

**City of Port Colborne  
Special Council Meeting 25-20  
Minutes**

- Date:** September 28, 2020
- Time:** 6:30 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor (via Zoom)  
R. Bodner, Councillor  
G. Bruno, Councillor (via Zoom)  
F. Danch, Councillor (via Zoom)  
A. Desmarais, Councillor  
D. Kalailieff, Councillor  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor
- Absent:** E. Beauregard, Councillor
- Staff Present:** D. Aquilina, Director of Planning and Development Department (via Zoom)  
B. Boles, Director of Corporate Services/Treasurer (via Zoom)  
T. Cartwright, Fire Chief (via Zoom)  
A. Grigg, Director of Community and Economic Development (via Zoom)  
B. Kostuk, Development and Asset Inventory Supervisor (via Zoom)  
A. LaPointe, Manager of Legislative Services/City Clerk  
S. Lawson, Deputy Chief (via Zoom)  
S. Luey, Chief Administrative Officer  
C. Madden, Deputy Clerk (minutes)  
S. Shypowskyj, Acting Director of Engineering and Operations (via Zoom)  
M. Thomas, Facilities Supervisor (via Zoom)

Also in attendance was one member of WeeStream.

**1. Call to Order:**

Mayor Steele called the meeting to order.

**2. Confirmation of Agenda:**

**No. 190** Moved by Councilor M. Bagu

Seconded by Councillor D. Kalailieff

That the agenda dated September 28, 2020 be confirmed,  
as circulated.

CARRIED

**3. Disclosures of Interest:**

Councilor Danch declared an indirect pecuniary interest with regard to Planning and Development Department, Planning Division, Report No. 2020-123, Subject: Public Meeting Report for Official Plan & Zoning By-law Amendment Mineral Aggregate Resources & Mineral Aggregate Operation Zone as Rankin Construction Inc. is a customer of the Councillor's business. Councillor Danch refrained from discussing or voting on this item.

**4. Public Hearing Under the Planning Act:**

Subject: Public Meeting Report for Official Plan & Zoning By-law Amendment Mineral Aggregate Resources & Mineral Aggregate Operation Zone Planning and Development Department, Planning Division, Report No. 2020-123.

**(i) Purpose of Meeting:**

Dan Aquilina, Director of Planning and Development, advised that the purpose of this meeting, pursuant to Sections 22 and 34 of the *Planning Act*, is to present staff proposed Official Plan and Zoning By-law amendments to Council and the public.

**(ii) Method of Notice:**

Mr. Aquilina stated that the Notice of the Public Meeting was administered in accordance with Sections 22 and Sections 34 of the *Planning Act*, as amended, and Section 3 of Ontario Regulation 543/06 and Section 5 of Ontario Regulation 545/06. The Notice of this Statutory Public Meeting was advertised in the Port Colborne Leader on September 4, 2020. Public notice was also posted on the City's social media.

**(iii) Explanation of Procedure to be Followed:**

Mr. Aquilina mentioned the four matters for procedure would be followed this evening will be 1) to present Department of Planning & Development Report No. 2020-123; 2) to hear any comments or questions from Council; 3) to announce the requirements under the Planning Act for written notice of passage of the proposed official plan and zoning by-law amendment; and 4) to provide a brief explanation of future meetings regarding the application.

**(iv) Presentation of Application for Official Plan & Zoning By-law Amendment:**

Mr. Aquilina provided the following:

The Official Plan is proposed to be amended by adding the following to Mineral Aggregate and Petroleum Resources Section 10.1.1 Additional Policies.

d) require site specific Zoning By-law amendments to permit ancillary land uses such as asphalt plants, cement/concrete plants and aggregate depots that blend and stockpile aggregate materials with salt and aggregate transfer except where otherwise prohibited by the policies of this Plan, subject to:

i) the protection of adjoining lands from the negative effects of a reduced water supply, noise, dust, odour, lighting and outdoor storage;

ii) the protection of the environment from negative effects of dust, chemical spills, run-off, or contamination of surface or groundwater;

iii) access being obtained directly to a road capable of carrying the anticipated truck traffic; and,

iv) notwithstanding b) above, ancillary land uses will not be permitted where they are identified as a prohibited use in accordance with the Source Water Protection policies in Section 8.3 of this Plan.

That the Zoning By-law Amendment proposes to be changed to add the following to Section 2.3 Uses Prohibited in All Zones.

b) Asphalt and cement manufacturing without an amendment to this by-law.

Mr. Aquilina provided an overview of the location of Mineral Aggregate designations in the Official Plan.

Mr. Aquilina then provided the following comments from the public were received and summarized as:

- **Gary Gaverluk:** Not in favour of allowing asphalt or concrete manufacturing in wet pits and storage must be thirty (30) meters of a body of water or within two (2) meters of the ground water table.
- **Barb and Larry Butters, 1152 Weaver Rd:** Not in favour of any changes that allow activity below the water table or in wet pits. That

- allowing development must be located in the proper location that pose little or no risk to neighbours.
- **Jack Hellinga:** Wants the OP and ZBL to be clear in the prohibited and permitted uses. That definitions be included for aquifer, groundwater table and the high vulnerable aquifer and address uses within the ground water table.
  - **Peter Smith and Donna Bonato, 2559 Firelane 3:** They want to protect the health and welfare of residents, the aquifer and environment.
  - **Robert Henderson, Niagara Water Protection Alliance Group:** They would like the by-law to protect the quality of water by disallowing the importation of fill, of any kind, at any time, for any purpose, into a wet pit.
  - **Emily Brandes:** Wants Pit 1 protected from materials being dumped on top of the water supply.
  - **Betty Konc:** Wants the amendment to be simple and not allow the importation of any fill of any kind into a wet pit, include the definition of a Wet Pit and the protection of the aquifer.
  - **Lorie Tokola:** That the By-law amendment not allow fill of any kind to be deposited in a Wet Pit, that asphalt or concrete manufacturing and storage should not be permitted in a Wet Pit. Wants simple and defined wording.
  - **Susan Rawlins, 55 Michael Dr. S:** “Save our water supply. Stop the pollution by quarries and anyone else.”
  - **Ann Mclaughlin, Edd Scorpio) & Seika Groves:** Would like the by-law to protect the quality of water by disallowing the importation of fill, of any kind, at any time, for any purpose, into a wet pit.
  - **Natalie:** Wants wording and definitions be precise in the zoning by-law and what is prohibited and permitted specific to Dry and Wet Pits.
  - **Josef van Ruyven, 787 Highway 3:** That the By-law amendment not allow fill of any kind to be deposited in a Wet Pit, that asphalt or concrete manufacturing and storage should not be permitted in a Wet Pit. Wants simple and defined wording.
  - **David Henderson:** That the amendment needs to be simple in that it needs to say that the importation of any fill of any kind, at any time, for any purpose, into a wet pit be disallowed and that a wet pit be defined and rehabilitated.
  - **Sandra Beaulieu:** That the By-law amendment not allow fill of any kind to be deposited in a Wet Pit or wetlands. That asphalt, concrete or toxic substances whether manufacturing, recycling or storage should not be permitted in a wet pit or wetland. Contain plain language and that any future applications to approve probiotede uses be denied.
  - **Cindy Mitchell:** That the aggregate industry is a necessary industry, that the aquifer below aggregate should be protected, that there should be a definition of a Wet and Dry Pit, that there should not be any

activities of storing, dumping, recycling, and manufacturing of any material should be done in a wet pit that exposes our groundwater to any risk of contamination.

