

Residents still seeking review of pit approval

By Bill Rea

Residents are still planning to seek a judicial review of the site plan approval granted Brock Aggregates for its expansion of the Tottenham Pit, but it looks like the Town won't be joining them on this one.

Caledon councillors Tuesday night received a verbal update in closed session on the matter from lawyer Signe Leisk. Once back in open session, councillors voted to drop the usual solicitor-client privilege and allowed the legal opinion to be made public.

In it, Leisk said they had reviewed the Oak Ridges Moraine Conservation Act, the Oak Ridges Moraine Conservation Plan and the Planning Act. The conclusions, she said, is there wouldn't be much grounds on which to seek a judicial review.

Councillors were sitting in Planning and Development Committee Tuesday night, so no action was taken at that time.

The Province, last June, approved the Aggregate Resources Act (ARA) site plan amendment for the property, submitted by Brock Aggregates. The pit is in the northeast corner of Caledon (near Highway 9 and Mount Wolfe Road).

Cheryl Connors, of Protect Caledon Inc., was one of two residents to make a delegation to the committee Tuesday night, and she later said they will go ahead with the push for a judicial review.

"We have a very strong legal opinion and we're going to win," she declared.

"We'll see where they go with it," Mayor Allan Thompson commented later, pointing to the legal opinion that said they didn't have a strong enough case.

Connors had told councillors she had received an email this week indicating there are plans to use the property for a commercial fill operation, adding she was "horrified" at the news. She also said she had heard stories the property has been sold.

Councillor Nick deBoer, who chairs the committee, said he's not aware that the property has been sold. He did say there are people who have been researching the site. There was a meeting with them, attended by deBoer, Mayor Allan Thompson and Councillor Jennifer Innis, as well as Town planning staff.

Manager of Development Casey Blakely told Councillor Barb Shaughnessy she was at the meeting.

She added fill operations are not specifically addressed in the Town's Official Plan, which staff is working on updating. But she did say that for such an operation, planning staff believes a rezoning and Official Plan amendment would be needed, requiring a full public process.