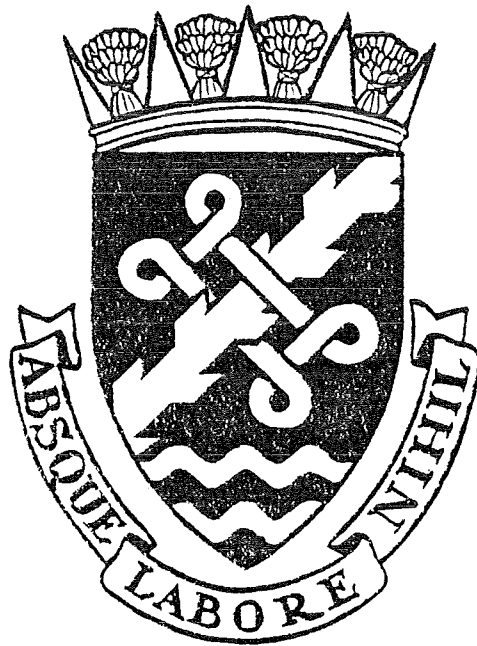


THE REGIONAL MUNICIPALITY OF HALTON



Solid Waste Management Committee

Agenda

APRIL 16, 1984



THE REGIONAL MUNICIPALITY OF HALTON

MEETING NO. 5-84

NAME OF SUB-COMMITTEE: SOLID WASTE MANAGEMENT

DATE OF MEETING: Monday, April 16, 1984
9:00 a.m.

PLACE OF MEETING: Committee Room No. 1
Regional Administration Bldg.
Oakville, Ontario

A G E N D A

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	<u>DISCLOSURES OF CONFLICT OF INTEREST</u>	
	<u>DELEGATIONS</u>	
	- Mr. Peter Walker of Walker, Wright, Young and Associates Limited	
	- Dr. Donald Chant, President and Chairman of the Ontario Waste Management Corporation and/or Senior Staff	
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2.	D.P.D. Report No. 90/84 re: Landfill Component Environmental Assessment Study Team - Resignation of Pollutech Limited	22 - 23
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4.	D.P.D. Report No. 86/84 re: Implications of the Ontario Waste Management Corporation's Proposals for the Halton Landfill Environmental Assessment Process	27 - 30

SOLID WASTE MANAGEMENT SUB-COMMITTEE MEETING NO. 5-84
MONDAY, APRIL 16, 1984

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| 5. | D.P.D. Report No. 88/84 re: Landfill
Component Environmental Assessment -
Preparation of Submissions to Draft Stage
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| 6. | <u>Other Business</u> | |

Adjournment

* * * * *

1

THE REGIONAL MUNICIPALITY OF HALTON

Report to Solid Waste Management Committee

From Dennis Y. Perlin, C.A.O.

Date 1984 04 12

Report No C.A.O. 154/84

Re: Interim Waste Disposal Plan - Continuation Program
for Burlington Landfill Site - Parkway Belt West
Plan - Request to Minister of Municipal Affairs
and Housing for Ministerial Deeming Declaration

RECOMMENDATION:

THAT an application by Regional Council be made to the Minister of Municipal Affairs and Housing under The Parkway Belt Planning and Development Act and The Ontario Planning and Development Act for a declaration by the Minister in writing that the Four-Phase Continuation Program that the Region has applied for at the Burlington Landfill Site shall be deemed NOT to conflict with the Parkway Belt West Plan on the basis that such undertaking conforms with the general intent and purpose of the Parkway Belt West Plan.

REPORT:

Background

The Interim Waste Disposal Plan for the Region to provide landfill capacity until the new long-term landfill is in place consists of the Four-Phase Continuation Program for landfilling at the existing Regional Landfill Site in Burlington.

The Burlington Landfill Site is located in the Parkway Belt, and as such is governed by the Parkway Belt West Plan adopted by the Province in 1978.

The Burlington Landfill Site is found in the Escarpment Link and is designated "Public Open Space and Buffer Area" in part and "General Complementary Use Area" for the remainder.

At the time of the Interim Waste Disposal Plan in which the Burlington Landfill Site was expanded to include the present lands, the only approval necessary was approval under The Environmental Protection Act - the same approval as is needed for the Continuation Program for the 1983 Interim Waste Disposal Plan. It was not thought necessary then, and indeed it is not thought necessary now, to have an amendment to the Parkway Belt West Plan in order to permit landfilling to proceed in any of the phases, even in the Buffer Areas of Phases B and D.

Regional Planning Staff and, indeed, the Region's Planning Consultants with M.M. Dillon Limited, have always believed that landfilling was one of the type of uses permitted in the Parkway Belt and indeed encouraged to be in the Parkway Belt. In our opinion, it has always fallen into that category of urban required uses that should be located outside of the urban area per se, but within the urban corridor serving the urban areas, which is one of the primary features of the Parkway Belt.

There are a number of other features to the Parkway Belt as well but the use of that corridor for public urban support services is one of the fundamental requirements of any public use in the Parkway Belt, utility or otherwise, and the criteria that should be met, we believe, are met.

I am reproducing from the three volume binder of information that has been submitted to the Minister of the Environment for approval of the Continuation Program under The Environmental Protection Act, that part of the binder dealing with the Parkway Belt West Plan Assessment for your information.

Despite the opinion of Regional Planning Staff and Regional Planning Consultants, the City of Burlington's Staff through reports to their Solid Waste Management Committee and Council have indicated that they believe that an amendment to the Parkway Belt West Plan is needed, if not for all four phases, then at least for Phases B and D.

Their position is that the word "landfill" on the Parkway Belt West Plan amounts to a designation and that since the "landfill" designation only appears on the site as it was in 1978 when the plan was passed, that an amendment is necessary to "extend" that use into the areas beyond the 1978 areas which would be the 1980 expansion and, of course, would include the Continuation Areas.

Regional Staff and Consultants, of course, disagree with the position of the City of Burlington Staff because we do not believe that "landfill" is a designation and the plan clearly indicates that it is not a designation. The only designations affecting the lands concerned are "Public Open Space and Buffer Area" and "General Complementary Use Area", and, indeed, if anything else was intended to be a designation, then it would have been included in the designation section, such as utility, electric power facility, road inter urban transit.

