April 28, 2009

Minister of Natural Resources
Whitney Block
6th Flr. Rm. 6630
99 Wellesley St W
Toronto ON M7A 1W3

ATT: The Honourable Donna H. Cansfield

VIA: email - dcansfield.mpp.co@liberal.ola.org

Dear Minister Cansfield:

RE: Town of Milton Staff Report PD-043-09 – Response to Ministry of Natural Resources Regarding a License Application for a Bedrock Quarry – St. Mary’s Cement – Proposed Flamborough Quarry

Please be advised that Milton Council, at their meeting held on April 27, 2009, considered the aforementioned topic and subsequent to discussion, the following was resolved:

WHEREAS St Mary’s Cement submitted an Aggregate Resources Act application to the Ministry of Natural Resources (MNR) on January 22, 2009, resubmitted on February 13, 2009, and the application was found to be complete by MNR on March 3, 2009;

AND WHEREAS the Ministry of Natural Resources has the legislative authority to approve or deny Aggregate Licenses;

AND WHEREAS there is currently an application for an Aggregate License by St. Mary’s Cement in adjacent Flamborough;

AND WHEREAS the McGuinty government has passed numerous initiatives to monitor, enforce and protect the environment, with legislation in place which is meant to secure the protection of areas such as that of Flamborough and our own community of Milton, and Campbellville in particular, against assault of its environmentally protected features;
AND WHEREAS Section 12.1 of the Aggregate Resources Act states:

12. (1) In considering whether a license should be issued or refused, the Minister or the Board, as the case may be, shall have regard to:

a) the effect of the operation of the pit or quarry on the environment;
b) the effect of the operation of the pit or quarry on nearby communities;
c) any comments provided by a municipality in which the site is located;
d) the suitability of the progressive rehabilitation and final rehabilitation plans for the site;
e) any possible effects on ground and surface water resources;
f) any possible effects of the operation of the pit or quarry on agricultural resources;
g) any planning and land use considerations;
h) the main haulage routes and proposed truck traffic to and from the site;
i) the quality and quantity of the aggregate on the site;
j) the applicant's history of compliance with this Act and the regulations, if a licence or permit has previously been issued to the applicant under this Act or a predecessor of this Act; and
k) such other matters as are considered appropriate. R.S.O. 1990, c. A.8, s. 12; 1996, c. 30, s. 9 (1, 2); 2002, c. 17, Schedule F, Table.

AND WHEREAS all parameters listed under 12.1 apply to this proponent's application and are clearly irresolvable;

AND WHEREAS St Mary's Cement is refusing to redo groundwater testing with respect to Phase 1 (1 of 3 Phases) of the Permit to Take Water (PTTW) as ordered by the Ministry of the Environment (MOE), stating in a January 22, 2009 letter that they (St Mary's Cement) “do not believe that any further data will be gained by repeating Phase 1 of the pumping test and will not be repeating the Phase”;

AND WHEREAS the MOE in a letter to St. Mary’s Cement dated March 5, 2009 state: “It is the ministry position that hydrogeological studies completed to date have not provided information to conclude that the proposed Groundwater Recirculation System is an acceptable mitigation strategy for this site. Further pumping tests are necessary to demonstrate that the proposed Groundwater Recirculation System for this site will protect the quality and quantity of both groundwater and surface water.” (NOTE: St. Mary’s Cement’s letter indicates that
they will not be carrying out any further testing under the mandate of the PTTW. Accordingly, unless they advise the MOE otherwise by March 20, 2009, the permit will be revoked);

AND WHEREAS MOE has stated that completion of necessary studies (which includes the pump tests) is required prior to consideration of or any PTTW being issued for a quarry operation;

AND WHEREAS Hamilton’s Medical Officer of Health has stated in a letter to the Ministry of Natural Resources dated February 10, 2009, that Public Health Services has health concerns regarding the operation of a limestone quarry as proposed by an Aggregate Resources Act Application made by CBM St Mary’s Cement, and that these concerns are due to a potential risk for adverse impacts upon groundwater quantity and quality that could be caused by the quarry;

