

CITY OF VAUGHAN

EXTRACT FROM SPECIAL COUNCIL MEETING MINUTES JANUARY 30, 2006

**29. WASTE EXCELLENCE – 10525 KEELE STREET
SITE DEVELOPMENT FILE DA.05.012
2020700 ONTARIO INC.**

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated January 30, 2006, be approved; and
- 2) That the verbal report of the City's external solicitor, Mr. Charles M. K. Loopstra, Q.C., Loopstra Nixon LLP, be received.

CARRIED UPON A RECORDED VOTE

YEASNAYS

Councillor Carella
Mayor Di Biase
Councillor Di Vona
Regional Councillor Ferri
Councillor Meffe

Regional Councillor Jackson

Recommendation

The Commissioner of Planning recommends:

THAT if the Ministry of Environment amends and reinstates Provisional Certificate of Approval No. A230634 ("CofA"), then site plan approval for Site Development File DA.05.012 (2020700 Ontario Inc.) BE DELEGATED to the Commissioner of Planning to facilitate upgraded landscaping and berming, appropriate new fencing, the addition of a fire hydrant, and the relocation of the open storage area associated with the waste transfer station, on the subject lands shown on Attachment #1, subject to the following conditions:

1. That the draft site plan agreement affixed hereto as Attachment # 6, form the basis for the final site plan agreement.
2. That prior to final approval and the registration of the site plan agreement:
 - i) the final site plan, existing building elevations, landscaping plans, and landscape cost estimate shall be approved by the Development Planning Department;
 - ii) the final site grading and servicing plans, stormwater management report, access, parking and on-site circulation shall be approved by the Engineering Department;
 - iii) the Owner shall submit a full sign package plan indicating the design and location of all signs on the subject lands;
 - iv) all requirements of the Region of York Transportation and Works Department shall be satisfied;
 - v) all hydro requirements of PowerStream Inc. shall be satisfied;
 - vi) all requirements of the Fire Department shall be satisfied;

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- vii) the proposed fence detail adjacent to Keele Street shall be revised to delete the wood fence and substituted with an opaque fence constructed of a more durable material(s) to the satisfaction of the Development Planning Department;
 - viii) that the site and landscape plans be amended to include a fence around the balance of the subject lands to the satisfaction of the Development Planning Department;
 - ix) the Owner shall pay all outstanding property taxes applicable to the subject lands;
 - x) the Owner shall enter into an agreement to pay the outstanding tax lien in the amount of \$854,190.27 in four equal instalments without interest except on default; and,
 - xi) all requirements of the Legal Department with respect to the site plan agreement have been met.
3. That the site plan agreement shall include the following:
- i) a clause that open storage shall only be located in the lands zoned M2 General Residential Zone and screened from the view of Keele Street;
 - ii) a clause requiring that the Owner shall remove all open storage from the lands zoned M1 Restricted Industrial Zone;
 - iii) a schedule identifying all materials to be processed on the subject lands and a clause wherein the Owner shall agree not to store or process any liquid waste material;
 - iv) a guarantee by Waste Excellence Corporation and 2085061 Ontario Inc. with respect to the obligations of the Owner, so long as they have an interest in the lands or the CofA.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted a Site Development Application for the subject lands shown on Attachment #1, to finalize the site plan approval previously granted by Council under Site Development File DA.56.93 and to facilitate the following changes to the existing site currently utilized as a waste transfer station:

- increased landscaping, including berming, along the Keele Street frontage;
- a new fence, gate and signage for the property along the Keele Street frontage;
- a clarification of the extent and location of the open storage on the site; and
- the addition of a fire hydrant on the site.

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The Owner has submitted an Operations Manual, which states that the facility processes solid, non-hazardous waste materials. Each waste type is unloaded in the appropriate area of the processing building. Once unloaded on the tipping floor, the waste is visually screened. Recyclable materials are sorted and transferred to the appropriate outdoor storage areas shown on Attachment #2. Residual wastes are transferred to tarped transfer trailers. Waste processing is conducted inside the processing facility. The sorting and removal of recyclable materials are sorted and removed from waste streams to the maximum extent possible.

All waste processing activities are conducted inside the processing facility. The facility utilizes a portable wood chipper, which is operated in the open near the processing building. The Owner is in the process of requesting Ministry of the Environment (MOE) acknowledgement of the assignment of the Certificate of Approval (Air) No. 8-3168-97-006 for the wood chipper. The wood chipper is operated at a minimum separation distance of 300m from the nearest urban (residential) area, located west of the site, across Keele Street. The wood chipper is only operated between 7 a.m. and 7 p.m. Monday to Saturday.

