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The Regional Municipality of Durham

COUNCIL INFORMATION PACKAGE

October 16, 2020

Information Reports

- 2020-INFO-92** Commissioner of Planning and Economic Development – re: Monitoring of Land Division Committee Decisions of the September 17, 2020 meeting and Consent Decisions made by the Commissioner of Planning and Economic Development
- 2020-INFO-93** Commissioner of Planning and Economic Development – re: Quarterly Report - Commissioner’s Delegated Planning Approval Authority, and Summary of Planning Activity in the Second Quarter of 2020
- 2020-INFO-94** Commissioner of Planning and Economic Development – re: Update on Employment Area Conversion Submission and Review Process
- 2020-INFO-95** Commissioner of Works – re: Mixed Waste Pre-Sort and Anaerobic Digestion Update

Early Release Reports

There are no Early Release Reports

Staff Correspondence

There is no Staff Correspondence

Durham Municipalities Correspondence

1. **Town of Ajax** – re: Resolution passed at their Council meeting held on October 5, 2020, regarding Support of ambulatory services at Ajax Pickering Hospital

Other Municipalities Correspondence/Resolutions

1. **Lake of Bays** – re: Correspondence to Honourable Doug Ford regarding an amendment to Bill 124 – Municipal Insurance Policy
2. **Town of Plympton-Wyoming** – re: Resolution passed at their Council meeting held on September 30, 2020, in support of the resolution from Wollaston Township regarding a Request to review the Municipal Elections Act.
3. **Township of Blandford-Blenheim** – re: Resolution passed at their Council meeting held on October 7, 2020, regarding unlicensed and unmonitored cannabis grow operations
4. **Loyalist Township** – re: Resolution passed at their Council meeting held on September 28, 2020, regarding funding for small charities, community groups and service clubs affected by the pandemic
5. **County of Wellington** – re: Resolution passed at their Council meeting held on September 24, 2020, regarding the Aggregate Resource Property Valuation Advocacy Report
6. **Township of North Glengarry** – re: Resolution passed at their Council meeting held on September 28, 2020, urging the Ontario government to allow capital expenditures under the Safe Restart Agreement

Miscellaneous Correspondence

There are no Miscellaneous Correspondence

Advisory Committee Minutes

1. Accessibility Advisory Committee (AAC) minutes – **October 1, 2020**
2. Durham Regional Police Services Board (DRPSB) minutes – **September 14, 2020**
3. Durham Active Transportation Committee (DATC) minutes – **September 24, 2020**
4. Energy From Waste – Waste Management Advisory Committee (EFW-WMAC) minutes – **September 22, 2020**

Members of Council – Please advise the Regional Clerk at clerks@durham.ca, if you wish to pull an item from this CIP and include on the next regular agenda of the appropriate Standing Committee. Items will be added to the agenda if the Regional Clerk is advised by Wednesday noon the week prior to the meeting, otherwise the item will be

included on the agenda for the next regularly scheduled meeting of the applicable Committee.

Notice regarding collection, use and disclosure of personal information:

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The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2020-INFO-92
Date: October 16, 2020

Subject:

Monitoring of Land Division Committee Decisions of the September 17, 2020 meeting and Consent Decisions made by the Commissioner of Planning and Economic Development

Recommendation:

Receive for information

Report:

1. Purpose

- 1.1 This report summarizes the decisions on consent applications made by the Commissioner of Planning and Economic Development pursuant to By-law 19-2020 and decisions made by the Regional Land Division Committee at its meeting of September 17, 2020 (see Attachment #1). The applications approved by the Commissioner are deemed to be non-controversial in that no comments or concerns were raised during the circulation process. All approved applications conform to the Durham Regional Official Plan. For the applications approved by the Land Division Committee, no appeals to the Local Planning Appeal Tribunal are recommended.
- 1.2 A copy of this report will be forwarded to the Land Division Committee for its information

2. Attachments

Attachment #1: Monitoring Chart from the September 17, 2020 Meeting and Decisions Delegated to the Commissioner of Planning and Economic Development

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development



Monitoring of Land Division Committee Decisions for the Meeting Date of Thursday, September 17, 2020

Appeal Deadline: Friday, October 16, 2020

LD File Number	Owner	Location	Nature of Application	Regional Official Plan	LDC Decision
LD 176/2017	Von Diergardt-Naglo, Geza	Part lot 29, Conc. 1 Twp. of Uxbridge	Consent to sever a 75.26 ha agricultural parcel of land with an existing structure, retaining a 78.47 ha agricultural parcel of land.	Conforms	Approved by Committee unanimously
LD 177/2017	Von Diergardt-Naglo, Geza	Part lot 29, Conc. 1 Twp. of Uxbridge	Consent to sever a 37.75 ha agricultural parcel of land with an existing structure, retaining a 37.55 ha agricultural parcel of land.	Conforms	Approved by Committee unanimously
LD 144/2019	Lance, Amy & Trevor	Part lot 29, Conc. 7 Twp. of Uxbridge	Consent to add a vacant 444.6 m2 residential parcel of land to the west, retaining a 497.16 m2 residential parcel of land with an existing dwelling.	Conforms	Approved by Committee unanimously
LD 145/2019	York, Ryan Paget, Devon	Part lot 29, Conc. 7 Twp. of Uxbridge	Consent to sever a vacant 577.13 m2 residential parcel of land, retaining a 1,314.97 m2 residential parcel of land with an existing dwelling.	Conforms	Approved by Committee unanimously
LD 146/2019	York, Ryan Paget, Devon	Part lot 29, Conc. 7 Twp. of Uxbridge	Consent to sever a vacant 577.13 m2 residential parcel of land, retaining a 737.84 m2 residential parcel of land with an existing dwelling.	Conforms	Approved by Committee unanimously

LD File Number	Owner	Location	Nature of Application	Regional Official Plan	LDC Decision
LD 037/2020	Steele, Dinah & Nick	Part lot 31, Conc. 7 Twp. of Uxbridge	Consent to sever a 750.27 m2 residential parcel of land, retaining a 684.76 m2 residential parcel of land with an existing dwelling to remain.	Conforms	Approved by Committee unanimously
LD 068/2020	Pickering Ridge Land Inc.	Part lot 17, Conc. 1 City of Pickering	Consent to add a vacant 3,962.8 m2 commercial parcel of land to the north, retaining a 15,605.8 m2 commercial parcel of land with an existing structure to remain.	Conforms	Approved by Commissioner
LD 069/2020	Annis, John	Part lot 25, Conc. 2 Town of Whitby	Consent to sever a vacant 510.55 m2 residential parcel of land, retaining a vacant 510.55 m2 residential parcel of land.	Conforms	Approved by Commissioner
LD 070/2020	Foley, Brent	Part lot 35, Conc. 3 Municipality of Clarington	Consent to sever a vacant 674 m2 residential parcel of land, retaining a 669 m2 residential parcel of land with an existing dwelling to remain.	Conforms	Approved by Committee unanimously
LD 071/2020	Outair, Hanane	Part lot 11, Conc. 1 Municipality of Clarington	Consent to sever a vacant 692.47 m2 residential parcel of land, retaining a 2,638.23 m2 residential parcel of land for future development.	Conforms	Approved by Committee unanimously
LD 072/2020	Outair, Hanane	Part lot 11, Conc. 1 Municipality of Clarington	Consent to sever a vacant 628.29 m2 residential parcel of land, retaining a 630.7 m2 residential parcel of land for future development.	Conforms	Approved by Committee unanimously



The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2020-INFO-93
Date: October 16, 2020

Subject:

Quarterly Report - Commissioner's Delegated Planning Approval Authority, and Summary of Planning Activity in the Second Quarter of 2020. File: 1.2.7.19

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The Region's Commissioner of Planning and Economic Development has been delegated the authority to approve certain area municipal official plan amendments in all area municipalities, as well as subdivisions, condominiums, and part lot control exemption by-laws in the Townships of Brock, Scugog, and Uxbridge. The Commissioner reports to Council quarterly on actions taken under this delegated authority.

2. Commissioner's Approval of Area Municipal Plan Amendments

2.1 Prior to the adoption of an area municipal official plan amendment by a local Council, a draft is forwarded to the Region for review and a determination as to whether it affects a matter of Regional interest, including conformity with Provincial Plans and consistency with the Provincial Policy Statement. If it is felt the draft amendment deals with matters of Regional significance, it is subject to approval by the Commissioner of Planning and Economic Development. If the area municipal official plan amendment does not trigger a matter of Regional interest, then approval would rest with the area municipality.

2.2 In the second quarter of 2020, the Planning Division received seven area municipal official plan amendments, as follows:

- Application **OPA 20-001/P**, proposes to redesignate the subject lands from Urban Residential-Medium Density Areas to Urban Residential-High Density Areas to allow the development of a residential tower consisting of 307 units, 9 street townhouse units, and 64 stacked townhouse units east of Brock Road and south of Usman Road in the City of Pickering.
- Application **OPA 20-002/P**, proposes to add a site-specific exception to the subject lands to increase the maximum permitted residential density to redevelop the site for a mixed-use development with eight residential towers, stacked townhouses consisting of 2,884 units and commercial/retail space west of Whites Road North, south of Kingston Road, and north of Highway 401 in the City of Pickering.
- Application **OPA 20-003/P**, proposes to redesignate the subject lands from Mixed Use Areas – Speciality Retailing Node to a new land use designation to redevelop the lands within Block 1 for a phased mixed-use development with four residential towers consisting of 1,678 units with at grade commercial uses east of Brock Road North, south of Kingston Road, and north of Pickering Parkway in the City of Pickering.
- Application **OPA 20-A1**, proposes to redesignate the subject lands from Neighbourhood Centre to Medium Density Residential to develop a 79-unit residential subdivision, west of Church Street North and north of Rossland Road East, in the Town of Ajax.
- Application **COPA 2020-003** proposes to create the Southeast Courtice Secondary Plan for area generally bounded by Highway 2 to the north, Future Handcock Road to the east, Bloor Street to the south and the existing neighbourhood to the west, in the Municipality of Clarington.
- Application **COPA 2020-002** proposes to create the Southwest Courtice Secondary Plan for the area bounded by Bloor Street to the north, an environmental feature to the east, Highway 401 to the south and Townline Road to the west, in the Municipality of Clarington.
- Application **OPA-2020-W/02** proposes to introduce a site specific policy to facilitate the development of a 4-storey multi-unit commercial self-storage

facility, north of Taunton Road East and east of Brock Street South, in the Town of Whitby.

3. Commissioner's Receipt and Approval of Subdivisions and Condominiums

3.1 The Region is the approval authority for plans of subdivision and condominium in the three northern Townships. In the second quarter of 2020, the Commissioner of Planning and Economic Development received two new applications, issued one draft approval, and issued final approval for five applications, as follows:

- Application **S-S-2020-01** was received which proposes a subdivision consisting of 80 street townhouses on a condominium road at the north-west corner of Simcoe Street and King Street in the Township of Scugog.
- Application **C-S-2020-01** was received which proposes a common element condominium with 37 parcels of tied land to facilitate the development of 38 38 condo townhouses at the south-west corner of Scugog Street and Old Simcoe in the Township of Scugog.
- Application **S-B-2018-01** was draft approved to permit the development of 141 single-detached residential subdivision at the north-east corner of Osborne Street and Thorah Concession Road in the Township of Brock.
- Application **18T-97020** was final approved to facilitate the development of a 36-lot estate residential subdivision, east side Concession 4 Road, north of Side Line 4 in the Township of Uxbridge.
- Application **S-S-2014-01** was final approved to facilitate a subdivision consisting of 100 single-detached and 42 semi-detached residential lots south of Reach Street, west of Old Simcoe Road, in the Township of Scugog.
- Application **S-S-2015-02** was final approved to facilitate a subdivision consisting of 124 residential dwellings (99 single detached dwellings and senior housing block) on the Canterbury Golf Course lands, in the Township of Scugog.
- Applications **S-U-2017-03** and **C-U-2017-03** were final approved to facilitate the development of 88 condominium townhouses, and a mixed-use block with five apartment units, north of Brock Street, east of Donlands Land and south of Herrema Fields in the Township of Uxbridge.

4. Region's Review of Planning Applications

4.1 Regional staff review planning applications circulated from the area municipalities to ensure conformity with the Regional Official Plan (ROP), other Regional policies, and Provincial plans and policies. The Planning Division also coordinates comments from other Regional Departments to provide a coordinated response to the area municipalities on the following planning matters:

- Area Municipal Official Plan amendment applications;
- Delegated plans of subdivision and condominium, and part-lot control exemption by-laws;
- Zoning By-law amendment applications; and
- Select minor variance applications.

4.2 Planning Division staff also provide coordinated comments to the Regional Land Division Committee on consent applications.

4.3 Attachment 1 provides a numeric summary of Regional staff's review of planning applications across the Region.

5. Regional Council's Approval of Applications to Amend the Durham Regional Official Plan

5.1 Regional Council is the approval authority for applications to amend the Durham Region Official Plan (ROPA).

5.2 As of June 30, 2020, there were a total of 11 ROPA applications under consideration (refer to Attachment 2 which includes a chart and maps). In the second quarter of 2020, no new ROPA applications were received.

6. Appeals to the Local Planning Appeal Tribunal

6.1 The second quarter of 2020 saw no additional activity with the Local Planning Appeal Tribunal (LPAT).

6.2 One non-exempt Area Municipal Official Plan amendment applications and four consent applications are currently before the LPAT (refer to Attachments 3A and 3B).

7. Reserved Street Names

- 7.1 The Planning Division coordinates street naming in the Region. Street names are reviewed by the Region in consultation with Durham Regional Police Services in order to avoid the use of similar sounding street names. Approved street names are included in a street name reserve list for each area municipality. A total of 21 new street names were included on the Regional reserve street name list in the second quarter of 2020 (Refer to Attachment 4).

8. Regional Woodland Permit Applications

- 8.1 The Planning Division coordinates Good Forestry Practice permits and Clear-Cutting permits in woodlands across the Region that are one hectare in size and greater. Applications are reviewed in consultation with the Region's Tree By-law Officer, and the applicable area municipality and conservation authority. No new applications were received during the second quarter of 2020.

9. Attachments

Attachment #1: Summary of Regional Review of Planning Applications

Attachment #2: Summary and Maps of Regional Official Plan Amendment applications currently being processed or before the Local Planning Appeal Tribunal

Attachment #3A: Non-Exempt Area Municipal Planning Applications before the Local Planning Appeal Tribunal

Attachment #3B: Land Division Applications before the Local Planning Appeal Tribunal

Attachment #4: Summary of Reserved Street Names

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Regional Review of Planning Applications - Summary
April 1 to June 30, 2020

Area Municipal Official Plan Amendments

Received	7
Commented	10

Delegated Subdivisions & Condominiums (Lakeshore Area Municipalities)

Received	13
Provided Comments & Conditions of Draft Approval	12
Cleared Conditions of Draft Approval	22

Non-Delegated Subdivisions & Condominiums (Northern Municipalities)

Received	2
Provided Draft Approval	1
Issued Final Approval	5

Zoning By-laws Amendments

Received	21
Commented	29

Non-Delegated Part Lot Control

Received	1
Commented	0

Consents

Received	26
Commented	31

Good Forestry Practice and Clear-Cutting Applications

Received	0
Issued	0

**Regional Official Plan Amendment applications currently being processed or
before the Local Planning Appeal Tribunal (As of June 30, 2020)**

OPA file	Council/ standing committee corr.	Applicant/ Location	Proposed amendment
1997-013	97-352	1204538 Ontario Inc. Lot 11, Conc. 6 (Thorah) Township of Brock (West of Hwy. 12 & 48, North of Main St.)	To permit a rural employment area in the General Agricultural Area designation. Status: On hold. Applicant to advise of next steps.
2000-003	2000-273	Town of Ajax (South of Bayly St., East of Church St.)	To delete a Type C Arterial Road (Deferral #3 to the Town of Ajax Official Plan). Status: ROPA #171 maintained the Clements Rd. connection in the ROP. Final disposition of this file is pending.
2005-009	SC-2005-66	Loblaw Properties Ltd. Lots 3 & 4, Conc. 1 Town of Ajax (South of Achilles Rd., East of Salem Rd.)	To delete a Type C Arterial Road. Status: ROPA #171 maintained the Shoal Point Rd. extension, north of Bayly Street in the ROP. Final disposition of this file is pending.
2005-011	SC-2005-68	Brooklin Golf Club Limited Lots 21 to 25, Conc. 8 Town of Whitby (South of Myrtle Rd., West of Baldwin St.)	To permit two 18-hole golf courses and a resort /conference centre in the Permanent Agricultural Reserve designation. Status: Awaiting further technical studies from the applicant.
2014-008		Vicdom Sand & Gravel (Ontario) Ltd. Part of Lot 15, Conc. 7 & 8 Township of Uxbridge (North of Goodwood Rd., West of Lakeridge Rd.)	To add a new aggregate resource area (18.9 ha. in size) in Uxbridge. Status: Public meeting held on January 6, 2015. Decision meeting scheduled for October 6, 2020.

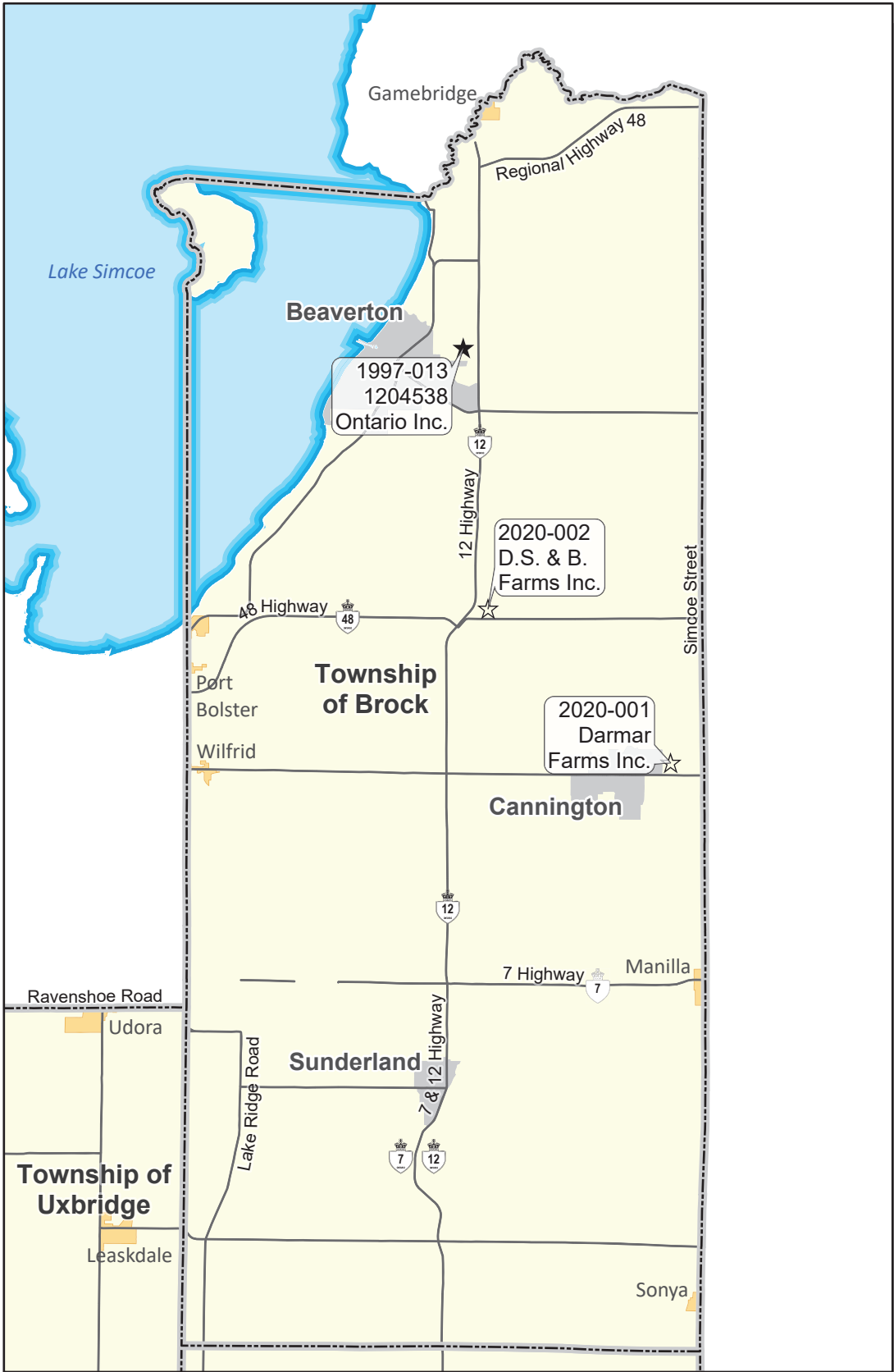
OPA file	Council/ standing committee corr.	Applicant/ Location	Proposed amendment
2016-003		Clara and Nick Conforti – Optilinx Systems Lot 21, Conc. 4 Town of Whitby (Thickson Rd. in between Taunton Rd. East and Conlin Rd.)	To permit the continuation and expansion of a contractor's yard and office in the Major Open Space designation. Status: Application appealed to LPAT on December 12, 2019. Recommendation report presented to Planning and Economic Development Committee on July 7, 2020.
2019-003		Werrcroft Farms Ltd. (Kevin Werry) Lot 3, Concession 8, Municipality of Clarington (8800 Middle Road)	To permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels. Status: Decision Meeting held on April 29, 2020. Amendment #178 came into effect on May 26, 2020.
2019-006		Werrcroft Farms Ltd. Lot 28, Concession 6, Municipality of Clarington (1785 Concession Road 7)	To permit the severance of a non-abutting surplus farm dwelling. Status: Public Information meeting held on June 2, 2020. Decision meeting to be scheduled.
2020-001		Darmar Farms Inc. Lot 32, Concession 12 Township of Brock (396 Cameron Street)	To permit the severance of a non-abutting surplus farm dwelling. Status: Public Information meeting held on June 2, 2020. Decision meeting scheduled for September 8, 2020.
2020-002		D.S. & B. Farms Inc. Lot 9, Concession 1 Township of Brock (C1565 Thora Concession Road 1)	To permit the severance of a non-abutting surplus farm dwelling. Status: Public Information meeting held on June 2, 2020. Decision meeting scheduled for September 8, 2020.

OPA file	Council/ standing committee corr.	Applicant/ Location	Proposed amendment
2020-003		Region of Durham Lot 29-31, Concession 1 Municipality of Clarington (South of Bloor Street, west of Courtice Road)	To align the Municipality of Clarington Official Plan and the Regional Official Plan to permit new uses. Status: Public Information meeting held on for June 2, 2020. Decision meeting scheduled for September 8, 2020.



Regional Official Plan Amendments (ROPAs) Township of Brock

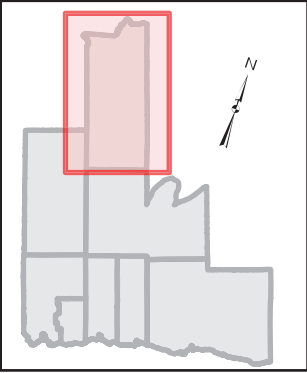
As of June 30, 2020



ROPA Locations

- ☆ New Application
- ★ Under Consideration
- ⊗ Refused/Withdrawn
- ⊙ Appealed to LPAT
- ⊛ Approved
- Regional Official Plan Urban Area
- - - Municipal Boundary
- 12 Provincial Highway
- 48 Regional Highway
- 5 Regional Road
- Local Road

REGIONAL MAP INDEX



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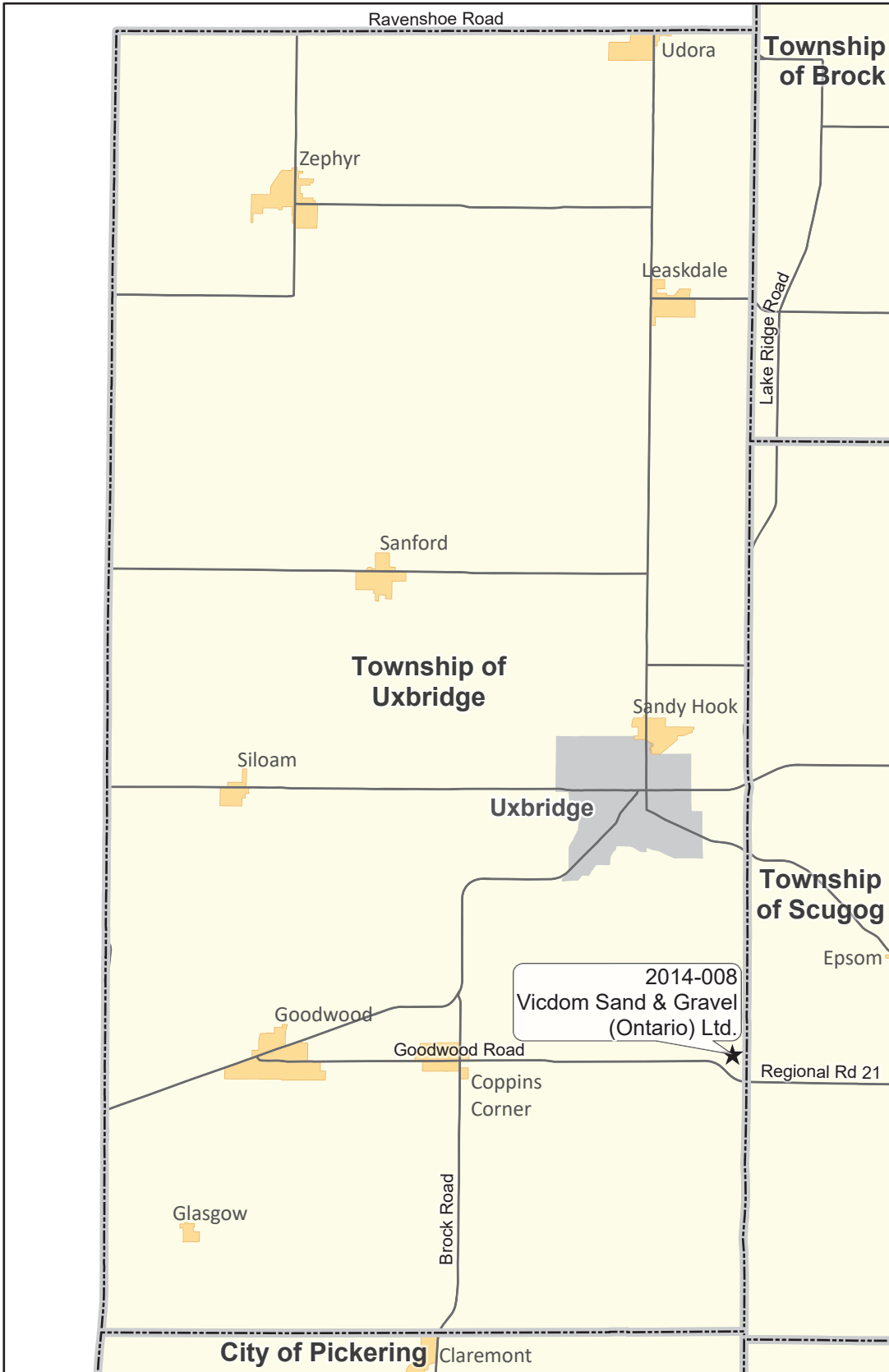
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Regional Official Plan Amendments (ROPAs) Township of Uxbridge

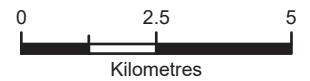
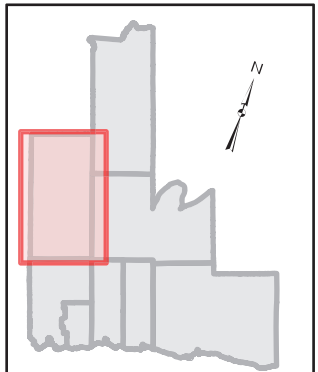
As of June 30, 2020