AND WHEREAS Halton Region’s Chief Medical Officer of Health, Dr. Bob Nosal, has stated in a letter to the Ministry of Natural Resources dated February 20, 2009, that the Halton Regional Health Department has health concerns regarding the operation of a limestone quarry as proposed by an Aggregate Resources Act Application made by CBM St. Mary’s Cement, and that these concerns are due to a potential risk for adverse impacts upon groundwater quantity and quality that could be caused by the quarry;

AND WHEREAS St Mary’s Cement stated in the Fall 2007 Newsletter #6 that “St Mary’s is committed to successfully demonstrating our GRS method here in Flamborough before this system is implemented or added as a component to our final application.” And, with the refusal to complete the MOE ordered test phases, no mitigation system, of any kind, has been tested on-site to evaluate if the unacceptable impacts of quarry dewatering can be managed;

AND WHEREAS our own community lies within same Well Head Protection Area (WHPA) in which the proposed quarry falls; and the new Clean Water Act promises protection for our drinking water right at its source; and the law promises to prevent problems before they happen and the Greenbelt Plan prohibits extending lake-based water systems to our communities; and that if something goes wrong, there is no Plan B for our drinking water. Protection of water must be the first priority and take precedence over a proposed quarry;

AND WHEREAS the City of Hamilton’s Medical Officer of Health stated in a letter to the Ministry of Natural Resources dated February 10, 2009, that Public Health Services has health concerns regarding the operation of a limestone quarry as proposed by an Aggregate Resources Act Application made by CBM St Mary’s Cement, and that these concerns are due to a potential risk for adverse impacts upon groundwater quantity and quality that could be caused by the quarry;
AND WHEREAS the City of Hamilton unanimously approved a Motion on February 27, 2008 with respect to the Carlisle groundwater-based municipal system, with the following resolution:

That the City of Hamilton

a) bring to the attention of the Provincial Government its concerns regarding potential adverse impacts on the Carlisle groundwater-based municipal drinking water system

b) request the Provincial Government, through the Premier and the Ontario Minister of the Environment, to fully consider the potential ramifications of the proposed development and

c) before any provincial permits or approvals are issued for the proposed St Mary’s Quarry, the province should require a formal review by the Halton/Hamilton Source Protection Authority, as part of the local source protection process.

AND WHEREAS in the City of Hamilton Public Health Services letter dated October 26, 2007 to the MOE, as per Item 3 (b) (i), (ii), (iii) and 3 (c), the City of Hamilton’s hydro-geologist requested special testing of organics because of identified contaminants within the area;

AND WHEREAS the proposed site falls completely within the Natural Heritage System of Ontario’s Greenbelt, the area of highest environmental value. Provincially Significant Wetlands, significant woodlands, and other nationally, provincially, regionally and municipally designated natural features and species at risk, or their habitats, are present on and around the site;

AND WHEREAS St Mary’s Cement has failed to complete vital impact studies requested by Municipal, Regional and Provincial bodies with respect to issues such as the Permit to Take Water, Transportation Study and related public information meetings;

AND WHEREAS St Mary’s Cement has suddenly shifted the process, abandoning their current work with the Hamilton Municipal Government, and moving on to the Provincial Government level, showing complete disregard for the welfare of our adjacent communities;

