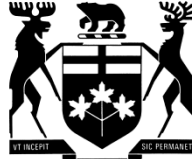


ISSUE DATE:

May 30, 2013



Ontario

Ontario Municipal Board

PL100732

PL100869

IN THE MATTER OF subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Lafarge Canada Inc.
Subject: Consent – Conditions of provisional consent
(Condition no. 4)
Property Address/Description: 16033 Medway Road
Municipality: Township of Middlesex Centre
Municipal File No.: B-7/10
OMB Case No.: PL100732
OMB File No.: PL100732

IN THE MATTER OF subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Lafarge Canada Inc.
Subject: Consent – Conditions of provisional consent
(Condition Nos. 7 and 8)
Property Address/Description: 2538 Sunningdale Road East
Municipality: City of London
Municipal File No.: B-010/10
OMB Case No.: PL100869
OMB File No.: PL100869

APPEARANCES:

Parties

Lafarge Canada Inc.

Vivian Bere

County of Middlesex

Municipality of Middlesex Centre

City of London

Counsel

R. Haber

G. Richardson

W. Meagher

W. Meagher

J. Page

MEMORANDUM OF ORAL DECISION DELIVERED BY M. A. SILLS ON MAY 16, 2013 AND ORDER OF THE BOARD

[1] This was a telephone conference call (“TCC”) convened for the purpose of providing the Board with a status update with respect to appeals by Lafarge Canada Inc. (“Applicant/Appellant”) of a condition of consent approval for the property municipally known as 16033 Medway Road (Municipality of Middlesex Centre), and 2538 Sunningdale Road East, (City of London) (“subject property”).

[2] The subject property is an existing gravel pit operation; the severed portion of the property is within the Municipality of Middlesex Centre (“Municipality”), while the retained parcel is within the City of London (“City”).

[3] In addition to the individuals listed above, planners Brent Clarkson (Lafarge) and Nancy McKee (City of London) participated in the TCC.

[4] Counsel Page reported that there have been discussions among the parties regarding a potential settlement of the appeals; however, she suggested that this is not a simple matter and there are logistics to be worked out and possibly, permissions to be obtained before a settlement proposal can be put in place. Moreover, any settlement agreement negotiated by the parties will have to be put before City Council for ratification.

[5] In consideration of the upcoming abbreviated summer schedule of Council meetings, she estimates that an appropriate timeframe for a decision one way or the other would be the end of August. The earliest she expects to be able to get something before Council would be at the meeting of August 27, 2013. The other parties have no difficulty with this timetable.

[6] Mr. Clarkson confirmed that there have been many discussions and meetings, and they are very close to a settlement. He is optimistic that the issues with the City

can be resolved, and if this were to occur, the appeal against the Municipality would be withdrawn.

[7] On consent, the parties agree to provide the Board's Case Co-ordinator having administrative carriage of these files with an update by no later than **August 31, 2013**.

"M.A. Sills"

M.A. SILLS
MEMBER