ROPA Locations

- ☆ New Application
- ★ Under Consideration
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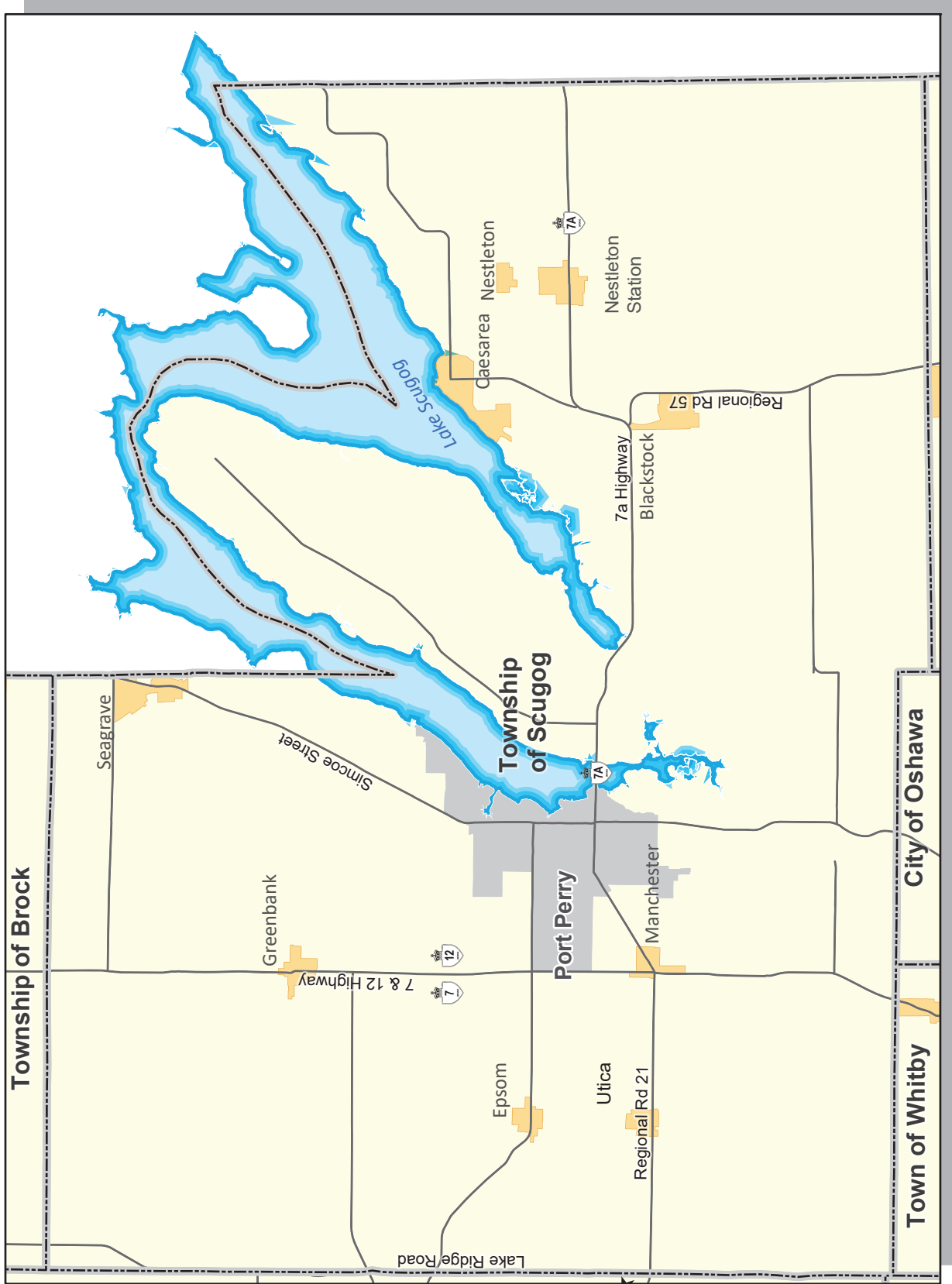




Regional Official Plan Amendments (ROPAs)

Township of Scugog

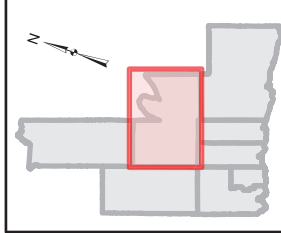
As of June 30, 2020



ROPA Locations

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Regional Official Plan Amendments (ROPAs) City of Pickering - Town of Ajax

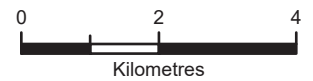
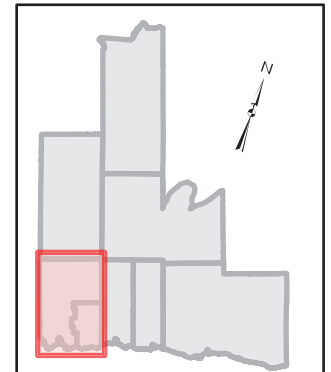
As of June 30, 2020



ROPA Locations

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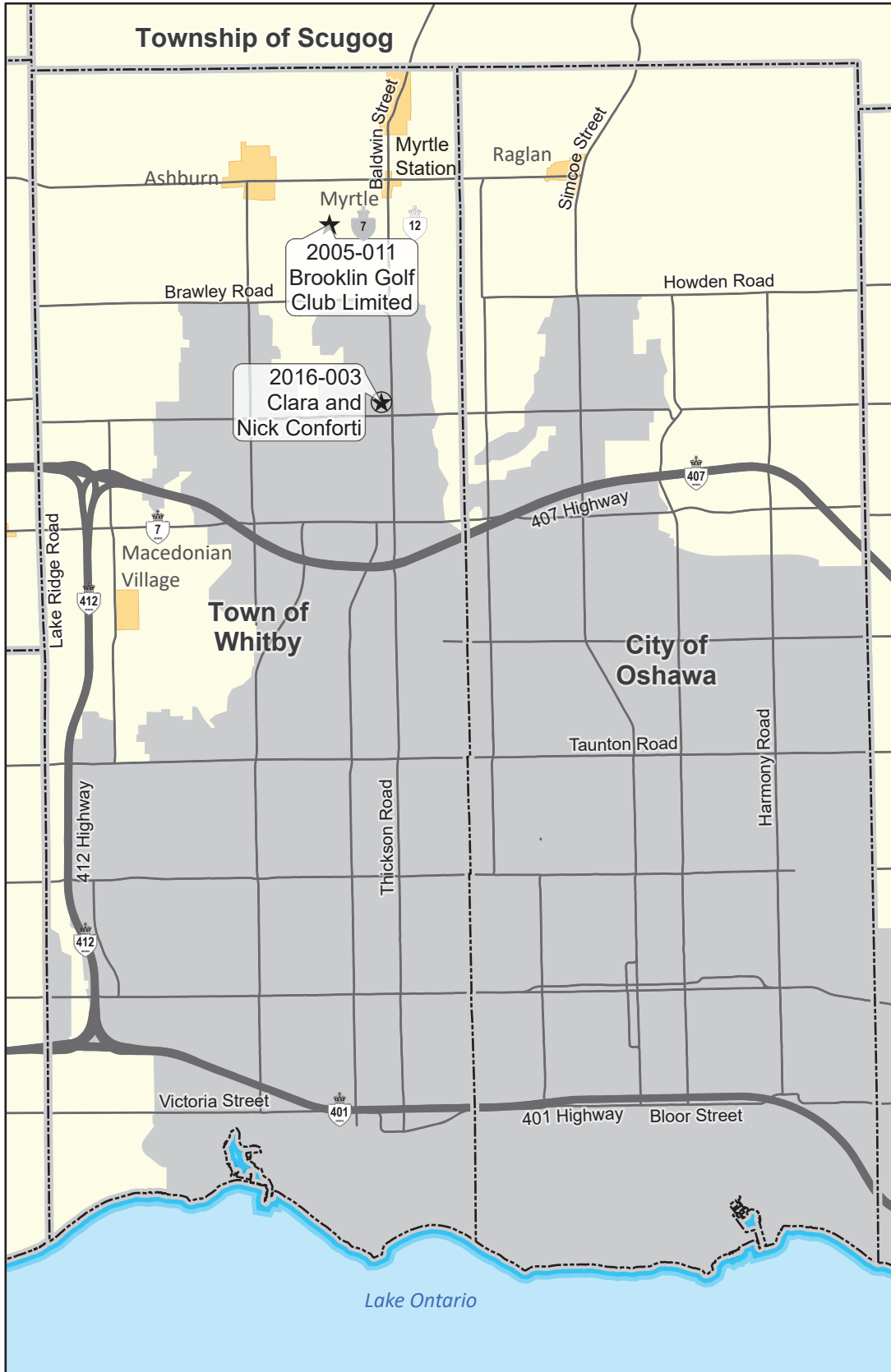
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Regional Official Plan Amendments (ROPAs) Town of Whitby - City of Oshawa

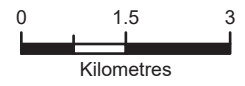
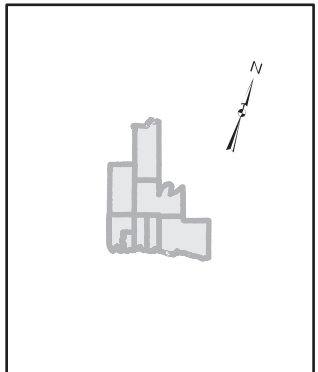
As of June 30, 2020



ROPA Locations

- ☆ New Application
- ★ Under Consideration
- ⊗ Refused/Withdrawn
- ⊙ Appealed to LPAT
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- (48)— Regional Highway
- (5)— Regional Road
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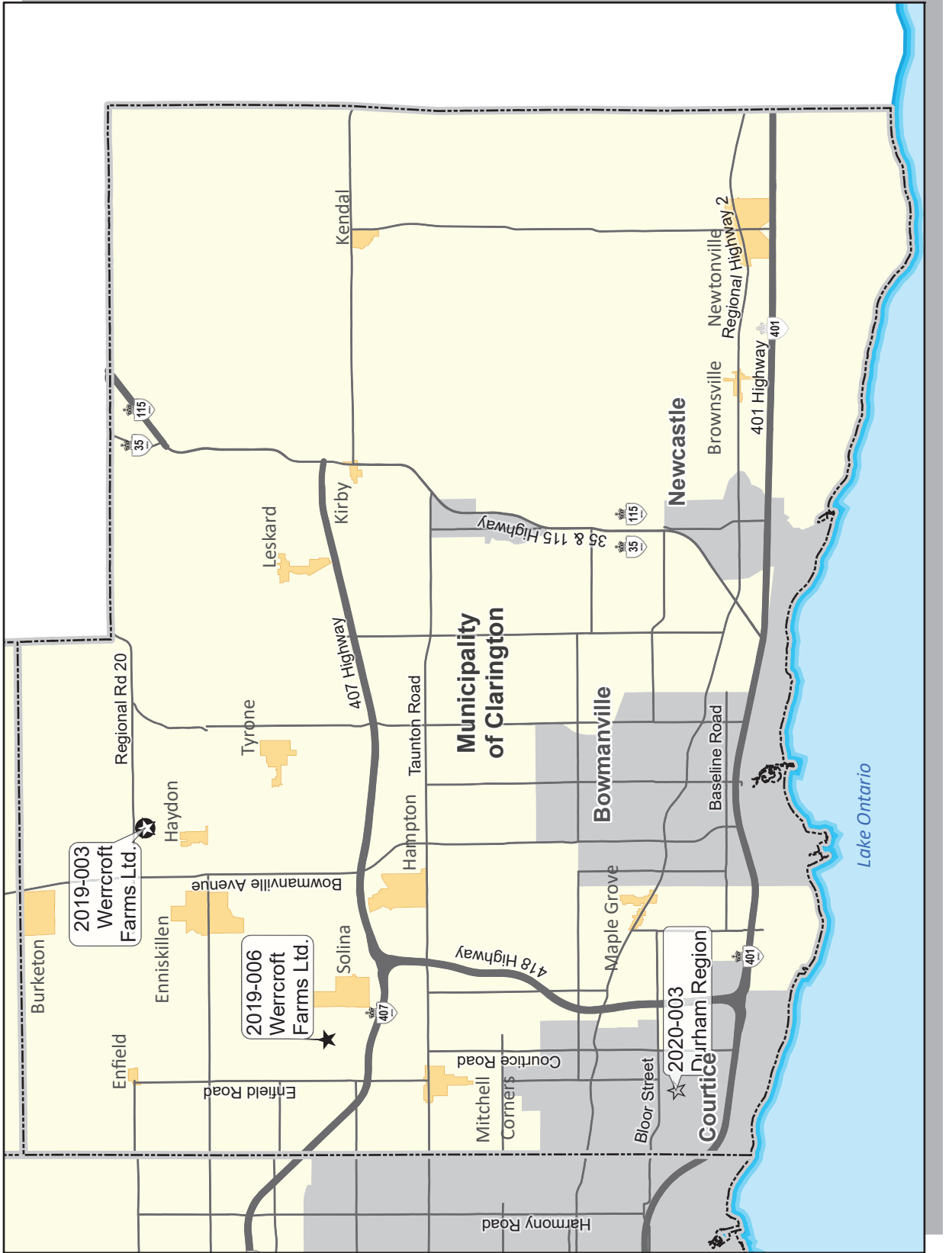




Regional Official Plan Amendments (ROPAs)

Municipality of Clarington

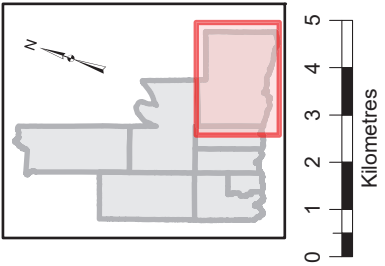
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ROPA Locations

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**Non-Exempt Area Municipal Planning Applications Under Appeal Before the
Local Planning Appeal Tribunal (As of June 30, 2020)**

Regional File No./LPAT Case No.	Applicant	Municipality	Purpose	Status
OPA-2016-W/04 PL190638	Optilinx Systems Inc.	Town of Whitby	To legalize an existing contractor's yard and associated uses as well as permit future office uses at 4560 Thickson Road North	Applicant appealed Whitby Council's decision on December 12, 2019. This matter is related to ROPA 2016-003. LPAT Hearing date to be determined.

**Regional Land Division Committee Applications Currently Before the Local
Planning Appeal Tribunal (As of June 30, 2020)**

Regional File No./OMB Case No	Applicant	Municipality	Purpose	Status
LD 088/2017 PL190386	Travis McWalters / Osmi Homes	Town of Whitby	Consent to sever a 512.9 m ² residential parcel of land, retaining a 512.9 m ² residential parcel of land with an existing dwelling, garage, and shed to be demolished.	Hearing originally scheduled for January 21, 2020 was adjourned at the request of the applicant. Hearing to be scheduled.
LD 063/2019 PL190568	2531751 Ontario Inc.	City of Pickering	To add a vacant 0.21 ha parcel of land to the abutting west property, retaining a 4.5 ha parcel of land.	Applicant appealed the Conditions of Approval on November 4, 2019. Hearing to be scheduled.
LD 004/2019 PL190393	Cindy & Fred Batty	Town of Whitby	To add a vacant 0.18 ha residential parcel of land to east, retaining a 37.71 ha residential parcel of land with an existing dwelling and barns.	Applicant appealed the Conditions of Approval on August 12, 2019. Hearing to be scheduled.
LD 005/ 2019 PL190393	Cindy & Fred Batty	Town of Whitby	To sever a vacant 11.1 ha residential parcel of land, retaining a 26.5 ha residential parcel of land with an existing dwelling and barns to remain.	Applicant appealed the Conditions of Approval on August 12, 2019. Hearing to be scheduled.

Summary of Reserved Street Names (April 1, 2020 – June 30, 2020)

Municipality	Number of New Street Names Added in Second Quarter of 2019	New Street Names Added*	Total Number of Street Names Reserved
Ajax	0		315
Brock	0		33
Clarington	7	<ul style="list-style-type: none"> • Howard Allin • Assunta • Ravine View • Trailside • Valleyside • Ridge • Ambereen 	645
Oshawa	0		444
Pickering	0		659
Scugog	0		170
Uxbridge	0		92
Whitby	14	<ul style="list-style-type: none"> • Headwaters • Governors • Morrison • Springfield • Deer Ridge • Spring Garden • Pheasant Ridge • Colonial Ridge • Old Stone • Rusholme • Cedarview • Riverbend • Woodfield • Klein 	356
Total	21		2,713

* At this point in time not all suffixes have been assigned.

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2564



The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development
Report: #2020-INFO-94
Date: October 16, 2020

Subject:

Update on Employment Area Conversion Submission and Review Process, File D12-01

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The purpose of this report is to provide a status update and next steps in the evaluation of requests for Employment Area conversion through Envision Durham, the Region's municipal comprehensive review (MCR) of the Durham Regional Official Plan (ROP).

2. Background

2.1 At its June 24, 2020 meeting, Regional Council endorsed a formal process for the evaluation of requests for Employment Area conversion as part of Envision Durham. Council's approval of the submission process established the principles and criteria that will be used to evaluate requests for Employment Area conversion. It also put in place a 90-day submission window, that closed on September 23, 2020, for new and/or amended requests to be submitted to the Region for consideration.

2.2 Further details of the Employment Area Conversion Submission and Review Process can be found in [Commissioners Report #2020-P-11](#).

3. Status Update of Employment Conversion Requests

3.1 A total of 42 conversion request (“CNR”) submissions have been received and are distributed as follows:

- a. **Ajax:** 15 submissions
- b. **Brock:** 5 submissions
- c. **Clarington:** 9 submissions
- d. **Oshawa:** 4¹ submissions
- e. **Pickering:** 1 submission
- f. **Scugog:** 1 submission
- g. **Uxbridge:** 0 submissions
- h. **Whitby:** 8¹ submissions

3.2 Regional staff have noted there are several instances where multiple requests for Employment Area conversion overlap a property. In total, there are **approximately 665 hectares** (1,643 acres) of land currently designated as Employment Areas under request for conversion.

3.3 Additional details on each submission are summarized in Attachment #1 with location maps provided in Attachments 2 through 5.

4. Conclusion and Next Steps in the Evaluation Process

4.1 On October 9, 2020 Area Municipal staff were circulated the submission packages for Employment Conversion requests that applied to their municipality. In accordance with Council’s approved evaluation criteria and process, the position of Area Municipal staff and/or Councils will be used to inform the Region’s review. In order to achieve the conformity deadline for Envision Durham, **Area Municipal positions must be provided to the Region before the end of year i.e. by December 31, 2020).**

4.2 Employment Area conversions will have a direct affect on the Region’s required urban land supply and will be included as input into the Land Needs Assessment.

¹ Conversion request (CNR) 24 straddles the Oshawa / Whitby municipal boundary and has therefore been identified as a submission within both Municipalities.

5. Attachments

- Attachment #1: Summary of Requests for Employment Area Conversion, received as of September 24, 2020
- Attachment #2: Map 1: Requests for Employment Area Conversion – Ajax and Pickering
- Attachment #3: Map 2: Requests for Employment Area Conversion – Clarington, Oshawa and Whitby
- Attachment #4: Map 3: Requests for Employment Area Conversions – Brock
- Attachment #5: Map 4: Requests for Employment Area Conversion – Scugog

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Current Requests for Employment Area Conversion as of September 24, 2020

Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-01	Brock	Multiple lots on the east side of Sideroad 18/Laidlaw Street, south of the Beaver River Wetland Trail, Cannington	3.02	To re-designate from Employment Area to permit residential uses (35 single detached dwellings).
CNR-02	Whitby	1151 Dundas Street West	7.01	To re-designate from Employment Area to permit a mixed-use development of high density residential (maximum of 2,103 units) and ground floor non-residential uses.
CNR-03	Ajax	275 Westney Road South	1.8	To re-designate from Employment Area to permit a mixed-use development of high density residential (1,000 units) and commercial uses (805 sq. m) within the proposed Ajax Major Transit Station Area boundary.
CNR-04	Ajax	1901 Harwood Avenue North	1.04	To re-designate from Employment Area to permit a mixed-use development of residential (400 units) and employment uses (1,858 sq. m.). The southern edge of the property is proposed to remain as Employment Area.

Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-05	Oshawa	305 Columbus Road West	25.3	To re-designate from Employment Area to permit residential uses. Request includes lands outside of proponent's ownership. Proposal would enable the development of 750 to 1,062 units on the lands owned by the proponent.
CNR-06	Whitby	Lands north of Victoria Street & west of Montecorte Street	18.0	To re-designate from Employment Area to permit a mixed-use development of residential (4,900 units) and at-grade retail and service uses.
CNR-07	Ajax	Northeast and Southeast corners of Salem Road & Kerrison Drive	11.8	To re-designate from Employment Area to Regional Centre to permit a mixed-use development of high-density residential (2,873 units, of 171 assisted and 470 seniors housing units) and non-residential uses including office, gym, hotel, medical, retail, community, convention, movie theatre (43,175 sq. m). The eastern portion of the site is proposed to remain as Employment Area.
CNR-08 *note: a submission form was not received for this request	Whitby	1730 Dundas Street West	2.21	To re-designate a portion of the subject lands fronting Dundas Street West from Employment Areas to Living Areas to permit a mixed-use development including a seniors' building.
CNR-09	Ajax	South side of Bayly Street East, east of Shoal Point Road	1.71	To re-designate from Employment Area to permit residential uses (85 townhouse dwellings).

Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-10	Pickering	1802 and 1902 Bayly Street and 2028 Former Kellino Street (referred to as "Durham Live Lands")	90.5	To re-designate a portion of the lands from Employment Area to add residential (up to 1,650 units inclusive of a component of affordable housing units) and retail uses (up to 32,500 sq. m.)
CNR-11	Clarington	1766 Baseline Rd, (Courtice)	11.08 **overlaps with CNR-41	To re-designate from Employment Area to permit mixed-use residential (1,097 units) and non-residential uses include office, commercial and retail (37,660 sq. m.)
CNR-12	Whitby	1275 Dundas Street West	5.51	To re-designate the subject lands from Employment Area to permit mixed-use residential (200 units) and office/commercial development (90,000 sq. m.)
CNR-13	Brock	276 Cameron Street East, (Cannington)	13.62	To re-designate the subject lands from Employment Area to Living Area to permit residential uses.
CNR-14	Ajax	1,3,5 & 7 Rossland Road East and 901 Harwood Ave. North	3.9	To re-designate the subject lands from Employment Area to Living Area to permit residential development (Phase 1 approximately 275 to 300 units with further intensification potential over the long term).
CNR-15	Ajax	1401 Harwood Avenue North	6.1	To re-designate from Employment Area to Living Area to permit the development of townhouses and a retirement/long term care facility. A Minister's Zoning Order (438/20) has been issued permitting the retirement and long-term care component of the request.

Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-16	Brock	950 Concession Road 5 (Part of Lot 15, Concession 4)	31.68	To re-designate from Employment Area to Living Area to permit residential development (approximately 200 units)
CNR-17	Scugog	1520, 1540 and 1580 Reach Street	31.0	To re-designate a portion of the property from Employment Area to Living Area to permit a mixed-use development.
CNR-18	Oshawa	204 to 230 Cordova Road and 742 and 744 Oxford Street	0.64	To re-designate from Employment Area to Living Area to permit residential development.
CNR-19	Ajax	250 Rossland Road East	6.95	To re-designate from Employment Area to permit a mixed-use development of high-density residential (1,090 units) and non-residential uses, including office and retail (24,343 sq. m.).
CNR-20	Ajax	650 Beck Crescent	0.69	To re-designate from Employment Area to permit a mixed-use development of high density residential (200 units) and office (5,420 sq. m.).
CNR-21	Ajax	493 Bayly Street West	0.9	To be included in the boundary of the Ajax Major Transit Station Area and to permit a mixed-use development of high density residential (1,100 units) and non-residential uses, including service, commercial, office and retail (1,858 sq. m.)

Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-22	Ajax	190 Westney Road South	0.6	<p>To be included in the boundary of the Ajax Major Transit Station Area and to permit a mixed-use development of high density residential (1,100 units) and non-residential uses, including service, commercial, office, retail, and supermarket (2,787 sq. m.)</p> <p>Note: the subject site is already within the Ajax GO Station Mixed Use Area as per the Town of Ajax Official Plan and the submission is requesting higher residential densities be permitted.</p>
CNR-23	Brock	Beaver Avenue, Beaverton	7.6	To re-designate from Employment Area to permit residential development (103 single detached and semi-detached dwellings and 120 apartment units) in the southern portion of the existing Employment Area.
CNR-24	Whitby and Oshawa	North and south sides of Stellar Drive, west of Thornton Road South	34.0	To be included in the boundary of the Thornton's Corner Major Transit Station Area and allow for associated mixed-use permissions.
CNR-25	Whitby	North and south sides of Stellar Drive, immediately east of the Durham College Whitby campus	12.5	To be included in the boundary of the Thornton's Corner Major Transit Station Area and allow for associated mixed-use permissions.
CNR-26	Clarington	1305 Trulls Road (East of Trulls Road, north of the CP Rail line)	26.69 **overlaps with CNR-41	To be included in the boundary of the Courtrice Major Transit Station Area and allow for associated mixed-use permissions.

Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-27	Clarington	1246 Prestonvale Road	3.24 **overlaps with CNR-27	To re-designate a portion of the site from Employment Area to allow for residential uses as per the Southwest Courtyce Secondary Plan, including approximately 100 low density units on the applicant's property.
CNR-28	Ajax	221 Church Street South (Annandale Golf Course)	25.4	To re-designate from Employment Area to introduce additional employment, retail and residential uses on the developable portion of the subject lands.
CNR-29	Whitby	East side of Anderson Street, directly north of Highway 407.	3.22	To re-designate from Employment Area to permit a mixed-use development including residential (305 retirement residential units) and commercial, office, and daycare uses (5,841 sq. m.).
CNR-30	Clarington	1593 Bloor Street and 1614 Trulls Road	45.0	To re-designate from Employment Area to permit residential uses (ranging from low to medium density) to be further determined through the Southeast Courtyce Secondary Plan.
CNR-31	Ajax	493 and 509 Bayly Street East, and surrounding lands	2.0	To re-designate the subject property to Living Area with the Regional Corridor Overlay. The submission also encourages the Region to consider the conversion of the surrounding lands on the south side of Bayly Street between Shoal Point Road to Audley Road.

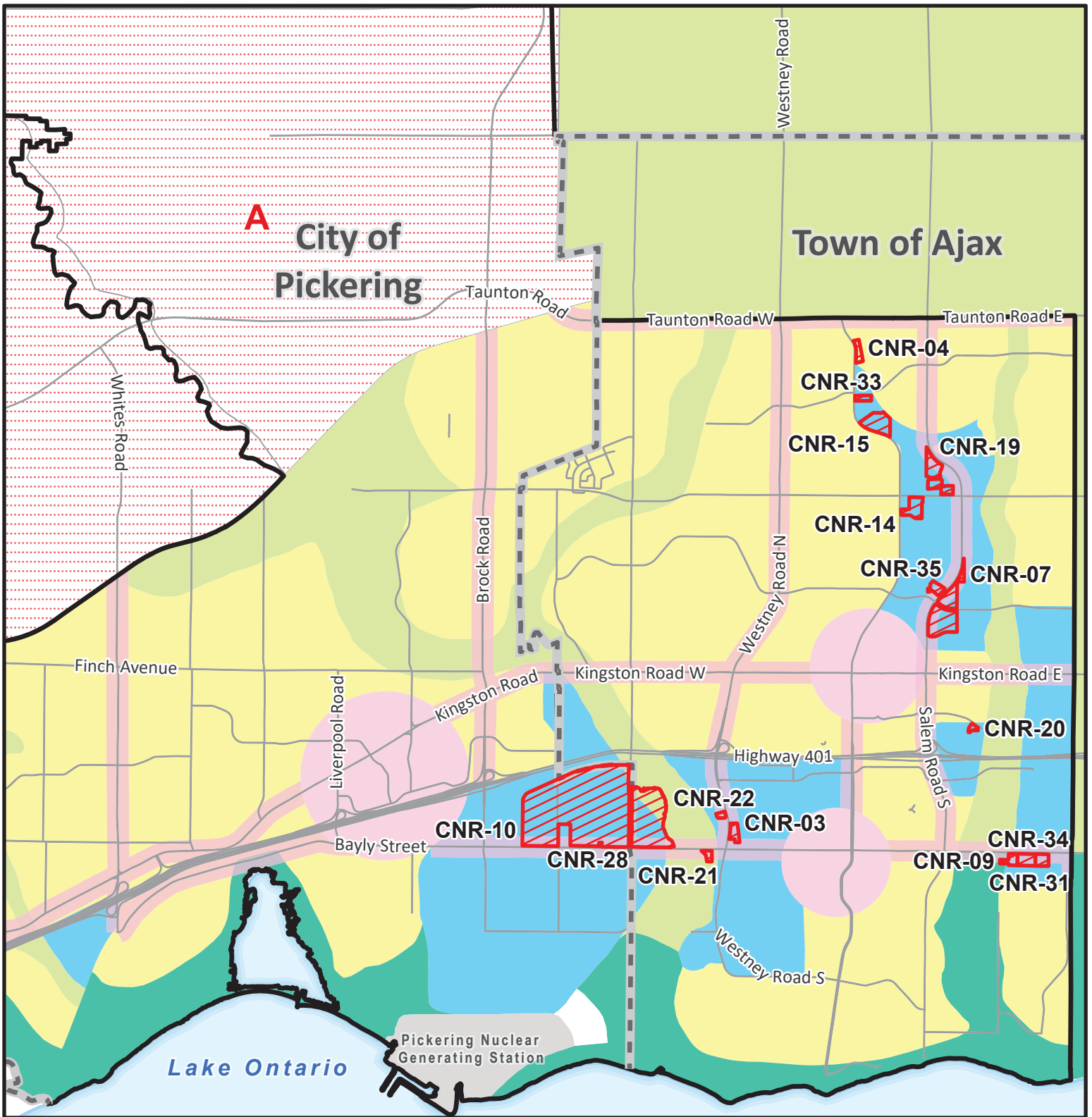
Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-32	Brock	North side of Concession Road 5, approximately 500 m east of Osborne Road, Beaverton	4.34	To re-designate from Employment Area to permit residential uses (46 single detached and 47 townhouse units).
CNR-33	Ajax	1541 Harwood Avenue North	1.1	To re-designate from Employment Area to Living Area to permit residential uses (up to 77 medium density units).
CNR-34	Ajax	479 Bayly Street East (East of Shoal Point Road)	2.3	To re-designate from Employment Area to Living Area and permit residential (up to 99 townhouse units) / mixed uses.
CNR-35	Ajax	500 Salem Road North	1.67	To re-designate from Employment Area to permit residential uses (120 retirement units)
CNR-36	Whitby	1629, 1635, 1650, 1741, 1751 and 1761 Victoria Street East (Thickson Ridge)	16.93	To maintain/expand existing retail permissions and introduce residential uses that includes an initial proposal of approximately 500 units and seeking additional permissions for high density mixed use residential for the balance of the site.

Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-37	Clarington	Lands on the west side of Courtice Road, directly north of the proposed Courtice GO Train station (Part of Lots 29 and 30, Concession 1, Darlington)	46.31 **overlaps with CNR-41	To re-designate the lands to permit residential, mixed residential/employment uses, major retail and commercial/employment uses within the proposed Courtice MTSA boundary.
CNR-38	Clarington	1218 Trulls Road	23.8	To re-designate from Employment Area to permit residential, mixed residential/employment uses, major retail and commercial/employment uses west of the proposed Courtice MTSA boundary.
CNR-39	Oshawa	2380 Ritson Road and 2867 Bridle Road	10.33	To re-designate from Employment Area to permit mixed residential (up to 630 units) and non-residential uses including commercial, retail, and employment uses (23,000 sq. m.)

Conversion Request-ID	Municipality	Site Location (Address, if available)	Land Area (Hectares)*	Description of Request (as described by proponent)
CNR-40	Clarington	Lands west of Robinson Creek, south of the future extension of Fenning Drive, north of Highway 401 (Southwest Courtyce Secondary Plan)	36.91 **overlaps with CNR-27	To re-designate from Employment Area to: <ul style="list-style-type: none"> • permit low density and medium density residential uses of approximately 1,200 units. • recognize other existing uses such as a cemetery expansion, parkland, green space, stormwater management facilities • preserve the opportunity of a future Highway 401 interchange currently slated within both the Clarington and Regional Official Plans
CNR-41	Clarington	Courtyce Major Transit Station Area	189.72 **overlaps with CNR-11, CNR-26 and CNR-37	To convert the entirety of the M TSA lands to a high-density mixed-use development. Request includes lands that are outside the Urban Area Boundary, located on the east side of Courtyce Road. A related Settlement Area Boundary expansion request has also been submitted for these lands.
CNR-42	Clarington	1447 Prestonvale Road	8.8	To re-designate from Employment Area to permit single detached residential dwellings in proximity to the existing residences to the west of the property.

* Land area as indicated in the conversion request Submission Form as provided by the proponent. Staff are in the process of confirming land areas.

** Conversion requests with this notation indicates that more than one Submission was made for the corresponding land.



Requests for Employment Area Conversion – Ajax and Pickering



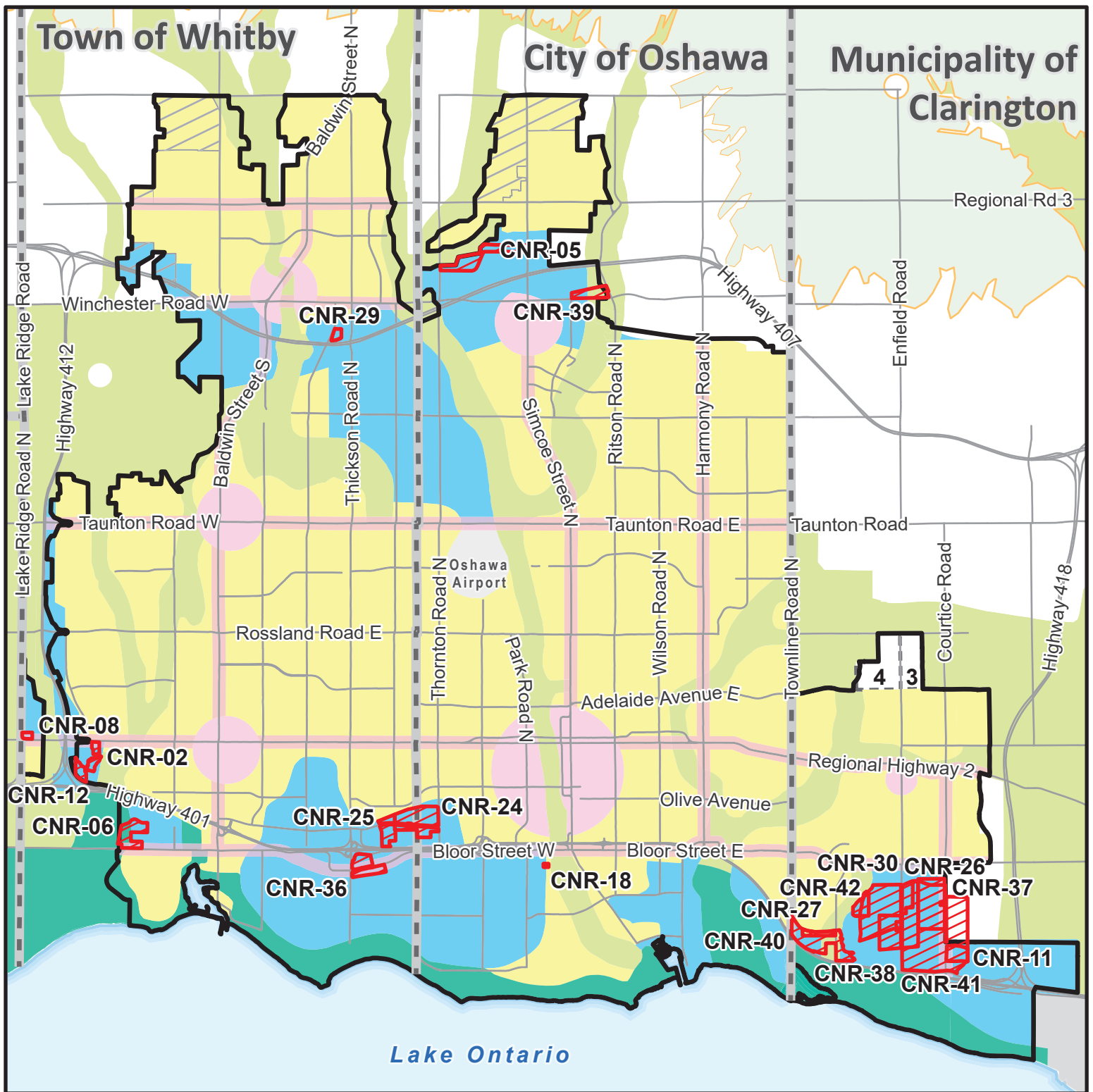
Legend

- Lands Subject to Employment Conversion Request
- Prime Agricultural Areas
- Employment Areas
- Major Open Space Areas
- Waterfront Areas

- Living Areas
- Specific Study Area 'A'
- Regional Corridors
- Regional Centres
- Urban Area Boundary
- Municipal Boundary

Data Sources and Disclaimer

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Requests for Employment Area Conversion – Clarington, Oshawa and Whitby

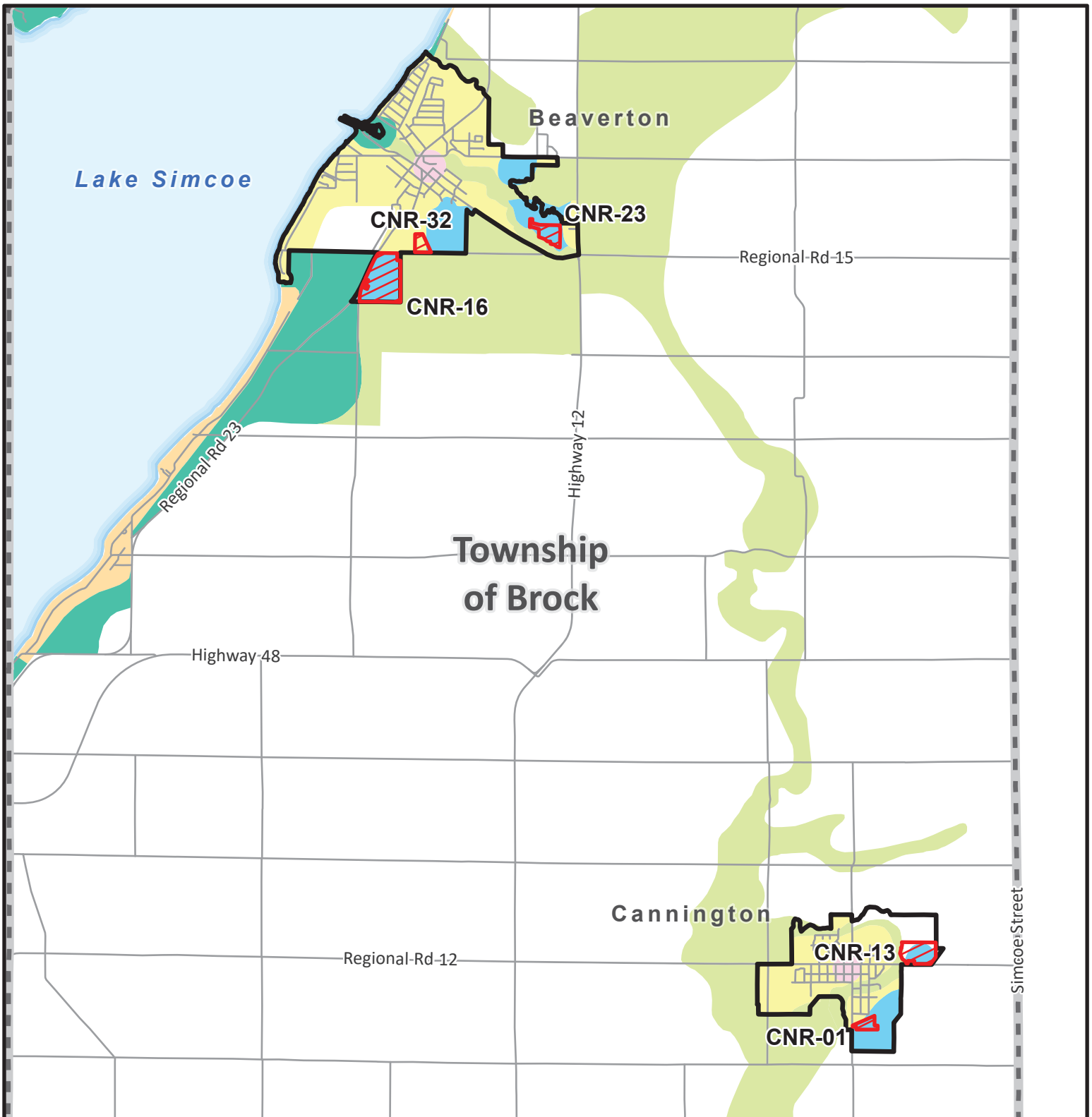


Legend

- Lands Subject to Employment Conversion Request
- Prime Agricultural Areas
- Employment Areas
- Major Open Space Areas
- Waterfront Areas
- Living Areas
- Deferral Areas
- Special Study Areas
- Regional Corridors
- Regional Centres
- Urban Area Boundary
- Municipal Boundary

Data Sources and Disclaimer











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Requests for Employment Area Conversion –Township of Brock

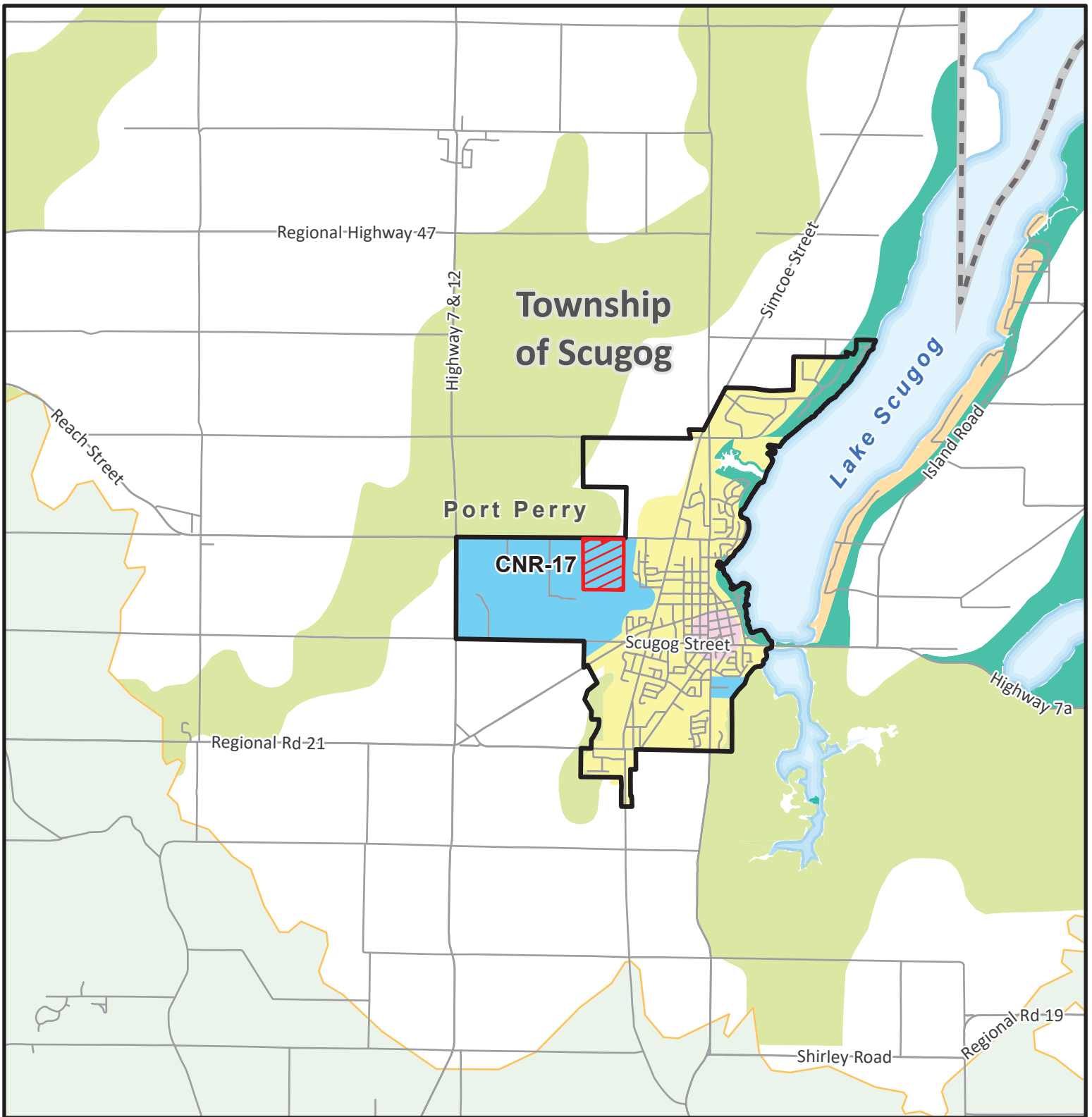


Legend

-  Lands Subject to Employment Conversion Request
-  Prime Agricultural Areas
-  Employment Areas
-  Major Open Space Areas
-  Waterfront Areas
-  Living Areas
-  Regional Corridors
-  Regional Centres
-  Urban Area Boundary
-  Municipal Boundary

Data Sources and Disclaimer





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






Requests for Employment Area Conversion –Township of Scugog



Legend

-  Lands Subject to Employment Conversion Request
-  Prime Agricultural Areas
-  Employment Areas
-  Major Open Space Areas
-  Waterfront Areas

-  Oak Ridge Moraine Areas
-  Living Areas
-  Regional Corridors
-  Regional Centres
-  Urban Area Boundary
-  Municipal Boundary

Data Sources and Disclaimer

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If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



The Regional Municipality of Durham Information Report

From: Commissioner of Works
Report: #2020-INFO-95
Date: October 16, 2020

Subject:

Mixed Waste Pre-sort and Anaerobic Digestion Update

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The purpose of the report is to provide an update on the Regional Municipality of Durham's (Region) procurement process that is currently underway along with information of the recent third-party service provider activities.

2. Background

2.1 The Request for Pre-Qualification (RFPQ) for the Mixed Waste Pre-sort with Anaerobic Digestion (AD) was released August 20, 2020 and will close November 3, 2020. There has been a good response to the uptake of the RFPQ documents and attendance at the pre-bid meeting.

2.2 At the Regional Council meeting of September 30, 2020, there was discussion regarding a proposed development of a third-party service provider (Evergreen) building a transfer station and AD in the City of Oshawa (Oshawa). Councillors are advised that, given that the Region is currently in the procurement process, any discussion or approaches from lobbyists, service providers and related industry businesses must be avoided and reported to the Purchasing Division of

the Finance Department, as outlined in the Organic's Management Anti-Lobbying Policy.

- 2.3 The City of Oshawa (City) passed an interim control by-law on February 24, 2020 for the General Industrial (GI) zone in the Northwood Business Park. This interim control by-law includes the lands proposed to be used by Evergreen Environmental Inc. to develop a anaerobic digester and waste transfer facility. This by-law was enacted for one year to allow the municipally to study the appropriateness of the permitted uses within the General Industrial (GI) zoning of the Northwood Business Park.

3. Previous Reports and Decisions

- 3.1 The Service Delivery Model for the Region's AD project was assessed during the Business Case development. The recommendation approved by Regional Council at the meeting of June 26, 2019, includes public ownership of the facilities with a long-term single contract from the private sector to design, build, operate and maintain (DBOM) the facilities.
- 3.2 Staff attended a Public Information Centre (PIC) for the Evergreen proposal in Oshawa on March 5, 2020 and have also reviewed presentations and minutes from meetings held between Evergreen and the Ministry of the Environment, Conservation and Parks (MECP) in 2019.
- 3.3 In addition, Regional staff were circulated reports in support of Evergreen's Environmental Compliance Approvals (ECA) amendments and their Site Plan Application. The Region provided detailed comments on June 5, 2020 (see Attachment #1). In general, the following comments were forwarded to the MECP:
- a. The ECA application did not provide sufficient design information regarding the projected emissions (odours);
 - b. A Land Use Compatibility Study should be completed to ensure that existing sensitive receptors are protected from any potential adverse effects;
 - c. The facility should be held to emissions and odour control standards consistent with other waste facilities. The applicant's current emissions report shows exceedances for odour at the Point of Impingement (POI);

- d. There should be a process implemented by the MECP to address and report on any complaints regarding the facility;
 - e. The Owner should form a liaison committee similar to other large local businesses and Regional facilities;
 - f. Technical reports and information on the facility should be held for a period longer than two years. Seven years would be in line with other waste facilities including Regional facilities;
 - g. Information presented at the PIC indicated that the capital cost estimate for this project would be significantly lower than other facilities of a similar classification. Additional detail on the proposed operation including: equipment, monitoring details, and operating plans should be provided to ensure that proposed environmental protection measures are appropriate for the project. It should also ensure that the technology installed is capable of sustained operations in compliance with environmental regulations over approved project phases;
 - h. The ECA approval should only apply to the first phase of development as there are no timelines provided for future expansion. This would mean that if the ECAs are approved in their current state, the applicant could develop the site at any time without consideration to regulatory, physical or environmental changes over time;
 - i. A contamination management plan is necessary to ensure that the high aquifers are protected; and
 - j. The MECP and Evergreen were also asked to respond to the detailed comments made by the Region on the “Evergreen Oshawa Anaerobic Digestion Facility – Design and Operations Report” and the “Emission Summary and Dispersion Modelling Report”.
- 3.4 To date, the Region has not received a response from the MECP or the applicant regarding the request for further information.

4. Service Delivery Model Assessment

- 4.1 Within the Service Delivery Model assessment, it was noted that there have been a number of merchant capacity plants over time in Ontario. A number of these facilities have failed due to poor performance, impaired economics, and

environmental issues (particularly odour). Given the lack of control over merchant capacity facilities, municipal use of this model can potentially lead to performance issues that are sufficiently significant as to require landfilling of organic materials. This is a real concern given the lack of organics processing capacity in the province.

5. Meeting the Project Drivers

5.1 As identified in the project development documentation, there are several drivers for the Region's long-term organics management proposal which will not be satisfied through the Evergreen project:

- a. Growth and Diversion
- b. Durham-York Energy Centre capacity
- c. Regulatory
- d. Address Climate Change/reduce GHG emissions

5.2 In addition, the following market drivers were also considered and best served by the Region's proposal:

- a. Limited landfill capacity
- b. Limited local green bin processing capacity
- c. Potential for Renewable Natural Gas from several sources

6. Conclusion

6.1 In the Service Delivery Model assessment report which included the third-party service provider option, it was recommended that the Region proceed with a Region owned and DBOM model. Regional Council approved the Region owned and DBOM model for the organic's management program at the meeting of June 26, 2019.

6.2 Staff continue to have concerns with the Evergreen Environmental Inc. proposal given the lack of technology detail, emissions assessment and mitigation. In addition, the projected capital costs relative to similar facilities may not reflect a robust and sustainable system.

- 6.3 The Evergreen Environmental Inc. project will not meet the requirements of the Region's drivers nor the market drivers and would lead to the need for other capital projects to fill the gaps such as the immediate expansion of the Durham York Energy Centre, multi-residential sorting of organics, and additional diversion initiatives.
- 6.4 This report has been reviewed by the Planning and Economic Development Department, Legal Services Division of the Corporate Services Department, and Finance Department.
- 6.5 For additional information, please contact Gioseph Anello. Director, Waste Management Services, at 905-668-7711, extension 3445.

7. **Attachments**

Attachment #1: Regional comments dated June 5, 2020 on Environmental Compliance Approvals for Applicant: RIC (EOR) Inc., operating as Northwood Transfer Station, for location: 1515 Thornton Road Municipality: City of Oshawa

Respectfully submitted,

Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works



The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

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Brian Bridgeman, MCIP, RPP
Commissioner of Planning
and Economic Development

June 5, 2020

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Project Engineer
Approvals Services Section, Environmental
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Re: **Environmental Compliance Approvals
Municipal Comments for MECP File Nos: 8836-BLHLLF, 8575-
BLHL2R, and 2998-BLHKKR
Environmental Bill of Rights File Nos: 019-1538, 019-1539, and
019-1540**
Regional File No.: L08 01 78
Applicant: RIC (EOR) Inc., operating as Northwood
Transfer Station
Location: 1515 Thornton Road
Municipality: City of Oshawa

Further to the circulation of the Environmental Compliance Approval (ECA) amendments in February 2020, the Regional Municipality of Durham (the Region) has reviewed the ECA amendment applications to permit an anaerobic digester and waste transfer facility in the City of Oshawa and offer the following comments for the Ministry of the Environment, Conservation and Parks' (the Ministry) review and applicant's action.

Background

This site is located north of Taunton Road, east of Thornton Road in the City of Oshawa, and is municipally known as 1515 Thornton Road. This property was previously owned and operated by Northwood Recycling & Energy Inc., which accepted up to 57,200 tonnes of waste per year for the

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If this information is required in an accessible format, please contact Reception at 1-800-372-1102, extension 2551.

transfer and processing of organics, yard waste and clean wood for on-site composting.

The current ECA amendment applications propose to allow the new owner, RIC (EOR) Inc., operating as Northwood Transfer Station to cease the composting of organics, while maintaining the waste transfer station, and add the receipt and processing of organic waste for wet anaerobic digestion. It is also the Region's understanding that ECA No. A680110 for waste will be revoked and its contents will be amalgamated with ECA No. A680066, if approved.

Proposed Application

The following ECA amendments are the subject of the Region's comments:

Type of ECA	ECA Number	Reference Number
Sewage	3-1036-98-006	8836-BLHLLF
Waste	A680066 and A680110	8575-BLHL2R
Air	8-3157-94-0063	2998-BLHKKR

Waste (ECA No.: A680066)

The applicant proposes to amend the Waste ECA as follows:

- To receive an additional 200,000 tonnes per year of non-hazardous waste, for a total of 257,000 tonnes per year for the purpose of anaerobic digestion;
- To allow a maximum of 2,943 tonnes of waste to be stored on the site at the proposed anaerobic digestion facility; and
- To allow a maximum of 1,219 tonnes of waste and recyclables to be stored at the waste transfer facility.

The proposal would allow the facility to receive materials Monday to Friday from 6:00 am to 6:00 pm and Saturday from 7:00 am to 2:00 pm. Waste processing will operate 24 hours a day, 7 days a week and will service the Province of Ontario.

Sewage (ECO No.: 3-1036-98-006)

The applicant proposes to amend the sewage ECA to allow for storm sewers, an oil-grit separator, and a stormwater management pond to manage the run-off from the 4.7 hectare waste processing facility area, which discharges into Goodman's Creek.

Air (ECA No. 8-3157-94-0063)

The applicant proposes to amend the Air ECA to account for the increased production proposed in the Waste ECA. As the facility's processing

increases and changes with the increased capacity at the site, along with the addition of the anaerobic digester, discharge from the boilers, flare, biofilter, storage tank and thermal oxidizer will also increase as air and odour emissions.

Policy Context

Ontario's Food and Organic Waste Policy Statement

Ontario's Food and Organic Waste Policy Statement supports the Province's vision for a circular economy and the Province's vision for zero waste and zero greenhouse gas emissions from the waste sector.

This policy statement focuses on waste reduction and resources recovery through prevention and reducing food waste effectively and efficiently from collection to processing, to the re-integration of recovered resources back into the economy.

Targets have been established to reduce waste and to increase resource recovery and organic waste generated by different household types to the year 2025. In order to meet these targets, municipalities and businesses are using new innovative ways to process and reuse waste. Anaerobic digestion is one of the new innovative solutions to waste processing and can help the Province achieve its targets by increasing the reduction and reuse of organic materials entering the waste stream.

Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) supports the development of waste management systems that seek to accommodate the present and future needs, which promote reduction, reuse and recycling objectives. In addition, the PPS also supports the opportunity for alternative energy systems. Anaerobic digestion and a pre-sort facility have the ability to use the principles of reduce, reuse and recycle, while also providing an alternate source of energy production through upgrading of the off gases to natural gas collected from the anaerobic digester.

The PPS also states that major facilities (such as waste management systems) and sensitive land uses (such as residential uses) are to be planned and developed to avoid, or minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. As there are sensitive uses within the vicinity of the proposed use, it is important to identify the types of technology and equipment being used for the facility, so that land use compatibility can be appropriately studied prior to construction on the site.

General Comments

The Region's Health, Works and Planning and Economic Development Departments have reviewed the Environmental Bill of Rights (EBR) posting and technical reports for the proposed amendments to the air, waste and sewage ECAs at 1515 Thornton Road in Oshawa. The following general comments regarding all of the amendments are made for further review and action by the applicant:

Source of Materials

Currently the waste ECA application indicates that the Source Separated Organics (SSO) for the Anaerobic Digester facility will be sourced from the Province. The Region of Durham is currently under contract to receive all of its area municipalities waste and green bin materials, and is entering the process to develop long term processing capacity, as such this material would not be available to any private facilities.

Municipal Planning Approvals

It is important to understand the process of all approvals which will lead to the operation of this facility, as the Region is unsure that having this facility operational in 2020 is feasible or realistic. While the ECA amendment applications are being processed by the Ministry, at the local level, land use approvals are required on the site and have not been initiated by the applicant to date. The applicant will need to consult with the Region and the City of Oshawa to confirm any required Planning Act approvals, such as, Official Plan Amendments, a Zoning By-law amendment as well as Site Plan approval and the associated agreements.

The City of Oshawa enacted an Interim Control By-law on the subject site in February 2020. This prohibits development in the General Industrial (GI) zoned sites in the Northwood Business Park for one year, to allow the City to conduct a study to determine whether the applicant's proposed land use is appropriate within the Northwood Industrial area.

Should the proposed use be deemed acceptable, then the factors that relate to timing, including on and off-site servicing, building construction, site preparation, technology procurement and acquisition, equipment installation, testing and Ministry sign-off should be identified in the project timeline. As there is still a considerable amount of work and approvals required to permit this facility, a revised timeline should be reflected in the reports and application.