Further, we believe that the plan is very clear that landfill as a public use is a permitted one in the Parkway Belt West Plan.

We believe that there is strength in the Regional position by reason of the Regulation which implements the Parkway Belt West Plan. Just as Municipalities have Zoning By-laws implementing their Official Plans, the Parkway Belt West Plan has a "zoning" Regulation implementing it and in that regulation the Region is exempt as far as any of its public undertakings are concerned. Certainly the Continuation Program for the Burlington Landfill is the continuation of a public undertaking of the Region.

However, since the City has raised this issue and it could be used to complicate and/or thwart the approvals needed by the Region to continue its landfilling program, there is a step which can be taken which would assist in hopefully finalizing this issue.

Deeming Declaration

Section 9 of The Ontario Planning and Development Act which has been made part of The Parkway Belt Planning Act by reference reads as follows:

"9. (1) Notwithstanding any other general or special Act, where there is a development plan,

(a) no municipality or local board having jurisdiction in the area covered by the plan, or in any part thereof, and no ministry, shall undertake any improvement of a structural nature or any other undertaking within the area covered by the development plan; and

(b) no municipality having jurisdiction in such area shall pass a by-law for any purpose,

that is in conflict with the development plan.

(2) The Minister, upon the application of the council of a municipality having jurisdiction in

the area covered by a development plan, or in any part thereof, may, in writing, declare that a by-law, improvement or other undertaking of such municipality shall be deemed not to conflict with the development plan, if the Minister is of the opinion that the by-law, improvement or other undertaking conforms with the general intent and purpose of the development plan.

We have previously committed ourselves to the Ministry of the Environment to try to do everything possible to allow for the Public Hearing to be held and for the Environmental Assessment Board to be able to consider the evidence submitted and to make its recommendations to the Director of Environmental Approvals under The Environmental Protection Act prior to the expiry of the present landfilling approval at the end of August of this year.

Our approach has always been that no amendment to the Parkway Belt West Plan is needed and, indeed, our entire timing of approvals as set out in our various Interim Waste Disposal Reports to Council has always made that assumption.

That assumption has been supported by staff of the Ministry of Municipal Affairs and Housing and indeed was not objected to by the City of Burlington in 1978, and we believe that the initial precedent was set and therefore we did not really believe that this was an issue despite the using of that issue by Councillor Mulkewich and members of the West Burlington Ratepayers Group and neighbouring residents from time to time.

Therefore to try and bring this matter to a "head", and hopefully have it resolved, we are suggesting that the matter be referred to the Minister of Municipal Affairs and Housing under Section 9, Subsection 2 for a Deeming Declaration that, in fact, the Four-Phase Continuation Program being applied for by the Region at the Burlington Landfill "shall be deemed not to conflict with the development plan (Parkway Belt West Plan)".

The Minister will then put his mind to the matter and determine whether in his opinion the undertaking conforms with the general intent and purpose of the Parkway Belt West Plan or not.

The Region is the municipality having jurisdiction in the area; indeed, the Regional Official Plan includes the Parkway Belt West Plan, and of course the Region is responsible for waste disposal.

Hopefully, the Minister will resolve this issue by the Deeming Declaration.

Thus, the Recommendation above.

In order to see whether or not the Minister was of the opinion that Section 9 would be appropriate for an application, an exchange of correspondence has taken place on the issue between the Regional Chairman and the Minister of Municipal Affairs and Housing, and that exchange of correspondence is attached for your information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dennis Y. Perlin', with a stylized, cursive script.

Dennis Y. Perlin
Chief Administrative Officer

DYP/gh

SECTION L
PARKWAY BELT WEST PLAN
AMENDMENT REQUIREMENT ASSESSMENT

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SECTION L
PARKWAY BELT WEST PLAN
AMENDMENT REQUIREMENT ASSESSMENT

1. PURPOSE

The Burlington Landfill site and its proposed continued use are within the Parkway Belt Planning Area controlled by Ontario Regulation 472/73.

This report is an assessment of the continued use of the Burlington landfill site and proposed operational changes in relation to the goals and objectives of the Parkway Belt West Plan. The report also assesses whether there is a necessity to amend the Parkway Belt West Plan in order to permit the continued use plans for the Burlington Landfill.

2. BACKGROUND

In 1973 the Province of Ontario enacted Ontario Regulation 472/73 establishing the Parkway Belt Planning Area. Following an extensive planning and public hearing process, the Parkway Belt West Plan was approved by the Lieutenant Governor in Council on 19 July 1978. Subsequently, Ontario Regulation 262/79 was enacted, which exempted municipalities from complying with Regulation 472/73 provided it was for a public service undertaking. While exempt from the Regulation for undertakings which provide a public service, municipalities were not exempted from complying with the requirements of the Parkway Belt West Plan.

The location of the landfill site is within the Parkway Belt planning area and the approved land use plan. Ontario Regulation 472/73 superceded all existing land use by-laws in the Parkway Belt Planning Area. From that time onward, lands covered by the Regulation could only be developed for agricultural purposes or uses approved prior to the passing of the Regulation. Existing uses are also permitted.

The Burlington Landfill site, established by the City in 1972, was in existence prior to the passing of the Regulation and as such is a permitted use in the Parkway Belt Planning Area.

3. PLANNING EVALUATION

3.1 Goals and Objectives of the Plan

The Parkway Belt West Plan established the goals, objectives and land use designations for the attainment of the Parkway Belt West. The Plan defines a goal as:

"The ideal or end to which a planned course of action is directed. It is a value to be sought, rather than a set of attainable conditions".

The Parkway Belt West Plan has four goals:

- 'Identification of urban area'
- 'Integration of the system of urban areas'
- 'Land Reserve for future flexibility'
- 'Linked open space framework'

For each of these goals, the Plan includes a list of objectives as a means of moving toward the desired goal. These goals and objectives are general in nature, and are intended to be applicable on a broad scale through the Parkway Belt Planning Area.

The goals and objectives of the Plan cannot be specifically used to assess the conformity of development applications with the Parkway Belt Plan. Rather, the goals and objectives are directed towards establishing a Parkway Belt.

The Parkway Belt West Plan also contains objectives for each of the various links in the Plan. While the objectives of each link are more specific, they are still not intended to be used as a means of assessing development.