AND WHEREAS the timeframe provided to allow municipal and agency technical experts to digest, review, and submit detailed comments on the material is very short (45 days), a significant disadvantage is imposed on commenting bodies;
AND WHEREAS St Mary’s Cement has yet to make any successful inroads towards their application to establish what would be the 8th largest quarry in Canada in an area that is already established residential, agricultural and conservation lands;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Milton:

a) Receive report PD-043-09 for information;

b) AND THAT the Minister of Natural Resources, the City of Hamilton, the Region of Halton and St. Mary’s Cement be advised that the Council of the Town of Milton objects to the application for a license under the Aggregate Resources Act for the proposed St. Mary’s quarry, located in the City of Hamilton for the reasons set out in Report PD-043-09;

c) Being only a commenting agency while our community faces many of the same risks as Flamborough, fully endorses the motion by the City of Hamilton which was supported unanimously at their April 15th council meeting;

d) Advise the Minister of Natural Resources, the City of Hamilton, the Region of Halton and St. Mary’s Cement of the Town of Milton’s support for the request submitted by the City of Hamilton under the authority granted to her by Section 12.1 of the Aggregate Resources Act RSO 1990 to refuse the aggregate license submitted by St. Mary’s Cement;

e) Circulate this resolution to City of Burlington and the Region of Halton so that those Councils may consider a similar resolution if they have not already done so, and that the motion be circulated as well to Premier Dalton McGuinty, MPP Ted Chudleigh, MPP Joyce Savoline, and Conservation Halton, and copy it to the City of Hamilton.

As per the above resolution, please accept a copy of this report and resolution for your information and consideration.
Town of Milton
150 Mary Street
Milton, Ontario
L9T 6Z5
Phone 905-878-7252
Fax 905-878-6995
www.milton.ca

Please be advised that the Council of the Town of Milton objects to the application for a license under the Aggregate Resources Act for the proposed St. Mary’s quarry and also be advised that the Town of Milton supports the request submitted by the City of Hamilton under the authority granted to her by Section 12.1 of the Aggregate Resources Act RSO 1990 to refuse the aggregate license submitted by St. Mary’s Cement.

Yours very truly,

Shelly van Empel
Legislative Administrator
Executive Services Dept.

/sve

Encls.

cc: City of Hamilton City Hall (Hamilton City Centre), 77 James Street North, Suite 200, Hamilton, ON, L8R 2K3, ATT: Kevin C. Christenson, City Clerk – via: email: clerk@hamilton.ca

Regional Municipality of Halton, 1151 Bronte Rd., Oakville, ON, L6M 3L1 – via email: lattrans@region.halton.on.ca

St. Mary’s Cement, 55 Industrial St., 4th Floor, Toronto, ON., M4G 3W9 - via email: communityinfo@stmarysbcm.com

City of Burlington, 426 Brant Street, P.O. Box 5013, Burlington, ON, L7R 3Z6, ATT: Kim Phillips, City Clerk – via: email: phillipsk@burlington.ca

Premier Dalton McGuinty, Premier, 1795 Kilborn Ave., Ottawa, Ontario K1H 6N1
Via: email: dmcguity.mpp.co@liberal.ola.org

Mr. Ted Chudleigh, M.P.P., Halton, 174 Mill Street, Suite #1, Milton, ON, L9T 1S2 – via: email: ted.chudleigh@pc.ola.org

Ms. Joyce Savoline, M.P.P., 44-760 Brant Street, Burlington, ON, L7R 4B7- via: email: joyce.savolineco@pc.ola.org

Conservation Halton, 2596 Britannia Road West, R.R. 2 Milton, ON, L9T 2X6 - via: email: admin@hrca.on.ca
Report to: Mayor G. A. Krantz and Members of Council
From: E. Iovio, M.C.I.P., R.P.P., Director of Planning & Development
Date: April 27, 2009
Report No. PD-043-09

Subject: RESPONSE TO MINISTRY OF NATURAL RESOURCES REGARDING A LICENSE APPLICATION FOR A BEDROCK QUARRY – ST. MARY’S CEMENT – PROPOSED FLAMBOROUGH QUARRY

RECOMMENDATION: THAT Report PD-043-09 be received for information;

AND THAT the Minister of Natural Resources, the City of Hamilton, the Region of Halton and St. Mary’s Cement be advised that the Council of the Town of Milton objects to the application for a license under the Aggregate Resources Act for the proposed St. Mary’s quarry, located in the City of Hamilton for the reasons set out in Report PD-043-09.

