



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	April 18, 2017
SUBJECT/REPORT NO:	Terrapure Stoney Creek Regional Facility EA – Proposed Terms of Reference - Staff Comments to MOECC (PED16184(a)) (Ward 9)
WARD(S) AFFECTED:	Ward 9
PREPARED BY:	Eniber Cabrera (905)546-2424 Ext. 6685
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Council endorse Staff comments submitted to the Ministry of Environment and Climate Change on March 10, 2017 outlining the City's comments respecting the "Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017", attached as Appendix "A" to Report PED16184(a).
- (b) That the City Clerk's Office be authorized and directed to forward Report PED16184(a) to the Ministry of Environment and Climate Change and this Report is considered the City of Hamilton's formal comments on the second phase of the "Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017".

EXECUTIVE SUMMARY

Terrapure Environmental (Terrapure) is the owner and operator of the Stoney Creek Regional Facility (SCRF), a landfill located at the northwest corner of Mud Street and Upper Centennial Parkway (Highway 20) in the former City of Stoney Creek (Ward 9). Appendix "B" to Report PED16184(a) shows the location of the SCRF.

On September 20, 2016, Planning staff brought forward Report PED16184 to the Planning Committee to seek Council authorization to forward a Letter of Comment to

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Terrapure outlining the City's comments respecting the "Stoney Creek Regional Facility Environmental Assessment (EA) – Draft Proposed Terms of Reference (ToR), June 2, 2016". Planning Committee received the report and presentation and referred the item to the September 28, 2016 Council meeting. Subsequently, Council approved the recommendation and a Letter of Comment, included in PED16184 was forwarded to Terrapure.

Terrapure made a number of revisions to the draft Proposed ToR based on the comments received from review agencies, including the City of Hamilton and the Ministry of Environment and Climate Change (MOECC), Aboriginal communities and the public. On February 8th, 2017, Terrapure submitted the Proposed ToR to the MOECC for review as required under the Environmental Assessment Act. If approved, the ToR will serve as a framework for the preparation and review of the environmental assessment for the proposed expansion of the SCRF Landfill.

The landfill was approved under the Environment Protection Act ("EPA") to receive 2,000,000 cubic metres (m³) of industrial fill/soils ("non-waste") and 6,320,000 m³ of solid, non-hazardous residual materials from commercial, industrial and institutional sources (that have exhausted all recycling options) for a total approved site capacity of 8,320,000 m³.

In the Proposed ToR, Terrapure is proposing to increase the approved capacity of the SCRF by 3,680,000 m³ so that Terrapure can continue to receive post-diversion solid, non-hazardous residual material generated within the Hamilton and Greater Toronto Area. If approved, the SCRF facility would have a total site capacity of 10,000,000 m³.

This Report responds to the request for comments received from the MOECC on February 8, 2017 on the "Terms of Reference for the Stoney Creek Regional Facility Landfill Expansion" (Attached as Appendix "C" to Report PED16184(a)). MOECC provided a 30-day review period to all potentially interested members of the public, Aboriginal communities and government agencies to review the ToR documentation and provide comments to the Ministry for consideration when making a decision about the proposed ToR. The deadline for submitting comments to the MOECC concluded on March 10, 2017. The City staff comments on the Proposed ToR are attached in Appendix "A" to PED16184(a).

The City will be able to submit comments again during the EA phase. The ToR indicates that there will be a number of key-decision making milestones when consultation will occur during preparation of the SCRF EA, including three Open Houses to be held through the study, and the opportunity to comment of the pre-submission of the Draft SCRF EA Report.

Alternatives for Consideration – See page 17

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The MOECC is the approval authority for the EA. The comments sought from the City of Hamilton are for the Proposed ToR for an EA prepared by Terrapure. If the Proposed ToR is approved, there will be further opportunity for the City of Hamilton to provide submissions on the subsequent EA that will be submitted to the MOECC.