3.2 Land Use Designation

The Burlington Landfill site is designated on Map 2 "Escarpment Link" of the Parkway Belt Plan as "Public Use Area - Public Open Space and Buffer Area". An area of the proposed continued use of the site is also designated on the same map as "Complementary Use Area - General Complementary Use Area".

a) Public Use Area

The uses permitted in this designation are not specifically defined and therefore, flexibility in interpretation exists. Development of the landfill under the Public Use Area category is permitted under subsection 5.4.1(e) "Other Public Use". This subsection is very broad in the uses permitted including "Other public uses of land, building and structures..." subject to satisfying the following conditions:

- i) "All natural features are preserved to the maximum possible degree".**
- ii) "Buildings and structures have a very low lot coverage and are of limited height and low mass appearance".**
- iii) "Buildings and structures are located in a manner that will secure an open space character of the area".**
- iv) "Landscaping and berms are provided where necessary to secure the objectives of the Plan".**
- v) "Any other conditions required to attain the provisions of the Plan are satisfied".**

None of these conditions are intended to prohibit development but rather to guide the development in a manner which helps to achieve the goals and objectives of the Plan.

The portion of the landfill proposed within the Public Use Area has no permanent building or structures which will need to be regulated by conditions (ii) and (iii). Similarly, there is very little in the way of natural vegetation on site within the area proposed for landfilling to be protected and therefore condition (i) is not affected. Condition (iv) relates to the design and rehabilitation of the landfill. As part of the design process for the continued use, a landscaping, planting and rehabilitation plan is being prepared for the entire site. There are currently no other known requirements in accordance with condition (v).

Of the stated conditions, none would appear to restrict the continued landfilling at the Burlington site.

b) Complementary Use Area

A portion of the proposed continued use plans takes place on lands designated on Map 2 of the Parkway Belt West Plan as "Complementary Use Area - General Complementary Use Area". The permitted uses here are broad. The expansion of the landfill is permitted under subsection 5.5.1(e) "Public Uses" which states:

"Public uses such as road, utilities, and their accessory facilities and other public uses of low-density, low-intensity character. Buildings and structures associated with those uses shall meet to the maximum degree the conditions set out in Paragraph 5.5.1(b)".

Since the landfill is an "other public use" it is permitted. Similarly, as there are no new buildings proposed on the site, the conditions on paragraph 5.5.1(b) are not applicable. 'Density of the development' is not applicable. Low-intensity uses are defined as:

"a use of land that has an average low level of activity: e.g. small number of employees, few visitors per acre, low traffic generation".

The proposed expansion of the landfill is a low-intensity use according to this definition.

Of the conditions to be met none preclude the continuation of the landfill operation.

3.3 Implementation

The implementation procedures set out in the Plan deal clearly with municipal actions within the Parkway Belt Planning Area. Subsection 5.1.3 states:

"The Minister may, upon requests from municipalities, declare by-laws, improvements, or undertakings to conform with the intent and purpose of the Plan".

The Plan provides for no other means of determining whether a public undertaking in the Parkway Belt Plan conforms with the intent of the Plan.

Under the provisions of the Ontario Planning and Development Act all municipal official plans and zoning by-laws must be brought into conformity with the Provincial document.

a) Regional Official Plan

The Region of Halton Official Plan designates the Burlington landfill as Public Use Area and Complementary Use Area in accordance with the Provincial Policy of the Parkway Belt West Plan. The Official Plan states in Section III 2(b):

"For a detailed description of the boundaries of and uses permitted in the Public Use and Complementary Use Areas, reference should be made to the Province's "Parkway Belt West Plan", July 1978".

b) Burlington Official Plan

Under the Halton Region Act, the City of Burlington Official Plan must conform with the policies and provisions of the Region of Halton Official Plan. Furthermore, legislation also requires that where provincial policy is in effect, such as the Parkway Belt Planning Area, that these provincial policies supercede all others. Therefore, the prevailing policies are the Parkway Belt West Plan and the Halton Region Official Plan.

3.4 Need for Amendment

The proposed continued use of the Burlington Landfill does not interfere with the achievement of the goals and objectives expressed and established in the Parkway Belt West Plan. The impact on the integrity of the surrounding area is considered minimal and will be mitigated through site rehabilitation.

The continued use of the Burlington landfill within the existing approved site boundaries conforms with the Parkway Belt West Plan. No amendment to the Plan is, therefore, required.

4. CONCLUSION

The Parkway Belt West Plan provides goals, objectives and criteria for establishing a Parkway Belt West. The Plan acknowledges that the concept of the Parkway Belt is, in part, to provide land for public activities and undertakings. Nothing in the Plan states that a landfill operation is not an acceptable use within the Parkway Belt.

The operation of a landfill is low intensity and low density and it can be designed and regulated to meet the development criteria set out in the plan for current landfill operations and after use activities.

The continued use of the Burlington Landfill conforms to the Parkway Belt West Plan and will, after it is completed and rehabilitated, assist in achieving the goal of a "Link Open Space Framework."



THE REGIONAL MUNICIPALITY OF HALTON

Office of the Chairman
PETER D. POMEROY

P.O. BOX 7000
1151 BRONTE ROAD
OAKVILLE, ONTARIO L6J 6E1
416/827-2151

April 3, 1984

The Honourable Claude F. Bennett,
Minister of Municipal Affairs and Housing,
777 Bay Street,
Toronto, Ontario
M5G 2E5

Dear Mr. Minister: *Claude:*

RE: Application of the Regional Municipality of Halton to
continue use of the Burlington Landfill Site

This is to advise you of a problem which may soon arise in relation to the Parkway Belt West Plan ("the Plan") and to request a formal opinion from you as to whether or not the proposed undertaking of the Regional Municipality of Halton ("the Region") to continue to landfill at the Burlington Landfill Site conforms with the general intent and purpose of the Plan.

BACKGROUND

The Burlington Landfill Site is located off the North Service Road to the north of Highway 403 in the City of Burlington. The site is identified on Map 2 of the Plan.

The Burlington Landfill Site is the only landfill site in operation in the Region. The approved capacity for this site pursuant to the existing Certificate of Approval will be used up by about August, 1984. The site is currently approved for the disposal of domestic, commercial and solid non-hazardous industrial wastes.