EXECUTIVE SUMMARY

Town staff is in receipt of a Notice of Application for a license for a bedrock quarry under the Aggregate Resources Act for lands in the former Town of Flamborough, now the City of Hamilton. These lands abut the western boundary of the Town of Milton. The aggregate license process requires comments within 45 days of the initiation of the application (the applicant provides notice of the application after it is deemed complete). This deadline for comment is May 21, 2009.

Town staff had previously advised of the areas of concern for the Town of Milton. These concerns, in staff's opinion, have not been properly addressed, the applicant has not justified many of their conclusions and the reports in support of the land use applications are incomplete. As a result, staff recommend that the Town of Milton object to their license application and that the Minister of Natural Resources, the City of Hamilton, the Region of Halton and St. Mary’s be so advised.
REPORT

Background

As Council is aware, the City of Hamilton received applications for amendments to the Official Plan and Zoning By-law of the former Town of Flamborough late in 2004. Staff advised Council of these applications through Report PD-007-05. In that report, staff outlined what should be the areas of concern related to the application which included surface and ground water quantity and quality, destruction of natural heritage areas, impacts to local residents from noise, dust and vibration. In addition and of particular concern was the notion presented by the applicant (previously Lowndes and now St. Mary’s) that the haul route might come nearly entirely on roads within Milton. Our concerns in this regard related to loss or damage to natural heritage systems, transportation impacts, costs to the municipality related to the damage to our roads and of course this impact on our residents and businesses.

St. Mary’s has since made a further application to the City of Hamilton in October of 2008 to add an additional 4.2 ha (10.6 acre) parcel of land fronting on Milborough Line. They propose to use these lands for the entrance to the quarry and this later application is being reviewed in concert with the 2004 applications. These applications are being reviewed by the CART (Combined Agency Review Team), with the process being reflective of that of the Region’s JART. Town Planning and Engineering staff are represented on this Committee as is Regional staff and Conservation Halton staff among others.

Discussion

As staff previously had updated Council through reports PD-086-07 and PD-050-08, the intent of this report is to provide a status of the review of these applications and seek support on the recommendation to object to the ARA License application. Town staff are relying on other agencies related to the Hydrogeological study, specifically the Region’s Senior Hydrogeologist and the Ministry of the Environment. In addition, the City of Hamilton has peer review consultants for all areas of this application including environment, hydrogeology, transportation, noise, dust and vibration. Staff suggests
that we rely on these other peer reviewers and other agencies for assistance in assessing the application or determining if the Town, in concert with the Region of Halton hire our own peer reviewers.

However, in the area of the Haul Route Study (please note that this study is not a requirement of the ARA application), staff has been greatly involved. I might note that this is also the area that has had significant activity. Council has authorized staff to hire peer reviewers to assess this study. To date, however, this study is not at a point to make this worthwhile.

An update of the status of the various issues to be dealt with through studies provided by the applicant follows.

**Haul Route Study**

Staff received a preliminary Haul Route Study that was to respond to issues and concerns raised by the CART and those attending the various public open houses that have been held in this regard. The conclusion of this study was that the preferred haul route was to be north on Milborrow Line, east on Campbellville Road, north on Twiss Road, east on Reid Sideroad to provide access to the 401.

Both Town and Regional staff advised CART and the applicant that they had not provided justification for this preference. In addition, the impacts of an environmental, social and financial nature were essentially absent in the report or largely, in staffs opinion, that the report contained inaccuracies. Those comments are provided as Appendix 1 to this report.

In an update provided by Hamilton’s peer reviewer, only a transportation review was being provided, not a review of social or environmental impacts. In any event, these impacts were not properly addressed in the latest report.

