

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

Item 15, Report No. 24, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 23, 2015, as follows:

**By approving that the following be added to the resolution:**

4. That the Ministry of Environment and Climate Change (MOECC) be requested to provide the information sought in this resolution on or before the first Committee of the Whole meeting following the summer hiatus of 2015.

**15 STOCKPILE EAST SIDE OF KEELE STREET IN THE VICINITY OF TESTON ROAD  
WARD 1**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 2, 2015, be approved; and
- 2) That the recommendation contained in the following resolution be approved:

**Whereas the June 2nd Staff report clearly establishes the Ministry of Environment and Climate Change (MOECC) as having jurisdiction over activities including filling and grading of the fill pile at Teston Road and Keele Street;**

**Whereas the community has requested clarity on the approvals granted by MOECC for activities underway and or planned by the Owners of the subject lands to determine if the work is completed or if the fill pile will grow, the nature and sources of the fill, the details of grading work and the ultimate landscaping and programming plans for this site;**

**Therefore be it resolved:**

1. That Council request the City Clerk to write to the MOECC requesting that details of the applications and approvals being sought for this site be provided to the City Clerk and Council;
2. That MOECC provide a letter of response to the Mayor and Members of Council summarizing how conditions of the Certificate of Approval as amended have been adhered to for this site and to explain opportunities for public participation in approval processes related to this site; and
3. That Council's interest in halting future plans to import additional fill to this site be communicated to MOECC.

**Recommendation**

The Commissioner of Planning in consultation with the Director of Building Standards recommends:

1. THAT the information in this report be received for information purposes.

**Contribution to Sustainability**

Ensuring a healthy environment in our community through coordination with the various levels of government.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

Item 15, CW Report No. 24 – Page 2

**Economic Impact**

There is no obvious direct economic impact associated with this report.

**Communications Plan**

Staff have been in communication with the various stakeholders associated with this issue.

**Purpose**

The purpose of this report is to respond to a request from the Committee of the Whole of May 5<sup>th</sup>, 2015 to report back to the Committee of the Whole by June 2, 2015 with regard to a soil stock pile located in the vicinity of Keele Street and Teston Road. The report outlines information including the Authority responsible for issuing a permit, the conditions governing the operation and the long term management plan.

**Background - Analysis and Options**

At the Committee of the Whole meeting held May 5, 2015 – Report #20, item 29 there was a request for this report with regard to the soil stock pile located on the east side of Keele Street in the vicinity of Teston Road, detailing the authority responsible for issuing the permit, the conditions governing its operation and the long term management plan.

The Committee of the Whole recommended:

- 1) That staff provide a report with regard to the soil stock pile located on the east side of Keele Street in the vicinity of Teston Road, detailing the authority responsible for issuing the permit, the conditions governing its operation and the long term management plan; and
- 2) That the report be provided to the Committee of the Whole meeting of June 2, 2015.

The following addresses the information requested by the Committee.

*Location:*

Part of Lot 26 Concession 3, Part 5 on Reference Plan 65R-5832, Dated March 2, 1983.

*Ownership:*

Testonview Holdings which is a Degasparis Group / Metrus related company. Previously the site was owned by York Major Holdings Inc.

*Zoning:*

OS1, Open Space Conservation and OS1 open Space Conservation subject to exception 9(756)

*Official Plan Designation:*

VOP 2010, section 9.2.2.17, Private Open Spaces

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

#### **Item 15, CW Report No. 24 – Page 3**

##### *Discussion:*

City of Vaughan records indicate that the site has been under the jurisdiction of The Ministry of the Environment and Climate Change (MOECC). Permits 99-844 and 98-2935 have been issued for Erosion and Sediment Control at this location in conjunction with MOECC Certificates of Approval.

The Ministry of Environment and Climate Change has been contacted and requested to provide additional information on May 07, 2015. A formal response has yet to be received. The certificates of approval attached are retrieved from the Internet and reflect the approval within permits 99-844 and 98-2935. The amended Certificate of Approval for the site allowed for grading and placement of additional fill and cover on the site. These are included as Appendices to this report.

A conversation with the MOECC revealed that the site was inspected after receiving calls from the community about fill stockpiling activity last year. The fill was reported to be clean fill with no evidence of waste. The MOECC have requested supporting documentation on the nature of fill from Testonview Holdings.

Areas subject to review by the Ministry of the Environment are exempt under the Fill By-law 189-96, "To prohibit or regulate the placing or dumping of fill in areas of the City of Vaughan". The excerpts from the By-law that relate are as follows:

- 2(2) the provisions of subsection (1) of this section do not apply in those areas of the City of Vaughan where:
  - (a) a regulation under the Conservation Authorities Act R.S.O. 1990, respecting the placing or dumping of fill is in force;
  - (b) the placing or dumping of fill or the alteration of the grade of land by any municipality, local board as defined in the Municipal Affairs Act, Crown Agency as defined in the Crown Agency Act and Ontario Hydro;
  - (c) activities or matters prescribed by regulation

Discussions have occurred between the owners' representatives and City staff to obtain details on the nature and expected duration of recent activity on the soil stock pile. We are informed by the owner that the activities underway include grading and importing topsoil material primarily at the north end of the site to dress the surface so as to provide material that will support plant growth. Minor work to minimize erosion is also underway. Once the topsoil is placed the site will be seeded to allow for plant growth over the summer season.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

##### Service Excellence

- Enhance and ensure community safety, health and wellness
- Lead and promote environmental sustainability

#### **Regional Implications**

N/A

#### **Conclusion**

The authority responsible for issuing a permit, conditions governing the operation and the long term management of the site is the Ministry of the Environment and Climate Change.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

Item 15, CW Report No. 24 – Page 4

City staff are not in a position to take further action in relation to the fill at the “Disposal Services Site”, on the basis that the lands are exempt from the City’s Fill By-law 189-96 pursuant to section 2(2) c, and under the jurisdiction of the Ministry of Environment and Climate Change.

**Attachments**

1. Instrument Decision Notice A230604, dated February 16, 1999
2. Amendment to Provisional Certificate of Approval A230604, dated July 27, 2001
3. Amendment to Provisional Certificate of Approval A230604, dated March 31, 2003
4. Plan 65R-5832
5. Plan 65R-20678

**Report prepared by:**

Michael Ridgwell, Lot Grading Inspector / Environmental Inspector, Ext 8865

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)