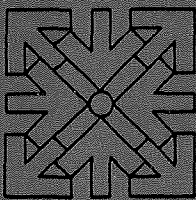


PLANNING ANALYSIS ON
THE PROPOSED USE OF
NATIONAL SEWER PIPE LIMITED'S
LAND IN THE CITY OF BURLINGTON
FOR SANITARY LANDFILLING
AND OTHER PURPOSES

APPENDICES :

Prepared for
NATIONAL SEWER PIPE LIMITED



THE PROCTOR & REDFERN GROUP
Consulting Engineers and Planners

January 1988

APPENDICES

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2. Proctor & Redfern revised application to amend Ontario Regulation 482/73, January 1982	B
3. Proctor & Redfern application for Certificate of Approval, April 1982	C
4. Proctor & Redfern application to amend the Region of Halton Official Plan, City of Burlington Official Plan and Zoning By-law, April-May 1982	D
5. Letter of December 4, 1984 from Proctor & Redfern to the Region re: expansion of landfill area	E
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Subject

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| 17. Agricultural Assessment Requirements for Major Projects, Ontario Ministry of Agriculture and Food | P |
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The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
110 James Street
St. Catharines, Ontario L2R 7E8
Telephone (416) 688-4272

RECEIVED
A.M. _____ P.M. _____
JUL 09 1981
CHIEF ADMINISTRATOR
REGIONAL MUNICIPALITY
OF HALTON

July 8th, 1981 Project EO 79475

Regional Municipality of Halton,
1151 Bronte Road,
OAKVILLE, Ontario.

ATTENTION: Mr. D. Perlin

Dear Sir:

Attached please find for your information, a copy of Parkway Belt West Application for Amendment to the Land Use Regulations made under the Parkway Belt Planning and Development Act, 1973 and supporting information to this application. This application was submitted to the City of Burlington and the Ministry of Housing on July 3rd, 1981.

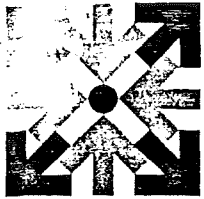
Yours very truly

THE PROCTOR AND REDFERN GROUP

David Schram

for R. Tait, P.Eng.

DS:tp
Attch.



The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
75 Eglinton Avenue East
Toronto, Ontario M4P 1H3
Telephone (416) 486-5225 Telex 06-22506

July 3rd, 1981

Please Refer to E.O. 79475

City of Burlington
Planning Department
Box 5013
Burlington, Ontario
L7R 3Z6

Attention: Mr. G.E. Goodman
Director of Planning

Dear Sir:

National Sewer Pipe Proposed Landfill Site
Part of Lots 2 and 3, Concession 1 and
Part of Lot 3, Concession 2, City of
Burlington

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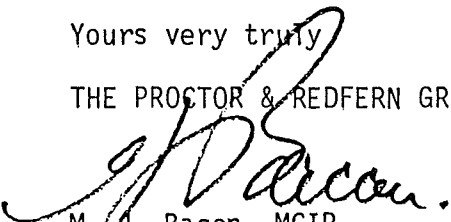
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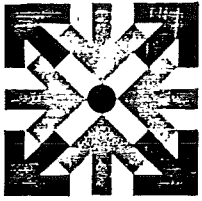
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Yours very truly

THE PROCTOR & REDFERN GROUP


M. D. Bacon, MCIP
MOB/wm
encl.

c.c. R. Christensen
R. Tuer



The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
75 Eglinton Avenue East
Toronto, Ontario M4P 1H3
Telephone (416) 486-5225 Telex 06-22506

July 3rd, 1981

Please Refer to E.O. 79475

Mr. G. M. Farrow
Executive Director Plans
Administration Division
Ministry of Housing
56 Wellesley Street West
Toronto, Ontario
M7A 2K4

Dear Sir:

National Sewer Pipe Proposed Landfill Site
Part of Lots 2 and 3, Concession 1 and
Part of Lot 3, Concession 2, City of
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Yours very truly

THE PROCTOR & REDFERN GROUP

M. J. Bacon, MCIP

MJB/wm
encl.



Ministry
of
Housing

Ontario

For Office Use Only

Ont. Reg. No.
Parkway Belt File No.
Munic. File No.

Parkway Belt West

Application for Amendment to the Land Use Regulations Made Under the Parkway Belt Planning and Development Act, 1973

Please complete (type or print) in duplicate and submit to the clerk's office in the local municipality in which the subject property is located. If the property is located within more than one municipality, application forms should be submitted to each municipality. The applicant must sign and date each form in the place assigned below.

If you need more information or assistance in completing this form, please contact:

The Parkway Belt Section
Operations & Development Control Branch
56 Wellesley Street West, 7th Floor
Toronto, Ontario
M7A 2K4

Telephone No.: 965-6418

Local Municipality City of Burlington	Regional Municipality Halton
--	---------------------------------

June , 1981

Date

Signature of Applicant

R.S. Christensen, National Sewer Pipe
M.J. Bacon,
Proctor and Redfern (agent)

Use X to complete ☐ on the form.

1. Property Owner

Name National Sewer Pipe, R.S. Christensen, Executive Vice-President	Business Telephone No. 822-7900
Address P.O. Box 1800	Municipality Oakville, Ontario
	Residence Telephone No.
	Postal Code L6J 5C7

2. Applicant (If other than Owner)

Name Proctor and Redfern Limited, Mr. M.J. Bacon	Business Telephone No. 486-5225
Address 75 Eglinton Avenue East	Municipality Toronto, Ontario
	Residence Telephone No.
	Postal Code M4P 1H3

3. Location of Property

Address Part of Lots 2 and 3, Concession 1, Part of Lot 3, Concession 2	Municipality Burlington, Ontario	Township Lot 2 and 3
		Concession 1 and 2
	Registered Plan No. (If applicable)	Lot No.

4. Previous Application

Has an application for an amendment to the Land Use Regulation been submitted previously for this property?

☐ Yes ☒ No ☐ Don't Know

If yes, indicate name of (former) applicant

5. Size of Property

Acres(Hectares)

70.23 hectares, 28.56 ha to be utilized for

Square Feet(Metres)

landfilling

N.A.

6. Existing and Proposed Land Uses

	Existing	Proposed	Further explanation if required, of the proposed use
Residential	☐	☐	See attached report "National Sewer Pipe Proposed Sanitary Landfill Site, Burlington, Ontario"
Commercial	☐	☐	
Agricultural	☐	☐	
Industrial	☒ (quarry)	☐	
Institutional	☐	☐	
Recreational	☐	☐	
Vacant	☐	Sanitary Landfill Site	

7. Land Severance

Is a land severance required in connection with this property?

☐ Yes ☒ No

If you have applied for severance, it is:

☐ Granted ☐ Refused ☐ Pending

If granted, when?

Further explanation if required, of the severance application

8. Plan of Subdivision (if applicable)

☐ Existing ☐ Proposed

Subdivision File Number

Further explanation if required

9. Proposed Construction Details

☐ New Building(s) ☐ Addition(s)

Number of storeys

Proposed ground floor area (sq. ft.)

Proposed total floor area (sq. ft.)

Maximum height above ground

Further explanation if required, of the proposed use

Site services including weigh scales, scale house and equipment storage area will be constructed.

10. Ownership of Neighbouring Properties

Does the owner of the subject property or the applicant own any properties adjacent to the property named in this application?

☒ Yes ☐ No

If yes, describe size, location and present use

East of the proposed site and King Road approximately 110 hectares. Quarrying of shale is the major land use, although the property is for the most part vacant. Also vacant land

11. Legal Description

A legal (metes and bounds) or Registered Plan description of the subject property is not required until (and if) provincial approval in principle is granted for this application. Before final approval is granted, however, a legal description must be submitted. (The legal description can usually be found on the property deed).

south of Highway 403. See Map No. 3 - Existing Land Use.

12. Site Map (see sample illustration on last, a)

Attach a sketch map to scale showing:

- lot and concession for subject property
- locations and names of all streets, roads, highways within or abutting the property
- boundaries and dimensions of subject property
- natural and man-made features such as buildings, railways, pipelines, water courses, drainage ditches, wooded areas and slopes both within and adjacent to the property
- areas of the subject property that are swampy or subject to erosion or flooding
- existing easements and rights-of-way
- location, use, height, length and width of all existing and proposed structures on the subject property and whether permanent (P) or temporary (T) or existing or proposed
- distance of subject property from nearest road intersection
- the nature of the existing uses of land and structures on the adjacent properties
- distances from the property boundaries of existing and proposed buildings on subject property

Draw Site Plan in this space (and attach a survey plan or Registered Plan, if available).

See attached:

Map 3 - General Site Plan (A1-79475-G3)

Map 4 - Land Use (A1-79475-G4)

Figure 1 - Final Landform Section (A1-79475-G18)

13. Additional Information

Use the space below to provide other information you wish to submit to support or clarify this application. Attach a separate sheet if necessary.

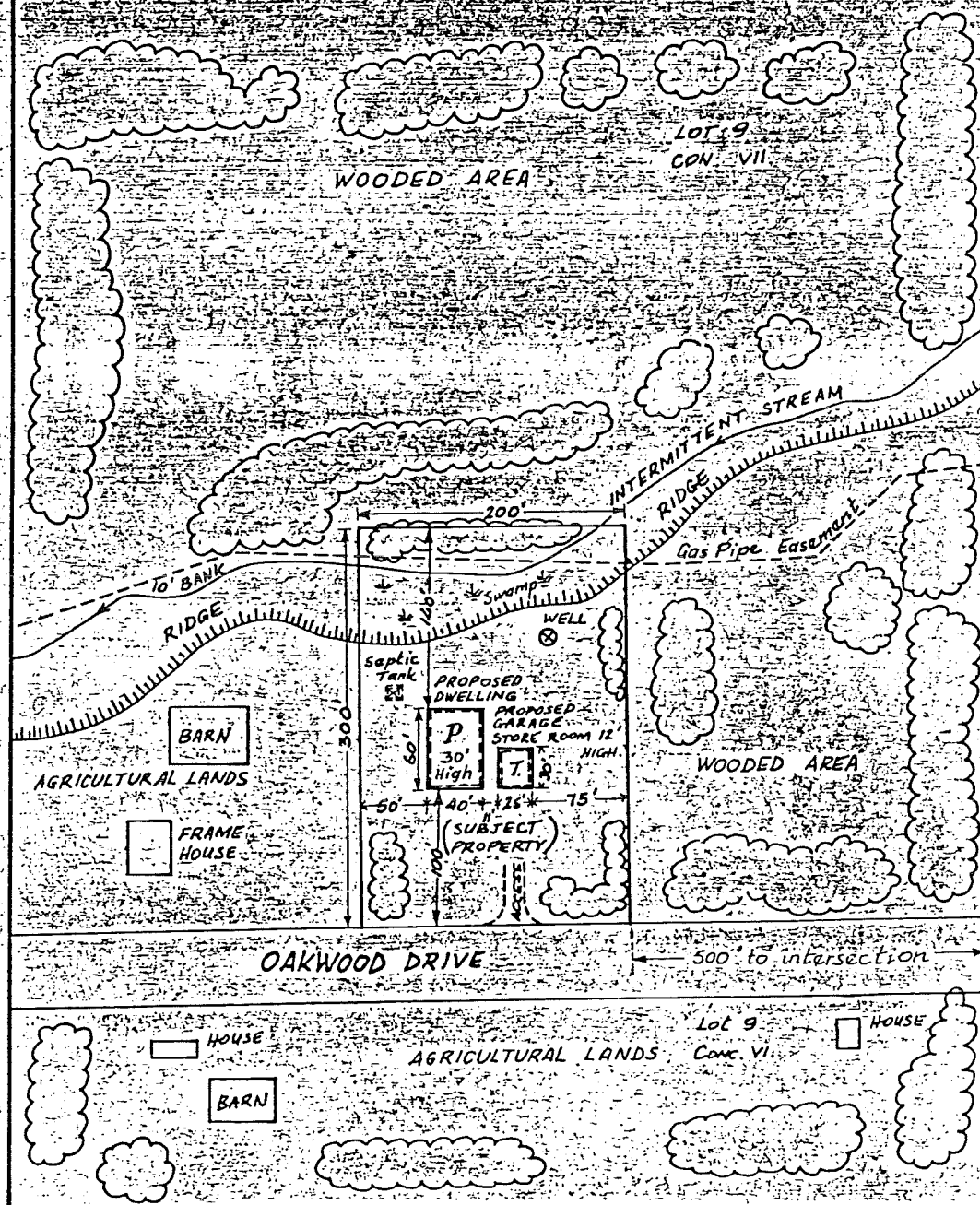
See attached report:

"National Sewer Pipe Proposed Sanitary Landfill Site, Burlington, Ontario"

SAMPLE SITE PLAN SKETCH

SCALE - 1" = 100 FEET

AREA OF SUBJECT LAND = 1.38 ACRES



NATIONAL SEWER PIPE
PROPOSED SANITARY LANDFILL SITE
BURLINGTON, ONTARIO

A. INTRODUCTION

1. National Sewer Pipe (NSP) wishes to establish and operate a solid waste sanitary landfill site in the City of Burlington. The following briefly describes this proposal.
2. The site proposed for landfilling is situated north of Highway 403 (North Service Road), south of the Niagara Escarpment, west of King Road and between the existing Regional landfill site and the former City of Burlington's Bayview landfill site. Specifically, the location is described as being part of Lots 2 and 3, Concession 1 and part of Lot 3, Concession 2, formerly in the Township of East Flamborough, County of Halton.
3. The total area of the NSP site is 70.23 hectares (173.54 acres). The area to be utilized for landfilling purposes includes 28.56 hectares (70.58 acres) and is located in the north part of the property. The site compound which will house site services such as weigh scales, scale house and a storage equipment area is 2.23 hectares (5.51 acres). The remaining 39.44 hectares (97.46 acres) of the site is proposed as a buffer area and monitoring zone. Map 3 - Site Plan, indicates the location and the extent of the sanitary landfill site proposal.

B. EXISTING LAND USE

1. Map 4 - Existing Land Use, describes existing land uses in the area of the NSP proposal. Landfilling operations have occurred in the immediate area of the subject lands beginning with the operation of the Bayview landfill (1961) site and followed by the Regional landfill facilities (1972) (Burlington landfill site) to the west which is still in use and expected to continue until September 1983. Consequently, landfill activities are considered as established land uses and other significant land use developments have not occurred in this area.
2. The Bayview landfill site which has been closed since 1972 is owned and maintained by the City of Burlington as a recreational area. The facilities include a horse stable, an exhibition area for local horseback riding events, two large parking lots and the Burlington Rifle and Revolver Club (MAP 3)
3. Major land uses in the area have been the quarrying of shale by NSP on the proposed site and on additional properties owned by the company east of King Road. Map 3 indicates the area of shale extraction and the limit of the licenced area for quarrying under The Pits and Quarries Control Act, 1971.
4. There are some industrial uses located to the east and west of the NSP lands. These include the Stelco Research Centre, Tridon and Cumis. Map 4 - Land Use, identifies their locations.

5. The closest residence is approximately 1,200 metres north of the proposed area of landfilling. Strip residential development located along Waterdown Road is 1,650 metres west of the site and Forestvale, a single family housing development is about 1,550 metres east of the site. Existing vegetation and topography effectively buffer the proposed site from existing residential land uses in the area. The North Service Road, Highway 403, lands owned by NSP south of 403 and the CNR line, provide a buffer and considerable distance between existing industrial and residential development south of the proposed site (Map 4). Because of the topography and heavy bush around the site, no resident can see the area of the proposed landfill site. It is not expected that development of the NSP land for landfilling purposes will result in any residents being able to see the landfill operation even at the highest point of the proposal.
6. The proposed site is characterized by deep ravines, intermittent streams and wooded areas. The area is known locally as the 'badlands'. The site is used for the extraction of the shale resource, but is also used informally by locals for all-terrain vehicles. The use of these vehicles has created an extensive system of trails and paths throughout the property. The site appears to be used on a regular basis for this use.

C. PLANNING REGULATIONS

1. The proposed site is within the planning area of the approved Parkway Belt West Plan. The Plan requires that local and regional official plans and zoning by-laws conform with the designations and requirements of the Parkway Belt Plan. Existing planning documents including the Regional

Official Plan, and the City of Burlington's Zoning By-Law 4000-3 and Official Plan (Amendment No. 101) have adopted the boundaries of the Parkway Belt West Plan. The policies and designations of the Plan take precedence over previous approved planning designations. The Parkway Belt Plan is considered to be the implementing planning regulation with respect to the future development of the NSP land.

2. The subject lands are designated in the Parkway Belt West Plan as 'General Complimentary Use Area' and 'Special Complimentary Use Area'. Within these designations future development is generally restricted to low density uses compatible with the natural features of the land. The establishment and operation of a private landfill site is not considered a permitted use within the present designation of the Plan. An amendment to the Parkway Belt West Plan is therefore required.

D. THE PROPOSAL

1. The design and operation of the proposed landfill site will be in accordance with and under the requirements of the Environmental Protection Act, 1971 and Ontario Regulation 824 (General) 1970.
2. The landfill site will be developed in six cells working generally from north to south. Both a leachate collection system and a storm water management plan have been included in the design.
3. Access to the site is proposed from the North Service Road as indicated on Map 2. This will require obtaining easements from both Ontario Hydro and the Ontario Ministry

of Transportation and Communications. Should the required easements for access to the site not be obtained, an alternative access is proposed as indicated on Map 3. The perimeter of the site will be fenced and access will be controlled by locked security gates.

4. It is not anticipated that additional traffic will be generated as a result of the proposed NSP landfill site. The quantity and type of vehicles which now, and will continue in the future, to enter the Burlington landfill site are representative of the expected traffic flows. Major accesses from the City of Burlington and parts of Halton Region are expected to be the same as now travelled by vehicles using the Burlington landfill site now operating immediately to the west.
5. A one week survey of vehicles using Halton Regional landfill sites (in Burlington and Oakville) was carried out by the Region in February and March 1979. The survey concluded that an average of 128 vehicles per day used the Burlington site while an average of 185 vehicles per day entered the Oakville site and the now closed Georgetown site.
6. As previously noted, the NSP property is licensed for quarrying. An on-going shale extraction operation will precede the landfilling of solid waste. The quarrying of the site will be subject to the requirements and conditions of The Pits and Quarries Control Act, 1971. The progressive rehabilitation of these 'mined-out' areas by sanitary landfilling will convert lands presently unsuitable for other purposes to a land use such as recreation. In effect, the use of the NSP lands for quarrying and landfilling is only an interim land use.

7. Map 3 provides existing spot elevations at the site including adjacent properties. Spot elevations also indicate the proposed final elevations of the completed landfill site. Figure 1 - Final Landform Section describes: the existing elevations of the site, the proposed depth of shale extraction and the elevation and shape of the final landform when the site is completed. The final landform will 'blend' into the adjacent landscapes. Final contour plans for the existing Burlington site and adjacent properties have been considered in the design of the landform for the proposed NSP site.
8. A seeding and tree planting rehabilitation program will be instituted on the site on a continuous basis. As areas of the quarry are filled and landfilling in a particular area is completed, final soil cover, seeding and planting will be undertaken. The rehabilitation program will consider adjacent landforms and vegetation and all efforts will be made to provide a continuity in the landscape restoration. Interim tree planting may be required if additional site screening is considered necessary.
9. The proposed sanitary landfill operation is an interim or transitional use, NSP has been and will in the future extract shale on the site in accordance with their licence under the Pits and Quarries Control Act, 1971. Pursuant to the provisions of this Act, NSP is required to rehabilitate the quarry. NSP proposes to do so by filling the quarried site with solid waste in accordance with a carefully conceived plan which will comply with Provincial regulations as noted herein.

The detailed restoration plan for the NSP site will initially be confined to the NSP land itself, respecting what is now proposed for the adjacent properties. However, should an overall plan for the entire area be considered appropriate, modifications can be made to integrate the development and rehabilitation with adjacent properties.

The land will be restored to a condition where it can be used for recreational purposes and it is expected that the lands may become publicly owned by either the City of Burlington or the Regional Municipality of Halton. The landfilling operation proposed is but a temporary phenomenon that will rehabilitate the mined out shale quarry for recreational purposes.

10. The landfill site will provide essentially the same type and level of service as does the existing Burlington landfill site operated by the Region of Halton. The site will accept all non-hazardous, solid, residential, commercial, industrial and inert wastes.
11. A major requirement of the Environmental Protection Act is Section 33a, which requires a public hearing to be held prior to the issuance of a Certificate of Approval for landfilling. At this hearing before the Environmental Assessment Board, the detailed engineering design and environmental aspects of the project will be thoroughly presented and scrutinized. As part of this application for approval, NSP will submit a detailed background report to the Ministry of the Environment with respect to the design, operation, hydrogeology, environmental, and planning of the proposed landfill site. At this

time, local, regional and adjacent municipalities, and interested parties will have the opportunity to participate and comment on the NSP landfill proposal.

12. The application for a Certificate of Approval and the subsequent public hearing under the Environmental Protection Act is preceded by this application to the City of Burlington for an amendment to the Parkway Belt West Plan.

June, 1981



The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
75 Eglinton Avenue East
Toronto, Ontario M4P 1H3
Telephone (416) 486-5225 Telex 06-22506

January 15, 1982

Please Refer to E.O. 79475

Mr. G.M. Farrow
Assistant Deputy Minister
Ministry of Municipal Affairs
and Housing
56 Wellesley Street West
Toronto, Ontario
M7A 2K4

RECEIVED

IAN 25 1982

**PROCTOR & REDFERN
GROUP**

Dear Sir

Re: National Sewer Pipe Proposed Landfill Site
Part of Lots 2 and 3, Concession 1 and
Part of Lot 3, Concession 2, City of Burlington

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This application was previously submitted on July 3rd, 1981 and since that time further discussions with governmental agencies and on-site studies have required modifications to the original proposal.

It is our understanding that the application covers both an Amendment to the Parkway Belt West Plan approved by the Lieutenant-Governor on July 19th, 1978 and Ontario Regulation #482/73 the "Minister's Order" covering our client's land.

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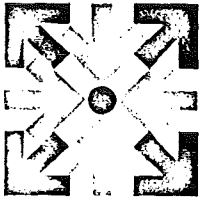
Yours very truly

The Proctor & Redfern Group

M.J. Bacon
M.J. Bacon, M.C.I.P.

MJB/id
Encl.

c.c. R. Christensen
R. Tuer
D. Perlin, Region of Halton



The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
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Toronto, Ontario M4P 1H3
Telephone (416) 486-5225 Telex 06-22506

January 15, 1982

Please Refer to E.O. 79475

City of Burlington
Planning Department
Box 5013
Burlington, Ontario
L7R 3Z6

Attention: Mr. G.E. Goodman,
Director of Planning

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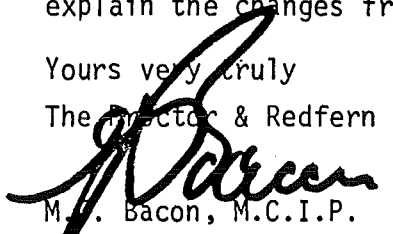
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We trust the package of information provided is satisfactory and would appreciate being informed of the progress of the applications. We would, of course, be most pleased to meet your Waste Management Committee to explain the changes from the original application.

Yours very truly

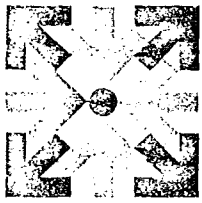
The Proctor & Redfern Group


M. J. Bacon, M.C.I.P.

MOB/id

Encl. R. Tuer

c.c. R. Christensen; D. Perlin, Region of Halton



The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
75 Eglinton Avenue East
Toronto, Ontario M4P 1H3
Telephone (416) 486-5225 Telex 06-22506

January 15, 1982

Please Refer to E.O. 79475

The Regional Municipality of Halton
1151 Bronte Road
P.O. Box 7000
Oakville, Ontario
L6J 6E1

Attention: Mr. D. Perlin

Dear Sir

Re: National Sewer Pipe Proposed Landfill Site
Part of Lots 2 and 3, Concession 1 and
Part of Lot 3, Concession 2, City of Burlington

Enclosed please find a copy of the "Application for Amendment to the Land Use Regulations made under the Parkway Belt Planning and Development Act 1973". This application was submitted today to the City of Burlington and the Ministry of Municipal Affairs and Housing.

The application has been modified since our July 3rd, 1981 submission to reflect our discussions with governmental agencies and our on-site studies.

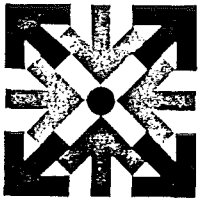
We would be pleased to discuss this proposal with you should you have any questions and concerns.

Yours very truly

The Proctor & Redfern Group

M.J. Bacon, M.C.I.P.

MJB/id
Encl.



The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
75 Eglinton Avenue East
Toronto, Ontario M4P 1H3
Telephone (416) 486-5225 Telex 06-22506

January 21, 1982

Project E.O. 79475

The Regional Municipality of Halton
P.O. Box 7000
1151 Bronte Road
OAKVILLE, Ontario
L6J 6E1

Attention: Mr. Dennis Y. Perlin
Chief Administrative Officer

Dear Sir,

National Sewer Pipe Proposed Landfill Site
Application for an Amendment to
the Parkway Belt West Plan

Enclosed please find copies of Map 4 - Existing Land Use, May 1981 and the report "National Sewer Pipe Proposed Sanitary Landfill Site, Burlington, Ontario" dated January 21, 1982. These drawings and the Report have been revised since our most recent submission of January 15, 1982.

Please destroy the copies of Map 4 and the Report now in your possession.

Should you have any questions concerning this matter please do not hesitate to contact me.

Yours very truly,

The Proctor & Redfern Group

David Schram
for Max Bacon, M.C.I.P.
DS/bam

Encl.

January 21, 1982

NATIONAL SEWER PIPE
PROPOSED SANITARY LANDFILL SITE
BURLINGTON, ONTARIO

A. INTRODUCTION

1. Subsequent to the submission of our original application on July 3, 1981 and as a result of discussions with appropriate governmental agencies specific vicinity and on-site studies have been undertaken. These studies have indicated the propriety of modifying the area proposed for landfill operations.
2. National Sewer Pipe (NSP) wishes to establish and operate a solid waste sanitary landfill site in the City of Burlington. The following briefly describes this proposal.
3. The site proposed for landfiling is situated north of Highway 403 (North Service Road), south of the Niagara Escarpment, west of King Road and between the existing Regional landfill site and the former City of Burlington's Bayview landfill site. Specifically, the location is described as being part of Lots 2 and 3, Concession 1 and part of Lot 3, Concession 2, formerly in the Township of East Flamborough, County of Halton.
4. The total area of the NSP site is 70.23 hectares (173.54 acres). The area to be utilized for landfiling purposes includes 20.61 hectares (50.90 acres) and is located in the north part of the property. The site compound which will house site services such as weigh scales, scale house and a storage equipment area is 2.23 hectares (5.51 acres). The remaining 47.39 hectares (117.10 acres) of the site is proposed as a buffer area and monitoring zone. Map 3 - Site Plan, indicates the location and the extent of the sanitary landfill site proposal.

B. EXISTING LAND USE

1. Map 4 - Existing Land Use, describes existing land uses in the area of the NSP proposal. Landfilling operations have occurred in the immediate area of the subject lands beginning with the operation of the Bayview landfill (1961) site and followed by the Regional landfill facilities (1972) (Burlington landfill site) to the west which is still in use and expected to continue until September 1983. Consequently, landfill activities are considered as established land uses and other significant land use developments have not occurred in this area.
2. The Bayview landfill site which has been closed since 1972 is owned and maintained by the City of Burlington as a recreational area. The facilities include a horse stable, an exhibition area for local horseback riding events, two large parking lots and the Burlington Rifle and Revolver Club (MAP 3).
3. Major land uses in the area have been the quarrying of shale by NSP on the proposed site and on additional properties owned by the company east of King Road. Map 3 indicates the area of shale extraction and the limit of the licenced area for quarrying under The Pits and Quarries Control Act, 1971.
4. There are some industrial uses located to the east and west of the NSP lands. These include the Stelco Research Centre, Tridon and Cumis. Map 4 - Land Use, identifies their locations.

5. The closest residence north is approximately 950 metres from the proposed area of landfilling. Strip residential development located along Waterdown Road is 1,650 metres west of the site and Forestvale, a single family housing development is about 1,300 metres east of the site. Existing vegetation and topography effectively buffer the proposed site from existing residential land uses in the area. The North Service Road, Highway 403, lands owned by NSP south of 403 and the CNR line, provide a buffer and considerable distance between existing industrial and residential development south of the proposed site (Map 4). Because of the topography and heavy bush around the site, no resident can see the area of the proposed landfill site. It is not expected that development of the NSP land for landfilling purposes will result in any residents being able to see the landfill operation even at the highest point of the proposal.
6. The proposed site is characterized by deep ravines, intermittent streams and wooded areas. The area is known locally as the 'badlands'. The site is used for the extraction of the shale resource, but is also used without authorization by locals for all-terrain vehicles. The use of these vehicles has created an extensive system of trails and paths throughout the property.
7. Due to the number of rare and regionally significant plant species found during the field studies, the limits of the landfill site have been modified to avoid the area where the majority of these species are located.

C. PLANNING REGULATIONS

1. The proposed site is within the planning area of the approved Parkway Belt West Plan. The Plan requires that local and regional official plans and zoning by-laws conform with the designations and requirements of the Parkway Belt Plan. Existing planning documents including the Regional Official Plan, and the City of Burlington's Zoning By-law 4000-3 and Official Plan (Amendment No. 101) have adopted the boundaries of the Parkway Belt West Plan. The policies and designations of the Plan take precedence over previous approved planning designations. The Parkway Belt Plan is considered to be the implementing planning regulation with respect to the future development of the NSP land.
2. The subject lands are designated in the Parkway Belt West Plan as 'General Complimentary Use Area' and 'Special Complimentary Use Area'. Within these designations, future development is generally restricted to low density uses compatible with the natural features of the land. The establishment and operation of a private landfill site is not considered a permitted use within the present designation of the Plan. An amendment to the Parkway Belt West Plan, if required, will be made.

D. THE PROPOSAL

1. The design and operation of the proposed landfill site will be in accordance with and under the requirements of the Environmental Protection Act, 1971 and Ontario Regulation 824 (General) 1970.

2. The landfill site will be developed in five cells working generally from north to south. Both a leachate collection system and a storm water management plan have been included in the design.
3. Access to the site is proposed from the North Service Road as indicated on Map 2. This will require obtaining easements from both Ontario Hydro and the Ontario Ministry of Government Services. Initial contacts with these agencies have been made. Should the required easements for access to the site not be obtained, an alternative access is proposed as indicated on Map 3. The perimeter of the site will be fenced and access will be controlled by locked security gates.
4. It is not anticipated that additional traffic will be generated as a result of the proposed NSP landfill site. The quantity and type of vehicles which now, and will continue in the future, to enter the Burlington landfill site are representative of the expected traffic flows. Major accesses from the City of Burlington and parts of Halton Region are expected to be the same as now travelled by vehicles using the Burlington landfill site now operating immediately to the west.
5. A one week survey of vehicles using Halton Regional landfill sites (in Burlington and Oakville) was carried out by the Region in February and March 1979. The survey concluded that an average of 128 vehicles per day used the Burlington site while an average of 185 vehicles per day entered the Oakville site and the now closed Georgetown site.
6. As previously noted, the NSP property is licensed for quarrying. An on-going shale extraction operation will precede the land-filling of solid waste within the proposed boundaries of landfill

activities. The quarrying of the site will be subject to the requirements and conditions of The Pits and Quarries Control Act, 1971. The progressive rehabilitation of these 'mined-out' areas by sanitary landfilling will convert lands presently unsuitable for other purposes to a land use such as recreation. In effect, the use of the NSP lands for quarrying and landfilling is only an interim land use.

7. Map 3 provides existing spot elevations at the site including adjacent properties. Spot elevations also indicate the proposed final elevations of the completed landfill site. Figure 1 - Final Landform Section describes: the existing elevations of the site, the proposed depth of shale extraction and the elevation and shape of the final landform when the site is completed. The final landform will 'blend' into the adjacent landscapes. Final contour plans for the existing Burlington site and adjacent properties have been considered in the design of the landform for the proposed NSP site.
8. The limits of the working area of the site have been designed to avoid the majority of the rare and regionally significant plants identified during the field studies of the site.
9. A seeding and tree planting rehabilitation program will be instituted on the site on a continuous basis. As areas of the quarry are filled and landfilling in a particular area is completed, final soil cover, seeding and planting will be undertaken. The rehabilitation program will consider adjacent landforms and vegetation and all efforts will be made to provide a continuity in the landscape restoration. Interim tree planting may be required if additional site screening is considered necessary.

10. The proposed sanitary landfill operation is an interim or transitional use, NSP has been and will in the future extract shale on the site in accordance with their licence under the Pits and Quarries Control Act, 1971. Pursuant to the provisions of this Act, NSP is required to rehabilitate the quarry. NSP proposes to do so by filling the quarried site with solid waste in accordance with a carefully conceived plan which will comply with Provincial regulations as noted herein. The detailed restoration plan for the NSP site will initially be confined to the NSP land itself, respecting what is now proposed for the adjacent properties. However, should an overall plan for the entire area be considered appropriate, modifications can be made to integrate the development and rehabilitation with adjacent properties.

The land will be restored to a condition where it can be used for recreational purposes. The applicant is prepared to discuss with Region and/or City of Burlington the appropriateness of the land becoming publicly owned by either the City of Burlington or the Regional Municipality of Halton. The landfilling operation proposed is but a temporary phenomenon that will rehabilitate the mined out shale quarry for recreational purposes.

11. The landfill site will provide essentially the same type and level of service as does the existing Burlington landfill site operated by the Region of Halton. The site will accept all non-hazardous, solid, residential, commercial, industrial and inert wastes.
12. A major requirement of the Environmental Protection Act is Section 33a, which requires a public hearing to be held prior to the issuance of a Certificate of Approval for landfilling. At this hearing before the Environmental Assessment Board, the detailed engineering design and environmental aspects of the

project will be thoroughly presented and scrutinized. As part of this application for approval, NSP will submit a detailed background report to the Ministry of the Environment with respect to the design, operation, hydrogeology, environmental, and planning of the proposed landfill site. At this time, local, regional and adjacent municipalities, and interested parties will have the opportunity to participate and comment on the NSP landfill proposal.

