

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

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

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.

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,

- 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.

7.0 Relationship to the Oshawa Strategic Plan

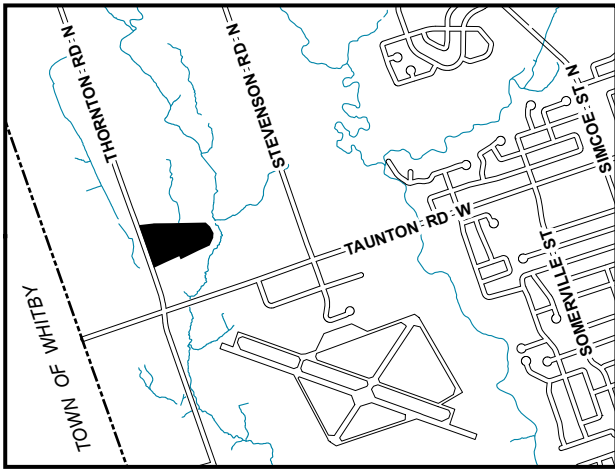
The Recommendation in this Report advances the Accountable Leadership and Environmental Responsibility goals of the Oshawa Strategic Plan.

A handwritten signature in blue ink, appearing to read "Tom Goodeve".

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

A handwritten signature in blue ink, appearing to read "Warren Munro".

