

COMMITTEE OF THE WHOLE FEBRUARY 10, 2009

ZONING BY-LAW AMENDMENT FILE Z.08.053 2124396 ONTARIO LTD. WARD #3

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.053 (2124396 Ontario Ltd.) BE APPROVED, specifically to amend By-law 1-88, to permit the additional use of a metal sorting/recycling establishment with no outside storage in the EM2 General Employment Area Zone, on the subject lands shown on Attachment #1, and to be located wholly within the existing industrial building as shown on Attachment #2.
2. THAT the implementing zoning by-law:
 - i) prohibit the outside storage of any recycling materials on the subject lands; and,
 - ii) define a waste recycling establishment as follows:

“A waste recycling establishment is an operation engaged primarily in the collection, sorting and separation of metals from waste recyclable materials, and the processing or preparation thereof in the form of densification for the efficient storage and/or shipment to another facility or directly to end users for the purpose of creating a new product but does not include a concrete or asphalt recycling facility or a composting facility”.

Economic Impact

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

Communications Plan

On October 10, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. No written comments were received prior to the Public Hearing meeting on November 3, 2008. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 3, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on November 10, 2008. As of January 16, 2009, no additional written comments have been received by the Development Planning Department.

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically By-law 1-88, to permit the additional use of a metal sorting/recycling establishment with no outside storage in the EM2 General Employment Area Zone, on the subject lands shown on Attachment #1, and to be located wholly within the existing industrial building as shown on Attachment #2. By-law 1-88 does not permit a metal sorting/recycling establishment use in an EM2 General Employment Area Zone.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located southeast of Langstaff Road and Weston Road, known municipally as 562 Chrislea Road, being Lot 45 on Plan 65M-2588, in Part of Lot 10, Concession 5, Ward 3, City of Vaughan.

Official Plan

The subject lands are designated "Employment Area General" by the City's Employment Area Plan (OPA #450) and are further subject to the following official plan policies, definitions, criteria and general provisions for Waste Recycling Establishments in the Employment Area:

"2.2.7.2 Waste Recycling (in part):

1. "A waste recycling establishment is an operation that may collect and store and/or process recyclable materials for the purposes of creating new products or raw materials, and includes a waste transfer station and a material recovery facility but does not include a concrete or asphalt recycling facility or a composting facility;"
2. "i) A waste recycling establishment shall only be permitted in areas designated "Employment Area General" by this plan;
ii) A waste recycling establishment shall not be permitted to operate on lands abutting an arterial road and existing or planned provincial highways;"
3. b) i) "A waste recycling establishment shall be permitted to operate within a wholly enclosed building or structure that is free standing. Accessory outside storage shall be permitted in designations that permit such use."

OPA #450 also sets out criteria for the establishment of waste recycling operations within a wholly enclosed building, which are discussed later in this report. The application conforms to the official plan.

Zoning

The subject lands are zoned EM2 General Employment Area Zone by By-law 1-88, which does not permit recycling uses as-of-right. Outside storage is permitted in the EM2 Zone, however, the proposal does require outside storage to be undertaken. The applicant is proposing to amend By-law 1-88, to permit a metal sorting/recycling use within a wholly enclosed building in the EM2 General Employment Area Zone. The zoning category that would implement the "Employment Area General" designation in the Official Plan is the EM2 Zone.

Planning Considerations

The proposed metal sorting/recycling establishment use is permitted by the Official Plan. The proposal complies with the location and operational policies of the Official Plan, as the subject lands are designated "Employment Area General", do not abut an arterial road or a provincial highway, and the daily operations will take place within a wholly enclosed building.

The applicant (York Metal Recycling) has advised that the daily operations would consist of receiving construction or demolition materials/waste (eg. metal window frames, pipes, metal ladders, steel cables, aluminum siding, etc.) via truck. The waste/material will be sorted and separated by hand (no machines will be used) within the existing single use building and various

metals including but not limited to copper, steel and aluminum will be separated from the construction/demolition waste and placed in individual bins and sent off site via truck to be further processed and or melted by others for the purpose of creating a new product. All construction/demolition waste received and sorted/separated metals will be stored in the existing building in bins. No outside storage is proposed. The materials that remain after the metal separation process is complete is stored internal to the building and shipped by the applicant to a waste transfer station to be disposed of and/or further sorted by others for the recycling of non-metals, such as plastic or wood. The applicant is currently operating the metal recycling business at the subject lands. On January 28, 2009, Development Planning staff visited the site and building and can confirm that the activities described by the applicant is consistent with what was observed.

