

**2. ZONING BY-LAW AMENDMENT FILE Z.11.041
 BFI CANADA INC.
 WARD 4**

P.2011.4

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.11.041 (BFI Canada Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: January 13, 2012
- b) Circulation Area: 150 m
- c) Comments Received as of January 30, 2012: One letter dated January 27, 2012 from the Law Office of Benjamin Blufarb, on behalf of Mr. Zeppieri, 29-35 Killahoe Road and 80 Costa Road. The letter identifies the following concerns (full letter received by the City Clerk's Office for distribution to Council):
 - i) BFI has already requested and obtained approval in the past to increase the size of the existing waste recycling establishment;
 - ii) the environmental impact on the surrounding community, including compliance with appropriate environmental regulations;
 - iii) safety issues, specifically with respect to potential fire hazards on site;
 - iv) the impact of dust, odour, debris, and garbage on the surrounding properties;
 - v) increased traffic and noise;
 - vi) air quality; and
 - vii) rodents.

Mr. Zeppieri's concerns, and any additional comments received in writing, or in person at the Public Hearing, will be discussed in the technical report.

Purpose

The Owner has submitted Zoning By-law Amendment File Z.11.041, to amend Zoning By-law 1-88, specifically the EM2 General Employment Area Zone, subject to Exception 9(1033), to expand the use of the existing waste recycling establishment on the subject lands shown on Attachments #1 and #2. The Application will facilitate the proposed expansion of the facility including the following, as shown on Attachment #3:

- i) an additional 1,307 m² (including wood chip and aggregate storage areas) facility;
- ii) a new 1,245 m² bailer facility;
- iii) a new scale house and scale;
- iv) an interim open storage area;
- v) an area identified for a future Phase 2 addition;
- vi) a new parking area on the lands north of the driveway access; and,

- vii) open wood chips and aggregate storage areas.

The facilities will be used for collecting, sorting and processing recyclable materials into new products and raw materials, as well as, for collecting and sorting residual waste. The following site-specific zoning exceptions are required to implement the proposed expansion:

	By-law Standard	By-law 1-88 EM2 Zone, Exception 9(1033) Requirements	Proposed Exceptions to EM2 Zone, Exception 9(1033)
a.	Definition of Material Recovery Facility	<ul style="list-style-type: none"> ▪ "Means the use of a building or part of a building primarily for the reprocessing of waste recyclable materials directly into usable products or into raw materials for further processing in an ongoing manufacturing or industrial operation. Such facilities may also collect, sort and separate materials." 	<ul style="list-style-type: none"> ▪ "Means the use of a building or part of a building for the reprocessing of waste recyclable materials directly into usable products or into raw materials for further processing in an ongoing manufacturing or industrial operation, and the transfer of non-waste recyclable materials. Such facilities may also collect, sort and separate materials. It may also perform as a Waste Transfer Station for non-recyclable waste materials and reprocessing residuals."
b.	Definition of Waste Transfer Station	<ul style="list-style-type: none"> ▪ No definition for a Waste Transfer Station. This use is currently permitted as part of the existing Material Recovery Facility. The proposed Waste Transfer Station definition seeks to clarify the specific use. 	<ul style="list-style-type: none"> ▪ "Means the use of a building or part of a building as a collection point for non-recyclable waste materials and reprocessing residuals, to be loaded onto transfer trailers for hauling to Ministry of Environment (MOE) approved disposal facilities. A Waste Transfer Station may also collect, sort and separate materials."
c.	Location of Material Recovery Facility and Waste Transfer Station on the Subject Lands	<ul style="list-style-type: none"> ▪ A Material Recovery Facility shall be permitted in Building "C" (existing Bailing Facility - Attachment #3) on Part 5 of Plan 65R-21264 and shall operate within a wholly enclosed building. 	<ul style="list-style-type: none"> ▪ A Material Recovery Facility and a Waste Transfer Station shall be permitted on the lands shown as Part 5 on Plan 65R-21264 (Attachment #3) and shall operate within a wholly enclosed building or buildings.
d.	Minimum Interior Easterly Side Yard Setback	<ul style="list-style-type: none"> ▪ 1.9 m from Building "C" (existing Bailing Facility - Attachment #3). 	<ul style="list-style-type: none"> ▪ 1.81 m (North Facility expansion – Attachment #3).

Additional site-specific zoning exceptions to Zoning By-law 1-88 required to implement the proposal may be identified through the detailed review of the Zoning By-law Amendment Application, and will be addressed when the technical report is completed.