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





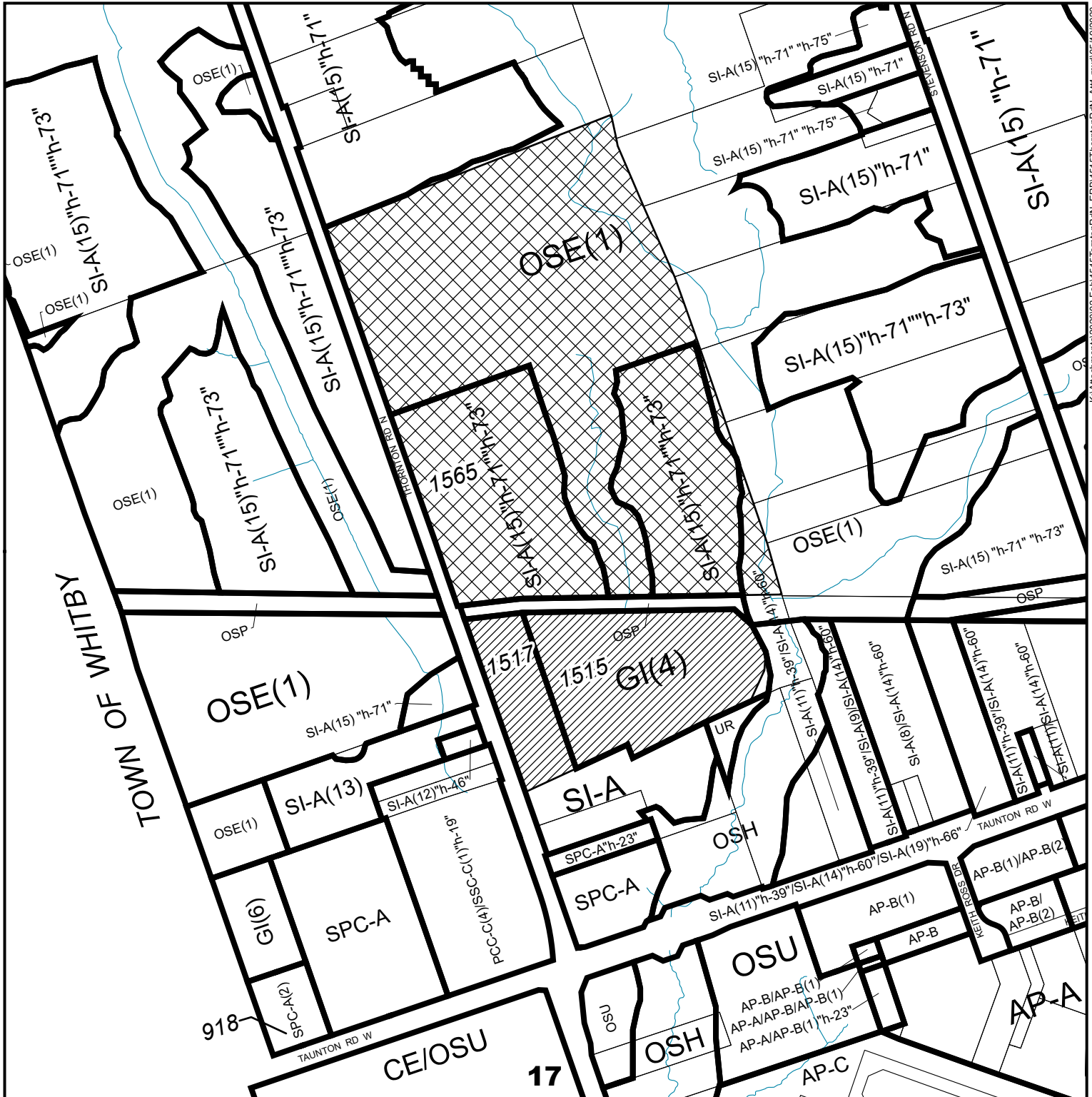
**Item: CNCL-20-98
Attachment 1**

Development Services Department

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



Subject Site 
Other Lands owned by Applicant 






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

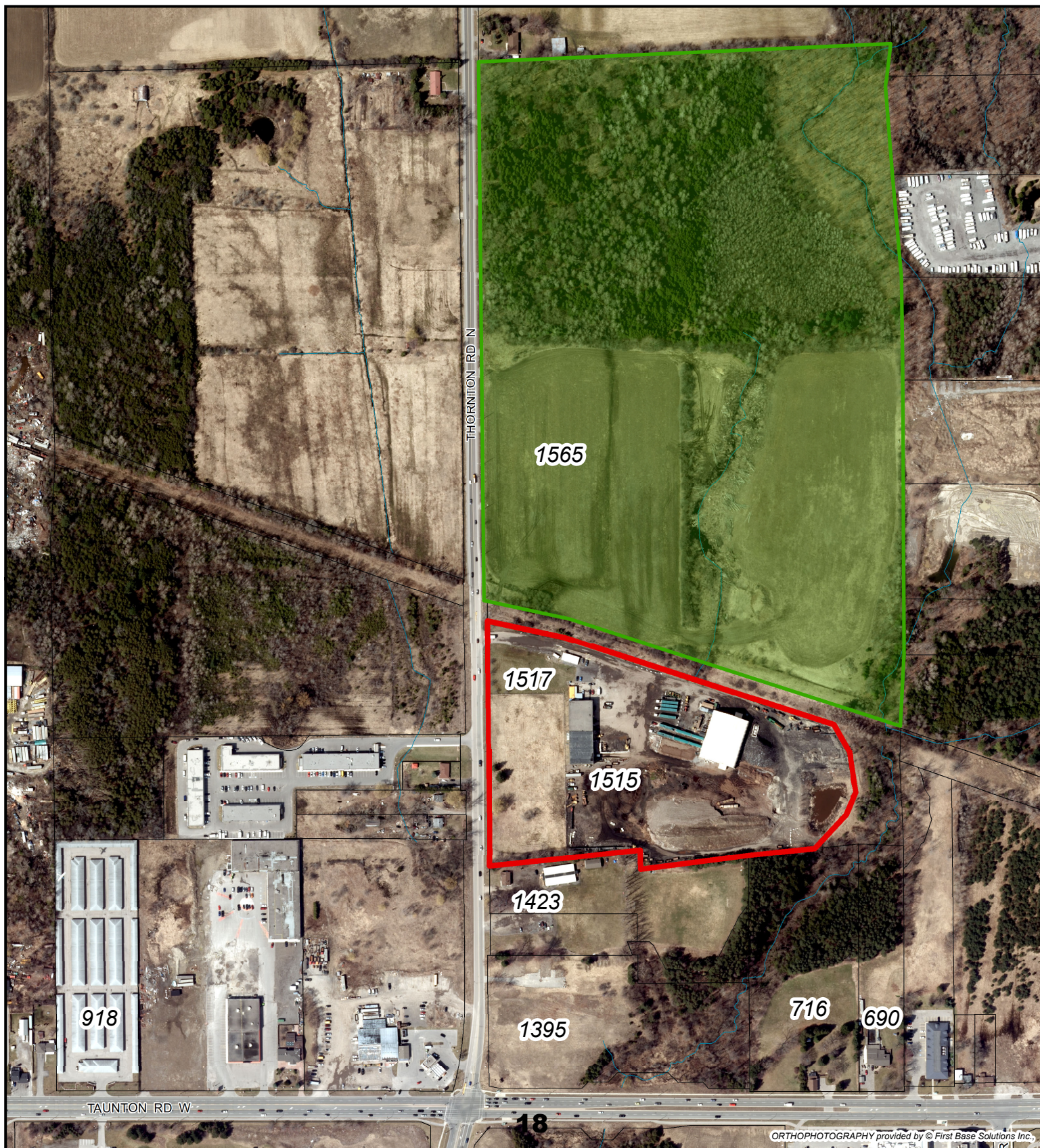
Subject: City Comments on three Environmental Compliance Approval Amendment Applications
concerning a proposed Anaerobic Digestion Facility at 1515 Thornton Road North