HISTORICAL BACKGROUND

Terrapure Stoney Creek Regional Facility

Terrapure is the owner and operator of the SCRF, a landfill located at the northwest corner of Mud Street and Upper Centennial Parkway (Highway 20) in the former City of Stoney Creek (Ward 9). The landfill was approved under the EPA and operates under the Environmental Certificate of Approval (ECA) No. A181008. The ECA allows the facility to have a total disposal capacity of 6,320,000 m³ of solid, non-hazardous residual materials from commercial, industrial and institutional sources (that have exhausted all recycling options), with an additional allowance for acceptance of 2,000,000 m³ of industrial fill / soils, for a site total of 8,320,000 m³. Appendix “B” to Report PED16184(a) shows the location of the SCRF.

The annual maximum approved fill rate for the site is 750,000 tonnes per year. The SCRF operates Monday to Friday, from 7:00 am to 5:00 pm, and is permitted to receive up to 250 trucks per day. The SCRF’s current design is expected to reach capacity in the next 16 to 22 years, with the capacity for residual material exhausted in approximately 3 to 5 years, and the site continuing to accept industrial soils / fill for another 13 to 17 years thereafter.

2016 - SCRF Environmental Assessment Proposed Draft Terms of Reference

In June 2016, Terrapure and its consultants (GHD Consulting) circulated the SCRF EA Draft Proposed ToR and solicited comments from the community, stakeholders, and interested agencies. In the Draft Proposed ToR, Terrapure was proposing to reconfigure the SCRF back to a footprint close to the original that was approved in 1996 but to retain the current approved height limits. This reconfiguration would permit an additional 3,680,000 m³ of solid non-hazardous residual material (by reallocating the

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2,000,000 m³ allowance for industrial fill/soils and adding some additional capacity), for a total site capacity of 10,000,000 m³. This proposal would extend the footprint of the landfill back towards Green Mountain Road West to what was initially approved in 1996.

Terrapure screened a number of alternatives for consideration to address the available opportunity to provide regional solid, non-hazardous industrial residual material disposal capacity. Terrapure identified Alternative 3 – Reconfigure Existing SCRF, to allow for additional capacity, as the preferred alternative. For Alternative 3, Terrapure proposed two reconfigured footprints (“alternative footprints”) to create additional capacity at the SCRF. The Draft Proposed ToR included a preliminary overview of the alternative footprints. These two alternatives would extend the footprint of the landfill back towards Green Mountain Road West, close to what was initially approved in 1996 and would entail an approximate 2.5 m crest height increase and potential overall peak height increase of up to 4 m.

Planning staff coordinated comments from a number of City departments on the Draft Proposed ToR in response to Terrapure’s request for comments. Report PED16184, approved by Council on September 28, 2016, provided a summary of concerns and issues identified by staff. Detailed comments on the Draft Proposed ToR were included in Appendix “A” to Report PED16184. These concerns included:

- Reduced buffering / setbacks and impacts to approved residential building lots;
- Traffic concerns;
- Drainage and servicing impacts;
- Noise;
- Lack of data on the GHG emissions;
- Confusing / Conflicting information on the total amount of waste / fill; and,
- Visual Impacts.

In addition to these concerns, staff considered that the full range of options / alternatives had not been explored through this process and suggested that Terrapure investigate other alternatives to those presented in the draft ToR. In particular, it was recommended that Terrapure review alternative footprints to increase the buffer between the residual waste area and the lands approved for development through Draft Plans of Subdivision located at 22 Green Mountain Road West and 420 First Road West. Given the approvals are in place for the residential development, it is important to consider the effects of the proposed changes on these future residents.

2017 - Proposed Landfill Expansion (Proposed Environmental Assessment ToR)

Terrapure made a number of revisions to the ToR based on the comments received from review agencies, including the City of Hamilton and the MOECC, Aboriginal

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communities, and the public. Appendix “C” to PED16184(a) includes a summary of the “Revisions to the Proposed Terms of Reference”, provided by Terrapure. On February 8, 2017, Terrapure submitted the Proposed ToR to the MOECC for review as required under the Environmental Assessment Act. The Notice of Submission, letter from the MOECC to the Government Review Team and the Proposed ToR are also included in Appendix “C” to PED16184(a).

