

Report PD-2015-003

With respect to Report PD-2015-003 on page 2 it says “In accordance with the provisions of Bylaw 31/12, all requirements have been met and reviews completed by the township's consultants and outside agencies including GM Blue Plan, Harden Environmental, GWS, Halton Conservation, County of Wellington Roads and Planning”. I disagree with that statement for the following reasons.

1. On page 13 of report PD 2015-003 under “Truck Haul Route” it refers to a map as described in Schedule “B”. Referring to Schedule “B”, page 9, column 1, row 4 it says NA.
2. On page 3 of bylaw 31/12 under “Application Requirements” section 3, subsection 3 it says “a control plan” is a requirement and referring to Schedule “B” on page 9, column 1, row 3, it says NA.
3. Also under “Application Requirement”, section 3, subsection 7) are the following:
 - a. An Archaeological Report. In 1985 the ROM did an archaeological excavation on my property unearthing several artifacts dating to the Woodland period. A report was issued by the ROM.
 - b. Chemical groundwater analysis. Without background data ie before the fill project begins, any contamination going forward could be disputed. Background data should be established for the following, heavy metals; mercury, lead, selenium, cadmium, thorium, beryllium and arsenic, and organic carcinogens such as dioxins and PAH's (poly aromatic hydrocarbons).
 - c. A Noise Study. This fill operation will deploy the use of heavy equipment , thus generating noise and impacting adjacent property owners right to “quiet enjoyment” of their property. and under subsection 9), “Proof from an accredited laboratory that any fill being imported to the fill site complies with the clean fill parameters as set out in Table 1 of Ontario Regulation 153/04 as amended.
4. On page 4 of bylaw 31/12, section 5.1:
 - a. Subsection 17), a list of equipment and machinery being used during the site alteration process including expected days and hours of operation.
 - b. Subsection 23), an operations manual.

In summary, this report should not be approved for the reasons noted above (and I've only touched on a few) and only approved when ALL of the requirements of bylaw 31/12 have been fulfilled. Also, I am asking council tonight, to pass a motion placing a six month moratorium on accepting any “Site Alteration Permits” for lands designated as an Agricultural Zone in section 5.

PROPOSED AMENDMENTS TO BY-LAW 31/12

1. No lands may be leased, bought or sold, or conveyed by any means for the purpose of:
 - a) creating a commercial dump site,
 - b) a fill operation of any size.
2. Where greater than 1000 cubic meters of fill is to be dumped, the township will:
 - a) hold a public meeting,
 - b) notify, in writing, all residents and landowners within a one mile radius of the proposed dump site,
 - c) notify, in writing, all residents living on the proposed truck haul route,
 - d) conduct with counsel an on site review of the proposed fill plan.
3. No fill of any amount will be dumped in a designated Agricultural Zone as defined in Section 5 unless it is native to and originates within the township.
4. The township may permit fill to originate from outside the township when it is destined for use on lands designated as an Industrial Zone as defined in Section 5 provided that:
 - a) any remuneration or any other form of consideration that would be paid to the landowner either directly or indirectly, be forfeited to the townships Parks and Recreation budget.
5. Notwithstanding anything else contained in this bylaw except for (4) above, no person shall operate a commercial fill operation within the township.
6. No person shall cause, permit or perform a fill operation of any size on any lands that were previously used as a pit or quarry whether licensed or otherwise.