

**Office of Consolidated Hearings**

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Case No.: 08-094  
Schedule "A"

## **NOTICE OF PRELIMINARY HEARING**

**IN THE MATTER OF** the *Consolidated Hearings Act*, R.S.O. 1990, c. C.29, as amended, and

**IN THE MATTER OF** a proposal by the Proponent, Walker Aggregates Inc.

A public Hearing will be held regarding a proposal by the Proponent for an expansion of Walker's existing "Duntroon Quarry" onto Lot 25 and Part of Lot 26, Concession XII, and Part of Lot 25, Concession XI, Township of Clearview, County of Simcoe for the purpose of extracting aggregate material.

The members of the Joint Board holding the Hearing will be members of the Environmental Review Tribunal and the Ontario Municipal Board.

In order to proceed with this undertaking, the Proponent has sought the following:

- (1) Amendment to Niagara Escarpment Plan pursuant to the *Niagara Escarpment Planning and Development Act*;
- (2) Niagara Escarpment Development Permit pursuant to the *Niagara Escarpment Planning and Development Act*;
- (3) Category 2, Class A License to permit a quarry below water pursuant to the *Aggregate Resources Act*; and
- (4) Amendment to Township of Clearview Official Plan pursuant to the *Planning Act*.

The purpose of a Joint Board Hearing is to hear all of the issues related to the undertaking at one time, rather than having separate Hearings.

### **HOW TO PARTICIPATE**

Groups or individuals interested in participating in the Hearing may express either their private concerns or their concerns regarding the public interest. The Joint Board will consider requests for status at the Preliminary Hearing. A request to participate should be made at least seven days before the Preliminary Hearing by filing a Notice of Intent to Participate. A request to participate may also be made at the Hearing provided that the proceeding has not terminated in the interim.

The levels of participation that are available depend upon what Rules of Practice the Joint Board has adopted. Where the Joint Board has adopted the Rules of Practice of the Environmental Review Tribunal, a person or group can request to be added as a Party, Participant or Presenter. Please refer to the Rules of Practice of the Environmental Review Tribunal and the document “A Guide to Hearings under the *Consolidated Hearings Act*” for more information regarding the different levels of participation. These documents are available from the Environmental Review Tribunal website at [www.ert.gov.on.ca](http://www.ert.gov.on.ca). Where the Joint Board has adopted the Rules of Practice and Procedure of the Ontario Municipal Board, a person or group can request to be added as either a Party or Participant. Please refer to the Rules of Practice and Procedure of the Ontario Municipal Board and the document “Your Guide to the Ontario Municipal Board” for more information regarding levels of participation. These documents are available from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca).

## **FILING OF NOTICE OF INTENT TO PARTICIPATE**

Anyone who wishes to participate in the Hearing should indicate their intent to obtain status by submitting written notice to the Office of Consolidated Hearings by **April 23, 2009**. The Notice of Intent should contain a clear statement of the person’s or group’s interest in the Hearing and whether they wish to obtain status at the Hearing as a Party, a Participant, or, where the Joint Board has adopted the Rules of Practice of the Environmental Review Tribunal, a Presenter.

Please note that the names, addresses, telephone and fax numbers of interested persons may be circulated in advance of the Hearing in order to ensure discussion among potential Parties, Participants and Presenters.

## **PRELIMINARY HEARING**

A Preliminary Hearing will be held by the Joint Board appointed to conduct the Hearing on **Thursday, April 30, 2009 at 10:00 a.m.** in the **Stayner Community Centre, 269 Regina Street, Stayner, Ontario**. The purpose of the Preliminary Hearing is to hear submissions from those who will be seeking status to participate and rule thereon; identify the issues to be considered at the Hearing; establish the pre-Hearing process (information and document exchange; meetings of Parties and their legal and technical representatives) and deal with any other preliminary matters.

## **HEARING**

The Joint Board will set Hearing dates at the Preliminary Hearing or thereafter.

## **IMPORTANT**

There will be no court reporting services provided by the Office of Consolidated Hearings for the Hearing. If the Parties, Participants and Presenters consider that they require a transcript of the proceedings they may obtain such service at their own expense.

If you require the assistance of a French language interpreter, or if you have special needs that must be accommodated, please advise the Hearings Registrar as soon as you receive this notice. Collect calls are accepted.

Pour des renseignements en français, veuillez appeler le Bureau de jonction des audiences au (416) 314-4600. Les appels à frais virés sont acceptés.

**TAKE NOTICE** that this Hearing date is **peremptory** to all Parties. If you do not attend at this Hearing and identify yourself, the Joint Board may proceed in your absence and you may not receive any further notice in these proceedings.

### **FOR FURTHER INFORMATION**

Copies of the Notice and documentation submitted by the Proponent pertaining to this undertaking are available for inspection during normal business hours at:

Walker Aggregate Inc.  
P.O. Box 340  
Collingwood, ON L9Y 3Z7  
<http://walkerind.com/DuntroonExpansion/Doclibrary.htm>  
Contact: Ken Lucyshyn  
Phone: (905) 680-3717  
Website (24 Hours):

Office of Consolidated Hearings  
Suite 1610, 16<sup>th</sup> Floor  
655 Bay Street  
Toronto, ON M5G 1E5  
Contact: Dina Ostella  
Phone: (416) 314-4712  
Fax: (416) 314-4506  
E-mail: [dina.ostella@ontario.ca](mailto:dina.ostella@ontario.ca)

Ministry of Natural Resources  
Midhurst Office  
2284 Nursery Road  
Midhurst, ON L0L 1X0  
Contact: Craig Laing  
Phone: (705) 725-7584

Niagara Escarpment Commission  
232 Guelph Street, 3<sup>rd</sup> Floor  
Georgetown, ON L7G 4B1  
Contact: Kathryn Pounder  
Phone: (905) 877-5191  
Fax: (905) 873-7452

Clearview Public Library  
Stayner Branch  
201 Hurontario Street  
Stayner, ON L0M 1S0  
Contact: Librarian  
Phone: (705) 428-3595

**DATED at TORONTO, this 27th day of February, 2009.**

Evangeline Berlie  
Acting Hearings Registrar