

COMMITTEE OF THE WHOLE JUNE 18, 2001

**SITE DEVELOPMENT APPLICATION
BIRD BRAIN ENTERPRISES INC.
FILE: DA.00.055**

Recommendation

The Commissioner of Planning recommends:

THAT Site Development Application DA.00.055 (Bird Brain Enterprise Inc.) BE APPROVED, subject to the following conditions:

1. That prior to the execution of the site plan agreement:
 - a) the implementing zoning by-law shall be in full force and effect;
 - b) the final site plan shall be approved by the Community Planning Department;
 - c) the final site servicing and grading plans, and stormwater management report shall be approved by the Engineering Department; and,
 - d) the final landscape plan and landscape cost estimate shall be approved by the Urban Design Department.

Purpose

On May 30, 2000, the Owner submitted a Site Plan application to permit the development of a 1.9ha site for a Waste Transfer Station with accessory holding tanks for liquid waste and concrete dewatering platform.

Background - Analysis and Options

Location

- Northwest of Keele Street and Regional Road No. 7
- Parts 1 and 2 on Reference Plan 65R-18314 (750 Bowes Road)
- Part of Lots 8 and 9, Concession 4, City of Vaughan

Land Use Status

- Designation - "Rail Facilities" by OPA #450 (Employment Area Growth & Management Plan)
- Zoning - EM4 Employment Area Transportation Zone by By-law 1-88

On April 26, 1999, Council approved related Zoning Amendment Application Z.98.0096 to permit a waste transfer station, in the EM4 Employment Area Transportation Zone, subject to site plan approval.

Site Description

- an irregular-shaped, 1.9 ha site with no direct road frontage, and access from Bowes Road
- developed with a two-storey building and unpaved parking area
- the surrounding uses are:

North - CN Rail Classification Yard (EM4 Employment Area Transportation Zone)
South - CN Rail Yard (EM4 Zone)
East - CN Rail Line (EM4 Zone); employment (EM2 General Employment Area Zone
and EM1 Prestige Employment Area Zone)
West - CN Rail Yard (EM4 Zone)

Official Plan

The subject lands are designated "Rail Facilities", which permits railway uses on the site. Subsection 2.2.6.1 of OPA #450 states that:

"Should railway related uses cease on lands at the periphery of this designation, the lands may be developed in accordance with the policies of the adjacent Employment Area land use designation."

The existing waste recycling establishment is being expanded to clean-up catchbasins and spills for both CN and other businesses. A "waste recycling establishment" is only permitted in areas designated "Employment Area General". The waste recycling establishment was originally permitted on the former CN-owned site, as a public use under federal jurisdiction to clean-up CN spills only. The use would not otherwise be permitted in the current "Rail Facilities" designation and EM4 Zone. Subsection 2.2.1 of OPA #450 states that:

"Any use which serves to implement the structural concept established in this plan shall be deemed to be a permitted use."

The waste transfer station will be developed in accordance with the policies of Subsection 2.2.7.2 of OPA #450, which requires that all waste recycling establishments shall:

- be operated in a manner that does not result in a nuisance or a hazard to the health and safety of the natural environment and persons;
- obtain approval or water supply, sewage disposal, stormwater management, transportation, landscaping, and urban design from the City of Vaughan, Region of York and other appropriate authorities;
- require a high level of site design including substantial landscaping;
- ensure that the City, when reviewing Site Plan applications and Ministry of the Environment Certificate of Approval or Provisional Certificate of Approval applications is satisfied with the management and operation of the waste recycling establishment;
- not permit uses which are considered a noxious trade, business or manufacture under the Health Protection and Promotion Act;
- ensure that the existing road network can accommodate the traffic generated by the proposed waste recycling establishment;
- pave all driveways, loading areas, parking spaces and maneuvering areas with hot-mix asphalt or concrete and ensure that these areas are accessible to customer, employee, service and emergency vehicles; and,
- meet minimum separation distances that have been established in the zoning by-law in order to provide an effective buffer between a waste recycling establishment and existing and planned residential, institutional and parkland uses.

The proposal to permit the waste transfer station to expand operations for the clean up of spills which are not associated with CN-related uses, is appropriate in the "Rail Facilities" designation and conforms to the waste recycling policies of the Official Plan. However, the site plan includes gravel areas, which must be revised to show paving.

Zoning

The current EM4 Employment Area Transportation Zone by By-law 1-88 does not permit a waste transfer station separate from the CN operation. An exception to the EM4 Zone to permit the existing waste transfer station to operate for non-CN related uses, would implement the Official Plan. Outside storage is not permitted in the EM4 Zone.

