



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 18, 2018
SUBJECT/REPORT NO:	Terrapure Stoney Creek Regional Facility EA – Preliminary Draft Environmental Assessment - Staff Comments to Proponent and MECP (PED16184(b)) (Ward 9)
WARD(S) AFFECTED:	Ward 9
PREPARED BY:	Tiffany Singh (905) 546-2424 Ext. 1221
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Council endorse the staff comments submitted to Terrapure Environmental and GHD Pty Ltd. (their consultants) on August 31, 2018 outlining the City’s comments respecting the “Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment, July 30, 2018”, attached as Appendix “A” to Report PED16184(b);
- (b) That Report PED16184(b) be adopted as the City of Hamilton’s formal comments on the second phase of the “Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment, July 30, 2018”;
- (c) That the City Clerk be authorized and directed to forward Report PED16184(b) to the Ministry of Environment, Conservation and Parks (MECP).

EXECUTIVE SUMMARY

The Stoney Creek Regional Facility (SCRF) is owned and operated by Revolution Landfill LP, operating as Terrapure Environmental, referred to as Terrapure (Owner, Proponent). The SCRF is an existing landfill located at the northwest corner of Mud Street and Upper Centennial Parkway (Highway 20) in the former City of Stoney Creek (Ward 9), as shown on Appendix “B” to Report PED16184(b).

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The existing landfill was approved under the Environment Protection Act (“EPA”) and operates under the Environmental Certificate of Approval (ECA) No. A181008 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, with an approved maximum annual volume of 750,000 tonnes of residual material.

Terrapure is proposing to modify the site to increase the approved capacity of solid, non-hazardous industrial residual material SCRF by 3,680,000 m³, which would bring the total site capacity to a range between 10,000,000 m³ to 12,000,000 m³ (depending on which alternative method is approved), so that Terrapure can continue to receive post-diversion solid, non-hazardous residual material generated within the Hamilton and Greater Toronto Area. The proposal would not change the type or annual volume of residual materials currently accepted at the facility, nor the maximum number of permitted vehicles to the site per day. However, as the proponent is proposing to increase the total waste disposal capacity of the SCRF beyond 100,000 m³, they are subject to Part II of the EA Act, which requires a proponent to undertake the 2-step EA process. An Individual Environmental Assessment (EA) approved by the Ministry of the Environment, Conservation and Parks (MECP) (previously known as the Ministry of the Environment and Climate Change - MOECC) is required.

On April 18, 2017, Planning staff brought forward Report PED16184(a) to Planning Committee seeking Council endorsement on staff comments submitted to the Ministry of the Environment, Conservation and Parks (MECP) on March 10, 2017 and forwarding the report (PED16184(a)) to the Ministry outlining the City’s comments respecting the “Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017”. Further, Council reiterated that the City opposes the application made by Terrapure Environmental to increase the capacity of their landfill

Terrapure made a number of revisions to the Proposed Terms of Reference (ToR) based on the comments received from review agencies (including the City of Hamilton) and as required by the MECP. On November 9, 2017, the Minister of the MECP approved the Amended ToR for the SCRF Expansion EA. Since then, the proponent has engaged in several webinar presentations to inform staff on where they are in the process. The proponent has also submitted working draft chapters to staff to proactively obtain feedback and ensure that potential impacts of the undertaking related to their individual mandates were considered and addressed. A list of these documents and dates of when staff comments were made are attached as Appendix “F” to Report PED16184(b).