Background - Analysis and Options

<p style="text-align: center;">Location</p>	<ul style="list-style-type: none"> ▪ 10 Freshway Drive, being north of Highway 407 and east of Jane Street, adjacent to the CN Rail Classification Yard, shown as “Subject Lands” on Attachments #1 and #2.
<p style="text-align: center;">Official Plan Designation</p>	<ul style="list-style-type: none"> ▪ “Rail Facilities” by OPA #450 (Employment Area Plan). OPA #450 states that should railway and related uses cease, lands may be developed with the adjacent land use designation, which is “Prestige Area” (adjacent to Highway 407) and “Employment Area General” (remainder of the property). ▪ OPA #450 contains specific waste recycling policies, which define a waste recycling establishment as an operation that may collect, 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 (the latter 3 uses are not proposed in the subject application). ▪ OPA #450 only permits waste recycling establishments within the “Employment Area General” designation, provided that the lands do not abut an arterial road, and existing or planned provincial highways. Given that the existing waste recycling facility was in operation prior to the adoption of OPA #450 (1995) and conformed to the policies of OPA #5, its location adjacent to Highway 407 is considered non-conforming under OPA #450, which permits the extension or enlargement of such uses, provided that it will not adversely affect the welfare of the local area. ▪ “General Employment” (entire property) by the City of Vaughan Official Plan 2010 (as modified September 27, 2011), which is pending approval from the Region of York, and permits manufacturing and processing and outside storage and would include uses such as waste recycling. ▪ The proposal to expand the existing waste recycling establishment conforms to the Official Plans.
<p style="text-align: center;">Zoning</p>	<ul style="list-style-type: none"> ▪ EM2 General Employment Area Zone by Zoning By-law 1-88, subject to Exception 9(1033), which permits a Materials Recovery Facility in Building “C” (existing bailing facility on Attachment #3) only, as well as, site-specific definitions and zone standards. ▪ An amendment to the Zoning By-law 1-88 is required to expand the use of the existing waste recycling establishment on the site, and provide revised site-specific definitions and zone standards.

Surrounding Land Uses	<ul style="list-style-type: none"> Shown on Attachment #2.
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Preliminary Review

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with City Official Plans	<ul style="list-style-type: none"> The application will be reviewed in consideration of the in-effect policies of OPA #450 (Employment Area Plan), and have regard for the policies in the new City of Vaughan Official Plan 2010 (not yet in effect).
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> The appropriateness of permitting the proposed expansion to the existing waste recycling establishment on the subject lands, including the site-specific definitions and zone standards, will be reviewed in consideration of the surrounding land use context.
c.	Related Site Development File DA.11.107	<ul style="list-style-type: none"> The Owner has submitted Site Development File DA.11.107 to facilitate the proposed development on the site, including the removal of three existing buildings, additions to the north facility building, a new bailer building, a new scale house, a new parking area, and an interim open storage area, which will be used until the future Phase 2 addition is built (Attachments #3 to #7). The Site Development Application will be reviewed to ensure appropriate building and site design, access, safe pedestrian and truck movement, parking, landscaping, signage, stormwater management, and servicing and grading. Any additional zoning exceptions will be identified through the site plan review. The Owner must demonstrate conformity to the waste recycling policies in OPA #450 with respect to providing a high level of site design, outside storage provisions, mitigating obnoxious qualities (dust, noise, odour, vermin), and providing appropriate landscaping and buffering. Opportunities for sustainable design will be reviewed and implemented through the site plan process, including, but not limited to stormwater management, drought and salt tolerant landscaping, energy and water consumption efficiency, reduction in construction waste, and waste diversion, etc.
d.	Reports/Studies	<ul style="list-style-type: none"> The following reports and plans submitted in support of the application must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department: Site Servicing and Grading Plans, Stormwater Management Report,

	MATTERS TO BE REVIEWED	COMMENT(S)
		Erosion and Sediment Control Plan, Preliminary Geotechnical Investigation, and Phase 1 and Phase 2 Environmental Site Assessments.
e.	City and Public Agency Review	<ul style="list-style-type: none"> ▪ The Owner will be required to address all City and Public Agency review comments, including, but not limited to: the Region of York, Ministry of Transportation, Ministry of Environment, and Canadian National Railway, if required. ▪ Additional studies may be required in support of the applications, to be determined through City and Public Agency review.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

The application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Building Elevations - Proposed North Facility Expansion
6. Building Elevations - Proposed Scale House
7. Building Elevations - Proposed Bailer Facility

Report prepared by:

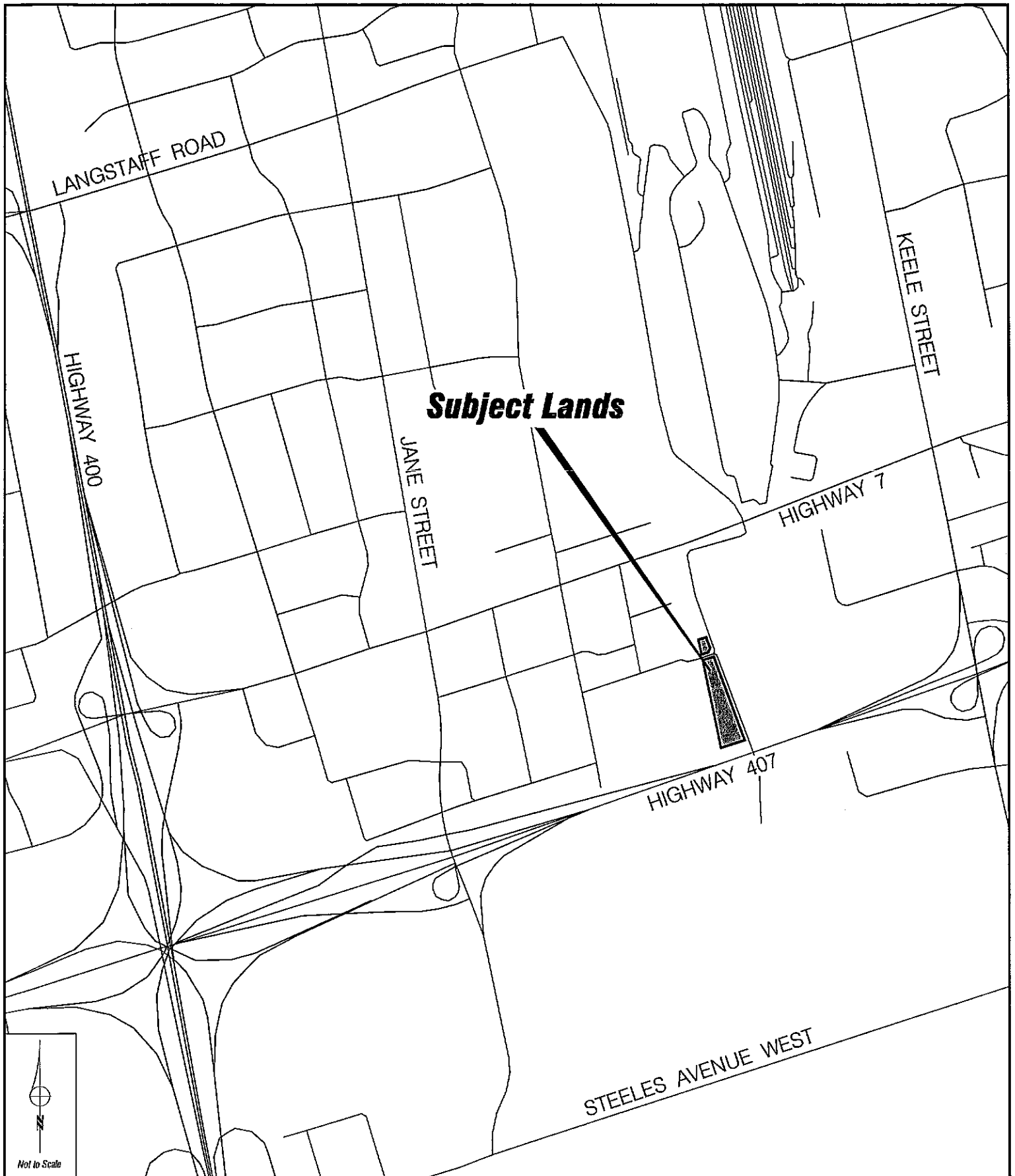
Erika Ivanic, Planner, ext. 8485
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/LG



Context Location Map

LOCATION:
Part of Lots 4 and 5, Concession 4

APPLICANT:
BFI Canada Inc.

