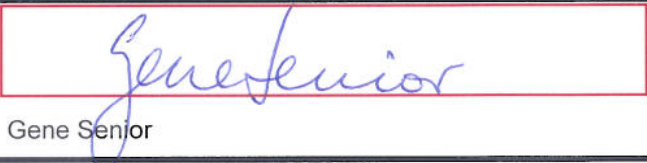


Notice of Alteration Form



Client File No. : 5699.00	Environment Act Licence No. : not issued
Legal name of the Licencee: 2710331 Manitoba Ltd.	
Name of the development: Rakowski Recycling	
Category and Type of development per Classes of Development Regulation: Manufacturing Manufacturing and industrial plants	
Licencee Contact Person: Yanek Rakowski Mailing address of the Licencee: 454 Rue Archibald Street City: Winnipeg Province: Manitoba Postal Code: R2J 0X5 Phone Number: (204) 231-4050 Fax: (204) 231-4555 Email: yanek@rakowskicartage.com	
Name of proponent contact person for purposes of the environmental assessment (e.g. consultant): Gene Senior c/o KGS Group	
Phone: (204) 896-1209 Fax: (204) 896-0754	Mailing address: 300-865 Waverley Street Winnipeg, MB R3T 5P4
Email address: gsenior@ksgsgroup.com	
Short Description of Alteration (max 90 characters): Activities relating to automobile wrecking will not be conducted as part of development.	
Alteration fee attached: Yes: ☐ No: ☒	
If No, please explain: Not applicable. Licence not issued.	
Date: 2018-08-10	Signature:  Printed name: Gene Senior
A complete Notice of Alteration (NoA) consists of the following components: ☒ Cover letter ☒ Notice of Alteration Form ☒ 2 hard copies and 1 electronic copy of the NoA detailed report (see "Information Bulletin - Alteration to Developments with Environment Act Licences") ☐ \$500 Application fee, if applicable (Cheque, payable to the Minister of Finance)	
Submit the complete NoA to: Director Environmental Approvals Branch Manitoba Sustainable Development 1007 Century Street Winnipeg, Manitoba R3H 0W4 For more information: Phone: (204) 945-8321 Fax: (204) 945-5229 http://www.gov.mb.ca/sd/eal	
Note: Per Section 14(3) of the Environment Act, Major Notices of Alteration must be filed through submission of an Environment Act Proposal Form (see "Information Bulletin – Environment Act Proposal Report Guidelines")	



August 8, 2018

File No. 17-1582-001

Manitoba Sustainable Development
Environmental Stewardship Division
Environmental Approvals Branch
1007 Century Street
Winnipeg, MB
R3H 0W4

3rd Floor
865 Waverley Street
Winnipeg,
Manitoba
R3T 5P4
204.896.1209
fax: 204.896.0754
www.kgsgroup.com

ATTENTION: Mr. Eshetu Beshada
Environmental Engineer
Municipal and Industrial Section, Environmental Approvals Branch

RE: File 5699.00 Rakowski Recycling - Additional information Request

Dear Mr. Beshada:

KGS Group is providing additional information on behalf of Rakowski Recycling, as part of the Environment Act Proposal application for the proposed development located at 454 Rue Archibald Street. Based on public and Technical Advisory Committee feedback provided during the review period additional information was requested on five topics in a July 5, 2018 letter. This response letter specifically addresses the first topic and a separate letter will be prepared at a later date addressing the other four topics.

It was noted that the Conditional Use permit granted by the City of Winnipeg to Rakowski Recycling for operation of their facility at 454 Rue Archibald Street does not specifically confirm that all operations proposed in the Environment Act Proposal report are permitted. As such Rakowski Recycling was requested to provide confirmation from the City that they are permitted to perform all proposed operations.

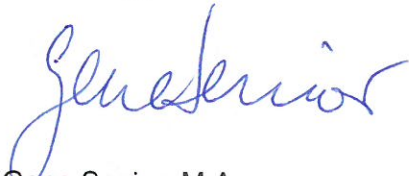
On July 18, 2018, a Request for Zoning Letters form was submitted to the Zoning Development Officer, in the Planning Property and Development Department of the City of Winnipeg. On Friday, August 3, 2018 Yanek Rakowski received a letter from the City of Winnipeg (dated July 23, 2018) in response to the request, a copy of which is attached.

The City of Winnipeg Zoning and Permits Branch has provided confirmation of activities that are permitted at 454 Rue Archibald Street for Conditional Use under the Winnipeg Zoning By-law 6400/94. They have indicated that the subject site is located within an area zoned "M2" Manufacturing General District and, in accordance with the City of Winnipeg Zoning By-law No. 200/06, a recycling plant and accessory outside operations are listed permitted uses. Recycling: materials sorting, baling or other processing is permitted under the Conditional Use Permit DCU 163035/2006C, dated January 19, 2007. A wrecking and salvage yard is not a listed permitted use and Mr. Rakowski has indicated that operations/activities relating to automobile wrecking will not be conducted at the site.