The Region is currently carrying out a very lengthy environmental assessment study to provide a long-term solution to its waste disposal problems. One component of that solution, a landfill, is not expected to be approved pursuant to the terms of the Environmental Assessment Act and made operational before 1986 or 1987. Meanwhile, the

...Page 2/

BURLINGTON

639-4540

HALTON HILLS
ACTON

853-0501

HALTON HILLS
GEORGETOWN

878-8113

MILTON

878-8113

OAKVILLE

827-2151

-15-

Page 2

The honourable Claude F. Bennett,
Minister of Municipal Affairs and Housing,
April 3, 1984

Region has determined that the most appropriate way to deal with its interim waste management problem is to continue landfilling at the Burlington Landfill Site.

An application for a Certificate of Approval for continued use of the Burlington Landfill Site was made to the Director of the Environmental Approvals and Project Engineering Branch of the Ministry of the Environment on the 15th of February, 1984. Material in support of that application, and in particular material touching on the issue of the Plan, was made available to the staff of David P. McHugh of the Plans Administration Branch of your Ministry.

Continued use of the Burlington Landfill Site is an undertaking subject to the terms of both the Environmental Assessment Act and the Environmental Protection Act. However, a decision is expected imminently by the Honourable Andy Brandt, Minister of the Environment, under Section 29 of The Environmental Assessment Act exempting the undertaking from the requirements of that Act. However, the Director of the Environmental Approvals and Project Engineering Branch of the Ministry of the Environment has already referred the application to the Environmental Assessment Board for a hearing under part V of the Environmental Protection Act. The pre-hearing conference in regard to that hearing is scheduled for the 26th and 27th of April, 1984 and a hearing is scheduled to commence in the City of Burlington on the 7th of May, 1984. We are advised that the Environmental Assessment Board has set aside two months to hear our application. In support of the application, the Region has filed three volumes containing reports by experts on all aspects of the application. This material has been made available to Mr. McHugh and his staff should you wish to peruse it. The documents contain, among other things, an environmental analysis, a plan for rehabilitation and after use, traffic and noise analyses, a planning assessment and an assessment of the impact on the Parkway Belt West Plan, a visual analysis, a hydrogeological study, studies of leachate treatment and water quality, a study of surface drainage, and a design and operations study.

The Region understands that a group of local ratepayers will oppose the application and will have counsel present at this hearing. The City of Burlington may also oppose this application and have Counsel present to present the City's opposition. Obviously every conceivable issue relating to

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The honourable Claude F. Bennett,
Minister of Municipal Affairs and Housing,
April 3, 1984

the use of the site in question for landfilling over the next two to three years will be thoroughly canvassed before the Environmental Assessment Board.

THE PROBLEM

Mr. Jim Balfour, Deputy Director of the Planning Division of M.M. Dillon Limited, the lead consultant to the Region on its application for continued use of the Burlington Landfill Site, has advised the Region in a written report, a copy of which is already with Mr. McHugh, that in his opinion the continued use of the Burlington Landfill Site conforms to the Parkway Belt West Plan. However, we understand that the ratepayers concerns and the adversions of the City, Council of the City of Burlington take the position that the undertaking is not in conformity with the Plan and that the Plan requires amendment. No formal statement of its opinion has been made to us by the council for the City of Burlington, nor has the council formally indicated its reasons for reaching this conclusion or what steps, if any, it proposes to take in regard to this matter.

Our first concern is to learn your opinion as to whether or not the undertaking conforms with the general intent and purpose of the Plan. Assuming, for the moment, that you agree with Mr. Balfour that there is no conflict between the proposed undertaking and the Plan, our second concern is to elicit your support in heading off an unnecessary and protracted amendment procedure to the Plan.

As indicated above, this Region has landfill capacity only until August, 1984. It is imperative that the hearing scheduled to commence before the Environmental Assessment Board on the 7th of May, 1984, not be delayed in any way. The Region is concerned that one or more of the parties opposing the application of the Region for continued use of the Burlington Landfill Site may apply to the Environmental Assessment Board, pursuant to subsection 2 of section 24 of the Consolidated Hearings Act, 1981, for an Order requiring the Region to give notice to the Hearings Registrar under the Consolidated Hearings Act on the ground that another hearing may be required to amend the Plan to bring it into conformity with the undertaking. The effect of such an Order, in the absence of any involvement by you, would be to require the Region either to ask the Divisional Court to review the Order of the Environmental Assessment Board, or to make an application, pursuant to section 8 of the Ontario

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The honourable Claude F. Bennett,
Minister of Municipal Affairs and Housing,
April 3, 1984

Planning and Development Act, for an amendment to the Plan. Either procedure would have the effect of delaying the pending application for a Certificate of Approval and could have the effect of imposing on the Director of the Environmental Approval and Project Engineering Branch of the Ministry of the Environment the requirement that he issue an emergency Certificate to permit continued use of the Burlington Landfill Site pending resolution of this issue.

THE PROPOSED SOLUTION

Assuming that you agree with our consultant that the undertaking of continued use of the Burlington Landfill Site conforms with the general intent and purpose of the Plan, I propose to request Council to ask you to exercise your power under subsection 2 of section 9 of the Ontario Planning and Development Act to deem this undertaking, and any associated by-law, not to conflict with the Parkway Belt West Plan.

I do not suggest this proposed solution out of any desire on behalf of the Region to avoid either the requirements of the Parkway Belt West Plan or a public hearing. In regard to the Plan, the Region makes this request in the belief that there is no conflict at all between the Plan and the proposed undertaking of the Region. In regard to the hearing process, persons concerned about continued use of the Burlington Landfill Site will have ample opportunity to cross-examine witnesses advanced by the Region and to present their concerns to the Environmental Assessment Board. Such persons will have ample opportunity to present their concerns in that forum. Our sole reason for suggesting this proposed solution is to prevent any delay to the hearing currently scheduled by the Environmental Assessment Board.

If, as we believe, the undertaking conforms to the Plan, then it seems to us totally inappropriate to test this issue in Divisional Court or to engage the lengthy amendment procedure required under the Ontario Planning and Development Act. We believe the exercise by you of your power under section 9 of the Ontario Planning and Development Act will serve the public interest in preventing unnecessary delay to the Region's application for a Certificate of Approval.