To date, the applicant has not provided an update on this report responding to the concerns raised by the various members of CART, the peer review consultants and of course, Town, Region and Conservation Halton staff.
Hydrogeological Study

As stated previously, Town staff cannot offer any expertise in this regard and will be relying on staff from the Ministry of Environment, Region of Halton, Conservation Halton and Hamilton's peer review consultants.

However, we are aware that the final Terms of Reference on this study have not been finalized and that the Ministry is on record as not accepting of the results of the phase two pump testing due to unusual amounts of rain. They have requested that the applicant do this testing again under more normal conditions. St. Mary's consultants responded that they did not agree with that position and were not advising their client to do the tests again. While the temporary permit to take water was to expire in March of this year, it is staffs understanding that the Ministry has agreed not to revoke the permit for a period up to June 30, 2009.

Dan Mohr of Jagger Hims provided a brief list of concerns with this report. This list should not in any way be considered complete.

- The report is oversimplified and is lacking in effect examination
- Concerns relative to the water budget were suggested and not adequately addressed
- The consultant has used simulations, not real data
- Mitigation is not fully addressed
- Some concern with the model used in the assessment
- The lake filling and it's impacts not adequately addressed and no modelling has been provided

Environmental Impact Assessment

There has been absolutely no activity in consulting on this matter for some time now. The Terms of Reference have not been finalized. An update on discussion surrounding natural heritage, which should not be considered exhaustive, was provided by the applicant's peer review consultants (Dougan and Associates) where the following was identified.
The applicants consultant is using their own criteria to identify significant woodlands, not those found in the PPS and Butternut issues are not adequately addressed.

- The report doesn't deal with Greenbelt policies and directions
- The report does not properly deal with surface and groundwater impacts, including the fact that there remains a lot of questions about the groundwater recharge system
- Significant wildlife habitat data is generally acceptable, but the consultants interpretation/conclusions are unsubstantiated and does not properly address local or regional sensitivity
- The field work is generally acceptable, but interpretation and mitigation is questionable.

**Noise/Vibration/Dust Study**

As noted above, this study has not provided any assessment for the haul route. Hamilton's peer reviewer (Valcoistics) has indicated that some detail is missing from the report, particularly no mention of dust and it's impacts.

It is expected that all of Hamilton's peer review consultants will provide complete comments by the end of April.

**Conclusions**

Staff is of the opinion that a considerable amount of work is left to be done on the land use applications related to all areas of impact assessment and staff is not able to offer any kind of opinion on the land use applications or the license application.

Due to the foregoing, staff recommends that the Town of Milton Council object to the application filed by St. Mary's to the Ministry of Natural Resources for an aggregate license.
Relationship to the Strategic Plan

- Responsible, cost effective and accountable local government.
- A safe, liveable and healthy community
- A thriving natural environment

Financial Impact

The cost of staff time in the review of these applications and upcoming peer review fees.

Respectfully submitted,

E. Iovio, M.C.I.P., R.P.P.
Director of Planning & Development

If you have any questions on the content of this report: Anne Dawkins, 905-878-7252 x 2310

Attachments: Appendix 1 – Most Recent Milton staff comment on the haul route study

CAO Approval: ______________________
Resolution

Date: April 27, 2009
Number: 443-09

Moved by: Councillor

Seconded by: Councillor

BE IT RESOLVED:

WHEREAS St Mary's Cement submitted an Aggregate Resources Act application to the Ministry of Natural Resources (MNR) on January 22, 2009, resubmitted on February 13, 2009, and the application was found to be complete by MNR on March 3, 2009;

AND WHEREAS the Ministry of Natural Resources has the legislative authority to approve or deny Aggregate Licenses;

AND WHEREAS there is currently an application for an Aggregate License by St. Mary's Cement in adjacent Flamborough;