- **Richard and Janet Phillips 1413 Lorraine Rd.:** not in favour of an asphalt or concrete plant, issues with current quarry operations and their well.
- **Adele Hare:** please vote against dumping of any material, no matter where it comes from, in our quarry. Water fill only.

Mr. Aquilina advised that all comments submitted would be included in their entirety in the recommendation report and had been sent directly to him.

**(v) Questions of Clarification to Planning Staff:**

Mr. Aquilina respectfully requested from Council to withhold any questions that were posed by the public.

Councilor Bodner requested that simple language be used in the amendment.

Councilor Kailileff mentioned the need to provide clear definitions.

Councilor Desmarais requested that the recommendation report be made available well in advance to the public. Mr. Aquilina replied it would be released a week before Council's normal release date to public.

Councilor Wells requested clarification of Section 8.3 used in the amendment is the Official Plan and made mention that source water protection include the aquifer and be part of an amendment to the Official Plan.

Councilor Bodner mentioned there were comments submitted from Wayne and Carol Huffman, Haidon Hallowell, Heather MacDougald and Ron Baarda. Mr. Aquilina responded that they would be included in the recommendation report.

**(vi) Announcement Respecting Written Notice of Passage of Official Plan & Zoning By-law Amendments and Explanation of Future Meetings:**

Mr. Aquilina advised that the recommendation report will appear before Council once comments are reviewed and addressed. Mr. Aquilina also commented that all members of the public that commented by email will be informed of such report and then concluded the public information meeting presentation.

**(vii) Recommendation:**


**No. 191** Moved by Councillor H. Wells  
Seconded by Councillor G. Bruno


That Planning and Development Department, Planning Division, Report No. 2020-123, Subject: Public Meeting Report for Official Plan & Zoning By-law Amendment Mineral Aggregate Resources & Mineral Aggregate Operation Zone, be received for information.

CARRIED

**5. Adjournment:**

Mayor Steele adjourned the meeting at approximately 7:04 p.m.

  
\_\_\_\_\_  
William C. Steele  
Mayor

  
\_\_\_\_\_  
Amber LaPointe  
City Clerk

Minutes prepared by the Department of Planning and Development.

From: "Barbara Butters" [REDACTED]  
To: "Amber Lapointe" <amberlapointe@portcolborne.ca>, "danaquilina@portcolborne.ca" <danaquilina@portcolborne.ca>  
Date: 2020-09-23 12:14 PM  
Subject: Public meeting Sept 28 2020

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

to -

- Dan Aquilina – Director of Planning and Development
- Email – [danaquilina@portcolborne.ca](mailto:danaquilina@portcolborne.ca)
- David Schultz – Planner City of Port Colborne
- Email – [davidschultz@portcolborne.ca](mailto:davidschultz@portcolborne.ca)
- Amber Lapointe – City Clerk Port Colborne
- Email – [cityclerk@portcolborne.ca](mailto:cityclerk@portcolborne.ca)
- Charlotte Madden – Deputy Clerk Port Colborne
- Email – [deputyclerk@portcolborne.ca](mailto:deputyclerk@portcolborne.ca)

Please read the following comments regarding the Official Plan and amendments for the Mineral Aggregate Operations (MAO) and include them in the public record .

Comments on OP and ZBL amendments for MAO zoning  
City of Port Colborne  
September 28, 2020

There have been concerns of the wording and the interpretation of the permitted and prohibited uses in the MAO zone since 2017.

It is recognized that mineral extraction is a vital component of built infrastructure and building construction.

It is further recognized that the City of Port Colborne sits on a major geological formation of high quality aggregate.

It is also recognized that the Provincial Ministry of Natural Resources and Forestry (MNRF) has jurisdiction over NEW applications for mineral extraction under the Aggregate Resources Act (ARA) recently amended and reissued as O. Reg. 466/20.

ARA 466/20 has added a definition for below the water table (Clause 1.01 (2) (b), and protection from certain activities within 2 m of the ground water table Clause 2. 0.13 (29)

ARA 466/20 Clause 2 0.13 (30) provides that the municipality may have restrictions for related activities, and which should be reflected in MAO zone as not all areas zoned are under ARA license.

Mineral Aggregate Resources in Port Colborne are extensive in that they extend along the Onondaga Escarpment from the Wainfleet border on the west to the Fort Erie border on the

east. The OP and ZBL must address all of these potential aggregate sites through appropriate MAO zoning.

The City of Port Colborne has the authority and responsibility under the Planning Act, PPS 2020, and ARA 466/20, to control the secondary and affiliated uses in the Mineral Aggregate Operations (MAO) zone in the Official Plan (OP) and Zoning ByLaw (ZBL).

The City of Port Colborne has the authority and responsibility to protect the environment, including the ground water, from activities that can cause harm to the environment and ground water resources.

There have been numerous conflicting opinions on whether certain uses in MAO zones are permitted or prohibited. These opinions are not only different between two readers, but evidenced by the same person(s) having made different interpretations.

The OP and ZBL must be clear in the prohibited and permitted uses in ALL zones, and the current versions of the OP and ZBL do not identify whether the listed general prohibited uses or zone specific permitted uses take precedence.

The OP requires protection of the Source Water under the Clean Water Act and the Source Water Protection Act, but is silent on Groundwater protection, even though it is a requirement under the Provincial Policy Statement (PPS) 2020. The proposed wording for the amendment of the OP does not correct this omission.

Section 12 – Definitions of the OP has related definitions for High Vulnerable Aquifer, Vulnerable (water), Mineral Aggregate Operations, Negative Impacts, but does not include Noxious (uses).

The current definition of MAO includes much more than aggregate extraction, and includes recycling of mineral aggregate products and derived products.

The proposed amendment for the ZBL is specific for asphalt and cement manufacturing, but is silent on all other activities such as recycling within the ground water table.

In Section 38 – Definitions, there are NO definitions for Aquifer, Groundwater, Ground Water Table, High Vulnerable Aquifer.

In the ZBL the definition of MAO allows Manufacturing and Recycling, and the definition of Noxious Uses excludes MAO as a noxious use.