Terrapure is seeking approval under the Ontario Environmental Assessment Act (EA Act) to increase the total approved capacity for post diversion solid, non-hazardous industrial residual material at the SCRF by 3,680,000 m³. The proposal would not change the type or annual volume of residual materials currently accepted at the facility, nor the maximum number of vehicles to the site per day. In order to achieve the proposed increased volume of solid, non-hazardous industrial residual material, Terrapure has identified six preliminary Alternative Methods of Carrying Out the Undertaking (“Alternative Methods”). These will be considered as part of the EA, which may include, but not limited to, the following:

- Alternative Method No. 1: Reconfiguration of the SCRF
- Alternative Method No. 2: Horizontal Expansion of the SCRF
- Alternative Method No. 3: Vertical Expansion of the SCRF
- Alternative Method No. 4: Reconfiguration and Horizontal Expansion of the SCRF
- Alternative Method No. 5: Reconfiguration and Vertical Expansion of the SCRF
- Alternative Method No. 6: Horizontal and Vertical Expansion of the SCRF

The Alternative Methods will be assessed and evaluated during the EA phase, through the following three steps: (1) assessment of the Alternative Methods; (2) comparative evaluation of the Alternative Methods and selection of the recommended Method; and, (3) identification of the Preferred Method.

Upon completion of this three-step comparative evaluation, an impact assessment of the Preferred Method will be undertaken. If the MOECC grants approval of the ToR, the SCRF EA will be prepared in accordance with the approved ToR.

CHRONOLOGY

Prior to 1977: Taro East Quarry: These lands were used for bedrock extraction.

1996: Taro Aggregates received the Environmental Compliance Approval ECA No. A181008 from the MOE and started the operation of the SCRF. The site was acquired by Newalta Corporation (“Newalta”) in 2006; Terrapure took over ownership in 2015.

- 2006: The Nash Neighbourhood Secondary Plan, adopted by Council in 2006, designated the East Quarry/Landfill lands (now SCRF) as “Open Space” and “Special Policy Area B”. The Secondary Plan also includes a policy requiring a Holding Zone provision for all lands intended for residential use within 160 m of the working licensed limits of the former quarry under rehabilitation (see Policy Implications and Legislated Requirements section) to avoid any potential land use conflicts as a result of new residential development.
- 2010 – 2015: Two Draft Plans of Subdivisions located north of Green Mountain Road West were approved: 22 Green Mountain Road West and 420 First Road West. Both subdivisions included the provision for a holding zone to be applied to all residential lands within 160 m of the working licensed limits of the former quarry under rehabilitation until the completion of rehabilitation of the site have been finalized to the City’s satisfaction.
- 2013: Amendment to Waste Receipts & Service Area. The MOE approved amendments to the SCRF ECA to allow the SCRF to continue to receive up to 750,000 tonnes of waste per any consecutive 12 month period instead of the calendar year. In addition, it was requested to allow the site to receive approved wastes from anywhere within the Province of Ontario.
- 2014: Landfill Footprint Reconfiguration. In 2014, the MOE approved an amendment to the facility’s ECA allowing reducing the size of the residual material footprint from what was originally approved in 1996. There was no change to the approved total disposal volume for non-hazardous residual material (6,320,000 m³). However, the reconfiguration effectively increased the maximum crest height of the landfill by approximately 4.5 m, while reducing the overall footprint for residual material from 59.1 ha to 41.5 ha. As part of the change, Newalta was authorized to accept approximately 2,000,000 m³ of fill to complete the final site grading (non-waste).
- As a result, the setback distance between the limit of residual material and Green Mountain Road West was increased from 30 m to a minimum of 140 m.
- 2015: The Holding Zones lifted: Council approved staff’s recommendation to lift the residential holding zone from the two Draft Plans of Subdivisions located at 22 Green Mountain Road West and 420 First

Road West as they were no longer located within 160 m of the limits of the of area receiving residual industrial material (solid non-hazardous residual material). The decision was made based on an application from the developer, which included the submission of an amendment to the Revised Landfill Impact Assessment report. The developer indicated in the application that the realignment of the footprint moved the landfill limit southward, resulting in a greater distance between the limits of the area receiving residual material and the proposed development lands thus rendering the Holding Provision unnecessary.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Regulation