13. The application for a Certificate of Approval and the subsequent public hearing under the Environmental Protection Act is preceded by this application to the City of Burlington for an amendment to the Parkway Belt West Plan.

January, 1982

REVISED APPLICATION



Ministry
of
Housing
Ontario

For Office Use Only

Ont. Reg. No.
Parkway Belt File No.
Munic. File No.

Parkway Belt West

**Application for Amendment to the Land Use
Regulations Made Under the
Parkway Belt Planning and Development Act, 1973**

Please complete (type or print) in duplicate and submit to the clerk's office in the local municipality in which the subject property is located. If the property is located within more than one municipality, application forms should be submitted to each municipality. The applicant must sign and date each form in the place assigned below.

If you need more information or assistance in completing this form, please contact:

The Parkway Belt Section
Operations & Development Control Branch
56 Wellesley Street West, 7th Floor
Toronto, Ontario
M7A 2K4

Telephone No.: 965-6418

Local Municipality City of Burlington	Regional Municipality Halton
---	--

January 13th, 1982
Date

[Signature]
Signature of Applicant

Roger S. Christensen - Executive Vice President

Use X to complete ☐ on the form.

1. Property Owner

Name National Sewer Pipe, R.S. Christensen, Executive Vice-President	Business Telephone No. 822-7900
Address P.O. Box 1800	Municipality Oakville, Ontario
	Residence Telephone No.
	Postal Code L6J 5C7

2. Applicant (if other than Owner)

Name Proctor and Redfern Limited, M.J. Bacon	Business Telephone No. 486-5225
Address 75 Eglinton Avenue East	Municipality Toronto, Ontario
	Residence Telephone No.
	Postal Code M4P 1H3

3. Location of Property

Address Part of Lots 2 and 3, Concession 1, Part of Lot 3, Concession 2	Municipality Burlington, Ontario	Township Lot 2 and 3
		Concession 1 and 2
Former Township East Flamborough, County of Halton	Registered Plan No. (if applicable)	Lot No.

4. Previous Application

Has an application for an amendment to the Land Use Regulation been submitted previously for this property?

☒ Yes ☐ No ☐ Don't KnowIf yes, indicate name of (former) applicant **National Sewer Pipe, Application revised from July 3rd, 1981****5. Size of Property**

Acres(Hectares)

Square Feet(Metres)

70.23 hectares, 20.61 ha to be utilized for landfilling n/a**6. Existing and Proposed Land Uses**

	Existing	Proposed	Further explanation if required, of the proposed use
Residential	☐	☐	See attached report "National Sewer Pipe Proposed Sanitary Landfill Site, Burlington, Ontario"
Commercial	☐	☐	
Agricultural	☐	☐	
Industrial	☒ (quarry)	☐	
Institutional	☐	☐	
Recreational	☐	☐	
Vacant	☐	☒ Sanitary Landfill Site	

7. Land Severance

Is a land severance required in connection with this property?

☐ Yes ☒ No

If you have applied for severance, it is:

☐ Granted ☐ Refused ☐ Pending

If granted, when? _____

Further explanation if required, of the severance application

8. Plan of Subdivision (if applicable)☐ Existing ☐ Proposed

Subdivision File Number _____

Further explanation if required

9. Proposed Construction Details☐ New Building(s) ☐ Addition(s)

Number of storeys _____

Proposed ground floor area (sq. ft.) _____

Proposed total floor area (sq. ft.) _____

Maximum height above ground _____

Further explanation if required, of the proposed use

Site services including weigh scales, scale house and equipment storage area will be constructed.**10. Ownership of Neighbouring Properties**

Does the owner of the subject property or the applicant own any properties adjacent to the property named in this application?

☒ Yes ☐ No

If yes, describe size, location and present use

East of the proposed site and King Road approximately 110 hectares. Quarrying of shale is the major land use, although the property is for the most part vacant. Also vacant land south of Highway 403. See Map 3 - Existing Land Use.**11. Legal Description**

A legal (metes and bounds) or Registered Plan description of the subject property is not required until (and if) provincial approval in principle is granted for this application. Before final approval is granted, however, a legal description must be submitted. (The legal description can usually be found on the property deed).

12. Site Map (see sample illustration on last page)

Attach a sketch map to scale showing:

- lot and concession for subject property
- locations and names of all streets, roads, highways within or abutting the property
- boundaries and dimensions of subject property
- natural and man-made features such as buildings, railways, pipelines, water courses, drainage ditches, wooded areas and slopes both within and adjacent to the property
- areas of the subject property that are swampy or subject to erosion or flooding
- existing easements and rights-of-way
- location, use, height, length and width of all existing and proposed structures on the subject property and whether permanent (P) or temporary (T) or existing or proposed
- distance of subject property from nearest road intersection
- the nature of the existing uses of land and structures on the adjacent properties
- distances from the property boundaries of existing and proposed buildings on subject property

Draw Site Plan in this space (and attach a survey plan or Registered Plan, if available).

See attached:

Map 3 - General Site Plan (A1-79475-G3)

Map 4 - Land Use (A1-79475-G4)

Figure 1 - Final Landform Section (A1-79475-G18)

13. Additional Information

Use the space below to provide other information you wish to submit to support or clarify this application. Attach a separate sheet if necessary.

See attached report:

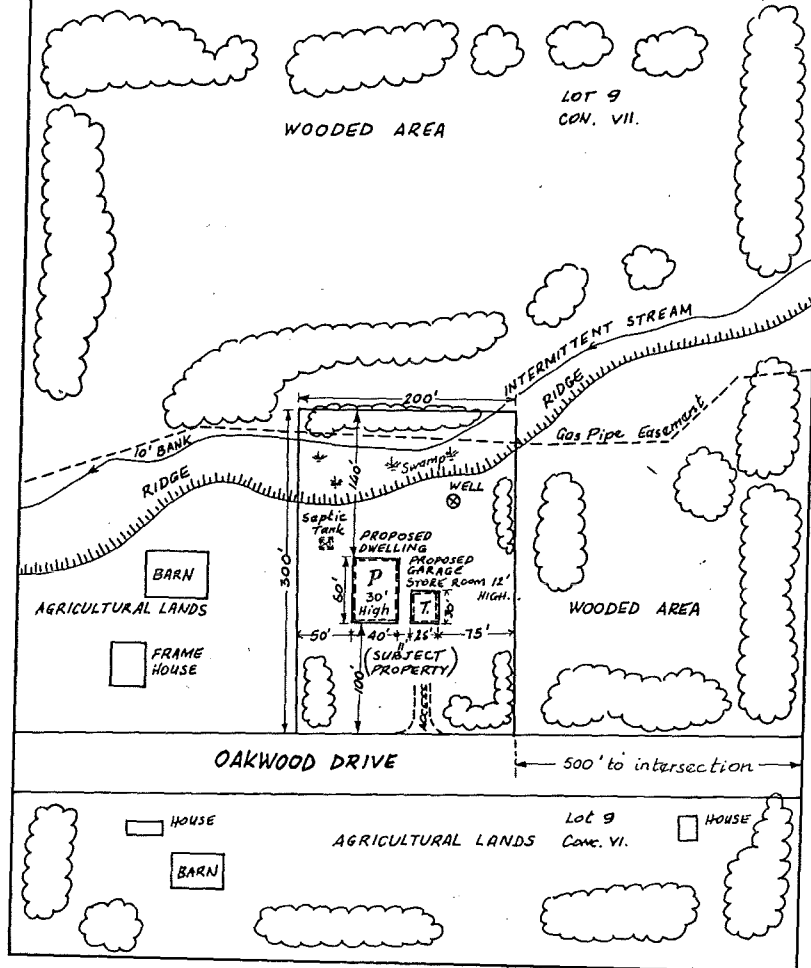
"National Sewer Pipe Proposed Sanitary Landfill Site, Burlington, Ontario"

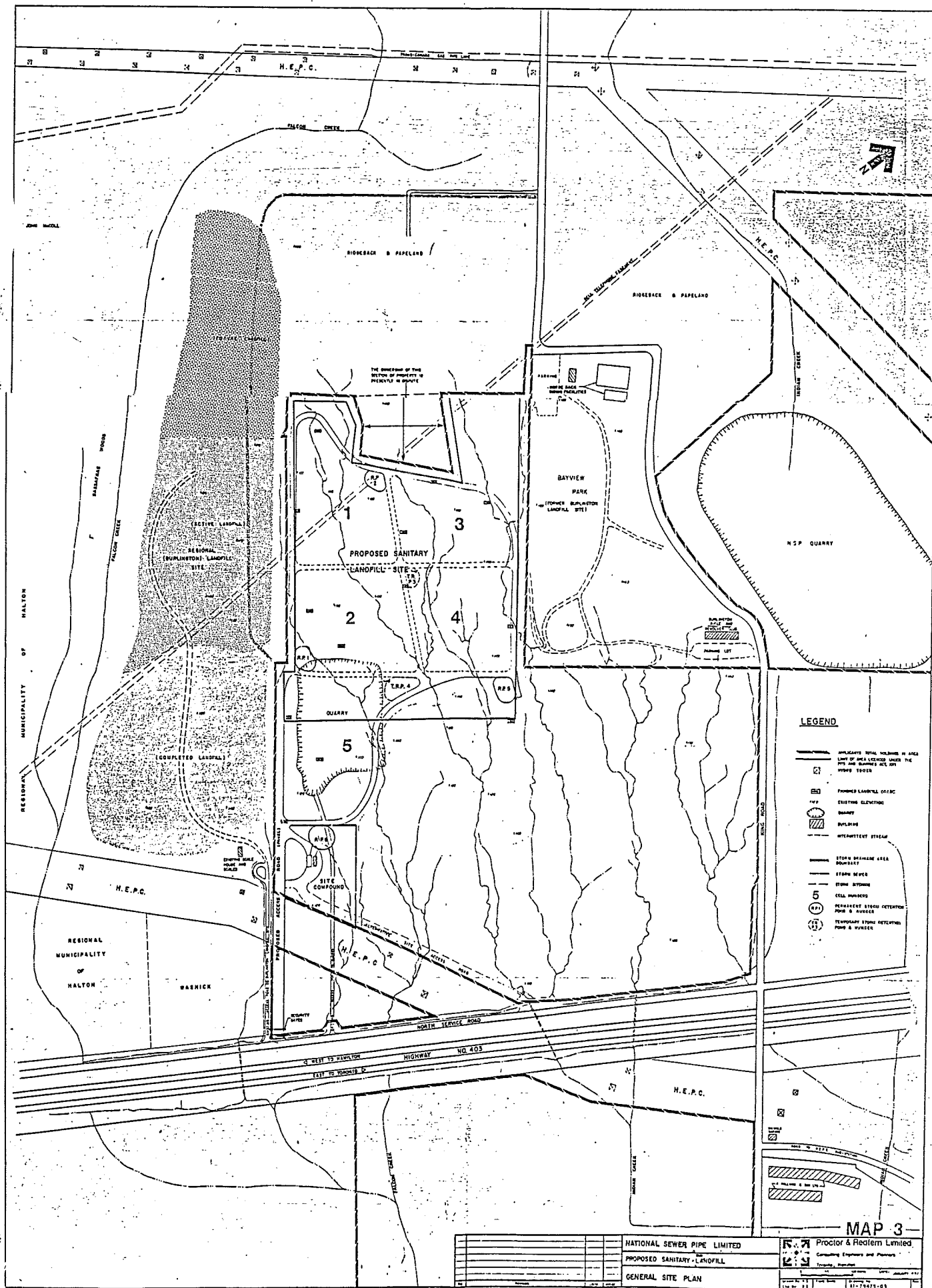
If additional copies of maps or text are required, please contact:

**Mr. David Schram,
Proctor and Redfern Limited,
110 James Street,
St. Catharines, Ontario.
L2R 7E8
(416) 688-4272**

SAMPLE SITE PLAN SKETCH

SCALE = 1" = 100 FEET
AREA OF SUBJECT LAND = 1.38 ACRES



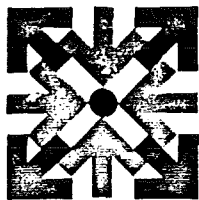


- LEGEND**
- APPLICANTS TOTAL HOLDINGS IN AREA
 - LIMIT OF AREA LICENSED UNDER THE HWY AND BLVD. ACT, 1997
 - HYDRO TOPO
 - PROPOSED LANDFILL CELL
 - EXISTING ELEVATION
 - QUARRY
 - BUILDING
 - INTERMITTENT STREAM
 - STORM DRAINAGE AREA
 - DRAINAGE
 - STORM SEWER
 - STORM STORM
 - CELL NUMBER
 - 5 PERMANENT STORM DETENTION POND & BUFFER
 - 15 TEMPORARY STORM DETENTION POND & BUFFER

MAP 3-

		NATIONAL SEWER PIPE LIMITED		 Proctor & Reardon Limited Consulting Engineers and Planners Toronto, Ontario
		PROPOSED SANITARY LANDFILL		
		GENERAL SITE PLAN		
Scale	1:10,000	Drawing No. 101-100-01 Date: 11/19/99 By: J.S.		





The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
20 Hughson Street South
Hamilton, Ontario L8N 2A1
Telephone (416) 529-7128

82 04 14

Project EO 79475

Mr. G. Mierzynski
Acting Director
Central Region
Ministry of the Environment
Suite 700
150 Ferrand Drive
Don Mills, Ontario
M3C 3C3

Dear Sir

Landfill Site Application
National Sewer Pipe Limited
Burlington, Ontario

On behalf of National Sewer Pipe Limited, we submit herewith the enclosed application pursuant to Part V of the Environmental Protection Act, 1971, for a Certificate of Approval for a Waste Disposal Site (Landfill).

Two copies of the application and supporting documentation are enclosed for your use. As requested, we have also distributed copies of the application and supporting documentation as follows:

- Mr. T. W. Cross
Director
Environmental Approvals Branch
Ministry of the Environment
135 St. Clair Avenue West
Toronto, Ontario
M4V 1P5
- Mr. D. Y. Perlin
Chief Administrative Officer
Regional Municipality of Halton
P.O.Box 7000
1151 Bronte Road
Oakville, Ontario
L6J 6E1

continued.....

Mr. G. Mierzynski
Acting Director - Central Region
Ministry of the Environment

cont'd....

- Mr. M. H. Boggs
Chief Administrative Officer
Corporation of the City of Burlington
P. O. Box 5013
City Hall
Burlington, Ontario
L7R 3Z6

The supporting documents to the application include:

Proctor & Redfern Limited

- Design Report (including 1 roll of drawings) April 1982
- Environmental Appraisal Report March 1982
- Property Description

Morrison Beatty Limited

- Phase I Hydrogeologic Investigation July 1979
- Phase II Hydrogeologic Investigation June 1980
- Phase III Hydrogeologic Investigation November 1981

We are presently obtaining a certified copy of a list of adjacent property owners. This list will be forwarded to you as soon as it is available.

We would be pleased to make a presentation to Ministry staff to outline the proposal and answer any questions.

Yours very truly

The Proctor & Redfern Group



R. Tait, P. Eng.
Project Manager

RT:at
Encl.

- c.c. Mr. D. Y. Perlin
- c.c. Mr. T. W. Cross
- c.c. Mr. M. H. Boggs
- c.c. Mr. R. Tuer
- c.c. Mr. R. New
- c.c. Mr. M. Bacon
- c.c. Mr. P. Niblett



Ontario

Ministry
of the
Environment

For Office Use
Application Number

**APPLICATION FOR A CERTIFICATE OF APPROVAL
FOR A WASTE DISPOSAL SITE (LANDFILL)**

IMPORTANT NOTE:

If this application is for notification of changes in use, operations, or ownership, specify the MOE number on your certificate _____ and fill in only the data on this form which are being revised.

1. Applicant:

Municipal () Provincial () Other (x) Private

Name: National Sewer Pipe Limited

Address: 2700 Lakeshore Road West (P.O. Box 1800) Postal Code: L6J 5C7

City/Prov.: Mississauga, Ontario (Oakville, Ont) Telephone: 822-7900

If Applicant not Municipal or Provincial complete the following:

() Proprietorship
Name, if different than applicant: _____ () Corporation: President's Name: _____

Ryland J. New

() Partnership - Name all partners:

(i) _____

(ii) _____

2. Land Owner: (if not applicant)

Name: _____

Address: _____

3. Lessee (if applicable)

Name: _____

Address: _____

4. Site Operator

Name: National Sewer Pipe Limited Title: Owner

Address: 2700 Lakeshore Road West, Mississauga, Ontario

5. Site Location:

City (x)

Town () Name: Burlington

Village ()

Township ()

Other Regional Municipality of Halton

Former Township of
Concession: East Flamborough

Lot No: _____

Part of Lot: 2 & 3 Con. 1, 3 Con. 2

Street Address: North Service

Road

Include a copy of the plan of survey of any lands on which the site is to be located.
(Property Description attached)

8. Control System

- a. Monitoring for - Gas ☒ Yes ☐ No - Ground Water ☒ Yes ☐ No - Surface Water ☒ Yes ☐ No
- b. Control system for - Gas ☐ Yes ☒ No - Gas utilization ☐ Yes ☒ No - Leachate ☒ Yes ☐ No

9. List all Supporting Documents Submitted with this Application.

- Proctor & Redfern Limited 1) Design Report (including 1 roll of drawings)
2) Environmental Appraisal Report
3) National Sewer Pipe Property Description
Morrison & Beatty Ltd. 1) Phase I Hydrogeologic Investigation July 1979
2) Phase II Hydrogeologic Investigation June, 1980
3) Phase III Hydrogeologic Investigation November 1981

10. Signature

Applicant Name (Printed)

Ryland J. New

Title

President - National Sewer Pipe Ltd.

(Signature)

Date

13 April, 1982

SEAL OF COMPANY
(if applicable)

NATIONAL SEWER PIPE LTD.

PROPERTY DESCRIPTION

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Burlington, in the Regional Municipality of Halton, formerly in the Township of East Flamborough, County of Halton, and the Province of Ontario, being composed of part of Lots 2 and 3; Concession 1; part of Lot 3 in Concession 2; and part of the Road Allowance between Concessions 1 and 2, closed by By-Law No. 228, East Flamborough, in the said City of Burlington, and which may be more particularly described as follows:

COMMENCING at a standard iron bar in the south-eastern angle of the said Lot 3, Concession 2;

THENCE south 45 degrees, 24 minutes, 20 seconds east, 20.12 metres more or less to north-western angle of Lot 2, Concession 1;

THENCE north 44 degrees, 4 minutes, 30 seconds east along the southern limit of the road allowance between Concessions 1 and 2, 455.24 metres more or less to a point in the western limit of King Road;

THENCE south 46 degrees, 5 minutes, 40 seconds east, along the said western limit of King Road, 374.06 metres more or less to a standard iron bar;

THENCE south 22 degrees, 38 minutes, 20 seconds east 33.35 metres more or less to a standard iron bar;

THENCE south 43 degrees, 25 minutes, 10 seconds east, along a post and wire fence, 167.04 metres more or less standard iron bar planted therein;

THENCE south-westerly, following the northern limit of the North Service Road, 61.36 metres more or less to a standard iron bar;

THENCE south 37 degrees, 12 minutes, 50 seconds west, along the said North Service Road 292.38 metres more or less to a standard iron bar;

THENCE 73.37 metres more or less along the said North Service Road to a standard iron bar;

THENCE south 37 degrees, 44 minutes, 20 seconds west, along the said North Service Road 15.74 metres more or less to a standard iron bar in the western limit of said Lot 2;

THENCE south 37 degrees, 44 minutes, 20 seconds west, 13.36 metres more or less to a point in the northern limit of a Hydro Electric Power Commission easement described by Instrument 249060 H.L.;

THENCE north 69 degrees, 9 minutes east 255.67 metres more or less along the said Hydro Electric Power Commission easement to an iron bar;

THENCE north 66 degrees, 47 minutes, 50 seconds east, 253.17 metres more or less along the said Hydro Electric Power Commission easement to a standard iron bar planted in the western limit of the said Lot 3, Concession 1;

THENCE north 45 degrees, 46 minutes, 20 seconds west along the said western limit of said Lot 3, 439.77 metres more or less to a point;

THENCE north 44 degrees, 4 minutes, 30 seconds east, 24.48 metres more or less;

THENCE north 46 degrees, 13 minutes, 40 seconds west, 10.06 metres more or less to a standard iron bar;

THENCE north 46 degrees, 13 minutes, 40 seconds west, 191.59 metres more or less to a standard iron bar in the eastern limit of a Bell Canada easement described by Instrument 13264;

THENCE north 46 degrees, 13 minutes, 40 seconds west, 9.79 metres more or less to a round iron bar in western limit of the said Bell Canada easement;

THENCE north 45 degrees west, 25.93 metres more or less to a standard iron bar;

THENCE north 45 degrees west 182.78 metres more or less to a standard iron bar;

THENCE south 44 degrees, 6 minutes, 10 seconds west, 4.67 metres more or less to an iron pipe;

THENCE north 25 degrees, 12 minutes, 30 seconds west, along a post and wire fence line 15.68 metres more or less to a standard iron bar;

THENCE north 42 degrees, 54 minutes, 50 seconds west, following the said fence line, 71.75 metres more or less to an iron bar;

THENCE north 47 degrees, 9 minutes, 40 seconds east, 123.58 metres more or less to a standard iron bar;

THENCE south 62 degrees, 26 minutes east, 63.41 metres more or less;

THENCE south 41 degrees, 46 minutes east, 56.96 metres more or less;

THENCE north 54 degrees, 34 minutes east, 18.82 metres more or less to a standard iron bar;

THENCE north 54 degrees, 34 minutes east, 34.17 metres more or less to a standard iron bar planted in the western limit of the said Bell Canada easement;

THENCE north 54 degrees, 34 minutes east, 10.03 metres to a standard iron bar in the western limit the said Bell Canada easement;

THENCE north 54 degrees, 45 minutes east, 111.12 metres more or less to an iron bar;

THENCE north 55 degrees, 44 minutes, 10 seconds west, 96.47 metres more or less to an iron bar in the eastern limit of the said Bell Canada easement;

THENCE north 55 degrees, 44 minutes, 10 seconds west, 8.71 metres more or less to a standard iron bar in the western limit of the said Bell Canada easement;

THENCE north 55 degrees, 44 minutes, 10 seconds west, 34.86 metres more or less to an iron bar;

THENCE north 55 degrees, 44 minutes, 10 seconds west, 19.79 metres more or less to a standard iron bar;

THENCE north 44 degrees, 46 minutes, 20 seconds east, along the remains of a post and wire fence, 75.26 metres more or less to an iron bar in the western limit of the said Bell Canada easement;

THENCE north 44 degrees, 46 minutes, 20 seconds east following the fence line, 11.95 metres more or less to a standard iron bar in the eastern limit of the said Bell Canada easement;

THENCE north 44 degrees, 46 minutes, 20 seconds east, following the fence line, 76.19 metres more or less to an iron bar;

THENCE north 42 degrees, 59 minutes, 50 seconds east, 65.10 metres more or less to an iron bar in the eastern limit of the said Bell Canada easement;

THENCE north 42 degrees, 56 minutes west, 10.21 metres more or less to a standard iron bar in the western limit of the said Bell Canada easement;

THENCE north 42 degrees, 56 minutes west, 11.77 metres more or less to an iron bar;

THENCE north 44 degrees, 36 minutes, 40 seconds east, 9.05 metres more or less to an iron bar;

THENCE south 45 degrees, 24 minutes east, 3.91 metres more or less along the eastern limit of the said Lot 3 to a standard iron bar in the western limit of the said Bell Canada easement;

THENCE south 45 degrees, 24 minutes east, 9.84 metres more or less along the eastern limit of the said Lot 3 to a round iron bar in the eastern limit of the said Bell Canada easement;

THENCE south 45 degrees, 24 minutes, 20 seconds east, 567.38 metres more or less to the point of commencement, containing by admeasurement, about 72.24 hectares, being the same more or less;

SUBJECT to a right and easement to the Bell Telephone Company of Canada as described in Instrument 13264;



The Proctor & Redfern Group

Proctor & Redfern
Consultants
75 Edwards Avenue
Toronto, Ontario
Telephone: (416) 461-1111

21804

May 17, 1982

Please Refer to E.O. 79475-F21

Mr. Frank Crann
Acting, Director of Planning
and Development
The Regional Municipality of Halton
P.O. Box 7000
1151 Bronte Road
Oakville, Ontario
L6J 6E1

Dear Mr. Crann

Re: National Sewer Pipe
Proposed Waste Disposal Site
and Halton Region Official Plan Amendment

Thank you very much indeed for your letter dated 4 May 1982, which reached us on the 11th, and for your clarification on the telephone this morning.

In accordance with your instructions we hereby request the Region to amend the Official Plan for the Region of Halton Planning Area to permit the NSP site, located on the north side of the north service road of Highway #403 west of King Road, to be used for a waste disposal site.

With kindest regards.

Yours Sincerely

The Proctor & Redfern Group

M.J. Bacon, M.C.I.P.

MJB/id



The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
75 Eglinton Avenue East
Toronto, Ontario M4P 1H3
Telephone (416) 486-5225 Telex 06-22506

May 31, 1982

Please Refer to E.O. 79475-F21

City Clerk
The Corporation of the
City of Burlington
P.O. Box 5013
Burlington, Ontario
L7R 3Z6

Dear Sir

Re: National Sewer Pipe Limited,
Part of Lots 2 and 3, Concession 1;
Part of Lot 3, Concession 3 West of King Street,
City of Burlington

By letter dated 17th May 1982 your Director of Planning Mr. Goodman advised us that we should submit a covering letter with an "Application for a Zoning Amendment" requesting an amendment to the City's Official Plan. By this letter we therefore request the City of Burlington to amend its Official Plan to permit that part of the N.S.P. Land shown on the sketch attached to be used as a sanitary landfill site.

The reasons for the application are set out in brief on the Zoning Bylaw Amendment application referred to below and are amplified upon in the material submitted to the Ministry of Environment in connection with the NSP application for approval of a Waste Disposal Site under the Environmental Protection Act. I believe that the City has already received the said material. If you require additional copies we would be pleased to furnish them on request.

We are not, at this time, in a position to state specifically the changes we wish "the City to make to the Official Plan text and/or schedules" since it may be that it will wish to have a special section dealing with the matter. We anticipate that during the course of discussions with Mr. Goodman and others in the City the preferred form of amendment will emerge. We will then do whatever is appropriate to assist the City in the preparation of the changes.

We also enclose completed application forms for an amendment to the Zoning Bylaw of the City together with a cheque in the amount of \$250.00 all of which we trust you will find in order.

.....2

May 31, 1982

E.O. 79475-F21

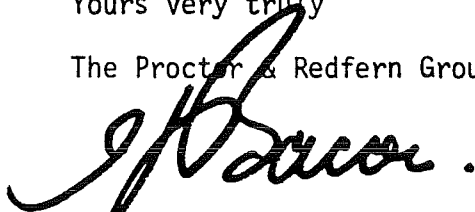
We would be pleased to discuss our application with appropriate officials in the City and to provide whatever material we can to assist in the processing of the applications.

We have already applied for Amendments to the Parkway Belt West Plan and the Minister's Order O.R. #482/72 and have sent copies of our correspondence on these to your Director of Planning.

We would be grateful if you would send copies of correspondence to both the owner, attention Mr. B. Christensen and the writer please so that we are both informed.

Yours very truly

The Procter & Redfern Group

A handwritten signature in cursive script, appearing to read "M. J. Bacon", followed by a period.

M. J. Bacon, M.C.I.P.

MJB/id
Encl.

The Proctor & Redfern Group

APPLICATION TO AMEND RESTRICTED AREA ZONING BYLAW

250.00

Cheque No.
14619

Total Remittance \$250.00



The Proctor & Redfern Group

Consulting Engineers and Planners
75 Eglinton Avenue East
Toronto, Ontario M4P 1H3
Telephone (416) 466-5225

Date
3 JUNE '82

Vendor No.
08708

Cheque No.
14619

\$250.00

Pay To The Order Of

THE CORPORATION OF THE CITY OF BURLINGTON

Proctor & Redfern Limited
General Account

London or Imperial Bank of Commerce

1002120101 00006203

APPLICATION TO AMEND RESTRICTED AREA ZONING BY-LAW
(To be completed in duplicate)

Fee to Accompany Application - \$250.00
TO:

City Clerk
CITY OF BURLINGTON
426 Brant Street
Burlington, Ontario
L7R 3Z6

(For office Use Only):

FILE NO. _____

Date Received: _____

Cheque _____ Cash _____

1. NAME AND ADDRESS OF APPLICANT:

(If Applicant is an Ontario Numbered Company, give name and address of Principal Officers)

National Sewer Pipe Limited

Attn: Mr. R.B. Christensen

P.O. Box 1800

Executive Vice-President

Oakville, Ontario POSTAL CODE L6J 5C7

POSTAL CODE

POSTAL CODE

POSTAL CODE

2. NAME AND ADDRESS OF AGENT:

The Proctor & Redfern Group, M.J. Bacor

75 Eglinton Avenue East

Toronto, Ontario POSTAL CODE M4P 1H3

3. BUSINESS TELEPHONE NUMBER:

(416) 486-5225

4. State whether Applicant is registered owner, agent or future purchaser:
(See Affidavit and Note 2)

Registered Owner

5. Name and address of person or company, if known, intending to develop or use the property after the Restricted Area Zoning By-law is amended (See Note 1):

National Sewer Pipe Limited, P.O. Box 1800, Oakville, Ontario L6J 5C7

6. Description of property (give street and municipal number, if applicable, and legal description of property to be changed by By-law. Sketch (in duplicate) of property showing all measurements and area must also be attached (see Note 3)

(See No. 6 on page 3)

7. Description of any adjoining lands owned by the applicant:

(See No. 7 on page 3)

8. Describe existing use of property and present zoning:

In part vacant, scrub and bush, in part licensed quarry

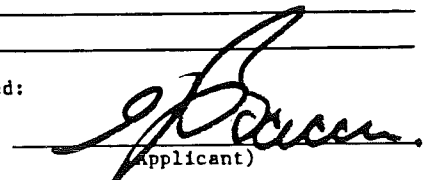
9. Describe the intended use of the property for which the zoning amendment is being requested (see Note 4), and the zoning designation being requested:

(See No. 9 on page 3)

10. Please give reasons in support of the requested amendment (see Note 5):

(See No. 10 on page 3)

Signed:


(Applicant)

AFFIDAVIT BY OWNER
(see Note 2)

11. If applicant is not the registered owner of the property, for which a zoning amendment is being requested, the following Affidavit must be completed by the Owner:

I, _____ am the registered owner of the property described herein, and am aware of the intended use as requested herein, and agree to this application being submitted.

(Signed)

Registered Owner

Witness: _____

Date: _____

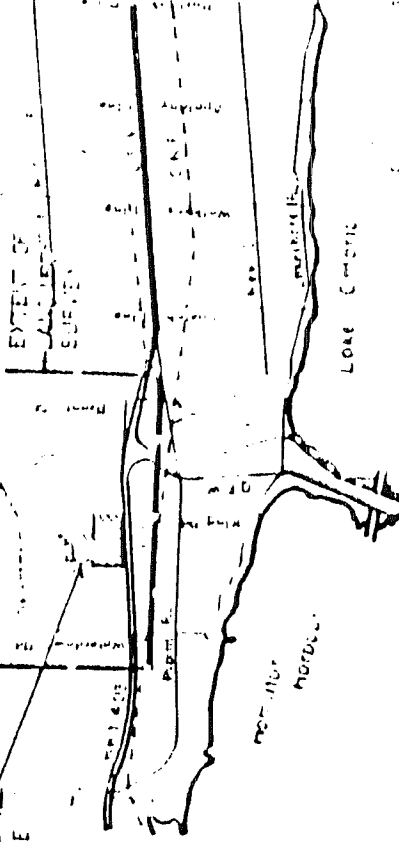
-
- NOTE 1. - If at the time of application, the future person or company who intends to use or develop the property is not known, state "Not known at this time."
- NOTE 2. - If the application covers several properties for which there are a number of owners, then an affidavit must be signed by each registered owner.
- NOTE 3. - The sketch of the property need not be prepared by an Ontario Land Surveyor. Describe only that part of the property to be changed. However, if the description of the property is complicated or involves several properties or boundaries are difficult to locate, a survey plan prepared by an Ontario Land Surveyor will be requested.
- NOTE 4. - In giving details of requested use, do not state "Commercial" or "Industrial" or "Residential" only give details such as gasoline service station, rental grocery store, high rise apartments, townhouses, maisonettes, metal ware factory, warehouse, chemical works, etc. The description should include sufficient detail to give Council a good understanding of the requested use. A detailed description not only assists those concerned in processing the application, but saves time in unnecessary correspondence and delay. Further, an adequate description of the proposed use will determine the appropriate zoning category for the property. If necessary this question can be answered in a written brief.
- NOTE 5. - If necessary a written brief can be submitted to support the requested amendment.

6. Part of Lots 2 and 3, Concession 1; Part of Lot 3, Concession 3
West of King Street; North of the North Service Road of Highway 403
7. West - Regional Municipality of Halton, Sanitary Landfill Site (not owned by applicant)
East - National Sewer Pipe
North- City of Burlington former Sanitary Landfill Site, now Bayview Park (not owned by applicant)
South- 403 Highway and to the South National Sewer Pipe.
9. It is intended to continue to mine the area in accordance with the existing licence issued under the Pits & Quarries Control Act and to rehabilitate the site. Fill material will in part be solid waste used in an approved manner pursuant to the conditions set by appropriate authorities. Approval for a waste disposal site has been applied for pursuant to the Environmental Protection Act.
10. The site has, for approximately 80 years, been used as a quarry. Such operations are expected to continue pursuant to a licence issued under the Pits & Quarries Control Act. The rehabilitation plan for the quarry requires a considerable amount of fill to be placed in the worked out quarry. It is reasonable, logical and economically desirable to utilize solid waste as well as clean cover material to fill the worked out quarry.

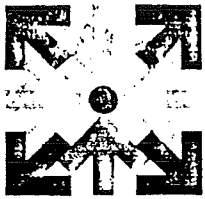
THE OF
FLAMEBOROUGH

PROPOSED
LANDFILL
SITE

EXTENT OF
LANDFILL
SURVEY







The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
20 Hughson Street South
Hamilton, Ontario L8N 2A1
Telephone (416) 529-7128

84 12 04

EO 79475

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

Attention Mr. R. Mohammed
Director of Planning

Dear Sir

National Sewer Pipe Limited
Proposed Landfill Site

You will recall that the southern limit of the proposed landfill site on the NSP property was revised due to the identification of a number of rare plants on the property. This revision to the southern boundary of the site resulted in a considerably reduced capacity for that site.