Land Use Compatibility

The Regional Health Department received a number of complaints in 2017 related to the odour from this site. This site is located in the vicinity of sensitive receptors such as a medical building and residential neighbourhoods.

The information in the current reports do not provide enough detail to ensure the proposed controls or redundancies would be sufficient to protect surrounding residents or the environment. A Land Use Compatibility Study should be completed to ensure that this site will not impact the sensitive receptors in the area. The Region will require this study at such a time that the applicant applies for any required Planning Act applications with the City and the Region.

It is also recommended through the ECA applications that the applicant include all measures to minimize impacts of construction noise, dust and truck traffic to the local community and that the applicant comply with local by-laws pertaining to these issues. It is also critical that the applicant meet all applicable air quality regulations and standards, that all waste materials are located inside a closed facility and that best management practices to eliminate the potential for pest harbourage are used on site.

Operational Details

This proposal seeks to cease composting operations, and use the site for processing source-separated organics and industrial, commercial, and institutional organics for the purposes of anaerobic digestion.

This process will include a combination of air separation, water separation, pulping, ferrous/non-ferrous separation, compaction, size reduction, screening, depackaging, anaerobic digestion, wastewater treatment, digestate dewatering, digestate drying, digestate pyrolysis, and biogas upgrading. Several of these operations have been identified as not being essential and have been identified as possible future installations.

The anaerobic digestion process will produce digestate and biogas. The biogas will be upgraded to renewable natural gas for injection to the gas grid, and the digestate will be pasteurized and shipped off-site in combination with dewatered/dried and liquid forms as fertilizer or soil supplements.

The Region requests that the applicant provide additional design information including the justification for the projected emissions to the Ministry for its review. It is anticipated that the applicant is further along in this process as it has been several months since the applications were submitted to the Ministry. The information provided in the application package appears to represent a number of unit operations but does not

provide clear indication that the facility will be able to meet its emission targets.

Operational Standards

Given the location of the proposed facility, the previous complaints received from neighbouring sensitive receptors about the site, and the type of materials being processed, the proposed facility should be held to the same stringent emissions and odour control standards as other waste facilities. The applicant's current emissions report shows exceedances for odour at the Point of Impingement (POI). This will ensure that effective odour control systems are in place and have sufficient capacity to operate without impacting neighbouring properties/uses.

A robust and effective process to address and report on any received complaints to the Ministry and local stakeholders should be put in place prior to the ECA amendments being issued. The applicant should also be expected to form and maintain a liaison committee similar to that of other local large businesses and facilities.

In addition, reporting and site records should be kept for longer than the proposed two years to allow the Ministry opportunities to revisit historical data should it be necessary. For example, other waste management facilities have requirements to hold records for as long as seven years.

Although not part of the ECA package, the public consultation information indicated that the capital cost estimate for this project is lower than other facilities of a similar classification. Additional detail on the proposed operation including: equipment, monitoring details, and operating plans should be provided to ensure that environmental protection measures put in place are appropriate for the project. It should also ensure that the technology installed is capable of sustained operations in compliance with environmental regulations over approved project phases.

Lastly, there are no timelines provided for the future expansion. This means that once the ECAs are permitted, the applicant can develop the site at any time without consideration to regulatory, physical or environmental changes. Similar to the approach taken for other facilities the applicant should only be permitted for the buildout of the initial facility. If consideration of future development is permitted, strict expansion timelines should be put in place. The Region requests that the applicant identify the development and operating timelines for the initial build-out and future expansions. The Region also requests that the current ECA approvals only be issued for the first phase of development.

Environmental Assessment

The use of pyrolysis of the digestate is being proposed to produce syngas for subsequent use in the disposal process. Pyrolysis is also proposed for

the treatment of wastes (digestate). As such, the proposed site could be considered a thermal treatment site under O.Reg. 101/07, ss. 2.(1).3. The Ministry should confirm that an environmental assessment, pursuant to the *Environmental Assessment Act*, is required to be completed for this use prior to the site becoming operational.

Water Supply and Sanitary Sewerage

There is adequate water supply and sanitary sewer capacity to service the site subject to the applicant paying the applicable fees. Sewage discharge would have to meet the requirements of the Region's Sewer Use By-law in order to be allowed to connect to the Region's sanitary sewer system. Please note the comments in the "Process Effluent" section below regarding the treatment of effluent.

Area of High Aquifer Vulnerability

In addition to the review of Provincial policy and the Regional Official Plan, the Region's Planning Division is also responsible for screening Provincial Plan review responsibilities. These responsibilities have been delegated to the Region by the Province to provide the Area Municipalities with further guidance on specific aspects of the development process.

Through this review, it was determined that the subject site is located in a High Aquifer Vulnerability Area (HAVA). According to Schedule E – Table 'E5' to the ROP, the subject property is situated within an area vulnerable to high aquifers. The Region groups the following land uses as high risks to groundwater, including but not limited to: waste transfer stations; generation and storage of hazardous wastes or liquid industrial wastes.

Policy 2.3.31 of the ROP states that within Urban Areas (the subject lands are within an Urban Area), an application to permit any of these high-risk land uses shall be accompanied by a contamination management plan that defines the approach to protect water resources. This plan should be in place prior to permitting any construction on this site.

Technical Comments

Emission Summary and Dispersion Modelling Report

GHD prepared an air emissions technical report titled, "Emission Summary and Dispersion Modelling Report", dated January 31, 2020 (ESDM Report). This report is a requirement of the ECA amendment application for air and odour emissions. This report models the impact of contaminant emissions emitted by the proposed facility using a Ministry approved dispersion model for each contaminant. The report indicates that the facility is expected to emit products of combustion, ammonia, sulphur dioxide, and odour. The Region has reviewed this technical report and have the following comments.

Odour Emissions

Through the Region's review of the air emissions in the ESDM Report, it appears that only odour emissions were identified as a result of the treatment of wastewater. It is suggested that it should be determined at this stage whether any organic compounds will be volatilized during processing (including the processing of organic waste within the pre-processing system followed by the wastewater system) will occur, and if so, this should also be addressed as an emission. The report should also consider and study the proposed various phases of the project, and the potential for volatile organic compounds (VOCs) levels to change over time as the project builds out.

The ESDM Report discusses the proposed treatment process for air emissions. This section of the report does not include enough detail for a proper review by Regional staff at this time. Please expand this section to include additional detail regarding the system unit operations, design and treatment efficiencies, as well as explanation of key operation and maintenance activities for further review and comment.

Sources of Emissions

The ESDM Report identifies ten sources of emissions for the proposal. Three of the sources (S5 - biofilter exhaust, S6 - biogas upgrade and S7 - sludge dryer) identify VOCs as potential emissions sources. It appears that these sources have been inadvertently omitted in Appendix B – 'Supporting Information for Assessment of Negligibility', as well as elsewhere in the document. In Table 1 - "Sources of Contaminants Identification Table", the emissions labeled as 'Products of Combustion' under the "Expected Contaminants" column should be better defined, as this category seems too general for the contaminants listed. It appears that complete combustion of all pyrolyzed syngas has been assumed, as no combustion by-products or volatilized compounds have been presented (i.e. carbon monoxide, dioxins and furans). The applicant should provide support for this assumption including information on the proposed technology's effectiveness, or alternatively provide the combustion analysis.

No odour or emissions from the existing transfer station operations appear to be included in the ESDM. Also, the existing structure is not shown on Figure 3A. This should be addressed by the applicant.

The existing ambient air quality in the area was not considered within the current ESDM. This means that no consideration of the cumulative impacts of the development to area receptors has been analyzed. Given the high levels of nitrogen dioxide expected at the point of impingement (POI), there is a concern that incorporating background concentrations will expose receptors to risks. The Region requests that cumulative impacts be considered as part of the emission model.

The ESDM indicated that odour emissions from the facility do not meet the POI limit at both the sensitive and non-sensitive receptors. A frequency analysis was provided for sensitive receptors, however, it does not include general receptors, which appears to be contrary to table footnotes. The proposal of a facility anticipated to exceed POI limits for any parameter is concerning and should be fully addressed in the applicant's application. The Air ECA should be deemed premature until this work is completed to the satisfaction of all agencies.

Emission Rates & Monitoring

The emissions rates presented in the report appear to only be representative of normal operations. Non-steady state conditions such as start-up or malfunction should also be analyzed with commentary included on the assumed waste composition.

Adequate data should be provided by the applicant to confirm that the proposed equipment will meet the regulatory requirements for emissions, odours, leachate, dust, etc. Sufficient detail is required to ensure the emissions and odours are accurately modeled to satisfy the regulatory requirements both by modelling and when in use.

Odour rates used in the ESDM have been identified as being provided by the applicant. It is suggested that these rates, especially source concentrations of odours be provided by third party sources and analyzed.

An emissions monitoring program (Continuous Emissions Monitoring System, stack testing, etc.) should be identified for the facility, with a specific monitoring program in place prior to construction of the proposed facility.

Evergreen Oshawa Anaerobic Digestion Facility – Design and Operations Report

GHD prepared a report titled, "Evergreen Oshawa Anaerobic Digestion Facility – Design and Operations Report", dated January 31, 2020. This report details the design, technology and operations proposed to fully build-out the site, using the 'worst-case scenario' to justify the upper limits for air, noise, and wastewater. The Region has reviewed this technical report and have the following comments.

Technology & Equipment

This report identifies multiple technologies and equipment for digestate processing, wastewater treatment and pre-waste treatment. However, there has not been any further work to determine the appropriate technologies and equipment for this site. It appears that a menu of options have been provided, and the applicant is not yet in a position to choose which items are required for their operation. For example, Section 2.11.2

includes discussion about the potential for an anaerobic reactor as part of the wastewater treatment system that may not be necessary at full design. The digestate holding tank has also been identified as a potential additional digester. The technology, equipment and monitoring programs for the proposed facility should be identified, operating details should be included and a phasing plan should be provided for equipment installation prior to the ECAs being issued. Without specific equipment being identified, no confirmation of emissions levels can be obtained.

Lastly, if the applicant confirms the digestate holding tank is required, the report should also ensure that this unit will be equipped with the same monitoring and control instruments as the rest of the digesters (i.e. SCADA system, mixing equipment, anti-foam system etc.).

Low Impact Development

Section 4 of this report speaks to how the stormwater will be managed on this site. The consideration of low impact development methods are referred to in this section, but there are no specific approaches being presented for the site. The applicant should provide greater detail on these proposed measures.

Process Effluent

The proposed composition of the wastewater effluent has not been identified in this report. A number of wastewater treatment options have been identified for potential future inclusion. This includes an additional anaerobic reactor to handle and treat high strength liquid organic waste. The applicant should clarify whether it intends to accept this material at the facility prior to the installation of the treatment system. If the applicant does propose to accept this material, it should detail the procedures that will be followed to handle this material, as it is currently not detailed.

It is understood that the applicant is using the Region's Sewer Use By-law limits and average flow to help evaluate downstream capacity. However, the report does not identify what the design of the treatment systems would be. It also does not include calculations to justify the treatments effectiveness or provide triggers for when further equipment installation would have to occur to process the additional volume of effluent.

The Region requests that the report be revised to demonstrate what the proposed raw wastewater composition will be, how the effluent will be treated to meet the proposed table, and providing effluent criteria for discharge into the sanitary sewer system. The Region also requests that the report address how a change in volume, or the receipt of high strength materials will be accounted for within the system.

Lastly, the proposal indicates that waste will be shipped off-site in a combination of liquid forms of fertilizer or soil supplements. It also

indicates that the excess wastewater effluent will be discharged to the Region's sanitary sewer. These waste streams are not permitted to be discharged into the Region's sanitary sewer system, and no connection from the anaerobic digestion system and/or associated wastewater (liquid waste) system will be permitted. The applicant will need to revise the report to indicate an alternate solution for the excess wastewater effluent.

Appendix 'D' - Transportation

Appendix 'D' of this report is the Traffic Impact Study completed by GHD in support of this facility. The Region reviewed the report and it appears that no outgoing tanker trucks were identified in the Waste ECA Table 1 - 'Truck Traffic Estimate' to take the liquid waste from the site. The TIS should be revised to reflect the hours of operation and include a transportation analysis for all vehicles arriving/leaving the site, along with any noise issues/proposed mitigation, if necessary. Please circulate the revised report for the Region's review.

Appendix 'F' - Financial Assurance

Appendix 'F' of the report includes the financial assurance estimate calculation which is required by the Ministry for all private waste processing sites to determine the cost to remove, dispose of materials, and remediate a site if the private operation were to cease unexpectedly. Through the Region's review of this section, it does not appear that financial assurances have been calculated to include the quantities of 'in process' materials (i.e. full tank farms) which have an excess of 40,000 m³ of capacity. If this facility were to cease operations, this material may require disposal and as such, it is suggested that this material should be considered as part of the liquid waste storage volumes at the provided rate.

Consideration of the site's previous use as a compost facility should also be reflected. If any groundwater monitoring programs were in place during the site's operation, they should be expected to continue, with an appropriate contingency in place to support ongoing maintenance and programs following the site's closure.

Lastly, supporting documentation for the disposal rates used should be provided in this report. It is also important to ensure that the contingency cost amounts used to calculate the financial assurances are in keeping with financial assurance guidelines.

Agency Comments

The Region is responsible for overseeing the activities within all of its eight area municipalities. When complex applications arise, the Region will coordinate comments, with the expert opinions of its agencies to ensure that a comprehensive review of an application occurs. As these ECA

amendments are quite extensive and involve the introduction of a new use into the area, the Region has included the City of Oshawa and the Central Lake Ontario Conservation Authority's comments as attachments to this letter for convenience.

City of Oshawa

The City of Oshawa provided comments on the ECA amendments through their Committee of the Whole report CNCL-20-98, dated May 20, 2020 (Attachment #1). Please note that this report is not yet endorsed by Council as their official position and as such is subject to change. The Region would like the Ministry to process all of the comments and requests from the City of Oshawa once formally received by the City.

Central Lake Ontario Conservation Authority

The Central Lake Ontario Conservation Authority (CLOCA) provided comments on the ECA amendments on June 4th, 2020 (Attachment #2). The Region would like the Ministry to process all of the comments and requests from the Conservation Authority.

Conclusion

A summary of the further work that the Region has requested throughout this letter are as follows:

1. A Land Use Compatibility Study is completed prior to building permits being issued for the site to ensure the existing sensitive receptors are protected from any potential adverse effects.
2. Provide additional design details to the Ministry for the site to-date.
3. This facility should be held to emissions and odour control standards consistent with other waste facilities.
4. A process to address and report any complaints regarding the facility should be implemented by the Ministry.
5. This Owner should form a liaison committee similar to other large local businesses and Regional facilities.
6. Technical reports and information on the facility should be held for a period longer than two years, up to seven years would be in line with other waste facilities.
7. The ECA application should only apply to the first phase of development.

8. A contamination management plan is required for this site to ensure that the high aquifers are protected.
9. Provide a response to all comments made by the Region on the “Emission Summary and Dispersion Modelling Report”.
10. Provide a response to all comments made by the Region on the “Evergreen Oshawa Anaerobic Digestion Facility – Design and Operations Report”.

In addition, the City of Oshawa and CLOCA are requesting further information, detailed in Attachment #2 and #3. Until such time as this information is received for review and comment, the Region considers this application premature, and requests that the Ministry does not issue the approval of these ECA amendment applications.

Please contact Heather Finlay, Senior Planner in this Department, at 905-668-4113 ext. 2561 if you have any questions.

Yours truly,

Heather Finlay

Heather Finlay, MCIP, RPP
Senior Planner, Plan Implementation

Attachment #1: City of Oshawa’s Comment Letter

Attachment #2: Central Lake Ontario Conservation Authority’s Comment Letter

cc. Vanessa Aubrey – Central Lake Ontario Conservation Authority (via email)
Victoria White – City of Oshawa (via email)
Dan Turner – GHD (via email)



Public Report

To: Council in Committee of the Whole

From: Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Report Number: CNCL-20-98

Date of Report: May 20, 2020

Date of Meeting: May 25, 2020

Subject: City Comments on three Environmental Compliance Approval
Amendment Applications concerning a proposed Anaerobic
Digestion Facility at 1515 Thornton Road North

File: B-8710-0017

1.0 Purpose

The purpose of this report is to obtain Council approval of City comments on three Environmental Compliance Approval (E.C.A.) amendment applications submitted by RIC (EOR) Inc. (Evergreen Environmental Inc., hereafter referred to as “Evergreen”) concerning the proposed development of an anaerobic digestion (A.D.) facility at 1515 Thornton Road North, Oshawa (the “Site”).

The following E.C.A. amendment applications were posted on the Province’s Environmental Registry website on March 26, 2020 with comments due by May 10, 2020:

1. ERO 019-1538 – RIC (EOR) Inc. operating as Northwood Transfer Station (waste) (link: <https://ero.ontario.ca/notice/019-1538>);
2. ERO 019-1539 – RIC (EOR) Inc. operating as Northwood Transfer Station (sewage) (link: <https://ero.ontario.ca/notice/019-1539>); and,
3. ERO 019-1540 – RIC (EOR) Inc. operating as Northwood Transfer Station (air) (link: <https://ero.ontario.ca/notice/019-1540>).

Given the current COVID-19 pandemic, the Ministry of Environment, Conservation and Parks (M.E.C.P.) has advised that comments associated with the above-noted E.C.A. Applications (the “Applications”) may be submitted by the City, the Region of Durham and the Central Lake Ontario Conservation Authority (C.L.O.C.A.) within 30 days of the Environmental Registry closing date of May 10, 2020. As such, the City’s comments on the Applications are due by June 9, 2020.

Staff are recommending that the City request the M.E.C.P. to not approve the Applications. In the event the M.E.C.P. disagrees and they choose to advance the approval of the

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Applications, the comments contained in this Report should be endorsed as the City's comments on the Applications for the M.E.C.P.'s consideration.

Attachment 1 is a map showing the location of the Site, other lands in the vicinity owned by Evergreen and the existing zoning in the area.

Attachment 2 is an air photo of the Site showing key Site features, the extent of C.L.O.C.A.'s regulation limit in the vicinity of the Site and the surrounding neighbourhood context.

Attachment 3 is a copy of City of Oshawa By-law 25-2020, being an Interim Control By-law passed on February 24, 2020 pursuant to Section 38 of the Planning Act, R.S.O. 1990, c.P.13, as amended ("Planning Act"), for certain lands in the City of Oshawa, including the easterly portion of the Site.

Attachment 4 is a flowchart prepared by Evergreen illustrating the process of anaerobic digestion.

Attachment 5 is a letter dated February 12, 2020 from the M.E.C.P. to Evergreen concerning Evergreen's E.C.A. application for sewage (i.e. ERO 019-1539).

Attachment 6 is a letter dated February 20, 2020 from G.H.D. on behalf of Evergreen to the M.E.C.P. in response to the M.E.C.P.'s letter dated February 12, 2020.

Attachment 7 is the proposed site design for the subject A.D. facility, prepared by G.H.D. on behalf of Evergreen.

Attachment 8 contains recommended City comments on the E.C.A. Applications.

2.0 Recommendation

It is recommended to City Council:

1. That, pursuant to Report CNCL-20-98 dated May 20, 2020, and in accordance with those reasons identified in Section 5.4.2 of said Report, staff be authorized to request the Ministry of Environment, Conservation and Parks to not approve Environmental Compliance Approval applications ERO 019-1538, ERO 019-1539 and ERO 019-1540 submitted by RIC (EOR) Inc.
2. That, pursuant to Report CNCL 20-98 dated May 20, 2020, and in the event the Ministry of Environment, Conservation and Parks chooses to continue to advance the approval of Environmental Compliance Approval amendment applications ERO 019-1538, ERO 019-1539 and ERO 019-1540 related to a proposed anaerobic digestion facility at 1515 Thornton Road North, staff comments contained in Section 5.4.2 and Attachment 8 of said Report be endorsed as the City's comments.
3. That, pursuant to Report-CNCL-20-98 dated May 20, 2020, staff be authorized to forward a copy of the Report and any related Council resolution to the Ministry of the Environment, Conservation and Parks as the City's response to the postings on the

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Environmental Registry website with respect to Environmental Compliance Approval applications ERO 019-1538, ERO 019-1539 and ERO 019-1540 for waste, sewage and air, respectively, submitted by RIC (EOR) Inc. in support of their Anaerobic Digestion Facility proposal at 1515 Thornton Road North.

4. That, pursuant to Report CNCL 20-98 dated May 20, 2020, a copy of the Report and the related Council resolution be sent to the Region of Durham and the Central Lake Ontario Conservation Authority.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this report:

- Commissioner, Community Services
- Region of Durham
- C.L.O.C.A.

Owing to the timing of the Application postings on the Environmental Registry and the cancellation of all Advisory Committee meetings as a result of the COVID-19 pandemic, it was not possible to obtain Oshawa Environmental Advisory Committee (O.E.A.C.) comments to inform this Report.

Staff provided a copy of the Applications to O.E.A.C. members on March 31, 2020. Members were advised that if they wish to provide comments to the Province, they must do so individually by May 10, 2020 as the extension provided by the M.E.C.P. applied only to the City, the Region of Durham and C.L.O.C.A.

5.0 Analysis

5.1 Site Characteristics

Attachments 1 and 2 show the location of the Site. Key details about the Site are as follows:

- **Area:** Approximately 6.3 hectares (15.57 ac.)
- **Frontage:** 260 metres (853 ft.)
- **Legal Description:** PT LT 1 Sheet 16E PL 357 East Whitby; PT LT3 Sheet 16E PL 357 East Whitby; PT LT 4 Sheet 16E PL 357 East Whitby PT 2 40R16835; Oshawa
- **Owner:** 1515 Northwood Transfer Inc. (the proposed facility will be operated by Evergreen)

- **Official Plan Designation:** Industrial. The Site is also subject to site specific Policy 2.4.5.7(i) related to minimizing impacts of industrial uses on existing residential uses in the area, and is further described in Section 5.3.1.
- **Zoning:** GI(4) (General Industrial Zone); SI-A (Select Industrial Zone)
- **Existing Use:** There is a waste transfer facility and a compost facility (i.e. processing facility of yard waste and clean wood) located on the Site. The compost facility has not been operational since April 2019 (see Section 5.2 for more detail).
- **Adjacent Uses:**
 - North: City-owned lands forming the Trans-Northern pipeline corridor, beyond which are lands zoned for industrial and open space purposes currently being used for agricultural purposes.
 - South: A place of worship and Goodman Creek.
 - East: Goodman Creek.
 - West: Thornton Road North, beyond which are situated three single detached dwellings, an industrial mall complex, and vacant open space lands.
- **C.L.O.C.A.:** A portion of the Site is situated within C.L.O.C.A.s regulated area (see Attachment 2).

5.2 Site History

The Site was previously owned and operated by Northwood Recycling & Energy Inc. (“Northwood”). The M.E.C.P. issued to Northwood the following provisional Certificate of Approvals [now referred to as “Environmental Compliance Approvals” (i.e. E.C.A.)] which permitted them to accept waste for transfer and process yard waste and clean wood for on-site composting:

- Number A680066, issued October 24, 1994 and amended on August 11, 1995 and September 25, 1996 for a Waste Disposal Site (Processing), receiving a maximum of 200 tonnes per day of waste, or 52,000 tonnes per year; and,
- Number A680110 issued April 18, 1996 and amended on November 21, 1996 for a Waste Disposal Site (Transfer/Processing), receiving a maximum of 160,368 tonnes per year of waste and storing a maximum quantity of 2,047 tonnes of waste at any time.

While the Site was under Northwood’s ownership, the City and the M.E.C.P. received numerous complaints related to odour coming from the Site as a result of the outdoor storage and processing of Source Separated Organics (S.S.O.), activities that were not permitted under Northwood’s then current E.C.A at the time.

On November 12, 2017, a Director’s Order was issued by the M.E.C.P. to Northwood to bring the Site into full compliance with the then current E.C.A. On December 1, 2017,

Northwood filed a notice of appeal of the Director's Order with the Environmental Review Tribunal ("Tribunal") (Case Number 17-073). During the hearing, Northwood requested revocation of the Director's Order in its entirety so that the Site could be brought out of receivership.

On December 15, 2017, Oshawa City Council considered the enforcement and review of the provisional E.C.A.s issued to Northwood for their operation at the Site and adopted the following motion:

"Whereas in 1994 the then Ministry of the Environment and Energy issued a Provisional Certificate of Approval (A680066) to Courtice Auto Wreckers Limited, also known as Northwood Recycling, for the use and operation of a Waste Disposal Site (Processing) for the purpose of receiving and composting items such as leaf and yard waste, food waste, paper sludge, clean wood wastes and paper products at 1455, 1515 and 1517 Thornton Road North (Part of Lot 16, Concession 4); and,

Whereas staff understand that the current operation on the site is being managed by a receiver; and,

Whereas the City and the Ministry of Environment and Climate Change (M.O.E.C.C.) have received numerous complaints from residents and businesses in the northwest Oshawa about obnoxious odours originating from the subject site; and,

Whereas given the age of the current Provisional Certificate of Approval (over 20 years) and the number and nature of complaints, it is now appropriate for the City to request that the M.O.E.C.C. undertake a review the Provisional Certificate of Approval;

Therefore be it resolved:

1. That the City requests the Ministry of Environment and Climate Change to take appropriate action to enforce the current Provisional Certificate of Approval, including the conditions to prevent the impact of odour on the environment and public.
2. That the City requests the Ministry of Environment and Climate Change to review the Provisional Certificate of Approval and make any necessary updates or amendments to ensure the Provisional Certificate of Approval is consistent with current contemporary Provincial standards/conditions for such a composting use and to ensure all waste/materials received on the site and any finished compost must be stored indoors within a fully enclosed building at all times and odours contained in the buildings at all times through the use of appropriate mechanical and non-mechanical systems.
3. That a copy of this resolution be provided to the Region of Durham, the Minister of Environment and Climate Change, the Director of the Ministry of Environment and Climate Change responsible for this area, and local Oshawa MPP's."

In order to bring the Site into full compliance with the then current E.C.A., Ami Kemp of Kemp Environmental Ltd. was hired by the receiver in February, 2018 to manage the

environmental issues at the Site and was tasked with the removal of clean wood waste pile (with the exception of wood waste used as amendment in the compost facility on-site), a pile of used asphalt shingles and a pile of S.S.O. that was stored outdoors. Kemp Environmental Ltd. operated the site and ensured that all applicable notification and reporting to the M.E.C.P. was adhered to.

On September 21, 2018, the Tribunal ordered that the Director's Order dated November 2, 2017 be revoked in its entirety and the proceeding be dismissed, as the Site was now in compliance with the then current E.C.A. The M.E.C.P. advised that the Site was out of receivership as of April 16, 2019.

The Site is now owned by 1515 Northwood Transfer Inc. and operated by Evergreen who is currently operating the solid non-hazardous waste transfer station located on the Site, in accordance with existing E.C.A. Number A680110. The Applications submitted to the M.E.C.P., if approved, will amend the existing E.C.A.s associated with the Site to permit an anaerobic digestion facility.

5.3 City of Oshawa Policy Framework

5.3.1 Oshawa Official Plan

The Oshawa Official Plan (O.O.P.) sets out the land use policy directions for long-term growth and developments in the City. The O.O.P. includes policies related to environmental management, conservation and long-term sustainability.

The Site is designated Industrial in the O.O.P. Industrial areas are intended for uses whose nature and/or business needs may require access to highway, rail and/or shipping facilities, separation from sensitive land uses, or which benefit from locating in proximity to similar uses.

Further, Policy 2.4.3.3 of the O.O.P. states that:

“2.4.3.3 Industrial areas that are readily visible from Highway 401 and the future easterly extension of Highway 407 shall generally be developed with prestige industrial uses at relatively higher employment densities. Further, such areas shall be developed with extensive landscaping and visually aesthetic buildings, featuring articulated, high-quality highway and street facades, in order to provide an attractive appearance that reflects or takes advantage of such visibility and exposure. In addition, all uses within such areas shall generally be conducted within enclosed buildings.”

Site specific Policy 2.4.5.7(i) of the O.O.P states:

“In order to minimize the impacts of industrial uses on the existing residential uses within the lands designated Industrial by Amendment 33 to the Oshawa Official Plan, building orientation, site amenities, landscaping, limitations on uses and outdoor storage, and appropriate separation distances shall be considered during the development application review process.

For industrial development proposals which are located within 90 metres of an existing residence, the applicant shall be required to submit additional information at the time of application which characterizes the nature of the proposed industrial activity.

Where the City of Oshawa determines on the basis of this characterization that there is potential that the industrial operation will adversely impact existing residences, the City shall require the development proponent to submit a detailed study which measures the specific anticipated off-site impact and recommends mitigation measures including appropriate separation distances. Where required to meet provincial standards, such recommendations shall be implemented through the development approval process to the satisfaction of the City of Oshawa.”