## SUMMARY

In order to allow for only one interpretation of the OP and ZBL :

- The OP and ZBL must identify the priority of prohibited and permitted uses
- The OP and ZBL must define all the terms used in the documents
- The OP and ZBL must be precise in the uses allowed and prohibited in a MAO zone consistent with the intent of Provincial Regulations
- The OP and ZBL must afford protection of the environment and groundwater from all potential activities where such activities are not addressed in Provincial Regulations but required in PPS 2020 and ARA O. Reg. 466/20
- The OP and ZBL should reflect the intent of the Interim Control ByLaw passed by the City of Port Colborne in 2018.

Thank you Mayor Steele and council for your time and efforts on our behalf . This may well be the most important decision you will make for generations to come .

Sincerely



Larry and Barbara Butters  
1152 Weaver rd  
Port Colborne Ont  
L3k5V3



From: "Betty Konc" [REDACTED]  
To: "Dan Aquilina" <danaquilina@portcolborne.ca>, "Amber Lapointe"  
<amberlapointe@portcolborne.ca>, cao@portcolborne.ca  
Date: 2020-09-23 03:25 PM  
Subject: Public meeting re: proposed OP and Zoning Bylaw Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I would like my comments to be received and placed in the report to go to council for Sept 28th regarding to above subject.

This amendment needs to be simple in that it needs to say that the importation of any fill of any kind, at any time, for any purpose, into a wet pit is disallowed . The definition Wet Pit is provided by the MNR which needs to be added and spelled out so there are no other interpretations that may convolute the meaning of wet pit.

Putting our aquifer first and foremost is the right thing to do, period. Let's work together to make sure that the proper words are used to make a good decision on the amendment.

Stay safe,

Betty Konc

Sent from my iPhone

From: "David Henderson" [REDACTED]  
To: "Dan Aquilina" <danaquilina@portcolborne.ca>, "Amber Lapointe" <amberlapointe@portcolborne.ca>, cao@portcolborne.ca  
Date: 2020-09-24 12:19 PM  
Subject: Public meeting re: proposed OP and Zoning Bylaw Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I would like my comments to be received and placed in the report to go to council for Sept 28th regarding to above subject.

This amendment needs to be simple in that it needs to say that the importation of any fill of any kind, at any time, for any purpose, into a wet pit is disallowed ( please see below except from OSSGA with regard to rehabilitation of wet pits, Port Colborne Quarries are members of the OSSGA.)

The definition Wet Pit is provided by the MNRF which needs to be added and spelled out so there are no other interpretations that may convolute the meaning of wet pit.

Putting safety of the natural environment ahead of profit is the right thing to do for future generations,

Please ensure that the correct wording is used to ensure there is no opportunity for misinterpretation of this document.

David Henderson  
[REDACTED]  
[REDACTED]

OSSGA  
ONTARIO STONE SAND & GRAVEL ASSOCIATION  
**REHABILITATING PITS AND QUARRIES**

The Provincial Standards of the ARA provide minimum rehabilitation standards that deal with the establishment of vegetation, importation of fill, grade of slopes and existing quarry faces. Site plans also must prescribe how a site is to be rehabilitated. Rehabilitation sequences are carefully planned during the preliminary licensing process, and become a legal requirement when the site is first licensed.

Rehabilitated slopes must be no steeper than 3:1 for pits or 2:1 for quarries. Achieving these slopes will often require backfilling and proper planning so that there is enough extracted face left to achieve the desired slope.

Rehabilitation of a pit or quarry involves the management of all of the property's natural resources during the aggregate extraction process. Topsoil, including the seed sources that it contains, and overburden are managed carefully (i.e. stripped and placed separately in a manner that reflects the original profile) throughout the life of the operation. Topsoil and overburden are then sequentially replaced during rehabilitation to prevent erosion and allow for the planting of early successional plant species, followed by trees and shrubs.

Pits and quarries below the water table will be rehabilitated differently than pits and quarries above the water table. The former will be predominantly converted to aquatic end uses

From: "Emily Brandes" [REDACTED]  
To: danaquilina@portcolborne.ca, davidschultz@portcolborne.ca, cityclerk@portcolborne.ca,  
billsteele@portcolborne.ca  
Date: 2020-09-23 01:19 PM  
Subject: What to do with the pit

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

This is probably my 4th or 5th email regarding the Pit 1 issue - not one has been responded to by anyone working for the city, nor any calls. I see the mayor scoff and roll his eyes every time this issue is brought forward and it is infuriating.

I realize Rankins dollars are tempting - but please, if they CONTINUE dumping in that pit the potential damage is irreversible. The only reason this can even be considered is because they are grandfathered in because of the age of the pit - not because it's a safe this is to do. Do you want another contamination scandal for this city?

Please, use common sense. This is not "a few wells" as Rankin would have you believe. It's thousands of families, like mine, who depend on their wells to provide water to their families. What happens if they are contaminated? Who monitors this? Rankin? Seems like a conflict of interest.

My husband works in construction, we know what "clean fill" looks like. It's not something I would put on top of the water supply.

The health of my 5 year old and 8 month old sons is what you are gambling.

Do the right thing. Don't turn it into a dump. Don't allow them a loophole.

Emily Brandes



niagara  
water  
protection  
alliance

2020-09-23

Mr Dan Aquilina, Director of Planning & Development  
Mrs Amber La Pointe, City Clerk

Re: Public meeting and submission to Council pertaining to “Proposed Official Plan and Zoning By-law Amendment”

Please consider the request of this letter in your submission to Council and include this letter with the material that is included in the Councillor’s package.

Simply put, we would like the by-law to protect the quality of water by disallowing the importation of fill, of any kind, at any time, for any purpose, into a wet pit.

All attempts thus far have left room for interpretation. We have recently seen this with excavated material from South Port Development. We see it with the need for an Interim Control By-law but after it lapsed, it is not needed. We see it with a moratorium motion intended to suffice during the time while other legislation times-in but still allows for local activity while encumbering ‘out of City’ sources. We see it in the initiative to misuse a site alteration permit process by implying that sampling will negate the risk of contamination.

Finding the words and processes, that make the decision a simple one for humanitarian concern, should not be difficult. It will save both energy and money for the need to appeal to other bodies, such as the public, the press, and the Local Planning Appeal Tribunal (LPAT).