The designation of these plants as rare in our Environmental Appraisal dated March 1982 was based on the then current edition of The Atlas of the Rare Vascular Plants of Ontario by Argus and White, which is the reference used in the Province of Ontario to designate rare plants.

The new edition of The Atlas of the Rare Vascular Plants of Ontario Part 1 (1982), Part 2 (1983) and Part 3 (Nov. 1984) now only lists the following species found on the NSP property as rare:

- | | |
|-------------------------|------------------|
| • Carex gracilescens | Sedge |
| • Frasera caroliniensis | American Columbo |

The following six species of plants originally identified as rare and no longer considered rare:

- | | |
|----------------------------|--------------------|
| • Anemonella thalictroides | Rue Anemone |
| • Arabis canadensis | Sicklepod |
| • Geum laciniatum | Rough Avens |
| • Juglans nigra | Black Walnut |
| • Ranunculus hispidus | Bristly Buttercup |
| • Vaccinium pallidum | Mountain Blueberry |

The net result of this change in the number of rare plants found on the NSP property is that the southern limit of the east half of the

continued

Attention Mr. R. Mohammed

..... cont'd.

proposed landfill area on the NSP property can be moved further south almost to the original alignment prior to the discovery of the originally designated rare plants. In addition, it is now possible to also extend the site further to the east, south of the adjacent Bayview landfill site.

These changes will result in a substantial increase in the potential capacity of this site.

We are now reviewing the full implications of this change and the substantial increase in capacity now available at this site and will be revising our applications to suit.

Yours very truly

The Proctor & Redfern Group



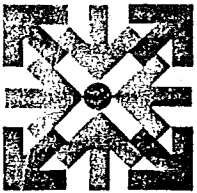
R. Tait, P. Eng.
Branch Manager

RT:at

c.c. M. H. Boggs, City of Burlington
R. Christensen
R. Tuer
Walker Wright Young
M. Bacon
H. Donnelly, M.O.E.
J. Livey, Ministry of Housing

b.c.c. D. Schram
P. Niblett
H. Dahme (D.Estrin)





The Proctor & Redfern Group

Consulting Engineers and Planners
45 Green Belt Drive
Don Mills, Ontario, Canada M3C 3K3
Telephone (416) 445-3600 Telex 06-986173

December 22, 1982 Project E0 79475-F21

Ministry of Municipal Affairs
and Housing
Community Planning Review Branch
Plans Administration Division
56 Wellesley Street West
8th Floor
Toronto, Ontario
M7A 2K4

Attention Mr. Zdravko Weing

Dear Zdravko

National Sewer Pipe
Parkway Belt West Plan
Draft Proposed Amendment

In accordance with your comments at our recent meeting respecting the second draft of the above captioned amendment, we have made the necessary revisions. Enclosed herewith are twenty (20) copies of the revised draft proposed amendment.

It is our understanding that the following process will now be implemented:

1. The draft proposed amendment will be unofficially circulated to:

Gary Goodman	(Planning Director, City of Burlington)
Rash Mohammed	(Planning Director, Halton Region)
John Hall	(Halton Region Conservation Authority)

The purpose of this circulation is to provide an opportunity to unofficially comment on the amendment.

2. The Assistant Deputy Minister (acting on behalf of the Minister) will telephone the Mayor of Burlington, and will subsequently follow this call with a letter, requesting nominations for both the "technical" and "residents" committees.

2...../

3. The "technical" committee will consist of the Mayor of Burlington, the Regional Chairman, and the two Planning Directors.
4. The "residents" committee will consist of three (3) citizens representing the area affected by the amendment.
5. As soon as the committees have been appointed the proposed amendment will be circulated to the two advisory committees and to the municipalities (City of Burlington and Region of Halton).

It is also our understanding that the purpose of the unofficial circulation, noted in 1 above, is to ensure that the amendment is in a form that is both acceptable to the Ministry and comprehensible to the respective municipalities. Any comments respecting deletion of permitted uses etc. will not be entertained by the Ministry but rather should be included in the comments and recommendations from the advisory committees and municipalities to the Minister as part of the official circulation process.

Now that the draft proposed amendment is in a form acceptable by the Ministry, we are most anxious that the official processing will begin as soon as possible. Accordingly, we would respectfully request that the appointment of the advisory committees is formalized at the Minister's earliest possible convenience.

We trust that the draft proposed amendment can now be circulated with dispatch to Messrs. Mohammed, Goodman and Hall.

We will stand in readiness in the event you have any questions or comments. Please feel free to contact me or in my absence Mr. Glen Easton and we will do our best to comply with your request.

Respectfully submitted

The Proctor & Redfern Group

M.J. Bacon, B.Arch., M.C.D., M.C.I.P.
Director of Planning

MJB/am
Encl.

cc: R. Christensen, National Sewer Pipe
K. New, National Sewer Pipe
N. Norris, Fasken & Calvin

R. Tuer, Fasken & Calvin
B. Tait, Proctor & Redfern
Hamilton, Office

THE PARKWAY BELT WEST PLAN
JULY, 1978

AMENDMENT # _____

DRAFT PREPARED BY:

PROCTOR & REDFERN LIMITED
45 GREEN BELT DRIVE
DON MILLS, ONTARIO
M3C 3K3

E.O. 79475

NOVEMBER 25, 1982

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Subject to Subsection 5.1.3, the Plan permits a non-hazardous waste landfill site.

The Plan does not permit uses beyond those set out in Subsection 5.5.1 until the appropriate application for a Certificate of Approval has been submitted to the Ministry of the Environment, pursuant to the appropriate and applicable legislation, and is approved by the Ministry of the Environment.

Such a development shall, to the maximum possible degree:

- Secure an open space character in the area.
- Rehabilitate the topographic scar, created by the legal on-going shale quarrying operation, in order to provide an end use as envisioned by the Plan.

Section 6.2.3(t)

- In the Special Complementary Use Area bounded by Highway 403 to the south, the limit between Concession 1 and Concession 2 in the City of Burlington, Region of Halton (formerly the Township of East Flamborough, County of Halton) to the north, the Region of Halton (Burlington) Landfill Site to the west and King Road to the east, permit uses set out in Subsection 5.5.1.

Subject to Subsection 5.1.3, the Plan permits ancillary/complementary uses to the non-hazardous waste landfill site described in 6.2.3(s). These ancillary/complementary uses may include but not be limited to: a resource recovery facility; a refuse derived fuel (RDF) plant; an energy from waste (EFW) facility; a waste transfer facility; a waste processing and conditioning facility; all of which shall be subject to appropriate and applicable legislation,

and approved by the Ministry of the Environment. The plan does not permit uses beyond those set out in Subsection 5.5.1 until the appropriate application for a Certificate of Approval has been submitted to the Ministry of the Environment, pursuant to the appropriate and applicable legislation, and is approved by the Ministry of the Environment.

Such ancillary/complementary development(s) shall, to the maximum possible degree:

- Protect wooded areas, hedgerows and trees.
- Enclose within buildings or fences as may be appropriate all uses on the site except for paved driveways and parking areas.
- Provide parking facilities on the land for employees and visitors. The said facilities shall be landscaped, suitably screened, and paved or treated with a dust-free all-weather surface.
- Secure an open space character in the area.
- Provide a setback of 120 metres, for buildings and structures, from the centre line of the North Service Road of Highway No. 403, and King Road.
- Provide and maintain suitable landscaping and tree planting, on the 120 metre setback area as set out in the proceeding clause.

Once the Minister has initiated an amendment, the following steps have to be undertaken:

1. The Minister shall ensure that the affected municipalities are consulted on the content of the amendment;
2. To advise him on the preparation and implementation of the amendment, the Minister appoints two advisory committees:
 - i) one representing the municipality or municipalities affected by the amendment;
 - ii) one which is broadly representative of the people in the area affected by the amendment;
3. The Minister circulates the amendment, once it is prepared to:
 - i) the two advisory committees, and
 - ii) the affected municipalities.

The Minister provides a minimum of three months for comments and recommendations from the advisory committees and municipalities;

4. A notice is published in one or more local newspapers notifying the public about the amendment and inviting submissions and comments; a minimum period of three months after the publication of notice is provided for public submissions;
5. One or more hearing officers is appointed by the Minister and a notice of hearing is published; hearings can begin no sooner than three weeks after the notice is published.

6. The hearing officer conducting the hearings reports to the Minister no later than three months after the conclusion of the hearing;
7. A copy of the report of the hearing officer is made available for inspection by any person desiring to do so;
8. The Minister considers the hearing officer's report and any comments thereon and submits his recommendations to the cabinet. If his recommendation is other than the hearing officer's, the Minister shall give public notice and allow 21 days for submissions to Cabinet.
9. The Cabinet makes its decision on the amendment.

3. Proposal

An application dated July 3, 1981 pursuant to the provisions of Section 8 of The Ontario Planning and Development Act was received by the Minister of Municipal Affairs and Housing requesting an amendment of The Parkway Belt West Plan, July 1978. The application was subsequently revised on January 15, 1982 and clarified on February 25, 1982. The application is in respect of certain land owned by National Sewer Pipe Limited and located within the City of Burlington, Regional Municipality of Halton. The amendment was requested to permit the use of an existing shale quarry as a non-hazardous waste landfill site. The use of non-hazardous waste for landfilling purposes would provide a continuous and appropriate method of rehabilitating topographic scar created by the legally on-going shale quarrying.

The Minister has agreed, under the authority of Section 8 of The Ontario Planning and Development Act, 1973, to initiate an amendment to the Plan which would entail the following:

National Sewer Pipe Limited owns several parcels of land in the area,

however, the amendment applies to the land described as part of Lots 2 and 3, Concession 1 and part of Lot 3, Concession 2 in the City of Burlington, Regional Municipality of Halton (formerly the Township of East Flamborough, County of Halton). The land is presently designated partly as General Complementary Use Area and partly as Special Complementary Use Area by the Plan.

The amendment redesignates the land presently designated General Complementary Use Area, and on which a quarry is now permitted, as a Special Complementary Use Area and sets out special policies pertaining to the area to be used for landfilling operations and ancillary/complementary operations related to solid waste disposal. These areas are illustrated on the Conceptual Site Plan attached hereto.

4. Rationale

The shale quarry must be rehabilitated in accordance with the quarrying license issued under The Pits and Quarries Control Act, 1971. This rehabilitation would ensure slope stability etc. but in essence "the hole" would remain.

However, permitting NSP to use non-hazardous solid waste for landfilling purposes would provide a continuous and appropriate method of rehabilitation as the various areas of the quarry are exhausted of shale.

This method of landfilling would provide a rehabilitation program superior to the quarrying license requirements and would result in a land form and elevation compatible with adjacent land.

Land uses to the south, both residential and industrial, are buffered from the subject area through distance and physical features. South of the NSP land, the North Service Road, Highway 403, other lands owned by NSP, and the C.N.R. tracks separate the site from existing urban land

uses. Other residential land uses to the east, west and north are effectively buffered by a combination of distance, topography, and woodlots.

The provision of a sanitary landfill site in the immediate vicinity of two sites, that have for close to half a century been used for identical purposes, is a prudent proposition since established patterns of land use and transportation will be continued.

The restoration of the property in conjunction with adjacent land uses and land forms would unquestionably be desirable and would facilitate an end use in conformity with the spirit of the Parkway Belt West Plan's goals, objectives and policies.

5. Explanation of the Amendment

The amendment to the Parkway Belt West Plan identifies areas and sets out permitted uses in these areas. The Conceptual Site Plan attached hereto indicates the three areas affected by the amendment.

Area 1

Permitted Uses:

- All uses permitted in a General Complementary Use Area. Existing Section 5.5.1
- The industrial uses already permitted by the Parkway Belt West Plan. Existing Section 6.2.3(q)
- Ancillary/Complementary uses to non-hazardous waste landfilling operations such as: New Section 6.2.3(t)
 - resource recovery facility
 - refuse derived fuel (RDF) plant
 - energy from waste (EFW) facility
 - waste transfer facility
 - waste processing and conditioning facility

Applicable Regulations:

- For industrial uses already permitted: Existing Section 6.2.3(q)

Subject to Subsection 5.1.3, the Plan permits some further industrial development in this area. The plan does not permit uses beyond those set out in Subsection 5.5.1 until a comprehensive restricted area by-law and development agreements under Section 35a of the Planning Act have been prepared in consultation with municipal authorities, Provincial ministries, and other concerned persons or agencies, and subsequently approved by the appropriate authorities.

Buildings and structures associated with such industrial uses may have a maximum lot coverage of 20%, exclusive of parking and shall meet the following conditions:

- i) No uses are permitted which might create obnoxious sounds, ordours, fumes or vibrations.
- ii) All uses except parking are enclosed.
- iii) Buildings or structures for industrial purposes do not exceed a maximum of one storey in height, and buildings and structures for associated office uses do not exceed a maximum of two storeys.
- iv) Adequate parking facilities are provided on the lands for employees and visitors. These facilities shall be landscaped, suitably screened, and paved with a dust-free all-weather surface.
- v) No outside storage of goods or materials is permitted.
- vi) The open-space character of the area is secured to the maximum possible degree.

- vii) Setbacks for buildings and structures along North Service Road and King Road are not less than 400 feet from the centre line of these roads.
- viii) Ample landscaping, tree planting, and berms are provided on the 400 foot-setback areas set out in Clause (vii) above, as well as on the remaining lands.
- ix) Wooded areas, hedgerows, and trees are protected to the maximum possible degree.
- x) The creation of new lots is strictly limited.
- xi) Any other conditions required to secure the provisions of the Plan are satisfied.
- For ancillary/complementary uses to non-hazardous waste landfilling operations. New Section 6.2.3(t)

These uses shall be subject to appropriate and applicable legislation and approved by the Ministry of the Environment. The Plan does not permit uses beyond those set out in Subsection 5.5.1 until the appropriate application for a Certificate of Approval has been submitted to the Ministry of the Environment, pursuant to the appropriate and applicable legislation, and is approved by the Ministry of the Environment.

Such ancillary/complementary development(s) shall, to the maximum possible degree:

- Protect wooded areas, hedgerows and trees.

- Enclose within buildings or fences as may be appropriate all uses on the site except for paved driveways and parking areas.
- Provide parking facilities on the land for employees and visitors. The said facilities shall be landscaped, suitably screened, and paved or treated with a dust-free all-weather surface.
- Secure an open space character in the area.
- Provide a setback of 120 metres, for buildings and structures, from the centre line of the North Service Road of Highway No. 403, and King Road.
- Provide and maintain suitable landscaping and tree planting, on the 120 metre setback area as set out in the proceeding clause.

Area 2

Permitted Uses:

- | | |
|--|---------------------------|
| ● All uses permitted in a General Complementary Use Area | Existing Section
5.5.1 |
| ● Non-hazardous waste landfill site. | New Section
6.2.3(s) |

Applicable Regulations:

- Non-hazardous waste landfill site.

The Plan does not permit uses beyond those set out in Subsection 5.5.1 until the appropriate application for a Certificate of Approval has been submitted to the Ministry of the Environment, pursuant to the appropriate and applicable legislation, and is approved by the Ministry of the Environment.

New Section
6.2.3(s)

Such a development shall, to the maximum possible degree:

- Secure an open space character in the area.
- Rehabilitate the topographic scar, created by the legal on-going shale quarrying operation, in order to provide an end use as envisioned by the Plan.

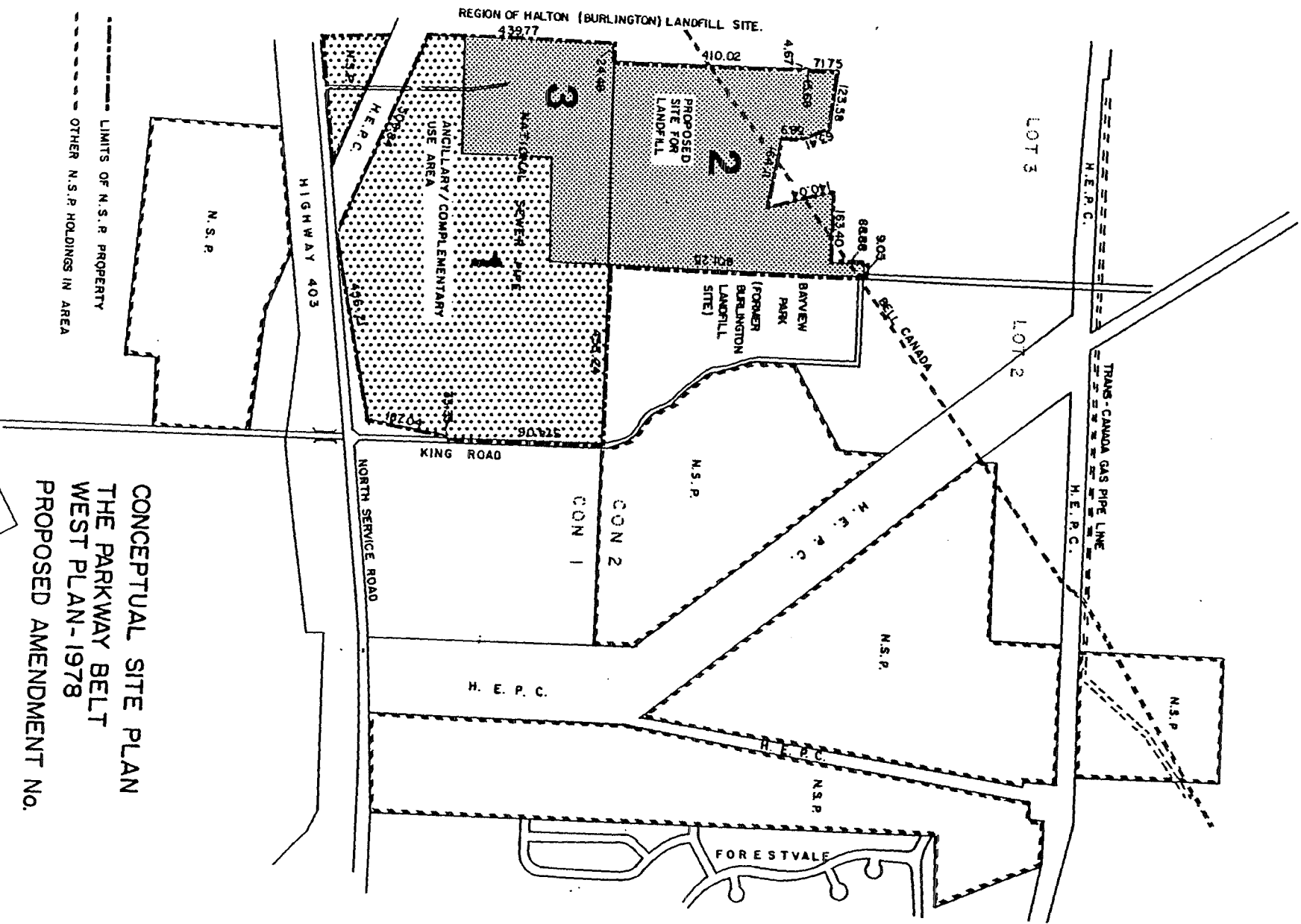
Area 3

Permitted Uses:

- All uses permitted in Area 1.
- All uses permitted in Area 2.

Applicable Regulations:

- The various regulations appropriate and applicable to the respective permitted uses.



CONCEPTUAL SITE PLAN
THE PARKWAY BELT
WEST PLAN-1978
PROPOSED AMENDMENT No.



N.T.S.

6. Conformity with Official Plans

6.1 The Regional Plan - Regional Municipality of Halton

The Official Plan for the Halton Regional Planning Area was adopted by Regional Council on September 6th, 1978 and approved by the Minister of Housing on August 1st, 1980.

The NSP land is generally identified in Map 1 "The Regional Concept" of the Regional Plan as being within a "Provincial Policy Area." Specifically, the lands are designated as "Parkway Belt Complementary Use Area". It is the intent of the Regional Plan to recognize the limits, policies and land use designations of the Parkway Belt West Plan as described in part III:B1;

"The development of those lands in the Halton Planning Area that are affected by the Parkway Belt West Plan shall be governed by the provisions of the Parkway Belt West Plan, July 1978, which forms part of the Official Plan, and in the case of any discrepancy between the Parkway Belt West Plan and the remainder of this Official Plan, the provisions of the Parkway Belt West Plan shall prevail."

Map 4 of the Regional Plan identifies the NSP land as a "Mineral Resource Extraction Area", also as a "Protection Area."

Part III, Section C of the Regional Plan describes a number of policies with respect to Mineral Resources which have relevance to the NSP site and the current application;

- 'C.4h) Restrict extractive operations to lands identified as Mineral Resource Extraction Areas.'
- 'C.5c) Recognize Mineral Resource Extraction as an interim land use, which through proper rehabilitation can lead to a desirable or even improved land use.....'

Map 5 of the Regional Plan "Hazard Lands" indicates part of the NSP land as "Hazard Land" in the Regional Plan. The construction of permanent structures on designated Hazard Lands is not permitted.

The Regional Plan also provides policies in the area of solid waste management which have relevance to the NSP proposal. These are noted below:

- 'D.3.8) View of the use of land for landfill during the operational life of the site as an interim use, until such time as the land is rehabilitated in accordance with the long term end uses suggested by local Plans and in accordance with the requirements of the Ontario Ministry of the Environment.'
- 'D.3.9) Locate sanitary landfills where feasible on lands less suited to other purposes,.....'

6.2 City of Burlington Official Plan (Amendment No. 49) and Amendment No. 101

The Official Plan for the City of Burlington is Amendment No. 49 which was approved by the Ontario Municipal Board on June 16, 1971.

The NSP site was designated in OPA 49 as "Development Area", in which, generally, detailed land use studies were required before major urbanization would have been permitted.

The NSP site is within the planning area of the approved Parkway Belt West Plan and the PBWP requires that all local official plans and zoning bylaws be amended to implement the Plan. The PBWP land use designations, goals and policies were adopted by the City of Burlington in whole on July 14, 1980, by Bylaw 91-1980 as Amendment No. 101 to the Official Plan. Amendment No. 101 was approved by the Minister of Housing on August 26, 1980.

Section 2.1 of the Official Plan (Amendment 101) Parkway Belt West Plan states that:

"The development of those lands in the Burlington Planning Area that are affected by the Parkway Belt West Plan shall be governed by the provisions of the Parkway Belt West Plan, July 1978 which forms part of the Official Plan, and in case of any discrepancy between the Parkway Belt West Plan and the remainder of this official plan, the provisions of the Parkway Belt West Plan shall prevail."

Thus the PBWP land use designations, as adopted by Official Plan Amendment No. 101 and the PBWP goals, objectives and policies, pertain to the future development of the NSP site.

7. Conformity with Zoning Bylaw

City of Burlington Zoning Bylaw 4000-3 was approved by the Ontario Municipal Board, in part, on August 25, 1969 and, in full, April 20, 1970.

The NSP site is designated as "D - Development Zone" which means land which is awaiting development or redevelopment pending the availability of adequate municipal services and detailed planning studies, and shall require future amendments to the Zoning Bylaw all in accordance with "The Official Plan Land Use Policies and Regulations".

Low intensity urban uses as well as institutional, recreational and agricultural uses, are permitted within a "Development Zone".

Zoning Bylaw 4000--3 has not yet been amended to implement the PBWP land use designations. Until such time as the Bylaw is amended, Ontario Regulation 482/73 supersedes Zoning Bylaw 4000-3 where a discrepancy may occur.

With regard to the application by NSP to establish and operate a non-hazardous waste landfill site Ontario Regulation 482/73 appears to be the "Zoning" regulation controlling the land and will require amendment subsequent to the approval of this amendment, to permit the landfill operation, proposed by NSP; which is the subject of this amendment.

8. Site and Existing Uses

The predominant land use on the proposed landfill site is the quarrying of shale under The Pits and Quarries Control Act, 1971. The quarrying of shale by NSP on the proposed landfill site and on the NSP land east of King Road has been taking place over the past 80 years. It is estimated that shale extraction could continue on the land for another twenty or thirty years.

The site proposed for landfilling is characterized by deep ravines, intermittent streams and wooded areas. Locally, the area is known as the 'badlands'. In addition to the site being used as a shale quarry, it is also used by all terrain vehicles. The unauthorized use of the site by these vehicles has created a system of trails and bike paths throughout the property.

9. Adjacent Land Uses

Land uses in the general area of the NSP site are rural in nature. There is no residential development in close proximity to the proposed

NSP landfill site. The nearest individual residence to the north is located about 920 metres from the site. Forestvale, a single family housing development, is approximately 1,300 metres to the east and visually separated from the site by wooded areas. Strip residential development on Waterdown Road is located 1,400 metres to the west. Residential land uses to the south are about 1,000 metres from the proposed site.

Land uses to the south, both residential and industrial, are buffered from the NSP land through distance and physical features. To the south, the North Service Road, Highway 403, other land owned by NSP, and the C.N.R. tracks separate the site from existing urban land uses. Other residential land uses to the east, west and north are effectively buffered by a combination of distance, topography, and woodlots. It is not expected that the proposed landfill operation, even at the highest point of the site, would be visible from any existing residence.

Industrial uses are located to the east and west of the site and are identified on Map 4. They include the Stelco Research Centre, Tridon and Cumis.

There are no major agricultural uses in the vicinity of the site. About 1,000 metres to the west, separated from the NSP land by the Falcon Creek ravine and dense bush, there is some agricultural activity. There are no other agricultural land uses in the area.

Three utility corridors and easements bisect both the proposed landfill site and the immediate area. Ontario Hydro overhead transmission towers are located north and south of the property, an underground Trans-Canada Gas Pipeline is situated north of the property and an overhead Bell Canada easement runs through the north part of the site. During the operation of the landfill site, the Bell Canada lines will be elevated above the landfill in a similar manner to that used on the adjacent Burlington site.

The former Bayview landfill site, located northeast of the NSP land, was operated as a landfill site by the former Township of East Flamborough from 1941 to 1961, then by the City of Burlington from 1961 to 1973. The site has been rehabilitated by the City of Burlington for recreational uses and is now used for horseback riding, riding shows and by the Burlington Rifle and Revolver Club.

The Region of Halton operates a landfill site immediately west of the NSP land. It has been in use since approximately 1973 and is one of two landfill facilities now operated by the Region.

The operation of waste disposal sites, for the past 40 years, on either side of and abutting the NSP land, has firmly established land-filling as a major land use in the area. It is anticipated that land-filling at the existing Regional site will continue for at least the next three to four years.

The land to the north is presently vacant although a sign on the property indicates the "Burlington Radio Control Modelling Group" uses the field on occasion.

10. Parkway Belt Objectives
for this Area

The following general objectives of The Parkway Belt West Plan apply to the area where the subject property is located. These are set out in Section 3.

- a) Separate urban areas by providing a break in the pattern of continuous urban land use and by minimizing the number of traffic routes connecting urban areas across The Parkway Belt.

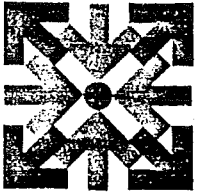
- b) Provide extensive areas of public and private open space and complementary uses in The Parkway Belt that, together with non-urban areas outside the Parkway Belt, will maintain a continuity of open space through the system of urban areas.
- c) Preserve prominent natural features, such as river valleys and the Niagara Escarpment, and protect other features, such as wooded areas, and other points of interest.

The following specific objectives of The Parkway Belt West Plan apply to that segment of the Escarpment Link of the Parkway Belt where the subject property is located. These are set out in Section 6.2.2.

- a) Define the northern and western limits of the Burlington Urban Area.
- b) Define the southern limits of the Built-up Area at Waterdown.
- c) Separate by open space the Burlington Urban Area and the Built-up Area at Waterdown.
- d) Separate by open space the Burlington and Hamilton-Dundas Urban Areas.
- e) Where possible, include CP Rail and CNR lines, existing Ontario Hydro facilities, and highways.
- f) Minimize the number of transportation routes crossing the Link.
- g) Identify transportation, communication, and utility corridors to Southwestern Ontario, Halimand-Norfolk, the Niagara Peninsula, and the lakeshore tier of urban areas.

- h) Provide for future utilities.
- i) Provide for scenic roads and associated facilities.
- j) Protect tree stands that are either significant in their own right or serve as buffers.

The proposed amendment affects only specific objective (c) above. However, the finished site, once grassed and planted with trees and shrubs (to stabilize steeper slopes), will achieve this objective to a higher, or at least the same, degree as the Plan now achieves it.



The Proctor & Redfern Group

Consulting Engineers and Planners
45 Green Belt Drive
Don Mills, Ontario, Canada M3C 3K3
Telephone (416) 445-3600 Telex 06-986173

November 25, 1982 Project E0 79475-F21

Ministry of Municipal Affairs
and Housing
Plans Administration Division
56 Wellesley Street West
8th Floor
Toronto, Ontario
M7A 2K4

Attention Mr. Basil Gurusinghe

Dear Basil

National Sewer Pipe and
The Parkway Belt West
Plan-Draft Proposed
Amendment

In accordance with your comments respecting the first draft of the proposed amendment, we have prepared a revised draft and enclose herewith three (3) copies for your scrutiny.

We trust that your consideration of this revised draft will reveal that all matters are now in order and that the draft proposed amendment can be circulated with dispatch to Messrs. Mohammed, Goodman and Hall.

We will stand in readiness in the event you have any questions or comments. Please feel free to contact me or in my absence Mr. Glen Easton and we will do our best to comply with your request.

With kindest regards.

Sincerely

The Proctor & Redfern Group

M.J. Bacon, B.Arch., M.C.D., M.C.I.P.
Director of Planning

MJB/am
Encl.

cc: R. Christensen, National Sewer Pipe
K. New, National Sewer Pipe
N. Norris, Fasken & Calvin

B. Tait, Proctor & Redfern
Hamilton



The Proctor & Redfern Group

Consulting Engineers and Planners
45 Green Belt Drive
Don Mills, Ontario, Canada M3C 3K3
Telephone (416) 445-3600 Telex 06-986173

November 11, 1982 Project E0 79475-F21

Ministry of Municipal Affairs
and Housing
Plans Administration Division
56 Wellesley Street West
8th Floor
Toronto, Ontario
M7A 2K4

Attention Mr. Basil Gurusinghe

Dear Basil

National Sewer Pipe
and the Parkway Belt
West Plan-Draft Proposed
Amendment

In accordance with your instructions and following the format of the sample amendments that you kindly provided for our guidance, we have prepared a Draft Amendment to the Parkway Belt West Plan. Three (3) copies are enclosed for your scrutiny.

We understand that following your consideration of the draft you may request some modifications, we hope of course that these will be minor and few in number. We will then, as required, produce an appropriate number of amended documents for you to distribute. We trust that the document will be found in order.

2...../

However, if you have any questions or comments please feel free to contact me or in my absence Mr. Glen Easton and we will do our best to comply with your request.

With kindest regards.

Sincerely

The Proctor & Redfern Group

M.J. Bacon, B.Arch., M.C.D., M.C.I.P.
Director of Planning

MJB/am
Encl.

cc: R. Christensen, National Sewer Pipe
K. New, National Sewer Pipe
N. Norris, Fasken & Calvin
B. Tait, Proctor & Redfern, Hamilton



79475

Office of the
Minister

Ministry of
Municipal Affairs
and Housing

Hearst Block
Queen's Park
Toronto, Ontario
M7A 2K5
416/965-6456

September 3, 1982

Mr. M.J. Bacon, M.C.I.P.
The Proctor and Redfern Group
Consulting Engineers and Planners
75 Eglinton Avenue East
Toronto, Ontario
M4P 1H3

Dear Mr. Bacon:

Re: Application for amendment to the Parkway
Belt West Plan - July 1978
National Sewer Pipe - City of Burlington
File: 10(281)

The Parkway Belt Steering Committee has reviewed your request to amend the Parkway Belt West Plan for the establishment of a non-hazardous solid waste sanitary landfill site on part of your client's property in the City of Burlington. As you know, the steering committee is an interministerial body responsible for advising me and the government on Parkway Belt matters.

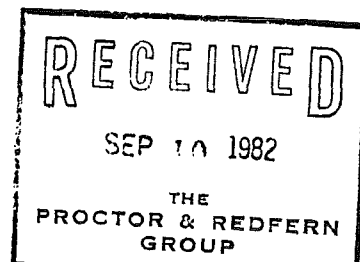
The steering committee has recommended that an amendment to the plan be initiated as requested by you. Accordingly, I am pleased to inform you that I will process an amendment to the plan in accordance with the provisions of the Ontario Planning and Development Act.

I would like you to prepare the amendment and have it submitted to my ministry. I have instructed my staff to give any advice and help you may need. I will appoint two advisory committees and a hearing officer in the near future.

If you have any questions, please contact Mr. Z. Weing, Senior Planner, Plans Administration Branch, at 965-6418.

Yours sincerely,

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





Ministry of
Municipal Affairs
and Housing

Plan.
Administration
Division

416/965-6418

56 Wellesley Street West
8th Floor
Toronto, Ontario
M7A 2K4

April 2, 1982

RECEIVED

APR 7 1982

PROCTOR & REDFERN
GROUP

Mr. M.J. Bacon, M.C.I.P.
The Proctor and Redfern Group
Consulting Engineers and Planner
75 Eglinton Avenue East
Toronto, Ontario.
M4P 1H3

Subject: National Sewer Pipe
Proposed Landfill Site
Part of Lots 2 and 3, Concession 1
and Part of Lot 3, Concession 2.
City of Burlington
File No.: 10(281)

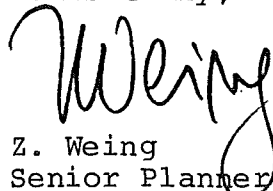
Dear Mr. Bacon:

This letter is to bring you up to date on the status of your application of January 15, 1982 to amend the Parkway Belt Land Use Regulation, Ontario Regulation 482/73. As you know, council of the City of Burlington, by resolution passed on March 8th, recommended that your application be denied because the proposed use does not conform to the Parkway Belt West Plan, July 1978. Halton Region's planning department has also indicated to us that the proposed use does not conform to the Parkway Belt Plan.