This Report responds to the request for comments received from the proponent on July 30, 2018 on the “Preliminary Draft EA for the Stoney Creek Regional Facility Landfill

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Expansion” (Attached as Appendix “C” to Report PED16184(b)). Once the EA has been formally submitted to MECP, the City of Hamilton as well as other stakeholders will have the following opportunities to provide comments directly to MECP for their consideration:

- **Draft EA for Public Review** – 7 week review period for stakeholder review
- **Final EA is submitted with the Notice of Submission** – 7 week review period for stakeholder review of Final version of EA from date of Notice
- **Public Inspection of Ministry Review** – 5 weeks for public to comment on the Ministry’s review

Alternatives for Consideration – See page 16

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The MECP is the approval authority for the EA. The comments requested from the City of Hamilton are for the Preliminary Draft EA prepared by GHD Pty Ltd. (consultants) on behalf of Terrapure Environmental (proponent, owner). If the EA is approved by MECP, the proponent will be permitted to implement the project and monitor compliance. The City of Hamilton will have no further opportunities to submit comments once approval is granted by MECP.

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(b) shows the location of the SCRF.

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The annual maximum approved fill rate for the site is 750,000 tonnes per year. The SCRF operates Monday to Friday, from 7:00 a.m. to 5:00 p.m., and is permitted to receive up to 250 trucks per day.

2016 - SCRF Environmental Assessment Proposed Draft Terms of Reference

In June, 2016, Terrapure and its consultants (GHD Pty Ltd.) 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 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. Staff 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

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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.

City Council indicated concerns with this proposal to change the facility's footprint being put forward only six months after the removal of the Holding Zone on the approved Draft Plans of Subdivisions north of Green Mountain Road. 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.

City Council also indicated concerns regarding odours allegedly coming from the facility. Odours coming from the facility need to be investigated and mitigated, and if warranted, a "one odour" unit should be implemented, meaning that the odour coming from the facility's operations should be kept within the boundaries of the property.

In addition, City Council expressed serious concerns regarding the proposed height increase of the landfill and the resulting visual impacts.

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 MECP, Aboriginal communities, and the public. On February 8, 2017, Terrapure submitted the Proposed ToR to the MECP for review as required under the Environmental Assessment Act for the City's review. Planning Committee received the staff Report PED16184(a) and presentation at its April 18, 2017 meeting. City Council, at its April 26, 2017 meeting, issued the following formal position regarding the SCRF EA:

- (a) That the Minister of the Environment and Climate Change be advised that the City of Hamilton opposes the application made by Terrapure Environmental to increase the capacity of their landfill located at the northwest corner of Mud Street and Upper Centennial Parkway;
- (b) That the 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), be endorsed;

- (c) 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".

Council's formal position, staff recommendation, and comments included in report PED16184(a) were forwarded to Terrapure and to the Minister of the Environment, Conservation and Parks. On November 9, 2017, the Minister of the MECP approved the Amended ToR.

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 options of carrying out the undertaking ("Alternative Methods"). These six Alternative Methods have been considered as part of the EA process and include the following:

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

The Alternative Methods were evaluated and compared 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.

Terrapure's recommended option was confirmed as Alternative Option # 5 and it is referred to as the 'Preferred' Landfill Footprint (also referred to as the Preferred Method).

Alternative Option 5 has the following general attributes:

- Option 5 reflects a combination of Options 1 and 3. The currently approved area at the SCRF for receiving industrial fill would be replaced with post-diversion solid, non-

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hazardous industrial residual material. The entire area at the SCRF 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. Thus the total site capacity would be 10,000,000 m³.
- A minimum 30 m buffer would be established around the entire area for receiving post-diversion solid, non-hazardous industrial residual material.
- Option 5 would not include a horizontal expansion, but would include a vertical height expansion of 2.5 m (note: approved height limits indicate the total height at the closure of the SCRF operation not during the operational phase). The peak height currently approved would be increased.

Alternative Option #5 was recommended by Terrapure for the following reasons:

- A technically feasible design that provides for the additional capacity being sought through the EA. This will allow Terrapure to continue to support the growing local economy by providing disposal capacity for industrial residual material generated within Hamilton and the GTA.
- A lower height increase compared to Options 3 and 6, which can be screened through such measures as constructed berms, tree plantings, fencing, etc.
- A low potential for adverse effects to the natural environment which would be further minimized through the use of standard mitigation measures.
- Maintains the existing stormwater management ponds.
- A low potential for adverse effects to area residents which would be further minimized through the use of standard mitigation measures.
- Maximizes the economic benefits to the City of Hamilton, Upper Stoney Creek, and local industry.

