

APPENDIX 'B'

THE CORPORATION OF THE TOWN OF  
MARKHAM

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**EXTRACT CONTAINING ITEM #0015 OF THE DEVELOPMENT SERVICES COMMITTEE  
OF MEETING NO. 19 (Jun 02, 2009)****15. GEMCROSS DEVELOPMENTS (CONSTRADA AGGREGATE RECYCLING FACILITY)  
350 YORKTECH DRIVE APPLICATION FOR ZONING BY-LAW AMENDMENT TO  
PERMIT THE EXISTING AGGREGATE RECYCLING FACILITY FOR AN ADDITIONAL  
THREE YEARS (ZA-08-119862) (10.5)****Report Attachment**

Mr. Jim Baird, Commissioner of Development Services, provided the Committee with some history and background information with respect to the Constrada Aggregate Recycling Facility located at 350 Yorktech Drive. He indicated that if extension to the temporary zoning by-law that permitted the existing facility is granted for another three years it can become more difficult to terminate the use in the future.

Mr. Peter Cheatley, Macaulay Shiomi Houson, addressed the Committee requesting that a three year extension to permit the existing aggregate recycling facility at 350 Rodick Road be granted. He indicated that he agrees that the use should not be permanent. Mr. Cheatley believes that there is not a sufficient level of development activity in the area at this time to suggest that the temporary use is problematic.

The Committee discussed the pros and cons associated with extending the temporary zoning by-law to permit the existing aggregate recycling facility for an additional three years. The Committee stated concerns with respect to environmental impacts that could be a result of this facility, primarily to the Rouge River. It was suggested that a study should be done to determine the level of contaminants (if any) in the River and would like to have input from both the Toronto and Region Conservation Authority (TRCA) and Fishery and Ocean Canada (DFO). Staff advised that a dust control requirement was a condition of the original agreement and that there has been monitoring with respect to storm drainage.

The Committee discussed the importance of obtaining assurance for future environmental remediation (removing all contaminated soil). Staff suggested exploring a voluntary agreement with the applicant to set aside money in a reserve fund that would be put toward the cost to clean up the site in future.

Moved by Mayor F. Scarpitti

Seconded by E. Shapero

- 1) That the temporary zoning by-law amendment application by Gemcross Developments (Constrada Aggregate Recycling Facility) to permit the existing aggregate recycling facility at 350 Rodick Road for an additional three years, be deferred to September 2009; and,

- 2) That staff explore opportunities together with the applicant to establish a reserve fund that will be put toward the future clean up of the site; and further,
- 3) That staff review and report back on the environmental conditions and monitoring program with the involvement of the Toronto and Region Conservation Authority (TRCA) and Fishery and Ocean Canada (DFO)

**CARRIED**