Background - Analysis and Options

The 2.47ha site is located on the east side of Keele Street between McNaughton Road and Teston Road, in Part of Lot 24, Concession 3, City of Vaughan as shown on Attachment #1. The site is developed with a waste transfer station and associated office building. The surrounding land uses are:

- North - existing industrial (M1 Restricted Industrial Zone and M2 General Industrial Zone)
- South - existing industrial (M1 Restricted Industrial Zone and M2 General Industrial Zone)
- East - rail line and vacant lands (M3 Transportation Industrial Zone and M2(H) General Industrial Zone with the addition of the Holding Symbol "H")
- West - Keele Street, existing residential south of Drummond Drive and approved residential north of Drummond Drive (RS1 Residential Semi Detached Zone, subject to Exceptions 9(1191) and (1212))

The Owner is requesting the completion of the outstanding items required to enter into a site plan agreement respecting a previous Site Development File DA.56.93 (Starnino Holdings Limited) and an application for a Ministry of Environment Certificate of Approval (File MOE.3.93) to facilitate the development of the subject lands with a waste transfer station. Council, on December 6, 1993 approved the applications, subject to the following conditions:

"A. 1. That prior to the execution of the site plan agreement:

- a) That the final site plan be approved by the Planning Department;
- b) That the final grading, storm water management report, and site servicing plan be approved by the Engineering Department;
- c) That the final landscaping plan be approved by the Recreation Department;
- d) That all requirements of the Region of York, financial or otherwise, be completed to its satisfaction; and,

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- e) That the Owner shall remove all open storage from the lands zoned M1.
- 2. That the agreement provide that open storage associated with the Transfer Station shall only be located in the rear yard and screened from view of Keele Street.”
- “B. 1. That the Ministry of the Environment be advised that the City of Vaughan:
 - i) has no further objection to the issuance of a Certificate of Approval for Rail Cycle Incorporated (formerly Industrial Recycling Company Inc.) (MOE.3.93) and that a hearing is not deemed to be necessary; and,
 - ii) that in issuing the Certificate of Approval, the Ministry of the Environment include a condition requiring that open storage associated with the Transfer Station shall be screened from view from Keele Street, and shall only be located in the rear yard.
- 2. That prior to the Ministry of the Environment being advised of the City's position, the Owner shall remove all open storage from the lands zoned M1.”

The site plan agreement respecting this approval has not been executed.

Official Plan

The subject lands have a dual Official Plan designation of “Prestige Industrial” for the front approximate one-third portion of the site fronting onto Keele Street and “Industrial” for the balance of the lands under OPA #332 as amended by OPA #535.

Zoning

The subject lands are zoned M1 Restricted Industrial Zone (front portion) and M2 General Industrial Zone (coinciding with the Official Plan designations) by By-law 1-88, as shown on Attachment #1.

Site Design

The site is developed with three buildings including a 200m² office building, a 171.4m² maintenance building and a 1094m² processing building as shown on Attachment #2. The existing buildings will remain unaltered as a result of the current application.

Access to the site is from a single driveway on Keele Street. A ramp leading to a weigh scale is located immediately south of the office building. All vehicles are weighed before entering the site. Incoming trucks reverse into the appropriate entrance to the processing building, unload recyclables/waste, and drive out. Prior to exiting the site, the trucks are weighed at the weigh scale. Upon leaving the site, the majority of trucks travel south on Keele Street and then west along Major Mackenzie Drive to Highway 400.

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There is an existing wood fence along the Keele Street frontage located approximately 18m east of the Keele Street right-of-way. Existing asphalt areas and some landscaping are located between the fence and Keele Street. The site plan also includes an asphalt paved area to the north and east of the existing processing building, and concrete pads along the south lot line, as shown on Attachment #2.

Proposed Changes to the Existing Site Design

The Owner is proposing to make the following changes to the existing site as currently developed:

- increase the amount of landscaping, including berming, along the Keele Street frontage;
- construct a new fence, gate and signage for the property along the Keele Street frontage;
- clarify the extent and location of the open storage on the site; and
- install a fire hydrant on the site.

The proposed landscape and berming treatments and fence details are shown on Attachments #4 and #5. The landscape plan contemplates the removal of the asphalt areas between the existing fence and Keele Street and the reconstruction of the entire area with a berm and landscape treatment to buffer the proposed use from Keele Street. The landscaping on the berm would consist of a combination of plant material including Colorado Spruce, Blue Colorado Spruce, Pyramidal English Oak, Little Leaf Linden and other materials. The final landscape plan shall be approved by the Development Planning Department. The Owner is required to submit a landscape cost estimate for approval by the Development Planning Department.

The Owner proposes to construct a new 1.8m high fence and gate including intermittent 2.2m high stone pilasters along the Keele Street frontage, behind the proposed landscape treatment to provide an additional visual buffer into the site.

In addition, a fence shall be provided around the balance of the perimeter of the site to ensure that materials remain within the property limits. The final fence details shall be approved by the Development Planning Department.

