



**TO: Development and Infrastructure Committee**  
**FROM: Capital Works**  
**SUBJECT: Report providing an update regarding the Burlington Executive Airpark**

Report Number: CW-06-15

Wards Affected: 6

File Numbers: 501-17

Date to Committee: March 30, 2015

Date to Council: April 20, 2015

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**Recommendation:**

For information only.

**Purpose:**

This report provides a summary of the issues that have transpired since the last Airpark Update Report to Committee on February 9, 2015.

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**Background:**

Council at its meeting held February 23, 2015 referred capital works department report CW-06-15 (attached as Appendix A), regarding a Burlington Executive Airpark update to the March 30, 2015 Development & Infrastructure Committee meeting.

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**Discussion:**

*Proposal for Limited Phase II Environmental Site Assessment (ESA)*

The Airpark submitted a report entitled "Proposal for Limited Phase II Environmental Site Assessment", dated January 22, 2015. This report provided Pinchin Environmental's proposed recommendations for additional site investigation work. The following items detail the progression of events related to the proposal document.

- a) On-site Drilling and Soil Sampling

- The City provided the following comment to the Airpark regarding the Proposal for Limited Phase II ESA:
  - The 7 boreholes proposed along the west side of the North-South Runway should be located in a minimum of 2-3m of fill.
- The Airpark complied with this request during the drilling operations.
- Pinchin Environmental completed the drilling and soil sampling operations Feb 24-27, 2015.
- The City's request to have Terrapex in attendance to observe and document these operations was accepted by the Airpark. Terrapex attended the site on Feb 25-27 and was instructed by Pinchin, at the direction of the Airpark's lawyer, to stay well back and not to interfere or speak with the Pinchin personnel on-site. As a result, Terrapex was not able to observe and document the work in a complete manner.
- City staff met with Mr. Rossi, Tim Crawford and his engineering consultant, S. Llewellyn & Associates to further discuss the above issue on March 5, 2015.
- During the March 5 meeting, Mr. Rossi agreed that the Pinchin Environmental staff and Terrapex staff should meet to review the drilling and soil sampling work that took place in order to further discuss the soil sampling methodology as well as the drilling and sampling that was done on Feb 24. This meeting took place on March 12, 2015 at Pinchin's office. The meeting proceeded with an open and constructive dialogue.
- As a result of the on-site peer review and the March 12 meeting, Terrapex was able to state that the objectives of the peer oversight were met. Terrapex stated, "we have confirmed that appropriate field techniques were used by Pinchin and have now obtained enough information to provide an opinion that to date, the soil samples selected by Pinchin for laboratory analysis were appropriate."

b) Ground Water Monitoring Wells

- The City provided the following comment to the Airpark regarding the Proposal for Limited Phase II ESA:
  - 2 additional ground water monitoring wells should be provided in the interior of the fill area, upgradient of the existing monitoring wells adjacent to the residences on Appleby Line.
- The Airpark complied with this request and approved the drilling of 2 additional monitoring wells on March 11, in the locations recommended by Terrapex.
- On March 11, the Airpark also provided permission for Terrapex to attend on-site during the drilling operations for peer review purposes.

- Subsequent to the meeting held on March 20 between the Airpark owner, his legal counsel, city staff and Mr. Ian Blue, the Airpark withdrew their permission for Terrapex to attend on-site during the ground water monitoring well drilling operations.
- The drilling of the monitoring wells was scheduled for March 23.
- We have received no indication from the Airpark that the drilling of the wells was completed.

#### Site Alteration Permit Application

As a result of the June 11, 2014 decision of the Ontario Court of Appeal, it has always been the City's position that the Airpark is required to apply for a Site Alteration Permit which includes the entire area site.

The Airpark's counsel has maintained the Airpark has only applied for a Site Alteration Permit for the north-west sector of the site.

A meeting was held on March 5, 2015 between city staff, Mr. Rossi, Tim Crawford and his engineering consultant, S. Llewellyn & Associates to further discuss the Site Alteration Permit application issue. During this meeting, City staff again emphasized that the Site Alteration Permit application must deal with the entire site. On this basis, Mr. Rossi instructed S. Llewellyn & Associates to prepare the engineering work required in support of a site alteration permit for the entire site but did not agree to submit an actual application at this time. S Llewellyn & Associates indicated that they anticipated it would take them a couple of months to complete this work.

The City continues to insist that the Airpark submit an application for the entire site.

#### Groundwater Monitoring and Sampling Program

As yet, the MOECC has not provided their review of the "Supplementary Groundwater Monitoring and Sampling Program Report" prepared by Pinchin Environmental, dated January 19, 2015.

It is our belief that Pinchin conducted the third ground water monitoring and sampling event during the week of March 16 2015, however this has not been confirmed by the Airpark.

MOECC FOI Request

City staff are awaiting a request for further information or a final decision from the Information and Privacy Commissioner of Ontario.

Drainage and Siltation Control Measures

The installation of minor drainage and siltation control works was undertaken on the Airpark site in November/December 2014. The Airpark has been advised to reinstate or repair works that are not properly in place. City staff are monitoring this issue to ensure compliance.

Region of Halton

Since the last Airpark Update Memo to Council on February 9, 2015, there have been no issues or developments.

Conservation Halton

The Airpark's consultant is currently preparing a submission package dealing with the on-site access road culvert located within the regulated watercourse. This package has not been submitted as yet.

City and CH staff continue to coordinate ongoing details related to the Airpark.

**Strategy/Process**

The purpose of this report is to identify current issues related to the Burlington Airpark and the actions being taken by staff to administer the Site Alteration By-law and regulate related construction activities, to provide updates on site monitoring programs as well as correspondence and coordination with the provincial government, Halton Region and Conservation Halton. The report highlights a coordinated approach by staff in various departments to address issues within the City's jurisdiction, as well as in advocating that external agencies do the same.

### **Options Considered**

As this report is provided for information only, no options are presented for consideration.

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### **Financial Matters:**

This report makes no recommendations and does not request or identify any specific financial requirements.

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### **Environmental Matters:**

Environmental matters continue to be addressed through the various actions described above.

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### **Public Engagement Matters:**

The City's website (<http://cms.burlington.ca/Page11441.aspx>) is updated as new information is available.

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### **Conclusion:**

This report has been provided for information.

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Respectfully submitted,

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### **Appendices:**

- a. Appendix A – Capital Works Department report CW-06-15 referred from February 23, 2015 council meeting.

**Notifications:** (after Council decision)

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