The planning and operation of the Terrapure SCRF must be consistent with The Provincial Policy Statement (PPS), conform to the Places to Grow, Growth Plan for the Greater Golden Horseshoe, 2013 and comply with the EA Act and the MOECC Guidelines D-1: Land Use Compatibility & D-4: Land Use On or Near Landfills and Dumps. In addition, the planning of the landfill will have to comply with the Bill 73 - Waste Free Ontario, 2016, which includes a final draft Strategy for a Waste Free Ontario: Building the Circular Economy. Report PED16184 included a description of the main elements of these provincial regulations, as apply to the subject site.

Urban and Rural Hamilton Official Plans

The SCRF site is located within the jurisdiction of the Urban Hamilton Official Plan, however, the Proposed ToR identifies a 1.5 kilometre preliminary Study Area which extends into lands within the Rural Hamilton Official Plan (refer to Appendix “D” to Report PED16184(a) for a map showing the study area).

Urban Hamilton Official Plan

The SCRF is identified as “Neighbourhoods” on Schedule E (Urban Structure) and designated as “Open Space” on Schedule E-1 (Land Use Designations) of the Urban Hamilton Official Plan, Vol. 1. The SCRF site is located within the Nash Neighbourhood Secondary Plan. The site is designated as “General Open Space” and contains a Site Specific Policy Area, “Area B” (refer to Appendix “E” to Report PED16184(a) for the Nash Neighbourhood Secondary Plan land use map).

The following policies of the Nash Neighbourhood Secondary Plan are to be considered:

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B.7.5.6.4 The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green Community Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course.

B.7.5.11 Environment Policies

B.7.5.11.3 Development proposals for residential or institutional uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site may be required to submit studies demonstrating that there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to hydrogeology, traffic, air quality, noise, etc. subject to the requirements of the City.

B.7.5.13 Implementation

B. 7.5.13.4 Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Section F.1.8 – Holding By-laws. The Holding Zone will not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

Site Specific Policy - Area B

B. 7.5.14.2 For Lands shown as Site Specific Policy - Area B on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan, the following policies shall apply:

- a) In addition to the uses permitted in Section C.3.3 - Open Space Designation and Policy E.5.3.6 of Volume 1, the existing waste disposal facility shall be permitted in Site Specific Policy - Area B.*
- b) Site Specific Policy - Area B is ultimately intended for open space and/or recreational uses and may include a golf course. However, these lands may be used for landfill and quarry operations in accordance with the Terms and Conditions of the Agreement among the Corporation of the former City of Stoney Creek, Taro Aggregates Ltd. and Philip Environmental Inc. dated February, 1997; the Provisional Certificate of Approval for a Waste Disposal Title No. A181008 dated September 6, 1996; and Notice of Approval to proceed*

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with the undertaking under Section 14 of the Environmental Assessment Act dated July 15, 1996; the existing licence to extract mineral aggregate resource issued under the Aggregate Resources Act and any amendments to the aforementioned documents.

- c) Final closure of this site, and the after-use of this site for recreational and open space uses, such as a golf course, will require the approval of the Minister of Environment pursuant to the provisions of the Environmental Protection Act, as amended, and surrender of the Aggregate Resources Act licence.*
- d) Recreational and open space uses, when approved by the Minister of Environment, can occur without amendment to this Plan subject to the surrender of the Aggregate Resources Act licence and any necessary Site Plan and Development Agreements being approved by the City.*

The southern boundary of the Study Area identified in the ToR extends into the West Mountain Area (Heritage Green) Secondary Plan. The following policies are to be considered:

B.7.6.1.2 Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Section F.1.8 – Holding By-laws, of Volume 1. The Holding Zone shall not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

B.7.6.1.3 Proponents of development proposals for residential and other sensitive land uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site shall be required to submit studies demonstrating there are no adverse effects on the development or that the effects can be mitigated. These studies may include, but not be limited to, ground and surface water, leachate migrating onto the subject lands, traffic, air quality, noise, soil contamination and hazardous waste and landfill generated gases, subject to the requirements of the City.

