



**Hamilton**

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November 23, 2015

Ministry of Natural Resources  
Guelph District  
1 Stone Road West  
Guelph, ON N1G 4Y2

Attention: Diane Schwier (email: [dianeschwier@ontario.ca](mailto:dianeschwier@ontario.ca))

Lafarge Canada Inc. c/o MHBC Planning  
113 Collier Street  
Barrie, ON  
L4M 1H2

Attention: Brian Zeman (email: [bzeman@mhbcplan.com](mailto:bzeman@mhbcplan.com))

Dear Madam / Sir:

**Re: Letter of Objection to an Application for a Category 2 Quarry Licence under the Aggregate Resources Act (Lafarge Dundas South Quarry Extension) – Part of Lots 7, 8 & 9, Concession 3, City of Hamilton**

On February 18, 2014, the City of Hamilton submitted an objection letter (attached as Appendix "A") to the application for a licence under the Aggregate Resources Act (ARA) by Lafarge Canada Inc. for the proposed Dundas South Quarry Extension. This objection was submitted in accordance with the ARA, which requires all objectors to submit an objection in writing within the 45 day notification period for an ARA licence application. The ARA further directs that, within two years of the public notification, proponents must respond to all objections received and provide a Notice of Objector Response to all objectors. This response must address all objections submitted by the objector and the actions taken by the proponent to address the objections.

The City of Hamilton has received a Notice of Objector Response from Lafarge Canada Inc. dated October 30, 2015 (attached as Appendix "B"). In accordance with the ARA, the City must respond to this letter within 20 days (by November 26, 2015) with recommendations that may resolve the objections. If the City does not respond, it will be deemed that there is no longer a valid objection.

The City's objections, raised in the February 18, 2014 objection letter, attached as Appendix "A", are summarized below. The reply from Lafarge Canada Inc., in the Notice of Objector Response, attached as Appendix "B", is summarized in italics following each of the City's identified objections.

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- Consideration of the application is premature at this time as the proposed extractive land use is not a permitted use under the Rural Hamilton Official Plan or the Town of Flamborough Zoning By-law.

Lafarge Response:

*We understand that the two applications are being reviewed concurrently and that the ARA licence cannot be issued until the zoning is approved. We are writing at this point in the process since we have to conclude the ARA process within a two year timeline, that expires on January 9, 2016.*

- Review of the submitted Official Plan Amendment and Zoning By-law Amendment applications have not been completed by the City or relevant commenting agencies, or considered by Council.

Lafarge Response:

*The OPA and ZBA applications were submitted on November 11, 2013. Lafarge has completed responses to comments received from the City and other commenting agencies during the review process. Please see the attached chronology of agency correspondence.*

- The City and the Combined Aggregate Review Team (CART) has not completed peer reviews of the various component studies submitted by the proponent.

Lafarge Response:

*The City has conducted peer reviews for Hydrogeology, Noise, Air and Blasting. Please see the attached chronology for correspondence related to the above noted peer reviews.*

- It would be premature for the Ministry of Natural Resources to finalize the Aggregate Licence requirements until detailed site requirements, as identified through the review of the required Official Plan Amendment and Zoning By-law Amendment applications and submitted technical studies, have been provided by the City to be considered for incorporation as conditions to the Licence, if granted by the MNR.

Lafarge Response:

*As a result of the City of Hamilton's comments and other comments from HCA, MOECC and MNRF the ARA Site Plans have been updated. The updated site plans indicate (in red) where modifications have been made to the schematic diagrams and a corresponding word document (in track changes) outlines the modifications to the site plan notes along with the corresponding agency letters. Due to postal weight restrictions for registered mail, we will be sending a copy of the*

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*updated ARA Site Plans as well as the referenced correspondence to you via courier under separate cover.*

- That Hydrogeology, Noise, Vibration, Blasting, Dust, and impacts to Natural Heritage have initially been identified as areas of concern to the City.

Lafarge Response:

*The City has conducted peer reviews for Hydrogeology, Noise, Air and Blasting. Please see the attached chronology for correspondence related to the above noted peer reviews and response to comments from the City of Hamilton and other agencies with regard to the above noted areas of concern.*

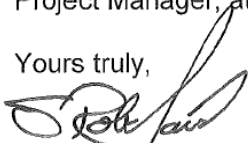
While the City of Hamilton acknowledges the responses of Lafarge Canada Inc. above, the City's objections remain and have not been resolved to the City's satisfaction at the present time. Lafarge has been working cooperatively with the City of Hamilton and CART to attempt to address the issues raised above. The CART Peer Review Team has completed reviews of the hydrogeological, noise, blasting and air quality studies. In addition, staff have reviewed and commented on the natural heritage issues. These responses have been forwarded to Lafarge for their review and response. Lafarge has provided responses to these peer reviews, but the City and the CART Peer Review Team have not had adequate time to fully review the responses.

The City has not completed its review of the related planning applications (Official Plan Amendment and Zoning By-law Amendment), as review of these applications is dependent on the outcome of the peer reviews discussed above.

Therefore, the City maintains its objections to the Lafarge ARA application on the basis that it is premature, as the City has not completed its review of the planning applications, and the reviews of the component studies are ongoing but have not yet been completed to the City's satisfaction. City staff will continue to work with Lafarge to conclude the peer review process and bring forward a recommendation on the planning applications in a timely manner.

If you require further information on the above, please contact Heather Travis, Senior Project Manager, at 905-546-2424, ext. 4168.

Yours truly,



Stephen Robichaud, MCIP, RPP  
Director of Planning and Chief Planner, Planning Division  
Planning and Economic Development Department  
City of Hamilton