AND WHEREAS the McGuinty government has passed numerous initiatives to monitor, enforce and protect the environment, with legislation in place which is meant to secure the protection of areas such as that of Flamborough and our own community of Milton, and Campbellville in particular, against assault of its environmentally protected features;

AND WHEREAS Section 12.1 of the Aggregate Resources Act states:

12. (1) In considering whether a license should be issued or refused, the Minister or the Board, as the case may be, shall have regard to:

   a) the effect of the operation of the pit or quarry on the environment;
   b) the effect of the operation of the pit or quarry on nearby communities;
   c) any comments provided by a municipality in which the site is located;
d) the suitability of the progressive rehabilitation and final rehabilitation plans for the site;

e) any possible effects on ground and surface water resources;

f) any possible effects of the operation of the pit or quarry on agricultural resources;

g) any planning and land use considerations;

h) the main haulage routes and proposed truck traffic to and from the site;

i) the quality and quantity of the aggregate on the site;

j) the applicant’s history of compliance with this Act and the regulations, if a licence or permit has previously been issued to the applicant under this Act or a predecessor of this Act; and

k) such other matters as are considered appropriate. R.S.O. 1990, c. A.8, s. 12; 1996, c. 30, s. 9 (1, 2); 2002, c. 17, Schedule F, Table.

AND WHEREAS all parameters listed under 12.1 apply to this proponent’s application and are clearly irresolvable;

AND WHEREAS St Mary’s Cement is refusing to redo groundwater testing with respect to Phase 1 (1 of 3 Phases) of the Permit to Take Water (PTTW) as ordered by the Ministry of the Environment (MOE), stating in a January 22, 2009 letter that they (St Mary’s Cement) “do not believe that any further data will be gained by repeating Phase 1 of the pumping test and will not be repeating the Phase”;

AND WHEREAS the MOE in a letter to St. Mary’s Cement dated March 5, 2009 state: “It is the ministry position that hydrogeological studies completed to date have not provided information to conclude that the proposed Groundwater Recirculation System is an acceptable mitigation strategy for this site. Further pumping tests are necessary to demonstrate that the proposed Groundwater Recirculation System for this site will protect the quality and quantity of both groundwater and surface water.” (NOTE: St. Mary’s Cement’s letter indicates that they will not be carrying out any further testing under the mandate of the PTTW. Accordingly, unless they advise the MOE otherwise by March 20, 2009, the permit will be revoked);

AND WHEREAS MOE has stated that completion of necessary studies (which includes the pump tests) is required prior to consideration of or any PTTW being issued for a quarry operation;

AND WHEREAS Hamilton’s Medical Officer of Health has stated in a letter to the Ministry of Natural Resources dated February 10, 2009, that Public Health Services has health concerns regarding the operation of a limestone quarry as proposed by an Aggregate Resources Act Application made by CBM St Mary’s Cement, and that these concerns are due to a potential risk for adverse impacts upon groundwater quantity and quality that could be caused by the quarry;
AND WHEREAS Halton Region’s Chief Medical Officer of Health, Dr. Bob Nosal, has stated in a letter to the Ministry of Natural Resources dated February 20, 2009, that the Halton Regional Health Department has health concerns regarding the operation of a limestone quarry as proposed by an Aggregate Resources Act Application made by CBM St. Mary’s Cement, and that these concerns are due to a potential risk for adverse impacts upon groundwater quantity and quality that could be caused by the quarry;

AND WHEREAS St Mary’s Cement stated in the Fall 2007 Newsletter #6 that “St Mary’s is committed to successfully demonstrating our GRS method here in Flamborough before this system is implemented or added as a component to our final application.” And, with the refusal to complete the MOE ordered test phases, no mitigation system, of any kind, has been tested on-site to evaluate if the unacceptable impacts of quarry dewatering can be managed;