Rural Hamilton Official Plan

The western boundaries of the study area identified in the Draft Proposed ToR extend into area designated under the Rural Hamilton Official Plan. The lands located east of Upper Centennial Parkway, north of Mud Street East are designated as “Specialty

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Crop”. The lands located east of Upper Centennial Parkway, south of Mud Street East are designated “Rural” and “Open Space”.

City of Stoney Creek Zoning By-law

The SCRF site conforms to the City of Stoney Creek Zoning By-law No. 3692-92 under Section 9.8.5 ‘Special Exemptions’, as ME-1. In addition to permitted uses under Extractive Industrial “ME” Zone, lands zoned ME-1 are permitted for operations associated with non-hazardous waste from industrial, commercial, and institutional sources.

RELEVANT CONSULTATION

A working group of City staff was formed to inform and gather input on the Letter of Comment (refer to Appendix “A” to Report PED16184(a)). The Letter of Comment was prepared based on the input from staff from the Planning Division, Growth Management Division, Economic Development Division, Hamilton Public Health, Public Works Department, and Legal Services.

The City of Hamilton is a commenting agency on this EA process. The MOECC is the ultimate approval authority for the EA and has the responsibility of seeking and collecting comments. In addition to the City of Hamilton, the MOECC has requested comments from Federal, Provincial and Local agencies (i.e., Government Review Team), Aboriginal Communities, and the public. Comments from these groups are submitted directly to MOECC.

The Proposed ToR indicates that ongoing consultation will continue throughout the SCRF EA. Three key decision-making milestones for when main consultation events will occur during the preparation of the SCRF EA are as follows:

1. Assessment of Alternative Methods
2. Impact Assessment of the Preferred Method
3. Pre-submission of the Draft SCRF EA Report

According to the Proposed ToR, input will be obtained from interested parties, including review agencies, Aboriginal Communities, and the public. The consultation activities for the SCRF EA will include, but will not be limited to the following:

- Notifications using notices, information letters and flyers.
- Meetings and presentations, including individual/ group meetings, Community Liaison Committee meetings, and presentation to the City of Hamilton.
- Public open houses, proposed as follows:

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- Public Open House 1 – discussion on the developed Alternative Methods, the evaluation criteria and indicators, and the evaluation methodology to be utilized.
 - Public Open House 2 – reviewing the comparative evaluation results of the Alternative Methods and identifying the recommended Alternative Method.
 - Public Open House 3 – reviewing the impact assessment results of the Preferred Method.
- Project-specific Website and Social Media.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Terrapure is proposing to reconfigure the SCRF to permit an additional 3,680,000 m³ of solid, non-hazardous residual material, for a total site capacity of 10,000,000 m³ solid, non-hazardous residual material. The proposal intends to maintain the type and annual volume of residual materials currently accepted at the facility, as well as the maximum number of vehicles to the site per day. Unlike the previous Draft Proposed ToR, the Proposed ToR does not indicate an intention to maintain the permitted 2,000,000 m³ allowance for industrial fill/soils (which is non-waste).

Terrapure has indicated that under the current operation and market conditions, the existing SCRF is expected to reach its approved capacity in the next 16-22 years, accepting a combination of solid, non-hazardous industrial residual material as well as non-hazardous industrial soils or fill. The Proposed ToR indicates that by changing the configuration of the site to accept more residual materials, SCRF may be able to close sooner (within 13 to 20 years) than currently anticipated. The existing SCRF approved capacity is illustrated in Figure 1 on the next page.

