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June 15, 2009

Sent via E-mail: fkris@region.waterloo.on.ca

Regional Chair and Members of Regional Council
c/o Kris Fletcher, Regional Clerk
Region of Waterloo
150 Frederick Street
Kitchener, ON N2G 4J3

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File: 120285.0001

Dear Sirs and Mesdames:

Re: Region of Waterloo's Proposed New Regional Official Plan

We are the solicitors for Conestogo-Winterbourne Residents Association ("CWRA") and are writing to provide our client's submissions on the proposed new Regional Official Plan (the "ROP") prior to its consideration at the special Council meeting scheduled for June 16, 2009.

Our client's members are concerned about the number of proposed gravel pits that have been applied for in Woolwich Township. While they appreciate that the ROP is a high level policy document that is not intended to deal with the detailed implementation of community planning, they believe that there are a number of provisions not included in the ROP that could more clearly recognize that those future detailed decisions must not be prejudged. Although the current applications submitted to Woolwich Council pre-date the ROP, we expect that it will still be given consideration as an emerging policy document if any of those applications are appealed to the Ontario Municipal Board. It is therefore important to our client that the policies in the ROP dealing with Mineral Aggregates clearly recognize that the approval or rejection of any future gravel pit proposals will only be determined after a rigorous planning review.

We have had the opportunity to review the reports to Woolwich Council prepared by the Township's Engineering and Planning Services staff dated February 17, 2009 and June 8, 2009. As noted in those reports, although the Region has incorporated some of the changes to the ROP requested by the Township there are three major policy issues that remain outstanding in the latest draft:

1. There is no clear indication that the High Potential Aggregate Resource Areas on Map 8 of the ROP are only an identification of potential aggregate areas and not a designation of those areas for that purpose;

2. The ROP does not clearly provide that the identification of the Resource Areas does not constitute a determination of the principle of land use, and that such use can only be determined through a more detailed, site-specific process that takes into account both the individual and cumulative characteristics of the proposed aggregate extraction applications; and
3. The ROP contains no provision that the Township will have the opportunity to require an Official Plan and/or a Zoning By-law amendment for the establishment of a new or expansion of an existing aggregate operation.

Our client submits that the above points, which were raised by Woolwich Township staff and unanimously endorsed by Woolwich Council, should be included in the ROP. We therefore request that Regional Council not adopt the ROP in the form currently proposed and that it be amended to address these concerns.

Thank you for your consideration of our client's comments. We ask that we be provided with written notice of any decision of Regional Council regarding this matter.

Yours truly,

MILLER THOMSON LLP

Per:

Steven J. O'Melia
SJO/sk

- c. [Mayor William Strauss and Members of Woolwich Council](#)
[Mark McArdle, CWRA \(via e-mail: mark.mcardle@gmail.com\)](#)
[Bill Norrish, CWRA \(via e-mail: wcbk@rogers.com\)](#)
[Kevin Curtis, Region of Waterloo \(via e-mail: cukevin@region.waterloo.on.ca\)](#)