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Quarry plan killed after six-year fight

April 13, 2010

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Astonished community leaders were "ecstatic" Tuesday after MPP Ted McMeekin announced the province had issued an unprecedented order halting St. Marys Cement's attempt to open a massive limestone quarry on a 15-hectare site in the former town of Flamborough.

McMeekin said the province was responding to widespread concern about potential harm to groundwater supplying wells, wetlands and streams.

The order declares the site must remain zoned "rural and conservation management" in perpetuity.

The province's decision is a victory for Friends of Rural Communities Everywhere (FORCE), a well-organized citizens group that argued the plan posed an unacceptable threat to environmentally sensitive land and the water beneath it.

It's a huge setback for St. Marys, Canadian subsidiary of the Brazilian giant Votorantim Cimentos, and for Ontario's politically powerful stone, sand and gravel industry, which strives to keep land available for aggregate extraction. St. Marys says it spent \$20 million on efforts to rezone the property and obtain a quarry licence.

A small crowd burst into applause as the MPP for Ancaster-Dundas-Flamborough-Westdale delivered the news outside his Waterdown riding office Tuesday.

Hamilton Ward 15 Councillor Margaret McCarthy, who is leaving office this fall, couldn't contain her joy and tears streamed down her face. A passionate foe of the project for six years, she said, "It's very nice, having come so far, having it end like this before I leave."

Ontario Environmental Commissioner Gord Miller, who has long urged the government to screen out unsuitable sites early, said, "This is a really significant decision, because large quarry applications have always been approved" if the companies went through a planning process that can take 10 years.

He argued in a 2006-07 report that an approval process is not legitimate if applications are never turned down.

"The policy hasn't changed yet," he said yesterday, "but this brings us one step closer to a world where we can come to a decision early with less effort."

McMeekin said ministerial zoning orders have been used three times before: to stop Toronto from dumping garbage in the Adams mine in Northern Ontario, to protect the Oak Ridges Moraine and to protect the Marcy's Woods Nature Reserve on Lake Erie.

John Moroz, vice-president and general manager of St. Marys, said his company believes the government made a grave error. "St Marys expects to conduct business in Ontario within a regulatory framework that is clear and reasonable, and on that basis has invested hundreds of millions of dollars in this province. Given the strong economic and social potential of the Flamborough Quarry, and our investment to date, we have no choice but to examine our legal options."

McMeekin said the company has 30 days to appeal, then the province has 30 days to declare a provincial interest in the issue. If it does, the appeal would be decided by Cabinet.

Besides FORCE, the quarry was strongly opposed by Hamilton, Halton, Burlington and Milton councils, medical officers of health, conservation authorities, school boards, farm groups and the Ontario Environment Ministry.

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