File: B-8710-0017



-  Subject Site
-  Other Lands owned by Applicant

City of Oshawa
Development Services Department 





**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.

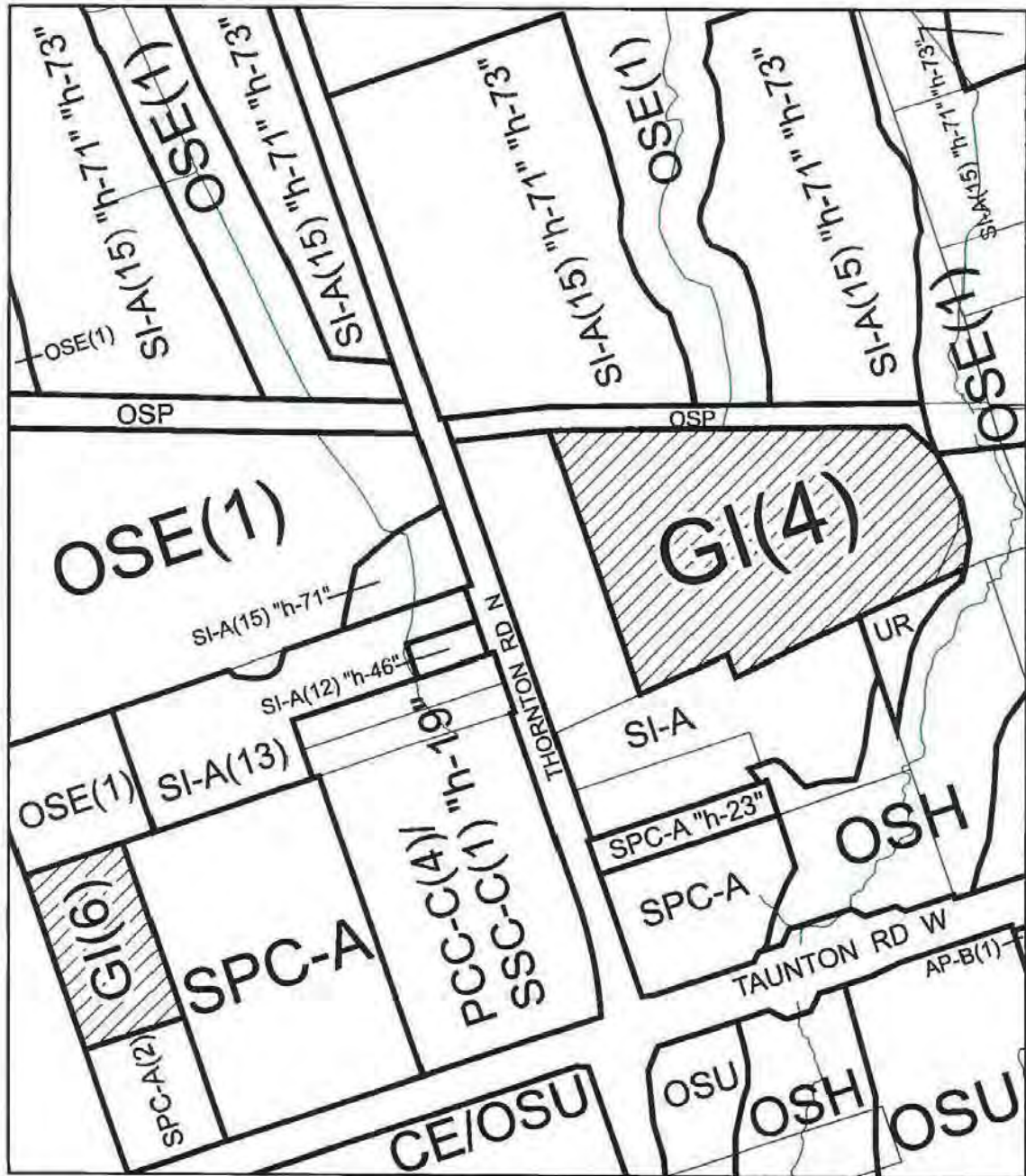
By-law passed this ~~twenty-fourth~~ day of February, 2020.

