



**Kagan
Shastri** ^{LLP}
LAWYERS

PAUL M. DeMELO
T.416.368.2100 Ext. 228
Direct Fax: 416.324.4203
pdemelo@ksllp.ca

File: 15216

April 5, 2022

Clerk, City of Brampton
Brampton City Hall
2 Wellington Street West
Brampton, ON
L6Y 4R2

Dear Sir/Madam:

**RE: City Initiated Amendments to the Official Plan to Establish and Implement
Secondary Plan Area 52 – Heritage Heights (“OP2006”)**

We are counsel to Brampton Brick Limited (“BBL”) who are the owners of the lands identified as the West Half of Lot 12, Concession 6, W.H.S. (the “Lands”). The Lands comprise approximately 35 hectares on the east side of Winston Churchill Blvd., north of Highway 7. The Lands are identified as falling within the proposed Block 52-4 of the proposed Schedule B to the City initiated amendment to the Official Plan. As staff and the City will be aware, our client is currently in the process of submitting an application for a Category 2, Class A Quarry and has met with City staff as part of the pre-consultation process. Our client is currently compiling the studies and submissions that have been requested by staff in order to submit the required zoning by-law amendment.

While a zoning by-law amendment is required, both the City and Region of Peel Official Plan establish the use of the Lands for mineral aggregate operations, including extraction. The confirmation of the existing uses for the Lands was updated most recently in the Region of Peel Official Plan Amendment No. 32 in 2019. This amendment was the result of a settlement with all parties, including the City and the Ministry of Municipal Affairs and Housing which identified the Lands as being within the area of High Potential Mineral Aggregate Resource Area (“HPMARA”) as shown on Schedule C to the Region of Peel Official Plan. The identification of the Lands as being within the HPMARA recognized the significance of these Lands as part of the Mineral Aggregate Resources within the Region of Peel and the Province of Ontario. The identification and protection of sites such as the Lands which contain mineral aggregates has consistently been identified as a significant asset that is critical to the economic development of the Region and the Province and has been reinforced in the Provincial Policy Statement, as well as the Growth Plan and Greenbelt Plans consistently by the

Province. The identification of the Lands in this manner requires that they be protected for future mineral aggregate operations, including extraction, and that their future use not be jeopardized by potentially incompatible land uses on neighbouring lands. The Region of Peel Official Plan requires that these lands be identified in area municipal official plans, including the City of Brampton, in order to continue to ensure that this important resource and the Lands continue to be identified and protected for mineral aggregate resource operations.

In addition to concerns about their Lands, our client has consistently raised concerns regarding the identification of any land uses on lands adjacent to their Lands that could impact the operation of a quarry and related operations dating back to the original plans for the Heritage Heights Community. Our client has consistently expressed an intention to expand the uses on their Lands beyond the current agricultural uses and to ultimately proceed with a quarry consistent with the established use under both Official Plans.

In OP2006 the Lands are proposed to be identified in Schedule 2 as “Open Space Connections” within the concept plan presented to Council by staff. Our client objects to the identification of their Lands in any manner that does not reflect their identification as a HPMARA and a source of mineral aggregates. Any designation on any schedule or any text which could have the potential to impact the Lands future operations for mineral aggregate resources would not conform to the Region of Peel Official Plan, and would not be consistent or in conformity with the Provincial Policy Statement, Growth Plan and the Greenbelt Plan, all of which identify the Lands as being an appropriate location for a mineral aggregate operation and require the protection of this resource for future use. Our client’s concerns with the land use designation and text relate as we have noted to not solely their Lands but also to the extent that the designation on abutting and neighbouring lands could adversely impact a future quarry operation and have consistently expressed this concern to the City.

In our view all lands, including but not limited to our client’s Lands, which are designated as HPMARA under the Region of Peel Official Plan should be designated in OP2006 in a manner that ensures that this important resource is protected as the extraction of aggregate resource is critical to the economic well being of the Region and the Province. Additionally, such an identification has been consistently identified as important for the environmental health of the Region and Province as the requirement to ensure that mineral extraction be protected in areas close to the markets that will require those resources has long been identified as critical to the protection of our Provinces future environmental health.

While our client continues to proceed with its applications and is hopeful that it will be able to work with the City towards the finalization of an appropriate

zoning by-law amendment to allow for the quarry to proceed, these comments are provided at this time to once again restate their objection to any land use designation on their Lands or on neighbouring lands that may potentially impact the establishment of their proposed quarry and

Should you have any questions regarding these comments please do not hesitate to contact me. We also ask that we be advised of any decision by Council on this matter.

Sincerely,
KAGAN SHASTRI LLP

A handwritten signature in black ink, appearing to read "Paul M. DeMelo", enclosed within a large, loopy oval flourish.

Paul M. DeMelo

Encl.

cc. Client

Andrew McNeill, andrew.mcneill@brampton.ca