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## Rural Ontario residents fear contents of soil dumped near their properties

**Anger over some landowners accepting millions of dollars worth of soil dug up in Toronto**

By Marnie Luke, [CBC News](#) Posted: Jun 03, 2014 4:32 PM ET Last Updated: Jun 10, 2014 11:43 AM ET



Barbara Sheldon's land is now bordered on three sides by huge piles of dirt, trucked in by her neighbour, who owns the Burlington airport.

Residents living in rural communities near Toronto are demanding to know what's in the thousands of truckloads of soil being dumped on property near them.

Barbara Sheldon's farmland is located on the edge of Burlington, Ont., and is now walled in by a three-storey berm of dirt brought in by her neighbour, who owns the small Burlington Executive Airport next door.

She is worried about what might be in the muddy mix.

“We're sitting ducks waiting for the contaminants to leach,” she said.



Concerned residents in New Tecumseth, Ontario, about an hour north of Toronto, protest outside the Tottenham airfield. (CBC)

Sheldon told CBC's Diana Swain that anyone in the country could face the same problem.

“They could lose everything. That is what happened to me. I lost everything,” she said.

“I’ve lost my property value. For five years I’ve lost the use of my land, I’ve lost the use of my home. I mean, from sun up to sun down and sometimes at night and on weekends we’re talking back-up beepers, we’re talking about dump trucks surrounding me,” Sheldon said.

## **Need for places to dump dirt will increase**

Rural residents are angry that some landowners are taking in millions of dollars worth of soil dug up from Toronto-area construction sites with little oversight. The City of Toronto estimates nearly four million cubic metres of soil will be dug up in the next 10 years for Toronto water and transit projects alone.

With more and more soil being displaced to make room for condos, transit, Pan Am Games venues and other urban development projects, the need for places to dump that dirt is only going to increase.

Some municipalities have bylaws about using private property for landfill, but rules around soil testing and the amount of dirt that can be dumped are muddy.

Ontario environmental commissioner Gord Miller said it’s time for tougher rules as well as clarification on who has jurisdiction.

"We don't have security on piles, on areas where we know there is contaminated soil ... and it can be removed and sort of mixed in and how would we know? So there is legitimate concern when large volumes of soil are being deposited in rural areas with very little checking," he said.

## **'Disingenuously raising concerns'**

Sheldon said every level of government she contacted for help since the dumping began five years ago said it wasn't their responsibility.

Court documents obtained by CBC News show Vince Rossi, owner of the Burlington Executive Airport, earned more than \$855,000 accepting fill at the Burlington airport between the years 2011 to 2013.

In a statement to CBC News, Rossi accused his neighbours of "disingenuously raising environmental concerns."

Rossi said the Ministry of the Environment has not found a problem with the fill he is using.

He also said that municipal bylaws don't apply to his property.

"As for the issue of jurisdiction, our view is that only Transport Canada has a say over the nation's airports," he wrote.

The City of Burlington took the airport to court last year and got the dumping stopped. An appeal of that decision will be heard on June 11.

Similar disputes are playing out in other rural communities, like New Tecumseth in Simcoe County, which sits on the environmentally protected Oak Ridges Moraine about an hour north of Toronto.

A caravan of trucks began dumping dirt on the local air strip there four years ago, and concerned residents say they haven't been able to get answers about what's in the soil or the potential impact to well water.

## **Voluntary guidelines**

Ontario's Ministry of the Environment issued voluntary industry guidelines last year on testing and disposing of soil. But a report by the City of Toronto's chief planner raises concerns that the guidelines do not deal with excess soil moved across jurisdictional boundaries.

"As a result, there continues to be a policy and regulatory gap in this area," the report says.

Concerned citizens and environmental groups have formed the Ontario Soil Regulation Task Force, and are calling on the province to create an enforceable Clean Soil Act.

“That fill has to go somewhere. Somebody’s going to find a place for it, because it’s got money attached to it,” Sheldon said. “Until that money is removed from the fill, they should charge people. You want to put it here? OK, you pay us, developers. The whole system’s broken from the start.”

Miller, Ontario’s environmental commissioner, said to tackle the problem, you have to start at the source.

“The people who dig the holes should be responsible cradle to grave to making sure that soil is not only going somewhere where it’s safe, but somewhere where it’s wanted, and deposited in a manner that’s acceptable to the receiving municipality and the local residents,” Miller said.