Sincerely,

**Robert Henderson, President**

  
[nwpa411@gmail.com](mailto:nwpa411@gmail.com)

From: "Cindy Cosby" [REDACTED]  
To: "danaquilina@portcolborne.ca" <danaquilina@portcolborne.ca>, "amberlapointe@portcolborne.ca" <amberlapointe@portcolborne.ca>, "billsteele@portcolborne.ca" <billsteele@portcolborne.ca>, "garybruno@portcolborne.ca" <garybruno@portcolborne.ca>, "markbagu@portcolborne.ca" <markbagu@portcolborne.ca>, "donnaikalilieff@portcolborne.ca" <donnaikalilieff@portcolborne.ca>, "frankdanch@portcolborne.ca" <frankdanch@portcolborne.ca>, "harrywells@portcolborne.ca" <harrywells@portcolborne.ca>, "ronbodner@portcolborne.ca" <ronbodner@portcolborne.ca>, "ericbeauregard@portcolborne.ca" <ericbeauregard@portcolborne.ca>, "angiedesmarais@portcolborne.ca" <angiedesmarais@portcolborne.ca>  
Cc: "Butters, Barbara" <Barbara.Butters@niagararegion.ca>  
Date: 2020-09-24 03:03 PM  
Subject: Proposed Zoning Bylaw, Mineral aggregate zone(s), Sept 28, 2020 public information meeting and council meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Aquilina, Mayor Steele, Ms. Lapointe, and all of Council Members,

I am writing to you in regards to the public information meeting of September 28, 2020 and the Proposed Zoning Bylaw Amendment (ZBL) including the Mineral Aggregate Operations Zone(s) (MAO). I would like my comments to be circulated to ALL council members, the planner, and to be included in the public record.

Historically, there have been concerns surrounding the wording and interpretation of this Zoning bylaw (ZBL) and specifically the Mineral Aggregate Operation Zone (MAO) dating back to 2017 in which members of the public had advocated for changes with the previous council and with the current council. Now it is 2020 and this has not been done.

It is recognized that the aggregate industry is a necessary industry and that South Niagara sits upon a rich resource of aggregate BUT below this aggregate is also a highly vulnerable aquifer that should be protected fully and thoroughly. This aquifer provides water to thousands of residents, businesses, farms, cottages, and is even inter-connected with our natural unique environment (I.e. wetlands, lake) and is a needed resource of water for our current generation but also for future generations. The City of Port Colborne is capable of protecting the aquifer and being a leading municipality to do so if the wording and definitions within the new ZBL and MAO are done correctly.

There should be clear definitions of what a "Wet Pit" is and what a "Dry Pit" is and in no way should any activities of storing, dumping, recycling, and manufacturing of any material should be done in a wet pit that exposes our groundwater to any risk of contamination. Incorporated correct wording and definitions within the proposed new ZBL and MAO shall ensure that our groundwater is protected and that any future applications to amend or change the bylaw (ZBL/MAO) would be automatically denied by the City of Port Colborne. Thereby, saving the city future costs and the possible risk of an appeal to LPAT etc. The City of Port Colborne can be more stringent than the Provincial Policy Statement 2020 and the ARA O. Reg. 466/20 and become a leader in ensuring our environment and water is protected. Our aquifer, under the Onondaga Escarpment requires Source Water Protection under the Clean Water

Act, PPS 2020, the Source Water Act and OUR city could initiate this process and include this in the Official Plan (please refer to attached comments).

I have spoke of this in the past, our aquifer is a bountiful source of water and should Lake Erie for whatever reason (I.e. toxic spill, blue-green algae, climate change issues) become unusable; our municipality, including South Niagara, could access the groundwater for all of our needs. Remember the recent ships colliding, the van in the canal, and a small spill/leak in the past in the canal; all of these examples are another reason to protect this valuable water resource of groundwater.

It is a simple humanitarian effort to ensure the citizens of today and tomorrow has access to safe water for their livelihood. Also, if the groundwater became contaminated; seriously, could the taxpayers and our city afford to install infrastructure to all of rural Port Colborne to supply water to homes and businesses? The city of Guelph relies upon an aquifer! We the citizens of South Niagara have a right to protected clean and safe groundwater!

I have attached a copy of some comments (titled September 28<sup>th</sup>...) that speak to the need to have this CZL and MAO done correctly. Respectfully, my letter is submitted as a delegation to the Public Information meeting and for the planning department and council members to consider my concerns and the need to recognize the significance of protecting our aquifer and not allow any risk of contamination.

I hope this email and attachment finds you all well and safe.

Sincerely,  
Cindy Mitchell

Sent from [Mail](#) for Windows 10



Sept 28 2020 zbl mao.pdf



## Comments on OP and ZBL amendments for MAO zoning

City of Port Colborne

September 28, 2020

There have been concerns of the wording and the interpretation of the permitted and prohibited uses in the MAO zone since 2017.

It is recognized that mineral extraction is a vital component of built infrastructure and building construction.

It is further recognized that the City of Port Colborne sits on a major geological formation of high quality aggregate.

It is also recognized that the Provincial Ministry of Natural Resources and Forestry (MNR) has jurisdiction over *NEW* applications for *mineral extraction* under the Aggregate Resources Act (ARA) recently amended and reissued as O. Reg. 466/20.

ARA 466/20 has added a definition for below the water table (Clause 1.01 (2) (b), and protection from certain activities within 2 m of the ground water table Clause 2. 0.13 (29)

ARA 466/20 Clause 2 0.13 (30) provides that the municipality may have restrictions for related activities, and which should be reflected in MAO zone as not all areas zoned are under ARA license.

Mineral Aggregate Resources in Port Colborne are extensive in that they extend along the Onondaga Escarpment from the Wainfleet border on the west to the Fort Erie border on the east. The OP and ZBL must address all of these potential aggregate sites through appropriate MAO zoning.

The City of Port Colborne has the authority and responsibility under the Planning Act, PPS 2020, and ARA 466/20, to control the secondary and affiliated uses in the Mineral Aggregate Operations (MAO) zone in the Official Plan (OP) and Zoning ByLaw (ZBL).

The City of Port Colborne has the authority and responsibility to protect the environment, including the ground water, from activities that can cause harm to the environment and ground water resources.

There have been numerous conflicting opinions on whether certain uses in MAO zones are permitted or prohibited. These opinions are not only different between two readers, but evidenced by the same person(s) having made different interpretations.

The OP and ZBL must be clear in the prohibited and permitted uses in ALL zones, and the current versions of the OP and ZBL do not identify whether the listed general prohibited uses or zone specific permitted uses take precedence.

The OP requires protection of the Source Water under the Clean Water Act and the Source Water Protection Act, but is silent on Groundwater protection, even though it is a requirement under the Provincial Policy Statement (PPS) 2020. The proposed wording for the amendment of the OP does not correct this omission.

Section 12 – Definitions of the OP has related definitions for High Vulnerable Aquifer, Vulnerable (water), Mineral Aggregate Operations, Negative Impacts, but does not include Noxious (uses).

The current definition of MAO includes much more than aggregate extraction, and includes recycling of mineral aggregate products and derived products.

The proposed amendment for the ZBL is specific for asphalt and cement manufacturing, but is silent on all other activities such as recycling within the ground water table.