Based on the above, we are unable to make a favourable recommendation on your application. However, we understand that you will be requesting the minister shortly to initiate an amendment the Parkway Belt West Plan, to permit the proposed landfill operation. We also understand that you propose to have all the pertinent applications considered under the Consolidation Hearings Act.

If you have any questions concerning the amendment to the Parkway Belt West Plan, please call me or Mr. Basil Gurusinghe at 965-6418.

Yours truly,


Z. Weing
Senior Planner

Community Planning Review Branch

Mr. Douglas C. Brown
Page 2

February 25, 1982

We trust that our opinion is now clear and apologise for any confusion that may have been caused.

Yours sincerely

The Proctor & Redfern Group

M. J. Bacon, M.C.I.P.
Director of Planning

MJB/da

c: Mr. Dennis Y. Perlin, Chief Administrative Officer,
The Regional Municipality of Halton
Mr. Ken Anderson, Regional Solicitor
Mr. Gary Goodman
Mr. R.S. Christensen
Mr. R.J. New
Mr. P.R. New

Mr NT Norris



Ministry of
Municipal Affairs Community
and Housing Planning

416/965-3414

56 Wellesley Street West
3rd Floor
Toronto, Ontario
M7A 2K4

E078475-F21-5.

RECEIVED

January 29, 1982

FEB 8 1982

**PROCTOR & REDFERN
GROUP**

Mr. Douglas C. Brown
City Solicitor and
Corporation Counsel
City of Burlington
City Hall
426 Brant St.,
Burlington, Ontario.
L7R 3Z6

Subject: National Sewer Pipe
Proposed Landfill Site
Part of Lots 2 & 3, Conc. 1 and
Part of Lot 3, Conc. 2
City of Burlington
Our File No.: 10(281)

Dear Mr. Brown:

This is in reply to your recent letter in which you have noted some of the concerns expressed by the City of Burlington with regard to the conformity of the subject proposal to the Parkway Belt West Plan. I have looked at the plan again, and have the following comments to offer.

The Parkway Belt West Plan designates the property in question partly General Complementary Use Area (portion within Concession 2), and partly Special Complementary Use Area (portion within Concession 1). The policies governing the use of land in these two land use designations are outlined in sections 5.5.1, 5.5.2 and 6.2.3(q). Our interpretation is, as indicated in my July 20, 1981 letter to Mr. Bacon, that the proposed use might be considered compatible with the plan provided it meets all of the conditions of development outlined in the respective policy sections. However, I informed the proponents of this project that the city and the region, who adopted the Parkway Belt Plan as their official plans, may interpret the plan differently. I would also like to indicate to you that the Parkway Belt West Plan has a degree of flexibility built in, that is normally not found in many municipal official plans. This was done intentionally to minimize complex and lengthy procedures to amend the plan.

/2...

Mr. Douglas C. Brown - 2 -

It should be noted that the applicant would be required to demonstrate, through appropriate studies, that the proposal fulfills all of the conditions of development outlined in the respective policy sections, i.e. preservation of natural features, protection of water-courses, etc. If not, the Parkway Belt Land Use Regulation would not be amended.

In any case, we believe that a proposal of this magnitude must have municipal and regional support if it is to succeed. Thus, should an amendment to the Parkway Belt West Plan be required, it would have to be processed together with any other planning document that may also have to be amended.

If you still have a problem concerning interpretation on the conformity of the subject proposal, I would suggest that a meeting be arranged between staff of the city, region and this ministry. Please contact Mr. John Livey, Manager, Community Planning Review Branch at 965-6418.

I trust the above comments will be of assistance to you in advising the city on the subject proposal.

Yours truly,

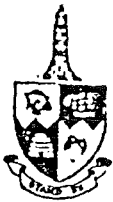
ORIGINAL SIGNED BY

G. M. FARROW

G.M. Farrow
Assistant Deputy Minister

c.c. G. Goodman, City of Burlington
R. Mohammed, Halton Region
J. Bacon, Proctor and Redfern Group





The Corporation of the
City of Burlington

74475
74475-F21

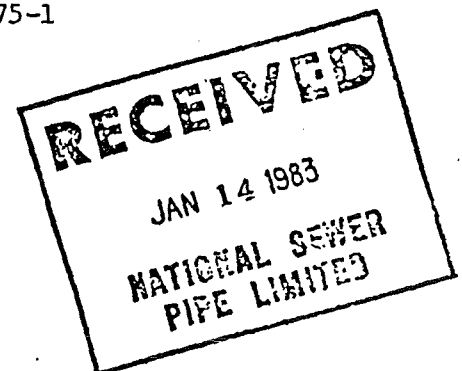
City Hall:
426 Brant Street, Burlington, Ontario, Canada
Mailing Address:
P.O. Box 5013, Burlington, Ontario, Canada L7R 3Z6

Telephone: 335-7606

File No.: 60-75-1

January 11, 1983

The Hon. Claude Bennett,
Minister of Municipal Affairs
and Housing,
Queen's Park,
Toronto, Ontario



Dear Mr. Bennett:

As you may be aware there are two major initiatives underway in the Region of Halton that are aimed at meeting the Region's need for landfill over the next 20 years. The first is the preparation of an Environmental Assessment of "the landfill component" of the Region's solid waste management program. The second is the consideration of the application by National Sewer Pipe Ltd. to amend the Parkway Belt Planning and Development Act to permit the development of a landfill site on the NSP lands north of Highway 403 and west of King Road in the City of Burlington. Should NSP's application succeed, NSP will request a Certificate of Approval under the Environmental Protection Act to operate its proposed landfill site.

The history of the search for new landfill capacity in the Region of Halton is long and complex. Fortunately, the request which motivates this letter can be appreciated with only brief reference to this landfill history.

The Region's preferred site has long been a site known as "Site F" in Milton. Site F was proceeding toward an approval under the Environmental Protection Act when a decision by the then-Minister brought it under the Environmental Assessment Act in February of 1980. Acting on legal advice the Region removed the name of Site F as the undertaking for the present Environmental Assessment so as not to appear to be prejudging the outcome of the assessment. One of the major implications of changing the identification of the undertaking from "Site F" to "landfill component" is that all major candidate landfill sites may now be assessed on the same basis.

On August 10, 1981 our Council indicated its willingness to consider the development of the NSP Site in Burlington on a number of conditions. One of these conditions is that this site be subjected to the same review and approval process as all other prospective landfill sites in the Region.

It seems fairly clear that Site F and the NSP Site will be identified in the landfill component Environmental Assessment study as two of the potentially most acceptable sites in the Region; and further that one or both will be recommended for development.

Cont... /2

Fasken & Calvin

30th Floor
Toronto-Dominion Bank Tower

Barristers
and
Solicitors

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Toronto-Dominion Centre
Toronto, Canada, M5K 1C1

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Area Code 416
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Frederic M. Fell, Q.C.
Yvonne J. Cavan, Q.C.
D. Gibson, Q.C.
Ronald J. Rolfe, Q.C.
T. E. Brooks, Q.C.
K. J. C. Herries, Q.C.
J. M. Robinson, Q.C.
P. J. Green
Stephen T. P. Risk
R. W. McDowell
R. W. McInnes
R. W. Cosman
S. B. Blain
Peter L. Roy
E. A. Cronk
M. S. F. Watson
A. C. Dekany
Peter R. Greene
D. A. Cannon
L. Ricchetti
Roxanne McCormick
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R. M. Sutherland, Q.C.
Georgina M. Bentley
Roger D. Wilson, Q.C.
R. L. Shirriff, Q.C.
W. A. Kelly, Q.C.
D. S. Affleck, Q.C.
R. B. Potter
N. T. Norris
W. R. Passi
A. M. Rock
P. E. Brent
R. S. Harrison
J. A. Levin
John R. Varley
Rand A. Lomas
P. J. Rowcliffe
C. L. Sugiyama
M. E. Hoffstein
Barbara Miller
J. D. Vincent
K. M. McLoughlin

R. N. Robertson, Q.C.
A. D. T. Givens, Q.C.
R. B. Tuer, Q.C.
J. W. Huckle, Q.C.
R. W. Gardner, Q.C.
J. H. Hough
D. G. Merwick
A. M. Schwartz
G. C. Glover, Jr.
D. R. Scott
J. A. Campion
Anne E. Armstrong
William J. Bies
D. C. New
D. G. Stinson
D. N. Corbett
D. K. Bruce
J. F. S. Thomson
D. E. Milner
C. Ian Kyer
B. Selvetzre

Counsel: B. R. MacKenzie, Q.C.
John C. Risk, Q.C.

68161/903

January 18, 1983

The Honourable Claude Bennett,
Minister of Municipal Affairs
& Housing,
Queen's Park,
Toronto, Ontario.

Dear Mr. Bennett:

We are the solicitors for National Sewer Pipe
Limited ("NSP").

We have reviewed with our client the contents
of the letter from the City of Burlington's Mayor, R. L.
Bird, to you dated the 11th day of January, 1983.

Our client is strongly opposed to any further
delays to the processing of NSP's Application to Amend
the Parkway Belt Planning and Development Act (the "Act").

NSP has spent a great deal of time and money
to establish that its property is suitable for a landfill
site. It is not necessary to review the complete history
of NSP's quest to obtain clearance for its landfill site,
however, it should be noted that NSP delayed making its
Application under the Act for approximately seven months
in an effort to accommodate the City of Burlington and
the Regional Municipality of Halton in their efforts to
find a solution to their Solid Waste Management needs.
Our client now wishes to proceed with dispatch to finalize
the amendment under the Act.

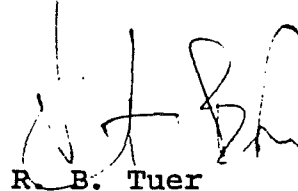
Mayor Bird wishes to delay the Application
until after the Environmental Assessment Study has been
completed. It has been NSP's position throughout that
there is a viable need for its landfill site regardless of

whether the Region determines that it wishes to use the NSP site. Also, it has always been our client's intention to proceed with its Application for approval of its site regardless of whether the Assessment Study recommends the NSP site to the Region. This being the case, the NSP Application does not depend on the results of the Environmental Assessment Study and the amendment under the Act should proceed forthwith.

We understand that the present landfill site being used by the Region and the City of Burlington will reach its capacity in March of 1984. We also understand that the forecast for obtaining approvals for the Regional Site will be some time after that date. Our client believes that if the Application for the required approvals for its site could proceed in an expeditious manner it can be in operation by March of 1984. We are accordingly surprised that the City is not supporting our client in obtaining a timely decision with respect to the Parkway Amendment so that there will be a satisfactory alternative for the City's Solid Waste Program until the Region's Landfill Site has been determined and is on stream.

Yours very truly,

FASKEN & CALVIN



R. B. Tuer

RBT:cap

c.c.: Mayor R. L. Bird
& R. S. Christensen

February 10, 1983

His Worship
Mayor R. L. Bird
City of Burlington
P.O. Box 5013
Burlington, Ontario
L7R 3Z6

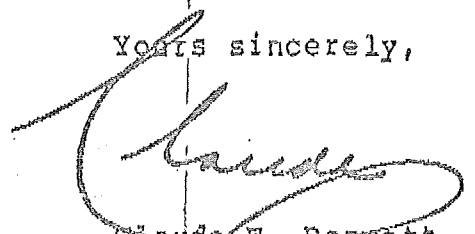
Dear *Rellie*:

I am in receipt of your letter of January 11, 1983, requesting that I suspend further processing of the National Sewer Pipe application to amend the Parkway Belt West Plan.

I understand that senior staff of my ministry will meet soon with officials from the city and the Ministry of the Environment to discuss this matter. Shortly after that meeting is held, I trust I will be in a position to make my decision on your request.

I trust this course of action is satisfactory to you.

Yours sincerely,



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



28161/903

Office of the
Minister

Ministry of
Municipal Affairs
and Housing

Hearst Block
Queen's Park
Toronto, Ontario
M7A 2K5
416/965-6456

February 22, 1983

Mr. R. B. Tuer
Fasken and Clavin
Barristers and Solicitors
Box 30
Toronto-Dominion Centre
Toronto, Ontario
M5K 1C1

Dear *Mr. Tuer*:

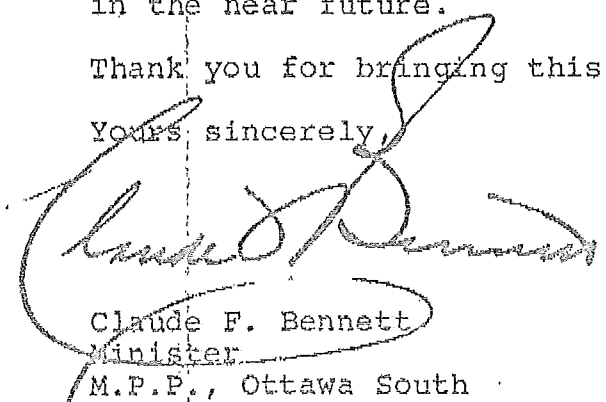
Re: Amendment to the Parkway Belt West Plan
National Sewer Pipe Limited

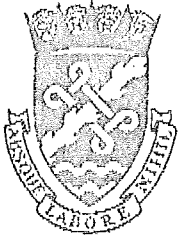
This will acknowledge receipt of your letter of January 18, 1983, regarding the proposed amendment to the Parkway Belt West Plan to allow for a landfill site on the property of National Sewer Pipe Limited in Burlington.

For your information, I have attached a copy of my reply to Mayor R. L. Bird of the City of Burlington's request that further processing of the amendment be suspended. In this reply, I indicated to the mayor that I will not make a decision on his request until your client meets with senior staff of my ministry and until Ministry of the Environment officials meet with officials of the city. It is my understanding that a meeting has been scheduled for February 18, 1983. I hope to be in a position to provide you and the mayor with replies to your respective requests in the near future.

Thank you for bringing this matter to my attention.

Yours sincerely,


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



THE REGIONAL MUNICIPALITY OF HALTON

Office of the Chief
Administrative Officer

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

1983 03 29

BY COURIER

Fasken & Calvin
Barristers & Solicitors
Box 30
Toronto-Dominion Centre
Toronto, Ontario M5K 1C1

Attention: Mr. R. B. Tuer, Q.C.

Dear Mr. Tuer:

Re: National Sewer Pipe Proposed Landfill - Highway 403,
Burlington - Request for Designation of N.S.P. Proposal
under The Environmental Assessment Act

Further to my letter to you under date of February 14th and the meeting which we held with City staff, M.O.E. staff, and Municipal Affairs and Housing staff on February 18th, we have considered the points that were made by yourself and by the consultants to National Sewer Pipe at that meeting. Those comments were considered in conjunction with the Regional Legal Counsel.

You will remember that we asked you and your client to defer its site specific approval applications until after the Environmental Assessment being carried out by Halton was complete or for ideas as to how that process could continue with the necessary Regional involvement in such a way that the Region's own Environmental Assessment of the landfill component required in Halton for waste disposal for the next twenty years would not be undermined or prejudiced.

As a result of that meeting, Regional Council was approached with the attached Report, being C.A.O. 112/83, which report was approved.

The Recommendations contained in that report were adopted by Resolution of Regional Council on March 23 and they have been forwarded to the Lieutenant Governor-in-Council, the Minister of the Environment and the Minister of Municipal Affairs and Housing.

I believe that the Recommendation and the Report speak for themselves.

BURLINGTON
639-4540

HALTON HILLS
ACTON
853-0501

HALTON HILLS
GEORGETOWN
878-8113

MILTON
878-8113

OAKVILLE
827-2151

However, as I have stressed in the letter to the Lieutenant Governor-in-Council, the recommendation is not intended to be an "attack" on the National Sewer Pipe Proposal but rather is a positive attempt to deal with the very difficult problem that the Region has in light of your client's site specific applications for approval and the need for the Region to do a proper Environmental Assessment under The Environmental Assessment Act regarding the landfill component required, if any, to deal with Halton's Solid Waste Management needs over the next twenty years.

We are quite prepared to meet with you to discuss this matter further and to answer any questions that you or your client may have. At that meeting, Regional Legal Counsel could be in attendance to answer any questions you might have for him on a "Without Prejudice" basis.

Yours very truly,



Dennis Y. Perlin,
Chief Administrative Officer

DYP:js

cc: Mr. R. W. J. Moore, Director of Public Works
Mr. R. Mohammed, Director of Planning
Mr. P. Walker, Walker, Wright, Young & Associates Ltd.
Mr. D. Hodgson, Osler, Hoskin & Harcourt
Mr. R. Christensen, National Sewer Pipe Limited

68161/903

July 20, 1983

Mr. David McHugh,
Director of Community Planning
Review Branch,
Ministry of Municipal Affairs
& Housing,
56 Wellesley Street West,
8th Floor,
Toronto, Ontario.
M7A 2K4

Dear Sir:

Re: National Sewer Pipe Limited,
Landfill Application for
Establishment of Landfill on
NSP land in Burlington.

Further to the meeting held in your offices on the 30th day of June, 1983 with respect to the procedure of processing the above-noted application, we have reviewed the matters discussed with our client.

We are instructed to confirm on behalf of our client that they concur, as suggested in the letter of The Honourable Keith C. Norton to the West Burlington Rate Payers Association, that nothing be done to process their various applications until the end of 1983.

Yours very truly,

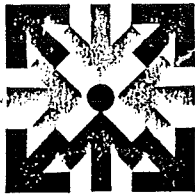
FASKEN & CALVIN

Neil T. Norris

NTN:cap

C.C.: R.S. Christensen, Esq.
R. Tait, Esq.
Dennis Y. Perlin, Esq.
The Honourable Keith C. Norton
M. H. Boggs, Esq.





The Proctor & Redfern Group

Proctor & Redfern Limited
Consulting Engineers and Planners
20 Hughson Street South
Hamilton, Ontario L8N 2A1
Telephone (416) 529-7128

RECEIVED

86 12 18 . EO 79475

DEC 4 1987

PROCTOR & REDFERN LIMITED
ENGINEERS - OTTAWA

Ministry of the Environment
Environmental Approvals and
Project Engineering Branch
135 St. Clair Avenue, West
10th Floor
Toronto, Ontario
M4V 1P5

Attention Mr. C. E. McIntyre
Director of Approvals

Dear Sir

National Sewer Pipe Limited
Proposed Landfill Site, City of Burlington

On 82 04 14 we forwarded to you, on behalf of our client National Sewer Pipe Limited (NSP) an Application for a Certificate of Approval for a Waste Disposal Site (Landfill) on the NSP property in Parts of Lot 2 and 3, Concession 1 and Part of Lot 3, Concession 2 in the former Township of East Flamborough, now in the City of Burlington. Included with the Application were copies of all of the studies and other relevant documentation. A copy of the original Application is included in Appendix 'B'.

At the time of submission of the original Application in April, 1982 the design concept of the site called for an estimated capacity of approximately 1,600,000 Tonnes. The size of the site was reduced from a previous preliminary design due to the presence of a number of plant species that were identified as rare in accordance with a list of rare vascular plants in Ontario as published by Argus & White (1977).

As you are aware the establishment of a new landfill has been the subject of considerable study by the Regional Municipality of Halton. In September, 1982 the Region retained Walker Wright Young Associates Limited to complete an Environmental Assessment of the landfill component of the Regional waste management system.

In an attempt to co-operate with the Region and at the request of the Region, City of Burlington, Ministry of the Environment and the Ministry of Municipal Affairs and Housing, NSP agreed to place its application on hold until such time as the Region completed its Environmental Assessment.

In 1982 - 1984 the list of rare vascular plants in Ontario as published by Argus & White was revised and many of the rare plants on the NSP property

continued....

Att: Mr. C. E. McIntyre, Director

continued.....

were removed from the list of rare plants. As a result of the publication of this revised list we indicated the intent of NSP to revise its original Application for a Certificate of Approval. Notification of this intent was sent to the Regional Municipality of Halton, City of Burlington, Ministry of the Environment and the Ministry of Municipal Affairs and Housing. A copy of our letter of 84 12 04 outlining the intent of NSP to revise its Application is enclosed as Appendix 'C'.

Subsequent to our notification of intent to revise the NSP Application there were further delays in the completion of the Environmental Assessment studies by the Region. In an effort to continue to co-operate with the Region, the City of Burlington, the Ministry of the Environment and the Ministry of Municipal Affairs and Housing it was decided not to submit the revised Application but to continue to wait until the Region had completed its Environmental Assessment study.

In the final report by Walker Wright Young Associates Limited, the NSP lands and some adjacent property to the North were recommended as the preferred landfill site for Halton. Subsequent to the completion of that report further detailed studies of the NSP property and adjacent lands were carried out to the level required for submission under Part V of the Environmental Protection Act. These detailed studies by the Region supported the establishment of a landfill site on the NSP lands in a manner similar to that now contemplated by NSP in its proposed revised Application.

We have now enclosed copies of a revised Application for a Certificate of Approval for a Waste Disposal Site (Landfill) on the NSP property. This Application covers the establishment of a landfill site on the property as generally detailed on Map 13D. The site will have a capacity of 3,754,000 Tonnes. This revised Application and Map 13D are enclosed as Appendix 'A'.

We are now reviewing the status of our previous reports and will submit the appropriate amendments to these reports as soon as they are completed.

Yours very truly

The Proctor & Redfern Group



R. Tait, P. Eng.
Branch Manager

RT:rm
Encl.

- c.c. Mr. Christensen - NSP
- c.c. Mr. Tuer - Faskin & Calvin
- c.c. Mr. R. Mohammed - Region of Halton
- c.c. Mr. A. Ramsey - City of Burlington
- c.c. Mr. G. Mierzynski - Ministry of Environment
- c.c. Mr. L. Fincham - Ministry of Municipal Affairs



Ministry
of the
Environment

Ontario

APPENDIX A

Revised Application
(Original Application April 13, 1982)

For Office Use

Application Number

APPLICATION FOR A CERTIFICATE OF APPROVAL
FOR A WASTE DISPOSAL SITE (LANDFILL)

IMPORTANT NOTE:

If this application is for notification of changes in use, operations, or ownership, specify the MOE number on your certificate _____ and fill in only the data on this form which are being revised.

1. Applicant:

Municipal () Provincial () Other ☒ (X)

Name: National Sewer Pipe Limited

Address: P. O. Box 1800 Postal Code: L6J 5C7

City/Prov.: Oakville, Ontario Telephone: 822-7900

If Applicant not Municipal or Provincial complete the following:

() Proprietorship
Name, if different than applicant: _____ (X) Corporation: President's Name:
R. S. Christensen

() Partnership - Name all partners:

(i) _____

(ii) _____

2. Land Owner: (if not applicant)

Name: _____

Address: _____

3. Lessee (if applicable)

Name: _____

Address: _____

4. Site Operator

Name: National Sewer Pipe Limited Title: Owner

Address: P. O. Box 1800, Oakville, Ontario L6J 5C7

5. Site Location:

Former Township of
East Flamborough

City ☒ (X)

Concession: _____

Town () Name: Burlington

Lot No: _____

Village ()

Part of Lot: 2 & 3 Conc 1, 3 Conc.

Township ()

Street Address: North Service

Other Regional Municipality of Halton

Road _____

Include a copy of the plan of survey of any lands on which the site is to be located.

6. Site Characteristics and Waste Category

- a. Present land use Licensed Extracting Shale Quarry
- b. Present Official Plan designation of site Parkway Belt West Plan - Special and General
- c. Present zoning category 'Development Zone' - subject to Ontario Regulation 482/ Complimentary Use
- d. Present land use of all adjoining properties to be provided on location map.
- e. Rate at which site can receive waste per day.

Domestic 355 ^{(X) Tonnes} _{() Cu. Meters} Commercial 235 ^{(X) Tonnes} _{() Cu. Meters}

If any of the following waste categories are intended to be received at the site, attached a description of each, including their source to the Application.

Liquid Industrial N/A ^{() Tonnes} _{() Cu. Metres} Non Hazardous Solid Industrial Above ^{See (X) Tonnes} _{() Cu. Metres}
_{() Litres} _{() Litres}

Hazardous N/A ^{() Tonnes} _{() Cu. Meters} Other ^{() Tonnes} _{() Cu. Meters} Inert Wastes will be
_{() Litres} _{() Litres} **Accepted at the Site**

- f. Number of days/year the site is open 310
- g. Population served 264,498
- h. Names of all municipalities/major industries intended to be served by the site
- | | |
|------------------------|--|
| 1) <u>Burlington</u> | 4) <u>Milton</u> |
| 2) <u>Oakville</u> | 5) <u>Any Industry Disposing of Non-Hazardous Solid Industrial Waste</u> |
| 3) <u>Halton Hills</u> | |
- i. Total area of site 81.2 hectares or 200.6 acres
- j. Total area to be filled 40.5 hectares or 100 acres
- k. Estimated capacity of the site 3,754,000 tonnes or 6,319,000 cu. meters
- (Rate per day and EST Capacity must be in the same measurement)

7. For enlargement and/or change of site only

- a. Additional Life Expectancy N/A years
- b. Additional Area Applied for N/A (hectares)
- c. New Total Area of Site (hectares)
- d. Name's of New Municipalities potentially served (1)
- (2) (4)
- (3) (5)

8. Control System

- a. Monitoring for - Gas ☒ Yes ☐ No - Ground Water ☒ Yes ☐ No - Surface Water ☒ Yes ☐ No
- b. Control system for - Gas ☐ Yes ☒ No - Gas utilization ☐ Yes ☒ No - Leachate ☒ Yes ☐ No

9. List all Supporting Documents Submitted with this Application.

Proctor & Redfern Limited 1) Design Report (including one roll of drawings)
2) Environmental Appraisal Report
3) National Sewer Pipe Description

Morrison Beatty Limited 4) Phase I Hydrogeologic Investigation July 1979

10. Signature

Applicant Name (Printed)

5) Phase II Hydrogeologic Investigation June 1980
6) Phase III Hydrogeologic Investigation November 1981
* See below

Title

R. S. Christensen
President

(Signature)

Date

November 16 / 86

SEAL OF COMPANY
(if applicable)

*7) All relevant documentation prepared on behalf of the Regional Municipality of Halton to support its application for a Certificate of Approval for a Waste Disposal (Landfill) on the same property.

8) Amendments to Items 1) to 6) inclusive as prepared by Proctor & Redfern Limited and Morrison Beatty Limited.

82 04 14

Project EO 79493

Mr. G. Mierzynski
Acting Director
Central Region
Ministry of the Environment
Suite 700
150 Ferrand Drive
Don Mills, Ontario
M3C 3C3

Dear Sir

Landfill Site Application
National Sewer Pipe Limited
Burlington, Ontario

On behalf of National Sewer Pipe Limited, we submit herewith the enclosed application pursuant to Part V of the Environmental Protection Act, 1971, for a Certificate of Approval for a Waste Disposal Site (Landfill).

Two copies of the application and supporting documentation are enclosed for your use. As requested, we have also distributed copies of the application and supporting documentation as follows:

- Mr. T. W. Cross
Director
Environmental Approvals Branch
Ministry of the Environment
135 St. Clair Avenue West
Toronto, Ontario
M4V 1P5
- Mr. D. Y. Perlin
Chief Administrative Officer
Regional Municipality of Halton
P.O.Box 7000
1151 Bronte Road
Oakville, Ontario
L6J 6E1

continued.....

82 04 14

Page 2

Mr. G. Mierzynski
Acting Director - Central Region
Ministry of the Environment

cont'd....

- Mr. M. H. Boggs
Chief Administrative Officer
Corporation of the City of Burlington
P. O. Box 5013
City Hall
Burlington, Ontario
L7R 3Z6

The supporting documents to the application include:

Proctor & Redfern Limited

- Design Report (including 1 roll of drawings) April 1982
- Environmental Appraisal Report March 1982
- Property Description

Morrison Beatty Limited

- Phase I Hydrogeologic Investigation July 1979
- Phase II Hydrogeologic Investigation June 1980
- Phase III Hydrogeologic Investigation November 1981

We are presently obtaining a certified copy of a list of adjacent property owners. This list will be forwarded to you as soon as it is available.

We would be pleased to make a presentation to Ministry staff to outline the proposal and answer any questions.

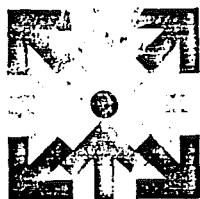
Yours very truly

The Proctor & Redfern Group

R. Tait, P. Eng.
Project Manager

RT:at
Encl.

- c.c. Mr. D. Y. Perlin
- c.c. Mr. T. W. Cross
- c.c. Mr. M. H. Boggs
- c.c. Mr. R. Tuer
- c.c. Mr. R. New
- c.c. Mr. M. Bacon



The Proctor & Redfern Group

APPENDIX C

Proctor & Redfern Limited
Consulting Engineers and Planners
20 Hughson Street South
Hamilton, Ontario L8N 2A1
Telephone (416) 529-7128

84 12 04 EO 79475

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

Attention Mr. R. Mohammed
Director of Planning

Dear Sir

National Sewer Pipe Limited
Proposed Landfill Site

You will recall that the southern limit of the proposed landfill site on the NSP property was revised due to the identification of a number of rare plants on the property. This revision to the southern boundary of the site resulted in a considerably reduced capacity for that site.

The designation of these plants as rare in our Environmental Appraisal dated March 1982 was based on the then current edition of The Atlas of the Rare Vascular Plants of Ontario by Argus and White, which is the reference used in the Province of Ontario to designate rare plants.

The new edition of The Atlas of the Rare Vascular Plants of Ontario Part 1 (1982), Part 2 (1983) and Part 3 (Nov. 1984) now only lists the following species found on the NSP property as rare:

- | | |
|-------------------------|------------------|
| • Carex gracilescens | Sedge |
| • Frasera caroliniensis | American Columbo |

The following six species of plants originally identified as rare and no longer considered rare:

- | | |
|----------------------------|--------------------|
| • Anemonella thalictroides | Rue Anemone |
| • Arabis canadensis | Sicklepod |
| • Geum laciniatum | Rough Avens |
| • Juglans nigra | Black Walnut |
| • Ranunculus hispidus | Bristly Buttercup |
| • Vaccinium pallidum | Mountain Blueberry |

The net result of this change in the number of rare plants found on the NSP property is that the southern limit of the east half of the

continued

Attention Mr. R. Mohammed

.... cont'd.

proposed landfill area on the NSP property can be moved further south almost to the original alignment prior to the discovery of the originally designated rare plants. In addition, it is now possible to also extend the site further to the east, south of the adjacent Bayview landfill site.

These changes will result in a substantial increase in the potential capacity of this site.

We are now reviewing the full implications of this change and the substantial increase in capacity now available at this site and will be revising our applications to suit.

Yours very truly

The Proctor & Redfern Group

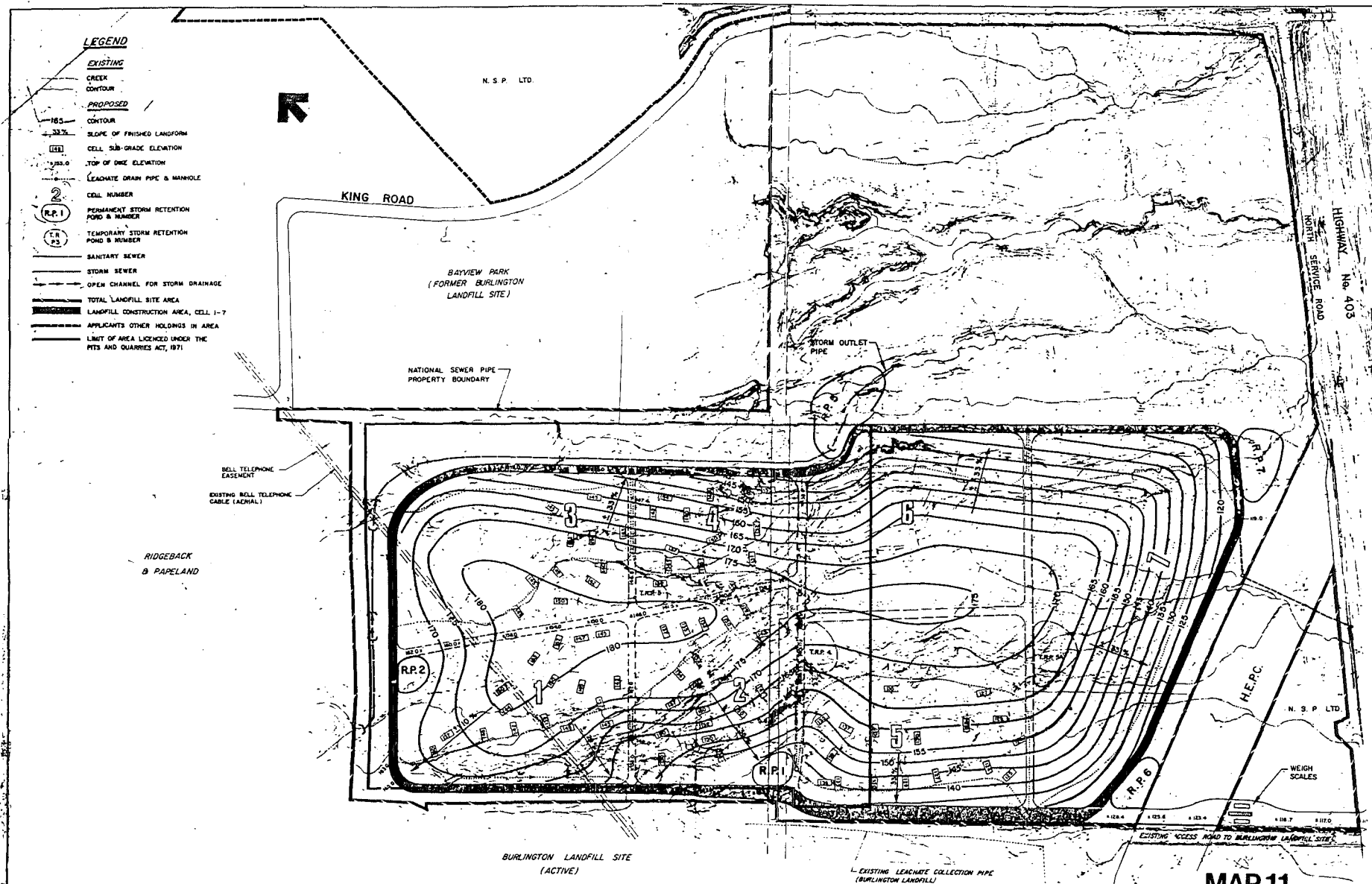


R. Tait, P. Eng.
Branch Manager

RT:at

c.c. M. H. Boggs, City of Burlington :
R. Christensen
R. Tuer
Walker Wright Young
M. Bacon
H. Donnelly, M.O.E.
J. Livey, Ministry of Housing

b.c.c. D. Schram
P. Niblett
H. Dahme (D.Estrin)



Approval

1	CELLS 1 TO 10 REMOVED TO CELLS 1 TO 7	OCT 24	RPM/DP
2	AREA OF CELLS 1, 2 & 3 - REVISED	MAY 1981	RPM/DP
3	CELLS 6 TO 10 ADDED TO FINAL LANDFORM	SEP 27	RPM/DP
4	CELLS 6 TO 10 ADDED TO FINAL LANDFORM	SEP 27	RPM/DP
5	CELLS 6 TO 10 ADDED TO FINAL LANDFORM	SEP 27	RPM/DP
6	CELLS 6 TO 10 ADDED TO FINAL LANDFORM	SEP 27	RPM/DP
7	CELLS 6 TO 10 ADDED TO FINAL LANDFORM	SEP 27	RPM/DP
8	CELLS 6 TO 10 ADDED TO FINAL LANDFORM	SEP 27	RPM/DP
9	CELLS 6 TO 10 ADDED TO FINAL LANDFORM	SEP 27	RPM/DP
10	CELLS 6 TO 10 ADDED TO FINAL LANDFORM	SEP 27	RPM/DP



NATIONAL SEWER PIPE LIMITED
 PROPOSED SANITARY LANDFILL (MODIFIED)
 CELLS 1 TO 7 - FINAL LANDFORM



Proctor & Hedern Limited
 Consulting Engineers
 Toronto, Hamilton
 Date: JANUARY, 1982
 Drawn By: [Signature]
 Field Book: [Blank]
 Drawing No.: A1-79475-G11D
 Rev: [Blank]





The
Proctor & Redfern
Group
Consulting Engineers and Planners

45 Green Belt Drive
Don Mills, Ontario, Canada M3C 3K3
Telephone (416) 445-3600
Fax (416) 445-5276 Telex 06-986173

86 12 08 Project EO 79475

Mr. L.J. Fincham, Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs
777 Bay Street
Toronto, Ontario M5G 2E5

Dear Mr. Fincham

**Amendment to the Parkway Belt West Plan
Revised Application
Part of Lots 2 and 3, Concession 1
and Part of Lot 3, Concession 2
City of Burlington, Region of Halton**

1.0 BACKGROUND

We act for National Sewer Pipe Limited, the owners of the subject lands. An amendment application was submitted to the Ministry of Housing on July 3rd, 1981 pursuant to the provisions of Section 8 of the Ontario Planning and Development Act. The original application proposed that 28.56 hectares of the 78 hectares owned by our client would be utilized for a non-hazardous waste landfill site. A large part of the site was licenced in 1972 as a shale quarry; at the time of application it was used for this type of operation and still is so used to some extent. The proposed landfill use would be an appropriate method of rehabilitating the quarry site, in our view.

