



Motion Memorandum

SUBJECT: Resolution to Province of Ontario: Request to Deny Nelson Aggregates' Expansion into Mount Nemo

TO: Mayor and Members of Council

FROM: Mayor Meed Ward and Councillor Rory Nisan, Ward 3

Date to Committee: n/a

Date to Council: May 21, 2024

Motion for Council to Consider:

WHEREAS the Mount Nemo Plateau is located within Ontario's Greenbelt and is an integral part of the Niagara Escarpment UNESCO Biosphere Reserve; and

WHEREAS the Mount Nemo Plateau sustains a fragile and inter-connected ecosystem featuring over 20 headwater tributaries, provincially significant wetlands, areas of natural and scientific interest, regionally significant woodland, and the significant habitat of rare and endangered species; and

WHEREAS the balance of the Mount Nemo Plateau is composed of prime agricultural land and this farmland is also under threat of development for aggregate extraction now and in the future; and

WHEREAS the Mount Nemo Plateau is a distinct landform that is essential to the ecology, community, economy and identity of the Niagara Escarpment, the Regional Municipality of Halton and the City of Burlington; and

WHEREAS the extraction of aggregate will permanently disrupt the fragile balance of ecology, natural habitat, water and woodland systems, rural and community land use of the Mount Nemo Plateau and supporting area; and

WHEREAS the extraction of aggregate is not necessary in the Region as the aggregate industry has the licensed capacity in Ontario to produce 13 times the annual average demand for aggregate in Ontario, with 22 active quarries already in operation in Halton Region; and

WHEREAS a unanimous 2012 Joint Board decision denied a very similar Nelson extraction application, leading to a 2016 NEC recommendation to protect the Mount Nemo plateau, through a redesignation to Escarpment Natural and Escarpment Protection, and

WHEREAS newly elected MPP Zee Hamid campaigned on the promise to ensure Nelson Quarry would not expand.

NOW THEREFORE BE IT RESOLVED THAT the City of Burlington hereby asks the Province of Ontario to:

- **Deny the current application by Nelson Aggregates for expansion of the Mount Nemo open-pit quarry, and**
- **Establish long-term protection through the redesignation of the Mount Nemo Plateau to Escarpment Natural and Escarpment Protection.**

And further that this resolution be sent to:

- Hon. Doug Ford, Premier of Ontario
- Hon. Doug Downey, Attorney General
- Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks
- Hon. Graydon Smith, Minister of Natural Resources & Forestry
- MPP-elect Zee Hamid – Milton
- MPP Natalie Pierre – Burlington
- MPP Effie Triantafilopoulos – Oakville North-Burlington
- Michael Kraljevic, Chair of Ontario Land Tribunal

Reason:

Halton Region, along with the Joint Agency Review Team (JART) comprised of representatives from the City of Burlington, the Niagara Escarpment Commission, Conservation Halton and the Ministry of Natural Resources, as well as local environmental groups such as CORE Burlington, have identified key concerns with the proposed expansion of the Mount Nemo quarry, including the following:

- The considerable threat to **water resources** and the natural heritage features and functions that depend on them, including wetlands and watercourses.
- The disregard for **fish habitat** and the lack of protection for natural amphibious creatures in the surrounding area.
- The significant increase of **noise** and the negative impact on neighbouring residents, including humans, mammals, and reptiles.
- The unacceptable risk to **air quality and the resultant impact on human health** as Nelson Aggregates has failed to establish effective mitigation efforts and has underpredicted the harmful, pollutive impact of increased quarry activity on the local community through the emission of “no threshold” air pollutants (PM10 and PM2.5).
- The substantial risk of **flyrock** associated with blasting as Nelson Aggregates has incorrectly applied the blasting model, ignoring the important safety requirements designed to protect the neighbouring community.

- The complete **lack of closure planning** to rehabilitate and restore the area following quarry closure as the applicant has failed to take on the necessary responsibility to manage water resources in perpetuity.

Vision to Focus Alignment:

(check those that apply)

- Increase economic prosperity and community responsive city growth
- Improve integrated city mobility
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture
- Deliver customer centric services with a focus on efficiency and technology transformation

Share with Senior Staff

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

Comments:

City Clerk: Approved to form

City Manager: Approved