5.3.2 Oshawa Zoning By-law

The Site is zoned GI(4) (General Industrial) and SI-A (Select Industrial). The GI(4) (General Industrial) zone permits a range of uses, including heavy industrial uses.

The following are the permitted uses in GI (General Industrial) Zones:

- Any industrial use not mentioned in this subsection (29.1) which is not obnoxious
- Auction establishment
- Automobile body shop
- Automobile repair garage
- Automobile towing business
- Cleaning or dyeing plant
- Contracting yard
- Dry cleaning and laundry plant
- Equipment repair or servicing shop
- Food preparation plant
- Industrially oriented office
- Kennel
- Manufacturing, processing or assembly industry
- Metal stamping establishment
- Nightclub
- Outdoor storage accessory to a permitted use in a GI Zone
- Parking garage or parking lot associated with a permitted use in a GI Zone
- Printing establishment
- Recreational use
- Recreational vehicle storage
- Recycling depot
- Recycling operation
- Sales outlet
- Service industry
- Taxi establishment
- Transport terminal including railway yard
- Underground bulk liquid storage
- Vehicle sales and service establishment
- Warehouse

- Wholesale distribution centre

With respect to the GI(4) Zone, Section 29.3.5 of Zoning By-law 60-94 states as follows:

“29.3.5(1) In addition to any GI use, in any GI(4) Zone, as shown on Schedule “A” to this By-law, a recycling establishment and/or transfer station which can receive and sort all types of non-hazardous waste are also permitted uses provided any transfer station for the recycling of waste shall only be in a fully enclosed building with negative pressure in appropriate areas.”

Evergreen has not submitted any site plan approval applications to the City to review site design and zoning compliance.

5.3.3 City of Oshawa Interim Control By-law 25-2020

On February 24, 2020, Council considered Report DS-20-43 dated February 19, 2020 and adopted the following recommendation:

- “1. That, pursuant to Report DS-20-43 dated February 19, 2020, staff be directed to undertake a land use study to review the appropriateness of the current GI (General Industrial) zoning within portions of the Northwood Business Park; and,
2. That, pursuant to Report DS-20-43 dated February 19, 2020, an appropriate Interim Control By-law be passed pursuant to Section 38 of the Planning Act, R.S.O. 1990, c. P.13 to prohibit development in the current GI (General Industrial) zoning within portions of the Northwood Business Park for a period of one (1) year, in a form and content generally reflecting the By-law comprising Attachment 3 to said Report.”

In view of the foregoing, Interim Control By-law 25-2020 (“By-law 25-2020” - see Attachment 3) was passed at the same meeting to prohibit development in all GI (General Industrial) Zones within the Northwood Business Park for a period of one year. GI (General Industrial) Zoning in the Northwood Business Park applies to the following two sites:

- The northern portion of 918 Taunton Road West; and,
- A portion of 1515 and 1517 Thornton Road North (see Attachment 1).

By-law 25-2020 will provide the City with the opportunity to review the existing land use policy and regulatory framework relating to those areas in the Northwood Business Park currently zoned GI (General Industrial), to ensure future development is contextually appropriate. Staff are currently advancing the land use study related to By-law 25-2020.

As part of the land use study, staff completed a site visit at the Bio-EN Power Inc.’s A.D. facility in Elmira. Additional site visits of similar general industrial type use facilities will be completed for the study.

On March 17, 2020, in response to the COVID-19 outbreak, the government of Ontario declared an emergency under the Emergency Management and Civil Protection Act.

On April 21, 2020, under the lead of the Ministry of Municipal Affairs and Housing, the Province posted ERO 019-1653 concerning Bill 189, Coronavirus (COVID-19) Support and Protection Act, 2020 amendments to the Planning Act and Ontario Regulation 149/20 Special Rules Relating to Declared Emergency to the Environmental Registry (“ERO-019-1653”). Additional information about ERO 019-1653 can be found at the following link: <https://ero.ontario.ca/notice/019-1653>.

ERO 019-1653 provides that Ontario Regulation 149/20 (Special Rules Relating to Declared Emergency) under the Planning Act identifies those specified planning timelines, in relation to land use planning matters, which are effectively suspended in order to support municipal emergency response activities. Specifically, the regulation provides that any interim control by-law that was in effect during the emergency is extended by the time of the emergency.

Given that By-law 25-2020 came into effect on February 24, 2020, the expiration of By-law 25-2020 will be extended by the time of the declared emergency.

5.4 Evergreen Environmental Inc. – Proposed Anaerobic Digestion Facility

5.4.1 Project Overview

The Site is currently owned by 1515 Northwood Transfer Inc. and will be operated by Evergreen, who is proposing to develop an A.D. facility on the Site (the “Facility”). Anaerobic digestion is a process by which bacteria break down biodegradable material without oxygen (see Attachment 4). One of the end products of this process is biogas, which can be used to generate electricity or heat. Alternatively, biogas can be processed into renewable natural gas and transportation fuel.

On February 4, 2020, Evergreen submitted the subject Applications to the M.E.C.P. for review. Evergreen also provided copies of the Applications and the following supporting documents to the City:

- Acoustic Assessment Report dated January 31, 2020, prepared by G.H.D. on behalf of Evergreen for 1515 Thornton Road North; and,
- Design and Operations Report (including a Traffic Impact Study) dated December 19, 2019, prepared by G.H.D. on behalf of Evergreen for 1515 Thornton Road North.

By letter dated February 12, 2020, the M.E.C.P. advised Evergreen that the E.C.A. application (i.e. ERO 019-1539) for sewage (specifically, storm sewers, an oil-grit separator and a stormwater management pond to manage runoff) was incomplete and additional information was required to process the application (see Attachment 5). Among the key items missing from the Applications was a letter from C.L.O.C.A. providing clearance for the sewage work proposed to be completed.

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In response to the M.E.C.P.'s letter dated February 12, 2020, G.H.D. on behalf of Evergreen submitted correspondence dated February 20, 2020 to the M.E.C.P. providing the requested additional information (see Attachment 6). G.H.D. advised that an application for approval of the proposed works will be submitted to C.L.O.C.A. prior to construction and that the project scope and schedule prioritizes obtaining the Applications for the Site.

On March 5, 2020, Evergreen held a public information session at the Durham Shriners Banquet Hall located at 1626 Simcoe Street North to provide information about the proposed anaerobic digestion facility at the Site. Evergreen advised that they sent by mail a notice of the public information session to all properties within one (1) kilometre of the Site.

On March 26, 2020, the Applications submitted by Evergreen for waste, sewage and air were posted on the Province's Environmental Registry website, with comments due by May 10, 2020 (subsequently extended for the City, the Region of Durham and C.L.O.C.A. to June 9, 2020).

Information included in the Applications and supporting documents is further described in the following sections.

5.4.1.1 Waste Receiving

The proposed Facility will be completed in two phases and will have the capacity to accept up to 125,000 tonnes per year in Phase 1 and up to 200,000 tonnes per year in Phase 2, of incoming material for processing within the Facility, sourced from various locations across the province. While the Traffic Impact Study dated December 18, 2019 estimates that 64 trucks per day (64 in, 64 out) on weekdays and 39 trucks on Saturdays will access the Site, the Applications do not indicate how many trucks will be permitted to access the Site and which routes they are proposing for the trucks to use for accessing the Site.

The receiving of bulk solid organic waste [i.e. S.S.O. and Industrial, Commercial and Institutional (I.C.I.) waste] will be conducted within the organics receiving building, whereas liquid waste [i.e. liquid I.C.I. waste and Fats, Oils and Grease (F.O.G.)] will be transported in tanker trucks to the Site and transferred into external storage tanks located outside the building (see Attachment 7).

The existing waste transfer facility at 1517 Thornton Road North will remain unchanged and will continue to receive solid non-hazardous I.C.I. and residential waste and recyclables limited to paper, plastic, metal, glass, textiles, porcelain and drywall.

5.4.1.2 Waste Processing

From the waste receiving areas, waste will be transported by conveyors to the waste processing lines. Four (4) waste processing lines are proposed for full scale implementation. Waste processing lines may include a combination of the following types of equipment:

- Depackaging equipment

- Pulpers
- Hydrocyclones
- Air separation
- Water separation
- Ferrous/non-ferrous separation
- Press/compactor
- Drum screens

Residual waste (such as grit and plastics removed during processing) will be collected and conveyed to trailers parked indoors where it will be compacted and stored until the trailer is full. Once full, a trailer will be transported off-site for disposal at a licensed facility.

5.4.1.3 Digestion

After the removal of inorganic contaminants within the waste processing line, the organic slurry is pumped into a digester feed tank. The tanks will be located above-ground, constructed with a fixed roof and be made out of glass-coated steel, stainless steel concrete or a combination of the two. Three (3) digester feed tanks are proposed for full scale implementation. The proposed tanks will be approximately 18 metres (59 ft.) in height and are not contained within a building.

The digesters will be heated by direct steam injection into the material pumped from the tanks and/or within an enclosed recirculation loop.

5.4.1.4 Digestate Management

Digestate is the material remaining after the A.D. of biodegradable material. Although digestate is an end product of the A.D. process, pursuant to Section 2(1) of Ontario Regulation 347 General Waste Management, “processed organic waste”, meaning waste that is predominantly organic in composition and has been treated by aerobic or anaerobic digestion, or other means of stabilization, and includes sewage residue from sewage works that are subject to the provisions of the Ontario Water Resources Act, is designated as waste.

The digestate will flow from the A.D. tank and be processed through the digestate/sludge management system prior to shipment off-site in either a liquid or solid form. The Facility is designed to produce multiple digestate end-products to suit the market demands for end product. These end products typically consist of fertilizer and soil supplements (see Attachment 4).

5.4.1.5 Biogas Management

The Facility is designed for the production of renewable natural gas (R.N.G.) by utilizing the biogas generated on-site. Biogas is collected from the headspaces in the digesters. Biogas pre-treatment will remove hydrogen sulfide (a colourless and odorous gas that is corrosive and flammable) prior to upgrading to R.N.G. using a biological scrubber, chemical scrubber or activated charcoal. Following the pre-treatment, biogas will be upgraded to R.N.G. Evergreen intends to directly connect to the Trans-Northern Pipeline to the north of the Site.

5.4.1.6 Wastewater Treatment

Whenever possible, any wastewater generated at the Facility will be reused within the Facility's processes and any excess wastewater will be treated and discharged to the Region's sanitary sewer. Furthermore, the existing stormwater management pond is proposed to be modified to act as a secondary containment system to manage spills in excess of the tank farm containment capacity. The discharging of wastewater to the Region's sanitary sewer will require regional approval.

5.4.1.7 Air Treatment

Odour control at the Site is designed to mitigate the potential for production, propagation and release of malodorous air. All building areas with the potential for malodorous air generation will be maintained under negative pressure which prevents any odours or dust from escaping the facility. Negative pressure will be maintained with circulation at a rate of approximately five (5) air exchanges per hour for the building's affected air volume. The office and administrative areas will be managed on a separate HVAC system under positive pressure.

Additional ventilation will be provided through source ventilation of all targeted air streams at equipment, tanks or building locations with the greatest potential to produce malodorous air.

The air treatment system will consist of the following components to reduce malodorous air:

- Bioscrubber;
- Biofilter; and,
- Stack.

5.4.1.8 Operations

Waste receipt will occur during the following hours:

- Monday to Friday between 6:00 a.m. and 6:00 p.m.; and,
- Saturday between 7:00 a.m. and 2:00 p.m.

Waste processing/management, digestion, wastewater treatment, odour treatment and biogas upgrade operations as well as maintenance will occur 24 hours a day, 7 days a week.

Product/digestate and waste disposal will operate during the following hours:

- Monday to Friday between 8:00 a.m. and 5:00 p.m.; and,
- Saturday between 8:00 a.m. and 2:00 p.m.

5.4.2 Staff Comments

City of Oshawa staff have considered the subject Applications and recommend that the City request the M.E.C.P. to not approve the Applications at this time for the following key reasons:

- Oshawa Council passed Interim Control By-law 25-2020 on February 24, 2020, which prohibits development in all GI (General Industrial) Zones within the Northwood Business Park while the by-law is in effect, to provide the City with the opportunity to undertake a land use study to review the existing land use policy and regulatory framework, and it would be inappropriate to pre-judge the outcome of the land use study that is being undertaken by the City;
- Given that additional information is required to provide a fulsome review of the applications and proposed development, it is premature for the M.E.C.P. to grant approval at this time;
- The Traffic Impact Study dated December 18, 2019 notes that modifications to the Thornton Road North and Taunton Road West intersection are required as a result of the proposed development which have not been fully considered by the City and the Region, and additional information is required to determine if the proposed modifications and increased truck traffic will not adversely impact public safety. Public safety is paramount at this location as the City is in the process of advancing the Active Transportation Master Plan with planned multi-use paths along both Taunton and Thornton Roads;
- Concern regarding the overall impact of heavy truck traffic on the City and Regional roads (i.e. safety and maintenance);
- Concern with accepting waste from all over the Province;
- The proposed development poses a risk of emitting obnoxious odours as a result of improper maintenance and/or equipment failures and along the haulage route, which would have adverse impacts on the surrounding land uses including a place of worship immediately to the south of the Site at 1423 Thornton Road North;
- Policy 2.4.5.7(i) of the Oshawa Official Plan, which was specifically added by the M.E.C.P. through the provincial approval process, provides specific requirements to mitigate the impacts of industrial developments on existing residential developments, and it is recommended that Evergreen demonstrate that the proposed anaerobic digestion facility operation will not adversely impact the existing residences and other land uses in the area;
- Evergreen has not submitted any planning applications to the City for the proposed development at 1515 Thornton Road North and as such, the City cannot determine if the proposed development is appropriate from a land use planning/site design and functional stormwater management perspective; and,

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- The M.E.C.P. should have all studies submitted by Evergreen in support of their Applications professionally peer reviewed.

In the event the M.E.C.P. does not agree with the City's recommendation and they choose to continue to advance the approval of the Applications, City staff have a number of comments for the M.E.C.P.'s consideration. Staff comments on the Applications can be found in Attachment 8.

In addition to the comments contained in Attachment 8 to this Report that specifically relate to the three Applications, staff also have the following general comments that should be forwarded for consideration by the M.E.C.P.:

- At a meeting held on January 10, 2020 involving City staff, Evergreen and Evergreen's consultant, G.H.D., staff were informed that 1515 Northwood Transfer Inc. also owns 1565 Thornton Road North, the property directly north of the City-owned lands abutting the northerly limit of the Site. Evergreen advised that there is potential for additional development on that site in the future. During the meeting, City staff recommended that Evergreen develop a concept plan for both properties and work with the City to design and develop this project in a way that addresses the concerns of local residents and the City's vision for the Northwood Business Park.
- At the January 10, 2020 meeting, City staff also recommended that Evergreen make efforts to coordinate the E.C.A. approval process with the planning approval process (i.e. Site Plan Approval and Conservation Authority approvals). Under this approach, the details outlined in the Applications would correlate directly to the design of a facility that addressed the requirement of the City and external agencies such as C.L.O.C.A., and met all applicable Zoning By-law regulations and Official Plan policies. However, Evergreen has not submitted any planning applications to the City for the Site in conjunction with advancing its Applications to the M.E.C.P.
- By letter dated February 20, 2020, Evergreen advised the M.E.C.P. that they do not intend to submit an application to C.L.O.C.A. for approval of the proposed works until after the Applications have been approved. Staff note that Conservation Authorities play a fundamental role in the E.C.A. process by providing information and guidance about source protection and stormwater management. It is recommended that the M.E.C.P. require Evergreen to obtain a decision from C.L.O.C.A for the proposed sewage works associated with the Site prior to issuing a decision regarding the Applications. City staff have a concern using the stormwater pond as a back up containment facility for any spills particularly given the sensitivity of the Oshawa Creek/Goodman Creek watershed.
- On February 24, 2020, the City of Oshawa passed By-law 25-2020 under Section 38 of the Planning Act. By-law 25-2020 prohibits development on lands zoned GI (General Industrial) within the Northwood Business Park for a period of one year. This will provide the City with the opportunity to review the existing land use policy and regulatory framework to ensure future development is contextually appropriate and supports the City's vision for the Northwood Business Park area. Given that a portion of the Site is subject to By-law 25-2020, it is recommended that the M.E.C.P. take into consideration the implications of By-law 25-2020 in their review of the Applications and

withhold the issuance of any E.C.A. approvals until such time as the City has concluded its land use study, and implement any possible recommendations of the study.

- The anticipated staffing requirements outlined in the Design and Operations Report indicate that 18.5 staff will be required during Phase 1 of the development and 22 staff will be required during Phase 2 of the development.
- Policy 2.4.5.7(i) of the O.O.P provides specific requirements to mitigate the impacts of industrial developments on existing residential developments. Pursuant to Policy 2.4.5.7(i) of the O.O.P., it is recommended that Evergreen demonstrate that the proposed anaerobic digestion facility operation will not adversely impact the existing residences and other land uses in the area.
- The City of Oshawa is the owner of the lands directly abutting the Site to the north, described as Part 10 on Registered Plan 40R-16820 (the “City-owned Lands”), which is used for the Trans-Northern Pipeline. A Right-of-Way Agreement is registered on title of the City-owned Lands and provides for the Trans-Northern Pipeline infrastructure. It is unclear at this time if the easement document applies to the entirety of Part 10 on Registered Plan 40R-16820 or if the language would allow for a connection from a third party. Further approvals from the City may be required.
- It is unclear at this time if 64 trucks per day on weekdays and 39 trucks on Saturdays is reasonable and aligns with the maximum of 200,000 tonnes per year.
- It is recommended that Evergreen work with the City and the M.E.C.P. to develop a public relations/education strategy to help inform the public on the purpose, function and environmental impacts of the proposed development.
- It is recommended that Evergreen engage with local post-secondary institutions (including, but not limited to, Durham College, Trent University Durham GTA and Ontario Tech University) with respect to the development of this Site.
- It is recommended that the Region of Durham and C.L.O.C.A. be consulted during the M.E.C.P.’s review of the Applications.
- It is recommended that M.E.C.P. put limits on the amount of waste that can be received and processed, restricts hours of operation and has a point of contact for any complaints including a complaint management process.

6.0 Financial Implications

There are no financial implications associated with the recommendation in this Report.

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7.0 Relationship to the Oshawa Strategic Plan

The Recommendation in this Report advances the Accountable Leadership and Environmental Responsibility goals of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.PI, MCIP, RPP, Director,
Planning Services



Warren Munro, HBA, RPP, Commissioner,
Development Services Department

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Attachment 1

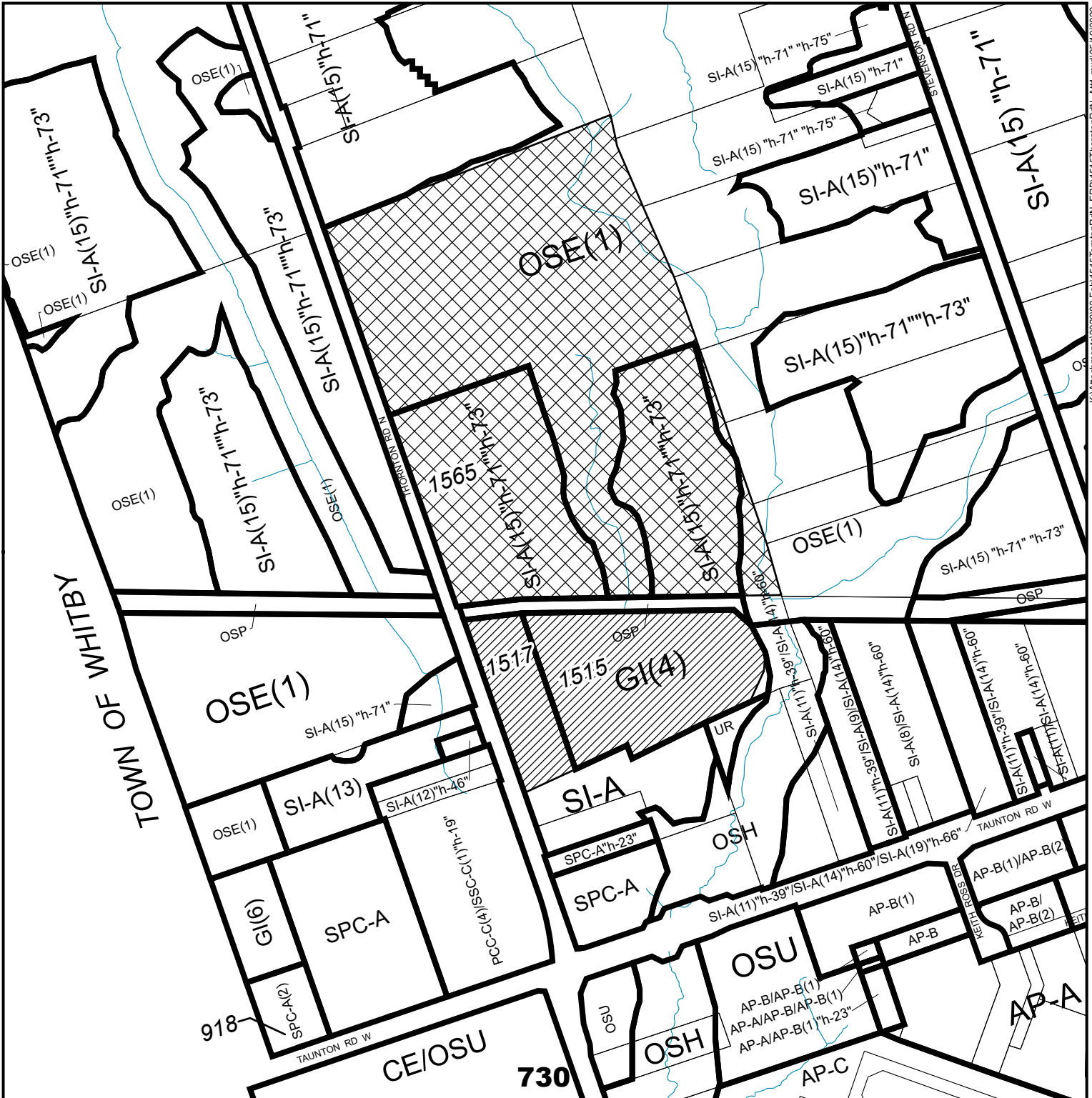
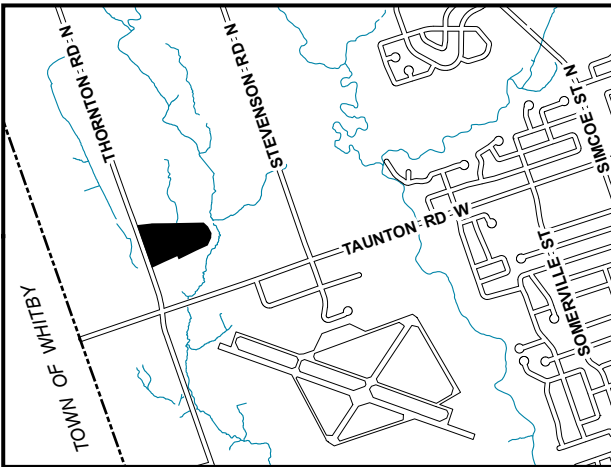
Development Services Department

Subject: City Comments on three Environmental Compliance Approval Amendment Applications concerning a proposed Anaerobic Digestion Facility at 1515 Thornton Road North B-8710-0017



Subject Site 

Other Lands owned by Applicant 



K:\Attachments\202002 Feb\15 15 Thornton Rd N_ERB\1515 Thornton Rd N_ATT_1.mxd\05/19/2020

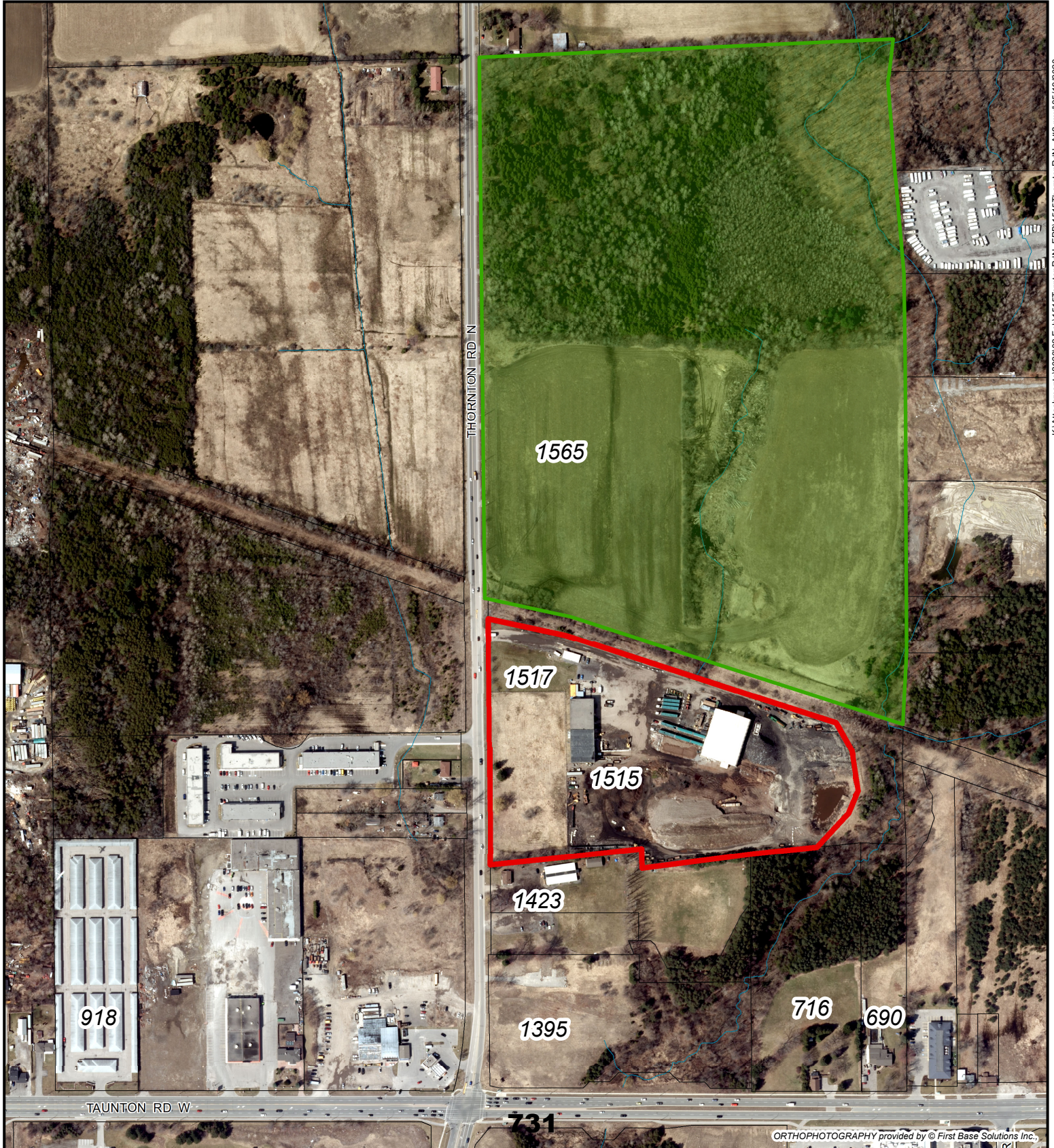
Subject: City Comments on three Environmental Compliance Approval Amendment Applications concerning a proposed Anaerobic Digestion Facility at 1515 Thornton Road North

File: B-8710-0017



- Subject Site
- Other Lands owned by Applicant

City of Oshawa
Development Services Department 



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By-law 25-2020
of The Corporation of the City of Oshawa

Being an Interim Control By-law passed pursuant to Section 38 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, for certain lands in the City of Oshawa.

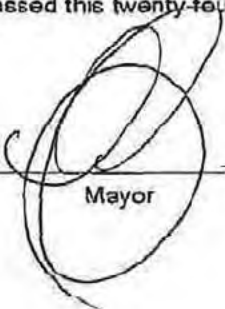
WHEREAS Section 38 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, authorizes the Council of a local municipality to pass an interim control by-law where the council has directed that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area or areas thereof;

AND WHEREAS the Council of the Corporation of the City of Oshawa has deemed it necessary and expedient to pass an interim control by-law, with respect to certain General Industrial Zoned areas within the area known as the Northwood Business Park in the City;

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of The Corporation of the City of Oshawa by the Council thereof as follows:

1. This By-law applies to the areas in the City of Oshawa zoned as General Industrial [GI(4) and GI(6)] pursuant to the City's Zoning By-law 60-94, as amended, and as identified on Schedule "A" attached to this By-law.
2. Each area described in Section 1 of this By-law is established as and declared to be an Interim control area.
3. Except for such lawful uses within lawfully existing buildings and structures as the land is being used for on the date of passing of this By-law, no person shall use any land, building, or structure for the purpose of developing land in a General Industrial Zone.
4. Schedule "A" shall form part of this By-law.
5. This By-law shall come into force and take effect immediately upon the final passing thereof and shall be in effect for one year from the date of passing of this by-law, unless otherwise extended in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c. P.13.

