



Hamilton Conservation Authority

Healthy Streams...Healthy Communities!

5.16

August 2, 2011

Rose Caterini
City Clerk, Corporate Services
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON
L8P 4Y5

Brenda Law
CAO/Clerk-Treasurer
Township of Puslinch
7404 Wellington Road #34, R.R. #3
Guelph, ON
N1H 6H9

Dear Rose and Brenda:

RE: Large Commercial Fill Operations

At the Board of Directors meeting on July 7, 2011 the attached letter from Ganaraska Region Conservation Authority was received as correspondence and is now being sent to you for your information.

Sincerely,

Steve Miazga
Chief Administrative Officer (CAO)

Enclosure

- cc: Honourable Sophia Aggelonitis, MPP (Hamilton Mountain)
- Ted Arnott, MPP (Wellington-Halton Hills)
- Tim Hudak, MPP (Niagara West – Glanbrook)
- Ted McMeekin, MPP (Ancaster, Dundas, Flamborough, Westdale)
- Paul Miller, MPP (Hamilton East – Stoney Creek)

OFFICE OF THE CITY CLERK

AUG 04 2011

REC'D BY RL DATE _____

REF'D TO _____ DATE _____

REF'D TO _____ DATE _____

REF'D TO Carolyn DATE Council

ACTION: _____





**Ganaraska Region
Conservation Authority**

2216 County Road 28
P.O. Box 328
Port Hope, ON L1A 3W4

Phone: 905-885-8173

Fax: 905-885-9824

www.grca.on.ca

MEMBER OF
CONSERVATION ONTARIO

MAY 30 2011

Rec'd:

File No.: Board of Directors

Replied: Correspondence

May 20, 2011

Hamilton Conservation Authority
838 Mineral Springs Road
Box 7099
Ancaster, ON
L9G 3L3

Attention: Mr. Steven Miazga, CAO

Dear Mr. Miazga:

RE: Large Commercial Fill Operations

The Ganaraska Region Conservation Authority has been working to address community concerns regarding the issuance of a permit which allowed operation of a large commercial fill activity. It has become evident that the *Conservation Authorities Act* and regulations made under Section 28 of this Act are insufficient to deal with community concerns associated with an operation of this size.

At the Ganaraska Region Conservation Authority Board meeting of Thursday, May 19, 2011, the Board of Directors passed the following resolution:

FA 23/11

WHEREAS Conservation Authority regulations in Ontario apply to "other areas" (within 120 metres) of wetlands; and

WHEREAS "other areas" are only regulated if development in these areas could interfere with the hydrologic function with the wetland; and

WHEREAS the Section 142(8) of the Municipal Act exempts a landowner of the requirements of a Municipality's site alteration by-law, if a Conservation Authority has a regulation in effect;

WHEREAS the Conservation Authority regulations requires an applicant to submit "A complete description of the type of fill proposed to be placed or dumped"; and

WHEREAS it is beyond the resource capacity and scope of CA regulations to effectively deal with, large scale commercial fill operations; primarily with respect to the sources and quality of material they import;

WHEREAS it is the position of the MOE that the regulation of fill sites; or filling activity is not addressable through its legislation;

BE IT RESOLVED THAT the Ganaraska Region Conservation Authority request Conservation Ontario engage the Provincial government to develop and implement legislation to effectively deal with large scale commercial fill operations, and

FURTHER THAT the Full Authority forward this motion to local MPs and MPPs and to the watershed municipalities, requesting the municipalities engage the Association of Municipalities of Ontario to also work towards addressing concerns regarding large commercial fill operations.

CARRIED.

Subsequent to the Board passing the above motion, a motion was passed that the concerns around large commercial fill operations be brought to the attention of all Conservation Authorities in Ontario. The resolution further requested that each Authority forward resolution **FA 23/11** to their member municipalities and local MPPs.

It is important that all parties associated with this issue work together to address community concerns and provide for an acceptable and well regulated process for the movement and placement of clean fill.

Thank you for your assistance in this matter.

Yours truly



Raymond Bennis
Chair