The original application requested an amendment to Ontario Regulation No. 482/73, the Minister's Zoning Order, which also covers our client's lands. A copy of the original application package was submitted to the City of Burlington on July 3rd, 1981 and the Region of Halton on July 8th, 1981. A revised application of January 15th, 1982 was forwarded to the City of Burlington, the Region of Halton, and the Ministry of Housing. The revised application of January 15th, 1982 proposed that 20.6 hectares be utilized for a landfill operation instead of 28.56 hectares.

Both the original and revised application requested that Ontario Regulation 482/73 be amended as well as the Parkway Belt Plan, if required. There was considerable discussion and debate as to whether an amendment to the Parkway Belt West Plan was required and whether the proposal conformed to the intent of the Parkway Belt West Plan. The latter question was resolved to some extent in a letter of June 24th, 1986 from the Minister of Municipal Affairs to the Chairman of the Region of Halton. The letter states that the Region of Halton undertaking known on Landfill Site F is deemed not to conflict with the Parkway Belt West Plan. The letter goes on to state that based on the goals of the Plan, specifically Goal No. 3 a Regional landfill site is allowed. In essence this letter clarifies that a public sector (Regional) undertaking does not require an amendment to the Plan. As noted below, it was previously determined that a private proposal for this use required an amendment.

In April, 1982, an application was submitted to the Ministry of Environment for a Certificate of Approval pursuant to Part V of the Environmental Protection Act (1971). A Design Report and Environmental Appraisal Report prepared by our firm was submitted in support of this application along with hydrogeological reports from Morrison Beatty Limited.

To expedite approvals at all levels of government, our firm applied for an Official Plan Amendment from the Region of Halton on May 17th, 1982 and the City of Burlington May 31st, 1982 to permit the proposed landfill use. In addition, a rezoning application was submitted to the City of Burlington May 31st, 1982 to amend the City's comprehensive Zoning By-law No. 4000-3.

On September 3rd, 1982, the Minister of Housing agreed to initiate an amendment to the Parkway Belt West Plan and requested our firm to prepare an amendment. On November 9th, 1982, a draft amendment was submitted to the Ministry. On November 11th, 1982 a copy of the draft amendment was forwarded to the Ministry of the Environment. A revised draft was submitted to the Ministry of Housing November 25th, 1982 and a final version submitted December 22nd, 1982.

2.0 REGION OF HALTON LANDFILL STUDY

The Region of Halton initiated a major study of future landfill requirements in July, 1982. The study included a site selection process. In essence, the above noted package of applications prepared and submitted by our firm for the National Sewer Pipe lands were deferred pending the outcome of this Regional study. The Halton study is now essentially complete in terms of research, and it appears a preliminary hearing will be held in January, 1987, and a full hearing in March, 1987 before the Environmental Assessment Board. The Region's consultants recommended our client's lands (Site 'F') as the 'preferred' site. A final comparative report between this site (F) and a site in the Town of Milton is expected early in the new year but we do not expect the basic conclusion on Site 'F' to alter.

3.0 REVISED AMENDMENTS

As a result of the findings of the Halton study, we are herein requesting that our amendment application be revised so the area of our client's lands to be utilized for landfill purposes is consistent with the proposals of the Region of Halton study, as reflected in the June, 1986, drawing No. 11 by Hydrology Consultants. The Region's consultants recommended that a larger area of our client's lands be included to meet the demand for a regional facility over a 20-year time span. Extensive supporting documentation was prepared which we do not feel needs to be duplicated at this time to justify the extension of the area proposed for the same use for which we previously applied and submitted appropriate supporting documentation.

A conceptual site plan is enclosed which reflects the revised area proposed for landfill purposes. As noted above, the revised proposal of January 15th, 1982 which was the basis for the draft amendment, proposed an area of 20.6 hectares for landfill. This revision would expand the landfill area to 40.5 hectares of the total 78 hectare site.

A revised, separate, application to the Ministry of the Environment under Part V of the Environmental Protection Act will be submitted in the near future to reflect this submission. Additionally we will be requesting the Region of Halton and City of Burlington to amend our previous application for Official Plan Amendments and a Rezoning to reflect this revised proposed amendment to the Parkway Belt West Plan. Copies of this correspondence is enclosed.

With regard to the text and maps of the draft amendment of December, 1982, the 20 hectare area we now propose to add for landfill use is already designated 'Special Complimentary Use Area'. Therefore, no additional land requires redesignation from the General Complimentary Use designation in our draft amendment. (A copy of the draft amendment is also enclosed, for your information.) Therefore, Map 2 of the original draft amendment does not need to be altered, but the conceptual site plan of Page 18 of the appendix requires revision and a revised version is enclosed. The text does not require alteration, in our view, for reasons noted above.

If we can provide further information, please contact us at your convenience. If a meeting would be beneficial to discuss the processing of this revised proposal, we would be pleased to attend, at your convenience.

Yours very truly

The Proctor & Redfern Group



M.J. Bacon, M.C.I.P.

MJB/am
Encl.

cc: Mr. B. Tuer
Mr. B. Christensen
Mr. R. Tait



The
Proctor & Redfern
Group
Consulting Engineers and Planners

45 Green Belt Drive
Don Mills, Ontario, Canada M3C 3K3
Telephone (416) 445-3600
Fax (416) 445-5276 Telex 06-986173

December 8th, 1986 Project EO 79475

Ms. H. McRae, Clerk
City of Burlington
P.O. Box 5013
426 Brant Street
BURLINGTON, Ontario
L7R 2Z6

Dear Ms. McRae

**Application For Official Plan Amendment
and Rezoning - Part of Lots 2 and 3, Conc. 1
and Part of Lot 3, Conc. 2,
City of Burlington**

On May 31st, 1982 we submitted an application for an Official Plan Amendment and rezoning on behalf of our client, National Sewer Pipe Limited. The amendment was required to permit a non-hazardous waste landfill site on our client's lands. An application to amend the Parkway Belt West Plan was submitted to the Ministry of Housing on January 15th, 1982 and a copy was forwarded to the City of Burlington.

As you know, our application has been deferred for some time pending the Region's major landfill study which is now essentially complete, in terms of research and site selection study. This study recommended our client's lands as a preferred location for a regional landfill facility. Extensive supporting documentation was prepared by the Region's consultants to support the selected Site 'F'.

We are requesting that our application for an Official Plan Amendment and rezoning be revised at this time to reflect the Region's proposal for a landfill use on our client's land in terms of the area to be utilized for this facility. The Region's consultants propose to utilize about 40.5 hectares of our client's land while our proposal of January and May 1982 proposed to utilize about

Continued

Ms. H. MacRae, Clerk

Page 2 December 8th, 1986

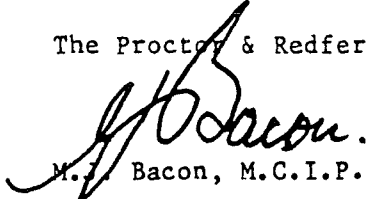
20.6 hectares. A revised site plan is enclosed to reflect the larger area of 40.5 hectares. In brief, we propose to add about 20 hectares of land to the actual landfill site so our proposal is consistent with the proposal of the Region's consultants. We do not feel that duplication of the Region's research to support this proposal is required at this time. Our engineers are satisfied the site can be used to operate a safe facility at this scale of operation and we believe the Region's research is adequate in this regard.

A revised application to the Ministry of the Environment for a certificate under Part V of The Environmental Protection Act will be submitted in the near future to reflect this revised proposal. We are also requesting the Region of Halton to amend our application for an Official Plan Amendment to the Region of Halton Official Plan to reflect this revised proposal. A revised application for an amendment to the Parkway Belt West Plan will be submitted concurrently with this submission to the Region and City.

Should you wish to meet to discuss this request further, please contact us at your convenience. If we can clarify any of the above, we would be pleased to do so.

Yours very truly

The Proctor & Redfern Group



M.J. Bacon, M.C.I.P.

WF/ro

cc: B. Tuer
B. Tait
B. Christenson



The
Proctor & Redfern
Group
Consulting Engineers and Planners

45 Green Belt Drive
Don Mills, Ontario, Canada M3C 3K3
Telephone (416) 445-3600
Fax (416) 445-5276 Telex 06-986173

December 8th, 1986 Project EO 79475

Mr. D.J. Varley, Clerk
The Region of Halton
P.O. Box 7000
1151 Bronte Road
OAKVILLE, Ontario
L6J 6E1

Dear Mr. Varley

**Application For Official Plan Amendment
Part of Lots 2 and 3, Conc. 1 and
Part of Lot 3, Conc. 2,
City of Burlington**

On May 17th, 1982 we submitted an application for an Official Plan Amendment on behalf of our client, National Sewer Pipe Limited. The amendment was required to permit a non-hazardous waste landfill site on our client's lands. An application to amend the Parkway Belt West Plan was submitted to the Ministry of Housing on January 15th, 1982 and a copy was forwarded to the Region.

As you know, our application has been deferred for some time pending the Region's major landfill study which is now essentially complete, in terms of research and site selection study. This study recommended our client's lands as a preferred location for a regional landfill facility. Extensive supporting documentation was prepared by the Region's consultants to support the selected Site 'F'.

We are requesting that our application for an Official Plan Amendment be revised at this time to reflect the Region's proposal for a landfill use on our client's land in terms of the area to be utilized for this facility. The Region's consultants propose to utilize about 40.5 hectares of our client's land while our proposal of January and May 1982 proposed to utilize about 20.6

Continued

Mr. D.J. Varley, Clerk

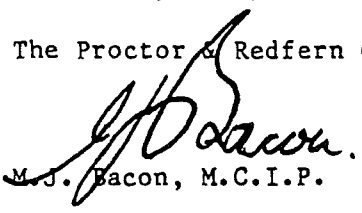
hectares. A revised site plan is enclosed to reflect the larger area of 40.5 hectares. In brief, we propose to add about 20 hectares of land to the actual landfill site so our proposal is consistent with the proposal of the Region's consultants. We do not feel that duplication of the Region's research to support this proposal is required at this time. Our engineers are satisfied the site can be used to operate a safe facility at this scale of operation and we believe the Region's research is adequate in this regard.

A revised application to the Ministry of the Environment for a certificate under Part V of The Environmental Protection Act will be submitted in the near future to reflect this revised proposal. We are also asking the City of Burlington to amend our application for an Official Plan Amendment and rezoning to reflect this revised proposal. A revised application for an amendment to the Parkway Belt West Plan will be submitted concurrently with this submission to the Region of Halton.

Should you wish to meet to discuss this request further, please contact us at your convenience. If we can clarify any of the above, we would be pleased to do so.

Yours very truly

The Proctor & Redfern Group


M.J. Bacon, M.C.I.P.

WF/ro

cc: B. Tuer
B. Tait
B. Christenson

THE PARKWAY BELT WEST PLAN
JULY, 1978

AMENDMENT # _____

DRAFT PREPARED BY:

PROCTOR & REDFERN LIMITED
45 GREEN BELT DRIVE
DON MILLS, ONTARIO
M3C 3K3

E.O. 79475

DECEMBER, 1986

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AMENDMENT NO. _____
TO THE PARKWAY BELT WEST PLAN,
JULY 1978

A. BASIS OF THE AMENDMENT*

The Minister of Municipal Affairs and Housing has received a request for an amendment to The Parkway Belt West Plan, July 1978 with respect to certain land in the City of Burlington, Regional Municipality of Halton, owned by National Sewer Pipe Limited. The land in question is located within part of Lots 2 and 3, Concession 1 and part of Lot 3, Concession 2 in the City of Burlington, Region of Halton (formerly the Township of East Flamborough).

The land is presently designated partly as General Complementary Use Area (portion within Concession 2) and partly as Special Complementary Use Area (portion within Concession 1). The General Complementary Use Area designation permits agricultural uses, institutional uses, recreational uses, public uses, residential uses (under specific conditions) and some other uses. The Special Complementary Use Area designation permits the same uses as in the General Complementary Use Area, and in addition some industrial uses in accordance with Section 6.2.3(q) as well as uses in existence prior to the establishment of The Parkway Belt West Plan - 1978.

* Note: Basis of the Amendment does not form part of this amendment.

B. THE AMENDMENT

1. Part (q) to Section 6.2.3 is revised by the deletion of:

"q) In the Special Complementary Use Area located north of Highway 403, between the Burlington Landfill Site and the Burlington-Guelph Electric Transmission Line, permit uses set out in Subsection 5.5.1."

and inserting in place thereof:

"q) In the Special Complementary Use Area located north of Highway 403, between King Road and the Burlington-Guelph Electric Transmission Line, and in the Special Complementary Use Area bounded by Highway 403 to the south, the limit between Concession 1 and Concession 2 in the City of Burlington, Region of Halton (formerly the Township of East Flamborough) to the north, the Region of Halton (Burlington) landfill site to the west, and King Road to the east, permit uses set out in Subsection 5.5.1."

2. Two new sections are introduced to Part 6.2.3 as follows:

Section 6.2.3(s)

- In the Special Complementary Use Area in Lot 3, Concession 2, City of Burlington, Region of Halton and the northwest quarter of Lot 3, Concession 1 and the northerly 150 metres of the northeast quarter of Lot 3, Concession 1 in the City of Burlington, Region of Halton, permit uses set out in Subsection 5.5.1.

Subject to Subsection 5.1.3, the Plan permits a non-hazardous waste landfill site.

The Plan does not permit uses beyond those set out in Subsection 5.5.1 until the appropriate application for a Certificate of Approval has been submitted to the Ministry of the Environment, pursuant to the appropriate and applicable legislation, and is approved by the Ministry of the Environment.

Such a development shall, to the maximum possible degree:

- Secure an open space character in the area.
- Rehabilitate the topographic scar, created by the legal on-going shale quarrying operation, in order to provide an end use as envisioned by the Plan.

Section 6.2.3(t):

- In the Special Complementary Use Area bounded by Highway 403 to the south, the limit between Concession 1 and Concession 2 in the City of Burlington, Region of Halton (formerly the Township of East Flamborough, County of Halton) to the north, the Region of Halton (Burlington) Landfill Site to the west and King Road to the east, permit uses set out in Subsection 5.5.1.

Subject to Subsection 5.1.3, the Plan permits ancillary/complementary uses to the non-hazardous waste landfill site described in 6.2.3(s). These ancillary/complementary uses may include but not be limited to: a resource recovery facility; a refuse derived fuel (RDF) plant; an energy from waste (EFW) facility; a waste transfer facility; a waste processing and conditioning facility; all of which shall be subject to appropriate and applicable legislation,

uses. Other residential land uses to the east, west and north are effectively buffered by a combination of distance, topography, and woodlots.

The provision of a sanitary landfill site in the immediate vicinity of two sites, that have for close to half a century been used for identical purposes, is a prudent proposition since established patterns of land use and transportation will be continued.

The restoration of the property in conjunction with adjacent land uses and land forms would unquestionably be desirable and would facilitate an end use in conformity with the spirit of the Parkway Belt West Plan's goals, objectives and policies.

5. Explanation of the Amendment

The amendment to the Parkway Belt West Plan identifies areas and sets out permitted uses in these areas. The Conceptual Site Plan attached hereto indicates the three areas affected by the amendment.

Area 1

Permitted Uses:

- All uses permitted in a General Complementary Use Area. Existing Section 5.5.1
- The industrial uses already permitted by the Parkway Belt West Plan. Existing Section 6.2.3(q)
- Ancillary/Complementary uses to non-hazardous waste landfilling operations such as: New Section 6.2.3(t)
 - resource recovery facility
 - refuse derived fuel (RDF) plant
 - energy from waste (EFW) facility
 - waste transfer facility
 - waste processing and conditioning facility

Applicable Regulations:

- For industrial uses already permitted: Existing Section 6.2.3(q)

Subject to Subsection 5.1.3, the Plan permits some further industrial development in this area. The plan does not permit uses beyond those set out in Subsection 5.5.1 until a comprehensive restricted area by-law and development agreements under Section 35a of the Planning Act have been prepared in consultation with municipal authorities, Provincial ministries, and other concerned persons or agencies, and subsequently approved by the appropriate authorities.

Buildings and structures associated with such industrial uses may have a maximum lot coverage of 20%, exclusive of parking and shall meet the following conditions:

- i) No uses are permitted which might create obnoxious sounds, ordours, fumes or vibrations.
- ii) All uses except parking are enclosed.
- iii) Buildings or structures for industrial purposes do not exceed a maximum of one storey in height, and buildings and structures for associated office uses do not exceed a maximum of two storeys.
- iv) Adequate parking facilities are provided on the lands for employees and visitors. These facilities shall be landscaped, suitably screened, and paved with a dust-free all-weather surface.
- v) No outside storage of goods or materials is permitted.
- vi) The open-space character of the area is secured to the maximum possible degree.

- vii) Setbacks for buildings and structures along North Service Road and King Road are not less than 400 feet from the centre line of these roads.
 - viii) Ample landscaping, tree planting, and berms are provided on the 400 foot-setback areas set out in Clause (vii) above, as well as on the remaining lands.
 - ix) Wooded areas, hedgerows, and trees are protected to the maximum possible degree.
 - x) The creation of new lots is strictly limited.
 - xi) Any other conditions required to secure the provisions of the Plan are satisfied.
- For ancillary/complementary uses to non-hazardous waste landfilling operations. New Section 6.2.3(t)

These uses shall be subject to appropriate and applicable legislation and approved by the Ministry of the Environment. The Plan does not permit uses beyond those set out in Subsection 5.5.1 until the appropriate application for a Certificate of Approval has been submitted to the Ministry of the Environment, pursuant to the appropriate and applicable legislation, and is approved by the Ministry of the Environment.

Such ancillary/complementary development(s) shall, to the maximum possible degree:

- Protect wooded areas, hedgerows and trees.

- Enclose within buildings or fences as may be appropriate all uses on the site except for paved driveways and parking areas.
- Provide parking facilities on the land for employees and visitors. The said facilities shall be landscaped, suitably screened, and paved or treated with a dust-free all-weather surface.
- Secure an open space character in the area.
- Provide a setback of 120 metres, for buildings and structures, from the centre line of the North Service Road of Highway No. 403, and King Road.
- Provide and maintain suitable landscaping and tree planting, on the 120 metre setback area as set out in the proceeding clause.

Area 2

Permitted Uses:

- | | |
|--|------------------------|
| ● All uses permitted in a General Complementary Use Area | Existing Section 5.5.1 |
| ● Non-hazardous waste landfill site. | New Section 6.2.3(s) |

Applicable Regulations:

- Non-hazardous waste landfill site.

The Plan does not permit uses beyond those set out in Subsection 5.5.1 until the appropriate application for a Certificate of Approval has been submitted to the Ministry of the Environment, pursuant to the appropriate and applicable legislation, and is approved by the Ministry of the Environment.

New Section
6.2.3(s)

Such a development shall, to the maximum possible degree:

- Secure an open space character in the area.
- Rehabilitate the topographic scar, created by the legal on-going shale quarrying operation, in order to provide an end use as envisioned by the Plan.

Area 3

Permitted Uses:

- All uses permitted in Area 1.
- All uses permitted in Area 2.

Applicable Regulations:

- The various regulations appropriate and applicable to the respective permitted uses.

6. Conformity with Official Plans

6.1 The Regional Plan - Regional Municipality of Halton

The Official Plan for the Halton Regional Planning Area was adopted by Regional Council on September 6th, 1978 and approved by the Minister of Housing on August 1st, 1980.

The NSP land is generally identified in Map 1 "The Regional Concept" of the Regional Plan as being within a "Provincial Policy Area." Specifically, the lands are designated as "Parkway Belt Complementary Use Area". It is the intent of the Regional Plan to recognize the limits, policies and land use designations of the Parkway Belt West Plan as described in part III:B1;

"The development of those lands in the Halton Planning Area that are affected by the Parkway Belt West Plan shall be governed by the provisions of the Parkway Belt West Plan, July 1978, which forms part of the Official Plan, and in the case of any discrepancy between the Parkway Belt West Plan and the remainder of this Official Plan, the provisions of the Parkway Belt West Plan shall prevail."

Map 4 of the Regional Plan identifies the NSP land as a "Mineral Resource Extraction Area", also as a "Protection Area."

Part III, Section C of the Regional Plan describes a number of policies with respect to Mineral Resources which have relevance to the NSP site and the current application;

'C.4h) Restrict extractive operations to lands identified as Mineral Resource Extraction Areas.'

'C.5c) Recognize Mineral Resource Extraction as an interim land use, which through proper rehabilitation can lead to a desirable or even improved land use.....'

Map 5 of the Regional Plan "Hazard Lands" indicates part of the NSP land as "Hazard Land" in the Regional Plan. The construction of permanent structures on designated Hazard Lands is not permitted.

The Regional Plan also provides policies in the area of solid waste management which have relevance to the NSP proposal. These are noted below:

'D.3.8) View of the use of land for landfill during the operational life of the site as an interim use, until such time as the land is rehabilitated in accordance with the long term end uses suggested by local Plans and in accordance with the requirements of the Ontario Ministry of the Environment.'

'D.3.9) Locate sanitary landfills where feasible on lands less suited to other purposes,.....'

6.2 City of Burlington Official Plan (Amendment No. 49) and Amendment No. 101

The Official Plan for the City of Burlington is Amendment No. 49 which was approved by the Ontario Municipal Board on June 16, 1971.

The NSP site was designated in OPA 49 as "Development Area", in which, generally, detailed land use studies were required before major urbanization would have been permitted.

The NSP site is within the planning area of the approved Parkway Belt West Plan and the PBWP requires that all local official plans and zoning bylaws be amended to implement the Plan. The PBWP land use designations, goals and policies were adopted by the City of Burlington in whole on July 14, 1980, by Bylaw 91-1980 as Amendment No. 101 to the Official Plan. Amendment No. 101 was approved by the Minister of Housing on August 26, 1980.

Section 2.1 of the Official Plan (Amendment 101) Parkway Belt West Plan states that:

"The development of those lands in the Burlington Planning Area that are affected by the Parkway Belt West Plan shall be governed by the provisions of the Parkway Belt West Plan, July 1978 which forms part of the Official Plan, and in case of any discrepancy between the Parkway Belt West Plan and the remainder of this official plan, the provisions of the Parkway Belt West Plan shall prevail."

Thus the PBWP land use designations, as adopted by Official Plan Amendment No. 101 and the PBWP goals, objectives and policies, pertain to the future development of the NSP site.

7. Conformity with Zoning Bylaw

City of Burlington Zoning Bylaw 4000-3 was approved by the Ontario Municipal Board, in part, on August 25, 1969 and, in full, April 20, 1970.

The NSP site is designated as "D - Development Zone" which means land which is awaiting development or redevelopment pending the availability of adequate municipal services and detailed planning studies, and shall require future amendments to the Zoning Bylaw all in accordance with "The Official Plan Land Use Policies and Regulations".

Low intensity urban uses as well as institutional, recreational and agricultural uses, are permitted within a "Development Zone".

Zoning Bylaw 4000--3 has not yet been amended to implement the PBWP land use designations. Until such time as the Bylaw is amended, Ontario Regulation 482/73 supersedes Zoning Bylaw 4000-3 where a discrepancy may occur.

With regard to the application by NSP to establish and operate a non-hazardous waste landfill site Ontario Regulation 482/73 appears to be the "Zoning" regulation controlling the land and will require amendment subsequent to the approval of this amendment, to permit the landfill operation, proposed by NSP; which is the subject of this amendment.

8. Site and Existing Uses

The predominant land use on the proposed landfill site is the quarrying of shale under The Pits and Quarries Control Act, 1971. The quarrying of shale by NSP on the proposed landfill site and on the NSP land east of King Road has been taking place over the past 80 years. It is estimated that shale extraction could continue on the land for another twenty or thirty years.

The site proposed for landfilling is characterized by deep ravines, intermittent streams and wooded areas. Locally, the area is known as the 'badlands'. In addition to the site being used as a shale quarry, it is also used by all terrain vehicles. The unauthorized use of the site by these vehicles has created a system of trails and bike paths throughout the property.

9. Adjacent Land Uses

Land uses in the general area of the NSP site are rural in nature. There is no residential development in close proximity to the proposed

NSP landfill site. The nearest individual residence to the north is located about 920 metres from the site. Forestvale, a single family housing development, is approximately 1,300 metres to the east and visually separated from the site by wooded areas. Strip residential development on Waterdown Road is located 1,400 metres to the west. Residential land uses to the south are about 1,000 metres from the proposed site.

Land uses to the south, both residential and industrial, are buffered from the NSP land through distance and physical features. To the south, the North Service Road, Highway 403, other land owned by NSP, and the C.N.R. tracks separate the site from existing urban land uses. Other residential land uses to the east, west and north are effectively buffered by a combination of distance, topography, and woodlots. It is not expected that the proposed landfill operation, even at the highest point of the site, would be visible from any existing residence.

Industrial uses are located to the east and west of the site and are identified on Map 4. They include the Stelco Research Centre, Tridon and Cumis.

There are no major agricultural uses in the vicinity of the site. About 1,000 metres to the west, separated from the NSP land by the Falcon Creek ravine and dense bush, there is some agricultural activity. There are no other agricultural land uses in the area.

Three utility corridors and easements bisect both the proposed landfill site and the immediate area. Ontario Hydro overhead transmission towers are located north and south of the property, an underground Trans-Canada Gas Pipeline is situated north of the property and an overhead Bell Canada easement runs through the north part of the site. During the operation of the landfill site, the Bell Canada lines will be elevated above the landfill in a similar manner to that used on the adjacent Burlington site.

The former Bayview landfill site, located northeast of the NSP land, was operated as a landfill site by the former Township of East Flamborough from 1941 to 1961, then by the City of Burlington from 1961 to 1973. The site has been rehabilitated by the City of Burlington for recreational uses and is now used for horseback riding, riding shows and by the Burlington Rifle and Revolver Club.

The Region of Halton operates a landfill site immediately west of the NSP land. It has been in use since approximately 1973 and is one of two landfill facilities now operated by the Region.

The operation of waste disposal sites, for the past 40 years, on either side of and abutting the NSP land, has firmly established land-filling as a major land use in the area. It is anticipated that land-filling at the existing Regional site will continue for at least the next three to four years.

The land to the north is presently vacant although a sign on the property indicates the "Burlington Radio Control Modelling Group" uses the field on occasion.

10. Parkway Belt Objectives
for this Area

The following general objectives of The Parkway Belt West Plan apply to the area where the subject property is located. These are set out in Section 3.

- a) Separate urban areas by providing a break in the pattern of continuous urban land use and by minimizing the number of traffic routes connecting urban areas across The Parkway Belt.

- b) Provide extensive areas of public and private open space and complementary uses in The Parkway Belt that, together with non-urban areas outside the Parkway Belt, will maintain a continuity of open space through the system of urban areas.
- c) Preserve prominent natural features, such as river valleys and the Niagara Escarpment, and protect other features, such as wooded areas, and other points of interest.

The following specific objectives of The Parkway Belt West Plan apply to that segment of the Escarpment Link of the Parkway Belt where the subject property is located. These are set out in Section 6.2.2.

- a) Define the northern and western limits of the Burlington Urban Area.
- b) Define the southern limits of the Built-up Area at Waterdown.
- c) Separate by open space the Burlington Urban Area and the Built-up Area at Waterdown.
- d) Separate by open space the Burlington and Hamilton-Dundas Urban Areas.
- e) Where possible, include CP Rail and CNR lines, existing Ontario Hydro facilities, and highways.
- f) Minimize the number of transportation routes crossing the Link.
- g) Identify transportation, communication, and utility corridors to Southwestern Ontario, Haldimand-Norfolk, the Niagara Peninsula, and the lakeshore tier of urban areas.

- h) Provide for future utilities.
- i) Provide for scenic roads and associated facilities.
- j) Protect tree stands that are either significant in their own right or serve as buffers.

The proposed amendment affects only specific objective (c) above. However, the finished site, once grassed and planted with trees and shrubs (to stabilize steeper slopes), will achieve this objective to a higher, or at least the same, degree as the Plan now achieves it.



1. No accessory building or structure shall be closer to the front lot line than the single-family dwelling on such lot.
2. No accessory building or structure shall be closer than six feet to the single-family dwelling.
3. No accessory building or structure shall be less than four feet from any lot line.
4. No accessory building or structure shall exceed a height of twelve feet.
5. The total area covered by any accessory building or structure shall not exceed 10 per cent of the area of the lot upon which it is constructed.
6. No accessory building or structure shall be used for human habitation. O. Reg. 481/73, s. 7.

BUILDING LINE

8. No building or any part thereof shall be erected or extended nearer to the centre line of any street than in accordance with the following:

Provincial highways	100 feet
County roads	78 feet
Town roads and other roads or streets	60 feet

O. Reg. 481/73, s. 8.

9. Notwithstanding anything contained in this Regulation,

- (a) the Town of Oakville or any local board thereof, as defined in *The Municipal Affairs Act*;
- (b) any ministry, department or agency of the Government of Canada or Ontario;
- (c) any telephone or telegraph company;
- (d) The Hydro-Electric Power Commission of Ontario;
- (e) a gas company holding a franchise from the Town of Oakville; and
- (f) The Halton Region Conservation Authority,

may use land or erect any building or structure for the purpose of providing a service to the public. O. Reg. 481/73, s. 9.

REBUILDING AND REPAIRS

10. Nothing in this Regulation prevents,

- (a) the repair or reconstruction of any building or structure that is damaged or destroyed subsequent to the date this Regulation comes into force, if the dimensions of the original building or structure are not increased or its original use altered; or
- (b) the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure. O. Reg. 481/73, s. 10.

BUILDINGS TO FRONT ON STREET

11. No person shall erect any building or structure unless the lot upon which such building or structure is to be erected fronts upon a street. O. Reg. 481/73, s. 11.

HOME OCCUPATION

12. Nothing in this Regulation prevents the carrying on of a home occupation in a single-family or semi-detached dwelling. O. Reg. 481/73, s. 12.

13. This Regulation shall be deemed to have come into force on the fourth day of June, 1973. O. Reg. 481/73, s. 13.

JOHN WHITE
Treasurer of Ontario and
Minister of Economics and
Intergovernmental Affairs

Dated at Toronto, this 4th day of August, 1973.

(6249)

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THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

O. Reg. 482/73.

County of Halton,

Town of Burlington.

Made—August 4th, 1973.

Filed—August 8th, 1973.