By-law passed this ~~twenty-fourth~~ day of February, 2020.

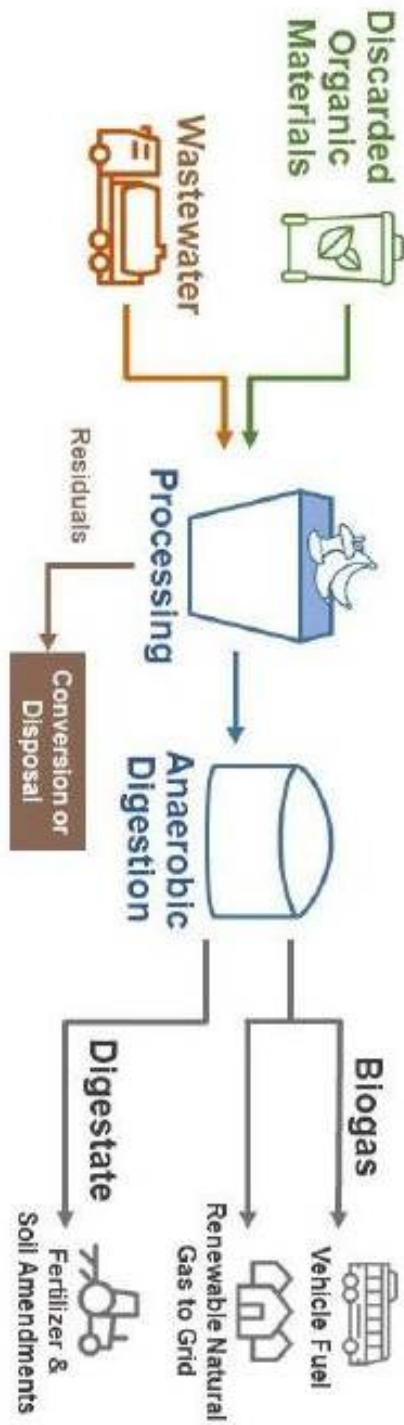


Mayor



City Clerk

Anaerobic Digestion Flow-Chart



**Ministry of the Environment,
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Client Services and Permissions
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Telephone: (416) 314-5132

**Ministère de l'Environnement, de la
Protection de la nature et des Parcs**
Direction des services à la clientèle
et des permissions
135 av St Clair O
Toronto ON M4V 1P5
Télécopieur : (416) 314-8452
Téléphone : (416) 314-5132



February 12, 2020

Richard Weldon, Director
RIC (EOR) Inc. operating as Northwood Transfer Station
162 Cumberland St
Toronto, Ontario
M5R 3N5

Dear Sir:

**Re: Application for Approval of Industrial Sewage Works
Amendment to ECA No. 3-1036-98-006 - SWM to service Evergreen Oshawa
Anaerobic Digestion Facility
Oshawa City, Regional Municipality of Durham
Reference Number 8836-BLHLLF**

We acknowledge receipt of your application for approval dated January 17, 2020 and received on February 4, 2020, and an application fee in the amount of \$3100.00 for the following:

Approval Type: Industrial Sewage Works
Project Description: This proposal is to amend Environmental Compliance Approval (Sewage) No. 3-1036-98-006 for RIC (EOR) Inc. Approval is sought for storm sewers and stormwater management facility discharging to the Goodman Creek form a waste processing facility for anaerobic digestion at 1515 Thornton Road North, Oshawa, Ontario
Site Location: 1515 Thornton Road North
(Part of Lot 16, Concession 4)
Oshawa City, Regional Municipality of Durham

The Ministry's reference number for your application is 8836-BLHLLF. Please quote this number in any correspondence or enquiries regarding this application.

We have screened your submission for completeness and find that the following additional information/documentation is necessary for us to process your application:

1. CRA/HST No. from party paying application fees
2. Confirm legal name for application
3. Name/address/ownership change supporting documents

4. Proof of legal name (ie Articles of Incorporation, corporate profile)
5. Sign letter of consent from site owner and Operating Authority name, address, phone number
6. Conservation Authority letter
7. Use NAICS code from Statistics Canada
8. Confirm site address
9. Confirm sewage works being applied for are for the stormwater management facility (wet pond and OGS) and storm sewers
10. EBR abstract (refer to Guide for Applying for an Environmental Compliance Approval - Appendix 3)

Guide to Applying for an Environmental Compliance Approval

<https://www.ontario.ca/document/guide-applying-environmental-compliance-approval-0#section-6>

Name, Address, Ownership Change for an Environmental Compliance Approval

<https://www.ontario.ca/page/change-name-address-or-ownership-environmental-compliance-approval-eca>

Please be advised that should we not receive the above information/documentation or a response with explanations within two weeks of the date of this letter, we will consider your application withdrawn, and close your file accordingly. The submitted fee would then be refunded in the amount reduced by any applicable non-refundable fee.

Please note that your submission has only been screened with respect to the presence of the supporting documentation normally required for this type of application, and did not include any technical analysis of the documentation, and therefore you may still be requested to provide some additional information during our detailed technical review of the application. In such a case, the Reviewer will contact you and/or your identified Project Technical Information Contact at that time.

Also, please note that a duplicate copy of the application and all supporting information should have been sent to the local District Office of the Ministry. If this has not been done, please do so as soon as possible including the missing information/documentation identified above.

Should you have any questions related to your application, please contact me at the above phone number.

Sincerely,

Ricki Allum
Application Assessment Officer

c: District Manager, MECP York-Durham
Richard Weldon, RIC (EOR) Inc., Email: richardweldon@romspen.com
Daniel Turner, GHD, Email: daniel.turner@ghd.com
Nishant Patel, GHD, Email: nishant.patel@ghd.com



**Item: CNCL-20-98
Attachment 6**

February 20, 2020

Reference No. 11194552

Ricki Allum
Application Assessment Officer
Ministry of Environment, Conservation and Parks
1st Floor, 135 St. Clair Ave. W.
Toronto, ON
M4V 1P5

Dear Mr. Allum:

**Re: Additional Information Request for Application for Approval of Industrial Sewage Works
Amendment to ECA No. 3-1036-98-006 – SWM to service Evergreen Oshawa Anaerobic
Digestion Facility
Reference Number 8836-BLHLLF**

The following provides responses to the information requested in a letter dated February 12, 2020 for the above reference number.

Request 1

CRA/HST No. from party paying application fees.

Response 1

The CRA/HST No. for the party paying the application fees is provided in Attachment 1.

Request 2

Confirm legal name for application

Response 2

The legal name for the application is RIC (1515 Thornton) Inc. (1515 Thornton) Inc. owns Environmental Compliance Approval (ECA) No. 3-1036-98-006. Documentation of the transfer of ownership of this ECA is also provided in Attachment 1 along with proof of legal name for all entities and a letter of consent from the owner to the operator. For clarity, a revised ECA Amendment Application with the required changes to pages 2, 12, 29, and 38 is provided in Attachment 2.

Request 3

Name/address/ownership change supporting documents

Response 3

See Response 2. Documentation of ownership change is provided in Attachment 1.

Request 4

Proof of legal name (i.e. Articles of Incorporation, corporate profile)



Response 4

Attachment #1 to Report #2020-INFO-95

Proof of legal name for the owner is provided in Attachment 1.

Request 5

Sign letter of consent from site owner and Operating Authority name, address, phone number

Response 5

A letter of consent and proof of legal name of the owner and Operating Authority is provided in Attachment 1.

The site is owned by:

RIC (1515 Thornton) Inc.
300-162 Cumberland St.
Toronto, Ontario
M5R 3N5
905-571-0659

The site will be operated by:

Evergreen Environmental Inc.
300-162 Cumberland St.
Toronto, Ontario
M5R 3N5
905-571-0659

Request 6

Conservation Authority letter

Response 6

Prior to constructing the proposed works as outlined in the SWM Plan (attached as supporting documentation with the ECA application) the Owner is planning to submit an application to the Central Lake Ontario Conservation Authority (CLOCA) to obtain approval for the proposed works. However, at the moment, the scope and the schedule is set to prioritize obtaining the amended Industrial Sewage Works ECA along with the Waste and Air & Noise ECAs for the Site. A copy of the conservation authority clearance letter will be forwarded to both the MECP Approvals and District Branch for record purposes once obtained.

Request 7

Use NAICS code from statistics Canada

Response 7

NAICS code is 562210 – Waste treatment and disposal.



Request 8

Confirm site address

Attachment #1 to Report #2020-INFO-95

Response 8

Site address is 1515 Thornton Road North.

Request 9

Confirm sewage works being applied for are for the stormwater management facility (wet pond and OGS) and storm sewers

Response 9

Confirmed the sewage works being applied for are the stormwater management facility wet pond and oil-grit separator and the storm sewers.

Request 10

EBR Abstract

Response 10

An EBR Abstract is provided below.

This proposal is for an amendment to the existing ECA No. 3-1036-98-006. Approval is sought for storm sewers, an oil-grit separator, and a stormwater management pond to manage runoff from the 4.7 hectare waste processing facility area, discharging to Goodman Creek.

Sincerely,

GHD

A handwritten signature in black ink, appearing to read 'Dan Turner', is written over a light blue circular stamp.

Dan Turner, P.Eng.

DT/mma/2

Encl.

cc: Richard Weldon, Evergreen
Ward Janssens, Evergreen
Roddy Ornella, MECP (York-Durham)

Staff Comments on Environmental Compliance Approval Amendment Applications ERO 019-1538 (Waste), ERO 019-1539 (Sewage) and ERO 019-1540 (Air) by RIC (EOR) Inc. operating as Northwood Transfer Station for a proposed Anaerobic Digestion Facility located at 1515 Thornton Road North (the "Site")

Proposal Details	Staff Comment
<p>This proposal is for an amendment to the existing Environmental Compliance Approval (E.C.A.) (Waste Processing) Number A680066 issued for the use of the Site for operation of a waste composting facility. This proposal also revokes existing E.C.A. (Waste Processing/Transfer) Number A680110 to have its contents amalgamated with E.C.A. Number A680066.</p>	<p>No comment.</p>
<p>The proposal includes cessation of composting operations and use of the Site for processing of source-separated organics and industrial, commercial, and institutional organics, for the purpose of anaerobic digestion. Processes to be used include a combination of air separation, water separation, pulping, ferrous/non-ferrous separation, compaction, size reduction, screening, depackaging, anaerobic digestion, wastewater treatment, digestate dewatering, digestate drying, digestate pyrolysis, and biogas upgrading.</p> <p>The anaerobic digestion process will produce digestate and biogas. The resulting biogas will be upgraded to renewable natural gas for injection to the gas grid. Digestate will be pasteurized and shipped off-site in a</p>	<p>Staff note that under the previous ownership, the City and the Ministry of Environment, Conservation and Parks (M.E.C.P.) received numerous complaints concerning odours coming from the Site. This was as a result of the outdoor storage and processing of source separated organics (S.S.O.), activities not permitted under the current E.C.A.</p> <p>Staff further note that the proposed development poses a risk of emitting obnoxious odours as a result of improper maintenance and/or equipment failures of the facility and/or odours emitted from the trucks transporting waste materials to and from the Site, which would have adverse impacts on the surrounding land uses, including the place of worship located at 1423 Thornton Road North.</p> <p>It is noted that although the Site is under new ownership and subject to an existing site plan agreement, its proposed development poses a risk of producing odour if good operations, maintenance of</p>

<p>Proposal Details</p>	<p>Staff Comment</p>
<p>combination of dewatered/dried and liquid forms as fertilizer or soil supplements.</p>	<p>equipment and adherence to protocols are not followed. This is already the case with the existing development subject to the site plan agreement notwithstanding operational requirements embedded in the site plan agreement. It is recommended that Evergreen consider the following with respect to mitigating the potential impacts of odour:</p> <ul style="list-style-type: none"> ▪ The drivers of vehicles making deliveries to the proposed facility should be made aware of the need to adhere to protocols to ensure the delivery bay airlock effectively maintains the building's relative air pressure; ▪ The proposed internal maintenance routine includes regular monitoring for litter within the building. This should be expanded to include monitoring of the building's exterior and all outdoor areas of the Site; ▪ Evergreen should coordinate with the City and the M.E.C.P. to develop an effective way for residents to submit odour complaints relating to the Site; ▪ Given that the proposed facility will process organic waste materials, Evergreen should consider implementing an effective pest management strategy; and, ▪ Given that the proposed facility is located near the Oshawa Executive Airport, it is important to ensure that outdoor maintenance practices are strictly followed, so as not to attract birds and wildlife to the Site and surrounding area, which could impair airport operations.
<p>The existing transfer operation will continue at the current approved rate of up to 57,200 tonnes per year. The proposal includes increasing the current approved rate to allow the receipt of up to 200,000 tonnes per year</p>	<p>Staff note that with respect to truck traffic, Thornton Road North, including the segment between the driveway at 1515 Thornton Road North and Conlin Road West is subject to City of Oshawa By-law 79-99, and has a permanent seasonal weight restriction, which prohibits</p>

Proposal Details	Staff Comment
<p>The hours of operation for receipt of material are Monday to Friday from 6 a.m. to 6 p.m. and Saturday from 7 a.m. to 2 p.m. Waste processing will operate 24 hours a day, 7 days a week. The Site will serve the Province of Ontario.</p>	<p>any trucks carrying over 5,000 kilograms or five (5) tonnes per axle on that portion of Thornton Road North from March 1st until approximately April 30th each year. As such, certain truck traffic is only permitted to enter the Site via Taunton Road West.</p> <p>Staff further note that although the Traffic Impact Study dated December 18, 2019 estimates that 64 trucks (64 in, 64 out) on weekdays and 39 trucks on Saturdays will access the Site, the Applications do not indicate how many trucks will be permitted to access the Site or permitted trucking routes. Additional information is required to provide clarity on the number of trucks accessing the Site and proposed haulage routes related to this proposed development.</p> <p>It is noted that the proposed truck operations (i.e. bulk solid waste receiving) are scheduled to begin at 6:00 a.m., Monday to Friday, and at 7:00 a.m. on Saturdays, with a maximum limit imposed with respect to daily truck movements (i.e. four in and four out). The Acoustic Assessment Report completed by GHD for the proposed development indicates that the facility-wide noise levels estimated at the various points-of-reception do not exceed the maximum sound level limits established by the M.E.C.P.</p> <p>Staff note that the Acoustic Assessment Report concludes that the proposed facility-wide noise levels estimate at the points-of-reception are below the minimum sound level limits, set by the M.E.C.P. City of Oshawa Noise By-law 112-82 ("By-law 112-82") provides that "No Owner shall emit, cause of permit the emission from the Owner's Property of noise likely to disturb the inhabitants of the City of Oshawa". Furthermore, the assessment relies on assumptions that trucks transporting incoming and outgoing material are on Site for a minimum amount of time where possible, and with a minimum of truck idling and minimal queuing, which limits the impact of excess vehicular noise on the Site. However, in the event that these</p>

Proposal Details	Staff Comment
	<p>assumptions are exceeded, there is an increased likelihood of noise-related complaints. As such, additional information is required to provide clarity on whether the proposed operations related to truck traffic would comply with By-law 112-82.</p> <p>In addition, staff have reviewed the Traffic Impact Study dated December 19, 2019 that was included in the Design and Operations Report in support of the subject proposal and provide the following comments:</p> <ul style="list-style-type: none"> ▪ Key information related to the existing operations at the Site have not been provided, including number of employees, hours of operation, analysis of all vehicles arriving/leaving the Site and any potential noise issues and proposed mitigation measures. ▪ In terms of receptors, there is an existing multi-use path along the south side of Taunton Road West that currently ends at Northbrook Street and is planned to be extended east beyond the Thornton Road North and Taunton Road West intersection that was not considered, and the City is currently advancing the construction of a multi-use path along the east side of Thornton Road North, from Adelaide Avenue West to Taunton Road West. ▪ The traffic counts only capture existing traffic at the Site for the p.m. peak hour. Traffic counts at the Site during the a.m. peak hours should also be undertaken. ▪ It appears that no outgoing tanker trucks were identified in Table 1 – Truck Traffic Estimate to transport the liquid waste from the Site. The report should be revised to include this truck volume. ▪ It appears that the annual traffic growth was applied to all movements at all intersections. However, it would be more appropriate to apply growth to the through-movements only.

<p>Proposal Details</p>	<p>Staff Comment</p>
<p>This proposal is for an amendment to the existing E.C.A. Number 3-1036-98-006. Approval is sought for storm sewers, an oil-grit separator, and a stormwater management pond to manage runoff from the 4.7 hectare waste processing facility area, discharging to the Goodman Creek.</p>	<p>Staff note that the Site is located within the Central Lake Ontario Conservation Authority's (C.L.O.C.A.) regulated area and will discharge to Goodman Creek. C.L.O.C.A. recently prepared draft watershed plans for the Lynde Creek, Black/Harmony/Farewell Creek and Oshawa Creek. Goodman Creek is within the Oshawa Creek watershed. It is recommended that the M.E.C.P. consult with C.L.O.C.A. and the Region of Durham before approving this application.</p>

Proposal Details	Staff Comment
<p>This proposal is for an amendment to the Limited Operational Flexibility for an Environmental Compliance Approval (Air & Noise) Number 8-3157-94-0063 for RIC (1515 Thornton) Inc., a non-hazardous transfer and anaerobic digestion facility, where source separated organics and industrial, commercial and institutional and fats, oils and grease are sorted.</p> <p>The Environmental Compliance Approval with Limited Operational Flexibility (Air), when issued, permits modifications to the facility subject to limits on operational flexibility that include a production limit for the facility to be specified on the Environmental</p>	<p>Staff also note that the existing on-site stormwater management measures were implemented in the 1990s and do not meet current standards. As such, it is recommended that Evergreen submit a new stormwater management report to demonstrate that the proposed development is in compliance with the requirements outlined in the approved Northwood Business Park Master Stormwater Management Plan, prepared by Greck and Associates Limited in August 2016.</p> <p>Staff further note that the existing stormwater management pond is proposed to be modified to function as a secondary containment system to manage spills in excess of the tank farm containment capacity. Since the Site is located in the Oshawa Creek watershed and the northern portion of the City's Major Urban Area, potential downstream impacts due to extreme weather events could be substantial. As such, staff do not support the existing stormwater management pond being used for purposes other than managing stormwater flows for the Site.</p> <p>Staff note that fine particulate matter will be emitted into the air from the proposed facility. There particulates can have various negative health effects including irritation, coughing and difficulty breathing. In 2014, staff was directed to provide Council with relevant information on the results and trends analysis by the Province from the Air Quality Index monitoring station located at Durham College in Oshawa, as it becomes available. Information Memo INFO-19-330 dated November 26, 2019 concerning the Province's 2017 Air Quality Report provides that the annual mean fine particulate matter levels in Oshawa have decreased approximately 20% since 2013. It is recommended that the air quality at this location be monitored to</p>

<p>Proposal Details</p>	<p>Staff Comment</p>
<p>Compliance Approval with Limited Operational Flexibility (Air). The limited operational flexibility conditions have an expiry date. The company will be required to make an application for amendment at that time to renew these conditions.</p> <p>The emission sources from the manufacturing and associated processes that discharge to the air include boilers, flare, storage tank, biofilter and thermal oxidizer. The amendment includes: the flare, boilers, biofilter, storage tank, and thermal oxidizer.</p> <p>Emissions to the air from this facility include: nitrogen oxides, hydrogen sulfide, particulate matter, ammonia, and sulphur dioxide.</p>	<p>ensure that fine particulate matter (and other pollutant) levels in Oshawa do not increase as a result of this proposed development.</p> <p>Staff also note that the proposed development poses a risk of emitting obnoxious odours as a result of improper maintenance and/or equipment failures at the facility and/or odours emitted from trucks transporting waste to and from the Site. In the event that the proposed development is approved, it is recommended that the M.E.C.P. implement periodic odour testing to ensure that the facility is not emitting obnoxious odours into the air.</p> <p>Staff also reviewed the Acoustic Assessment Report provided in support of the subject proposal and offer the following comments:</p> <ul style="list-style-type: none"> ▪ The truck traffic count projection used in the Acoustic Assessment Report (page 2) is different from the truck traffic projection used in the Traffic Impact Study (Appendix D, page 1). Additional information is required to provide clarity on the accurate truck traffic projection. ▪ The automation equipment proposed to be used at the Site will monitor and log noise levels. It would be beneficial for the City and the M.E.C.P. to receive regular reports (e.g. monthly or quarterly) of the results to ensure that the facility is operating within the E.C.A. requirements.



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Web: www.cloca.com
Email: mail@cloca.com

Member of Conservation Ontario

June 4, 2020

Ministry of the Environment, Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, ON M4V 1P5

Sent via email: enviropemissions@ontario.ca

To whom it may concern:

**Subject: Application for Approval of Industrial Sewage Works
Amendment to ECA no. 3-1036-98-006 – Anaerobic Digester Facility
1515 Thornton Road North
City of Oshawa, Regional Municipality of Durham
Ministry Ref. # 8836-BLHLLF**

The Central Lake Ontario Conservation Authority (CLOCA) has received notice of an Environmental Bill of Rights (EBR) posting requesting comments on three amendments to Environmental Compliance Approvals (ECA). The details of these applications are as follows:

ECA no.	Ministry Reference no.	Type	Purpose
A680066 A680110	8575-BLHL2R	Waste	Increase the volume of organic solid and liquid waste received per year from 57,200 tonnes to 200,000 tonnes
8-3157-94-0063	2998-BLHKKR	Air and Noise	Permission to discharge certain types and volumes of emissions for the expanded waste processing facility
3-1036-98-006	8836-BLHLLF	Industrial Sewage	Construct a new stormwater management facility and discharge to a watercourse

The following materials were received and reviewed in connection the applications cited above:

- Design and Operations Report, Evergreen Oshawa Anaerobic Facility, Report no. 3, prepared by GHD Ltd., signed and stamped by D.P. Turner, P.Eng., on January 31, 2020, received by CLOCA on April 16, 2020;
- Drawing no. C-01, Existing Site Conditions, prepared by GHD Ltd., Revision no. 2, revised January 31, 2020, received by CLOCA on April 16, 2020;
- Drawing no. C-02, Proposed Site Conditions, prepared by GHD Ltd., Revision no. 2, signed and stamped by D.P. Turner, P.Eng., on January 31, 2020, received by CLOCA on April 16, 2020;
- Drawing no. C-03, Pond Plan and Profile, prepared by GHD Ltd., signed and stamped by D.P. Turner, P.Eng., on January 31, 2020, received by CLOCA on April 16, 2020;
- Drawing no. C-04, Pond Sections, prepared by GHD Ltd., signed and stamped by D.P. Turner, P.Eng., on January 31, 2020, received by CLOCA on April 16, 2020;
- Drawing no. C-05, Erosion and Sediment Control and Restoration Plan, prepared by GHD Ltd., signed and stamped by D.P. Turner, P.Eng., on January 31, 2020, received by CLOCA on April 16, 2020; and,
- Environmental Compliance Approval Application, ECA no. 3-1036-98-006, Evergreen Oshawa Anaerobic Digestion Facility – Stormwater Management Plan, submitted by GHD Ltd., on January 31, 2020, received by CLOCA on April 16, 2020.

There remain issues to be addressed before CLOCA is prepared to recommend approval. Our detailed regulatory, policy and technical comments follow.

Healthy watersheds for today and tomorrow.

Central Lake Ontario Conservation

Our Understanding of the Proposal

We understand the ECAs concern a proposal to construct an Anaerobic Digester facility to expand the existing waste processing operations at the Northwood Transfer Station located at 1515 Thornton Road North in the City of Oshawa. The new facility will be able to accept up to 200,000 tonnes of organic solid and liquid waste that will be processed to produce digestate and biogas. This proposal also includes the construction of a new stormwater management pond and associated servicing to discharge into Goodman's Creek located east of the site.

The property is 6.3 hectares and located on the east side of Thornton Road North, south of the pipeline corridor, and north of Taunton Road West. There is an existing waster transfer facility operating on site and a compost processing facility for yard waste and has not been operational since April 2019. The property is owned by 1515 Northwood Transfer Inc. and operated by Evergreen Environmental Inc.

The proposed anaerobic digester facility is on lands designated *Industrial* in the City of Oshawa Official Plan and within the Northwood Business Park. The City of Oshawa Zoning By-law 60-94 has the property zoned *General Industrial* ('GI-4') and *Select Industrial* (SI-A). The City of Oshawa has also passed Interim Control Bylaw 25-2020 which prohibits development within the GI zoned lands of the Northwood Business Park, including the subject site, for a period of one year while the City undertakes a land use study. The purpose of the study is to determine the appropriateness of industrial zoning and related uses within the Northwood Business Park. We understand that the City requires and has not received a site plan approval application in order to review site design details and zoning compliance. Once submitted, the City will circulate the requisite planning applications and associated materials to CLOCA for review and detailed comments.

CLOCA and Ontario Regulation 42/06

CLOCA reviews applications for consistency with the natural heritage and natural hazard policies of the Provincial Policy Statement (PPS) and Ontario Regulation 42/06 of the *Conservation Authorities Act* through our direct legislated mandate under the Act and through memoranda of understanding with both the Region of Durham and City of Oshawa. Where applicable, CLOCA also reviews for consistency with local and regional natural heritage and natural hazard policies.

In this case, the subject site backs onto a well vegetated valley corridor and is situated at the headwaters of Goodman's Creek. Provincially Significant Wetlands (PSWs) are located to the north and east of the site. The rear and south side of the site includes natural features and natural hazards that meet the criteria of Ontario Regulation 42/06 (*Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*). A permit from CLOCA will be required prior to any development taking place.

Applicable Policy

Provincial Policy Statement, 2020

CLOCA has a delegated responsibility by the province to provide recommendations and advice regarding the Natural Hazard Polices of the Ontario Provincial Policy Statement (PPS), 2020. The lands immediately adjacent to the north, east and west of the site contain over a hectare of mature dense trees that would classify as a *Significant Woodland*. These woodlands are situated within and alongside the evaluated provincially significant wetlands that make up part of the Whitby-Oshawa Iroquois Beach Wetland Complex. These natural features provide ecological connectivity to the Goodman's Creek valleylands, which extend along the east side of the site and meets the definition of *Significant Valleylands* under the PPS. Section 2.1 of the PPS recognizes the linkages between natural features and ground water features, advising that their long term ecological function should be maintained, restored and improved. Section 2.1.8 of the PPS provides that development shall not be permitted within or adjacent to *significant valleylands, significant woodlands, and/or significant wetlands* unless it has been demonstrated that there will be no negative impacts on the natural features and ecological functions.

The proposed stormwater management pond is located along the top of bank with a outfall and concrete head proposed on valley slope. The slope along this reach of the Goodman's Creek valleylands meets the definition of an *erosion hazard* in the PPS. Section 3.1.7 provides that development may be permitted within hazardous lands only where it

Central Lake Ontario Conservation

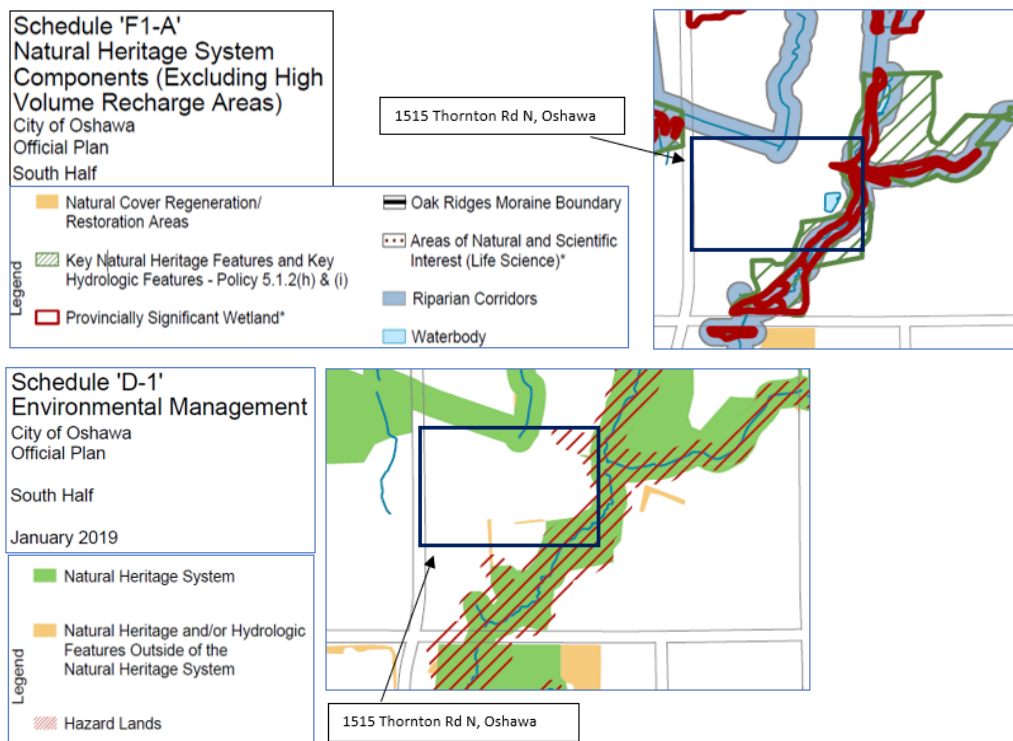
can be demonstrated that new hazards will not be created, existing hazards are not aggravated and environmental impacts will be minimized.