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Mayor

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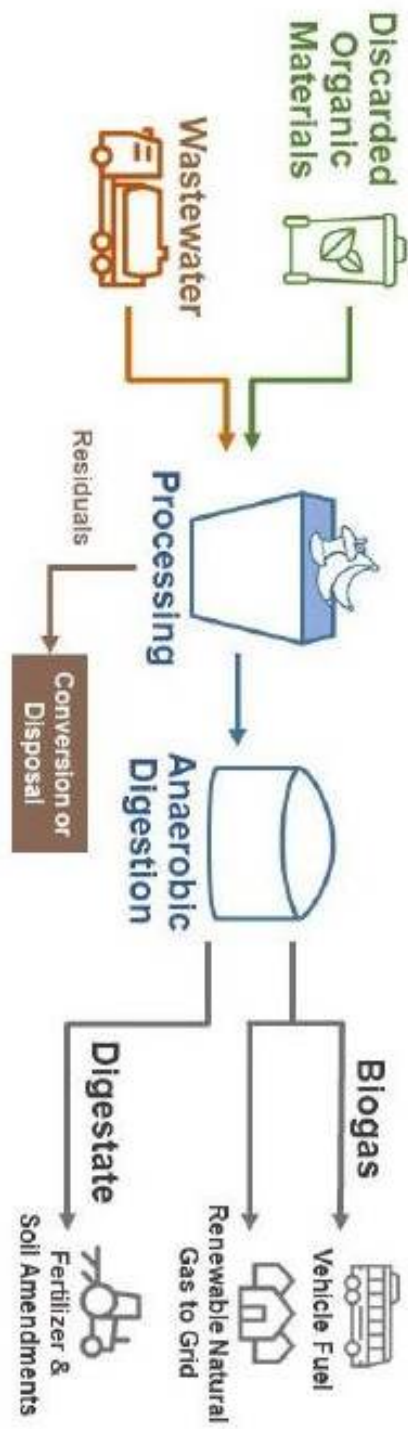
City Clerk



Part Of Map A3



Anaerobic Digestion Flow-Chart



**Ministry of the Environment,
Conservation and Parks**
Client Services and Permissions
Branch
1st Floor
135 St Clair Ave W
Toronto ON M4V 1P5
Fax: (416) 314-8452
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 from 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



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

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

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 background.

Dan Turner, P.Eng.