The writer, Regional staff, and legal counsel to the Region would be happy to meet with you, at your convenience, to discuss the issues raised by this letter. In view of the

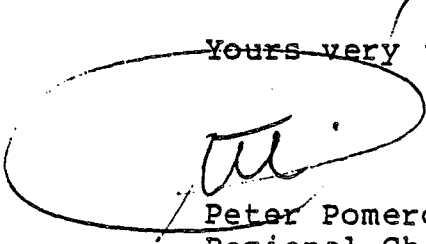
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The honourable Claude F. Bennett,
Minister of Municipal Affairs and Housing,
April 3, 1984

urgency of this matter, and the need to convene Council to make the appropriate application to you pursuant to section 9 of the Ontario Planning and Development Act, I look forward to hearing from you on this matter at your earliest convenience.

Yours very truly,



Peter Pomeroy
Regional Chairman

cc: Mr. A. Brandt,
Minister of the Environment
Mr. D. Perlin, C.A.O.
Mr. R. Mohammed
Mr. R. Moore
Mr. D. Hodgson
Mr. W. Wells
Mr. J. Tidball
Mr. Irv. MacIntyre
Mr. D. McHugh
Mr. R. Rennick



Office of the
Minister

Ministry of
Municipal Affairs
and Housing

777 Bay Street
Toronto, Ontario
M5G 2E5
416/585-7000

April 11, 1984

Mr. Peter Pomeroy
Chairman
Regional Municipality of Halton
P.O. Box 7000
1151 Bronte Road
Oakville, Ontario
L6J 6E1

Dear *Peter* :

Re: Expansion of Burlington Landfill Site

I have received your letter of April 3 requesting that I declare the proposed expansion of the Burlington Landfill site compatible with the Parkway Belt West Plan under Section 9(2) of the Ontario Planning and Development Act.

From the letter, it appears that the Regional Municipality of Halton, in order to provide its services, will have its application under the Environmental Protection Act, subject to a public hearing in May, where all interested parties will be able to voice their opinion and concerns. It further appears that the region is of the opinion that the proposed expansion complies with the Parkway Belt West Plan, subject to certain conditions being met. I agree with this interpretation of the plan, which also coincides with the provincial Parkway Belt staff interpretation of 1978 regarding the previous expansion of the same site.

Based on the above, I am prepared to declare the proposed expansion compatible, should your Council request me to do so by resolution.

If you have any question, please contact Mr. David McHugh, Director, Plans Administration Branch, Central and Southwest, of my ministry at 585-6025.

Yours sincerely,

Claude F. Bennett
Minister
M.P.P. Ottawa South

Mr. Peter Pomeroy

c.c. Mr. A. Brandt, Minister of the Environment
His Worship Mayor R. Bird, Burlington
Mr. P. Rennick
Mr. D. Perlin
Mr. R. Mohammed
Mr. D. Hodgson
Mr. G. Goodman
Mr. J. Snow, Minister of Transportation and Communications
Mr. G. Kerr

REGIONAL MUNICIPALITY OF HALTON

Report to Chairman and Members of the Solid Waste Management Committee

From R. Mohammed, Director of Planning and Development

Date 84 04 13

Report No DPD 90/84

Re: Landfill Component Environmental Assessment Study Team - Resignation of Pollutech Limited

RECOMMENDATION

1. That the resignation of Pollutech Limited from the Walker Wright Young Associates Ltd. Landfill Environmental Assessment Study Team be accepted; and
2. That Dr. Norman be thanked for his earlier efforts on the Study.

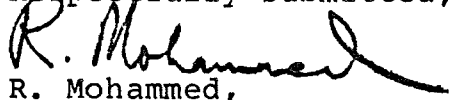
REPORT

A letter from Dr. J. D. Norman, President of Pollutech Ltd., was received on April 12, 1984 (see Schedule A), indicating that Dr. Norman wishes to disassociate himself from the Landfill Environmental Assessment Study Team.

As requested by Dr. Norman, the Final Stage 2B Report and the Final Stage 2C Work Program could have Pollutech's name removed from the cover and this can be briefly explained in the Submissions Report.

There were discussions in the Fall of 1983 regarding Pollutech's resignation, but it was hoped that they would stay on the Study Team longer. However, their present work load and their belief that they may have been utilized in a different fashion, has led to the attached letter. Dr. Norman wishes to make it clear that he was not involved in the Stage 2 part of the Environmental Assessment process.

Respectfully Submitted,


R. Mohammed,

Director of Planning & Development

 PA:ml

**
** DPD 90/84
** SCHEDULE A
**

April 12, 1984

RECEIVED
A.M. _____ P.M. _____

APR 13 1984

CHIEF ADMINISTRATOR
REGIONAL MUNICIPALITY
OF HALTON

The Regional Municipality of Halton,
1151 Bronte Road,
OAKVILLE, Ontario
L6J 6E1

Attention: Mr. D.Y. Perlin,
Chief Administrative Officer

Dear Mr. Perlin:

RE: Halton Environmental Assessment

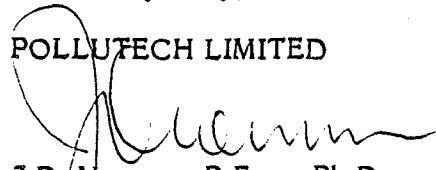
As I discussed with you earlier in the week, we would like to have our company name removed from on the cover of both the recent "Stage 2B Report" and the "Stage 2C Work Program". For professional reasons including our work load and the fact that our services were not being utilized in the way that I had originally understood, we wish to disassociate from the project. I informed Peter Walker of my decision last September, and we have not been involved in any meetings of the group since November 1982.

I would therefore appreciate if you and your staff could make the necessary arrangements so that there is no confusion with regard to the published reports which will be forthcoming since we were not involved with them. This would also be in keeping with the practice formerly followed by the Walker Wright study group as in the Stage 1 report when only the names of the firms directly contributing to that report were published on the cover.

I appreciate your willingness to clarify this matter for us.