An exception to permit the above ground storage tanks in the front yard is also required.

Ministry of Environment Certificate of Approval

On April 9, 2001, the Ontario Ministry of Environment (MOE) issued a Provisional Certificate of Approval for a Waste Disposal Site on the subject lands (#A68302 Processing/Transfer). The Provisional Certificate of Approval contains details of all wastes to be accepted at the site, and other site operation, inspection, and contingency details.

Site Description

Currently, the waste management operation (Certificate of Approval #A840833), primarily provides vacuum truck services for waste haulage and disposal. The services are performed for municipalities, such as Vaughan, for the cleaning of storm sewer catch basins. The materials collected mainly consist of wet solids, which cannot be disposed of until dewatered satisfactorily. The 'dewatering' process is to be performed on the subject lands.

The waste transfer facility consists of a concrete staging area (dewatering platform) where the wet solids will be dewatered. The water will be collected in a concrete sump and holding tank and will be removed as liquid waste under the current waste management system and disposed of at a certified landfill facility. Alternatively, the water will be transferred to holding tanks, sampled, and if appropriate, based on the analyses and with agreement from the municipality, the water will be discharged to the appropriate municipal sewer. There will be no significant noise or air emissions emitted by the waste transfer facility.

The site plan shows the existing two-storey, 1516m² warehouse building with accessory office uses, and proposed concrete dewatering platform, concrete dike, and three storage tanks. A total of 27 parking spaces is provided. Currently, the site plan shows the driveway and the area where the storage tanks and 'dewatering platform' are located as gravel.

Servicing

The Applicant has provided a stormwater management report, and a site servicing and grading plan for review by the Engineering Department. Engineering Staff has no objections to the site plan and servicing drawings, subject to minor revisions to be incorporated into the final plans.

Parking

The By-law requires 27 parking spaces for the site, which are included on the site plan. The site plan must be amended to show the lands surrounding the waste transfer station, including the parking area, driveway, loading area and maneuvering area, to be paved with hot mix asphalt or concrete, in accordance with the Official Plan policies and Zoning By-law requirements.

Landscaping

The proposed landscape plan includes a mix of deciduous trees and shrubs, and coniferous shrubs along the east perimeter of the site. The landscape plan and cost estimate are subject to final approval by the Urban Design Department.

CN Rail

CN Rail has reviewed the revised site plan and has no objections. The Applicant will need to make arrangements for a flagman, which is required on the site at all times when working on CN property. Any relocation of utilities/facilities on the railway right-of-way would be at the developer's expense.

Conclusion

Staff have reviewed the site plan in accordance with the policies of the Official Plan and the requirements of the Zoning By-law, and have no objections. The proposed revisions to the existing site conform with the Waste Recycling policies of OPA #450. Also, the required Ministry of Environment Provisional Certificate of Approval has been granted to permit the receipt of wastes on this site.

Staff recommends approval of Site Development Application DA.00.055 to facilitate the proposed waste transfer station on the subject lands, subject to conditions. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan

Report prepared by:

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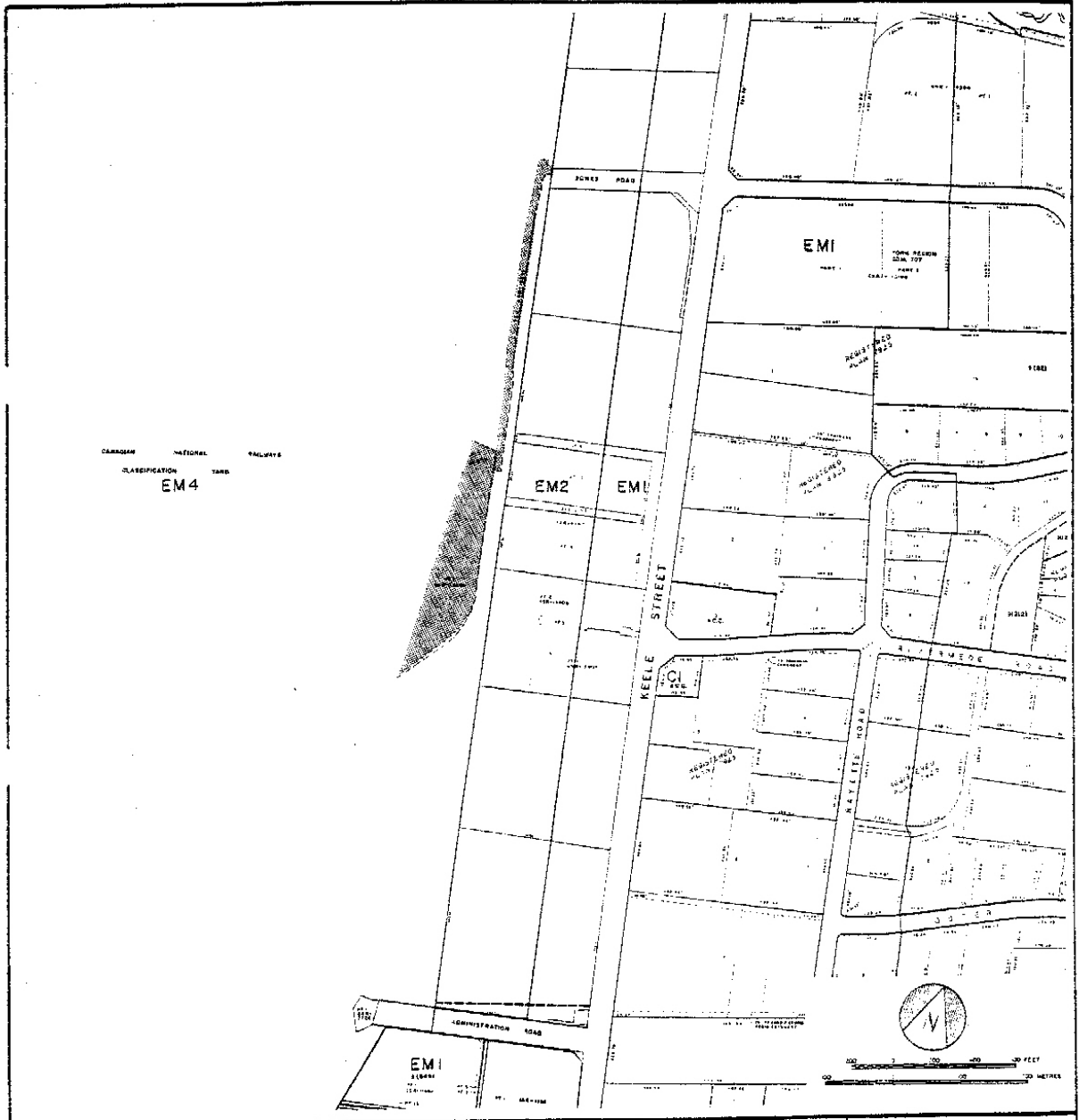
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning


JOANNE R. ARBOUR
Director of Community Planning

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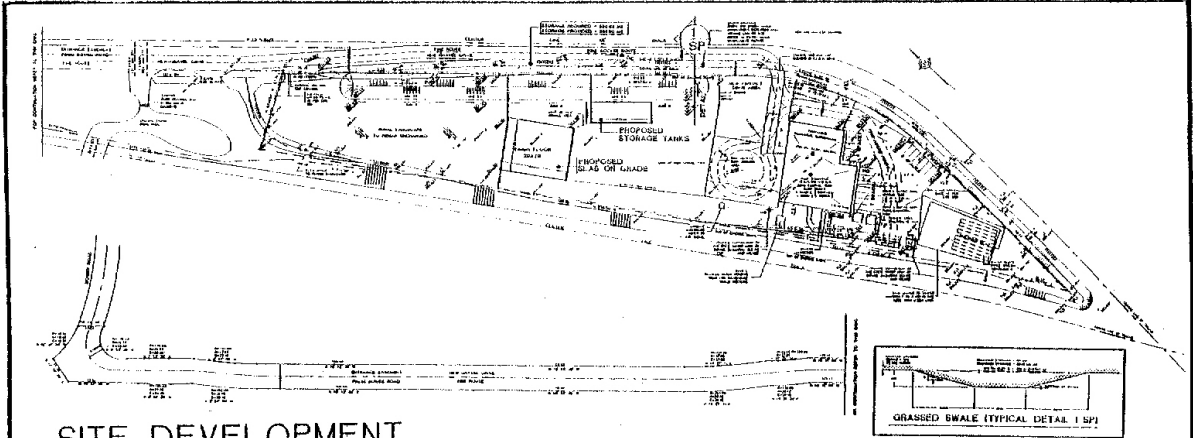
APPLICATION: BIRD BRAIN ENTERPRISES INC.

