

4.9 Waste Management

The policies of this Section relate to waste management practices and their relationship to land use.

Objectives

4.9.1

To provide ~~waste management systems and waste management sites~~ that are of appropriate size and type to accommodate present and future requirements as part of the County's waste management system and to facilitate, encourage, and promote reduction, reuse, and recycling objectives.

4.9.2

To protect the health, safety, ~~convenience,~~ and welfare of residents from the potential adverse effects of waste management activities conducted at waste management sites by restricting or controlling *development* in the vicinity of such sites.

Policies

Regulation of Waste ~~Disposal~~Management Sites

4.9.3 The County of Simcoe will ensure environmental protection is balanced with economic viability at operating and future solid waste ~~disposal~~management sites for which the County is responsible. The County will continue to maximize the utility of approved waste capacity at its facilities while operating the site in accordance with the relevant ~~provincial Ministry of the Environment~~ Environmental Compliance Approval and work to develop safe engineered disposal capacity for the residents of the County of Simcoe. The County will strive to maximize waste diversion over from disposal where viable markets are available.

4.9.4 The County will continue to develop a waste management system in accordance with the County of Simcoe Waste Management Strategy or its successor to address permanent waste disposal (landfilling) and resource recovery activities (non-landfilling) such as transfer stations, recycling facilities and organics processing facilities. County waste management sites may contain a landfilling or non-landfilling activity or a combination of activities. Waste disposal/management solutions in which the County takes responsibility for its own waste are preferred where practical.

4.9.54 The *Environmental Protection Act* and the associated regulations and Environmental Compliance Approval regulate, on a site specific basis, the activities and operation of the waste management system and ~~a waste disposal/management sites~~ and ~~its their~~ rehabilitation and closure, and this legislation shall be referred to in conjunction with the *Planning Act* to achieve the objectives of this *Plan*.

4.9.65 The County is responsible for the development, operation, monitoring, maintenance, and rehabilitation of the County owned and operated waste management system and waste ~~disposal/management~~ sites, in accordance with applicable legislation.

4.9.76 *Local municipalities* are responsible for the monitoring, maintenance, and rehabilitation of *local municipality* owned waste ~~disposal/management~~ sites, in accordance with applicable legislation.

4.9.87 The private owner is responsible for the development, operation, monitoring, maintenance, and rehabilitation of privately owned and operated waste ~~disposal/management~~ sites, in accordance with applicable legislation.

4.9.98 Notwithstanding any policies herein, waste *disposal/management* sites will be established in accordance with the *Environmental Assessment Act* and the *Planning Act* and will be operated in accordance with the *Environmental Protection Act* and the Environmental Compliance Approval for the waste *disposal/management* site.

New Waste Management Site or Expansion of an Existing Waste Management Site

4.9.10 Notwithstanding sections 3.3.6 and 3.8.19 of this Plan, any new waste management sites or expansions of an existing waste management site for the purposes of landfilling will require an amendment to this Plan and to the local municipal official plan.

A new waste management site or the expansion of an existing waste management site for the purposes of non-landfilling activities including, but not limited to, the transfer of materials, management of recyclable materials, or processing of organics, will not require an amendment to this Plan. An amendment to the local municipal official plan may be required for a new waste management site or expansion of an existing waste management site of the purposes of non-landfilling activities.

New or expanded non-landfilling waste management sites will be identified on appropriate mapping schedules without an amendment to this Plan.

Mapping of Waste Management Sites

4.9.101 The locations of County owned and operated waste *disposal/management* sites are shown on Schedule 5.6.1. The boundaries of County owned and operated waste management sites are the property boundary of the lands owned by the County on which waste management site activities occur.

The locations of private and local municipality owned or operated waste *disposal/management* sites are shown on Schedule 5.6.2. The locations of all waste *disposal/management* sites within each local municipality will be mapped in the respective local municipal official plans.

Where the applicable provincial ministry approves the addition or removal of a waste management site from the schedules to this Plan, amendments to this Plan and to the local municipal plan are not required.

D-4 Assessment Areas

4.9.142 The recognized best practice to regulate land use on or near waste *disposal/management* sites is the ~~Province's Ministry of Environment Guideline D-4~~ which provides that generally an area within 500 metres of a Fill Area on a waste *disposal/management* site is the area in which landfill-related impacts may be present. This area is known as the D-4 Assessment Area. Accordingly, the default D-4 Assessment Area is 500 metres calculated from the property line of the waste *disposal/management* site where the Fill Area is unknown or from the Fill Area ~~of the waste for a closed site~~ where the ~~Fill Area extent of waste~~ is known.

4.9.123 The *Guideline D-4* allows for the D-4 Assessment Areas to be varied where the actual influence area of the waste *disposal/management* site has been determined to be less than 500 metres. The D-4 Assessment Area may be reduced to coincide with the actual influence area. Where significant impacts are encountered beyond 500 metres the D-4 Assessment Area may be extended beyond the 500 metres.

4.9.134 The County will determine the D-4 Assessment Areas for County owned or operated waste *disposal/management* sites with a Fill Area in consultation with the applicable provincial ministry ~~MOE~~. For private and local municipality owned or operated waste *disposal/management* sites the local municipality will determine the D-4 Assessment Area in consultation with the applicable provincial ministry. ~~MOE~~. All D-4 Assessment Areas within each local municipality will be mapped in the respective local municipal official plans. These D-4 Assessment Areas will be shown on a map to be prepared by and available from the

County for information purposes only. The County will update the map from time to time as information changes or new D-4 Assessment Areas are determined in accordance with this Plan.

