

## **COMMITTEE OF THE WHOLE - JUNE 5, 2012**

### **CERTIFICATE OF APPROVAL AMENDMENT – 7055 KIRBY ROAD**

#### **WARD 1**

#### **Recommendation**

The Commissioner of Engineering and Public Works recommends that this report be received for information, and that copies of this report, along with other recommendations from Council, be provided to:

Ms Vivian Tsapas, Application Assessment Officer, Ministry of the Environment, Operations Division, Floor 12A, 2 St. Clair Avenue West, Toronto, Ontario, M4V 1L5,

The Regional Clerk, The Regional Municipality of York, 17250 Yonge Street, Newmarket, Ontario, L3Y 6Z1

#### **Contribution to Sustainability**

Private transfer stations provide opportunities for the Industrial/Commercial/Institutional sectors to recycle and dispose of waste that is not collected, or cannot be collected, as municipal waste.

#### **Economic Impact**

N/A

#### **Communications Plan**

The Ministry of the Environment has posted the proposed changes to the Provisional Certificate of Approval on the Environmental Registry ([www.ebr.gov.on.ca](http://www.ebr.gov.on.ca)), for a 30 day public consultation. Comments must be received by the Ministry by May 30, 2012; however, staff has asked for an extension to this submission date to allow for Council to provide any comments.

#### **Purpose**

To provide information to Council concerning an application to amend the Provisional Certificate of Approval for the Waste Transfer Site at 7055 Kirby Road.

#### **Background - Analysis and Options**

##### **The proponent wishes to increase the amount of waste handled at this site**

The Waste Transfer Site located at 7055 Kirby Road is a privately owned facility. The site handles solid, non-hazardous commercial and industrial, construction and demolition wastes. The proposal is for an amendment to Provisional Certificate of Approval No. A230629 issued for the use and operation of this facility.

The proposed amendment is as follows:

- The site would continue to accept only solid non-hazardous waste including construction and demolition waste from residential, industrial, commercial and institutional sources.
- The total amount of unprocessed waste that may be accepted at the site per day would increase from 170 tonnes to 650 tonnes (annual average).

- The total amount of unprocessed waste that may be stored on site at any time would increase from 340 tonnes to 750 tonnes, with 650 tonnes of processed and sorted materials.

### **No additional buildings or land use are proposed to handle this additional tonnage**

Staff have contacted the Ministry of Environment and reviewed the information submitted by the proponent. The Ministry confirmed that no additional lands are proposed to be used to handle this additional waste, and no additional buildings are proposed to be built on the property. The existing areas designated for handling waste will accommodate this increased tonnage.

### **Current zoning is Agricultural Legal Non-Conforming**

Building Standards Department staff indicated that this property is zoned as Agricultural and the use of lands as a waste transfer/recycling facility for solid, non-hazardous commercial and industrial, construction and demolition waste has been deemed to be legal non-conforming. Based on the new Official Plan, this land will remain designated as Agricultural. Based on the proponent's submission that showed no additional lands are proposed to be used and no additional buildings are proposed to be constructed to handle this increased tonnage, the application to increase the amount of tonnage handled on this site would not impact the current zoning status.

Should the proponent expand the current operation beyond the area previously approved through the site plan agreement, the proponent would need to submit the appropriate planning applications.

### **Truck traffic will increase due to the increased tonnage being handled at the site**

The proponent wished to handle an additional 490 tonnes of waste per day. Based on an average trailer load of waste being 30 tonnes, an additional 32 truck trips would take place each day (16 trips in and 16 trips out).

At the Committee of the Whole meeting of May 14, 2012, Council had before it a staff report that recommended the section of Kirby Road, from Hwy 27 to Bathurst Street, be uploaded to the Region of York. This recommendation to upload this road was based on the fact that Kirby Road meets all the criteria for assumption by the Region, including the volume of traffic. The volume criteria is 4,000 Average Annual Daily Traffic for assumption by the Region. Given the current volume of traffic meets this criteria, the increase of 32 truck trips should have minimal impact.

### **The Ministry can be requested to hold public hearings on applications for waste disposal facilities if there are valid reasons and technical justification**

Section 32, Part V of the Environmental Protection Act allows the Director of the Ministry of the Environment to hold a public hearing with respect to this application, if there are valid reasons and technical justification for doing so.

A waste transfer facility currently operates on this site, and has done so for a number of years. The site is zoned as a Legal Non-Conforming use. The proponent has indicated no additional lands will be used or new buildings constructed to handle this additional waste. As such, staff find no technical grounds to request the Ministry to hold a public meeting to deal with this application.

### **The Ministry seeks Council's input on this application**

As part of the application process, the Ministry asks for comments on the application, as well as confirmation of the current zoning for these lands.

Should Council wish to provide comments to the Ministry concerning this application, then it would be appropriate to make them in the form of an amendment to the recommendation contained in this report. Any such comments could then be sent formally to the Ministry and the Region of York.

### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities previously set by Council and ties into the following Vaughan Vision 20/20 Goals and Objectives:

Goal: Service Excellence  
Objective: Lead & Promote Environmental Sustainability

### **Regional Implications**

As part of the Ministry's process, the Region has also been asked for comments. Traditionally, the Region does not comment on these applications until the City had put forward its comments to the Ministry. As such, it is recommended a copy of this report be sent to the Region for their review, and they can then provide their comments to the Ministry.

### **Conclusion**

The owners of the Waste Transfer facility located at No. 7055 Kirby Road wish to increase the amount of waste that can be processed and stored at this site. They have made a formal application to the Ministry of the Environment to do so, and as part of that process, the Ministry is seeking comments from the City about this application, and seeking confirmation as to the zoning of the property.

### **Attachments**

Site Map

### **Report prepared by:**

Brian T. Anthony, Director of Public Works, Ext 6116

Respectfully submitted,

Paul Jankowski, P. Eng  
Commissioner of Engineering and Public Works

Brian T. Anthony, CRS-S, C. Tech  
Director of Public Works

# SITE MAP



7055 KIRBY ROAD

## LEGEND

● LOCATION



NOT TO SCALE