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**File photo by Gary Yokoyama • MWMG**

By Dianne Cornish • REVIEW STAFF

The quarry plan for northeast Flamborough is dead.

A bulletin released by the Ontario Ministry of Municipal Affairs around 3 p.m. this afternoon ( March 8 ) reported that the Ontario government and St Marys Cement (SMC) have reached an agreement to ensure that the quarry planned for 11<sup>th</sup> Concession Road East and Milborough Line will not be built.

Local wetlands and water supply will be protected, MPP Ted McMeekin

(Ancaster-Dundas-Flamborough-Westdale) said while commenting on the agreement, which covers 530 acres of agricultural land in Ontario's greenbelt. McMeekin said he was pleased to see a resolution of the longstanding dispute between the aggregate company and the government, which resulted in several legal actions launched by SMC against various levels of government, including a \$275-million (US) suit against the Canadian government under the North American Free Trade Agreement (NAFTA).

The agreement between the province and SMC includes a \$15-million payment to the company toward the \$22 million in costs it had incurred on the project before the April 2010 decision by the Ministry of Municipal Affairs and Housing to impose a zoning freeze on the quarry lands. SMC also agreed to withdraw all legal actions, including the NAFTA challenge, McMeekin added.

According to McMeekin, a conservation easement will be placed on the property "to prohibit, in perpetuity, current and all future owners from developing it as a quarry."

In a written statement provided to the *Review* late this afternoon (March 8), John Moroz, vice-president and general manager of SMC, said, "I can confirm that St. Marys has reached a settlement with the Province of Ontario, under which we will withdraw all applications to operate a quarry in the Flamborough area."

While there was no information immediately available about what the aggregate company plans to do with the proposed quarry site, Moroz elaborated on the company's rationale for abandoning the project. "Given that there was no possibility of a resolution in the near term, we concluded it's now time to put this behind us, and focus on managing and growing our employment, investment and operations in other parts of Ontario."

The statement also said: "We wish the people of Flamborough and its representatives well, and our long-standing relationships with all levels of government continue to be a priority for us."



Graham Flint, chair of FORCE (Friends of Rural Communities and the Environment), a grassroots citizens' group which has fought the quarry since it was proposed in September 2004, was elated with the news, but said he "wants to see the details to make sure everything is there" before commenting further. He alluded to premature celebrations of the quarry's demise in the fall of 2010 when the Ministry of Municipal Affairs and Housing issued a Ministerial Zoning Order (MZO) on the quarry property, freezing its zoning to agricultural and conservation management, ostensibly prohibiting a quarry on the property. But the aggregate company sought an appeal to that decision, first through the Ontario Municipal Board (OMB) and then through the Ontario divisional court.

The battle, which many had thought was over, hadn't gone away, causing FORCE to adopt the slogan, "It's not over yet," on its subsequent media releases.

Flint said it looks as though this is "much different" as the company (SMC) is involved with the agreement. Legal battles were a drain on taxpayers and the government's settlement will be offset by money saved by not having to proceed with various legal actions, he said.

McMeekin agreed. "It was easier, simpler and cleaner to bring peace to the valley by removing the ongoing dispute."