If the MECP grants approval of the EA, the SCRF expansion will be implemented and monitored in accordance with the approved EA.

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.

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- 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.

2016: SCRF Environmental Assessment Proposed Draft Terms of Reference. In June 2016, Terrapure and its consultants (GHD Pty Ltd.) circulated the SCRF EA Draft Proposed ToR and solicited comments from the community, stakeholders, and government 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 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.

Report PED16184, approved by Council on September 28, 2016, provided a summary of concerns and issues identified by staff and Council.

2017: Amended Terms of Reference. On February 8, 2017 Terrapure submitted the Proposed ToR to the MECP (previously known as MOECC) after making a number of revisions to the ToR based on the comments received from stakeholders (including the City of Hamilton). On April 18, 2017 Report PED16184(a) was endorsed by Planning Committee, which included the City's official comments regarding the Proposed ToR. Further, Council reiterated that the City of Hamilton opposes the application made by Terrapure Environmental to increase the capacity of their landfill. On November 9, 2017, the Minister of the MECP approved the Amended ToR for the SCRF Expansion EA. Since then, the proponent has engaged in several open houses and webinar presentations to consult with stakeholders and provide the opportunity to review working draft chapters of the EA.

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Notable Events Since ToR Approved by MECP:

- Dec 7, 2017: Public Open House #1 – Consultation on the Approved ToR and approved options for evaluation
- Dec 8, 2017: Webinar for Government Review Team
- Mar 22, 2018: Public Open House #2 – Consultation on the evaluation process, comparison of the options, and identification of the preferred recommended option.
- Mar 23, 2017: Webinar for Government Review Team
- Jun 19, 2018: Public Open House #3 – reviewing the impact assessment results of the preferred option and recommended mitigation and monitoring measures.
- Jun 20, 2018: Webinar for Government Review Team
- Jul 30, 2018: Received Preliminary Draft EA chapters for review and commenting (this was provided to the City early due to the report timing of the last scheduled Planning Committee meeting before the upcoming Municipal Election and closure of City Council from October 2018 until December 2018.
- Aug 14, 2018: Report LS18045/FCS18072 requesting authorization for staff to enter into discussions regarding updating existing compensation agreement documents was tabled until a decision has been made by the Ministry respecting the proposed expansion and Environment Assessment.

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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 MECP 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 EA identifies a 1.5 km preliminary Study Area which extends into lands within the Rural Hamilton Official Plan (refer to Appendix “D” to Report PED16184(b) 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(b) for the Nash Neighbourhood Secondary Plan land use map).

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

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

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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 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.*

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- 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 EA 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 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 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.

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RELEVANT CONSULTATION

A working group of City staff was formed to inform and gather input on the Preliminary Draft EA material (refer to Appendix “C” to Report PED16184(b)). The working group included staff from the Planning Division, Growth Management Division, Economic Development Division, Hamilton Public Health, Public Works Department, and Legal Services. The working group met for the three webinar sessions with the proponent and their consultants, and held an internal meeting afterwards to discuss the material presented and comments.

It should be noted, that the City of Hamilton is a commenting agency on this EA process. The MECP 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 MECP requests comments from Federal, Provincial and Local agencies (i.e., Government Review Team - GRT), Aboriginal Communities, and the public. As such, the proponent has engaged with these groups throughout the development of their Draft EA. According to the Preliminary Draft EA, input was obtained from interested parties, including review agencies, Aboriginal Communities, and the public.

The consultation activities for the SCRF EA included:

- Meetings and presentations, including individual/ group meetings, Community Liaison Committee meetings, and presentation to the City of Hamilton.
- Public open houses, proposed as follows:
 - 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 commenting.