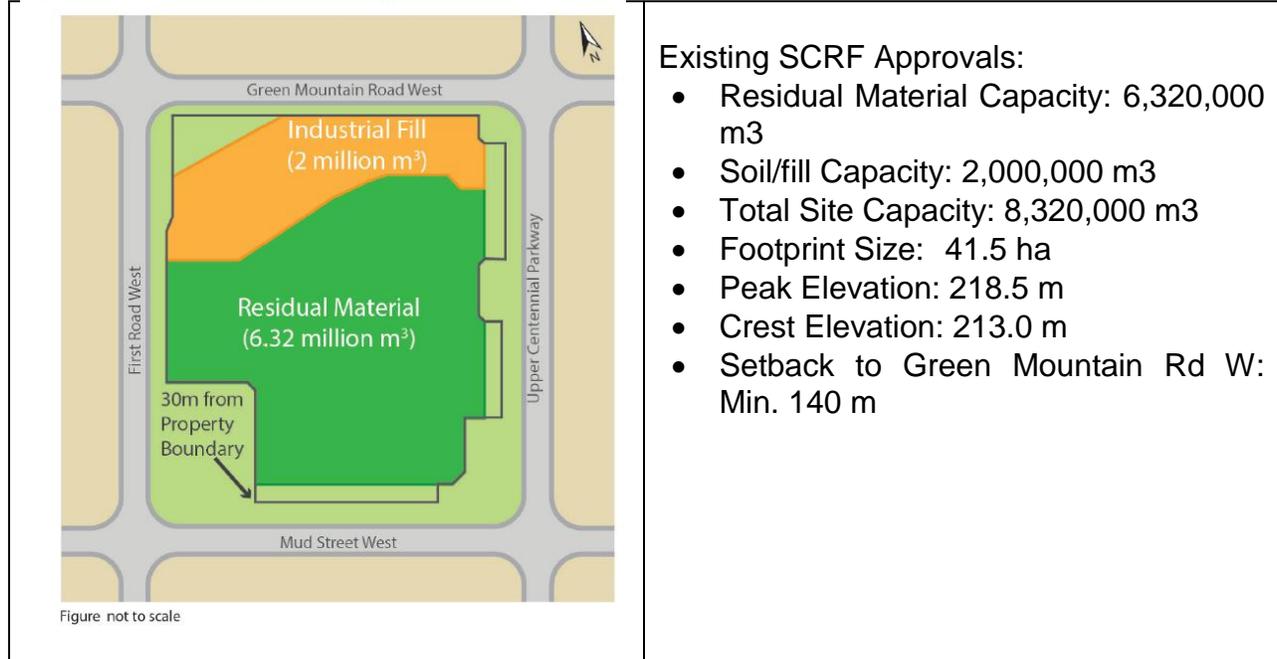
The Proposed ToR identifies a predetermined “Alternative To” for consideration to address the opportunity available to Terrapure to provide regional solid, non-hazardous industrial residual material disposal capacity within the Greater Toronto Area and Hamilton. The report indicates that as a private sector Proponent with a current facility, expansion of the existing facility is the most reasonable solution to addressing an economic opportunity.

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Figure 1: Existing SCRF Approvals



Terrapure has identified six preliminary Alternative Methods of Carrying Out the Undertaking (“Alternative Methods”) that will be considered as part of the Environmental Assessment, which may include, but not limited to, the following:

- Alternative Method 1: Reconfiguration of the SCRF
- Alternative Method 2: Horizontal Expansion of the SCRF
- Alternative Method 3: Vertical Expansion of the SCRF
- Alternative Method 4: Reconfiguration and Horizontal Expansion of the SCRF
- Alternative Method 5: Reconfiguration and Vertical Expansion of the SCRF
- Alternative Method 6: Horizontal and Vertical Expansion of the SCRF

Table 1 in the next page includes a summary of the key changes in capacity and vertical and horizontal expansion for proposed Alternative Method (footprint) the SCRF:

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Table 1: Proposed Alternative Methods – Capacity and Expansion

Alternative	Capacity (m ³) (1)			Expansion (2)	
	Residual Material	Industrial Fill	Total	Vertical	Horizontal
Current	6,320,000	2,000,000	8,320,000	-	-
1	10,000,000	-	10,000,000	no	no
2	10,000,000	2,000,000	12,000,000 (1)	no	yes
3	10,000,000	2,000,000	12,000,000 (1)	yes	no
4	10,000,000	-	10,000,000	no	yes
5	10,000,000	-	10,000,000	yes	no
6	10,000,000	2,000,000	12,000,000 (1)	yes	yes

