

Development and Infrastructure Division

TO: Mayor and Members of Development & Infrastructure Committee

SUBJECT: Burlington Executive Airport Update #13 – May 5, 2014

Discussion:

The following is a summary of the issues that have been addressed or are in the process of being addressed since the last update to Council, on April 14, 2014.

Site Alteration By-law Update

The revised draft of the By-law will be circulated for comments the week of May 5. A Public Meeting has been scheduled for Wednesday, May 28th @ 7:00 pm in Room 247.

Storm Water Drainage

With recent rain events, storm water from the Airpark has been draining off of the site and onto adjacent properties, transporting silt and causing water ponding. This is of concern to the local residents and the City. Although there are no fill operations currently taking place on the site, the Airpark is expected to maintain siltation control fencing as well as drainage ditches and swales. The City is advising the Airpark of these concerns and requesting they maintain drainage and siltation control measures.

Recent rain events have also resulted in large volumes of water flowing southward along the east side ditch and shoulder of Appleby Line. This has caused scouring of the granular material and ponding of water which in some locations extended out to the asphalt surface of the road. Halton Region was advised and has confirmed remedial actions are to be taken.

Airpark Groundwater Monitoring Program

The "Groundwater Monitoring Program and Limited Phase 2 Environmental Site Assessment" report by Pinchin Environmental, undertaken on behalf of the Airpark, has been posted on the Burlington Executive Airport website. Terrapex Environmental has been instructed to review the report on behalf of the City.

Other Regulators:**Update on FOI Request to MOE for Monitoring Plan and Details**

Staff have had continued discussions with the Mediator regarding the City's appeal to the Information and Privacy Commissioner of Ontario. This included an exercise of scoping the various pieces of information that were not released by the Ministry of the Environment in response to the City's original FOI request. Staff have scoped this request to information that pertains strictly to the proposed groundwater monitoring program at the Airpark, and any associated reports, studies and results. As of writing this update memo, the Mediator is out of the office until May 20th. Staff expect to receive an update shortly after that as to the next steps and/or a possible decision on whether these items can be obtained through the mediation process. Staff are of the understanding that should the Mediator inform that the requested pieces of information will not be released, the ability still exists for the City to proceed to adjudication in order to try and obtain a positive result.

Despite the City's ongoing attempts to obtain information through the FOI request and subsequent appeal to the IPC, it appears, as noted in the sections above, that the groundwater monitoring report and results have been posted on the Airpark's website for public review. Staff will discuss this with the Mediator, but are committed to continuing with the appeal in the event that information not posted to the Airpark's website might still be obtained.

Legal Matters:

No further legal updates this cycle.

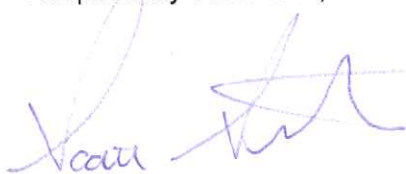
Communication Matters:

The City's website (<http://cms.burlington.ca/Page11441.aspx>) is updated as new information is available. No new significant information has been uploaded to the website since the last update memo to Committee.

Conclusion:

This report has been provided for information.

Respectfully submitted,



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