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SENT BY EMAIL ONLY

October 6, 2015

Ms. Eileen Costello
Aird & Berlis LLP
181 Bay Street
Suite 1800
Toronto, ON
M5J 2T9

Dear Ms. Costello,

**Zoning By-law Amendment Application Township File ZBA09/12
James Dick Construction -- Hidden Quarry Proposal
Our File No. 500143**

We are the solicitors for the Town of Halton Hills (“Town”) and Halton Region (“Region”) in this matter. We are writing regarding the zoning by-law amendment applied for by James Dick Construction Inc. (“JDCl”) in connection with its proposed Hidden Quarry.

The Town and Region have serious concerns with the recommendations of the September 1, 2015 planning report prepared by Elizabeth Howson for Township Council. That report recommends that the proposed rezoning be “recommended to the Ontario Municipal Board **for approval in principle**, subject to detailed conditions of development being developed to the satisfaction of the Township in consultation with the Region of Halton, Town of Halton Hills and Town of Milton and County of Wellington” [Our Emphasis].

In our view, approval of the proposed quarry, as well as any recommendation for approval in principle are premature.

There remain fundamental issues regarding the haul route study that the Township’s own peer review consultant, Burnside has “concluded that matters remain outstanding which need to be addressed before the study is approved.” [at 14]. Further the Howson report

states: “We confirm that the safety issue identified already exists for large trucks turning at this location (Main Street/Mill Street in downtown Acton).” [at 30]. Until this issue has been addressed, the principle of the proposed use cannot be justified. Further examination is therefore required.

With respect to other technical matters, the Town and Region are concerned by the inappropriately narrow scope of the natural heritage and related ground and surface water investigations that have been undertaken to date. Again, further examination of these issues is required.

The outstanding matters are significant, and therefore, any recommendation for approval, even in principle, remains premature. Therefore, for the foregoing reasons, we respectfully request that this recommendation for approval in principle not be adopted by Township Council.

The Town and Region remain prepared to meet to discuss these outstanding matters. Further the Town and Region support the recommendation of the Township Planning Report for a request being made to the Ontario Municipal Board for mediation of this matter.

We ask that you please provide this letter to Township Council prior to its determination of the position the Township will take at the upcoming OMB hearing in this matter.

Yours very truly,



Jeffrey J. Wilker

Jeffrey Wilker Law Professional Corporation

JJW/jjw

cc: Clients
cc: Greg Sweetnam, James Dick Construction Ltd.