

# Springwater Official Plan

## Section 21 – Waste Disposal Assessment Area Policies

### 21.1. Objectives

- 21.1.1. The Waste Disposal Assessment Area is an overlay designation with associated policies, intended to recognize the presence of landfill sites. The objective is to ensure that future development occurs in a manner which takes into account any existing or potential effects of waste disposal on public health or safety. The delineation and designation of the Waste Disposal Assessment Area does not necessarily indicate the presence of such existing or potential effects.
- 21.1.2. The lands designated “Waste Disposal Assessment Area” are shown on the land use schedules of this Official Plan.
- 21.1.3. The size of the Waste Disposal Assessment area is generally 500 metres (1640 feet) from the limits of any landfill site. This reflects an existing Ministry of Environment and Energy policy. The Ministry of Environment and Energy considers that the most significant adverse environmental effects to be normally within 500 metres (1640 feet) of the perimeter of a fill area.
- 21.1.4. It is the policy of this Official Plan to notify and seek the comments of the Waste Management Department of the County of Simcoe in regard to proposed developments which may occur within 1000 metres (3280 feet) from the limits of any landfill site. The intention of this policy is to provide the opportunity to identify and address any potential concerns which may arise predicated on the type and magnitude of the proposed use and its location in regard to the landfill site.

### 21.2. Relationship with Other Policies of This Plan

- 21.2.1. The Waste Disposal Assessment Area is a method of applying additional specialized policies in the area of any waste disposal site in accordance with Ministry of Environment and Energy policy. This designation is to be considered as an overlay in regard to any other land use designations found on the Land Use Schedules of this Official Plan, and which are located within the boundaries of the Waste Disposal Assessment Area.

No amendment to this Plan is required to allow development to proceed in accordance with the underlying land use designations shown on the Land Use Schedules of this Official Plan provided there is compliance with the policies of this section.

21.2.2. Information on the hydrogeologic situation or on methane migration may result in an alteration of this Area, which will be reflected in this Plan by either an amendment or, at the time of a general Official Plan review/

### **21.3. Policies**

21.3.1. Those proposing development in the Waste Disposal Assessment Area shall undertake studies to determine if the uses of the waste disposal site have created any adverse planning or environmental constraints to the proposed development. Dependent upon the results of these studies, the mitigation measures proposed, if any, and other policies of this Plan, the Township, in consultation with the Ministry of Environment and Energy, and any other government agency having jurisdiction, may approve, revise or reject the proposed development including the adoption of zoning amendments.

21.3.2. The Township may in the implementing Zoning By-law, place lands within a Waste Disposal Assessment Area in a zone category which requires that all new development or redevelopment, as may be defined by the Zoning By-law, will only take place by means of an amendment to the Zoning By-law in conformity with the policies and designations of this Plan. Use of a Holding Zone for this purpose will follow the provisions of The Planning Act.

21.3.3. Notwithstanding the policies of this section, the implementing Zoning By-law may permit renovations or replacement of existing buildings, and the construction of non-habitable accessory buildings such as garages or barns.

21.3.4. Prior to removing the Holding Zone provisions or amending the Zoning By-law to permit any new development of buildings in the Waste Disposal Assessment Area, studies shall have been carried out to the satisfaction of the Township and the Ministry of Environment and Energy which address such issues as migration of methane gas and leachate, hydrogeology, litter, odor, noise and traffic and which indicate the phasing of all development to coincide with the control of any problems identified by the engineering studies and which indicate that the development can safely take place. The Township will consult with the County of Simcoe on these matters. Any uses within the Waste Disposal Assessment Area will be permitted under conditions to safeguard them from undesirable effects of waste disposal. Such uses may be subject to buffering and phasing.

21.3.5. Council may define any or all of the area within the Waste Disposal Assessment Area as shown on the land use schedules of this Official Plan and are subject to Site Plan Control.