LAND USE REGULATION MADE UNDER THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

COUNTY OF HALTON
TOWN OF BURLINGTON

INTERPRETATION

1. In this Regulation,

- (a) "accessory", when used to describe a use, building or structure, means a use, building or structure normally incidental or subordinate to the principal use, building or structure located on the same lot;

- (b) "agricultural use" includes a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping;
- (c) "dwelling" means one or more habitable rooms designed for use by, and occupied by not more than one family and in which separate kitchen and sanitary facilities are provided for the exclusive use of such family, with a private entrance from outside the building or from a common hallway or stairway inside the building;
- (d) "family" means,
 - (i) a person,
 - (ii) two or more persons interrelated by bonds of consanguinity, legal adoption or marriage, or
 - (iii) not more than five persons not related by bonds of consanguinity, legal adoption or marriage, living as a single housekeeping unit in one dwelling;
- (e) "floor area" means the total area of all floors contained within the outside walls of a building, excluding in the case of a single-family dwelling, the floor area of a private garage, porch, verandah, unfinished attic, basement or cellar;
- (f) "frontage" means the width of a lot measured along a line twenty-five feet back from the street and parallel to the lot line abutting the street;
- (g) "front yard" means a yard extending across the full width of a lot on which a building is situate, and extending from the front lot line to the main wall of the building for which such front yard is required that is nearest to the front lot line;
- (h) "home occupation" means any occupation for gain or support conducted entirely within a single-family or semi-detached dwelling by one or more member of the family residing in the dwelling, provided that,
 - (i) there is no external display or advertising other than a sign having a total display area not exceeding two square feet,
 - (ii) there is no external storage of goods or materials, and not more than 25 per cent of the total floor area is used for the home occupation use, and
 - (iii) there are no persons employed in the dwelling except,
 - a. the members of the family residing in the dwelling, or
 - b. in the case of a dentist, physician or veterinarian, a staff of one person;
- (i) "lot" means a parcel of land, described in a deed or other document legally capable of conveying title to or interest in land, or shown as a lot or block on a registered plan of subdivision;
- (j) "lot area" means the total horizontal area within the lot lines of a lot;
- (k) "rear yard" means a yard extending across the full width of a lot on which a building is situate, and extending from the rear lot line to the main wall of the building for which such rear yard is required that is nearest to the rear lot line;
- (l) "side yard" means a yard extending from the front yard to the rear yard and from the side lot line to the main wall of the building for which such side yard is required that is nearest to the side lot line;
- (m) "single-family dwelling" means a separate building containing only one dwelling;
- (n) "street" means a public highway that is a principal means of access to abutting lots, that is under the jurisdiction of the Province of Ontario or the County of Halton or the Town of Burlington, or is a road within a registered plan of subdivision, or is a road the maintenance of which has been assumed by the town;
- (o) "yard" means a space open from the ground to the sky on a lot on which a building is situate which space is unoccupied except for such accessory buildings as are permitted in this regulation. O. Reg. 482/73, s. 1.

APPLICATION

2. This Order applies to the following land in the Town of Burlington in the County of Halton:

- (i) Lots 1 to 22, both inclusive, in Concession 1, north of Dundas Street, saving and excepting the southerly half of Lot 1, saving and excepting the southerly quarter of lots 4 and 5, saving and excepting the southerly half of lots 6 to 8, both inclusive, saving and excepting the southerly quarter of lots 9 to 11, both inclusive, and saving and excepting the northerly three-quarters of lots 20, 21 and 22.

- (ii) Lots 1 to 3, both inclusive, and lots 13 to 19, both inclusive, in Concession I south of Dundas Street, saving and excepting the southerly quarter of Lot 3, and saving and excepting those portions of lots 13 to 19, both inclusive, lying south of a line drawn parallel with the south limit of Dundas Street and at a distance of 200 feet south of the said south limit.
- (iii) Lots 1 to 13, both inclusive, in Concession I in the Township of East Flamborough, as it existed on the 31st day of December, 1957, saving and excepting those portions of lots 1 to 6, both inclusive, lying south of lots 1 to 6, both inclusive, lying south of the southerly limit of the Canadian National Railways right-of-way.
- (iv) Lots 1 to 13, both inclusive, in Concession II in the Township of East Flamborough, as it existed on the 31st day of December, 1957, saving and excepting those portions of lots 1 to 6, both inclusive.
- (v) That part of the Town of Burlington beginning at the intersection of the west boundary thereof and the southerly limit of the King's Highway No. 5; thence easterly following the southerly limit of King's Highway No. 5 to the east limit of Lot 20, in Concession I, south of Dundas Street; thence southerly along the east limit of the said Lot 20 to a point on a line parallel to and measured 200 feet southerly at right angles with the south limit of King's Highway No. 5; thence westerly along the said parallel line to the intersection of a line parallel to and distant easterly 100 feet from the centre line of Brant Street; thence southerly along the said parallel line to a point, distance 1,150 feet measured therealong from the centre line of King's Highway No. 5; thence southwesterly to the intersection of the northerly limit of Brant's Block and the southeasterly limit of the easement of Bell Canada, lying on the south limit of Lot 21, in Concession I, south of Dundas Street; thence continuing southwesterly following the south limit of the said Bell Canada easement to the intersection of a line parallel to and distance 1,150 feet measured easterly at right angles from the west limit of Brant's Block; thence southerly along the last-mentioned parallel line to the northerly limit of King's Highway No. 403; thence westerly along the northerly limit of the said Highway No. 403 to the west limit of Brant's Block; thence northerly along the said limit to the place of beginning.
- (vi) Lot 10, in Concession VI.
- (vii) Lots 10 to 14, both inclusive, in Concession VII, saving and excepting the west half of Lot 14. O. Reg. 482/73, s. 2.

GENERAL

3. No land shall be used and no building or structure shall be erected or used except in accordance with the terms of this Regulation, but nothing in this Regulation prevents the use of any land, building or structure for a purpose prohibited by this Regulation if such land, building or structure was lawfully used for such purpose on the day this Regulation comes into force, or prevents the erection or use of any building or structure the plans for which have, prior to the day this Regulation comes into force, been approved by the municipal building inspector. O. Reg. 482/73, s. 3.

PERMITTED USES

4. Every use of land and every erection or use of buildings or structures to which this Regulation applies within the Town of Burlington is prohibited, except agricultural uses, and buildings and structures accessory thereto, including one single-family dwelling used in connection with each agricultural operation. O. Reg. 482/73, s. 4.

5. Requirements for agricultural uses and buildings and structures accessory thereto, including one single-family dwelling used in connection with the agricultural operation, are established as follows:

No more than one dwelling shall be erected on any lot

Minimum lot area 50 acres

Minimum lot frontage 900 feet

Minimum front, side and rear yards 50 feet

Minimum ground floor area for dwellings one storey—1000 square feet and one and one-half storeys or more—750 square feet

O. Reg. 482/73, s. 5.

6. A single-family dwelling and buildings or structures accessory thereto existing on the date this Regulation comes into force may be extended or enlarged provided that such single-family dwelling and buildings or structures accessory thereto as extended or enlarged comply with the following requirements:

Minimum front yard 25 feet

Minimum side yard 10 feet on one side and 4 feet on the other side

Minimum rear yard 25 feet

O. Reg. 482/73, s. 6.

7. Buildings or structures accessory to single-family dwellings may be erected or built provided that such buildings or structures comply with the following requirements:

1. No accessory building or structure shall be closer to the front lot line than the single-family dwelling on such lot.
2. No accessory building or structure shall be closer than six feet to the single-family dwelling.
3. No accessory building or structure shall be less than four feet from any lot line.
4. No accessory building or structure shall exceed a height of twelve feet.
5. The total area covered by any accessory building or structure shall not exceed 10 per cent of the area of the lot upon which it is constructed.
6. No accessory building or structure shall be used for human habitation. O. Reg. 482/73, s. 7.

BUILDING LINE

8. No building or any part thereof shall be erected or extended nearer to the centre line of any street than in accordance with the following:

Provincial highways	100 feet
Regional roads	78 feet
Town roads and other roads or streets	60 feet

O. Reg. 482/73, s. 8.

9. Notwithstanding anything contained in this Regulation,

- (a) the Town of Burlington or any local board thereof, as defined in *The Municipal Affairs Act*;
 - (b) any ministry, department or agency of the Government of Canada or Ontario;
 - (c) any telephone or telegraph company;
 - (d) The Hydro-Electric Power Commission of Ontario;
 - (e) a gas company holding a franchise from the Town of Burlington; and
 - (f) The Halton Region Conservation Authority,
- may use land or erect any building or structure for the purpose of providing a service to the public. O. Reg. 482/73, s. 9.

REBUILDING AND REPAIRS

10. Nothing in this Regulation prevents,

- (a) the repair or reconstruction of any building or structure that is damaged or destroyed subsequent to the date this Regulation comes into force, if the dimensions of the original building or structure are not increased or its original use altered; or
- (b) the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure. O. Reg. 482/73, s. 10.

BUILDINGS TO FRONT ON STREET

11. No person shall erect any building or structure unless the lot upon which such building or structure is to be erected fronts upon a street. O. Reg. 482/73, s. 11.

HOME OCCUPATION

12. Nothing in this Regulation prevents the carrying on of a home occupation in a single-family or semi-detached dwelling. O. Reg. 482/73, s. 12.

13. This Regulation shall be deemed to have come into force on the fourth day of June, 1973. O. Reg. 482/73, s. 13.

JOHN WHITE

*Treasurer of Ontario and
Minister of Economics and
Intergovernmental Affairs*

Dated at Toronto, this 4th day of August, 1973.

(6250)

34

THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

O. Reg. 483/73.

County of Wentworth, Township of East Flamborough.

Made—August 4th, 1973.

Filed—August 8th, 1973.

LAND USE REGULATION MADE UNDER THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

COUNTY OF WENTWORTH
TOWNSHIP OF EAST FLAMBOROUGH

INTERPRETATION

1. In this Regulation,

- (a) "accessory", when used to describe a use, building or structure, means a use, building

Publications Under The Regulations Act

May 12th, 1979

THE PUBLIC HOSPITALS ACT

O. Reg. 261/79.

Special Grant.

Made—March 26th, 1979.

Approved—April 4th, 1979.

Filed—April 23rd, 1979.

REGULATION MADE UNDER THE PUBLIC HOSPITALS ACT

SPECIAL GRANT

The Minister may pay a special grant by way of financial aid on or before the 30th day of June, 1979 in amount not to exceed \$254,475 to the Hawkesbury District General Hospital, Hawkesbury, for the phase by the newly incorporated public hospital corporation, of the equity in Annex A of the hospital is owned by Soeurs de la Charite d'Ottawa. O. Reg. 261/79, s. 1.

The Minister may pay the amount set out in section 1 in instalments or in a lump sum. O. Reg. 261/79, s. 2.

DENNIS TIMBRELL
Minister of Health

Dated at Toronto, this 26th day of March, 1979.

19

THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

O. Reg. 262/79.

County of Halton (now

The Regional Municipality of Halton),

Town of Milton.

Made—April 6th, 1979.

Filed—April 23rd, 1979.

REGULATION TO AMEND ONTARIO REGULATION 480/73 MADE UNDER THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

Section 9 of Ontario Regulation 480/73 is amended by striking out "and" at the end of clause e, by adding "and" at the end of clause f and by adding thereto the following clause:

(g) The Regional Municipality of Halton.

F. MILLER

Treasurer of Ontario

and Minister of Economics

Dated at Toronto, this 6th day of April, 1979.

(2238)

19

THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

O. Reg. 263/79.

Regulation to amend Certain
Regulations.

Made—April 6th, 1979.

Filed—April 23rd, 1979.

REGULATION TO AMEND CERTAIN REGULATIONS MADE UNDER THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

1. Section 9 of Ontario Regulation 473/73, as amended by section 1 of Ontario Regulation 64/74, is further amended by striking out "and" at the end of clause f, by adding "and" at the end of clause g and by adding thereto the following clause:

(h) The Regional Municipality of York.

2. Section 9 of Ontario Regulation 474/73, as amended by section 1 of Ontario Regulation 142/74, is further amended by striking out "and" at the end of clause f, by adding "and" at the end of clause g and by adding thereto the following clause:

(h) The Regional Municipality of York.

3. Section 9 of Ontario Regulation 475/73, as amended by section 1 of Ontario Regulation 65/74, is further amended by striking out "and" at the end of clause f, by adding "and" at the end of clause g and by adding thereto the following clause:

(h) The Regional Municipality of York.

4. Section 9 of Ontario Regulation 476/73, as amended by section 1 of Ontario Regulation 171/74, is further amended by striking out "and"

at the end of clause *f*, by adding "and" at the end of clause *g* and by adding thereto the following clause:

(h) The Regional Municipality of Peel.

5. Section 9 of Ontario Regulation 477/73 is amended by striking out "and" at the end of clause *e*, by adding "and" at the end of clause *f* and by adding thereto the following clause:

(g) The Regional Municipality of Halton.

6. Section 9 of Ontario Regulation 479/73, as amended by section 1 of Ontario Regulation 172/74, is further amended by striking out "and" at the end of clause *f*, by adding "and" at the end of clause *g* and by adding thereto the following clause:

(h) The Regional Municipality of Peel.

7. Section 9 of Ontario Regulation 481/73 is amended by striking out "and" at the end of clause *e* and by adding thereto the following clauses:

(g) The Regional Municipality of Halton; and

(h) The Regional Municipality of Peel.

8. Section 9 of Ontario Regulation 482/73 is amended by striking out "and" at the end of clause *e*, by adding "and" at the end of clause *f* and by adding thereto the following clause:

(g) The Regional Municipality of Halton.

9. Section 9 of Ontario Regulation 483/73 is amended by striking out "and" at the end of clause *e*, by adding "and" at the end of clause *f* and by adding thereto the following clause:

(g) The Regional Municipality of Hamilton-Wentworth.

10. Section 9 of Ontario Regulation 484/73 is amended by striking out "and" at the end of clause *e*, by adding "and" at the end of clause *f* and by adding thereto the following clause:

(g) The Regional Municipality of Hamilton-Wentworth.

11. Section 9 of Ontario Regulation 485/73 is amended by striking out "and" at the end of clause *e*, by adding "and" at the end of clause *f* and by adding thereto the following clause:

(g) The Regional Municipality of Hamilton-Wentworth.

12. Section 9 of Ontario Regulation 486/73 is amended by striking out "and" at the end of clause *e*, by adding "and" at the end of clause *f* and by adding thereto the following clause:

(g) The Regional Municipality of Hamilton-Wentworth.

F. MILLER
Treasurer of Ontario
and Minister of Economic Development

Dated at Toronto, this 6th day of April, 1979.

(2239)

15

THE ONTARIO GUARANTEED ANNUAL INCOME ACT, 1974

O. Reg. 264/79.
Guaranteed Income Limit.
Made—April 11th, 1979.
Filed—April 23rd, 1979.

REGULATION MADE UNDER THE ONTARIO GUARANTEED ANNUAL INCOME ACT, 1974

GUARANTEED INCOME LIMIT

1. Commencing with the month of April, 1979 the guaranteed income limit is,

(a) in the case of a beneficiary who is described in any of subclauses i, iv or vi of clause *d* of section 1 of the Act, or who is described in subclause iii of clause *d* of section 1 of the Act and is married to a spouse who is not entitled to receive a spouse's allowance authorized to be paid under Part II.1 of the *Old Age Security Act* (Canada), the amount of \$4,189.92;

(b) in the case of a beneficiary who is described in either subclauses ii or v of clause *d* of section 1 of the Act, the amount of \$4,069.92;

(c) in the case of a beneficiary described in subclause iii of clause *d* of section 1 of the Act and who is married to a spouse who is entitled to receive a spouse's allowance authorized to be paid under Part II.1 of the *Old Age Security Act* (Canada), the amount of \$3,907.08; and

(d) in the case of a beneficiary described in subclause vii of clause *d* of section 1 of the Act, the amount of \$8,139.84. O. Reg. 264/79, s. 1.

2. Ontario Regulation 37/79 is revoked. O. Reg. 264/79, s. 2.

3. This Regulation comes into force on the 1st day of April, 1979. O. Reg. 264/79, s. 3.

(2253)

19

- v. The east quarter of Lot 1, all of lots 2 and 3, and the west half of the east half of Lot 4 and the west half of Lot 4, in Concession V.
- vi. Lots 2 and 3, in Concession VI.
- vii. That portion of Lot 1 lying west of Islington Avenue north, lots 2 and 3, that portion of Lot 4 that lies west of Islington Avenue north, and that portion of the south half of Lot 5 lying west of Islington Avenue north, in Concession VII.
- viii. Lot 1, the south half of the west half and the east half of Lot 2, the easterly 1,800 feet of lots 3 and 4, and the south half of the east quarter of Lot 5, in Concession VIII.
- ix. Lot 1, and the south half of Lot 2, in Concession IX. O. Reg. 472/73, s. 1.

2. The Minister hereby directs that an investigation and survey of the environmental, physical, social and economic conditions shall be carried out in relation to the development of The Parkway Belt Planning Area and as a result of such investigation and survey, there shall be prepared within a period of one year The Parkway Belt Plan. O. Reg. 472/73, s. 2.

JOHN WHITE
*Treasurer of Ontario and
 Minister of Economics and
 Intergovernmental Affairs*

Dated at Toronto, this 4th day of August, 1973.

6240)

34

THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

O. Reg. 473/73.
 Regional Municipality of York,
 Town of Markham.
 Made—August 4th, 1973.
 Filed—August 8th, 1973.

LAND USE REGULATION MADE UNDER THE PARKWAY BELT PLANNING AND DEVELOPMENT ACT, 1973

REGIONAL MUNICIPALITY OF YORK TOWN OF MARKHAM

INTERPRETATION

1. In this Regulation,

- (a) "accessory", when used to describe a use, building or structure, means a use, building or structure normally incidental or subordinate to the principal use, building or structure located on the same lot;
- (b) "agricultural use" includes a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping;
- (c) "dwelling" means one or more habitable rooms designed for use by, and occupied by not more than one family and in which separate kitchen and sanitary facilities are provided for the exclusive use of such family, with a private entrance from outside the building or from a common hallway or stairway inside the building;
- (d) "family" means,
 - (i) a person,
 - (ii) two or more persons interrelated by bonds of consanguinity, legal adoption or marriage, or
 - (iii) not more than five persons not related by bonds of consanguinity, legal adoption or marriage, living as a single housekeeping unit in one dwelling;
- (e) "floor area" means the total area of all floors contained within the outside walls of a building, excluding in the case of a single-family dwelling, the floor area of a private garage, porch, verandah, unfinished attic, basement or cellar;
- (f) "frontage" means the width of a lot measured along a line twenty-five feet back from the street and parallel to the lot line abutting the street;
- (g) "front yard" means a yard extending across the full width of a lot on which a building is situate, and extending from the front lot line to the main wall of the building for which such front yard is required that is nearest to the front lot line;
- (h) "home occupation" means any occupation for gain or support conducted entirely within a single-family or semi-detached dwelling by one or more member of the family residing in the dwelling, provided that,
 - (i) there is no external display or advertising other than a sign having a total display area not exceeding two square feet,

- (ii) there is no external storage of goods or materials, and not more than 25 per cent of the total floor area is used for the home occupation use, and
- (iii) there are no persons employed in the dwelling except,
 - a. the members of the family residing in the dwelling, or
 - b. in the case of a dentist, physician or veterinarian, a staff of one person;
- (*) "lot" means a parcel of land, described in a deed or other document legally capable of conveying title to or interest in land, or shown as a lot or block on a registered plan of subdivision;
- (j) "lot area" means the total horizontal area within the lot lines of a lot;
- (k) "rear yard" means a yard extending across the full width of a lot on which a building is situate, and extending from the rear lot line to the main wall of the building for which such rear yard is required that is nearest to the rear lot line;
- (l) "side yard" means a yard extending from the front yard to the rear yard and from the side lot line to the main wall of the building for which such side yard is required that is nearest to the side lot line;
- (m) "single-family dwelling" means a separate building containing only one dwelling;
- (n) "street" means a public highway that is a principal means of access to abutting lots, that is under the jurisdiction of the Province of Ontario or the Regional Municipality of York or the Town of Markham, or is a road within a registered plan of subdivision, or is a road the maintenance of which has been assumed by the town;
- (o) "yard" means a space open from the ground to the sky on a lot on which a building is situate which space is unoccupied except for such accessory buildings as are permitted in this regulation. O. Reg. 473/73, s. 1.

APPLICATION

2. This Order applies to the following lands in the Town of Markham in the Regional Municipality of York and being composed of:

- (i) The north half of Lot 34 and all of Lot 35, in Concession I.

- (ii) The east quarter of Lot 5, the east half of Lot 6, and lots 7 to 10, both inclusive, in Concession II.
- (iii) Lots 5 to 10, both inclusive, in Concession III.
- (iv) Lots 5 to 10, both inclusive, in Concession IV.
- (v) The west half of Lot 6 and lots 7 to 10, both inclusive, in Concession V.
- (vi) Lots 7 to 9, both inclusive, in Concession VI.
- (vii) The east half of Lot 6, and lots 7 to 9, both inclusive, in Concession VII. O. Reg. 473/73, s. 2.

GENERAL

3. No land shall be used and no building or structure shall be erected or used except in accordance with the terms of this Regulation, but nothing in this Regulation prevents the use of any land, building or structure for a purpose prohibited by this Regulation if such land, building or structure was lawfully used for such purpose on the day this Regulation comes into force, or prevents the erection or use of any building or structure the plans for which have, prior to the day this Regulation comes into force, been approved by the municipal building inspector. O. Reg. 473/73, s. 3.

PERMITTED USES

4. Every use of land and every erection or use of buildings or structures to which this Regulation applies within the Town of Markham is prohibited, except agricultural uses, and buildings and structures accessory thereto, including one single-family dwelling used in connection with each agricultural operation. O. Reg. 473/73, s. 4.

5. Requirements for agricultural uses and buildings and structures accessory thereto, including one single-family dwelling used in connection with the agricultural operation, are established as follows:

No more than one dwelling shall be erected on any lot

Minimum lot area 50 acres

Minimum lot frontage 900 feet

Minimum front, side and rear yards 50 feet

Minimum ground floor area for dwellings one storey—1000 square feet and one and one-half storeys or more—750 square feet

6. A single-family dwelling and buildings or structures accessory thereto existing on the date this Regulation comes into force may be extended or enlarged provided that such single-family dwelling and buildings or structures accessory thereto as extended or enlarged comply with the following requirements:

Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet

O. Reg. 473/73, s. 6.

7. Buildings or structures accessory to single-family dwellings may be erected or built provided that such buildings or structures comply with the following requirements:

1. No accessory building or structure shall be closer to the front lot line than the single-family dwelling on such lot.
2. No accessory building or structure shall be closer than six feet to the single-family dwelling.
3. No accessory building or structure shall be less than four feet from any lot line.
4. No accessory building or structure shall exceed a height of twelve feet.
5. The total area covered by any accessory building or structure shall not exceed 10 per cent of the area of the lot upon which it is constructed.
6. No accessory building or structure shall be used for human habitation. O. Reg. 473/73, s. 7.

BUILDING LINE

8. No building or any part thereof shall be erected or extended nearer to the centre line of any street than in accordance with the following:

Provincial highways	100 feet
Regional roads	78 feet
Town roads and other roads or streets	60 feet

O. Reg. 473/73, s. 8.

9. Notwithstanding anything contained in this Regulation,

- (a) the Town of Markham or any local board thereof, as defined in *The Municipal Affairs Act*;

- (b) any ministry, department or agency of the Government of Canada or Ontario;

- (c) any telephone or telegraph company;

- (d) The Hydro-Electric Power Commission of Ontario;

- (e) a gas company holding a franchise from the Town of Markham; and

- (f) The Metropolitan Toronto and Region Conservation Authority,

may use land or erect any building or structure for the purpose of providing a service to the public. O. Reg. 473/73, s. 9.

REBUILDING AND REPAIRS

10. Nothing in this Regulation prevents,

- (a) the repair or reconstruction of any building or structure that is damaged or destroyed subsequent to the date this Regulation comes into force, if the dimensions of the original building or structure are not increased or its original use altered; and
- (b) the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure. O. Reg. 473/73, s. 10.

BUILDINGS TO FRONT ON STREET

11. No person shall erect any building or structure unless the lot upon which such building or structure is to be erected fronts upon a street. O. Reg. 473/73, s. 11.

HOME OCCUPATION

12. Nothing in this Regulation prevents the carrying on of a home occupation in a single-family or semi-detached dwelling. O. Reg. 473/73, s. 12.

13. This Regulation shall be deemed to have come into force on the fourth day of June, 1973. O. Reg. 473/73, s. 13.

JOHN WHITE

*Treasurer of Ontario and
Minister of Economics and
Intergovernmental Affairs*

Dated at Toronto, this 4th day of August, 1973.

(6241)

34



Ex H-6

DPD 143/86
SCHEDULE B

Office of the
Minister

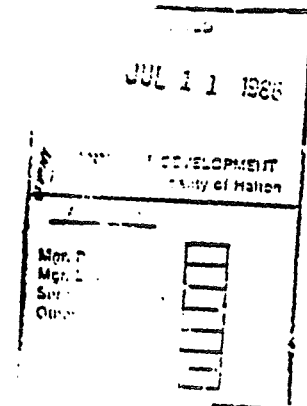
Ministry of
Municipal
Affairs

Ministère des
Affaires
municipales

Bureau du
ministre

June 24, 1986

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



Dear Mr. Pomeroy:

Re: Conformity of Regional Landfill Site "F"
with Parkway Belt West Plan

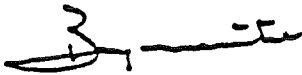
As requested, I hereby declare, in accordance with Section 9(2) of the Ontario Planning and Development Act, that the Region of Halton proposed undertaking, known as Landfill Site 'F', is deemed not to conflict with the Parkway Belt West Plan.

I have agreed with the Regional interpretation of the Parkway Belt West Plan that the proposed landfill site conforms to the basic purpose of the Plan. I recognize that the City of Burlington and two ratepayer groups are of the opinion that the proposal does not conform to the Plan. The arguments presented to me from these parties cite numerous sections of the Parkway Belt West Plan, which allow for various interpretations, and which in turn raise some questions as to the ability of someone to state, beyond any doubts, that the proposal conforms. In order to set aside any uncertainty on this issue, I have decided to form my opinion that the proposed undertaking does not conflict with the general intent and purpose of the Plan based on the authority given to me by Section 9(2). Based on this authority, I gave weight to the Goals of the Plan, specifically Goal 3 calling for the provision of land reserved for activities requiring sites of high accessibility and substantial land area. I read both the Region's report

Mr. P.D. Pomerov

and the submissions of the City of Burlington and the ratepayer groups. I also considered the rationale and philosophy of the Plan as contained in the Appendix to the 1976 Draft Plan. Based on all this documentation, it is my opinion that Goal 3 allows for uses such as the Regional landfill site.

Yours sincerely,



Bernard Grandmaitre
Minister

CHAPTER 378

Pits and Quarries Control Act

1. In this Act,

Interpre-
tation

- (a) "Board" means the Ontario Municipal Board;
- (b) "inspector" means a member of the public service who is designated in writing by the Minister as an inspector for the purposes of this Act;
- (c) "Minister" means the Minister of Natural Resources;
- (d) "Ministry" means the Ministry of Natural Resources;
- (e) "operator" means the person or persons who own the right to extract material from a pit or quarry or wayside pit or quarry;
- (f) "pit" means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit;
- (g) "quarry" means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine;
- (h) "regulations" means the regulations made under this Act;
- (i) "wayside pit" or "wayside quarry" means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right of way. 1971, c. 96, s. 1; 1972, c. 4, s. 12.

2. This Act applies only in such parts of Ontario as are designated by the Lieutenant Governor in Council by regulation. 1971, c. 96, s. 2.

Application
of Act

Duty of operator

3. Every operator shall ensure that the requirements of this Act and the regulations are complied with in respect of his pit or quarry or wayside pit or quarry. 1971, c. 96, s. 3.

Pit or quarry licence

4.—(1) No person shall open, establish or operate a pit or quarry except under the authority of a licence issued by the Minister to the operator. 1971, c. 96, s. 4 (1).

Site plan

(2) An application for a licence to operate a pit or quarry shall be filed with the Minister and shall be accompanied by a site plan in quadruplicate, which shall include,

- (a) the location, true shape, topography, contours, dimensions, hectarage and description of the lands set aside for the purposes of the pit or quarry;
- (b) the use of all land and the location and use of all buildings and structures lying within a distance of 150 metres of any of the boundaries of the lands set aside for the purposes of the pit or quarry;
- (c) the location, height, dimensions and use of all buildings or structures existing or proposed to be erected on the lands set aside;
- (d) existing and anticipated final grades of excavation, contours where necessary and excavation set backs;
- (e) drainage provisions;
- (f) all entrances and exits;
- (g) as far as possible, ultimate pit development, progressive and ultimate road plan, any water diversion or storage, location of stockpiles for stripping and products, tree screening and berming, progressive and ultimate rehabilitation and, where possible, intended use and ownership of the land after the extraction operations have ceased;
- (h) cross-sections where necessary to show geology, progressive pit development and ultimate rehabilitation; and

- (i) such other information as the Minister may require or as is prescribed by the regulations. 1971, c. 96, s. 4 (2); 1978, c. 87, s. 29 (1) (a).

(3) The site plan for an application in respect of a pit or quarry producing less than 15,000 tonnes per year may be in a short form prescribed by the regulations in lieu of the form required by subsection (2). 1971, c. 96, s. 4 (3); 1978, c. 87, s. 29 (1) (b). Short form of site plan

(4) Every operator shall carry on his operations in accordance with the site plan upon which his licence is based and the operator may amend the site plan with the consent of the Minister. 1971, c. 96, s. 4 (4). Site plan binding

5.—(1) Upon the receipt of an application, the Minister shall fix a day as the last day upon which written objections may be filed with him by the municipal council or any other authority having an interest or any person directly affected by the issuing of a licence. Time for objections

(2) After filing his application, the applicant shall publish notice of the application in such form and manner as is prescribed by the regulations. Publication of notice

(3) If any person entitled to object under subsection (1) requires a hearing by notice in writing to the Minister before the expiration of the period for objection, the Minister shall refer the matter to the Board for a hearing. Hearing by O.M.B.

(4) The Minister may refer an application to the Board for a hearing on his own motion. 1971, c. 96, s. 5. Referral by Minister

6.—(1) The Minister shall refuse to issue a licence to operate a pit or quarry where the site plan does not comply with this Act or the regulations or where, in his opinion, the operation of the pit or quarry would be against the interest of the public taking into account, Grounds for refusal to issue a licence

- (a) the preservation of the character of the environment;
- (b) the availability of natural environment for the enjoyment of the public;
- (c) the need, if any, for restricting excessively large total pit or quarry output in the locality;
- (d) the traffic density on local roads;

(e) any possible effect on the water table or surface drainage pattern;

(f) the nature and location of other land uses that could be affected by the pit or quarry operation; and

(g) the character, location and size of nearby communities.

Idem

(2) No licence shall be issued in respect of a pit or quarry where the location is in contravention of an official plan or by-law of the municipality in which it is located.

Idem

(3) Where a local municipality does not have an official plan or by-law governing the location of pits and quarries, the Minister shall give the municipal council notice of the filing of the application and if the council objects to the location of the pit or quarry within forty-five days after receiving the notice, the Minister shall not issue the licence and subsection 5 (3) does not apply.

Terms and conditions

(4) The Minister may issue the licence subject to such terms and conditions as the Minister, in his discretion, considers advisable. 1971, c. 96, s. 6.

Review of licence

7.—(1) The Minister shall review the operation of each licensee at least once in each year for the purpose of reassessing the licensee's compliance with this Act, the regulations, the site plan and the terms and conditions of the licence.

Revocation of licences

(2) The Minister may revoke a licence for a contravention of any provision of the site plan, any term or condition of the licence or any requirement of this Act or the regulations. 1971, c. 96, s. 7.

Notice of intention to refuse

8.—(1) Where the Minister proposes to refuse to issue a licence or proposes to revoke a licence, he shall serve notice of his proposal, together with written reasons therefor, on the applicant or licensee.

Notice requiring hearing

(2) A notice under subsection (1) shall inform the applicant or registrant that he is entitled to a hearing by the Board if he mails or delivers, within thirty days after the notice under subsection (1) is served on him, notice in writing requiring a hearing to the Minister and the Board and he may so require such a hearing.

Powers of Minister where no hearing

(3) Where an applicant or registrant does not require a hearing by the Board in accordance with subsection (2), the Minister may carry out the proposal stated in his notice under subsection (1).

(4) Where the Minister gives notice of his intention to revoke a licence and, in the opinion of the Minister, the continuation of the operation of the pit or quarry constitutes an immediate threat to the interests of the public, the Minister may, upon notice to the licensee, immediately suspend the licence pending the final disposition of the matter. 1971, c. 96, s. 8. ^{Interim suspension}

9.—(1) Where a matter is referred to the Board for a hearing, the Board shall hold a hearing as to whether the licence to which the hearing relates should be issued or revoked, as the case may be, and the applicant or licensee, the Director of the Inspection Branch of the Ministry and such other persons as the Board specifies shall be parties to the proceeding. 1971, c. 96, s. 9 (1); 1972, c. 1, s. 1. ^{Hearing by Board}

(2) A hearing by the Board shall be conducted in accordance with the rules, practices and procedures as determined by the Board under the *Ontario Municipal Board Act*, except that section 94 of the said Act does not apply. ^{Procedure} R.S.O. 1980, c. 347

(3) The Board shall, at the conclusion of a hearing under this section, make a report to the Minister which shall set out its findings and its recommendations as to the issue or revocation of the licence to which the hearing relates, as the case may be, and shall send a copy of its report to each party to the proceedings. ^{Report of Board}

(4) After considering the report of the Board under this section, the Minister may refuse to issue or may revoke the licence to which the report relates and shall within thirty days after he receives the report of the Board give notice of his decision to the applicant or licensee specifying the reasons therefor, and the decision of the Minister is final. 1971, c. 96, s. 9 (2-4). ^{Decision of Minister}

10.—(1) Notwithstanding that a licence or permit has been issued under this Act, no person shall quarry in the Amabel or Lockport Formation at any point nearer to the natural edge of the Niagara Escarpment than ninety metres measured horizontally. 1971, c. 96, s. 10 (1); 1978, c. 87, s. 29 (2). ^{Quarrying near escarpment}

(2) For the purposes of this section, the Amabel and Lockport Formations are as defined in Geological Survey of Canada Memoir 289, 1957, entitled "Silurian Stratigraphy and Palaeontology of the Niagara Escarpment". 1971, c. 96, s. 10 (2). ^{Idem}

11.—(1) Every licensee shall maintain on deposit with the Treasurer of Ontario such security in such amount and form as is prescribed by the regulations. ^{Security for rehabilitation}

Forfeiture

(2) Where the rehabilitation program of a pit or quarry or abandoned pit or quarry is not carried out in accordance with the requirements of this Act, the regulations or the site plan or the terms and conditions of the licence, the Minister may direct that the security deposited under subsection (1) be forfeited.

**Completion
of rehabilita-
tion**

(3) Upon the direction of the Minister under subsection (2), the security is forfeited and the Minister may authorize any person or persons to enter upon the premises on which the pit or quarry is situate and perform such work as is necessary to complete the rehabilitation requirements, and the cost thereof shall be paid out of the moneys forfeited and the balance refunded in accordance with the regulations. 1971, c. 96, s. 11.