In Section 38 – Definitions, there are NO definitions for Aquifer, Groundwater, Ground Water Table, High Vulnerable Aquifer.

In the ZBL the definition of MAO allows Manufacturing *and* Recycling, and the definition of Noxious Uses excludes MAO as a noxious use.

## SUMMARY

In order to allow for only one interpretation of the OP and ZBL :

- The OP and ZBL must identify the priority of prohibited and permitted uses
- The OP and ZBL must define all the terms used in the documents
- The OP and ZBL must be precise in the uses allowed and prohibited in a MAO zone consistent with the intent of Provincial Regulations
- The OP and ZBL must afford protection of the environment and groundwater from all potential activities where such activities are not addressed in Provincial Regulations but required in PPS 2020 and ARA O. Reg. 466/20
- The OP and ZBL should reflect the intent of the Interim Control ByLaw passed by the City of Port Colborne in 2018

From: "Ann McLaughlin" [REDACTED]  
To: cityclerk@portcolborne.ca, deputyclerk@portcolborne.ca  
Cc: williamsteele@portcolborne.ca, danaquilina@portcolborne.ca  
Date: 2020-09-23 04:58 PM  
Subject: Public Meeting September 28

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr Dan Aquilina, Director of Planning & Development  
Mrs Amber La Pointe, City Clerk

Re: Public meeting and submission to Council pertaining to "Proposed Official Plan and Zoning Bylaw Amendment"

Please consider the request of this letter in your submission to Council and include this letter with the material that is included in the Councillor's package.

Simply put, we would like the by-law to protect the quality of water by disallowing the importation of fill, of any kind, at any time, for any purpose, into a wet pit. All attempts thus far have left room for interpretation.

We have recently seen this with excavated material from South Port Development. We see it with the need for an Interim Control By-law but after it lapsed, it is not needed. We see it with a moratorium motion intended to suffice during the time while other legislation times-in but still allows for local activity while encumbering 'out of City' sources. We see it in the initiative to misuse a site alteration permit process by implying that sampling will negate the risk of contamination.

Finding the words and processes, that make the decision a simple one for humanitarian concern, should not be difficult.

It will save both energy and money for the need to appeal to other bodies, such as the public, the press, and the Local Planning Appeal Tribunal (LPAT).

Sincerely,  
Ann McLaughlin

[REDACTED]  
[REDACTED]

From: "D Bonato" [REDACTED]  
To: "deputyclerk@portcolborne.ca" <deputyclerk@portcolborne.ca>, "cityclerk@portcolborne.ca" <cityclerk@portcolborne.ca>, "davidschultz@portcolborne.ca" <davidschultz@portcolborne.ca>, "danaquilina@portcolborne.ca" <danaquilina@portcolborne.ca>  
Date: 2020-09-21 12:37 PM  
Subject: Public Meeting - Letter on Record

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.  
Please accept this letter as our comments to be added to the public meeting.

Our concern aligns with those of Niagara Water Protection Alliance Group and have not waived.

**Re: quarry operations as it pertains to activity below the water table or in a "Wet Pit "**

The matters concerning Pit's 1 and 2 – should have been addressed in years past – yet sadly they were overlooked or shelved and we are now left scrambling to save our water source.

In life with every choice comes a consequence...today, the choices made by city staff and council, with regards to these Pits have the potential to lead to dire consequences in the not so distant future and for generations to come.

Inco is one recent example of a choices made with negative consequences. For years after the contamination was identified the City of Port Colborne was left to deal with the negative impact left from that corporations irresponsible behaviour.

The situation we find ourselves in today with our aquifer is far more tedious and has the potential to have even more far reaching and longer lasting consequences than anything which transpired with Inco.

The implied benefits that a handful of jobs that "might" be brought to this town simply should not supersede the negative consequences and costs (health and monetary) associated with the operation of these pits.

As citizens we depend on all of you to approach this with the best interests of all of us in mind, not just the owner of the pit. This should not be a transactional decision based on finances to be collected for the City of Port Colborne. The decision should be based on

the health and welfare of citizens in the Port Colborne community and the surrounding communities.

As it stands, our vulnerable aquifer supplies water to thousands of residents , farms and businesses in rural Niagara and beyond. These people matter...we matter!

**Further, the present day owner of these pits – had previously stated only clean fill would be placed in the pits, yet sadly this month people from the Niagara Water Protection Alliance Group learned that asphalt was wrongly being dumped in Pit 2.**

**Therefore it seems to us the owner of the Pit has breached his promise in regards to his previous assurances in regards to “clean fill”; not only that, the recent behaviour shown is also a blatant breach of trust, further proving that mismanagement of the pit is a likelihood.**

Again, with all choices or decisions made by City and Council this well may be the most important long reaching decision you will make in your lifetime, and remember...with all decisions made there are consequences – please do not allow your citizens become victims from your decisions.

The most sensible choice at this time, is to protect the health and welfare of residents and to protect our aquifer and environment. Corporations do not need protection!

People need protection from corporations!

Our thanks for your attention to this matter,

**Residents of ward 4**

**Peter Smith and Donna Bonato**

**– 2559 Firelane 3, Port Colborne, ON L3K 5V3**

Sent from [Mail](#) for Windows 10

From: "lorie tokola" [REDACTED]  
To: "Amber LaPointe (cityclerk@portcolborne.ca)" <cityclerk@portcolborne.ca>, "deputyclerk@portcolborne.ca" <deputyclerk@portcolborne.ca>, "Dan Aquilina" <danaquilina@portcolborne.ca>  
Cc: "Barbara Butters" [REDACTED] >, "Mayor Bill Steele (mayor@portcolborne.ca)" <mayor@portcolborne.ca>, "garybruno@portcolborne.ca" <garybruno@portcolborne.ca>, "frankdanch@portcolborne.ca" <frankdanch@portcolborne.ca>, "Donna Kalailieff" <donnaKalailieff@portcolborne.ca>, "Mark Bagu" <markbagu@portcolborne.ca>, "<angiedesmarais@portcolborne.ca>" <angiedesmarais@portcolborne.ca>, "Ron Bodner" <ronbodner@portcolborne.ca>, "Harry Wells/Port\_Notes" <harrywells@portcolborne.ca>, "ericbeauregard@portcolborne.ca" <ericbeauregard@portcolborne.ca>, "Jeff Burch (JBurch-CO@ndp.on.ca)" <jburch-co@ndp.on.ca>, "Redekop, Wayne" <wayne.redekop@niagararegion.ca>  
Date: 2020-09-23 03:57 PM  
Subject: Re: Delegation: Public meeting re: proposed OP and Zoning Bylaw Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Resending in PDF formatted document attached to this email.