Subsection 2.2.7.2.3f) i) of OPA #450 states that when considering a proposal for a waste recycling establishment, the City may request a traffic study to identify the traffic to be generated, the impact on the road network, and any transportation improvements required to accommodate the development. The Vaughan Engineering Department through their review has not identified a need for a traffic study to be provided by the applicant. Single axle trucks will deliver and distribute the raw and separated materials to and from the site, using the existing loading door(s) and parking area (Attachment #2). Minimal truck traffic will be generated by the operation of this facility onto local roads, as approximately 4-6 trips to and from the facility are made daily. All existing driving surfaces are paved with asphalt and all existing parking spaces and loading area are designed in accordance with the standards in By-law 1-88 and as required by Subsection 2.2.7.2.3f) ii) and iii) of OPA #450.

The Official Plan states that waste recycling establishments shall operate in a manner that does not result in a nuisance or hazard to the health and safety of the natural environment and persons (Subsection 2.2.7.2.3a) i)). In addition, a substantial separation distance between these facilities and existing and planned residential, institutional and parkland uses shall be established (Subsection 2.2.7.2.3h) i)). The sorting operations are undertaken by hand within the existing enclosed building, and there are no machines inside the building that would be used for processing, no outside storage, and no expected related dust, odour or other potential nuisances. As shown on Attachment #1, the site is located on an internal road that is not visible from Weston Road or Highway #400, is surrounded by existing industrial uses, and a substantial distance separates the site from the existing residential on the west side of Weston Road.

By-law 1-88 does not include a definition for a waste recycling establishment. Therefore, it is recommended that the following definition for a waste recycling establishment be included in the implementing zoning by-law:

"A waste recycling establishment is an operation engaged primarily in the collection, sorting and separation of metals from waste recyclable materials, and the processing or preparation thereof in the form of densification for the efficient storage and/or shipment to another facility or directly to end users for the purpose of creating a new product but does not include a concrete or asphalt recycling facility or a composting facility."

This definition is consistent with the definition provided for a waste recycling establishment in the Official Plan.

Outside Storage

The waste recycling policies of the Official Plan provide for and permit outside storage, but only accessory to the waste recycling use and only in a designation that permits such use (Subsection 2.2.7.2.3c) i)). The subject lands are designated "Employment Area General", which permits outside storage, however, despite the permission, the Owner has advised that outside storage will not be required for this establishment given the value of the metals being sorted. A clause

will be included in the implementing zoning by-law to reflect the nature of the proposed recycling establishment and prohibit outside storage on the subject lands.

Ministry of Environment

The Vaughan Building Standards Department has advised that a certificate of approval from the Ministry of the Environment is not required as the operation does not include the melting of the metals, which would require proper ventilation and force emissions into the air and would necessitate a certificate from the Ministry.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

N/A

Conclusion

The proposed Zoning By-law Amendment application has been reviewed in accordance with the policies in OPA #450, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposal to permit a metal sorting/waste recycling establishment within the existing building and without outside storage, complies with the waste recycling policies of the Official Plan and is appropriate at this location, within the EM2 General Employment Area Zone, subject to the comments and recommendations in this report. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

The Development

1. Location Map
2. Site Plan
3. Interior Floor Plans

Report prepared by:

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Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning


GRANT UYEVAMA
Director of Development Planning

/CM



LEGEND

- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE

SUBJECT LANDS 

Location Map

Part of Lot 10,
Concession 5
APPLICANT:
 2124396 ONTARIO LTD.