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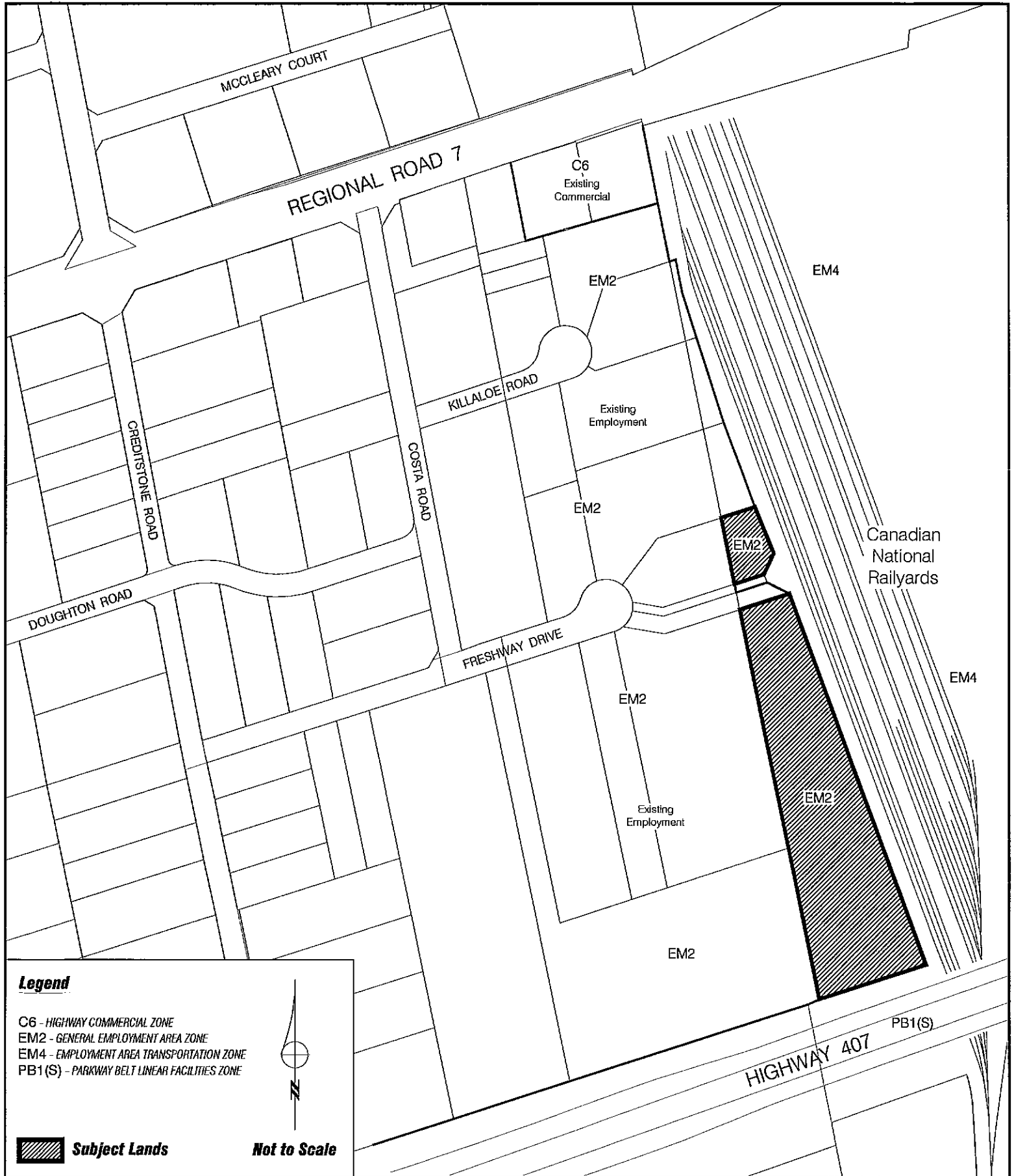


Attachment

FILE: Z.11.041
RELATED FILES:
DA.11.107, DA.01.017, Z.01.029

DATE:
February 02, 2012

1



Location Map

LOCATION:
Part of Lots 4 and 5, Concession 4

APPLICANT:
BFI Canada Inc.

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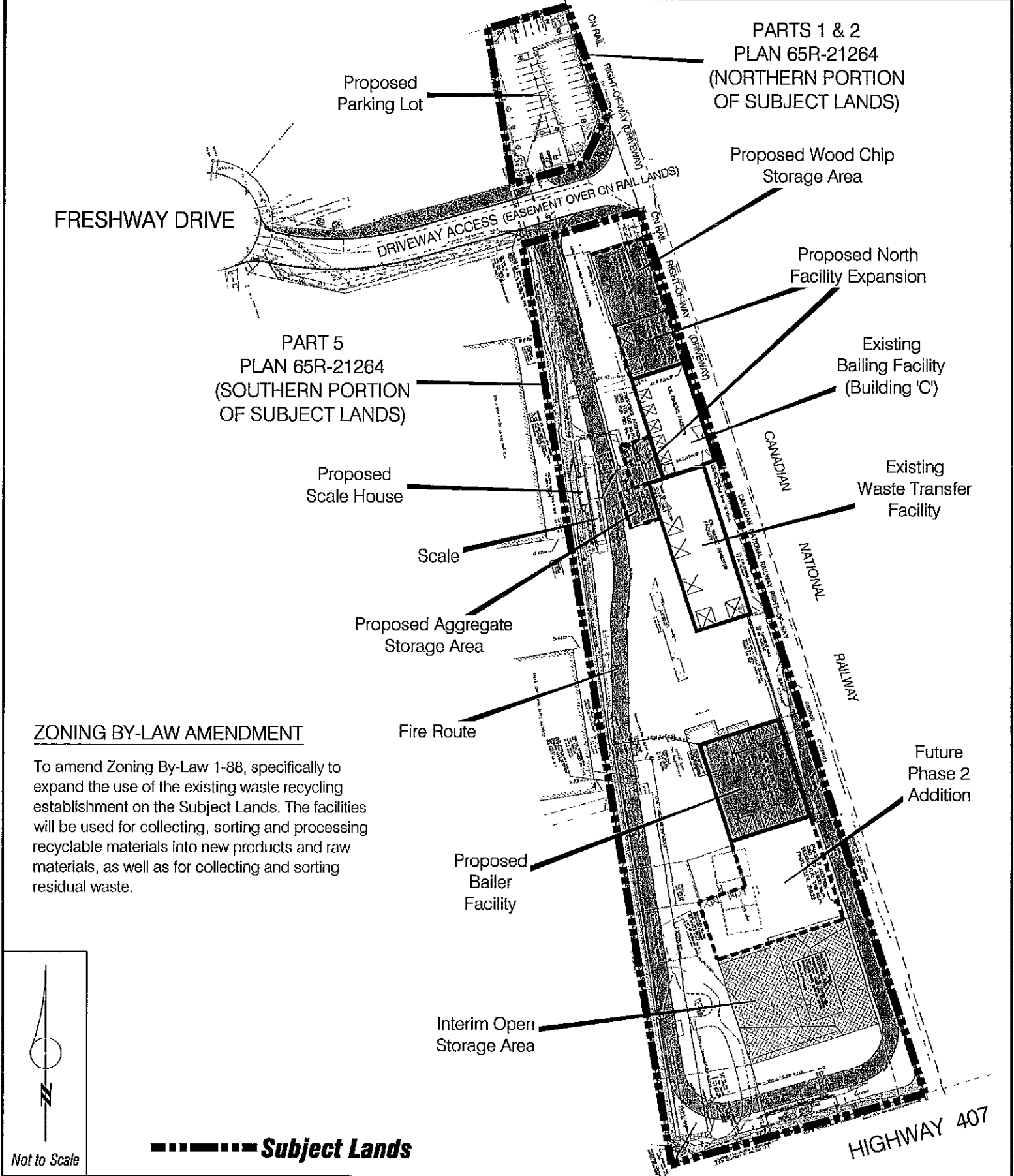


