

Traffic and environment concerns lead council to refusal

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forcing the Town to issue a cease and desist order.

"People were jumping into the ditch when two trucks passed each other," she said.

She also mentioned health issues, like asthma, that could be made worse for local residents by inhaling dust from the fill operation.

A report from the SAC to council cited several reasons behind its decision to recommend refusal of the Stull application, including negative impacts caused by truck traffic on rural roads, the fact the site isn't considered fertile for farming and potential impacts the fill could have on water quality.

The Stulls were represented at the meeting by consultant Clare Riepma, who contended the SAC's reasons for refusal are "incorrect."

He pointed out the Canada Land Inventory for Agriculture maps site as class 1 agricultural land.

"The land around the pit is currently being farmed, and there's no reason to suggest these lands, if rehabilitated for agricultural purposes, won't be a productive agricultural property,"

he said. "It's in the public's interest to have a piece of agricultural land here, as opposed to a hole in the ground."

He noted the hole currently reaches down to the water table, making it vulnerable to contamination.

"We believe we can develop a suitable protocol to protect the groundwater," he said, adding the Stulls would hire a qualified person to monitor the placement of the fill.

He also argued that the designation of the truck haul route is up to the Town engineer, not the committee, and therefore shouldn't be used as a reason for refusal.

Ward 4 Councillor Bob Inglis questioned why the Stulls need so much fill to make the lands fertile for farming.

Riepma said the pit is currently 60 feet deep with steep slopes that would be impossible to farm.

"It's true, we could put a metre to a metre and a half (of soil) at the bottom of the hill and farm it. But you can't farm three-to-one slopes," he said. "This will bring the whole pit up and create a level field that a farmer could farm."

The councillors went on to voice their support for the committee's work

and its recommendation.

"They (committee members) studied the issue very thoroughly and looked at the pros and cons," said Ward 3 Councillor Moya Johnson. "I have every confidence they've done everything they could to give careful consideration to this item. That's why I'll be supporting their decision."

Ward 2 Councillor and SAC member Ted Brown said he stands by the decision he made at the committee level to deny the plans.

Inglis, Somerville and Mayor Rick Bonnette also expressed their support of the committee's recommendation.

In a recorded vote, council voted unanimously to deny the Stull's application. (Local and Regional Councillor Jane Fogal was unable to vote due to a conflict of interest as she also lives near the Stulls.)

The Stulls' first application was turned down by both the committee and council in May 2013. Following this the Stulls launched an action against the municipality, which is still working its way through the court system.

Adding further complexity to the



The Stull property, the entrance shown above, was denied a fill delivery application for a second time. Left, Sally Stull.

issue is the Stulls' push to use a portion of its property for an aggregate transfer station to handle materials generated through their earth moving business.

But these plans have been thwarted for now by an Official Plan amendment adopted by the Region that redesignates two-thirds of their property as agricultural and natural heritage lands, removing the previous mineral resource extraction area designation that allowed for a transfer station. The Stulls have appealed this decision to the Ontario Municipal Board, with a prehearing set for February 2.

The Region's change came at the request of the Town of Halton Hills, which previously adopted its own site-specific and town-wide OP amendments that would prevent the use of the Eighth Line property for an aggregate transfer station. The Stulls have already appealed the latter to the OMB. Now that the Region has adopted its OP amendment, it's in a position to take the next step and approve the Town's site-specific OP amendment, which would finally bring it into effect.

Once this happens, Town staff expects the Stulls to appeal it the OMB as well and will be asking the board to consolidate all hearings into one.

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