Kind regards,  
**Lorie**

**Lorie Tokola**  
[REDACTED]

**From:** lorie tokola [REDACTED]  
**Sent:** September 23, 2020 3:43 PM  
**To:** Amber LaPointe (cityclerk@portcolborne.ca) <cityclerk@portcolborne.ca>; deputyclerk@portcolborne.ca <deputyclerk@portcolborne.ca>; Dan Aquilina <danaquilina@portcolborne.ca>  
**Cc:** Barbara Butters [REDACTED] >; Mayor Bill Steele (mayor@portcolborne.ca) <mayor@portcolborne.ca>; garybruno@portcolborne.ca <garybruno@portcolborne.ca>; frankdanch@portcolborne.ca <frankdanch@portcolborne.ca>; Donna Kalailieff <donnaKalailieff@portcolborne.ca>; Mark Bagu <markbagu@portcolborne.ca>; <angiedesmarais@portcolborne.ca> <angiedesmarais@portcolborne.ca>; Ron Bodner <ronbodner@portcolborne.ca>; Harry Wells/Port\_Notes <harrywells@portcolborne.ca>; ericbeauregard@portcolborne.ca <ericbeauregard@portcolborne.ca>; Jeff Burch (JBurch-CO@ndp.on.ca) <jburch-co@ndp.on.ca>; Redekop, Wayne <wayne.redekop@niagararegion.ca>  
**Subject:** Delegation: Public meeting re: proposed OP and Zoning Bylaw Amendment

Dear Deputy Clerk,

Please add my comments see below and attached document - to be received and placed in the report to go to council for Sept 28th Public Meeting and Council Meeting as a delegation for the Public Meeting re. Proposed OP and Zoning Bylaw Amendment and also for the Council Meeting September 28th, 2020.