Notes:
 (1) Assumed capacity based on concepts. This information was not clearly defined in the ToR
 (2) Based on overall description. Information regarding footprint size, peak elevation, crest elevation, and setback to Green Mountain Road W. was not provided in the ToR

The Alternative Methods are briefly described in Table 2 below:

Table 2: Alternative Methods (Footprints and Configuration)

<p>Alternative Method 1: Reconfiguration</p>  <p>Figure not to scale</p>	<ul style="list-style-type: none"> • The area at the SCRF currently approved for receiving industrial fill would be replaced with post-diversion solid, non-hazardous industrial residual material. • The SCRF would no longer be approved to receive industrial fill with Alternative Method No. 1. • The area at the SCRF currently approved for receiving residual material would remain unchanged. • Would not include either a horizontal or vertical expansion.
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Alternative Method 2: Horizontal Expansion of the SCRF



Figure not to scale

- The area at the SCRF currently approved for receiving industrial fill would remain unchanged. Therefore, the SCRF would still be approved to receive industrial fill.
- The areas at the SCRF not currently approved for receiving either industrial fill or residual material would be expanded into so that they would be able to receive post-diversion solid, non-hazardous industrial residual material.
- A minimum 30 m buffer would be established around the entire area for receiving industrial fill or residual material.
- Would include a horizontal expansion, but not a vertical expansion. The peak height currently approved would remain unchanged.

Alternative Method 3: Vertical Expansion of the SCRF

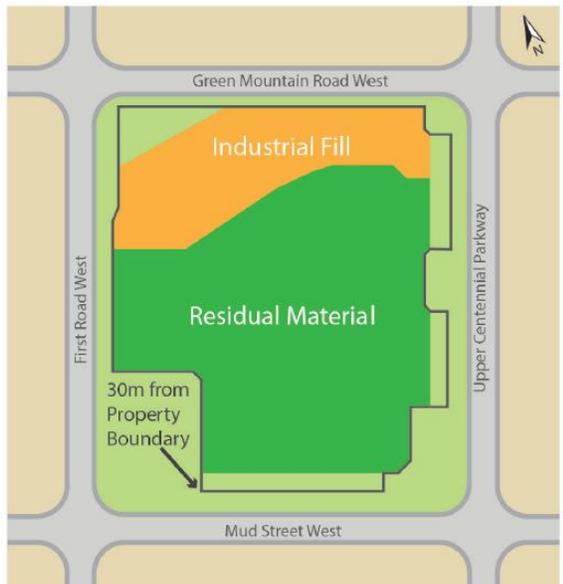


Figure not to scale

- The area at the SCRF currently approved for receiving industrial fill would remain unchanged. Therefore, the SCRF would still be approved to receive industrial fill.
- The area at the SCRF currently approved for receiving residual material would be expanded vertically so that additional post-diversion solid, non-hazardous industrial residual material could be received.
- Would not include a horizontal expansion, but would include a vertical expansion, increasing the overall height of the area currently approved to receive post-diversion solid, non-hazardous industrial residual material.

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Alternative Method 4: Reconfiguration and Horizontal Expansion of the SCRF



Figure not to scale

- The currently approved area at the SCRF for receiving industrial fill would be replaced with post-diversion solid, non-hazardous industrial residual material. In addition, the areas at the SCRF not currently approved for receiving either industrial fill or residual material would be expanded into so that they would be able to receive post-diversion solid, non-hazardous industrial residual material.
- The SCRF would no longer be approved to receive industrial fill, but only post-diversion solid, non-hazardous industrial residual material.
- A minimum 30 m buffer would be established around the entire area for receiving residual material.
- Would include a horizontal expansion, but would not include a vertical expansion. The peak height currently approved would remain unchanged.