Region of Durham Official Plan, 2017

The Natural Heritage System identified in the Region of Durham Official Plan (OP), 2017, includes the areas with the 'highest concentration of the most sensitive and/or significant natural features and functions'. The Goodman's Creek valleylands, woodlands and provincially significant wetlands adjacent to the proposed development meet this criteria and are captured as Key Natural Heritage and Hydrologic Features within Schedule B – Map B1 of the Region's OP. Section 3.3.43 of the Region's OP requires an environmental impact study be completed as part of any proposal for development or site alteration within proximity to key natural heritage or hydrologic features.

City of Oshawa Official Plan, 2019

The City of Oshawa Official Plan (OP) includes policies that seek to ensure development will have regard to the natural environment and recognize the need to balance economic and environmental interests. As per Schedule D – Environmental Management of the OP, the Natural Heritage System and Hazard Lands extend along the rear and north portion the subject site. Schedule F1-A of the OP details the components of the Natural Heritage System and locates the site adjacent to Key Natural Heritage and Key Natural Hydrologic Features, Provincially Significant Wetlands, Riparian Corridors and a watercourse. An excerpt from Schedules D and F-1A of the OP locates the site as follows:



Based upon the location of the site within the above referenced Schedules and as detailed in Section 5 of the OP, any new development and/or site alteration may be permitted within these areas and/or associated buffers provided they are existing uses, no reasonable alternative location exists, and it can be demonstrated that the adverse effects on the ecological integrity of the area can be kept to a minimum. To meet the policies of the OP, consideration of the proposed development requires the completion of an Environmental Impact Study (EIS). This study must meet the criteria of Section 5.5 and Section 5.5.7 of the OP.

Central Lake Ontario Conservation

Section 5.8 of the City's OP speaks to Natural Hazards, which includes erosion hazards within the valley corridors of the Natural Heritage System. As noted in the OP, the more exact location of Hazard Lands may be refined through detailed studies and in consultation with the Conservation Authority. Development may be permitted within in the erosion hazard where it has been demonstrated that it may be constructed in accordance with the relevant policies and regulations. CLOCA's policies allow for the replacement of existing structures within the erosion hazard provided that: (1) existing hazards are not aggravated; (2) there are no unstable increases of lading forces on the top of the slope; and (3) the potential for surficial erosion has been addressed through proper drainage, erosion and sediment control and site stabilization/restoration plans. As it applies to the current proposal, a geotechnical slope stability assessment will be required. This study should be prepared by a professional geotechnical engineer and prepared according the Technical Guidelines – River and Stream Systems: Erosion Hazard Limits (MNR, 2002).

Once the technical considerations of development within the hazards lands are satisfied, the second step in the review process is addressing other applicable Natural Heritage policies. Section 5.4.5 of the City's OP states that development may be considered on a component of the Natural Heritage System, provided that the area of lands removed and will be compensated for with an area of additional lands to the Natural Heritage System on the subject lands. In this manner, corridor connectivity will be enhanced and restored. This should be demonstrated through the EIS, which should identify the area of lands impacted by the construction and future maintenance of the stormwater outfall and suggest an area on adjacent lands where native vegetation can be planted and restored through compensation. This approach is contingent on the support of City staff and the applicant is advised to contact CLOCA staff for more information regarding the details and scope of this report.

Schedule F-1B of the OP shows that the proposed development is within as Highly Vulnerable Recharge Area (HVRA), which are lands where permeable soils and gravel exist and allow for greater seepage into an aquifer that is used for municipal or other drinking water supplies. As per Section 5.4.6 of the OP, development within HVRA's, including those lands located beyond the limits of the Natural Heritage System, may be permitted provided that a hydrological impact assessment is completed and demonstrates that there will be no significant losses to the recharge functions of the HVRA.

Site Specific Comments

The proposed anaerobic digester facility will significantly increase the size and extent of the existing operations on the site. In order to support the development, a new stormwater management pond will extend along a steep valley slope and within the Natural Heritage System before discharging into Goodman's Creek. The pre-consultation meeting notes included with the application and dated November 19, 2019, state that the MECP advised the applicant to consult with CLOCA regarding the new stormwater management facility associated with this proposal. Our records indicate that consultation has not yet taken place.

At this time, additional information is required to ensure the proposed development can address the applicable provincial, regional and municipal policies. We strongly recommend that the applicant consider pursuing the submission of a site plan application for the proposed development which would include the technical reports and design details. A site plan review process would also provide CLOCA the time and opportunity to assist the applicant in determining the appropriate ecological compensation for the lost natural features. This approach is predicated on municipal support of the new stormwater facilities which are currently proposed on lands owned by the City of Oshawa.

Detailed technical comments on the proposal are as follows:

*Central Lake Ontario Conservation**Natural Heritage – Terrestrial Ecology*

1. The proposal lies within the Northwood Industrial Park area. The property is largely surrounded by identified natural heritage system including woodland, wetlands, watercourse and terrestrial linkage corridors. Given the proposed changes to the existing facility and the proximity of natural heritage features, an EIS for the proposal is required. The EIS must be prepared by a qualified professional to satisfaction of CLOCA and the City of Oshawa. Ideally, a Terms of Reference will be circulated to the City and CLOCA for comment in advance of the field work. At minimum, however, the study should include the following:
 - Overview of existing conditions, including the location and extent of the environmental features and functions which should be preserved, by identifying/delineating the limits of all environmental features on the site;
 - The location, amount and type of development;
 - Assess the potential impacts of the proposal for development, including cumulative impacts on the environment over the long term;
 - Provide appropriate mitigation, improvement and restoration measures and techniques, development staging and timing and other practices to be employed to cope with the sensitivity of the environmental conditions present on and adjacent to the subject site. The study should provide recommendations that seek to ensure the proposed development will have no adverse effects and/or minimize impacts to natural heritage features and hydrologic functions; and,
 - Currently, the proposed plan does not provide for any buffers along the woodlands that extend along the south lot line or valleylands to the east. The EIS should include recommendations for appropriate buffers between the area of development and natural heritage features.

2. The north boundary of the site abuts the Trans-northern pipeline which also serves as a terrestrial linkage feature. It is a wildlife corridor with a cross-watershed connection, east-to west along the Lake Iroquois Beach. CLOCA has requested additional plantings in this area (off the corridor and on private land) through the application process. This application provides an excellent opportunity extend the corridor width and composition to add additional woody species for cover, where very little may exist. Consistent with Section 5.4.5 of the City's Official Plan, this may be an area for restoration to mitigate for lost natural features as a result of the proposed stormwater management outfall within the valleylands.

3. Beyond the east property boundary, is the wooded Goodman's Creek valley corridor and Whitby-Oshawa Iroquois Beach Provincially Significant Wetland (PSW). The property boundary is coincidentally, approximately 30 m from the wetland boundary, which is equivalent to the minimum required buffer to a PSW. The proposal seeks to reconfigure the existing storm water facility, right at the property boundary. In reconfiguring the storm water management facility, there appears to be less than a 10 m buffer to the woodland (dripline plus 10 m is the minimum buffer requirement to a woodland feature in the urban area. As the adjacent lands are City owned, there may also be an opportunity to provide for a robust planting plan of the buffer area in this location.

4. A species at risk (SAR) screening will be required for all new development on site, particularly as it relates to the woodland on the south border – there may be appropriate bat roosting trees in this location. Please note that SAR screening is a requirement through MECP.

5. The proposal is that the facility will operate 6 days a week and only during the 12 hour day period. The report doesn't discuss lighting and and/or anticipated light pollution. Will the facility be lit 24 hours? There's plenty of discussion on odor in the report but no details on light.

Central Lake Ontario Conservation

Natural Heritage – Aquatic Ecology

6. Drawing no. C-02 shows that a rip-rap apron will connect the concrete headwall (stormwater management pond outlet) to Goodman Creek. The apron is shown to extend to the creek centerline. Rip-rap is not a fish friendly material given its sharp edges and over time will end up within the watercourse as erosion occurs and the creek changes location. The proposal should be revised to consider an option that allows a more natural transition such as a pocket wetland. This would also allow further water quality treatment.
7. The report and details associated with the drawings should be revised to note that the in-water construction timing window for Goodman's Creek is warmwater (July 1st to August 31st).
8. The proponent will also need to submit the project proposal to the Department of Fisheries and Oceans Canada for review under the Fisheries Act. It is the responsibility of the proponent to ensure that the project meets DFO requirements under the self-assessment process. With regard to the Fisheries Act requirements and the self-assessment process you can find more information on the DFO website <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> or email fisheriesprotection@dfo-mpo.gc.ca. The website has all the information proponents need to self-assess their project and if required, submit an application to DFO.
9. On August 28th, 2019 provisions of the new *Fisheries Act* came into force including new protections for fish and fish habitat in the form of standards, codes of practice, and guidelines for projects near water. Find out what it means for you through the following link: <https://www.dfo-mpo.gc.ca/campaign-campagne/fisheries-act-loi-sur-les-peches/introduction-eng.html>

Stormwater Management

10. The subject site is within the City of Oshawa Northwood Business Park Master Storm Water Management Plan (MSMP) area. Reference the MSMP and update the SWM report accordingly.
11. The proposed SWM pond retrofit shows grading beyond the property line. Re-visit the proposed pond grading/layout. Ensure the proposed grading does not encroach any closer to the top of valley slope than the existing pond.
12. Provide a supporting geotechnical slope stability assessment and recommendations to for the proposed stormwater management pond, berm and grading, outfall and headwall located on the valley slope. This study must demonstrate that the proposed SWM pond berm/grading is stable and will resist failure. It must demonstrate how the proposed pond will be constructed to prevent surficial erosion and the headwall will be constructed at a depth to ensure it will remain stable for the long. This report must be prepared by a professional and licensed geotechnical engineer.
13. The proposed site grading and site servicing plans must show the maintenance access for the proposed SMW pond retrofit.
14. Provide separate comprehensive maintenance manual for proposed LID, OGS and SWM facility. Include delegation of responsibility for frequent inspection and maintenance. Recognizing that the proposed outfall is on lands owned by the City of Oshawa, we recommend further consultation with municipal staff take place.

Central Lake Ontario Conservation*Hydrological Features*

15. CLOCA mapping shows that the project property is outside Significant Groundwater Recharge Areas (SGRA) but within Highly Vulnerable Aquifer (HVA) and Intake Protection Zone (IPZ) 3 SWP policy boundaries. If not done yet, the proponent or designated representative should contact Durham Region Planning Department to undergo pre-consultation which may require completion of Vulnerable Area Screening Application form.
16. The project property is within the delineated Ecologically Significant Groundwater Recharge Areas (ESGRA). This will require preparation of hydrogeological study following the Hydrogeological Assessment Submissions – Conservation Authority Guidelines to Support Development Applications (June 2013). The report should include detailed water balance analyses and demonstrate mitigating measures to maintain pre-development water balance, as well as baseflow and ecological health of the receiving water features.

CLOCA's Planning Review Fee

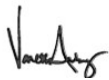
Effective January 1, 2020, CLOCA's approved *Fee Schedule for Planning Services* will apply to the review of planning applications where natural features or natural hazards are present. This application will be subject to an initial fee of \$1,940. This fee should be provided as a cheque with the resubmission of plans and technical studies to CLOCA.

Conclusion

There remain several issues to be addressed before CLOCA is prepared to recommend approval. We would be pleased to meet with the proponent and staff from commenting agencies, Region of Durham and City of Oshawa to discuss our comments in further detail. As part of any future submission, for this application or a municipal planning application associated with the proposed works, we request the applicant provide a detailed cover letter outlining how these comments have been addressed and include, at minimum, the following for CLOCA's review:

1. Detailed Site Grading, Site Servicing and Erosion Sediment Control Plans
2. Environmental Impact Study
3. Hydrological Evaluation
4. Geotechnical Slope Stability Assessment
5. Revised Stormwater Management Plan
6. CLOCA Planning Review Fee - \$1,940

If you have any questions related to these comments, please don't hesitate to contact the undersigned.



Vanessa Aubrey, Development Planner
Central Lake Ontario Conservation Authority
vaubrey@cloca.com

- cc. Victoria White, City of Oshawa (vwhite@oshawa.ca)
Heather Finlay, Region of Durham (Heather.Finlay@durham.ca)
Pete Castellan, Region of Durham (Pete.Castellan@durham.ca)
Gioseph Anello, Region of Durham (Gioseph.Anello@durham.ca)
Chris Jones, CLOCA (cjones@cloca.com)
Nick Zambito, MECP (Nick.Zambito@ontario.ca)



TOWN OF AJAX
65 Harwood Avenue South
Ajax ON L1S 3S9
www.ajax.ca

The Honorable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1
premier@ontario.ca

Sent by E-Mail

October 7, 2020

Re: Support of ambulatory services at Ajax Pickering Hospital

The following resolution was passed by Ajax Town Council at its special meeting held October 5, 2020:

WHEREAS Ajax Council and the Town of Ajax have been and remain strong supporters of our local Lakeridge Health hospital, and show this support by contributing annually through ongoing financial support totaling \$1.6 million over 10 years, participating in the Mayors' Charity Golf Classic which has raised \$4 million over 25 years, and continued advocacy efforts; and

WHEREAS Council has been advised that Lakeridge Health Corporation, through its regular business planning process, is working with internal members across the Lakeridge Health system to explore new and innovative ways to provide care; and

WHEREAS it is our understanding that one area of focus is the ambulatory care unit (ACU), which plays a critical role in diverting patients from emergency departments and supporting safe, and timely discharges; and

WHEREAS the Bowmanville, Oshawa and Ajax ACU sites are already functioning at 100% capacity and maximum efficiency with waiting lists for priority cases; and

WHEREAS it has been shared that the corporation is considering a 20% reduction to the ambulatory care budget, which would result in a cut of \$625k to the Ajax Pickering Hospital ACU (which represents 67% of the total proposed cut of \$975k), and have a far greater impact on patients, nursing staff and overall hospital care than the total 0.01% savings represented; and

WHEREAS any cuts in resources will have a direct effect on the high volume of patients that are seen and treated every day at the Ajax Pickering Hospital ACU, which provides critical services such as 24/7/365 emergency support, fracture clinics, shoulder clinics and plastic surgery program and specialty services and programs;

THEREFORE BE IT RESOLVED that:

1. Ajax Council reaffirms their unwavering support for the Ajax Pickering Hospital and the doctors that provide quality, timely and compassionate care to residents; and
2. That Ajax Council urges the leadership of Lakeridge Health to reconsider reducing resources at the ambulatory care units, knowing it will have serious consequences; and
3. That Lakeridge Health involve hospital and surgery leads in any discussions regarding service cuts and/or new approaches to care; and
4. That this motion be distributed to Premier Ford, Minister Elliott, all Durham Region MPPs and Durham Region municipalities.

If you require further information please contact me at 905-619-2529 ext. 3347 or sarah.moore@ajax.ca.

Sincerely,

A handwritten signature in black ink that reads "S. Moore". The signature is written in a cursive, flowing style.

Sarah Moore
Acting Manager of Legislative Services/Deputy Clerk

Copy: Mayor S. Collier
Regional Councillor M. Crawford
Minister C. Elliott
All Durham Region MPPs
All Durham Region municipalities

E-mail

Please see the attached resolution regarding the above subject matter that was endorsed by the Town of Ajax at our Council meeting held September 21, 2020.

Regards

Premier Ford
doug.fordco@pc.ola.org

Hon. Mark Holland, MP
Mark.Holland@parl.gc.ca

Hon. Rod Phillips, MPP
rod.phillips@pc.ola.org

Region of Durham
Chair@durham.ca

all Durham municipalities

Federation of Canadian Municipalities
info@fcm.ca

Association of Municipalities of Ontario
amo@amo.on.ca

October 9, 2020

Via Email

Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON 1A1

Dear Honourable Premier Doug Ford:

RE: Reform to the Municipal Insurance Policy

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that Council would like to express their concern and request a reform to the Municipal Insurance Policy.

As outlined in the Association of Municipalities of Ontario (AMO) report entitled, "[Towards a Reasonable Balance: Addressing Growing Municipal Liability and Insurance Costs](#)", dated October 1, 2019, joint and several liability creates a higher insurance cost for municipalities. Local municipalities within Muskoka have experienced a 20% increase in municipal liability for 2019 and are expecting at least 20% increase for 2020.

Throughout the Township of Lake of Bays, the area of concern is the Errors and Omissions for building code claims. There is a much higher value of newly built cottages/seasonal residences within Lake of Bays and it is populated by a commanding number of ratepayers who possess the financial means to sue and will endure the protracted legal process. The Township has a lower than average number of building claims, however a higher than average payout.

Please consider an amendment to Bill 124 to make it a requirement that the building contractor name be disclosed and that the contractor must provide proof of insurance, thus providing greater accountability and responsibility and ensuring that municipalities will not bear the burden alone.

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Page 2

Kindly review and consider the recommendations as outlined in the above-noted AMO report. Should you have any questions or concerns, please do not hesitate to contact the Municipal Office at 705-635-2272.

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC,*
Director of Corporate Services/Clerk.

CS/cw

Copy to: MP, Scott Aitchison
MPP, Norm Miller
Association of Municipalities of Ontario
Municipalities in Ontario



Wollaston Township (via e-mail)
90 Wollaston Lake Road
COE HILL, ON K0L 1P0

October 8, 2020

Re: Support of Resolution from Wollaston Township regarding a Request to review the Municipal Elections Act

Please be advised that on September 30th 2020 the Town of Plympton-Wyoming Council passed the following motion to support Wollaston Township's motion (attached) regarding a Request to review the Municipal Elections Act that was passed on September 16th 2020:

Motion #13 – Moved by Muriel Wright , Seconded by Gary Atkinson that Council support the correspondence item 's' regarding changes to the Municipal Elections Act.

Motion Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at ekwarciak@plympton-wyoming.ca.

Sincerely,

Erin Kwarciak
Clerk
Town of Plympton-Wyoming

Cc: (all sent via e-mail)
Premier of Ontario
M.P.P for Hastings-Lennox and Addington
M.P.P for Sarnia-Lambton
AMO
All municipalities within the Province of Ontario

90 Wollaston Lake Road
COE HILL, ON K0L 1P0
clerk@wollaston.ca
www.wollaston.ca



MAYOR: BARBARA SHAW
CLERK: BERNICE CROCKER
613-337-5731 (Phone)
613-337-5789 (Facsimile)

September 16, 2020

**MINISTRY OF MUNICIPAL
AFFAIRS AND HOUSING**
17th Floor, 777 Bay street
TORONTO, ON
M7A 2J3

ATTN: THE HON. STEVE CLARK

Dear Minister Clark:

At a special meeting of council held on August 24, 2020, members discussed concerns regarding the 2018 municipal election.

In the last six weeks of the 2018 municipal election in Wollaston Township, seasonal property owners presented signed leases with family members for sleeping cabins, bunkies and sheds. The \$100.00 leases added a significant number of new non-resident electors to the voters' list.

Although concerns were raised regarding the Township's Comprehensive Zoning By-law and non-use of the standard lease form, the leases were used as eligibility, allowing the children of seasonal property owners access to a Township election for the first time.

Because this gave the appearance of a pay to play campaign, and because the leases were with family members, and because no people actually lived in these structures that lacked hydro, running water and washroom facilities, this was reported to the OPP, who have a duty to enforce the rules and regulations of the *Municipal Elections Act*.

The OPP did not proceed with charges because they said there was no case law.

The following Motion was adopted:

MOTION NO.: 03
MOVED BY: TIM CONLIN
SECONDED BY: DARLENE COLTON

MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING

THE HON. STEVE CLARK

September 16, 2020

Page 2

BE IT RESOLVED, that the Council of Wollaston Township ask Minister of Municipal Affairs and Housing, the Hon, Steve Clark, to review the *Municipal Elections Act* and provide amendments to ensure that loopholes are closed on any pay to play schemes in rural communities where non-resident electors are permitted to participate in elections so that \$100.00 leases do not turn into ballots for garden sheds.

AND BE IT FURTHER RESOLVED, that the County of Wollaston Township ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to review the Municipal Elections Act and provide amendments to provide clearer, stronger wording, to assist municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list.

AND BE IT FURTHER RESOLVED, that Council of Wollaston Township ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to ensure that there is a clear and accessible way to report election fraud.

AND BE IT FURTHER RESOLVED, that Council of Wollaston Township ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to ensure that the rules described in the Municipal Elections Act are actually enforceable even if there is not current case law.

AND BE IT FURTHER RESOLVED, that support for this resolution be sent to Premier Doug Ford, Daryl Kramp, M.P.P. for Hastings-Lennox and Addington, all Ontario Municipalities and the Association of Municipalities of Ontario.

CARRIED

Should you have any questions or concerns regarding the above, do not hesitate to contact me.

Sincerely,



BERNICE CROCKER
Clerk/Administrator

cc. Premier Doug Ford, Daryl Kramp, M.P.P. for Hastings-Lennox and Addington, AMO and all Ontario Municipalities.



Township of Blandford-Blenheim

47 Wilmot Street South
Drumbo, Ontario N0J 1G0

Phone: 519-463-5347
Fax: 519-463-5881
Web: www.blandfordblenheim.ca

October 13, 2020

Emailed to the Federal Minister of Health, Federal Minister of Justice and Attorney General, Federal Minister of Public Safety and Emergency Preparedness, Oxford MP, Oxford MPP, the Association of Municipalities of Ontario and all municipalities in Ontario.

Re: Unlicensed and unmonitored cannabis grow operations

Please be advised that at the Regular Meeting of Council on October 7th, 2020, the Council of the Township of Blandford-Blenheim passed the following resolution:

Resolution Number: 2020-14

Moved by: Councillor Nancy Demarest

Seconded by: Councill Bruce Banbury

“That Whereas unlicensed and unmonitored cannabis grow operations have increasingly become a problem in communities in Ontario as well as across the Country; and,

Whereas these operations are allowed to establish with little or no consultation with the local community and municipalities are often only made aware of their existence after conflicts arise with neighboring land owners; and,

Whereas loopholes in existing Federal legislation allow these large scale grow op’s to establish and operate without any of the regulations or protocols that licensed and monitored operations need to adhere to,

BE IT RESOLVED that the Council of the Township of Blandford-Blenheim urges the Federal Government to amend the legislation under which these facilities operate to ensure the safety and rights of the local communities in which they are situated are respected; and,

That this resolution be forwarded to the Federal Minister of Health, Federal Minister of Justice and Attorney General, Federal Minister of Public Safety and Emergency Preparedness, Oxford MP, Oxford MPP, the Association of Municipalities of Ontario and all municipalities in Ontario.”

Regards,

Sarah Matheson
Deputy Clerk
Township of Blandford-Blenheim

October 9, 2020

The Right Honourable Justin Trudeau
Prime Minister of Canada
Email: justin.trudeau@parl.gc.ca

The Honourable Doug Ford
Premier of Ontario
Email: premier@ontario.ca

Re: Funding for community groups and service clubs affected by pandemic

Please be advised that at the Regular Meeting of Council on September 28, 2020, the Council of Loyalist Township passed the following resolution:

Resolution No. 2020.35.16
Moved by: Deputy Mayor Hegadorn
Seconded by: Councillor Porter

“Whereas, the world health organization characterized covid-19 as a pandemic on March 11, 2020

And whereas, travel restrictions were put in place March 21st, 2020 with emergency orders being established under the quarantine act

And whereas, the province of Ontario entered a state of emergency on March 17, 2020

And whereas Loyalist Township declared a state of emergency on March 26, 2020

And whereas the Kingston, Frontenac, Lennox and Addington Public Health Unit have enacted orders under Section 22 of the Ontario Health Protection and Promotion Act, 1990

And whereas the above noted state of emergencies and orders restricted the ability for charities, community groups and service clubs to raise or acquire funds through conventional methods

And whereas these charities, community groups and service clubs provide vital resources and support critical to community members

And whereas these charities, community groups and service clubs' partner with municipal governments reducing the financial pressures on the government while enhancing the lives of residents

Therefore be it resolved that Loyalist Township council requests confirmation from the governments of Ontario and Canada that funding will be available for these local smaller charities, community groups and service clubs.

AND FURTHER THAT a copy of this resolution be circulated to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; MP Derek Sloan, Hastings - Lennox and Addington ; the Honourable Daryl Kramp, MPP Hasting-Lennox and Addington; the Association of Municipalities Ontario; Rural Ontario Municipalities Association and all Municipalities within the Province of Ontario”.

Regards,

Brandi Teeple
Deputy Clerk
Loyalist Township

cc. MP Derek Sloan- Hastings-Lennox and Addington
MPP Daryl Kramp- Hastings- Lennox and Addington
Association of Municipalities Ontario
Rural Ontario Municipalities Association
All Ontario Municipalities



KIM COURTS
DEPUTY CLERK
T 519.837.2600 x 2930
F 519.837.1909
E kimc@wellington.ca

74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

October 2, 2020

Sent via email to all Ontario Municipal Clerks

Dear Municipal Clerks,

At its meeting held September 24, 2020, Wellington County Council approved the following recommendation from the Administration, Finance and Human Resources Committee:

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties.

NOW THEREFORE BE IT RESOLVED:

(a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and

(b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and

(c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and

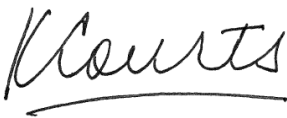
(d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

Please find the Aggregate Resource Property Valuation and Advocacy report and Municipal Resolution enclosed.

Wellington County Council is requesting that all Ontario municipalities adopt the Municipal Resolution and forward to Donna Bryce, Wellington County Clerk at donnab@wellington.ca upon passing.

Should you have any questions please contact Ken DeHart, County Treasurer, at kend@wellington.ca or call 519.837.2600 ext 2920.

Sincerely,

A handwritten signature in black ink that reads "Kim Courts". The signature is written in a cursive style and is underlined with a single horizontal line.

Kim Courts
Deputy Clerk



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair and Members of the Administration, Finance and Human Resources Committee
From: Ken DeHart, County Treasurer
Date: Tuesday, September 15, 2020
Subject: **Aggregate Resource Property Valuation and Advocacy Report**

Background:

Through the County's Assessment Base Management Policy and Programme approved in 2016; Wellington County has made significant efforts to maintain, protect and enhance the quality of the assessment roll. This includes reviewing the accuracy of individual assessments and ensuring the equitable distribution of the tax burden. The County remains a strong advocate for the accurate and equitable valuation and property tax treatment of all properties, including gravel pit and aggregate resource properties in the County and throughout Ontario.

The County has been actively pursuing fair and accurate assessment valuations for gravel pits through two streams:

1. Assessment appeals heard by the Assessment Review Board
2. Advocacy through the province on a permanent policy solution

Assessment Appeals

The County has filed assessment appeals on all aggregate producing properties in its three southern-most municipalities, being Puslinch, Erin and Guelph/Eramosa for the 2017 to 2020 taxation years. The purpose of these appeals is to ensure that the current value assessment of these properties is captured through the existing legislation, and to deal with how those properties are classified for taxation purposes.

The effect of the current property tax valuation structure by the Municipal Property Assessment Corporation ("MPAC") unfairly sees active gravel pits incurring less property tax than many single-family homes and small businesses as a result of unduly low and inaccurate current value assessments. It also leads to properties that are located in the same areas and are similar to gravel pits receiving vastly different property valuations, which contradicts the principle of fairness and transparency underpinning our taxation system that similar properties should be treated and taxed equally. Arbitrarily classifying gravel pits as among the lowest form of farmland (Class 5) sets an artificial cap on these producers' property assessments and keeps their property taxes well below what they should be paying. In turn, residents and businesses are subsidizing the break that gravel producers are receiving.

In terms of next steps for these appeals, a settlement conference is scheduled to take place on September 16 and hearings are scheduled for the weeks of November 16 and 23.