The following shall be addressed in the final landscape plans:

- street tree planting shall be provided along Keele Street within the Region of York right-of-way in relation to a planned 1.5m wide concrete sidewalk (the sidewalk should be shown on the plans). *Acer platanoides* 'Emerald Queen', 'Crimson King' or other cultivars should be considered for density, size and colour;
- street tree planting on arterial roads should conform to Region of York guidelines (Tree Planting Design Criteria' within the Region's *Road Design Guidelines* handbook). In general, street trees should be hardy, salt-tolerant 50 mm caliper balled and burlapped specimens, spaced at 8-12m on centre, planted 3m from any curb or utility pole and offset 1m from any sidewalk and 3m from any driveway;

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- the spacing of evergreen trees should be 3m on centre to provide a denser green screen and more immediate impact;
- the minimum height and spread of shrubs is required to be 60 cm and 60 cm, respectively;
- some small ornamental trees for seasonal colour such as *Syringa reticulata* 'Ivory Silk' or *Prunus virginiana* shall be provided;
- diversify *Tilia* with *Celtis occidentalis*, *Fraxinus* or *Aesculus*. The evergreen selection is acceptable given limited selection of salt-tolerant, hardy evergreens, however *Pinus nigra* should be considered on the periphery of the planting area where there is more room;
- a monoculture of tree plantings should be avoided. One evergreen or deciduous genus should not constitute more than 20% of all deciduous or evergreen plantings. A maximum of 10% of plantings should be from the same species. A diversified, but consistent rhythm of street trees, parking lot and landscape buffer plantings should be considered; and,
- the Maple Streetscape themed light fixtures shall be provided along the Keele Street frontage to the satisfaction of the Development Planning Department.

The Owner is proposing to locate all of the open storage area to the rear of the site, on the lands zoned M2 General Industrial Zone. The open storage area is comprised of an asphalt pad with concrete block retaining walls used for the temporary storage of materials to be processed in the processing building.

A fire hydrant is proposed to be located approximately 3.5m north of the south property line in close proximity to the maintenance building. The Owner is required to satisfy all requirements of the Fire and Public Works Departments with respect to the installation of the hydrant.

Building Elevations

The site is developed with existing buildings that will remain unaltered as shown on Attachment #2. The office building is constructed with clay brick, a prefinished metal roof and typical windows and doors. The processing and maintenance buildings consist primarily of steel wall and roof buildings with wood roll-up doors and windows.

Parking

A total of thirty (30) parking spaces are located on separate locations on the site. Parking for the proposed development is calculated as follows:

Office Building	200m ²	@ 2 spaces / 100m ²	= 2 spaces
Processing & Maintenance Buildings	1,265.8m ²	@ 1.5 spaces/100m ²	= 19 spaces
Total Spaces Required			21 spaces

The proposal complies with the minimum parking requirements of the Zoning by-law.

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Signage

The Operations Manual indicates that signage will be posted at the entrance to the site indicating that the facility is a non-hazardous waste processing facility. The sign will provide the facility address, phone number, hours of operation and after hours emergency contact telephone number. Traffic control signs will be posted in the vicinity of the weigh scale, scale house, and the processing building. The traffic control signs include signs with speed limits, directions, parking, and caution and safety wording. Additional signage will be posted within 90 days of the reinstatement of the Certificate of Approval. An electronic sign will also be installed at the weigh-scale that tracks the total amount of waste stored. If the facility reaches its maximum storage capacity, a sign will be posted to indicate that the facility is not accepting waste until the following day.

To date, the Owner has not provided a detailed package of sign drawings in support of the application. A full package of sign drawings shall be required as a condition of approval.

Draft Site Plan Agreement

A draft site plan agreement is appended to this report as Attachment #6, which forms a basis for implementing the proposed site plan. The agreement will facilitate the implementation of the previous Council approval under Site Development Application File DA.56.93 and the changes proposed by the current application. The agreement will be amended as required to implement the final approved site plan drawings. The agreement will be registered on title and the mortgagees will be required to execute the agreement or postpone their interest in favour of the site plan agreement.

By-law Enforcement Department

The By-law Enforcement Department has requested that the Owner provide a list of all materials that are processed on the site and that the storage of any liquid waste on the property is prohibited. A condition of approval is included in this respect.

Finance Department

The Finance Department has advised that there are tax arrears and a tax lien on this property. Conditions of approval have been included to address the tax arrears and tax lien.

Ministry of the Environment

The Owner is required to obtain a Certificate of Approval from the Ministry of the Environment in order to operate the waste transfer facility. The City has provided comments to the Ministry in this respect. Although the City is opposed to reinstatement of the C of A, if the MOE grants reinstatement, this report addresses the requirements of site plan approval.

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Services and Utilities

The Owner has submitted site servicing, grading and drainage plans and a storm water management report, which must be reviewed and approved by the Engineering Department. The Owner will also be required to satisfy all requirements of the Vaughan Fire Department and PowerStream Inc.

Region of York

The Region of York Transportation and Works Department has provided several comments that the Owner is required to satisfy prior to the execution of the site plan agreement. A condition of approval is included in this respect.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department has reviewed the proposed Site Development Application in accordance with the policies of the Official Plan and Zoning By-law. If the CofA is reinstated by the MOE, the Development Planning Department can support the approval of the site development application subject to the comments and recommendations contained in this report.

Attachments

1. Location Map
2. Site Plan
3. Existing Building Elevations
4. Landscape Plan (Landscape Upgrades)
5. Landscape Plan (Landscape Upgrades)
6. Proposed Site Plan Agreement

Report prepared by:

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Grant Uyeyama, Manager of Development Planning, ext. 8635

LG

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)