

Avondale Composting Facility

(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)

The Works Committee recommends the adoption of the following report (November 9, 1999) from the Commissioner of Works and Emergency Services:

Purpose:

To seek further approval to operate the central composting facility at the Avondale Composting Site in the Region of York. The current site approvals expire on May 31, 2000.

Financial Implications and Impact Statement:

No financial implications will result.

Recommendations:

It is recommended that:

- (1) the Commissioner of Works and Emergency Services be authorized to request an extension of the temporary zoning by-law applicable to the Avondale Composting Facility from the City of Vaughan;
- (2) in the event that a temporary zoning extension from the City of Vaughan is not granted, the Commissioner of Works and Emergency Services be authorized to appeal to the Ontario Municipal Board;
- (3) the Commissioner of Works and Emergency Services be authorized to apply to the Ministry of the Environment for an amendment to the Certificate of Approval applicable to the Avondale Composting Facility; and
- (4) the appropriate City of Toronto officials be authorized to take such steps as may be required to implement the foregoing.

Background:

By adoption of Clause No. 8 of Report No. 3 of The Works and Utilities Committee at its meeting of April 16, 1998, Council of the City of Toronto provided authority to seek approval of the City of Vaughan for temporary zoning at the Avondale Composting Facility (Avondale), and approval of the Ministry of the Environment under the Environmental Protection Act for the same facility.

These applications were initiated in the summer of 1998. A public hearing under the Planning Act was held by the Council of the City of Vaughan in November of 1998. As no decision was

made at that time, an appeal to the Ontario Municipal Board (OMB) was commenced resulting in a preliminary hearing being scheduled for April 6, 1999.

At the OMB preliminary hearing, the City of Vaughan provided its consent to a Board Order for a further year of temporary zoning (i.e., to May 31, 2000) in order to allow discussions to take place between staff with the objective of a further agreement in respect of temporary zoning, among other things. These discussions contemplated a further application being made to provide temporary zoning after May 31, 2000.

Comments:

The Avondale Composting Facility has been in operation since 1988. It is located adjacent to the City of Toronto's Keele Valley Landfill Site, located in the City of Vaughan. Using a windrow composting technology, it diverts approximately 55,000 tonnes of leaf and yard waste from disposal on an annual basis, and produces a high quality compost product. The compost is used to augment topsoil as final cover on completed portions of the Keele Valley Landfill Site, and is also used by the Parks and Recreation Department and distributed to residents of Toronto and Vaughan free of charge.

The OMB considered the Avondale operation as part of a hearing on the City of Vaughan's Official Plan Amendment No. 332, which dealt with land use on and around the Keele Valley Landfill Site. Through the decision of the OMB in 1996, Official Plan Approval and Temporary Zoning was approved to permit the operation of Avondale. The Board was satisfied that there were good reasons to link the completion of composting activities to the completion of the landfill site. Accordingly, the Board approved a scheme that would permit composting until one year after the closure of the Keele Valley Landfill Site, subject to temporary zoning approval under the Planning Act.

The City of Vaughan's zoning by-law permitting the operation of Avondale expires on May 31, 2000. This report is to seek an extension for the temporary zoning by-law and, should such extension not be forthcoming, to request an Order from the Ontario Municipal Board for further temporary zoning to permit composting.

The continued use of Avondale will provide a greater return on the capital investment in the facility, and will assist in the progressive closure of sections of the Keele Valley Landfill Site by providing a useful source of compost. The department's goal is therefore to maintain the operations of Avondale until one year after the closure of the Keele Valley Landfill Site. The OMB recognized this goal in its approval of the City of Vaughan's Official Plan Amendment No. 332, which allows for composting to continue during the life of the Keele Valley Landfill Site and for one further year thereafter, subject to the granting of temporary zoning approval.

Staff of the City Legal Department have reviewed the recommendations contained in this report and concur with them.

Conclusions:

The City of Toronto requires approval in order to continue composting at its Avondale Composting Facility beyond May 31, 2000. Authorization is sought to obtain such approval through a request to the City of Vaughan to amend the site's Temporary Zoning By-law, and, if unsuccessful, to appeal to the Ontario Municipal Board. Authorization is also sought to apply to the Ministry of the Environment for an amendment to the Certificate of Approval applicable to the Avondale Composting Facility.

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