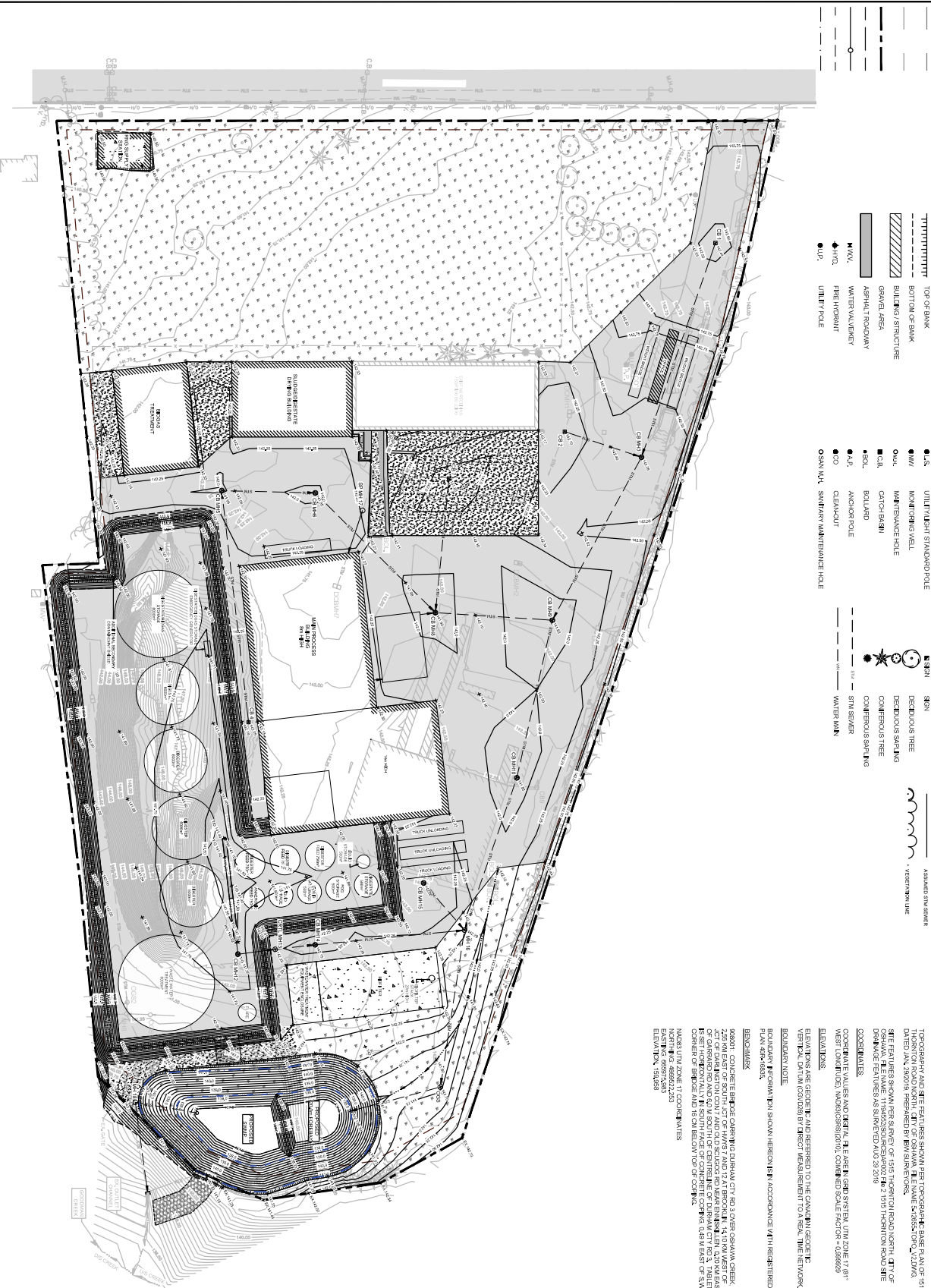
DT/mma/2

Encl.

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

Title: Proposed Site Design for the Subject A.D. Facility
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

City of Oshkosh



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>

Proposal Details	Staff Comment
<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>for the purposes of anaerobic digestion. The maximum amount of waste to be stored at the Site is 2,943 tonnes at the anaerobic digestion facility, and 1,219 tonnes of waste and recyclables at the transfer facility.</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>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>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.

Proposal Details	Staff Comment
	<ul style="list-style-type: none"> ▪ Section 3 of the Study notes that modifications to the Thornton Road and Taunton Road intersection are required. Additional information is required to provide clarity on the nature of these modifications. ▪ Only the increase in truck traffic was estimated for the proposed development. However, the increase in the employees and other traffic should also be accounted for. ▪ It was estimated that 10% of the total daily truck traffic would occur during the a.m. and p.m. peak hours, which the Study considers acceptable. However, it is unclear how the estimated Saturday peak hour truck traffic can be greater than the a.m. and p.m. peak hours if the estimated total daily truck traffic for Saturday is lower than the daily weekday truck traffic. This should be reviewed and revised, as appropriate. ▪ The analyses of the total traffic does not account for the fact that all Site traffic assigned to the Site access is truck traffic. A corresponding heavy vehicle percentage should have been applied in Synchro. <p>As such, a revised Traffic Impact Study is requested to address the aforementioned issues.</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>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>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 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>

Proposal Details	Staff Comment
<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.