Yours very truly,

POLLUTECH LIMITED


J.D. Norman, P.Eng., Ph.D.,
President

RVL:dmd

REGIONAL MUNICIPALITY OF HALTON

Report to Chairman and Members of the Solid Waste Management
Committee

From R. Mohammed, Director of Planning and Development

Date 84 04 13

Report No DPD 89/84

Re: The Town of Oakville's Advertisement in the
Oakville Beaver, Outlining the Regional
Municipality of Halton's Current Solid Waste
Management Studies

RECOMMENDATION

That the Town of Oakville be
commended for publishing an
objective and informative
advertisement on the Environmental
Assessment Process and assisting in
the Region's attempt to broaden the
public's knowledge of this process.

REPORT

On Wednesday April 4, 1984, the Town of Oakville sponsored a half-page advertisement in the Oakville Beaver which outlined the Environmental Assessment process currently being undertaken by the Region in order to find the best means of dealing with solid waste management in Halton (see Schedule A).

Included in this advertisement was a brief overview of the Environmental Assessment process which discussed the three components of waste management the Region is currently studying - Landfill, Energy From Waste and Source Separation. Also included in this overview was an outline of the timeframe involved in the E.A. process as well as the current situation at the existing Burlington landfill site.

A map showing the location of three of the possible candidate sites for landfill and four possible location for an Energy From Waste incinerator within the Town of Oakville was included.

The advertisement also outlined the position of Oakville Council on the Region's E.A. process stating that:

"The Council of the Town of Oakville is on record as supporting the Region in its search to complete its process and to determine the best location for an energy from waste plant and for a landfill site component."

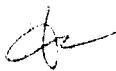
Finally, the names of both Regional and Town staff to contact for further information were listed.

Staff feels that the Town of Oakville should be commended for publishing both an objective and informative advertisement.

Respectfully Submitted,



R. Mohammed,
Director of Planning & Development

 SP:ml



THE CORPORATION OF TOWN OF OAKVILLE

DPD 89/84
SCHEDULE A

SOLID WASTE DISPOSAL PROVIDING A SOLUTION

The Council of the Town of Oakville wishes to advise the citizens of Oakville of its views on this contentious issue. It is an issue that has been a concern to the Region of Halton for some time.

Environmental Assessment Process

In the last eighteen months the Region of Halton has embarked upon an Environmental Assessment Process to find the best means, and location, of dealing with the garbage that we all generate. There are three components to this process.

- The Region is determining the feasibility of the disposal of solid waste by means of an energy from waste plant which will incinerate solid waste thus creating energy in the form of steam or electricity which can then be sold and therefore assist in the ongoing operational costs of this plant.
- The residue from this incinerator will then be landfilled together with that portion of the solid waste that cannot be processed through the incinerator.
- The separation of garbage, and in particular, the recycling of paper and glass supports the ability of the Region to deal with solid waste in a more manageable manner.

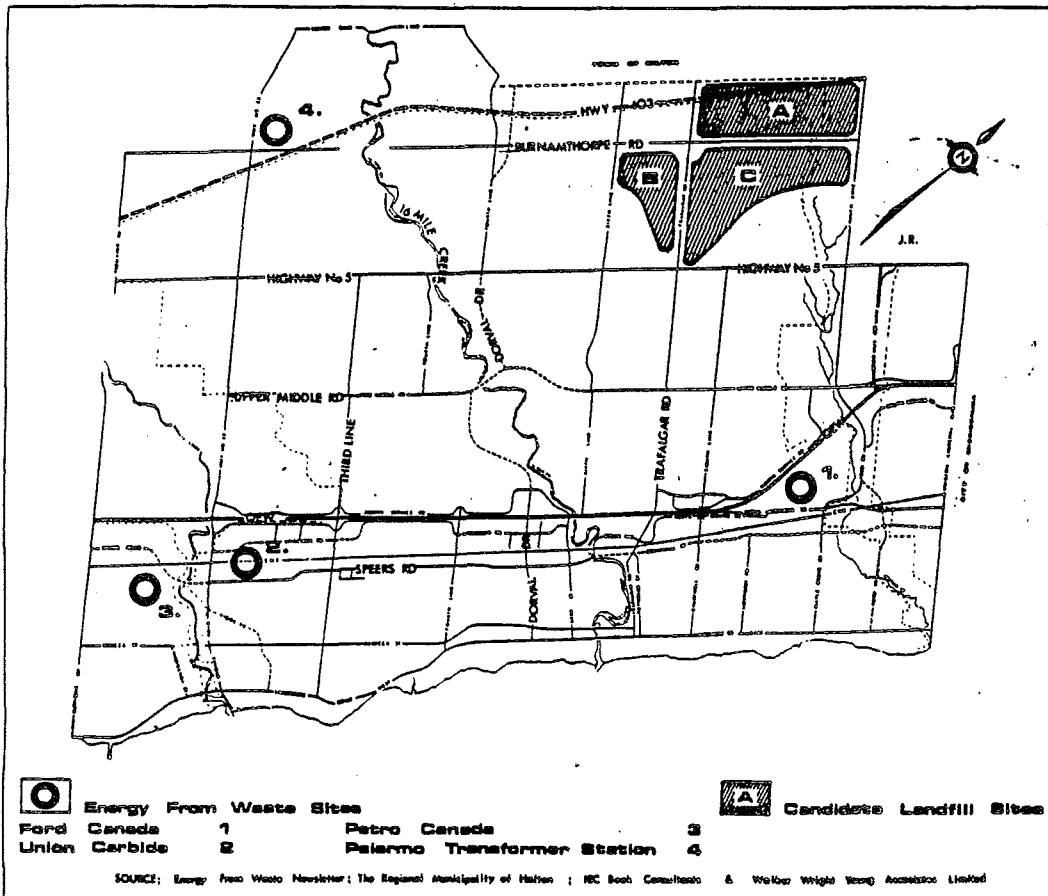
This Environmental Assessment Process is approaching its middle stage. The Region of Halton will reach a conclusion in July; their preference with the necessary documentation will be forwarded to the Ministry of the Environment, and a hearing before the Environmental Assessment Board may result at that stage.

The approval of additional lands around the existing landfill site in the City of Burlington for an interim period of three years is being sought by the Region of Halton although no approvals have yet been given by the Provincial Government.