 SUBJECT LANDS

FILE NO. Z. 98. 096

DATE: 98 / 11 / 16

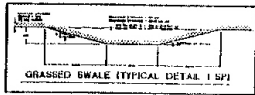
CITY OF VAUGHAN PLANNING DEPARTMENT



SITE DEVELOPMENT

ZONING		
LOT AREA		19100 M2
EXISTING GROUND FLOOR OFFICE		182 M2
EXISTING SECOND FLOOR AREA		248 M2
EXISTING WAREHOUSE AREA		963 M2
EXISTING MEZZ-LEVEL AREA		123 M2
TOTAL FLOOR AREA (EXISTING)		1516 M2
PROPOSED SLAB ON GRADE		74371 M2
PROPOSED STORAGE TANK		14720 M2
SETBACKS		
	REQUIRED	PROVIDED
REAR YARD (EXT.)	11.7A	74.156 M (MIN.)
SIDE YARD (EXT.)	9.0 M	9.0 M (MIN.)
SIDE YARD (INT.)	9.0 M	9.0 M (MIN.)
(EXISTING) BUILDING CLASSIFICATION		
GROSS FLOOR AREA (SPRINKLERED)		1145 M2 (12324 FT2)
ONE STORY, OBC 3.2.2.51		

PARKING		REQUIRED
INDUSTRIAL USE LESS THAN 3700 SQUARE METERS (2/100)		27
PROVIDED	27	(3.7 M X 6.0 M)
HANDICAP REQUIRED	1	PROVIDED 1
LANDSCAPE AREA		
	14256 M2	
PERCENTAGE		74.5 %
PAVEL AREA		3729
LEGAL DESCRIPTION		
PART LOT 8 AND 9		
CONVESSION 4		
REGISTERED PLAN 654-18341		
CITY OF VAUGHAN		
RESIDENTIAL MUNICIPALITY OF YORK		
SNOW PILE AREA		382 M2 (2.0 % OF SITE AREA)



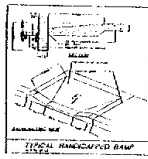
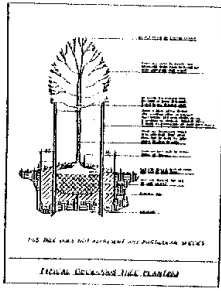
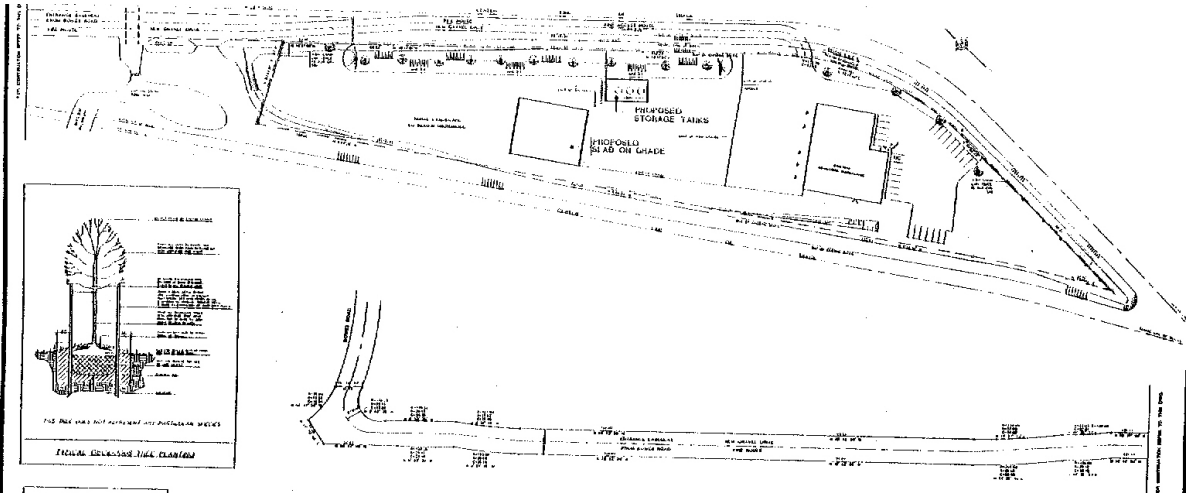
[] SUBJECT LANDS

ATTACHMENT '2'
SITE PLAN

APPLICATION:
BIRD BRAIN ENTERPRISES INC.

CITY OF VAUGHAN PLANNING DEPARTMENT

FILE #: DA.00.055	REPORT #:
LOCATION: PT. LOTS 8 & 9, CONC. 4	
DATE: 00/06/28	
NOT TO SCALE	



LEGEND



[] SUBJECT LANDS

APPLICATION:
BIRD BRAIN ENTERPRISES INC.

ATTACHMENT '3'
LANDSCAPE PLAN

CITY OF VAUGHAN PLANNING DEPARTMENT

FILE #: DA.00.055	REPORT #:
DATE: 00/06/28	LOCATION: PT. 15S 8 & 9, CONC. 4
NOT TO SCALE	