

In a recent Planning and Development Committee Meeting that was held Monday, January 8th, 2018 Councillor Marianne Meed Ward asked *'if there was anything at the Official Plan Level that Council can do to support the neighborhood and their desire to protect part of the east quarry expansion (trees, habitat, etc.) - in fact, simply protecting those values that are already part of the Burlington Official Plan.*

<https://burlingtonpublishing.escribemeetings.com/Meeting?Id=5366fe3b-1007-472b-af9e-072535031367&Agenda=PostMinutes&lang=English> - (fast forward to ~53 minutes)

The response from the Burlington City Planning Department was to refer Councillor Meed Ward to the Provincial Policy Statement (PPS) where they stated that the Provincial position *"could not be clearer on this matter"* since, according to the PPS the Burlington Official Plan must

"Identify and protect the resource for aggregate purposes"

and only the Region had the approval authority to override this policy - essentially "LIVE WITH IT", not our problem!

Living in Tyandaga and on Westhaven Drive I was VERY disappointed with the dismissiveness of such a very important and relevant question since the response did not seem to respect what I read as being the OVERALL intent of the PPS.

For example, below I present some other selective quotes taken from the same PPS document that may be of interest to the Burlington City Planning and Development Committee:

<http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

*"The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, **public health and safety**, and the **quality of the natural and built environment**."*

*"Extraction shall be undertaken in a manner which **minimizes social, economic and environmental impacts**"*

*"Development shall be directed away from areas of natural or human-made hazards where there is **an unacceptable risk to public health or safety** or of property damage, and not create new or aggravate existing hazards."*

*"... access to the resources shall only be permitted if public **safety and environmental impact are addressed**."*

*"The Province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and **public health and safety**"*

Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse

effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long - term viability of major facilities”

AND below I quote from the Burlington Official Plan

*“(Part II, 2.7.3 n) **Exposure of residential and other land uses sensitive to vibration, noise, dust, odours or other effects caused by transportation or industrial facilities, and likewise, the encroachment of sensitive land uses on these facilities, shall be avoided through the use of separation distances, the placement of non-sensitive land uses in buffer areas, and/or other means.** Proponents may be required to submit studies and undertake necessary mitigating actions to address compatibility issues to the satisfaction of the City and Region. Provincial guidelines shall be referred to for direction in land use planning decisions” (I question that 35 meters from an active quarry with NO air quality or noise monitoring constitutes a reasonable ‘separation distance’!)*

To appreciate the hazards that shale mining presents let me present a couple of extracts from a Forterra document – as you know Forterra was the quarry owner prior to the Meridian purchase.

*“**Manufacturing and mining sites** can be inherently dangerous workplaces. Our sites often put our employees and others in close proximity with large pieces of mechanized equipment, moving vehicles, and manufacturing processes, **and highly regulated materials** and there is inherent risk of related liabilities in our operations” (‘Regulated material’ resulting from the Mining Site that, to my knowledge, has NEVER been monitored by the MOECC or the MNRF in the Tyandaga neighborhood)*

In other words, mining sites (where they dig) do present potent and potential health issues and even the operators MUST present their employees with the potential health hazards they face and any corrective action that needs to be taken (surely the citizens of Tyandaga deserve similar attention):

- May cause eye irritation (H320)
- May cause respiratory irritation (H335)
- May cause cancer (H350)
- May cause damage to respiratory system through prolonged or repeated expos
- Etc.

Now the Provincial Policy Statement SPECIFICALLY recognizes that the aggregate **operators must** act within acceptable limits of **HEALTH and SAFETY of ALL**, a mandate that surely must be taken seriously and with respect.

Take, for example, “*The current air quality regulation in the Province of Ontario - Regulation 419/05, which came into effect December 1, 2005. The regulation specifies requirements that must be met by facilities which have the potential to emit contaminants. **This includes recommendations for the preparation of a best management practices plan for the***

management of dust for instances of fugitive particulate emissions, draft guidance for the assessment of odour and a comprehensive methodology for the assessment of general air quality contaminants.”

*In other words, **MONITORING** of the **CURRENT** quarrying operation which, to my knowledge, **HAS NEVER BEEN PERFORMED** must be a priority before any clearcutting is permitted and the City, as our representative, have a duty to **support and protect** their constituents in ensuring that this happens.*

Shale dust IS present in the Tyandaga area - in the swimming pools, and on the outside patio furniture, not only on the streets that are adjacent to the current quarrying operation, but also on houses that lie a kilometer away and beyond - remember, the current quarrying operation is limited to the central quarry which is approximately 800 meters from the houses I can only imagine the situation as the quarry creeps closer and closer to the 35 meter mark!

It is my understanding that neighbors have contacted the MNRF to have samples of the dust analysed – **NO RESPONSE**. There have been salamanders trapped in swimming pools that appear to be of the endangered species type and again the MNRF were contacted (which is the proper protocol) for identification – **AGAIN NO RESPONSE!** The noise of the **HEAVY** machinery can be heard coming from the **CURRENT** operation which is approximately 800 meters from Westhaven Drive (WHO DO WE CALL?) – surely these are in violation of the PPS and will be even more intolerable when the quarrying gets closer and closer.

This issue that **WILL NOT GO AWAY** and needs to be dealt with by The Planning and Development Committee and not conveniently dismissed by a single quote that ignores the overall intent of the **Provincial Policy Statement – TO PROTECT ALL PARTIES INCLUDING THE RESIDENTS!**

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