On July 16, 2018 Manitoba Sustainable Development, Environmental Compliance and Enforcement Branch issued a letter stating that the Rakowski Recycling was to immediately cease all day-to-day activities relating to scrap metal processing until zoning/conditional use permit issues are fully and properly addressed. On August 7, 2018, KGS Group issued a response to the Director of the Environmental Compliance and Enforcement Branch to address the stop-work order. A request was made to the Director that Rakowski Recycling be allowed to resume permitted outdoor activities at the site so that it can conduct the required noise assessment and address the remaining four questions by the stated August 31, 2018 deadline. The Regional Supervisor, Environmental Compliance and Enforcement has confirmed receipt of the letter and indicated that a response will be sent after it is reviewed.

Pending resumption of outdoor activities at 454 Rue Archibald Street, a full noise assessment will be conducted and KGS Group will provide you with additional responses to your request for information.

Yours truly,



Gene Senior, M.A.
Environmental Scientist

GS/em
Enclosure / Attached

cc: Yanek Rakowski
Siobhan Burland Ross
Rob Matthews
Yvonne Hawryliuk
Don Labossiere



Planning, Property & Development Department • Service de l'urbanisme, des biens et de l'aménagement
Development and Inspections Division • Division de l'aménagement et des inspections

In reply please refer to / Référence à rappeler :

Roger Blackman-Shaw

Phone: 204-986-7764

Fax: 204-986-6347

July 23, 2018

Yanek Rakowski
Rakowski Recycling
775 Plinquet ST
WINNIPEG, MB R2J 0G3

Dear Sir/Madam:

RE: 454 ARCHIBALD ST

LEGAL DESCRIPTION: LOT 1 BLOCK 1 PLAN 20930 RCMP

FOLDER #: 18 151495 000 00 ZR

This will acknowledge receipt of your letter dated July 18, 2018 requesting a **verification of described use/uses** with regard to the above noted zoning lot. The Zoning and Permits Branch has used your letter of activities submitted with this request, numbered, categorized and defined those activities. We have attached the activities list, a definitions list and a copy of the approved conditional use.

Please be advised that the subject site is located within an area zoned "M2" Manufacturing General District. In accordance with the City of Winnipeg Zoning By-law No. 200/06 and amendments thereto, a recycling plant, a towing and storage facility and accessory outside operations are listed permitted uses. A recycling: materials sorting, baling or other processing is permitted as approved by DCU 163035/2006C. A wrecking and salvage yard is not a listed permitted use.

We must therefore insist that any operations/activities related to a wrecking and salvage yard cease immediately upon receipt of this letter, Failure to comply with this request will result in enforcement action which may include fines and/or legal action through the Provincial Court of Manitoba.

We trust this is the information you require.

Yours truly,

Martin Grady
Zoning & Permits Administrator

MG:LL:mr

Embrace the Spirit • Vivez l'esprit

Unit 31 – 30 Fort Street • 30, rue Fort, unité 31 • Winnipeg • Manitoba R3C 4X7

Rakowski Recycling, 454 Rue Archibald Street – Verification of Use

The existing uses (outdoor and indoor operation activities) that we would like verified are listed below and described in greater detail in the enclosed Environment Act Proposal (Section 2.5.2).

Outdoor Activities

1. receive wrecked automobiles
2. drain and temporary storage of automobile fluids until removal by a licensed contractor
3. remove automobile tires, rims, gas tank, battery and converters
4. store tires until picked up by a licensed recycler
5. load and ship automobiles to other facility for further processing
6. receive ferrous and non-ferrous metal materials
7. sort large metal materials with front end loader and/or grapple excavator
8. store the large metal materials for shearing/baling/packaging
9. shear metal materials into smaller pieces to facilitate packaging and shipping
10. bale metal materials to facilitate packaging and shipping
11. receive and palletize lead acid batteries to be shipped away for processing
12. receive and store fridges, freezers and air conditioners to be shipped to a licenced company to remove/recover the gases (metal components are returned for processing by Rakowski)
13. receive wood waste (in a bin) to be shipped for processing
14. bin for general garbage that is shipped to an approved landfill
15. storage containers to store nonferrous inventory to be exported

Indoor Activities

16. hand sort smaller metal materials
17. strip insulation off copper and aluminum wiring
18. use hand shear to resize smaller metal materials
19. bale aluminum cans and other non ferrous materials

1, 2, 3, 4, 5 and 11 are activities that fit within the wrecking and salvage yard definition and this use is not permitted.