Attachment

FILE: Z.11.041
RELATED FILES:
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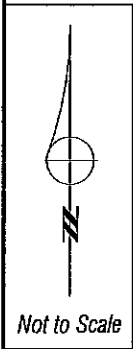
DATE:
February 02, 2012

2



ZONING BY-LAW AMENDMENT

To amend Zoning By-Law 1-88, specifically to expand the use of the existing waste recycling establishment on the Subject Lands. The facilities will be used for collecting, sorting and processing recyclable materials into new products and raw materials, as well as for collecting and sorting residual waste.



Site Plan

LOCATION:
Part of Lots 4 and 5, Concession 4

APPLICANT:
BFI Canada Inc.

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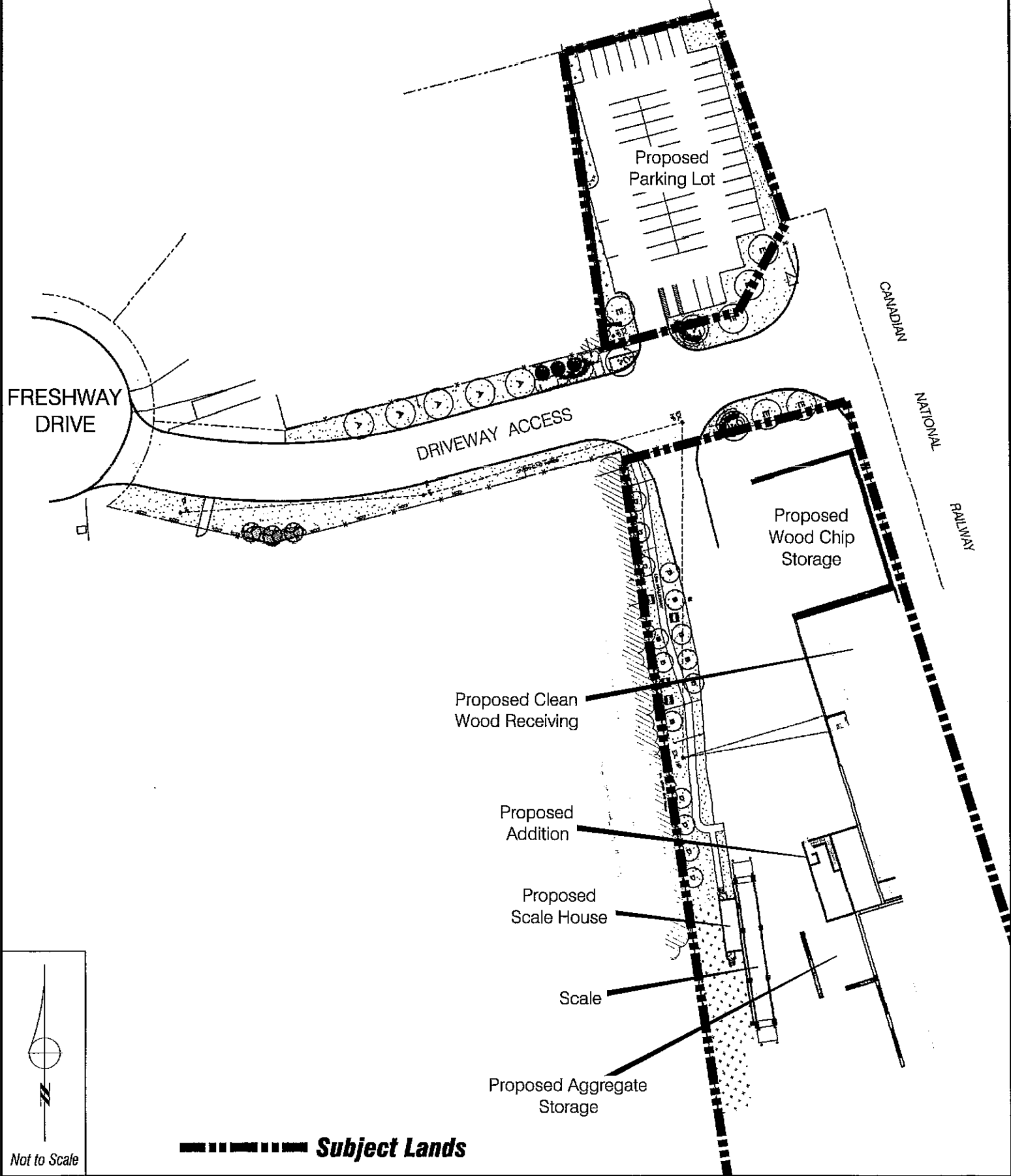


