

## **Some reasons and FAQs to support the motions of February 5, 2025**

By now, I suspect a number of fellow residents will be sharing their lived experiences during odour events that have been occurring relentlessly in Stoney Creek since 2023. You likely understand how the community has been negatively impacted.

For this reason, I thought I would share some thoughts in a different format.

### **In Ontario, the air quality is primarily regulated by the Ontario Ministry of the Environment, Conservation and Parks (MECP). What do you anticipate Council should do on a municipal level?**

The MECP, a Regulatory Authority in Ontario, is mandated to enforce the Environmental Protection Act (EPA), which includes air quality standards and emission limits. Despite a record 1,132 odour complaints in 2023 and an additional 898 complaints received by the MECP in 2024, rancid and worrisome odour events still exist in our community.

While municipalities may have limited direct regulatory power over air quality, they can take proactive steps to advocate for cleaner air and a healthier community. *This includes advocacy to higher levels of government.*

The Halton Recycling facility in Newmarket, Ontario, faced significant challenges due to odour emissions from its organic waste processing operations. In 2006, *the Town of Newmarket sought a court order to close the facility for two years, alleging that the odours constituted a public nuisance.* The Ontario Superior Court of Justice acknowledged the nuisance and initially imposed a nine-month closure order, stayed for 90 days to allow the company to implement remedial measures.

### **Are residents looking to have the GFL Stoney Creek Regional facility shut down?**

While many residents who have lived with odour events over the last two years would be in favour of, realistically we are aware that this is an industrial city and many of our largest community stakeholders are clients of the landfill.

We are not trying to be adversaries of GFL. Residents simply want to protect their wellness and the environment and regain a quality of life that was present prior to these relentless odours.

Everyone needs to work collaboratively in making this happen. At many community update meetings, residents suggested that GFL halt new waste until the company can adequately reduce the stockpiled waste, construct new cells and focus on the long proposed enclosed leachate plant.

The response?

“We continue to service our customers.”

## How did we get to this point?

The community certainly struggles to understand a scenario whereby a non-hazardous industrial landfill became nestled among residential development.

In an Environmental Assessment dated January 2019 (prior to the landfill expansion approval), a 160 m Holding Zone was noted – one that was originally put in place while the site was a quarry. When the site ceased to be a quarry, and was no longer valid, *buffer zones were removed by the City of Hamilton*, and now the nearest residential home is a mere 30m north of the landfill site, or just shy of 100 feet.

The hope is that if Council realizes these building permits were issued by the City of Hamilton, then perhaps the municipality might take a leadership role in advocating for the residents living in the shadows of these odour events.

SUBJECT: Terrapure Stoney Creek Regional Facility Environmental Assessment  
– Final Environmental Assessment, January 2019 (PED16184(c))  
(Ward 9) - Page 10 of 15

### Urban and Rural Hamilton Official Plans

The SCRF site is located within the jurisdiction of the Urban Hamilton Official Plan, however, the EA identifies a 1.5 km preliminary Study Area which extends into lands within the Rural Hamilton Official Plan (refer to Appendix “F” to Report PED16184(c) for a map showing the study area).

### Urban Hamilton Official Plan

The SCRF is identified as “Neighbourhoods” on Schedule E (Urban Structure) and designated as “Open Space” on Schedule E-1 (Land Use Designations) of the Urban Hamilton Official Plan, Vol. 1. The SCRF site is located within the Nash Neighbourhood Secondary Plan. The site is designated as “General Open Space” and contains a Site Specific Policy Area, “Area B” (refer to Appendix “E” to Report PED16184(c) for the Nash Neighbourhood Secondary Plan land use map).

The following policies of the Nash Neighbourhood Secondary Plan are to be considered:

- B.7.5.6.4 The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green Community Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course.
- B.7.5.11 Environment Policies
- B.7.5.11.3 Development proposals for residential or institutional uses located within 500 m of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site may be required to submit studies demonstrating that there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to hydrogeology, traffic, air quality, noise, etc. subject to the requirements of the City.
- B.7.5.13 Implementation
- B.7.5.13.4 Lands intended for residential use within 160 m of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Section F.1.8 – Holding By-laws. The Holding Zone will not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

## **So who buys a home close to a landfill?**

This is a great question, but also a query that feels hugely dismissive in nature.

As of the 1996 Census, the City of Stoney Creek had a total of 18,170 occupied private dwellings. The Taro East landfill was not approved until 1996, therefore a large number of homes currently affected by odour events were built prior to the quarry becoming a landfill. Residents were very opposed to the approval of Taro East, as supported by archived news reports.

Homebuyers looking to buy and build homes in the region were previously advised that the urban plan called for the previous quarry to be filled as a lake – which was likely to become part of open space and a golf course. Big difference.

**SUBJECT: Terrapure Stoney Creek Regional Facility Environmental Assessment  
– Final Environmental Assessment, January 2019 (PED16184(c))  
(Ward 9) - Page 10 of 15**

---

### **Urban and Rural Hamilton Official Plans**

The SCRF site is located within the jurisdiction of the Urban Hamilton Official Plan, however, the EA identifies a 1.5 km preliminary Study Area which extends into lands within the Rural Hamilton Official Plan (refer to Appendix “F” to Report PED16184(c) for a map showing the study area).