**Permits for
wayside pits
and quarries**

12.—(1) No person shall open, establish or operate a wayside pit or quarry except under the authority of a permit issued by the Minister to the operator.

**Issuance of
permits**

(2) The Minister may issue a permit to operate a wayside pit or quarry where,

(a) the pit or quarry is necessary for the purposes of the contract or project;

(b) adequate provision can be made as terms and conditions of the permit to ensure a method of operation and adequate rehabilitation so as to constitute only a temporary inconvenience to the public.

**Terms and
conditions
of permits**

(3) The Minister may issue the permit subject to such terms and conditions, including terms for rehabilitation and security therefor, as the Minister, in his discretion, considers advisable.

**Expiration
and renewal**

(4) A permit issued under this section expires on the completion of the project or contract or one year after its issue, whichever occurs first, but in the latter case the Minister may renew the permit for such further period as the Minister considers appropriate for the completion, in good faith, of the project or contract.

Revocation

(5) The Minister may revoke a permit issued under this section for any breach of the terms and conditions of the permit or of this Act or the regulations.

**Permit sub-
ject to
satisfying
other
requirements**

(6) The issuance of a permit to operate a wayside pit or quarry shall not be construed to affect the application of any other law or requirements applying to the right to establish the wayside pit or quarry or its location. 1971, c. 96, s. 12.

13.—(1) An inspector may enter in or upon any land or premises set aside for the purposes of a pit or quarry or wayside pit or quarry at any reasonable time to make such examinations, tests and inquiries as may be necessary for the purposes of ensuring compliance with this Act, the regulations, the site plan and the terms and conditions of the licence or permit. ^{Authority of inspectors}

(2) No person shall hinder or obstruct an inspector in the performance of his duties or furnish him with false information or refuse to furnish him with information. 1971, c. 96, s. 13. ^{Impeding inspector}

14. A licence or permit issued under this Act is not transferable. 1971, c. 96, s. 14. ^{Licence or permit not transferable}

15.—(1) Where it appears to the Minister that any person does not comply or intend to comply with any provision of this Act or the regulations, notwithstanding the imposition of any penalty in respect of such noncompliance, the Minister may apply to a judge of the High Court for an order directing such person to comply with such provision, and upon the application the judge may make such order as he considers fitting. ^{Restraining order}

(2) An appeal lies to the Divisional Court from an order made under subsection (1). 1971, c. 96, s. 15. ^{Appeal}

16.—(1) Subject to subsection 9 (2), any notice required to be given or served under this Act or the regulations is sufficiently given or served if delivered personally or sent by registered mail addressed to the person to whom delivery or service is required to be made at the latest address for service appearing on the records of the Ministry. 1971, c. 96, s. 16 (1); 1972, c. 1, s. 1. ^{Service}

(2) Where service is made by registered mail, the service shall be deemed to be made on the third day after the day of mailing unless the person on whom service is being made establishes that he did not, acting in good faith, through absence, accident, illness or other cause beyond his control receive the notice or order until a later date. 1971, c. 96, s. 16 (2). ^{Idem}

17.—(1) The provisions of this Act and the regulations are in addition to and not in substitution for the provisions of Part IX of the *Mining Act*. ^{Application of Part IX of R.S.O. 1980, c. 268}

(2) Where there is a conflict between any provision of this Act or the regulations and any municipal by-law, the provision of this Act or the regulations prevails. 1971, c. 96, s. 17. ^{Conflict with municipal by-laws}

Offence

18.—(1) Every person who contravenes any provision of this Act or the regulations or is in breach of any term or condition of his licence or permit is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000 for each day on which the offence occurs or continues.

Idem

(2) No proceedings under subsection (1) shall be instituted except with the consent or under the direction of the Minister. 1971, c. 96, s. 18.

Regulations

19.—(1) The Lieutenant Governor in Council may make regulations,

- (a) governing applications for licences and permits and providing for their issue;
- (b) designating the parts of Ontario in which this Act applies;
- (c) prescribing additional information to be included on site plans under section 4;
- (d) prescribing the form, terms, conditions and amount of security to be deposited under section 11;
- (e) governing the management and operation of pits and quarries and wayside pits and quarries including,
 - (i) the use that shall be made of land set aside for the purpose,
 - (ii) the location, construction and use of buildings on the lands set aside for the purpose,
 - (iii) prescribing the hours during which any class or classes of activity may be carried on, on lands set aside for the purpose,
 - (iv) prescribing the sound levels permissible in their operation,
 - (v) governing final slopes, excavation set backs, fencing, tree screening and berming, warning signs, blasting requirements, roads and exits;
- (f) governing the rehabilitation of pits and quarries and wayside pits and quarries including the stockpiling of soil for the purpose;
- (g) requiring the payment of fees for licences and permits and prescribing the amounts thereof;

(h) prescribing forms for the purposes of this Act and providing for their use;

(i) respecting any matter considered necessary or advisable to carry out the intent and purpose of this Act.

(2) The Minister may, where in his opinion to do so would ^{Relief from compliance} not be against the public interest, in writing relieve a licensee or permittee from strict compliance with any provision of the regulations subject to such terms and conditions as the Minister may impose. 1971, c. 96, s. 19.

20.—(1) This Act does not apply to operators of pits and ^{Application to existing pits and quarries} quarries operating in a part of Ontario immediately before it is designated under section 2 until six months after the designation.

(2) This Act does not apply to operators of wayside pits ^{Application to existing wayside pits and quarries} or quarries operating in a part of Ontario immediately before it is designated under section 2 until one month after the designation.

(3) Section 5 does not apply to applications for licences ^{Application of s. 5} in respect of pits and quarries referred to in subsection (1). 1971, c. 96, s. 20.

REGULATION 784

under the Pits and Quarries Control Act

GENERAL

1. In this Regulation,

- (a) "perched pond" means a pond resulting from a pit or quarry or a wayside pit or quarry excavation which is above the natural water table and is in excess of eighteen inches in depth and covers a minimum area of ten thousand square feet;
- (b) "scrap" means all waste material including rejected metal, lumber and tree stumps. O. Reg. 107/72, s. 1.

2.—(1) An application for a licence to open, establish or operate a pit or quarry shall be in Form 1. O. Reg. 545/71, s. 2 (1).

(2) An application for a permit to open, establish or operate a wayside pit or quarry shall be in Form 2 and shall be accompanied by a description of the proposed rehabilitation of the property and intended use of the property after the termination of operations, together with a sketch map which shall include,

- (a) the size, shape, location and acreage of the property to be worked;
- (b) the topography of the property by contours, spot elevations or by an estimated slope of the land;
- (c) the location and use of all lands and buildings within 500 feet of the property to be used for the wayside pit or quarry operation;
- (d) the location and dimension of all buildings or structures on the property or to be erected on the property; and
- (e) all entrances and exits. O. Reg. 545/71, s. 2 (2); O. Reg. 107/72, s. 3.

(3) A licence to open, establish or operate a pit or quarry shall be in Form 3.

(4) A permit to open, establish or operate a wayside pit or quarry shall be in Form 4.

(5) The fee for a licence to open, establish or operate a pit or quarry is \$25 for a person other than a corporation and \$100 for a corporation.

(6) The fee for a permit to open, establish or operate a wayside pit or quarry is \$25.

(7) A licensee or permittee shall pay a fee in an amount equal to the amount paid for the issuance

of the licence or permit, as the case may be, in each year the licence or permit is in force within ninety days after the anniversary date of the issuance of the licence or permit.

(8) The fees set out in subsections (5), (6) and (7) shall be forwarded to the Ministry of Natural Resources, Queen's Park, Toronto and shall be paid to the Treasurer of Ontario. O. Reg. 545/71, s. 2 (3-8).

3. A short form of site plan as set out in subsection 4 (3) of the Act shall be in Form 6. O. Reg. 107/72, s. 2.

4. Every application for a licence to open, establish or operate a pit or quarry shall have affixed thereto a certificate signed by a professional engineer who is a member of the Association of Professional Engineers of the Province of Ontario, an Ontario Land Surveyor or other qualified person approved by the Minister, stating the following:

"I hereby certify that the site plan which accompanies this application has been prepared by me."

O. Reg. 545/71, s. 3.

5.—(1) A notice of application as required under subsection 5 (2) of the Act shall be in Form 5.

(2) An applicant for a licence to open, establish or operate a pit or quarry shall give public notice of his application by causing an advertisement to be inserted in two successive issues of at least one daily or weekly newspaper having general circulation in the area. O. Reg. 545/71, s. 4.

6.—(1) The security required under subsection 11 (1) of the Act shall be deposited annually no later than the 15th day of March for the operations of the previous calendar year in a deposit account held by the Treasurer of Ontario bearing interest at a rate equal to the Province of Ontario Savings Office account rate of interest in effect from time to time.

(2) Interest paid under subsection (1) shall be deemed to be security for the purposes of this section.

(3) The amount of the security referred to in subsection (1) shall be equal to 8 cents per tonne of material removed from the pit or quarry property in the previous calendar year and, subject to subsections (5) and (6), shall continue to be paid until such time as the total amount of the security on deposit is an amount equal to \$3000 for each hectare that in the opinion of the Minister requires rehabilitation.

(4) Where a pit or quarry has been abandoned and the rehabilitation program has been carried out in accordance with the requirements of the Act, this Regulation and the site plan as required under subsection 4 (2) or (3) of the Act, the operator of the pit or quarry is entitled to a refund of the whole of the security on deposit.

(5) Where a pit or quarry is in operation and progressive rehabilitation has been carried out, the operator of the pit or quarry may deduct from the amount payable under subsection (3), such amounts as are approved by the Minister that have been expended in progressive rehabilitation on or before the 15th day of October in the previous calendar year, provided the operator shall not be entitled to reduce the amount payable to less than \$1000 for each hectare that in the opinion of the Minister requires rehabilitation.

(6) Where an operator of a pit or quarry has filed security under subsection (1) in excess of \$1000 for each hectare requiring rehabilitation, he is entitled upon submission of proof satisfactory to the Minister of the performance of progressive rehabilitation, to a refund of the portion of the excess as determined by the Minister based on the amount of the rehabilitation carried out. O. Reg. 1112/80, s. 1.

7.—(1) Every operator of a pit or quarry shall, where possible, while the pit or quarry is in operation, rehabilitate the pit or quarry to the final grade and contours indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act. O. Reg. 107/72, s. 5.

(2) Every operator of a wayside pit or quarry shall, where possible, while the wayside pit or quarry is in operation, rehabilitate the wayside pit or quarry to the final grade and contours indicated in the sketch map required under subsection 2 (2). O. Reg. 545/71, s. 6 (2).

8.—(1) Except in the case of a pit or quarry where the slope shall be that slope indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act or in the case of a wayside pit or quarry where the slope shall be that slope indicated in the sketch map required under subsection 2 (2) of this Regulation, every final excavation face of a pit, quarry, wayside pit or wayside quarry shall be sloped to less than 45 degrees off horizontal.

(2) Notwithstanding subsection (1), except in the case of a pit or quarry where the slope shall be that slope indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act or in the case of a wayside pit or quarry where the slope shall be that slope indicated in the sketch map required under subsection 2 (2) of this Regulation, every face of a pit, quarry, wayside pit or wayside quarry, which is worked to the excavation limit allowed under section 14 shall be sloped from that limit to less than 45 degrees off horizontal. O. Reg. 107/72, s. 6.

9. Existing top soil in sufficient quantity and depth to raise and maintain a healthy growth of vegetation adequate to bind the soil and to prevent erosion shall be replaced in excavated areas and in such other areas indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act and shall be planted with trees, shrubs, legumes or grasses. O. Reg. 107/72, s. 7.

10. Every pit or wayside pit excavation made to a water producing depth shall have all banks sloped to the water line at a slope which shall not exceed 1 1/2 feet horizontally for each foot vertically. O. Reg. 545/71, s. 9.

11. A pit or quarry or a wayside pit or quarry may be rehabilitated by backfilling. O. Reg. 545/71, s. 10.

12.—(1) Every operator of a pit or quarry or a wayside pit or quarry shall stockpile sufficient existing top soil, stripping or fill to facilitate rehabilitation of the pit or quarry or the wayside pit or quarry.

(2) Every stockpile referred to in subsection (1) shall have stable slopes and seeding so as to prevent erosion. O. Reg. 545/71, s. 11.

13.—(1) Except for entrances and exits, every operator of a pit or quarry shall plant and maintain a screen of trees consisting of deciduous or coniferous species which will attain a minimum height of twenty feet, on land within the pit or quarry property lying,

(a) fifty feet from the road allowance of any common and public highway;

(b) fifty feet from the boundary of any abutting property restricted to residential use by a restricted area by-law passed under section 39 of the *Planning Act*; and

(c) in such other areas indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act. O. Reg. 547/71, s. 12 (1); O. Reg. 107/72, s. 8 (1).

(2) Forthwith after an abutting property becomes restricted to residential use by a restricted area by-law under section 39 of the *Planning Act*, except for entrances and exits, every operator of a pit or quarry shall plant and maintain a screen of trees consisting of deciduous or coniferous species which will attain a minimum height of twenty feet, on land within the pit or quarry property lying fifty feet from the boundary of such abutting property. O. Reg. 545/71, s. 12 (2).

(3) The screen of trees referred to in subsections (1) and (2) shall contain a minimum of one hundred trees per acre or that number and kind of trees and shrubs indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act.

(4) The screen of trees required under subsections (1) and (2) may be supplemented or replaced by an earth berm along the perimeter of the pit or quarry property provided that such a berm is indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act. O. Reg. 107/72, s. 8 (2).

(5) Where an earth berm is used to supplement or replace a screen of trees, the berm may include a screen of trees and shrubs and shall be,

(a) high enough so as to interrupt the view of the pit or quarry from adjoining lands; and

(b) seeded. O. Reg. 545/71, s. 12 (5).

14.—(1) No building, plant or product stockpile of a pit or quarry shall be located on the pit or quarry property within,

(a) 100 feet of the boundary of the pit or quarry property; or

(b) 300 feet of the boundary of any abutting property restricted to residential use by a restricted area by-law passed under section 39 of the *Planning Act*.

(2) Except where such use is permitted by the official plan of the local municipality in which the pit or quarry is located, no operator of a pit or quarry shall use or permit to be used, any building or structure on land used for pit or quarry operations, for any purpose other than for the operation of the pit or quarry, storage, maintenance, providing office space for the pit or quarry operation or for the carrying on of a related business.

(3) All buildings, structures and plants on the pit or quarry property shall be maintained in a good state of repair. O. Reg. 545/71, s. 13.

15.—(1) Subject to subsection (2), no pit or quarry excavation or wayside pit or quarry excavation shall be closer than 100 feet from the road allowance of any common and public highway or fifty feet from any other property boundary.

(2) Notwithstanding subsection (1), where written approval of the Minister has been obtained, the distance from the road allowance of a common and public highway may be reduced to fifty feet provided that a program of progressive rehabilitation is carried out to restore that distance to the distance indicated in subsection (1). O. Reg. 545/71, s. 14.

16. Every operator of a pit, quarry, wayside pit or wayside quarry shall ensure that all scrap is collected into a specific area. O. Reg. 107/72, s. 9.

17. All perched ponds which may be a hazard to life shall be drained to the lowest level of the land in the pit or quarry excavation. O. Reg. 545/71, s. 16.

18. Every operator of a pit or quarry shall erect and maintain a fence of heavy duty farm fencing at least five feet in height which shall follow the contours of the surface of the ground on the perimeter of the area to be used for the pit or quarry operations as indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act. O. Reg. 107/72, s. 10.

19. Every entrance and exit to a pit or quarry shall have a gate which shall be kept closed and locked during the time when the pit or quarry is not in operation. O. Reg. 545/71, s. 18.

20. Every road entrance and exit to a pit or quarry or a wayside pit or quarry shall be located so as to provide a clear and unobstructed view in both directions onto a common and public highway. O. Reg. 545/71, s. 19.

21. No explosives shall be detonated in a pit or quarry or a wayside pit or quarry on a holiday or between the hours of 6 p.m. and 8 a.m. O. Reg. 545/71, s. 20.

22. The parts of Ontario described in the Schedule are designated parts of Ontario in which the Act applies. O. Reg. 268/77, s. 1.

Schedule

1. Those parts of the Territorial District of Algoma consisting of,

- i. the City of Sault Ste. Marie, and
- ii. the Township of Prince.

2. All of the County of Brant.

3. All of the County of Bruce.

4. All of the County of Dufferin.

5. All of The Regional Municipality of Durham.

6. All of the County of Elgin.

7. All of the County of Essex.

8. All of the County of Frontenac.

9. All of the County of Grey.

10. All of The Regional Municipality of Haldimand-Norfolk.

11. All of The Regional Municipality of Halton.

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| <p>12. All of The Regional Municipality of Hamilton-Wentworth.</p> <p>13. Those parts of the County of Hastings consisting of,</p> <ul style="list-style-type: none"> i. the City of Belleville, ii. the Separated Town of Trenton, iii. the Town of Deseronto, iv. the villages of Deloro, Frankford, Madoc, Marmora, Stirling and Tweed, and v. the townships of Elzevir and Grimsthorpe, Hungerford, Huntingdon, Madoc, Marmora and Lake, Rawdon, Sidney, Thurlow, Tudor and Tyendinaga. <p>14. All of the County of Huron.</p> <p>15. All of the County of Kent.</p> <p>16. All of the County of Lambton.</p> <p>17. All of the County of Lanark.</p> <p>18. The United Counties of Leeds and Grenville.</p> <p>19. All of the County of Lennox and Addington.</p> <p>20. Those parts of the Territorial District of Manitoulin consisting of,</p> <ul style="list-style-type: none"> i. Great LaCloche Island, and ii. Little LaCloche Island. <p>21. All of The Municipality of Metropolitan Toronto.</p> <p>22. All of the County of Middlesex.</p> <p>23. All of The Regional Municipality of Niagara.</p> <p>24. All of the County of Northumberland.</p> | <p>25. All of The Regional Municipality of Ottawa-Carleton.</p> <p>26. All of the County of Oxford.</p> <p>27. All of The Regional Municipality of Peel.</p> <p>28. All of the County of Perth.</p> <p>29. Those parts of the County of Peterborough consisting of,</p> <ul style="list-style-type: none"> i. the City of Peterborough, ii. the villages of Havelock, Lakefield, Lake Simcoe and Norwood, iii. the townships of Asphodel, Delmont, Cay, Douro, Dummer, Ennismore, Harvey, North Monaghan, Otonabee, Smith and South Monaghan. <p>30. The United Counties of Prescott and Russell.</p> <p>31. All of the County of Prince Edward.</p> <p>32. All of the County of Simcoe.</p> <p>33. The United Counties of Stormont, Dundas and Glengarry.</p> <p>34. All of The Regional Municipality of Sudbury.</p> <p>35. Those parts of the Territorial District of Sudbury consisting of the geographic townships of Dill, Dryden and Trill.</p> <p>36. All of the County of Victoria, except townships of Dalton, Laxton, Digby and Longford and Somerville.</p> <p>37. All of the County of Wellington.</p> <p>38. All of The Regional Municipality of Waterloo.</p> <p>39. All of The Regional Municipality of York.</p> |
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- merston and North and South Canonto in the County of Frontenac.
 - ii. Darling, Lavant and Pakenham, in the County of Lanark.
 - iii. Longford, in the County of Victoria.
 - iv. Sheffield and that part of the Township of Kaladar in the County of Lennox and Addington lying south of that part of the King's Highway known as No. 7.
- i. The District Municipality of Muskoka.
 - ii. The territorial districts of:
 - i. Manitoulin.
 - ii. Nipissing.
 - iii. Parry Sound.
 - iv. Those parts of the territorial districts of Algoma, Sudbury and Timiskaming, lying south of a line described as follows:

Beginning at the intersection of the boundary between Ontario and Quebec with the northerly shore of Lake Timiskaming; thence southerly and westerly along the northerly shore of that lake to the southerly boundary of the geographic Township of Dymond, in the Territorial District of Timiskaming; thence westerly along the southerly boundaries of the geographic townships of Dymond, Hudson, Lundy, Auld, Speight, Banks and Wallis, to the southwesterly corner of the last-mentioned township; thence southerly along the easterly boundaries of the geographic townships of Brewster and Gamble to the southeasterly corner of the last-mentioned geographic township; thence westerly along the southerly boundaries of the geographic townships of Gamble, Corley, Leckie and Dufferin, to the southwesterly corner of the last-mentioned geographic township; thence northerly along the westerly boundaries of the geographic townships of Dufferin, North Williams, Leonard and Tyrrell, to the intersection with the centre line of the highway known as the Elk Lake Westree Road; thence southwesterly along that centre line to Westree Station of the Canadian National Railway Company; thence southerly along the centre line of the Canadian National Railway Company to the southerly boundary of the geographic Township of Hennessy in the Territorial District of Sudbury; thence westerly along the southerly boundaries of the geographic townships of Hennessy and Inverness to the southwesterly corner of the last-mentioned geographic township; thence southerly along the easterly boundary of the geographic townships of Paudash, Marquette, Battersby, Athlone and Morse, to the southeasterly corner of the last-mentioned geographic township; thence westerly along the southerly boundaries of the geographic townships of Morse and Dennie, and the geographic townships of Del Villano, Beebe, Avis, Assef,

Assad and Shulman, in the Territorial District of Algoma, to the southwesterly corner of the last-mentioned geographic township; thence northerly along the westerly boundaries of the geographic townships of Shulman, Parrot, McKeough and Guindon, to the northwesterly corner of the last-mentioned geographic township; thence westerly along the southerly boundaries of the geographic townships of Eaton, Duksza, Drea, Deans, Cassidy, Caruthers, Carton, Sherratt, Scriven and Schembri, in the Territorial District of Sudbury, to the southwesterly corner of the last-mentioned geographic township; thence southerly along the easterly boundary of the geographic Township of Running, in the Territorial District of Algoma, to the southeasterly corner thereof; thence westerly and along the southerly boundaries of the geographic townships of Running, Runnalls, Raaflaub, Home, Peever and Rix, and the production of the southerly boundary of the last-mentioned geographic township to its intersection with the southerly production of the boundary between the territorial districts of Algoma and Thunder Bay. O. Reg. 156/81, Sched. 2.

(6967)

14

THE PITS AND QUARRIES CONTROL ACT, 1971

O. Reg. 157/81.

General.

Made—March 16th, 1981.

Filed—March 19th, 1981.

REGULATION TO AMEND ONTARIO REGULATION 545/71 MADE UNDER THE PITS AND QUARRIES CONTROL ACT, 1971

1. The Schedule to Ontario Regulation 545/71, as remade by section 2 of Ontario Regulation 1112/80, is revoked and the following substituted therefor:

Schedule

1. Those parts of the Territorial District of Algoma consisting of,

- (a) the City of Sault Ste. Marie; and
- (b) the Township of Prince.

2. All of the County of Brant.
3. All of the County of Bruce.
4. All of the County of Dufferin.

5. All of The Regional Municipality of Durham.
6. All of the County of Elgin.
7. All of the County of Essex.
8. Those parts of the County of Frontenac consisting of,
 - (a) the City of Kingston; and
 - (b) the townships of Pittsburgh and Kingston.
9. All of the County of Grey.
10. All of The Regional Municipality of Haldimand-Norfolk.
11. All of The Regional Municipality of Halton.
12. All of The Regional Municipality of Hamilton-Wentworth.
13. Those parts of the County of Hastings consisting of,
 - (a) the City of Belleville;
 - (b) the Separated Town of Trenton;
 - (c) the Town of Deseronto;
 - (d) the villages of Deloro, Frankford, Madoc, Marmora, Stirling and Tweed; and
 - (e) the townships of Elzevir and Grimsthorpe, Hungerford, Huntingdon, Madoc, Marmora and Lake, Rawdon, Sidney, Thurlow, Tudor and Tyendinaga.
14. All of the County of Huron.
15. All of the County of Kent.
16. All of the County of Lambton.
17. All of the County of Lanark.
18. The United Counties of Leeds and Grenville.
19. Those parts of the Territorial District of Manitoulin consisting of,
 - (a) Great LaCloche Island; and
 - (b) Little LaCloche Island.
20. All of The Municipality of Metropolitan Toronto.
21. All of the County of Middlesex.
22. All of The Regional Municipality of Niagara.
23. All of the County of Northumberland.

24. All of The Regional Municipality of Ottawa Carleton.
25. All of the County of Oxford.
26. All of The Regional Municipality of Peel.
27. All of the County of Perth.
28. Those parts of the County of Peterborough consisting of,
 - (a) the City of Peterborough;
 - (b) the villages of Havelock, Lakefield, Millbrook and Norwood; and
 - (c) the townships of Asphodel, Belmont, Cava Douro, Dummer, Ennismore, Harve North Monaghan, Otonabee, Smith and South Monaghan.
29. The United Counties of Prescott and Russell.
30. All of the County of Prince Edward.
31. All of the County of Simcoe.
32. The United Counties of Stormont, Dundas and Glengarry.
33. All of The Regional Municipality of Sudbury.
34. Those parts of the Territorial District of Sudbury consisting of the geographic townships of Dil Dryden and Trill.
35. All of the County of Victoria, except the townships of Dalton, Laxton, Digby and Longford and Somerville.
36. All of the County of Wellington.
37. All of The Regional Municipality of Waterloo.
38. All of the Regional Municipality of York.

O. Reg. 157/81, s. 1

(6968)

14

THE PLANNING ACT

O. Reg. 158/81.

Restricted Areas—Part of the District of Manitoulin, Townships of Campbell, Dawson, Mills and Robinson.

Made—March 16th, 1981.

Filed—March 19th, 1981.

REGULATION TO AMEND
ONTARIO REGULATION 153/74
MADE UNDER
THE PLANNING ACT

REGULATION TO AMEND
ONTARIO REGULATION 330/79
MADE UNDER
THE ONTARIO AGRICULTURAL MUSEUM
ACT, 1975

1. Section 2 of Ontario Regulation 330/79 is revoked and the following substituted therefor:
2. The fee for entrance to the Museum is,
 - (a) for each adult, \$2.50;
 - (b) for each child, \$1.00;
 - (c) for each senior citizen who is in possession of proof of age, \$1.25;
 - (d) for each student, \$1.50;
 - (e) for each family, \$6.00; and
 - (f) for members of group tours,
 - (i) for each adult, \$2.00,
 - (ii) for each secondary school student, \$1.50, and
 - (iii) for each elementary school student, \$1.00 O. Reg. 322/81, s. 1.

(7308)

22

~~REGULATION TO AMEND~~
ACT, 1971

O. Reg. 323/81.
General.
Made—May 8th, 1981.
Filed—May 13th, 1981.

REGULATION TO AMEND
ONTARIO REGULATION 545/71
MADE UNDER
THE PITS AND QUARRIES CONTROL
ACT, 1971

1. Section 5 of Ontario Regulation 545/71, as remade by section 1 of Ontario Regulation 1112/80, is amended by adding thereto the following subsection:
- (7) Subsections (1) to (6) as they existed on the 31st day of December, 1980 continue to apply in respect of the calendar year 1980. O. Reg. 323/81, s. 1.

(7309)

22

THE PLANNING ACT

O. Reg. 324/81.
Delegation of Authority of Minister
under Section 44b of the Planning
Act—Condominium Plans.
Made—May 8th, 1981.
Filed—May 14th, 1981.

REGULATION TO AMEND
ONTARIO REGULATION 891/80
MADE UNDER
THE PLANNING ACT

1. Section 1 of Ontario Regulation 891/80 is amended by adding thereto the following paragraph:
9. The Regional Municipality of Halton.
2. Clause 2 (a) of the said Regulation is revoked and the following substituted therefor:
 - (a) any application for approval or exemption of a description received by the Minister before,
 - (i) the 1st day of November, 1980 with respect to lands in a municipality named in paragraphs 1 to 8 of section 1, or
 - (ii) the 15th day of May, 1981 with respect to lands in The Regional Municipality of Halton;
3. This Order comes into force on the 15th day of May, 1981.

CLAUDE BENNETT
Minister of Housing

Dated at Toronto, this 8th day of May, 1981.

(7327)

22

THE FARM PRODUCTS MARKETING
ACT

O. Reg. 325/81.
Turkeys—Marketing.
Made—May 12th, 1981.
Filed—May 14th, 1981.

REGULATION TO AMEND
REGULATION 343 OF
REVISED REGULATIONS OF ONTARIO, 1970
MADE UNDER THE
FARM PRODUCTS MARKETING ACT

1. Regulation 343 of Revised Regulations of Ontario, 1970 is amended by adding thereto the following section:

PITTSBURGH ACT

O. Reg. 424/84.
General.
Made—June 28th, 1984.
Filed—June 29th, 1984.

REGULATION TO AMEND
REGULATION 784 OF
REVISED REGULATIONS OF ONTARIO, 1980
MADE UNDER THE
PITS AND QUARRIES CONTROL ACT

1. Clause 8 (b) of the Schedule to Regulation 784 of Revised Regulations of Ontario, 1980, as remade by section 1 of Ontario Regulation 157/81, is revoked and the following substituted therefor:

(b) the townships of Kingston, Pittsburgh and Storrington.

2. This Regulation comes into force on the 1st day of July, 1984.

(5010)

28

FIRE MARSHALS ACT

O. Reg. 425/84.
Fire Code.
Made—June 22nd, 1984.
Filed—June 29th, 1984.

REGULATION TO AMEND
ONTARIO REGULATION 730/81
MADE UNDER THE
FIRE MARSHALS ACT

1. Article 9.1.3.1. and Sentence 9.1.3.2.(1) of Ontario Regulation 730/81, as made by Ontario Regulation 251/83, are revoked and the following substituted therefor:

Compliance
time

9.1.3.1. It is the responsibility of the *owner* to comply with the requirements of this Part within one (1) year after the day this Regulation comes into force, or, in the case of an assembly occupancy referred to in Sentence 9.2.1.1.(11) (halls in religious establishments), within two (2) years after the day this Regulation comes into force.

Extension
of time

9.1.3.2.(1) The *owner* or his agent may apply to the *Chief Fire Official* for an extension of time not to exceed two (2) additional years from the applicable date of compliance referred to in Article 9.1.3.1.

(5011)

28

OFF-ROAD VEHICLES ACT, 1983

O. Reg. 426/84.
General.
Made—June 22nd, 1984.
Filed—June 29th, 1984.

REGULATION TO AMEND
ONTARIO REGULATION 47/84
MADE UNDER THE
OFF-ROAD VEHICLES ACT, 1983

1. Clause 1 (a) of Ontario Regulation 47/84 is revoked and the following substituted therefor:

(a) "dune buggy" means a self-propelled vehicle with four or more wheels that has been manufactured or modified for off-road use but

does not include an amphibious vehicle with six or more wheels;

2. Section 2 of the said Regulation is amended by adding thereto the following subsection:

(2) Motorcycles, as defined in the *Highway Traffic Act*, that are,

- (a) lent to a motorcycle driver training school by a manufacturer or dealer for the purpose of driver training;
- (b) used in an area designated for driver training by the school; and
- (c) driven by persons enrolled in the driver training course or by course instructors for instruction purposes.

Commencing at a point in the northerly limit of said Lot 7 distant 909.67 north 43° 41' east from the most westerly angle of said Lot 7, which said point is the most westerly angle of the said lands of John Ross Taylor;

Thence south 45° 06' east 423 feet to a point;

Thence north 51° 47' east along a line approximately parallel to the northerly limit of the lands of the Hydro Electric Power Commission of Ontario as described in Instrument No. 20273 East Flamborough, 174.72 feet to a point;

Thence north 64° 32' west along the westerly limit of the lands of one Phibbs 85.79 feet to a point;

Thence north 22° 32' west continuing along the westerly limit of the lands of one Phibbs 400 feet to a point in the northerly limit of said Lot 7;

Thence south 43° 41' west along the northerly limit of said Lot 7 a distance of 300 feet to the point of commencement. O. Reg. 28/86, s. 2, *part*.

G. M. FARROW
Assistant Deputy Minister
Community Planning Wing
Ministry of Municipal Affairs

Dated at Toronto, this 15th day of January, 1986.

(8120)

6

**PIT AND QUARRY
CONTROL ACT**

O. Reg. 29/86.
General.
Made—January 16th, 1986.
Filed—January 23rd, 1986.

**REGULATION TO AMEND
REGULATION 784 OF
REVISED REGULATIONS
OF ONTARIO, 1980
MADE UNDER THE
PITS AND QUARRIES
CONTROL ACT**

1. Subsection 6 (6) of Regulation 784 of Revised Regulations of Ontario, 1980 is revoked and the following substituted therefor:

(6) Where an operator of a pit or quarry has filed security under subsection (1) in excess of \$1,000 for each hectare requiring rehabilitation, the operator is entitled, upon submission of proof satisfactory to the Minister of the performance of progressive rehabilitation, to a refund once in each calendar year of the

portion of the excess as determined by the Minister based on the amount of the rehabilitation carried out. O. Reg. 29/86, s. 1.

2. Subsection 8 (2) of the said Regulation is amended by striking out "14" in the tenth line and inserting in lieu thereof "15".

3. Section 9 of the said Regulation is revoked and the following substituted therefor:

9. All existing top soil shall be retained and replaced in excavated areas and in such other areas indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act and shall be planted with trees, shrubs, legumes or grasses. O. Reg. 29/86, s. 3.

4. Section 15 of the said Regulation is revoked and the following substituted therefor:

15. No pit or quarry excavation or wayside pit or quarry excavation shall be closer than 100 feet from the road allowance of any common and public highway or fifty feet from any other property boundary. O. Reg. 29/86, s. 4.

5. Section 18 of the said Regulation is revoked and the following substituted therefor:

18. Every operator of a pit or quarry shall erect within one calendar year of the date of the issuance of a licence and maintain a fence of heavy duty farm fencing at least five feet in height which shall follow the contours of the surface of the ground on the perimeter of the area to be used for the pit or quarry operations as indicated in the site plan filed with the Minister under subsection 4 (2) or (3) of the Act. O. Reg. 29/86, s. 5.

6. Section 19 of the said Regulation is revoked and the following substituted therefor:

19. Every operator of a pit or quarry shall within one calendar year of the date of issuance of a licence erect a gate at every entrance and exit to the pit or quarry which shall be kept closed and locked during the time when the pit or quarry is not in operation. O. Reg. 29/86, s. 6.