respectfully,  
**Lorie**

**Lorie Tokola**  
**Ward 4 Citizen**  
**City of Port Colborne**



~~~~~

September 23rd, 2020

Mr. Dan Aquilina  
Director of Planning  
City of Port Colborne

Dear Mr. Aquilina,

Please take my comments into consideration for the upcoming Zoning Bylaw Amendment. As you advised, I am putting my thoughts in writing and sending to you.

The amended Bylaw should NOT allow any fill of ANY kind to be deposited in ANY form at ANY time into a WET PIT.

In the Zoning Bylaw, any reference to Asphalt and Concrete should include BOTH terms 'manufacturing' and 'storage' in the wording of the bylaw. Neither Asphalt nor Concrete manufacturing NOR storage should be permitted in ANY WET PIT. This is to protect the aquifer drinking water of thousands of citizens. Please include definitions of WET PIT and DRY PIT.

Please ensure this wording is SIMPLE, PLAIN LANGUAGE that is so clear it is NOT SUBJECT TO OTHER INTERPRETATIONS. The amended Zoning Bylaw should NOT be ambiguously worded to allow for multiple interpretations (as has been the case in the recent past). Again, as I requested in the Open House, please re-word this Zoning Bylaw so any member of the public can understand it.

In order to allow for only one interpretation of the Official Plan (OP) and Zoning ByLaw (ZBL) :

- The OP and ZBL must CLEARLY identify the priority of prohibited and permitted uses
- The OP and ZBL must define all the terms used in the documents
- The OP and ZBL must be precise in the uses allowed and prohibited in a MAO zone consistent with the intent of Provincial Regulations Aggregate Resources Act (ARA)
- The OP and ZBL must afford protection of the environment and groundwater from all potential activities where such activities are not addressed in Provincial Regulations but required in PPS 2020 and ARA O. Reg. 466/20
- The OP and ZBL should reflect the intent of the Interim Control ByLaw passed by the City of Port Colborne in 2018 (with an intent to protect the aquifer drinking water).

With these points incorporated into the amendments to the Zoning Bylaw, FUTURE applications to change/amend the bylaw to approve prohibited uses in WET PITS would automatically be denied by the City of Port Colborne. This wording should also be included in the amended Zoning Bylaw.

Thank you for this opportunity to provide input into the amendment process.

I look forward to an Amended Zoning Bylaw that protects WET PITS, our Aquifer drinking water and ultimately the health of all citizens depending on this water source.

Respectfully this letter is submitted as a delegation to the Public Meeting as well as the City Council Meeting on September 28th, 2020.

Regards,  
Lorie Tokola  
Ward 4 Resident,  
City of Port Colborne



Re. Zoning Bylaw Amendment Sept. 23, 2020.pdf



September 23<sup>rd</sup>, 2020

Mr. Dan Aquilina  
Director of Planning  
City of Port Colborne

***Dear Mr. Aquilina,***

Please take my comments into consideration for the upcoming Zoning Bylaw Amendment. As you advised, I am putting my thoughts in writing and sending to you.

The amended Bylaw should NOT allow any fill of ANY kind to be deposited in ANY form at ANY time into a WET PIT.

In the Zoning Bylaw, any reference to Asphalt and Concrete should include BOTH terms 'manufacturing' and 'storage' in the wording of the bylaw.

Neither Asphalt nor Concrete manufacturing NOR storage should be permitted in ANY WET PIT. This is to protect the aquifer drinking water of thousands of citizens. Please include definitions of WET PIT and DRY PIT.

Please ensure this wording is SIMPLE, PLAIN LANGUAGE that is so clear it is NOT SUBJECT TO OTHER INTERPRETATIONS. The amended Zoning Bylaw should NOT be ambiguously worded to allow for multiple interpretations (as has been the case in the recent past). Again, as I requested in the Open House, please re-word this Zoning Bylaw so any member of the public can understand it.

In order to allow for only one interpretation of the Official Plan (OP) and Zoning ByLaw (ZBL) :

- The OP and ZBL must CLEARLY identify the priority of prohibited and permitted uses
- The OP and ZBL must define **all the terms** used in the documents
- The OP and ZBL must be precise in the uses allowed and prohibited in a MAO zone consistent with the intent of Provincial Regulations Aggregate Resources Act (ARA)
- The OP and ZBL must afford protection of the environment and groundwater from all potential activities where such activities are not addressed in Provincial Regulations but required in PPS 2020 and ARA O. Reg. 466/20
- The OP and ZBL should reflect the intent of the **Interim Control ByLaw** passed by the City of Port Colborne in 2018 (with an intent to protect the aquifer drinking water).

With these points incorporated into the amendments to the Zoning Bylaw, FUTURE applications to change/amend the bylaw to approve prohibited uses in WET PITS would automatically be denied by the City of Port Colborne. This wording should also be included in the amended Zoning Bylaw.

Thank you for this opportunity to provide input into the amendment process.

I look forward to an Amended Zoning Bylaw that protects WET PITS, our Aquifer drinking water and ultimately the health of all citizens depending on this water source.

Respectfully this letter is submitted as a delegation to the Public Meeting as well as the City Council Meeting on September 28<sup>th</sup>, 2020.

Regards,

***Lorie Tokola***

Ward 4 Resident,  
City of Port Colborne



From: "N F" [REDACTED]  
To: "deputyclerk@portcolborne.ca" <deputyclerk@portcolborne.ca>  
Date: 2020-09-23 07:31 PM  
Subject: Quarry

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Save our water!

When deciding the the future of the Port Colborne pits, It is IMPERATIVE that the wording / definitions in the CZL be precise in that it correctly defines the terms of what are: Permitted Uses and what are Prohibited Uses (Not allowed) specific to DRY PITS and WET PITS. The City of Port Colborne "must" get this right the first time!

Please champion for the greater good, not the greater money maker.

Natalie

Sent from my iPhone

From: "S Rawlins" [REDACTED]  
To: "deputyclerk" <deputyclerk@portcolborne.ca>  
Date: 2020-09-23 04:50 PM  
Subject: Protect our Water

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Save our water supply.

Stop the pollution by quarries and anyone else.

Susan Rawlins  
55 Michael Dr S  
[REDACTED]

From: "Sandra Beaulieu" [REDACTED]  
To: "danaquilina@portcolborne.ca" <danaquilina@portcolborne.ca>, "davidshultz@portcolborne.ca" <davidshultz@portcolborne.ca>, "cityclerk@portcolborne.ca" <cityclerk@portcolborne.ca>, "deputyclerk@portcolborne.ca" <deputyclerk@portcolborne.ca>, "mayor@portcolborne.ca" <mayor@portcolborne.ca>, "markbagu@portcolborne.ca" <markbagu@portcolborne.ca>, "donnakalailieff@portcolborne.ca" <donnakalailieff@portcolborne.ca>, "ericbeauregard@portcolborne.ca" <ericbeauregard@portcolborne.ca>, "angiedesmarais@portcolborne.ca" <angiedesmarais@portcolborne.ca>, "garybruno@portcolborne.ca" <garybruno@portcolborne.ca>, "frankdanch@portcolborne.ca" <frankdanch@portcolborne.ca>, "ronbodner@portcolborne.ca" <ronbodner@portcolborne.ca>, "harrywells@portcolborne.ca" <harrywells@portcolborne.ca>  
Date: 2020-09-24 01:40 PM  
Subject: Zoning Bylaw Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

September 24, 2020

Planning Department of Port Colborne,  
City and Deputy Clerks  
City Mayor and Councillors

I am writing today in regards to the upcoming Zoning Bylaw Amendment. As advised, I am putting my thoughts down and would ask that you please take my comments into consideration.

In the Amended Bylaw I would like it to state that No Fill of ANY kind be deposited in ANY form at ANY time, even temporarily, into a WET PIT or Wetlands.

Also, in the Zoning Bylaw, there should be a reference to Recycling, Manufacturing and or Storage of any Asphalt, Concrete or any other possible toxic substances (as in, but not limited to, Diesel fuel, Oil or Coolants.). Asphalt, Concrete or toxic substances whether manufacturing, recycling or storage should NOT be permitted in ANY WET PIT or designated Wetland site. This is to protect the Water sources for thousands of Citizens. Canada alone holds over half the world's clean water sources; it is something we need to protect for the future of mankind. The Bylaw should also include definitions of Wet Pits and Dry Pits.

I ask that the wording use plain and simple language that it is so clear that it would not be subject to any other interpretations to ensure there are no possibility of multiple interpretations, as we have recently witnessed.

It should be precise in the allowed and prohibited uses, consistent with the intent of Provincial Regulations and Aggregate Resources Act. It needs to address protection of the environment and groundwater from all potential activities where such activities are not listed in the Provincial Regulations but required in PPS 2020 and ARA O. Reg. 466/20.

I would also like to see in the Zoning Bylaw Amendment that any current or future applications to change or amend the bylaw to approve prohibited uses in WET PITS be automatically denied

by the City of Port Colborne. This wording should also be included in the Zoning Bylaw Amendment.

I thank you for the opportunity for Port Colborne Residents to provide input into the amendment process. I look forward to the protection of Wet Pits, Wetlands and thus the Aquifer for the health and wellness of all Citizens and wildlife in the area.

I respectfully submit this letter for the Public Meeting as well as the City Council Meeting on September 28<sup>th</sup>, 2020.

Sincerely,

Sandra Beaulieu  
Ward 4 Resident,  
City of Port Colborne

██████████

**Sandra Beaulieu**  
**George Beaulieu**

On Sep 25, 2020, 3:43:22 PM, [REDACTED] wrote:

From: [REDACTED]  