#### **Urban Hamilton Official Plan**

The SCRF is identified as “Neighbourhoods” on Schedule E (Urban Structure) and designated as “Open Space” on Schedule E-1 (Land Use Designations) of the Urban Hamilton Official Plan, Vol. 1. The SCRF site is located within the Nash Neighbourhood Secondary Plan. The site is designated as “General Open Space” and contains a Site Specific Policy Area, “Area B” (refer to Appendix “E” to Report PED16184(c) for the Nash Neighbourhood Secondary Plan land use map).

The following policies of the Nash Neighbourhood Secondary Plan are to be considered:

- B.7.5.6.4 The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green Community Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course.

## **The MECP as well as Public Health have done some air quality testing and communicated no immediate risk to public health. What are the community’s concerns?**

The Technical Support Section of the West Central Region of the Ministry (MECP) completed an air monitoring assessment in the vicinity of the landfill over ten different days from August 8 to 29, 2023.

Odours described as garbage, leachate, musty, natural gas, sweet, sour, wet diaper and urine were identified by Ministry staff. Over the ten days, odours were noted on five sampling days but only one day had odours that were quantifiable by the nasal ranger measurement tool. The data collected suggested the leachate pond and GFL facility were the likely source of the odours. Given the nature of the disagreeable odours, Hamilton Public Health issued a communication that acknowledged the odour events might trigger an individual's stress response however no major air quality exceedances or concerns were noted.

Residents pushed back on the report issued September 15, 2023 as:

- 1) Monitoring was done outside of peak hours where odours were reported
- 2) Levels of exposure considered safe were workplace standards wherein an employee is not exposed for more than 8 hours. Many of the residents are in their homes more than 8 consecutive hours.

As a result, the MECP agreed to additional testing that took place in evening hours and early morning hours in September 2023. Ministry staff identified odours on each of the six survey days with the leachate pond and landfill facility as the likely source of the odours. ***There were twenty-nine exceedances of the Total Reduced Sulfur (TRS) 10-minute odour based criteria.***

Most alarmingly, on September 22, 2023 the Ministry found the maximum TRS concentration to be 266.5 micrograms per cubic meter whereas the standard criteria are 13 micrograms per cubic meter. **More than twenty times the Ontario criteria!**

Based on air monitoring results of 2023, local Councillor Brad Clark requested City of Hamilton Public Health to undertake third party air monitoring. Atkins Realis (formally known as SNC Lavalin) completed evacuated canister air sampling from May 27 to June 3, 2024. Residents had suggested that Public Health consult them on suggested testing dates and times. Unfortunately, testing took place when odour events were not overly prominent and reporting for complaints was quite low.

Over seven days of testing, a total of 63 samples were obtained over a cumulative period of 135 hours. This included 16-hour samples and evening/morning 10-minute air samples.

Sulphur concentrations were generally reported to be below the MECP 10-minute limit of 13 micrograms per cubic meter with the exception of May 27, 2024 with a Hydrogen Sulfide concentration of 105 micrograms per cubic meter. **The measurement was considered a short-term elevated concentration with an "unknown" source.**

One would assume that these sampling dates would overlap with the Provincial Order issued by the MECP to GFL requiring them to start moving waste into newly constructed cells by June 1, 2024. One issue – GFL did not have an excavator moving stockpiled waste until the middle of June, well after testing by Atkins Realis was complete.

While very much appreciated by the community, one week of air quality testing is a snapshot in time compared to close to two years of odour events.

As such, residents rallied to engage with a renowned air quality expert and researcher to arrange independent, third party air quality testing. This included continuous 24/7 air monitoring with a dashboard available to academic professionals, an air quality monitoring company and a large number of residents. Preliminary results will be provided by a community delegate at the GIC meeting of February 26, 2025.

**We are an industrial city, so would your independent air testing pick up contaminants from other sources?**

We invite you to connect with MFE Inspection solutions to better understand the smart technology monitor and capabilities of the monitoring that was undertaken.

One tool and reference in the air data results is a pollutant rose, a graphical tool used to illustrate the relationship between pollutant concentrations and wind direction. It helps identify the source of air pollution by showing how pollution levels vary depending on the direction from which the wind is blowing.

This data included colour coded bands or segments that showed how often a given concentration occurred for each direction around the monitor. High concentrations from a specific direction might suggest nearby pollution sources.

The data is currently undergoing full interpretation and academic review.

In closing, the community thanks Council for their consideration in approving the motions filed February 5, 2025. Working together, we can build towards a resolution and hopefully give relief to a community where windows will no longer be tightly closed, parks and playgrounds will no longer be largely empty and residents might once again enjoy the amenity of home, property and community.

**"Together, Aspire, Achieve."** This reflects our city's spirit of community, ambition, and progress.