(Note: This process should not be confused with the parallel search being undertaken by the Ontario Waste Management Corporation for the method and location to dispose of industrial wastes.)

Locations

The Map shows the four locations within Oakville being studied for such a plant, out of the total of 10 within the whole Region. The map also shows the three candidate sites for a landfill operation, out of the total of 6 that will be reviewed within the whole Region.



Council's Position

- The Council of the Town of Oakville is on record as supporting the Region in its search to complete its process and to determine the best locations for an energy from waste plant and for the landfill site component.
- On March 19, 1984 Council endorsed the selection process that will lead to a preferred site for landfilling operations; and will shortly be considering a response to the Region on the alternative locations for the energy from waste plant.
- In addition, Council has authorized staff to work with the residents of Oakville as well as the staff and consultants of the Region of Halton, in seeking the preferred locations for these activities.
- Council encourages residents of the Town to become aware of, and involved in this selection process, either on an individual basis or as members of one of the several resident groups within the municipality.

How to Get Involved

Should you wish to receive further information on these matters, or wish to forward responses and comments, the following persons should be contacted:

Paul Attack, Senior Planner
Planning Department
Region of Halton
Phone: 827-2151, ext. 249

For information on
landfill sites

Vicky Gibson
Finance Department
Region of Halton
Phone: 927-2151, ext. 422
Ron Foy, Planning Director
Town of Oakville
Phone: 845-6001, ext. 242

For information on
energy from waste

These information statements will be continued if they are necessary and useful so feel free to call the Mayor and your Ward Councillors with your views and concerns.

#4

REGIONAL MUNICIPALITY OF HALTON

Report to Chairman and Members of the Solid Waste Management Committee

From R. Mohammed, Director of Planning and Development

Date 84 04 11

Report No DPD 86/84

Re: Implications of the Ontario Waste Management Corporation's Proposals for the Halton Landfill Environmental Assessment Process

RECOMMENDATION

1. That DPD 86/84 on the Implications of the Ontario Waste Management Corporation's Proposals for the Halton Landfill Environmental Assessment Process be received.
2. That OWMC be advised that the position of the Regional Municipality of Halton is to continue to act independently of the Ontario Waste Management Corporation with respect to the Landfill Environmental Assessment Investigation and Analysis but to coordinate public and workshop meeting dates. As well, all information received by each should be public and shared.
3. That Dr. Chant be thanked for his presentation to Council on April 4, 1984 and advised of the Regional Municipality of Halton's position as stated in DPD 86/84.

REPORT

By Report CAO 135/84, staff were asked to report back to Council on the relationship between OWMC and the Landfill Environmental Assessment process. Further, this report is in response to Dr. Chant, Chairman of the Ontario Waste

Management Corporation's, presentation to Regional Council on April 4, 1984, a letter from Mr. Micak dated March 29, 1984 (see Schedule A) and various comments from the general public during our public consultation program in the last few weeks. To prepare this Report, staff have discussed the implications of the Ontario Waste Management Corporation's proposals for the Halton Landfill Environmental Assessment process with Mr. Peter Walker, the Ministry of the Environment staff, and Legal Counsel from Osler Hoskin Harcourt.

The Ministry of the Environment staff have indicated that in their judgement the Regional Municipality of Halton can take any reasonable course of action they wish with respect to the Ontario Waste Management Corporation's proposals but they cannot advise what our actual position should be.

In reviewing the implication of the OWMC proposal, staff are concerned particularly with the timing issue and the matter of maintaining an independent and unfettered process. The Ontario Waste Management Corporation has made it clear to the Region that they will not come up with a preferred site or sites until the end of 1984 and even at that point that preferred site will only be a recommendation that is subject to an extensive hearing sometime in 1985. Further OWMC will have a back-up site(s) as well. The OWMC sites in Halton may be preferred sites or "back-up" sites or they may be dropped from the process with the possibility that they could be reconsidered during or after the initial hearing process. Therefore, it may not be until late 1985 or 1986 before the Region of Halton would have a definite indication whether the OWMC proposals are going to be a fact in Halton. Our timing for the Landfill Environmental Assessment is much shorter than that, with the preferred site being considered by Regional Council in August/September, 1984, followed by the submission of an Environmental Assessment to the Minister of the Environment as scheduled in the Final Work Program for October, 1984. The implication of the timing difference is that the Region of Halton must make a final determination of its preferred site before the OWMC has even indicated whether they are still interested in the Halton locations for further study and finalization of their proposal. The further implication is that Halton will have to complete field work on the sites including preliminary hydrogeological drilling by July, 1984, whereas the Ontario Waste Management Corporation has until the end of 1984 to complete their field work. Therefore, we are in a position where we could go first with the studies and share our information with them and with anybody else who wants it, but we cannot afford to wait for

them to complete the studies and have their information shared with us. Dr. Chant seemed to indicate at the Regional Council meeting that he was prepared to share his information with us and would be interested in receiving our data, but the offer to pay for studies was based on the OWMC doing their work to their criteria within their time frame.

With respect to independence, it is an advantage for the Region to be doing the same type of work on all six of the Regional candidate sites with the work being conducted by the same individuals. This would provide the most accurate comparison and evaluation prior to Mr. Walker recommending a preferred site for Halton. This material could be offered to the OWMC for information. If any duplication takes place, it would likely be at the discretion of the Ontario Waste Management Corporation who will be conducting field work throughout 1984. If additional work is done by the OWMC's consultants, that work will be a second review or check on the Regional consultant's work and in that sense would be beneficial to us, the Regional Consultant and the general public.

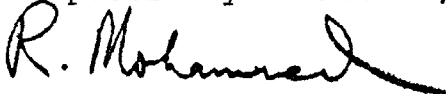
In order to avoid confusion with respect to public meetings, field visits, workshop sessions etc., staff will undertake to co-ordinate the dates and times with the Ontario Waste Management Corporation but each of us would make our own separate arrangements and at separate times and dates.

The recommended position then is that the Regional Municipality of Halton continue to act independently of the Ontario Waste Management Corporation with respect to Halton's Landfill Component Environmental Assessment investigations and analysis but co-ordinate public and workshop meeting dates. As well all information received by each should be public and shared.

