

## Development and Infrastructure Division

**TO: Mayor and Members of Council**

**SUBJECT: Burlington Executive Airport Update #5 – August 19, 2013**

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### **Discussion:**

The following is a summary of the issues that have been addressed or are in the process of being addressed since the previous update to Council provided on July 29, 2013.

### **Airport site inspections**

Starting the week of July 29, 2013 engineering staff have been randomly visiting the airport to review trucking and dumping operations. During the period July 29 to August 16, King has not been receiving fill material at the airport site.

### **Letters from Region of Halton to Residents**

On July 29, 2013, the Halton Region Health Department sent two response letters to local residents regarding issues raised about the Airpark. Both letters briefly summarized the meeting between the Airpark representatives and MOE staff where an agreement between the Airpark and the MOE was reached to assess potential off-site groundwater impacts. The Region' expects that the airpark will submit a plan to the MOE to assess off-site groundwater impacts, including the installation of monitoring wells near the property boundaries. The MOE will review this plan and provide comments prior to implementation. In addition, the MOE expects that results from this monitoring plan will be available in mid-September. If the groundwater testing results indicate that action is required to protect the environment, the MOE expects the necessary steps will be taken by the Airpark.

One of the letters also discusses the issue of standing water on the airpark lands and the potential for West Nile virus. Prior to writing the letter, the city's by-law enforcement staff had contacted the Airpark to state that either the standing water had to be eliminated or larvicide had to be applied to it. City of Burlington By-law Enforcement staff have advised that the site contractor (King Paving) backfilled the area in question and added granular material to help with drainage. In addition, City staff directed King Paving to contact the Region of Halton regarding the application of larvicide. Based on

the recent interim settlement between the city and the Airpark, no further action will be taken at this time by City staff on this issue.

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### **Environmental Matters:**

#### Response Letter to the city from MOE

On July 23, 2013 the MOE provided a response letter to the city regarding the city's letter of July 12, 2013, which also presented the Terrapex findings. City staff are still reviewing this letter and will provide further comment in the next update report (Sept 9, 2013).

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### **Legal Matters:**

#### Settlement of City's Motion for Interim Injunction Scheduled to be Heard by Court on August 2, 2013

Discussions between legal representatives for the city and Airpark took place in advance of the city's motion in an attempt to reach a settlement that would see fill operations at the airport discontinued until the matter of jurisdiction has been determined by a court. These discussions proved successful and an agreement was reached.

The city and Airpark attended at the Court on August 2, 2013 to request that the Court make an endorsement on the record that Airpark will not bring any fill onto its lands other than gravel and pavement grindings to allow the completion of existing work being done to widen a runway and taxiway. The Court made the requested endorsement and ordered that the applications filed by both the city and Airpark related to the applicability of the city's site alteration by-law be heard by the Court on October 4, 2013 at 10 a.m. at the Superior Court of Justice in Milton.

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### **Communication Matters:**

The city remains committed to keeping residents near the airpark, and people across Burlington informed. Regular updates will be posted on the city's website - [www.burlington.ca/airpark](http://www.burlington.ca/airpark). Media releases have been issued regarding legal actions. The releases have been posted on the website and have been circulated via Facebook and Twitter.

#### July 29 Media Release

View the July 29 media release here: <http://cms.burlington.ca/Page11511.aspx>

#### August 2 Media Release

View the August 2 media release here: <http://cms.burlington.ca/Page11622.aspx>

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**Conclusion:**

This report has been provided for information.

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Respectfully submitted,

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