Attachment

FILE: Z.11.041
RELATED FILES:
DA.11.107, DA.01.017, Z.01.029

DATE:
February 02, 2012

3



Landscape Plan

LOCATION:
Part of Lots 4 and 5, Concession 4

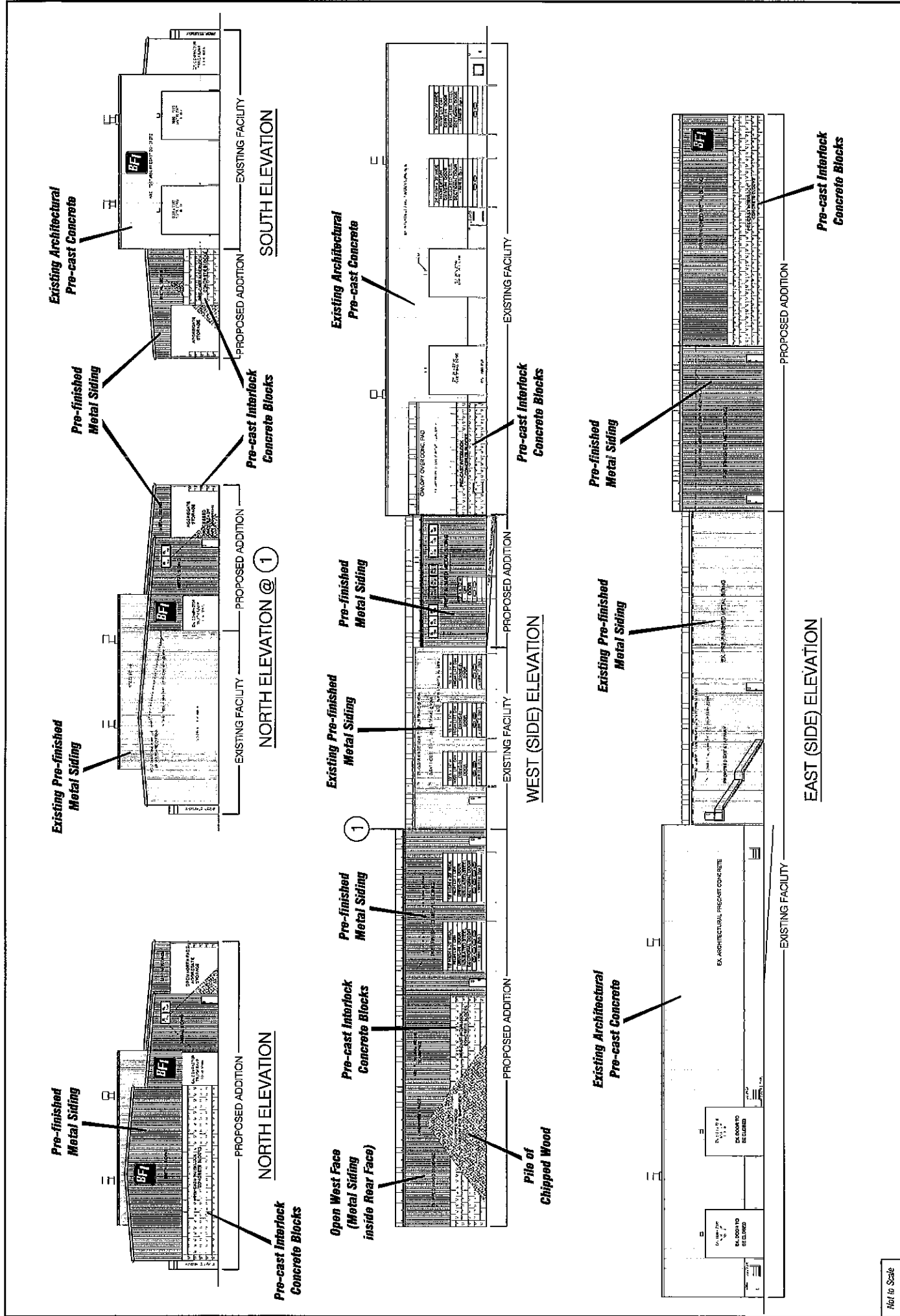
APPLICANT:
BFI Canada Inc.