Regional Legal Counsel for Osler Hoskin Harcourt and Mr. Peter Walker are in agreement with this position.

The staff from the Ontario Waste Management Corporation and Mr. Peter Walker have been invited to the SWMC meeting on April 16, 1984 to answer any questions. A copy of this report will be delivered to them on Friday, April 13th just as it is delivered to you.

Respectfully Submitted,



R. Mohammed,
Director of Planning & Development

PA:ml



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DPD 86/84
SCHEDULE A

2 Bloor Street West
11th Floor
Toronto, Canada
M4W 3E2
(416) 923-2918

March 29, 1984

Regional Municipality of Halton,
Mr. D.Y. Perlin,
Chief Administrative Officer,
Box 7000,
1151 Bronte Road,
Oakville, Ontario.
L6J 6E1

(f)

Dear Mr. Perlin:

On Friday, March 16, 1984, representatives from Ontario Waste Management Corporation met with officials of your municipality's technical staff at the Royal Connaught Hotel, Hamilton. The purpose of this meeting was to review OWMC's site selection process, specifically the identification of 8 candidate sites for hazardous waste treatment and disposal facilities. During this meeting we offered to meet with the technical staffs of each municipality to review in more detail the site selection process. This invitation was again offered by telephone to your municipal technical staff representatives during the week of March 19, 1984.

The purpose of this letter is to once again extend an offer to make available both OWMC staff and consultants to meet with your technical staff to discuss in detail any aspect of the site selection process.

If such a meeting is desired, please contact either myself or Mr. David Young at 416-923-2918. Please do not hesitate to contact us if there is anything that you require or if we may be of any assistance.

Yours truly,

James G. Micak
Environmental Planning
Coordinator

JGM:cb
c.c. Mr. R. Mohammed
Director of Planning

REGIONAL MUNICIPALITY OF HALTON

Report to Chairman and Members of the Solid Waste Management
Committee

From R. Mohammed, Director of Planning and Development

Date 84 04 12

Report No DPD 88/84

Re: Landfill Component Environmental Assessment -
Preparation of Submissions to Draft Stage 2B
Report, Final Stage 2B Report and Final Stage 2C
Work Program

RECOMMENDATION

1. That Walker, Wright, Young Associates be authorized to undertake further preliminary work on Stage 2C of the Landfill Environmental Assessment Study as outlined in DPD 88/84 at an upset limit of \$40,000 and all under the direction of the Director of Planning and Development.

REPORT

1. Circulation of Environmental Assessment Reports and Public Meetings

On March 7, 1984 Council authorized the circulation of the Draft Stage 2B Report and Draft Stage 2C Work Program to the general public, municipalities and agencies for comments by March 30, 1984 as detailed in DPD62/84. At that time Walker, Wright Young Associates Ltd. was authorized to prepare a Final Stage 2B Report and a Final Stage 2C Work Program, after analyzing and incorporating the public comments, for the first SWMC meeting in April, 1984.

Walker, Wright was also requested to present these reports to the Area Councils and this was completed with presentations to the Oakville and Milton Councils on March 19, 1984, the Burlington Council on March 12, 1984 and the Halton Hills Council on March 26, 1984.

As authorized in the Stage 2B Work Program, public meetings were held on Tuesday, March 20, 1984 at the Royal Botanical Gardens in Burlington with approximately 100 people in

attendance; on Wednesday, March 21, 1984 at General Wolfe Secondary School in Oakville with approximately 200 people in attendance; and Thursday, March 22, 1984 at Holy Rosary Hall in Milton with approximately 550 people in attendance. The Consultants will be reporting back to Council with a summary of the public meetings as part of their public consultation process.

To date the Region has received 89 letters from Oakville, 7 from Burlington, 5 from Milton and 5 from outside agencies. In addition, approximately 200 questionnaires were returned from the public meetings.

Due to the large number of responses to the Stage 2B and 2C reports, and the lateness of some of the more significant responses, Walker, Wright have advised that they are unable to prepare their Submissions Report, which will include an analysis of each comment and recommended changes to the reports, their Final Consolidated Stage 2B Report and a Final Stage 2C Work Program by the April 16, 1984 SWMC meeting as originally scheduled. At this time we are advising that there will be a one week delay in the preparation of this material as Mr. Walker has indicated that the reports will be available to Regional Staff on April 18, 1984.

2. Authorization for Further Stage 2C Work

As part of the preliminary work on the Draft Stage 2C Work Program, as authorized in DPD62/84, Walker, Wright, Young Associates have initiated their plans for the community workshops, the hydrogeological investigations and the ecological, archaeological and agricultural portion of the Stage 2C work. A letter was sent to each municipality requesting the names of all interest groups that might be affected for the purpose of involving them in the workshops. Due to the delay in the Final Stage 2C Work Program, Walker Wright Associates and Staff are requesting authorization to proceed on some further work as described below. The hydrogeological analysis will be proceeding with a further analysis at a more detailed level of some of the existing reports and additional hydrogeological information available for the candidate sites. Arrangements are being made with the Regional Property Agent to obtain permission from the candidate site landowners to enter the property starting hopefully in early May to allow field visits by the hydrogeologist, the biologist, the archaeological team, the ecologist and the agrologist. The economist will undertake part of his analysis to evaluate cost assumptions.

The preliminary work that is now being suggested for Stage 2C will not prejudice the future decision to be made on

acceptance of the Stage 2B report. There will, however, be some work undertaken that will not be needed if Council decides to delete one of the candidate sites. The amount of work lost would be in proportion to the number of sites deleted. For example, if one site is removed, approximately one-sixth of the work would be lost. If Council changes the approach from a single site to a multi-site undertaking, Mr. Walker advises that no work will be "thrown away" but additional work may be required. Staff and the Consultants are of the opinion that it is very important to the environmental work that the Consultants proceed early in the Spring in order to investigate the surface drainage situation during Spring runoff.

The workshops are scheduled to commence about April 30, 1984, with the time and locations to be announced when finalized. Mr. Walker has indicated that this preliminary Stage 2C work will cost about \$30,000 to \$40,000 and will be incorporated into the Final Stage 2C Work Program budget to be submitted in detail.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Mohammed", with a stylized, flowing script.

R. Mohammed,
Director of Planning and Development

PA/net