The following notification methods were used:

- Notifications using direct mail and emails
- Social media notices under the Terrapure SCRF handle
- Ads in both the Hamilton Spectator and Stoney Creek News

- Mobile sign advertising on the Terrapure property on the southwest corner of Upper Centennial Parkway and Green Mountain Road
- Postcards and flyers to all registered land owners and business within 1.5 km of the site
- Up-to-date project-specific website and database

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Terrapure is proposing to reconfigure the SCRF to permit an additional 3,680,000 m³ of post-diversion solid, non-hazardous industrial residual material. The proposal does not intend on changing the type (post-diversion, solid non-hazardous industrial residual material) or annual volume (750,000 tonnes per year) of residual material currently accepted at the Facility, nor the maximum number of vehicles to the Site per day (250 per day).

The Terrapure has indicated that the current economics and market dynamics for industrial fill, the original market demand is significantly less than what was anticipated. Accordingly, Terrapure wants to take advantage of the economic opportunity for capturing post-diversion solid, non-hazardous industrial residual materials by increasing its approved capacity for this material by 3,680,000 m³.

The proposed expansion would allow Terrapure to continue to provide its existing regional customer base (i.e., local industrial clients, major public infrastructure undertakings within Hamilton and the Greater Toronto Area) with a disposal option for post-diversion, solid non-hazardous industrial residual materials that are typically generated by commercial, industrial and institutional redevelopment sources (that have exhausted all recycling options).

Staff have reviewed the Preliminary Draft EA material that has been provided thus far and have outlined outstanding concerns and comments to the proponent. Staff reserve the right to continue to provide comments on updated EA material as they are provided.

Future Opportunities to Comment

The City and other stakeholders, including the public will be provided the following opportunities to comment on the EA Submission material at the following milestones:

- Draft EA (7 week commenting period) – anticipated to end October 24th, 2018
- Final EA Submitted to MECP (7 week commenting period) – anticipated to end February 22nd, 2019
- Public Inspection of MECP Review (5 week commenting period) – anticipated to end May 3rd, 2019

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Summary of Staff Comments Regarding the Preliminary Draft EA

To facilitate Council submission of comments on preliminary Draft EA material prior to the municipal election period, Planning staff coordinated comments from City departments on the preliminary Draft EA material 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(b).

Staff reiterate that Council opposes the application made by Terrapure Environmental to increase the capacity of their landfill. In addition, staff has a number of outstanding concerns that have not been adequately addressed in the Preliminary Draft Environmental Assessment. These concerns include:

- The Land Use and Economic Detailed Impact Assessment Report have not been updated with analysis regarding tax and property valuation impacts
- The Noise Impact Assessment Report has not been updated to confirm ambient sound level calculations stated.
- The Hydrogeological Impact Assessment Report should be updated with clay liner construction and testing details, off-site domestic water quality information (private wells), Reasonable Use Concept (RUC) calculation methodologies used in 1997 data, clay liner leachate compatibility testing, and clay liner hydraulic performance under the range of waste depths proposed.
- The Commitments and Monitoring Chapter does not specify exactly what type of screening feature or technique will be utilized at the various vantage points to mitigate visual impacts of the facility and operations.
- Should updates to the existing compensation agreements be made, the Commitments and Monitoring Chapter should be updated to reflect any pertinent changes.

ALTERNATIVES FOR CONSIDERATION

The City could forego the opportunity to provide comments to the proponent on the Preliminary Draft EA material.

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.

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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 AND SCHEDULES ATTACHED

- Appendix “A” – City of Hamilton Letter and Staff Comments on the Preliminary Draft Environmental Assessment
- Appendix “B” – SCRF Location
- Appendix “C” – Preliminary Draft Environmental Assessment Chapters
- Appendix “D” – Environmental Assessment Study Area
- Appendix “E” – Nash Neighbourhood Secondary Plan Land Use Map
- Appendix “F” – List of Working Draft Document and Dates of Comments

TS:am