6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18 and 19 are activities that fit within the recycling plant or accessory outside operations definition or would be permitted as approved under DCU 163035/2006C to permit a Recycling: Materials Sorting, Baling or Other Processing use. (attached)

Definitions

Recycling Plant: means a facility in which recoverable resources such as newspapers, glassware, plastics, and metal cans are recycled, reprocessed, and treated to return such products to a condition in which they can again be used for production. This facility is not a wrecking yard or junkyard.

Wrecking and salvage yard: means any lot upon which 2 or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license or registration, have been placed for the purpose of obtaining parts for recycling or resale. Building materials, scrap metal, or any other kind of salvage are also included in this definition.

Towing and storage facility: means a commercial establishment engaged in towing of vehicles or equipment from one location to another. Such facilities may also include an indoor storage component for such vehicles or equipment, but may not include junked, salvage, or permanently inoperable vehicles or equipment.

Outside operations (accessory): means activities conducted outside that are directly related to, and in support of a permitted principal use on the site.

Salvage yard: means an open or enclosed area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to metals, paper, rags, rubber tires, and bottles, and includes an automobile wrecking or dismantling yard, or a materials recycling operation. (this is a use definition from the previous zoning bylaw 6400/94 - a use variance was applied for this use and rejected in 2008)

Recycling: Materials Sorting, Baling or Other Processing: this use was approved under conditional use in 2007 under zoning bylaw 6400/94. There is no definition of this use.



The City of Winnipeg
CONDITIONAL USE ORDER
BOARD OF ADJUSTMENT

DCU 163035/2006C

Before: Board of Adjustment
Mr. Bill Evans, Chairperson
Mr. Mark Morgan
Mr. Ron Turner

Hearing: January 17, 2007
West Committee Room
Council Building, 510 Main Street

Applicant: Rakowski Cartage (Bob Molter)

Premises Affected: 454 Archibald Street

Legal Description: Lot 1 Block 1 Plan 20930 RCMP,
hereinafter called "the land"

Property Zoned: "M2" Industrial District

Zoning Atlas Sheet: AA27 (NY)

Nature of Application: For a Conditional Use under The Winnipeg Zoning By-law
6400/94 to permit a Recycling: Materials Sorting, Baling
or Other Processing use

It is the opinion of the Board of Adjustment that subject to conditions listed below, if any, this Order meets the statutory criteria of The City of Winnipeg Charter in that it:

- (a) is consistent with Plan Winnipeg, and any applicable secondary plan;
- (b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;
- (d) is compatible with the area in which the property to be affected is situated.

C.W. Charter Section 254 and Subsection 247 (3)

ORDER:

The Board of Adjustment orders that a Recycling: Materials Sorting, Baling or Other Processing use is approved on "the land", subject to the following conditions which the Board of Adjustment considers necessary to ensure compliance with criteria (a), (b) and (d) above, namely:

1. That if any Conditional Use granted by this Order is not established within two (2) years of the date hereof, the Order, in respect of that Conditional Use, shall terminate.
2. That final plans showing the location and details of buildings and outdoor storage components, fencing and screening shall be submitted to the Director of Planning, Property and Development for approval prior to the issuance of any development or building permits, and thereafter, shall be maintained to the satisfaction of the Director of Planning, Property and Development.

THIS ORDER IS SUBJECT TO ALL BUILDING, HEALTH OR OTHER REGULATIONS PERTAINING TO THE LAND HEREIN REFERRED TO.

DATE OF ORDER: January 19, 2007

CERTIFIED BY:



Diane Timmins
Secretary to the Board

HOW TO APPEAL

You may appeal against either the whole of this order or part(s) of it by filing a letter of appeal.

That letter must be submitted in writing, be signed by the appellant, show the printed name of the appellant, contain the mailing address of the appellant, contain the contact telephone number of the appellant, and

- (a) be addressed as set out below,
- (b) be received at that office not later than 4:30 p.m. on February 7, 2007,
[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]
- (c) refer to Conditional Use Order No. DCU 163035/2006C, give brief reasons for the appeal and must describe whether you appeal the whole order or only part(s) of it.

Any appeal letters not containing all of the above elements will be rejected by the City Clerk as invalid appeals and will not be heard at an appeal hearing.

You can attend the appeal hearing and speak on issues raised in someone else's appeal, but the appeal committee can only rule on issues raised in appeals filed. If you are not sure what others have appealed you should file your own appeal.

Address: City Clerk, City of Winnipeg
c/o Appeal Committee
510 Main Street
Winnipeg, MB R3B 1B9
Fax 947-3452
Email clk-appeals@winnipeg.ca

THE FOLLOWING PERSONS MADE REPRESENTATIONS AND ARE ENTITLED TO APPEAL:

In Support:

Yanek Rakowski, Rakowski Cartage

In Opposition:

Nil

For the City:

Mr. M. Robinson, Planner, Planning, Property and Development Department