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Attachment
FILE: Z.11.041
RELATED FILES:
DA.11.107, DA.01.017, Z.01.029
DATE:
February 02, 2012

4



Not to Scale

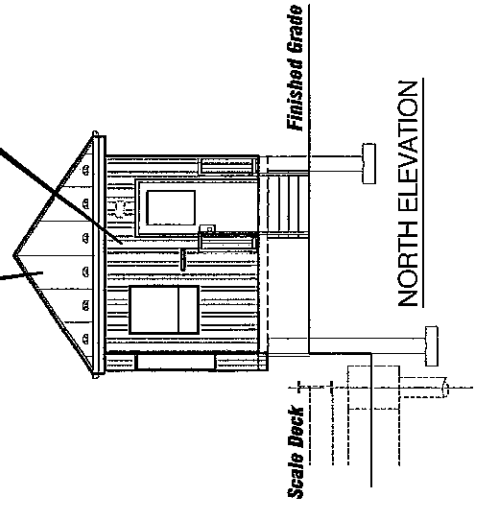
Building Elevations - Proposed North Facility Expansion

APPLICANT: BFI Canada Inc.
 LOCATION: Part of Lots 4 and 5, Concession 4
 REPORT NUMBER: DA-11-107-11-041-049

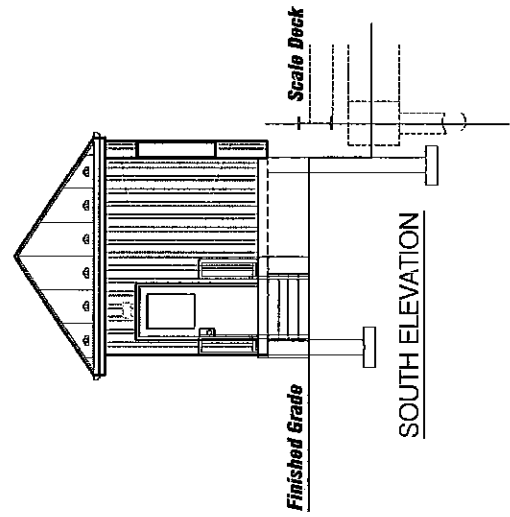


**Pre-finished
Metal Roof (White)**

**Pre-finished
Metal Siding (Blue)**



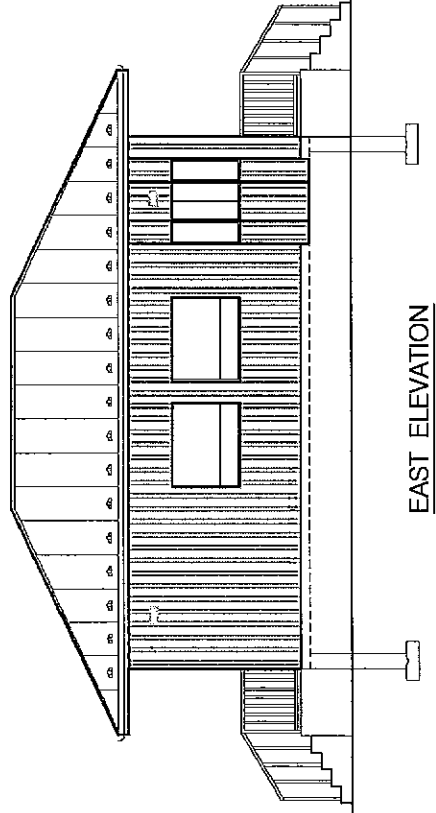
NORTH ELEVATION



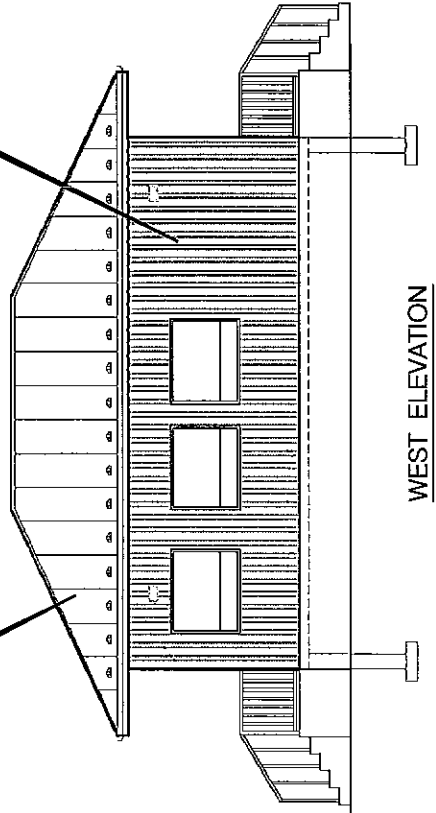
SOUTH ELEVATION

**Pre-finished
Metal Roof (White)**

**Pre-finished
Metal Siding (Blue)**



EAST ELEVATION



WEST ELEVATION

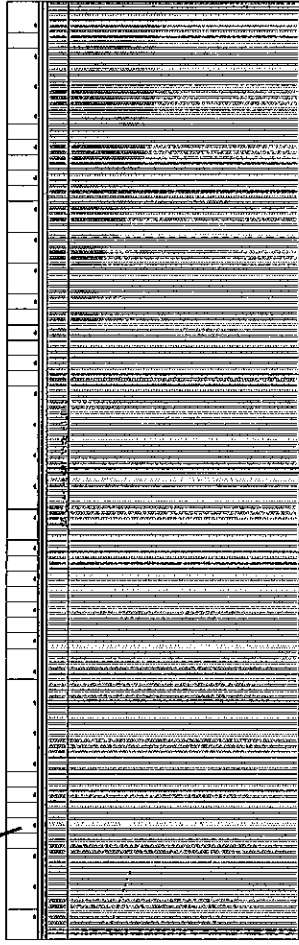