N:\DPTV1 ATTACHMENTS\Z\3.08.053

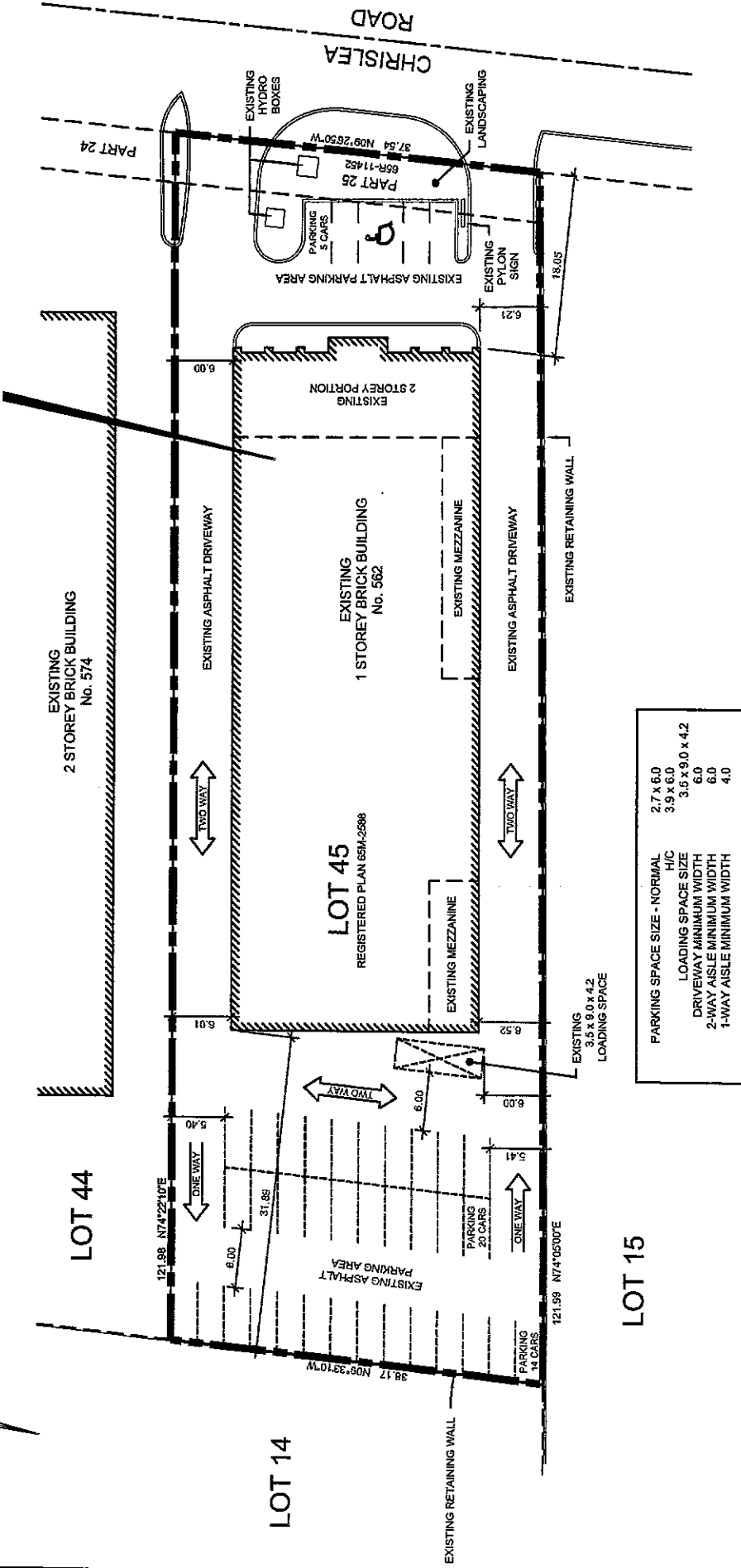


Development Planning Department

Attachment 1

FILE No.:
Z.08.053
Not to Scale
 December 8, 2008

ZONING BY-LAW AMENDMENT APPLICATION
 TO PERMIT A METAL STORAGE / RECYCLING
 FACILITY USE WITHIN THE EXISTING BUILDING
 WITH NO OUTSIDE STORAGE, WHEREAS
 BY-LAW 1-88 DOES NOT PERMIT A METAL
 STORAGE / RECYCLING FACILITY IN AN EM2
 GENERAL EMPLOYMENT AREA ZONE