Alternative Method 5: Reconfiguration and Vertical Expansion of the SCRF



Figure not to scale

- The currently approved area for receiving industrial fill would be replaced with post-diversion solid, non-hazardous industrial residual material. The entire area currently approved for receiving either industrial fill or post-diversion solid, non-hazardous industrial residual material would be expanded vertically so that additional residual material could be received.
- The SCRF would no longer be approved to receive industrial fill, but only post-diversion solid, non-hazardous industrial residual material.
- A minimum 30 m buffer would be established around the entire area for receiving residual material.
- Would not include a horizontal expansion, but would include a vertical

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	<p>expansion. The peak height currently approved would be increased.</p>
<p>Alternative Method 6: Horizontal and Vertical Expansion of the SCRF</p>  <p>Figure not to scale</p>	<ul style="list-style-type: none"> • The existing approved area at the SCRF for receiving industrial fill would remain unchanged. Therefore, the SCRF would still be approved to receive industrial fill. • The area at the SCRF currently approved for receiving post-diversion solid, non-hazardous industrial residual material would be expanded vertically, and the areas at the SCRF not currently approved for receiving either industrial fill or post-diversion solid, non-hazardous industrial residual material would be expanded into so that they would be able to receive residual material. • A minimum 30 m buffer would be established around the entire area for receiving industrial fill or post-diversion solid, non-hazardous industrial residual material. • Would include both horizontal and vertical expansions, thus increasing the currently approved peak height.

These Alternative Methods are conceptually described in the Proposed ToR, however, information regarding the proposed peak elevation and height, footprint area, or ultimate site capacity is not included in the document. The Proposed ToR indicates that for the EA phase each Alternative Method will include a detailed description based on a conceptual level of design and operational aspects. Each of the conceptual design will incorporate the following elements:

- Buffer zones between the SCRF footprint and the property boundary
- Setbacks to surrounding developments
- Contours and slopes of the final cover
- Peak elevation and height relative to surrounding landscape
- Footprint size
- Leachate generation rates
- Infrastructure requirements

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

The Alternative Methods will be assessed and evaluated during the EA phase, through the following three steps:

- Step 1 – Assessment of alternative methods, using criteria and indicators grouped into the five environmental components: natural, built, social, economic, and cultural.
- Step 2 - Comparative evaluation of the Alternative Methods and selection of the recommended Method.
- Step 3 – Identification of the Preferred Method following consultation with review agencies, Aboriginal communities, and the public.

Upon completion of this three-step comparative evaluation, an impact assessment of the Preferred Method will be undertaken. If the MOECC grants approval of the ToR, the SCRF EA will be prepared in accordance with the approved ToR.

Summary of Staff Comments Regarding the Proposed ToR

Planning staff coordinated comments from City departments on the Draft Proposed ToR in response to Terrapure’s request for comments. The following section includes a summary of the key comments from Staff. Detailed comments are included in Appendix “A” to Report PED16184(a).

Staff has a number of outstanding concerns that have not been adequately addressed through the Proposed Terms of Reference. These concerns include:

- Impacts on approved residential building lots if a reduced distance between the residual material and residential developments is approved by the MOECC;
- A Landfill Impact Assessment should be carried as part of the EA;
- Visual Impacts – include a comprehensive visual impact assessment in the EA;
- Financial assessment – potential changes in property value and assessment value;
- Air Quality and Noise impacts;
- Drainage and servicing impacts, including the future accommodation of Green Mountain Road West urbanization and widening;
- Transportation and traffic impacts;
- Pre-determination of the “Alternatives To” and the exclusion of a null option; and,
- Confusing/Conflicting information on the total amount of waste/fill.

ALTERNATIVES FOR CONSIDERATION

The City could forego the opportunity to provide comments to the MOECC on the Proposed Terms of Reference.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES

- Appendix “A”: City of Hamilton Letter and Staff Comments on the Draft Proposed ToR
- Appendix “B”: SCRF Location
- Appendix “C”:
 - C1: Letter from the MOECC, dated February 6, 2017
Notice of Submission of Terms of Reference
Revisions to the Proposed Terms of Reference
 - C2: Stoney Creek Regional Facility Environmental Assessment -
Proposed Terms of Reference, February 8, 2017
- Appendix “D”: Environmental Assessment Study Area
- Appendix “E”: Nash Neighbourhood Secondary Plan Land Use Map

EC:jp