Not to Scale

Building Elevations - Proposed Scale House

APPLICANT: BFI Canada Inc.
LOCATION: Part of Lots 4 and 5, Concession 4
VAUGHAN, ONTARIO M4V 1A1

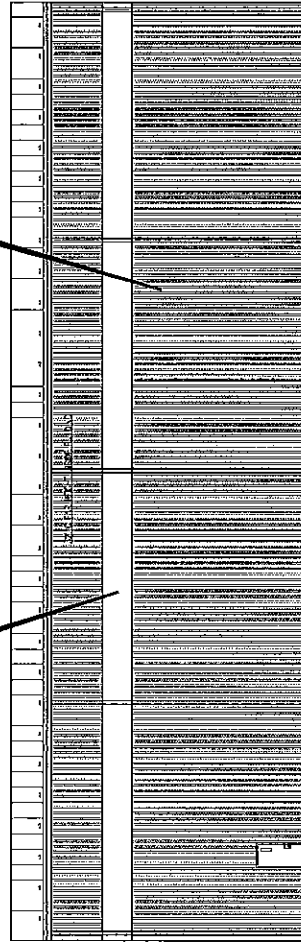


*Pre-finished
Metal Roof (White)*



EAST ELEVATION

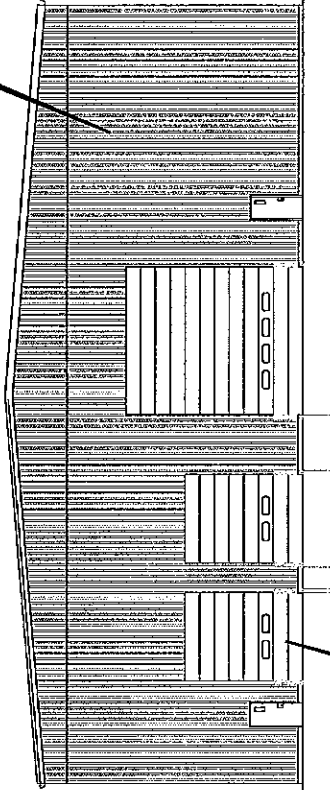
*Pre-finished
Metal Siding (Blue)*



WEST ELEVATION

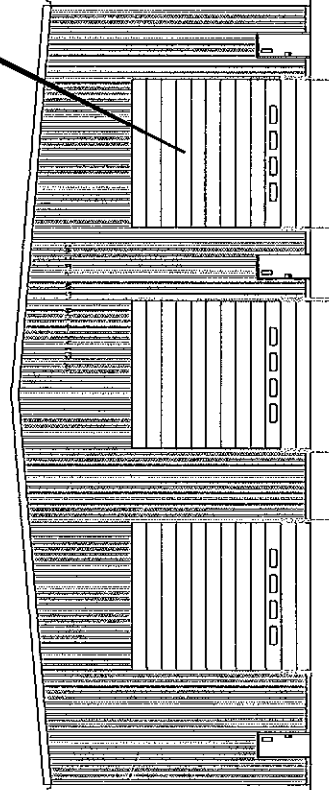
*UV Resistant
Translucent Panels*

*Pre-finished
Metal Siding (Blue)*



NORTH ELEVATION

*High Lift Overhead
Drive-in Door*



SOUTH ELEVATION

*High Lift Overhead
Door*

Not to Scale

Building Elevations - Proposed Bailor Facility

APPLICANT: BFI Canada Inc.
LOCATION: Part of Lots 4 and 5, Concession 4
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