4.9.145 In order to alter the D-4 Assessment Area in the local municipal official plan, an Assessment Area Environmental Study taking into consideration the applicable factors in the Guideline D-4 will be prepared by a Qualified Person, in consultation with the applicable provincial ministry MOE, and will be peer reviewed as determined necessary by the D-4 Approval Authority. In the alternative, where current information exists to demonstrate there are no landfill-related impacts associated with the closed sites, the D-4 Assessment Area may be reduced without the need for an Assessment Area Environmental Study, in consultation with the applicable provincial ministry MOE. No amendment to this Plan is required; rather a local municipal official plan amendment is required to alter a D-4 Assessment Area.

4.9.156 Sensitive land uses shall normally not be permitted in the D-4 Assessment Area of an active waste disposal/management site which incorporates a Fill Area. However, this shall be considered on a site-by-site basis in accordance with the results of investigations undertaken in accordance with policy 4.9.17.

4.9.167 Where development is proposed within the D-4 Assessment Area of a County owned waste disposal/management site which incorporates a Fill Area, or where the County is the D-4 Approval Authority, D-4 Studies will be required and peer reviewed. ~~and their~~ Any proposed conditions including mitigation and monitoring will be subject to the approval of the appropriate County staff and implemented accordingly. Where appropriate, the County may scope the D-4 Study in accordance with the requirements of the Guideline D-4 and any other applicable provincial standards or regulations.

4.9.178 Where development is proposed within the D-4 Assessment Area of a private or local municipality owned waste disposal/management site, the local municipality will determine the need for D-4 Studies and peer reviews, and the implementation of the proposed conditions including mitigation and monitoring will be determined by the local municipality and policies addressing the implementation options will be contained in the local municipal official plan.

~~4.9.17 If the MOE approves the deletion of a waste disposal site, no amendment to either the local municipal official plan or this Plan is necessary. Any new or expanded waste disposal site in consultation with the MOE would require an amendment to this Plan and to the local municipal official plan. (emphasis added).~~

Land Use Compatibility Study

4.9.179 Where development is proposed in the vicinity of a waste management site which does not contain landfilling activities or a waste management site with non-landfilling activities occurring outside of the Fill Area, a land use compatibility study may be required. The details of the study shall determine any potential land use conflicts with the proposed development and planned or ongoing waste management site activities including, but not limited to, ground and surface water, noise, odour, dust, traffic and other relevant land use considerations in consultation with the County. If a D-4 Study is required for the same proposal, the details of the non-landfilling activities shall be addressed in the D-4 Study.

BUFFER AREA for ~~Waste Management Sites~~ the purposes of waste management means the area adjacent to the Fill Area in which only waste management site uses other than landfilling may occur. ~~which no non-Waste Disposal Area related use can be made of the lands.~~ Generally, the minimum distance for a buffer zone is 30 meters but can be extended to 100 meters or more at the discretion of the owner and operator of the ~~W~~waste Disposal/management Site or at the direction of the applicable provincial ministry Ministry of the Environment.

D-4 APPROVAL AUTHORITY for all County owned or operated waste disposal/management sites with Fill Areas, the County is the D-4 Approval Authority. For all private and local municipality owned or operated waste disposal/management sites, the local municipality, within which the property is located, is the D-4 Approval Authority.

D-4 ASSESSMENT AREA refers to the lands generally within 500 metres of the ~~Fill Area waste disposal site~~, or more specifically, the area shown on the applicable schedules in the *local municipal* official plans. The *D-4 Assessment Area* may vary according to the actual waste cell location, depth and type of waste and existing conditions. The *County* will also prepare and make available for information purposes, a map showing the *D-4 Assessment Areas* for ~~all~~ waste ~~disposal/management~~ sites ~~containing a Fill Area~~.

D-4 STUDY is a study required to evaluate the presence and impact of any adverse effects or risks to health and safety and any necessary remedial measures necessary for a proposed *development* in compliance with the *Guideline D-4* including, but not limited to, ground and surface water (hydrogeology and hydrology), noise, odour, and dust, methane gas migration, traffic impact, land use compatibility, and other studies considered appropriate.

FILL AREA means the area of a ~~Waste Disposal/management Site~~ ~~set aside~~ for landfilling purposes.

GUIDELINE D-4 means the ~~MOE-provincial~~ *Guideline D-4*, as amended and any successor guideline or legislation.

INFRASTRUCTURE means physical structures (facilities and corridors) that form the foundation for *development*. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity power generation facilities, electricity and transmission facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

WASTE includes ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse, and such other materials as are designated in the regulations of the *Environmental Protection Act*. For the purposes of this Plan, waste does not include liquid waste other than the capture and treatment of leachate.

WASTE DISPOSAL/MANAGEMENT SITE ~~means a site and facilities to accommodate solid waste from one or more municipality and includes recycling facilities, transfers stations, processing sites and disposal sites. This may also include the Fill Area and the Buffer Area of a property which has been or is suspected to have been used as a landfill. A waste management site may include: as well as a property under development for landfilling and~~ means:

- (a) any land upon, into or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed; and
- (b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment, or processing referred to in clause (a).

A waste management site may include non-landfilling and/or landfilling activities.

WASTE MANAGEMENT SYSTEM means a collection of *waste management sites*.