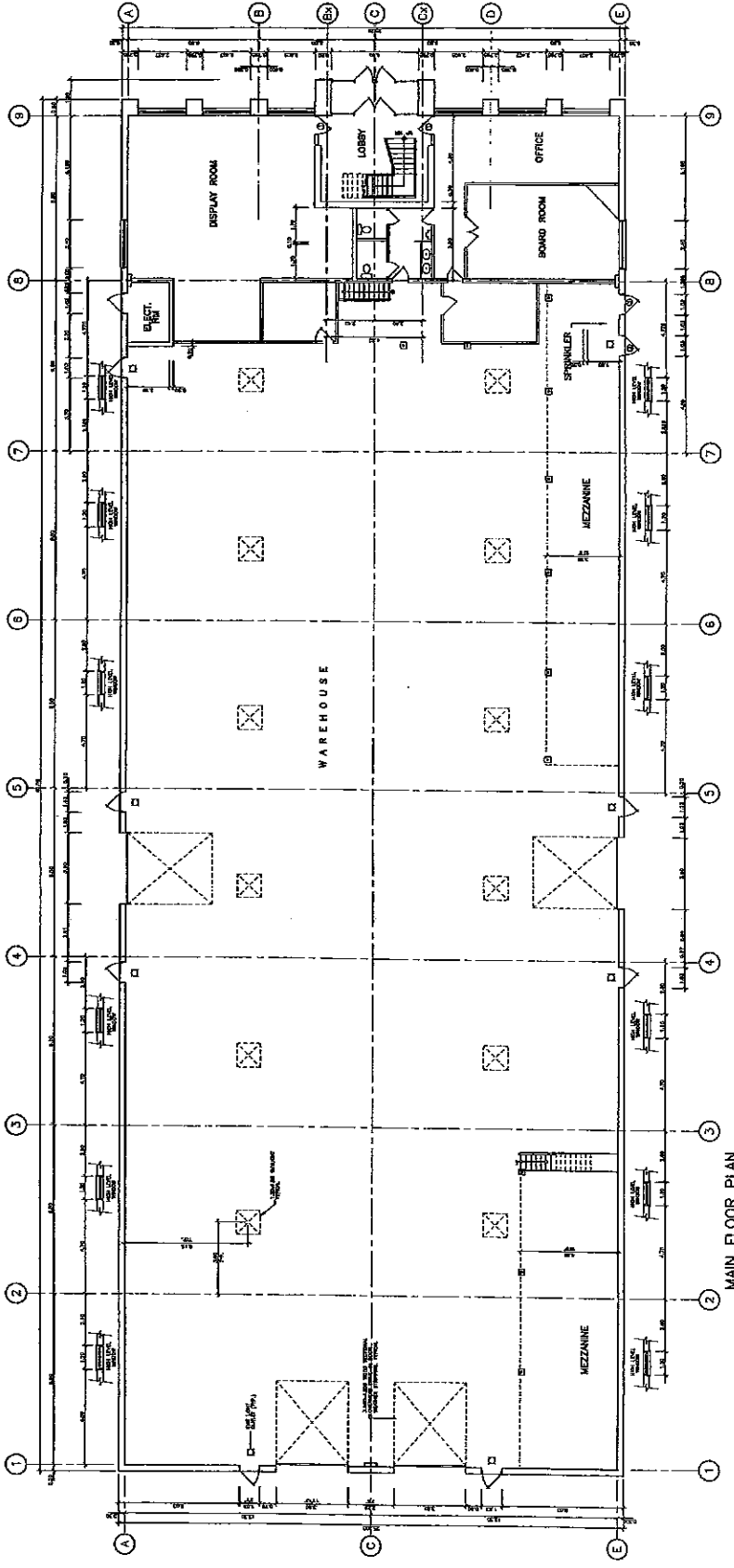
PARKING SPACE SIZE - NORMAL	2.7 x 6.0
H/C	3.9 x 6.0
LOADING SPACE SIZE	3.5 x 9.0 x 4.2
DRIVEWAY MINIMUM WIDTH	6.0
2-WAY AISLE MINIMUM WIDTH	6.0
1-WAY AISLE MINIMUM WIDTH	4.0

SUBJECT LANDS

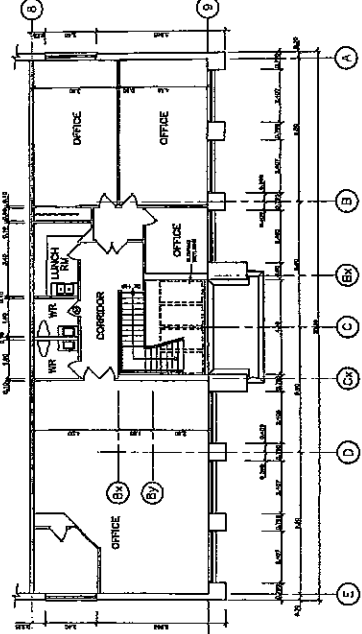
Attachment 2
 FILE No.: Z.08.053
 Not to Scale
 December 8, 2008

City of Vaughan
The City Above Toronto
 Development Planning Department

Site Plan
 Part of Lot 10,
 Concession 5
 APPLICANT:
 2-124396 ONTARIO LTD.
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MAIN_FLOOR_PLAN



SECOND_FLOOR_PLAN



Interior Floor Plans

Part of Lot 10,
Concession 5
APPLICANT:
2124396 ONTARIO LTD.
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Attachment 3

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