AND WHEREAS our own community lies within same Well Head Protection Area (WHPA) in which the proposed quarry falls; and the new Clean Water Act promises protection for our drinking water right at its source; and the law promises to prevent problems before they happen and the Greenbelt Plan prohibits extending lake-based water systems to our communities; and that if something goes wrong, there is no Plan B for our drinking water. Protection of water must be the first priority and take precedence over a proposed quarry;

AND WHEREAS the City of Hamilton’s Medical Officer of Health stated in a letter to the Ministry of Natural Resources dated February 10, 2009, that Public Health Services has health concerns regarding the operation of a limestone quarry as proposed by an Aggregate Resources Act Application made by CBM St Mary’s Cement, and that these concerns are due to a potential risk for adverse impacts upon groundwater quantity and quality that could be caused by the quarry;

AND WHEREAS the City of Hamilton unanimously approved a Motion on February 27, 2008 with respect to the Carlisle groundwater-based municipal system, with the following resolution:

That the City of Hamilton

a) bring to the attention of the Provincial Government its concerns regarding potential adverse impacts on the Carlisle groundwater-based municipal drinking water system

b) request the Provincial Government, through the Premier and the Ontario Minister of the Environment, to fully consider the potential ramifications of the proposed development and
c) before any provincial permits or approvals are issued for the proposed St Mary’s Quarry, the province should require a formal review by the Halton/Hamilton Source Protection Authority, as part of the local source protection process.

AND WHEREAS in the City of Hamilton Public Health Services letter dated October 26, 2007 to the MOE, as per Item 3 (b) (i), (ii), (iii) and 3 (c), the City of Hamilton’s hydro-geologist requested special testing of organics because of identified contaminants within the area;

AND WHEREAS the proposed site falls completely within the Natural Heritage System of Ontario’s Greenbelt, the area of highest environmental value. Provincially Significant Wetlands, significant woodlands, and other nationally, provincially, regionally and municipally designated natural features and species at risk, or their habitats, are present on and around the site;

AND WHEREAS St Mary’s Cement has failed to complete vital impact studies requested by Municipal, Regional and Provincial bodies with respect to issues such as the Permit to Take Water, Transportation Study and related public information meetings;

AND WHEREAS St Mary’s Cement has suddenly shifted the process, abandoning their current work with the Hamilton Municipal Government, and moving on to the Provincial Government level, showing complete disregard for the welfare of our adjacent communities;

AND WHEREAS the timeframe provided to allow municipal and agency technical experts to digest, review, and submit detailed comments on the material is very short (45 days), a significant disadvantage is imposed on commenting bodies;

AND WHEREAS St Mary’s Cement has yet to make any successful inroads towards their application to establish what would be the 8th largest quarry in Canada in an area that is already established residential, agricultural and conservation lands;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Milton:

a) Receive report PD-043-09 for information;

b) AND THAT the Minister of Natural Resources, the City of Hamilton, the Region of Halton and St. Mary’s Cement be advised that the Council of the Town of Milton objects to the application for a license under the Aggregate Resources Act for the proposed St. Mary’s quarry, located in the City of Hamilton for the reasons set out in Report PD-043-09;
c) Being only a commenting agency while our community faces many of the same risks as Flamborough, fully endorses the motion by the City of Hamilton which was supported unanimously at their April 15th council meeting;

d) Advise the Minister of Natural Resources, the City of Hamilton, the Region of Halton and St. Mary’s Cement of the Town of Milton’s support for the request submitted by the City of Hamilton under the authority granted to her by Section 12.1 of the Aggregate Resources Act RSO 1990 to refuse the aggregate license submitted by St. Mary’s Cement;

e) Circulate this resolution to City of Burlington and the Region of Halton so that those Councils may consider a similar resolution if they have not already done so, and that the motion be circulated as well to Premier Dalton McGuinty, MPP Ted Chudleigh, MPP Joyce Savoline, and Conservation Halton, and copy it to the City of Hamilton.

[Signature]

MAYOR G. A. KRANTZ