To: [williamsteele@portcolborne.ca](mailto:williamsteele@portcolborne.ca)  
Cc:

Date: Sep 25, 2020, 3:43:22 PM

Subject: Public Meeting and Submission to Council Pertaining to "Proposed Official Plan and Zoning Bylaw Amendment" September 28, 2020

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please provide this e-mail to:  
Mayor Bill Steele

Re: Public Meeting and Submission to Council Pertaining to "Proposed Official Plan and Zoning Bylaw Amendment" September 28, 2020

This is not rocket science. It is, however, an opportunity for our Council to do the right thing for the citizens of Port Colborne today and into our future by honoring our commitment to clean, sustainable, and healthy ground water and to place that commitment over that of short-sighted and immediate commercial interests.

Because Port Colborne Quarries, through its development of Pit 1, has demonstrated beyond any doubt whatsoever that the quarry intersects and impacts the natural water table within our area, it is beyond doubt that anything placed within Pit 1 threatens to also interact with that water table. Because that water table is so extensive – affecting much of Ontario, at the very least – it behooves us to weigh the significance of that threat against the slight commercial gain continued use of Pit 1 might provide to a narrow range of commercial interests. In my opinion, such a weighing of interests must assuredly come down in favor of the long-term public need. Accordingly, I urge the Council to make sure that the Official Plan and Zoning Bylaw under consideration makes it crystal clear that Pit 1 must be closed completely to any development whatsoever and that the only activity to be permitted in Pit 1 will be limited to that which is designed to permanently close that pit and to prepare it for conversion to public use. Additionally, I request that the Council take into consideration the lessons learned from Port Colborne Quarries' experience in developing Pit 1 which established how closely PCQ's operations are to a critical and environmentally sensitive water aquifer, that the Council consider placing depth restrictions on the future development of Pits 2, 3, 4, etc. so that future problems can be avoided as those pits are developed.

Thank you for your time and consideration,

Thomas M. Weaver  
1717 Firelane 2  
Port Colborne, ON L3K 4H1

From: "Gary Gaverluk" [REDACTED]  
To: danaquilina@portcolborne.ca, davidschulz@portcolborne.ca, amberlapointe@portcolborne.ca, charlottemadden@portcolborne.ca  
Cc: angiedesmarais@portcolborne.ca, harrywells@portcolborne.ca, ronbodner@portcolborne.ca, donnakalailieff@portcolborne.ca, markbagu@portcolborne.ca, frankdanch@portcolborne.ca  
Date: 2020-09-28 08:56 AM  
Subject: PUBLIC MEETING REPORT

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning Mr. Aquilina:

I am sending this email today in response to the Public Meeting Report.

I find it difficult to understand why a Zoning ByLaw (ZBL) amendment for MAO does not reference the section of the ZBL that deals with MAO zoning.

There are no proposed amendments to the MAO zoning, but only to the generic all-inclusive clauses.

The Interim Control ByLaw (ICBL) was specific in dealing only with extraction of natural materials.

The ZBL allows a multitude of activities in an MAO zone, and specifically, within the aquifer.

If the current review of the MAO zoning does not reflect the intent of the ICBL, it does not address the shortfalls of the current wording in MAO Zone.

I would suggest the best wording of the amendment would be to go to the wording in the ICBL.

I remain steadfast in that it is imperative the amendment wording specifically to MAO (Mineral Aggregate Operations) in the ZBL be clearly and simply defined.

As per my comments in the City Council Package.

Therefore: SPECIFIC TO CONCRETE AND ASPHALT - PROHIBITED USES (Not Allowed)  
- PUTTING WET PITS AT RISK OF CONTAMINATION

- ASPHALT:
  - Recyclable Asphalt shall not be stored within thirty (30) meters of a body of water or within two (2) meters of the ground water table.
  - Recycling operations of Asphalt shall not be done within thirty (30) meters of a body of water or within two (2) meters of the ground water table.
  - The manufacturing of Asphalt and or Asphalt products shall not be done within thirty (30) meters of a body of water or within two (2) meters of the ground water table.



- CONCRETE:
  - Recyclable Concrete shall not be stored within thirty (30) meters of a body of water or within two (2) meters of the ground water table.
  - Recycling operations of Concrete shall not be done within thirty (30) meters of a body of water or within two (2) meters of the ground water table.
  - The manufacturing of Concrete and or Concrete products shall not be done within thirty (30) meters of a body of water or within two (2) meters of the ground water table.

Once again, respectively submitted,

Gary B. Gaverluk  
Gaverluk Services Ltd.  
"Quality Assurance through  
Responsible in plant representation"

████████████████████  
████████████████

991 Highway 3,  
Port Colborne, ON  
L3K 5V3

September 22, 2020

To Whom It May Concern:

I am writing this letter to be put before City Council on behalf of my wife and me.

I have concerns over the dumping of contaminated fill, cement, foundations, boulders, cement floor material from a former machine shop on West Street that is owned by the owner of Port Colborne Quarries. This machine shop operated for many years with heavy machinery and oil spills on the property. Much of this polluted material was dug from the property and dumped into Pit One of the Port Colborne Quarry. Has every truck load been tested for contaminants for the aquifer not only for Port Colborne but miles around?

We live approximately one half mile from this quarry and have put up with heavy blasting and lately fumes and smoke drifting across our property as well as neighbours' property.

Pit One was supposed to be filled with water when quarried out. This was decided by City Council and owners of Port Colborne Quarries many years ago.

I believe that if our wells and those of our surrounding area become contaminated, the owner of the quarry should be responsible for all of the wells in the area and a cistern supplied with potable water delivered as long as required.

For a company that sponsors The Cancer Run, we feel this company should not put the contamination of well water on the back burner.

Yours Truly,



John Wayne Hoffman

From: "Haydn Halliwell" [REDACTED] >  
To: "cityclerk@portcolborne.ca" <cityclerk@portcolborne.ca>  
Date: 2020-09-28 11:03 AM  
Subject: Quarry

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Port Colborne council,

We are residents of Port Colborne who live across the road from the Quarry. We are in favour of tighter regulations and no fill. We have two children under the age of two and worry about their health as well as our own and everyone in our community due to the environmental concerns.

Thank you,

The Laity family  
408 Second Concession Road  
Port Colborne L3K 5V5

From: "Heather MacDougald" [REDACTED]  
To: "danaquilina@portcolborne.ca" <danaquilina@portcolborne.ca>, "planner@portcolborne.ca" <planner@portcolborne.ca>, "cityclerk@portcolborne.ca" <cityclerk@portcolborne.ca>, "mayor@portcolborne.ca" <mayor@portcolborne.ca>, "deputyclerk@portcolborne.ca" <deputyclerk@portcolborne.ca>  
Cc: "ronbodner@portcolborne.ca" <ronbodner@portcolborne.ca>, "donnakalailieff@portcolborne.ca" <donnakalailieff@portcolborne.ca>, "garybruno@portcolborne.ca" <garybruno@portcolborne.ca>, "angiedesmarais@portcolborne.ca" <angiedesmarais@portcolborne.ca>, "markbagu@portcolborne.ca" <markbagu@portcolborne.ca>, "frankdanch@portcolborne.ca" <frankdanch@portcolborne.ca>, "ericbeauregard@portcolborne.ca" <ericbeauregard@portcolborne.ca>, "harrywells@portcolborne.ca" <harrywells@portcolborne.ca>  
Date: 2020-09-28 10:47 AM  
Subject: Proposed changes to the OP and ZBL for Mineral Aggregate Operations

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

"Protecting water at its source is a crucial first step in Ontario's approach to delivering safe drinking water. When you turn on your tap, you can be confident that your drinking water is among the best protected in the world" according to the website of the Ontario Government. We deserve nothing less. In urban Port Colborne, water is treated, tested and provided to all residents, In rural Port Colborne, we are pleading for officials of the City of Port Colborne to protect and maintain the same safe quality drinking water for us by protecting our under ground aquifer water source.

Please ensure that all outside materials other than the aggregate being mined is not brought into the quarry pits to risk contamination of the significant aquifer.

We must not forget; the enormous amount of water being pumped out of Pit 1 on a daily basis to keep this Wet Pit from flooding, that Pit 1 is already 8 meters below the ground water level so any contaminated material in this pit will conceivably seep into the aquifer, that dumping of probable contaminants have already happened in Pit 1 numerous times already, that no storage of any kind of material other than the aggregate being mined should be in all pits, that allowing storage or manufacturing of any product in these Pits creates an enormous risk of uncorrectable contamination of the water source of thousands of people along this aquifer, that these changes need to be clear concise and regulated with severe consequences, that pits need to be remediated before a new one is opened including moving the quarrying equipment to the next pit, that Pit 1 is a Wet Pit and needs to be remediated as such.

Thanks you for hearing my concerns and taking the needed action.

Respectfully submitted

Heather MacDougald and Ron Baarda

Sent from [Mail](#) for Windows 10