Advocacy for a Permanent Policy Solution

The County has been working with its colleagues through the Top Aggregate Producing Municipalities of Ontario (TAPMO) to raise awareness of the assessments and the inequitable treatment of these properties and ask the government to review how these properties are assessed and treated from a property tax policy perspective through the MPAC review that is currently taking place.

Through this work, TAPMO endorsed the attached municipal resolution to be shared with TAPMO municipalities for consideration at local Councils. The resolution formally asks the province to review how these properties are assessed in light of the inequitable treatment in comparison to other residential and business properties in the municipality. Several municipalities across the province have approved and forwarded this resolution to the province and local MPPs.

To be clear, the County believes MPAC's property valuation is incorrect even within the current legislation, however, the County is looking for further direction and possible legislative or regulatory changes that will eliminate future disputes. This kind of permanent policy change is in everyone's best interest to resolve this issue once and for all.

Staff recommend that the Administration, Finance and Human Resources Committee support the resolution and pass it along to County Council for approval. This is also an opportunity for the County to remind its member municipalities to review and give consideration to this resolution as well.

AMO Delegation Meeting

On August 18, 2020, in collaboration with the Top Aggregate Producing Municipalities of Ontario (TAPMO), County representatives met with Stan Cho, Parliamentary Assistant to the Minister of Finance, to discuss the need to improve how aggregate properties are assessed across Ontario under an equitable valuation system. The meeting was held during the Association of Municipalities of Ontario (AMO) conference. This is where municipal and provincial policymakers come together to discuss pressing issues facing both levels of government.

Wellington County and other TAPMO members presented several policy-driven solutions to Mr. Cho that would make MPAC's property tax valuations accurate and equitable. There are many possible legislative, regulatory or policy changes that can achieve a permanent solution. These include:

- Creating a separate class for aggregate producing properties (as was done for landfills in 2015);
- Directive (or regulation) from the Minister to MPAC regarding how to assess these types of properties to reflect their true market or industrial value;
- Remove the aggregate exemption from the *Assessment Act* (as was the situation prior to 2008).

This would enable municipalities to maintain stability in local taxation levels and meet the needs of their communities. Directing MPAC on how to assess these properties based on their true market value makes common sense and will result in stability and accuracy in the assessment process. The solution to remove the exemption of aggregate in the *Assessment Act* would allow MPAC to assess the full value of the property.

Summary

Aggregate sites are important job creators and an increasingly critical element of public works that help to fuel steady economic growth across Ontario, especially as part of municipalities' post-pandemic recovery. Yet, under the current MPAC valuation formula, their current value assessment is inaccurate such that these sites generate significantly less revenue for municipalities and the Province than other possible uses for the same land. This costs Ontario municipalities millions of dollars in lost tax revenue every year and negatively impacts their abilities to deliver more fulsome services and programmes to residents. The current system also generates less Education property taxes which shifts even more tax burden onto homeowners and small businesses. Municipalities are therefore eager to find a solution that is fair for all involved: the municipality, taxpayers, and aggregate producers.

COVID-19 has highlighted the urgency for a policy-driven, equitable approach. Municipalities across Ontario are fighting to continue providing a high standard of services to our families and businesses who need them now more than ever. The lost tax revenue undermines our ability to enhance those services and make key infrastructure investments at a time when our residents are suffering. The County wants to be fair to aggregate producers while recognizing that they should be part of the solution in terms of helping families and businesses get back on their feet – the very people who are carrying the burden of the current MPAC system.

Recommendation:

That the Aggregate Resource Property Valuation and Advocacy Update Report be received for information; and

That the attached resolution be supported by County Council and sent to the Ministry of Finance.

Respectfully submitted,



Ken DeHart, CPA, CGA
County Treasurer

SCHEDULE A – MUNICIPAL RESOLUTION

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties;

NOW THEREFORE BE IT RESOLVED:

- (a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and
- (b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and
- (c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and
- (d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

MUNICIPAL RESOLUTION

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS (*Name of Municipality*) Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS (*Name of Municipality*) Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties.

NOW THEREFORE BE IT RESOLVED:

(a) That (*Name of Municipality*) Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and

(b) That (*Name of Municipality*) Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and

(c) That (*Name of Municipality*) Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and

(d) That (*Name of Municipality*) Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

**CORPORATION OF THE
TOWNSHIP OF NORTH GLENGARRY**

Resolution # 6

Date: Monday, September 28, 2020

Moved by: Jeff Manley

Seconded by: Johanne Wensink

THAT Council of the Township of North Glengarry adopt the following resolution:

WHEREAS the Ontario government has provided emergency assistance funding to municipalities through the Safe Restart Agreement to offset the financial impact due to the COVID-19 pandemic;

AND WHEREAS the Province has specified funding must be used for operating costs and pressures due to COVID-19;

AND WHEREAS due to the nature of the pandemic and the necessity to make physical retrofits to offices to accommodate staff and the public in a safe environment, capital costs will be incurred by municipalities;


AND WHEREAS the Township has been advised by SDG County, through the Ministry of Finance that COVID-19 related capital costs are ineligible for Safe Restart Agreement Funding;

THEREFORE, BE IT RESOLVED THAT the Township of North Glengarry urges Ontario to allow capital expenditures under the Safe Restart Agreement, and that a copy of this resolution be forwarded to Premier Doug Ford, Jim McDonell, MPP and the Association of Municipalities of Ontario (AMO).

Carried

Deferred

Defeated



Mayor / Deputy Mayor

If you require this information in an accessible format, please contact 1-800-372-1102 ext. 2097.

The Regional Municipality of Durham

MINUTES

ACCESSIBILITY ADVISORY COMMITTEE

Thursday, October 1, 2020

A special meeting of the Accessibility Advisory Committee was held on Thursday, October 1, 2020 at Regional Headquarters, Council Chambers, 605 Rossland Road East, Whitby at 10:01 AM. In accordance with Provincial legislation, electronic participation was permitted at this meeting.

1. Roll Call

Present: C. Boose, Ajax, Chair
D. Campbell, Whitby, Vice-Chair
D. Hume-McKenna, DMHS
Councillor R. Mulcahy
R. Purnwasie, Ajax
M. Roche, Oshawa attended the meeting around 10:21 AM
L. Schisler, Whitby
***all members of the committee participated electronically**

Absent: S. Sones, Whitby

Staff

Present: J. Christianson, Program Coordinator, Office of the Chief Administrative Officer
R. Inacio, Systems Support Specialist, Corporate Services – IT
J. Traer, Accessibility Coordinator, Office of the Chief Administrative Officer
N. Prasad, Committee Clerk, Corporate Services – Legislative Services

2. Declarations of Interest

There were no declarations of interest.

3. Presentations

A) Judy Christianson, Program Coordinator re: CityStudio Project

J. Christianson advised that CityStudio is led by the Region of Durham and is a collaboration with education facilities to learn more about the structures of their communities. She stated that it started in Vancouver, is now used in ten different municipalities across Canada, and is now in Durham Region.

She advised that one aspect of CityStudio is about access to services and possible encounters with barriers for people with disabilities.

J. Christianson introduced Navleen Sandhu, a student from Ontario Tech University, who will be assisting staff with the survey. She advised that the survey will be provided to committee members for their feedback. Once the committee's feedback is received, the survey will be sent to the other Accessibility Advisory Committees within Durham Region. The survey will then be rolled out to the public and posted on Your Voice Durham, which is a platform used to obtain feedback from the public. She advised that staff is hoping to get the survey out to the public by the new year.

J. Christianson responded to questions with regards to the types of questions that will be included in the survey and the type of feedback that staff is looking to obtain from the public; whether the findings will be made public; whether there is a goal with regards to the number of surveys to be sent out; and whether there are plans to ask people to voluntarily disclose their disability.

4. Discussion Items

A) Janet Traer re: Accessibility Award Nomination

J. Traer stated that the Annual Joint Accessibility Advisory Forum has been cancelled due to the COVID-19 pandemic, however, the Region will continue with the presentation of the Accessibility Award to identify people, businesses or organizations in the community that have championed accessibility in some way.

She advised that the local Accessibility Advisory Committees will provide her with their nominees and she will then present the nominees with their awards while maintaining social distance. She advised that the presentations of the awards will be recorded for a video, which will be launched on December 3, 2020, in conjunction with International Day of Persons with Disabilities.

She advised that as the Region of Durham usually hosts the event, an award is not always presented on the Region's behalf except in a few circumstances and inquired whether the committee would be interested in nominating anyone for an award.

Moved by M. Roche, Seconded by L. Schisler,

That Roberta Atkinson be presented with an Accessibility Award for her many years of dedicated service and support on the Committee.

CARRIED

5. Date of Next Meeting

The next regularly scheduled meeting of the Accessibility Advisory Committee will be held on Tuesday, November 24, 2020 at 1 PM.

6. Adjournment

Moved by D. Campbell, Seconded by L. Schisler,
That the meeting be adjourned.
CARRIED

The meeting adjourned at 10:31 AM.

C. Boose, Chair
Accessibility Advisory Committee

N. Prasad, Committee Clerk

If you require this information in an accessible format, please contact 1-800-372-1102 ext. 2097.

The Regional Municipality of Durham

MINUTES

DURHAM ACTIVE TRANSPORTATION COMMITTEE

Thursday, September 24, 2020

A meeting of the Durham Active Transportation Committee was held on Thursday, September 24, 2020 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby at 7:01 PM. Electronic participation was offered for this meeting.

1. Roll Call

Present: R. Lalonde, Whitby, Chair
P. Smith, Uxbridge, Vice-Chair
J. Bate, Oshawa
M. Gibbons, Scugog
K. Haines, Ajax
A. Heywood, Pickering
C. Kobelka, Clarington

*** all members of Committee, except Chair Lalonde, participated electronically**

Absent: R. Kerr, Regional Councillor, Oshawa
S. Lee, Regional Councillor, Ajax, Alternate
J. Martin, Brock

Staff

Present: B. Bridgeman, Commissioner of Planning and Economic Development
A. Caruso, Senior Planner, Transportation Planning, Planning and Economic Development
D. Culp, Planning Analyst, Transportation Planning, Planning and Economic Development
R. Inacio, Systems Support Specialist, Corporate Services – IT
G. Muller, Director of Planning, Planning and Economic Development
G. Pereira, Manager, Transportation Planning, Planning and Economic Development
A. Tulloch, Planning Analyst, Transportation Planning, Strategic Planning, Planning and Economic Development
N. Prasad, Committee Clerk, Corporate Services – Legislative Services
M. White, Systems Support Specialist, Corporate Services – IT
C. Tennisco, Committee Clerk, Corporate Services – Legislative Services

2. Declarations of Interest

There were no declarations of interest.

3. Adoption of Minutes

Moved by K. Haines, Seconded by M. Gibbons,
That the minutes of the Durham Active Transportation Committee
meeting held on June 11, 2020, be adopted.

CARRIED

4. Presentations

A) Steven Kemp, Manager, Traffic Engineering and Operations, Durham
Region, re: Traffic Update

Steven Kemp provided a PowerPoint presentation regarding a traffic update.

Highlights of his Presentation included:

- Walk Signal Automation – Item 7. A) of the DATC June 11, 2020 minutes
- Walk Signal Automation – Guelph Experience
- Walk Signal Automation – Other Options
- Mid-block Crossing Study
- Leading Pedestrian Interval (LPI) Pilot
 - Photos of intersections
- Automated Enforcement – Speed Cameras
- Automated Enforcement – Red Light Cameras

S. Kemp invited the Committee to send him any comments or questions regarding the Traffic Signal.

S. Kemp responded to questions regarding whether staff has considered painted pavement markings at trail crossings for increased visibility to warn on-coming traffic of the crossing; if the City of Guelph did a full automation of the traffic signals at the pedestrian crossing, including sensor de-activation and operating on “fixed -time”, similar to the City of Montreal; and the pressing of peg-buttons at signalized intersections resulting in a green light being awarded to motorists but not to pedestrians walking in the same direction.

The Committee inquired whether traffic lights could be programmed to award pedestrians and crossing guards a walk signal when a green light is granted to motorists travelling in the same direction. S. Kemp explained that this option differs from the City of Guelph and would have less impact than signal lights operating at full “fixed-timed”. He advised that staff would look into this option.

B) Claire Basinski, Project Manager, and Dave McLaughlin, Senior Project Manager, of WSP; re: Regional Cycling Plan (RCP) Update

Claire Basinski and Dave McLaughlin, WSP; provided a PowerPoint presentation update on the Regional Cycling Plan (RCP). C. Basinski noted that Justin Jones, Share the Road; and, Cristina Valente, of WSP, were also participating in the meeting electronically.

Anthony Caruso outlined the background and process for the 2020 Regional Cycling Plan (RCP).

Key highlights of his presentation included:

- Developing the 2020 RCP
 - Phase 1: Background Review (Winter / Spring 2020)
 - Phase 2: Program Update (Summer / Fall 2020)
 - Phase 3: Finalize the Study (Winter 2020)
- Overview of Summer Public Engagement Activities
 - RCPU Online Summer Cycling Strategy Survey
 - Pop-up Engagement at Bruce Hanscombe Memorial Park in the City of Pickering
 - Pop-up Engagement at Port Perry Lakefront Farmers Market

C. Basinski provided an overview of the Summer Survey Results. She advised that the Survey contained a total of 35 questions on the following strategies: bicycle parking; signage and wayfinding; education and encouragement; and maintenance. She also advised that the purpose of the survey was to receive input on the cycling strategies by identifying the challenges and opportunities; the needs and preferences of the community members and stakeholders; and, to shape the recommendations and next steps for consideration by the Region.

Key highlights of the survey strategies included:

- Bicycle Parking Survey Results
 - 40% of respondents NEVER use bicycle parking within Durham Region
 - Maintenance Survey Results (Facilities)
 - Signage & Wayfinding Survey Results
 - Education & Encouragement Survey Results
- Primary Cycling Network (PCN) Update
 - Updating the Primary Cycling Network
 - Network Assumptions
 - Maps:
 - Step 1a: Update Mapping Results
 - Step 1b: Level of Separation Results
 - Areas for Improvement:
 - Step 2: PCN Update & Status
 - Step 3: Identify and Confirm Facilities

- Cycling Strategy Review
 - Approach & Considerations
 - Next Steps and staying in touch

C. Basinski and J. Jones responded to questions regarding whether the specific working groups initiatives could also target the various community groups, with a diverse and ethnical perspective, including individuals with disabilities for a better understanding of their active transportation experiences.

C. Basinski and D. McLaughlin also responded to questions regarding the potential for a short term solution to improve the unsafe gap identified in the Network, from Simcoe Street/Old Scugog Road to Coates Road, south of Port Perry; whether a connecting route from Lake Scugog to Lindsay, extending from Highway 7A and along Highway 57 to River Road, could be looked at as part of the Network; if consideration has been given to partner with the Regional Municipality of York for a Network connection from Uxbridge / Port Perry to the Toronto Zoo, extending from the north end of the York-Durham Line; and a route from the Mississaugas of Scugog Island First Nation to the York Regions' First Nations.

C. Basinski responded to a question regarding whether the Regional Cycling Plan will bring forth a recommendation for dedicated funding for the various active transportation (alternative transportation) categories. A. Caruso advised that Planning staff will be meeting with the Region's Works and Finance staff to discuss the various funding options to raise the profile of cycling, particularly during COVID-19.

Discussion ensued regarding the need for consistency within the regional, municipal and rural cycling strategy standards/guidelines; and, whether the Regional Cycling Plan will reflect a program to support mid-block crossings that are primarily a municipal crossing on a regional road.

D. McLaughlin invited the Committee to email any comments or suggestions regarding the Regional Cycling Plan Update to A. Caruso and the Project Consultants of WSP.

5. Discussion Items

A) There were no items to be discussed.

6. Information Items

A) Port Perry Downtown Pilot Project – Street Closure to Vehicle Traffic

M. Gibbons announced that the Port Perry Downtown Pilot project is taking place in the Township of Scugog. He explained that Queen Street, between Perry Street and Water Street, has been closed to vehicle traffic on Saturdays and Sundays, effective July 25, 2020, for a four week period and noted that though its has been a controversial topic with some business

owners, it has been a great initiative for people to experience the downtown area; particularly during the COVID-19 pandemic.

B) Henry Street Closure in the Town of Whitby, Sunday, September 27, 2020, from 8:00 AM to 8:00 PM in Support of Active Transportation

Chair Lalonde announced that Henry Street in the Town of Whitby will be closed Sunday, September 27, 2020 from 8:00 AM to 8:00 PM in support of active transportation. He noted it will be a full closure from Victoria Street north, over the Highway 401 bridge, and then a partial closure from the Highway 401 bridge up to Dundas Street.

Chair Lalonde advised that the Town of Whitby is in the final stages of completing their Active Transportation Plan (ATP), and public discussion will take place in mid October 2020. It is anticipated that the ATP will be finalized by the year end.

7. Other Business

There was no other business to be considered.

8. Date of Next Meeting

The next regularly scheduled meeting of the Durham Active Transportation Committee will be held on Thursday, December 10, 2020 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, at 7:00 PM.

9. Adjournment

Moved by K. Haines, Seconded by P. Smith,
That the meeting be adjourned.
CARRIED

The meeting adjourned at 8:47 PM

R. Lalonde, Chair
Durham Active Transportation Committee

C. Tennisco, Committee Clerk

The Regional Municipality of Durham

Minutes

Energy From Waste – Waste Management Advisory Committee

Tuesday, September 22, 2020

A regular meeting of the Energy From Waste – Waste Management Advisory Committee was held on Tuesday, September 22, 2020 in Council Chambers, Regional Headquarters, 605 Rossland Road East, Whitby, at 7:02 PM. Electronic participation was permitted for this meeting.

1. Roll Call

Present: G. Rocoski, Oshawa, Chair
W. Basztyk, Brock
W. Bracken, Clarington
S. Elhajjeh, Clarington, Vice-Chair attended the meeting at 7:10 PM
T. Farrell, Brock
K. Meydam, Clarington
***all members of the committee except G. Rocoski participated electronically**

Absent: A. Burrows, Ajax
C. McLean, Ajax
H. Sukhu, Clarington

Non-Voting Members

Present: A. Burke, Senior Planner, Special Projects, Municipality of Clarington
Councillor Janice Jones, Local Councillor, Municipality of Clarington
M. Neild, Facility Manager, Covanta

Staff

Present: G. Anello, Director, Waste Management Services
R. Inacio, Systems Support Specialist – Information Technology
S. Penak, Committee Clerk, Corporate Services – Legislative Services
C. Tennisco, Committee Clerk, Corporate Services – Legislative Services

2. Declarations of Interest

There were no declarations of interest.

3. Adoption of Minutes

Moved by W. Baszytk, Seconded by T. Farrell,
That the minutes of the regular EFW-WMAC meeting held
on Thursday, February 22, 2020, be adopted.
CARRIED

Moved by W. Bracken, Seconded by K. Meydam,
That the minutes of the special EFW-WMAC meeting held
on Wednesday, July 15, 2020, be adopted.
CARRIED

4. Announcements

There were no announcements made.

5. Presentations

A) Gio Anello, Director, Waste Management Services, re: Durham
Region's 2019 Annual Waste Management Report

Gio Anello, Director, Waste Management Services, provided a
PowerPoint presentation regarding Durham Region's 2019 Annual
Waste Management Report. A copy of the presentation was emailed
to the Committee prior to the meeting.

Highlights of the presentation included:

- Background
- 2019 Highlights
 - Diversion rate is 63%
 - Tonnages for all Waste Diversion Programs
 - Community Outreach
 - Household Hazardous Waste Drop-Off Depot in Bowmanville
 - Landfill Perpetual Care
 - Durham York Energy Centre (DYEC)
- Transition to Extended Producer Responsibility

G. Anello advised that on October 17, 2020 a Regional event will be held at Regional Headquarters where residents of Durham can exchange their blue boxes for new ones from their car.

G. Anello responded to questions from the Committee regarding how the leaf and yard waste tonnage is calculated and whether the Region encourages grass-cycling and lawn mulching; how the Region calculates the diversion rate; whether Durham correlates how much is spent on education and promotion and the gross tonnage per year; why the gross waste tonnage was much less in 2016; and

whether the consultation on Extended Producer Responsibility that was expected to occur in the summer was cancelled.

G. Anello advised that the Resource Productivity and Recovery Authority (RPRA) is the agency that calculates the diversion rate. He also advised that through RPRA, all the information on the data call and the methodology is online. He further advised that a link to the website can be sent to the Committee after the meeting.

W. Bracken questioned whether RPRA looks at the incinerator ash in any way and whether they count the ash as diversion if its going to the landfill. G. Anello advised that the ash is being used as daily cover which is the reasoning for the discrepancy in the waste tonnage amounts. He added that he would confirm this with staff and get back to W. Bracken directly.

In response to a question, G. Anello stated that he previously provided the per capita numbers through a trend analysis to the Committee, but he would send them again after the meeting.

6. Delegations

There were no delegations to be heard.

7. Correspondence

- A) Email correspondence and two references from Linda Gasser, dated September 21, 2020, regarding 'Correspondence to September 22, 2020 EFW-WMAC – further to July 15, 2020 EFW-WMAC discussion re: LTWMP Guiding Principles (GP)'

Detailed discussion ensued regarding whether the guiding principles stated in Report #2020-COW-2: Solid Waste Management: 2020 Strategic Issues and Financial Forecast, were endorsed by council or just received for information. Concerns were raised that the stated guiding principles did not mention reducing and reusing waste, and mainly focused on treating waste as a resource. Further concerns were raised that the EFW-WMAC has not been able to provide input into the Long-Term Waste Management Plan.

G. Anello advised that the four guiding principles stated in Section 4.2 of Report #2020-COW-2 were approved by Council and also gave direction to staff which guided the development of the Long-Term Waste Management Plan. He advised that staff have continued to work with the EFW-WMAC and welcomed public comments.

Moved by W. Bracken, Seconded by B. Basztyk,
That the email correspondence and two references from
Linda Gasser, dated September 21, 2020, regarding
Correspondence to September 22, 2020 EFW-WMAC –
further to July 15, 2020 EFW-WMAC discussion re: LTWMP
Guiding Principles (GP), be received for information.
REFERRED BACK TO STAFF (See
Following Motion)

Moved by W. Bracken, Seconded by K. Meydem,
That the email correspondence and two references from
Linda Gasser, dated September 21, 2020, regarding
Correspondence to September 22, 2020 EFW-WMAC –
further to July 15, 2020 EFW-WMAC discussion re: LTWMP
Guiding Principles (GP) correspondence be referred to
Works staff for comment and for staff to answer the question
of where the evidence is that shows Regional Council
approved the guiding principles and report back to the
Committee.

CARRIED

8. Administrative Matters

There were no administrative matters to be considered.

9. Other Business

A) Update by Gioseph Anello, Director, Waste Management Services,
The Regional Municipality of Durham, regarding the Region's Long-
Term Waste Management Plan (2021 to 2040)

G. Anello provided an update regarding the Region's Long-Term
Waste Management Plan.

G. Anello advised that the Long-Term Waste Management Plan
(LTWMP) survey was posted to the Regional website for public
comment on August 19, 2020 and will conclude on September 30,
2020. He advised that over 400 responses have already been
received, with over 500 responses being forecasted.

Concerns were raised regarding the potential lack of focus on the
reduce and reuse components of waste, and there being too much
focus on resource recovery. Further concern was raised regarding
potentially misleading information on the Regional Waste website;
and that there is not enough public input and understanding.

Moved by W. Bracken, Seconded by K. Meydam,
That the EFW recommend to the Works Committee,

That the public comment period for the Long-Term Waste Management Plan be extended from September 30, 2020 until October 31, 2020.

CARRIED

In response to the Committee's concerns, G. Anello advised that staff work within the parameters they are given, along with legislative and Council direction. He advised that the Region is not neglecting the hierarchy of waste and indicated that staff would like to move forward with developing the outline of the LTWMP with further public consultation to take place in 2021.

Discussion ensued regarding what happens to the ash produced by the incinerator, and whether there are studies that show that the fly ash sent to landfills will not leach into the ground surrounding the landfill. G. Anello clarified that the bottom ash is kept separate from the fly ash. He advised that the bottom ash is currently being reviewed for its potential beneficial uses and is used as a daily landfill cover. He further advised that the fly ash is encapsulated at the site, a Toxicity Characteristic Leaching Procedure (TCLP) is performed to demonstrate that it is not hazardous. The encapsulated fly ash is sent to the Thorold Landfill which is an engineered landfill with the appropriate containment and leachate collection.

In response to a question, A. Porteous advised that a summary of the comments received on the LTWMP can be shared with the EFW-WMAC, once the Record of Consultation has been completed.

Further discussion ensued regarding the guiding principles, and how they can be revised or modified.

The Committee recommended that a special EFW-WMAC meeting be called once a response from staff is received regarding more detail on the guiding principles.

G. Anello advised that M. Smart could suggest dates once a response from staff is drafted.

B) Update by Gioseph Anello, Director, Waste Management Services, The Regional Municipality of Durham, regarding the Durham York Energy Centre

G. Anello provided an update regarding the Durham York Energy Centre (DYEC).

G. Anello advised that the DYEC is currently operating at 100% Maximum Continuous Rating (MCR) and has processed 97,000 tonnes of waste to date. He advised that the end of the year projection is 150,000 tonnes of waste processed.

G. Anello advised that the Fall shutdown will occur September 26, 2020 – October 5, 2020 for scheduled maintenance, and that both boilers will be down. He also advised that staff will be looking to launch a revitalized DYEC webpage on October 17, 2020.

G. Anello updated the Committee regarding the streamlined Environmental Assessment (EA) process. He advised that staff are working with the Ministry to update the emissions distribution summary model, along with updates to the meteorological data. Staff would then run the emissions distribution summary model and start finalizing the report so it can go to the Ministry for comment and further consultation. He advised that it should be available by the end of this year for comment.

G. Anello advised that the Spring Stack Test was completed and finalized, and that an information report will be completed within the next two weeks. He further advised that the Fall Source Test will occur the week of November 9, 2020.

C) Update by Gioseph Anello, Director, Waste Management Services, The Regional Municipality of Durham, regarding Extended Producer Responsibility (EPR)

G. Anello provided an update regarding Extended Producer Responsibility (EPR).

G. Anello advised that the Province was set to release draft regulation in the summer of 2020 but has been delayed until the Fall.

In response to a question, G. Anello advised that it is anticipated that the next EFW-WMAC meeting November 24, 2020 should align with the draft regulations being released and the Committee could provide comments on the regulations at that time.

Discussion ensued regarding calling a special EFW-WMAC meeting if needed so that the EFW-WMAC could provide comments on the draft regulations. The Committee requested that staff notify the Committee once the draft regulations are released and advise of how long the comment period is in order to determine whether a special meeting would be required.

D) Update by Gioseph Anello, Director, Waste Management Services, The Regional Municipality of Durham, regarding the Region's Organics Management Project

G. Anello provided an update regarding the Region's Organics Management Project.

G. Anello advised that the Request for Qualification is out and will close November 3, 2020. He advised that there has been a very good uptake of the document and quite a bit of interest.

G. Anello advised that Report #2020-COW-25: Report on the Organics Management Solution – Joint Venture/Co-ownership with EPCOR Power Development Corporation was presented to the Committee of the Whole on September 16, 2020 and will subsequently be going to Regional Council September 30, 2020 for approval. He advised that staff's attempt to negotiate a partnership with EPCOR were not successful and the Region will be moving forward without a partner for the mixed waste pre-sort and anaerobic digestion facility.

G. Anello responded to questions from the Committee regarding what EPCOR's role would have been in the project; the financial implications and risks of not having a financial partner; an estimate of the capital cost of the project; whether changes will be made going forward as staff develop the Request for Proposal; and the Municipality of Clarington declaring itself an unwilling host to a mixed waste pre-sort and anaerobic digestion facility.

E) Update by George Rocoski, EFW-WMAC Chair, regarding preparation of the EFW-WMAC Annual Report for presentation on December 2, 2020, to the Region's Works Committee, and on December 14, 2020, to the Municipality of Clarington's Council

G. Rocoski provided an update regarding the preparation of the EFW-WMAC Annual Report which will be presented to the Works Committee on December 2, 2020 and to Clarington Council on December 14, 2020.

G. Rocoski advised that he plans to have a draft of the presentation submitted with the EFW-WMAC agenda package for the November 24, 2020 Committee meeting for comment by the Committee.

10. Next Meeting

The next regularly scheduled meeting of the EFW-WMAC will be held on Tuesday, November 24, 2020 in Council Chambers, at 7:00 PM, Regional Headquarters, 605 Rossland Road East, Whitby.

11. Adjournment

Moved by K. Meydam, Seconded by T. Farrell,
That the meeting be adjourned.
CARRIED

The meeting adjourned at 9:29 PM.

G. Rocoski, Chair, Energy from Waste –
Waste Management Advisory Committee

S. Penak, Committee Clerk