business, haul route (increased traffic and dangerous conditions) and agricultural impact (food production and equestrian farms).

Q. What is the current status of the hidden quarry project?

A. The application has been appealed to the Ontario Municipal Board (OMB) for a decision. The re-zoning application is now before the Ontario Municipal Board and Guelph/Eramosa Township is no longer able to approve or reject it. The Township Solicitor and consultants will attend the OMB proceedings on behalf of Guelph/Eramosa Township to defend its position. A hearing is scheduled for late September of 2016.

Q. What is the Ontario Municipal Board?

A. The Ontario Municipal Board is a tribunal where appeals can be brought for resolution. Members are appointed by the Ontario government for three-year terms and include lawyers, former elected officials, engineers, surveyors, planners and public administrators. Members make decisions based on evidence presented at a hearing, the relevant law, provincial policies and the principles of good planning.

Q. Why is the quarry application in the hands of the Ontario Municipal Board?

A. The Township was involved in an extensive process of thoroughly reviewing technical reports and public submissions when the appeal to the OMB was filed by James Dick Construction Ltd. Under the requirements of the Planning Act, James Dick Construction Ltd. was able to file an appeal with the Ontario Municipal Board, which the company did in May 2015. The OMB will now decide if the rezoning should be approved.

Q. What is the Township's position on the proposed quarry?

A. The Township has requested that their Solicitors advise the OMB that Council does not support the approval of the Hidden Quarry proposal and to request that the OMB refuse the rezoning application and extraction license. The Township has also directed their Solicitors to request that, should the OMB ultimately decide to approve the proposal, that the Board approve the by-law and conditions drafted by the Township Solicitor and Consultants to ensure that there will be minimal impact on the Township. The Township has also directed their Solicitors to request that, should the OMB ultimately decide to approve the proposal, that the Board not issue its final Order on the appeal until there is a Road Agreement with the applicant that is satisfactory to the Township, as well as a road access permit.

Q. What happens if the OMB decides to approve the re-zoning to allow the quarry?

A. The decision of the OMB is final. There is limited right to seek leave to appeal a decision of the OMB, but only on questions of law.

Q. When will a decision be made by the Ontario Municipal Board?

A. A decision date is not known at this time, being dependent on when the date for the hearing is set, the length of the hearing and its complexity.

Q. I have concerns about the hidden quarry. Whom should I contact?

A. If you wish to take part in the OMB hearing, or ask questions about the hearing, you can contact the OMB to find out the name and contact information for the caseworker assigned to the file.

The contact information for the OMB is as follows:

Ontario Municipal Board

655 Bay Street Suite 1500

Toronto, Ontario M5G 1E5

Tel: (416) 212-6349 or toll free 1-866-448-2248

Fax: (416) 326-5370

TTY: 1-800-855-1155 via Bell relay

Office Hours: Monday-Friday 8:30am to 5:00 p.m. (Excluding statutory holidays)

E-Mail: ontario.municipal.board@ontario.ca