(8121)

6

**PARKWAY BELT PLANNING
AND DEVELOPMENT ACT**

O. Reg. 30/86.
The Regional Municipality of York.
Town of Markham.
Made—January 16th, 1986.
Filed—January 23rd, 1986.

PITS AND QUARRIES CONTROL ACT

O. Reg. 155/86.
General.
Made—March 21st, 1986.
Filed—March 25th, 1986.

**REGULATION TO AMEND
REGULATION 784 OF
REVISED REGULATIONS OF
ONTARIO, 1980
MADE UNDER THE**

ACT

1. Subsection 6 (3) of Regulation 784 of Revised Regulations of Ontario, 1980 is revoked and the following substituted therefor:

(3) The amount of the security referred to in subsection (1) shall be equal to 8 cents per tonne of material removed from the pit or quarry property in the previous calendar year and, subject to subsections (5) and (6), shall continue to be paid until such time as the total amount of the security on deposit is an amount equal to \$6,000 for each hectare that in the opinion of the Minister requires rehabilitation.

(3a) The Minister shall once in the calendar year refund to the operator of a pit or quarry any money on deposit in excess of \$6,000 for each hectare that in the opinion of the Minister requires rehabilitation.
O. Reg. 155/86, s. 1.

(8440)

15

HEALTH INSURANCE ACT

O. Reg. 156/86.
General.
Made—March 21st, 1986.
Filed—March 25th, 1986.

**REGULATION TO AMEND
REGULATION 452 OF
REVISED REGULATIONS OF
ONTARIO, 1980
MADE UNDER THE
HEALTH INSURANCE ACT**

1.—(1) Part 1 of Schedule 4 to Regulation 452 of Revised Regulations of Ontario, 1980 is amended by adding thereto the following item:

3a. Scarborough Bellwood Health Services Inc.

(2) Item 6 of Part 1 of the said Schedule 4 is revoked.

2. This Regulation shall be deemed to have come into force on the 14th day of November, 1985.

(8441)

15

HEALTH INSURANCE ACT

O. Reg. 157/86.
General.
Made—March 21st, 1986.
Filed—March 25th, 1986.

**REGULATION TO AMEND
REGULATION 452 OF
REVISED REGULATIONS OF
ONTARIO, 1980
MADE UNDER THE
HEALTH INSURANCE ACT**

1.—(1) Paragraph 2 of subsection 50 (1) of Regulation 452 of Revised Regulations of Ontario, 1980, as remade by subsection 1 (1) of Ontario Regulation 345/85, is revoked and the following substituted therefor:

2. Subsequent Office Visit \$9.80

(2) Subsection 50 (2) of the said Regulation, as remade by subsection 1 (2) of Ontario Regulation 345/85, is revoked and the following substituted therefor:

(2) The maximum amount of payment for the services specified in subsection (1), excluding radiographic examinations, in respect of each insured person is \$115 per twelve-month period. O. Reg. 157/86, s. 1 (2).

2. Subsection 59 (5) of the said Regulation, as remade by section 2 of Ontario Regulation 518/84, is revoked and the following substituted therefor:

(5) The maximum amount payable by the Plan for the services prescribed in subsection (3), excluding radiographic examination, is, in respect of each insured person, \$115 per twelve-month period. O. Reg. 157/86, s. 2.



M.O.E. Policy Manual

POLICY TITLE LAND USE COMPATIBILITY		NO 07-03-01
<u>Legislative Authority</u> the Environmental Protection Act the Ontario Water Resources Act the Environmental Assessment Act the Planning Act the Condominium Act		
<u>Statement of Principles</u> This policy identifies the direct interest of the Ministry of the Environment in recommending separation distances and other control measures on land use planning proposals to prevent future incompatibilities between land uses. The policy statement sets the context for all existing and new policies related to land use compatibility. The intent is to achieve a reasonable degree of protection that supplements practicable emission controls, without unduly restricting land use.		
<u>DEFINITIONS</u> <u>Buffer</u> In a land use context, a buffer can be: 1. a space; or 2. a feature; or 3. a land use; or 4. any combination of the above, interposed between two conflicting land uses for the purpose of reducing or eliminating the adverse effects of one land use upon the other. A buffer may be <u>open space</u> , where distance alone is relied upon to produce the desired results, or it may be a berm, wall, trench, fence, or other structure or plantings, or other land use different from the two conflicting ones, but <u>compatible</u> with both.		
Rev. 2 - Feb. 1/84		
<u>Point of Contact</u>	Manager Operational Services Section Environmental Approvals and Project Engineering Branch	
<u>Effective Date</u> December 1, 1981		

07-03-02

Influence Area

The area(s) identified around a source(s) of emission subject to one of a number of adverse environmental effects of varying duration, frequency and distance of dispersal.

Buffer Area

The area between an emission source(s) and nearby sensitive land uses, where land use controls are used to minimize any significant adverse effects. It can be of variable size, shape and composition to produce the desired results and apply to all or part of an Influence Area.

Land Use
Compatibility

A recognized factor and principle of good land use planning, whereby land uses which are known or expected to cause environmental problems for one another, when in proximity, are deemed incompatible and are protected from one another by separation or other means.

Application

The policy applies in all cases where a proposed change in land use has the potential to create significant adverse environmental effects on another land use(s).

This includes application of the policy to municipal planning proposals and other development applications reviewed by the Ministry of the Environment, where the Ministry's advice is requested under other Agencies' Legislation; in particular, in the review of official plans and amendments, zoning by-laws and amendments, plans of subdivision, consents, etc.

The policy is applicable:

- (a) where new residential uses or other sensitive uses are proposed within the influence area of existing emission sources;
and/or,

January 27, 1982

- (b) where new sources of emission are proposed close enough to existing residential uses, or other sensitive uses, so as to adversely influence them.

1. Objective of Policy

The objective of this policy is to minimize the exposure of humans, including existing and future residents, to the adverse environmental effects of certain incompatible land uses.

2. Scope of Policy

This policy involves all land uses conflicting with residential use, or other sensitive uses, including certain:

2.1 Land Uses

- (a) industrial uses;
- (b) transportation facilities;
- (c) utilities;
- (d) agricultural operations;
- (e) commercial uses; and
- (f) intensive recreational uses.

2.2 Environmental Effects

Certain kinds of adverse environmental effects from these uses are difficult to practically control, at the source, under all circumstances, all of the time. They include:

- (a) noise and vibration;
- (b) gas;
- (c) odour;
- (d) particulates; and
- (e) other contaminants.

3. Policy Statement

It is the policy of the Ministry of the Environment to recommend the separation of incompatible land uses, where necessary, in the review of land use plans as a preventive means of achieving environmental objectives of the Ministry. There is an Influence Area around certain facilities or land uses, subject to emissions, usually of a nuisance nature, where exposure of residents and other sensitive uses should be minimized. These areas should

07-03-04

be identified at an early stage in land use planning. Necessary environmental control measures, such as placing Buffer Areas between emission sources and residential or sensitive land uses, should be applied, to supplement practicable emission controls, but not to take the place of such controls.

4. Policy
Implementation

The policy on land use compatibility will be implemented by the Ministry of the Environment in two ways:

1. by staff in reviews of proposed planning documents to the appropriate approval authority;
2. through Regulations, detailed policies, guidelines and studies. In their absence, staff will use best professional judgement and available information.

January 27, 1982



Ontario

Ministry
of the
Environment

M.O.E. Policy Manual

POLICY TITLE GUIDELINES FOR LAND USE ON OR NEAR LANDFILLS AND DUMPS	NO 07-07-01				
<u>Legislative Authority</u> The Environmental Protection Act, Part V Ontario Regulation 309 The Planning Act, Sections 2(e), 2(h)					
<u>Statement of Principles</u> This policy provides guidelines for MOE staff reviewing proposals for land use on or near operating and non-operating landfills and dumps, as defined in Regulation 309, regardless of ownership. This policy does not take the place of the Ministry's abatement programs, but rather it complements them. DEFINITIONS <table border="0"><tr><td data-bbox="315 932 444 963"><u>Land Use</u></td><td data-bbox="763 932 1477 1058">Any existing or proposed activity, structure, service, facility, or natural feature, either at, above, or below grade, which conforms to an approved municipal plan.</td></tr><tr><td data-bbox="315 1121 623 1184"><u>Land Used for Waste Disposal Purposes</u></td><td data-bbox="763 1121 1461 1278">The land comprising the fill area where landfilling or dumping has occurred, and the land identified in a certificate of approval which is being used for the leachate buffer area and/or the gas buffer area.</td></tr></table> April 15, 1986		<u>Land Use</u>	Any existing or proposed activity, structure, service, facility, or natural feature, either at, above, or below grade, which conforms to an approved municipal plan.	<u>Land Used for Waste Disposal Purposes</u>	The land comprising the fill area where landfilling or dumping has occurred, and the land identified in a certificate of approval which is being used for the leachate buffer area and/or the gas buffer area.
<u>Land Use</u>	Any existing or proposed activity, structure, service, facility, or natural feature, either at, above, or below grade, which conforms to an approved municipal plan.				
<u>Land Used for Waste Disposal Purposes</u>	The land comprising the fill area where landfilling or dumping has occurred, and the land identified in a certificate of approval which is being used for the leachate buffer area and/or the gas buffer area.				
<u>Point of Contact</u> Director, Environmental Approvals and Land Use Planning Branch					
<u>Effective Date</u> March 28, 1986					

07-07-02

Sensitive Land Use

A land use where man or the natural environment may experience an adverse environmental effect from an incompatible land use.

Fill Area

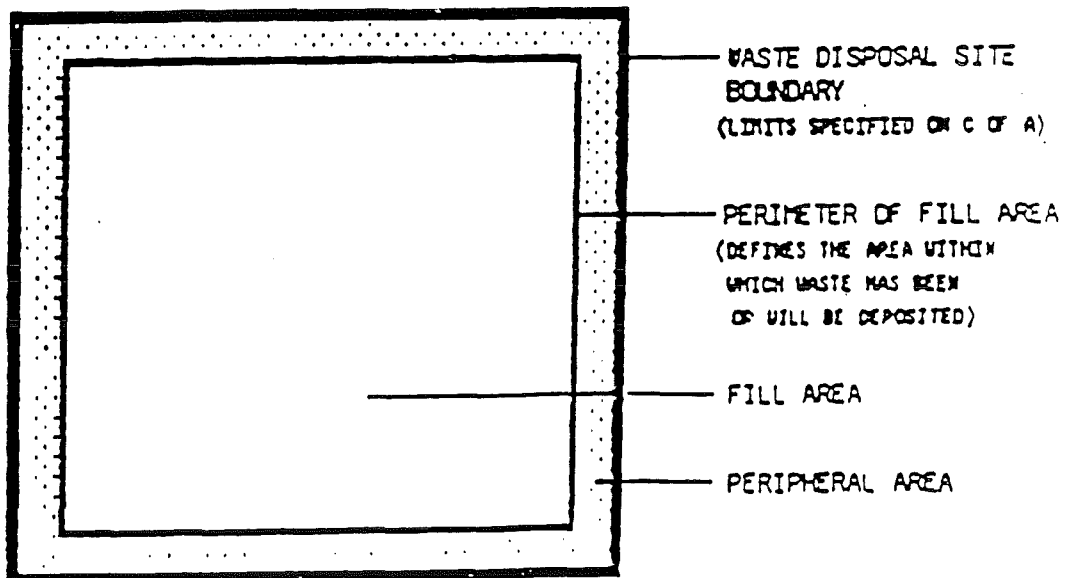
The area of a waste disposal site set aside for landfilling or dumping.

Peripheral Area

The area controlled by the applicant between the boundary of the waste disposal site and the fill area. Together the peripheral area and the fill area make up the waste disposal site. The peripheral area will contain the buffer areas required to be on site.

CONCEPTUAL DIAGRAM NO. 1

(PLAN VIEW)



LANDFILL OR DUMP

5.1.3
Sequential
Development

In considering long range planning, MOE may recommend that certain types of land use be phased to coincide with closure of sections of a landfill or dump, or the operation itself, as nuisance effects are reduced or eliminated. This approach can only apply where there are no hazards to consider.

5.2 Land Use Within 30 m
of a Fill Area

5.2.1
Operating Sites

No land use may take place within 30 metres of the perimeter of a fill area. This is a minimum distance.

5.2.2
Non-Operating Sites

Where technical controls for leachate, or leachate and gas are required surrounding a fill area, no land use may take place within 30 metres of its perimeter. This distance may be reduced to 20 metres where only gas controls are necessary.

5.3 Land Use Within
500 m of a Fill
Area

MOE considers the most significant adverse environmental effects to be normally within 500 metres of the perimeter of a fill area. Staff must satisfy themselves that the developer has evaluated the presence and impact of any adverse environmental effects and necessary remedial measures, when land use proposals are within this distance. This assessment is based on the nature and knowledge of the disposal site, and the nature of land use(s) proposed. The actual influence areas (migration ranges) for the considerations listed in Sections 4.1 and 4.2 of this policy will vary with the individual landfill or dump.

5.4 Land Use Beyond
500 m of a Fill
Area

In exceptional hydrogeologic situations such as areas of fractured rock or sand, MOE staff will recommend that hydrogeologic and/or engineering studies be carried out for land use proposals beyond 500 metres of a fill area, where it is anticipated that leachate or gas could migrate beyond 500 metres and pose a problem.

5.5 Hydrogeologic/
Engineering Studies

5.5.1
Responsibility

Where the hydrogeologic and geologic setting of the developer's property and the interrelationship with gas and/or leachate from the fill area are unknown, staff will ensure that the developer engages a qualified hydrogeologist and/or engineer to determine the subsurface conditions and, where necessary, propose remedial measures.

5.5.2
Exceptions

A formal site investigation normally will not be required where MOE is satisfied that the evaluation of existing data indicates the absence of a problem.

6. Controls and Monitoring
for Adverse Environmental
Effects

6.1 Implementation
Responsibility

6.1.1
Developer

Staff will ensure that where necessary control measures are proposed by the developer and/or his consultant which include design details and specifications of any device or facility.

6.1.2
Municipality

Staff will confirm with the local municipal authority that the authority is responsible for ensuring that proper control measures are implemented and monitored, and that periodic inspections of both operating and non-operating landfills and dumps for contaminant migration and hazards are undertaken.

6.1.3
MOE

Where appropriate, MOE staff will recommend, as a condition of development approval, that controls be included to deal with adverse environmental effects, and that monitoring of contaminant migrations and inspections of control facilities be carried out.

6.2 Monitoring on
Private Property

Where monitoring and inspections will be required on private property, staff will recommend that a contract be executed between the developer and the municipality, in the form of, or part of, an agreement that may be registered on title and run with the land.

6.3 Buffering
Techniques

One or a combination of buffers as defined in MOE Policy 07-03 "Land Use Compatibility" may be employed in a given situation.

April 15, 1986

Priority	ENVIRONMENTAL ASSESSMENT STAGE 2C*		COMPARATIVE ANALYSIS	
	Site 'D'	Site 'F'	Site 'D'	Site 'F'
FIRST PRIORITY - PUBLIC HEALTH AND SAFETY				
Factors				
• Hydrology/Hydrogeology: Existing Constraints to Site Development	2	1	N/A	N/A
• Hydrology/Hydrogeology: Potential Impacts of Engineered Site Development	N/A	N/A	2	1
• Hydrology/Hydrogeology: Potential Impacts of Landfill Contingency Implementation	N/A	N/A	2	1
• Traffic Safety/Traffic Service & Operations†	1	1	1	1
• Land Use Conflict: Vermin	N/A	N/A	2	1
SECOND PRIORITY - NATURAL ENVIRONMENT				
Factors				
• Biophysical	2	6	1	2
• Agriculture	5	1	2	1
THIRD PRIORITY - SOCIAL ENVIRONMENT				
Factors				
• Population Impacts	3	1	2	1
• Community Facilities	4	5	1	2
• Dust/Odour	5	1	2	1
• Litter	N/A	N/A	1	1
• Noise	4	1	2	1
• Visual Impact	6	4	2	1
• Land Use Compatibility	3	1	2	1
FOURTH PRIORITY - CULTURAL ENVIRONMENT				
Factors				
• Heritage Features	5	1	2	1
• Archaeology	5	1	2	1
FIFTH PRIORITY - COSTS				
Factors				
• Costs	1	4	1	1

* The Stage 2C ranking was based on a comparison of six sites.

† Traffic Service and Operations was included in the "Costs" evaluation for the purpose of the Comparative Analysis.

NOTE: The most preferred site for landfilling is ranked No. 1, the second most preferred is ranked No. 2, and so on.



AGRICULTURAL ASSESSMENT REQUIREMENTS FOR MAJOR PROJECTS

In determining the agricultural impact of a project upon the agricultural resource and community, the following information should be documented and assessed:

1. Potential Loss of Agricultural Land

The potential loss of agricultural land should be evaluated by documenting and assessing the following:

- (a) the soil capability for agriculture in the study area and the percentage of each class on various site alternatives, according to the Canada Land Inventory (CLI);
- (b) the soil capability for specialty crops (fruit, vegetables, tobacco, etc.) within the study area, according to the County/Region/District Soil Survey Maps; and specialist advice.

CLI maps at a scale of 1:50,000 should be used. A more detailed soil survey may be necessary when reviewing specific site alternatives.

2. Potential Loss of Existing Agricultural Facilities

- (a) the types and acreages of crops grown, including specialty crops;
- (b) the type of livestock facilities, and the number of livestock in each facility;
- (c) the capital investment in agriculture
 - buildings and facilities
 - land improvements (drainage, clearing, stone removal, conservation)
 - irrigation systems
 - investment in crops and livestock;
- (d) the ownership and farm management input
 - owner or tenant occupied
 - full or part-time farmer or hobby farmer

3. Impact on On- Site and Off-Site Farm Operations

If a proposal only entails part of an existing farm operation it may have a detrimental impact on the rest of the farm holding. Moreover, a proposal may adversely affect neighbouring farm operations. The following should be documented and assessed:

- (a) the impact on water tables;
- (b) the impact on surface and subsurface drains and drainage patterns;
- (c) the increase in traffic and its effect on moving farm machinery;
- (d) the possibility of air, noise or water pollution and its effect upon agriculture;
- (e) the effects on ingress and egress to farm operations;
- (f) the increase in the possibility of trespass and vandalism on farms;
- (g) the possible increase in birds and rodents and its effects on neighbouring farms;
- (h) the fragmentation of farm fields;
- (i) the restrictions on possible farm expansions or farm management practices.

4. Impact on Agricultural Community

An effort should be made to define agricultural communities and to determine the effect a proposal will have on these communities. Criteria to be assessed are:

- (a) the location of integral farm related commercial/industrial operations, such as feed mills, farm machinery outlets, storage facilities, etc.;
- (b) the location of a potential site, with regard to being an isolated farm pocket or within a defined agricultural community;
- (c) the effect on the movement of farm machinery and the farmers' linkages to the farm community;
- (d) the placement of physical barriers between farm neighbours.

5. Compatibility of Land Uses

The compatibility of the proposed use to the surrounding farming operations should be documented and assessed according to the following criteria:

- (a) the number and location of non-farm uses;
- (b) the official plan designations and pertinent policies, as well as zoning controls;
- (c) other government programs or policies affecting the area, such as Hydro corridors, sewer and water expansions, proposed highways, etc.

6. Possible Spin-Off Effects

A proposal may result in positive or negative spin-off effects to the surrounding agricultural community. The following should, therefore, be documented and assessed:

- (a) changes that may occur in growth patterns;
- (b) demands for new services such as housing, commercial facilities, sewer and water facilities, highway improvements, etc.;
- (c) impact on farm land values.

7. Mitigation Measures

If a proposal has to be located in an agricultural area, mitigation measures should be identified that will minimize the impact on surrounding farm operations, such as access, tile drainage, surface drainage, soil conservation, farm expansion, etc.

8. Other

The nature of the proposal or the area in which the proposal is situated may necessitate other factors to be evaluated. For example, in a specialty crop area any special climatic factors which allow for growth of specialty crops would have to be addressed.

Analysis

The above noted factors are obviously interrelated, not being mutually exclusive or all inclusive. The nature of the proposal and the area in which it is proposed will dictate the degree of study needed. Some factors may have to be addressed in a study wide basis, and some only on a site specific basis.

The intent of attaining and evaluating the above noted criteria is to locate a site that has the least impact on agriculture, in terms of loss of potential agricultural land and minimization of conflict with the agricultural community. When the above noted information is gathered, some form of weighting or assessment of this criteria will, therefore, be required.



Ontario

Ministry of
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and Food

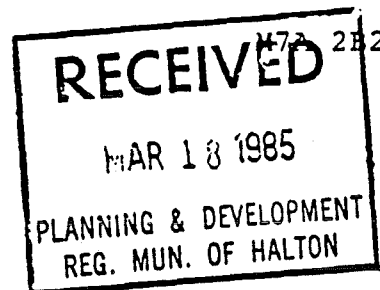
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Legislative Buildings
Queen's Park
Toronto, Ontario

Foodland Preservation

March 8, 1985

Mr. R. Mohammed
Director of Planning & Development
Regional Municipality of Halton
P. O. BOX 7000
1151 Bronte Road
OAKVILLE, Ontario, L6S 6E1



Dear Mr. Mohammed:

Re: Halton Landfill Environmental Assessment/
Selection of a Preferred Landfill Site/Draft
Stage 2C Reports 1, File No: 3708-437

We have reviewed the above noted reports in view of the Food Land Guidelines and based on present knowledge.

We feel the methodology and site comparisons and ranking of the Agricultural Assessment report are appropriate and well thought out. Moreover, we support the conclusions of this report.

We regard to the Draft Summary Report we support the recommendation of Site F as the preferred alternative, as it most clearly has the least impact on agriculture.

As a general comment, we feel the inclusion of maps indicating the official plan designations and zoning of the six sites would help clarify Report #12 on the Land Use and Planning Assessment.

Should you have any questions on the above, please contact Neil Smith at 965-9433.

Very truly yours,

DONALD DUNN
Director

cc: H. Flaming

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Ontario

088

Ministry of
Agriculture
and Food

Foodland Preservation Branch

416/965-9433

Legislative Building
Queen's Park
Toronto, Ontario

M7A 2B2

November 1, 1985

Mr. Roger Clarke
Review Coordinator
Environmental Assessment Branch
Ministry of the Environment
135 St. Clair Avenue West
Suite 100
TORONTO, Ontario
M4V 1P5

Dear Mr. Clarke:

Re: Regional Municipality of Halton
Waste Management Environmental Assessment
EA File No: 1-82-0006-000

We have reviewed the above noted environmental assessment in view of the Food Land Guidelines, which is the Provincial policy on planning for agriculture. Our review also takes into account the previous reports and documents we received that led to the preparation of this final report.

In response to the questions you have raised, we provide the following comments:

1. We are satisfied with the data and analysis provided in the EA. With regards to conclusions, we recommend Site F as the preferred alternative for landfilling, as it clearly has the least impact on agriculture.

With regards to agricultural mitigation measures for Site D, we feel the report should clearly indicate that if this site is chosen for a landfill, agricultural rehabilitation will occur. Presently, the EA states that "agricultural use of the site may be restored by concurrent rehabilitation of the site or following the site closure".

2. We feel the proponent has chosen an appropriate range of alternatives to investigate in the EA.
3. We have no comments to offer with regard to the monitoring and contingency plans specified by the proponent.
4. As stated previously we feel the EA should definitively indicate Site D will be rehabilitated to agriculture, should it be chosen as the landfill site.
5. It is not clear what this question means.
6. We are satisfied that agriculture was given a high priority in the EA process.
7. Our agency was well consulted throughout the process as a technical resource and as a reviewer.

I trust the above addresses the questions you have raised. Should you have any questions, please contact Neil Smith, District Manager, at 965-9433.

Yours very truly,



for DONALD DUNN
Director

cc: Mr. D. Perlin
Chief Administrative Officer
Region of Halton

Harold Flaming
Land Use Specialist, Fergus

NS/rac



Ontario

Ministry of
Agriculture
and Food

416/965-

9433

Legislative Bldg :
Queen's Park
Toronto, Ont. :

Foodland Preservation Branch

December 29, 1986

Mr. Roger Clarke
Environmental Assessment Branch
Ministry of the Environment
135 St. Clair Avenue West, 7th floor
Toronto, Ontario
M4V 1P5

Re: Halton Landfill Technical Study
Environmental Assessment Requirements

Dear Mr. Clarke:

The staff of the Region of Halton have recently provided this office with copies of a variety of reports dealing with the Halton Landfill component of the Solid Waste Management System.

Staff with this ministry have reviewed the material in view of the Food Land Guidelines, which as you know, comprises Provincial policy on planning for agriculture.

Our Ministry's comments dated November 1, 1985 indicated that the ministry was satisfied with the data and the analysis. Staff had, at that time, indicated a preference for the selection of Site F, and raised a concern that if Site D were chosen, agricultural rehabilitation should occur. This matter appears to have been addressed satisfactorily in the material received from the Region.

Staff are therefore satisfied with the data and analysis provided in the Environmental Assessment, and it would appear, therefore, that the requirements of the Act have been met.

M7A 2B2

ENVIRONMENTAL ASSESSMENT
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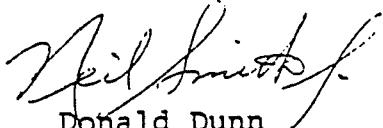
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If you have any further questions, please call
either Shirley Bailey, Acting District Manager, or
Heather Gariepy, Land-use Specialist, at 965-9433.

Yours truly,



Donald Dunn
Director

cc. P. Attack, Region of Halton
H. Gariepy

g:haltldfl.sab



Ontario

Ministry of
Agriculture
and Food

(416) 878-2314
or 453-9766 (Brampton line)

17 Wilson Drive, Unit #12
Milton, Ontario L9T 3J7

March 26th, 1985

Mr. R. Mohammed, Director
Planning & Development
Region of Halton
P.O. Box 7000
Oakville, Ontario
L6J 6E1



Dear Mr. Mohammed:

I am writing to support the selection of Site "F" as the Halton Region Landfill Site. The selection of this site will have the least impact on the agricultural community in Halton. Sites A, B, C, D, and E are presently in agricultural production. It is important that these sites be maintained in agricultural production for future food production and to ensure that farm families who rent properties on the site can continue to carry on a viable farm operation. The 1981 Census Statistics for Agriculture indicated that over 50% of the land farmed in Halton is rented (61,709 acres owned and 67,322 rented).

With high land values in this area, high interest rates and some unstable commodity prices we as ministry staff are encouraging farm people to reduce their risk by renting farm land, buildings and using custom operators. I feel this is the most feasible alternative to owning land and equipment and will allow producers the opportunity to concentrate on management of productive farm assets (livestock and crops) that will return future profits and maintain a viable farm unit.

Another factor of importance to the agricultural community, especially livestock farms, is the availability of clean and fresh water. Placing a landfill site in an agriculturally productive area could jeopardize the quality of water available to farms. Enclosed is an OMAF Factsheet outlining the daily needs for water of various livestock types. Please note the large volumes required.

..... 2

I strongly agree with the subfactors outlined in Draft Technical Report 4 that were used to evaluate the sites from an agricultural prospective. Long term agricultural viability, quality of land for growing crops and large blocks of continuous farmland located in Sites A, B, C, D and E are priority items for ensuring an agriculture industry in Halton in the future.

Many people in Halton rely on agricultural production to earn a living. In the past few years the Region has introduced policies and programs to control nonagricultural growth on prime agricultural land. I would like to encourage the Region to select Site "F" as the final landfill location and to preserve the larger agricultural areas for production of agricultural products, and to encourage and show the next generation that there is a future for farming in Halton.

Yours truly,



PEM/nm
Encl.

Phyllis E. MacMaster
Agricultural Representative
Halton Region



Ontario

and Food

ORDER NO. 77-040

SEPTEMBER 1977

AGDEX $\frac{400}{716}$

Factsheet

WATER REQUIREMENTS OF LIVESTOCK

(Reprinted May 1978)

R.W. Irwin, School of Engineering, University of Guelph

The daily water requirements of livestock vary with air temperature, air humidity, species of animal, water content of the diet, loss of sweat due to exertion, temperature of the water, and the salinity of the supply.

Adequate water must be provided. It makes up 80% of the blood, regulates body temperature, and is vital for organ functions such as digestion, waste removal and the absorption of nutrients. The quantity of dry matter in the diet influences the quantity of drinking water. The absorption of more vegetation water decreases the quantity of drinking water needed even when consumed dry matter is higher.

A constant supply of water is one of the most essential needs in a livestock feeding program, yet, it is often overlooked particularly when a farm operation is being expanded. After expansion, many farmers have found that when the cows drank there was no water left for other uses and they had to wait. It is advisable to plan water requirements ahead of time.

Water use on a farm follows a predictable pattern in a day's operation. A herd of cattle often drinks as a unit and may consume three-quarters of the daily total consumption in one period of activity.

The temperature of the water is important for the maximum efficient conversion of feed to energy. For example, cows prefer warm water. Warming 50 litres of water from 0°C to 39°C requires 1,950 calories, or one-third of the foodstuff required to maintain life.

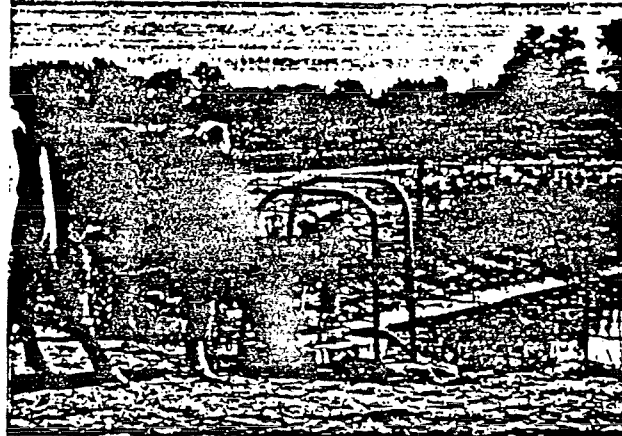


Figure 2. Cattle activated water pump at edge of farm pond.

The water distribution system usually limits the peak flow. Microbial growth in pipes may clog them and animals will get insufficient water. This is usually due to iron bacteria and is common in water tanks and iron pipes but it also occurs in plastic and copper pipes.

A study of 70 dairy cow herds showed the peak flow at the stock tank was 5 gallons per minute (gpm) for 15 minutes but dropped to 1 gpm at the end of 4 hours. The peak flow at the milk house was 8 gpm (maximum pump capacity) but dropped to 2 gpm at the end of 10 minutes and to 1 gpm at the end of 1 hour.



Figure 1. Water bowl in stanchion tie dairy barn.

BEEF CATTLE

Beef cattle drink 5 to 6 times per 24 hours. Waterers should be located out of the sun in summer and out of the wind in winter. The table shows the water consumption range for a maintenance ration and a fattening ration.

Table 1. Total Daily Water Intake by Beef Cattle (lb)

Animal Weight (lb)	Air Temperature		
	50°F	70°F	90°F
400	20 — 36	25 — 48	40 — 80
600	25 — 48	32 — 65	50 — 100
800	30 — 63	40 — 85	64 — 140
1000	38 — 80	50 — 110	80 — 180

HORSES

Horses drink more water in hot weather and while doing heavy work. The standard design rate is 10 to 15 gallons per day (gpd) (US). Use 2 to 3 pounds of water per pound of dry feed.

POULTRY

The feed requirements of poultry are directly related to bird weight. Water input and output is related to feed consumption and to environmental temperature. Over half of the water intake is from the feed.

Insufficient water will kill chicks, usually because they are unable to drink. Automatic waterers ensure poultry will not dehydrate. Laying hens use annually about 9 pounds of water per dozen eggs. Broilers will drink 5 to 7 gal/day/100 birds in moderate weather and 50% more in hot weather.

**Table 2. Water Consumption of Poultry
(lb/100 birds/day)**

Weeks	Broilers	Turkeys
1	5	65
3	12	175
6	25	220
10	35	500
13	40	800
25	-	-
Std Rate	4-6	7-10

DAIRY CATTLE

Dairy cows drink 10 times in 24 hours, mostly 7 to 9 a.m. and 6 to 8 p.m. after a feeding of hay. Since milk is about 87% water, cows produce 3.5% more milk and 10.7% more butterfat with a continuous supply of water as opposed to twice a day watering. They drank 18% more water. In stormy weather the amount of water drunk dropped one-third, with a 10°F rise in temperature the amount of water drunk rose 75%. With a drop in temperature they drank 75% less. A large scale study showed cows used 12.5 gal/day and growing cattle 7 gal/day of which two-thirds is drinking water and one-third other water from the feed, etc.

Dry Holstein cows drink on the average 90 pounds per day; milking cows about 190 pounds per day. Calves drink 10 to 50 pounds per day.

SHEEP

Sheep gained 3.4 pounds in 40 days compared to 0.8 pound when watered every second day. They lost 6 pounds when watered every third day. On good pasture, sheep use very little water; and on a dry range, from 5 to 13 pounds per day and more when salt is available.

SWINE

Swine drink 12 times in 24 hours. They gained 0.11 pound more per day and required 24 pounds less feed to make 100 pounds of pork.

Table 3. Water Consumption of Swine

Weight (lb)	Gal/day
50	1
100	1.5
150	2
200	2.5
250	3
Std Rate	2.4

WATER QUALITY

Water quality has not been a major concern with very limited up-to-date information available. Livestock needs in water quality are about the same as humans because they tolerate hunger more than thirst.

Water quality should always be assessed at the point of use, not at the source. Water which is relatively pure at the source is frequently contaminated when used by dust, nasal and fecal droppings or slime deposits.

Slime includes fungus, algae, yeast-like and mold organisms. It can build up in pipes to restrict the flow of water or clog valves in water troughs. When the slime organisms die and decay they smell foul and discourage animals from drinking.

Disease can be transmitted to animals when they use the same trough or drinking waterers. Diseases reported are anthrax, blackleg, foot rot, tuberculosis, leptospirosis, salmonellosis, brucellosis, foot-and-mouth disease, coccidiosis and erysipalis. All classes of livestock affected by toxic algae (blue-green) die.

Hydrocarbons act upon livestock as do some surfactants. High iron in water has influenced the conception rate. Impure water alters the quantity and quality of milk.

Superchlorination kills bacteria, overcomes many diseases and iron problems, and eliminates slime on water cups. Superchlorinators are attached to the water system and chlorine (Javex) is added to maintain 3 to 5 ppm. High chlorine levels (50 to 100 ppm) in stock water are not a problem.

Poultry is much more sensitive to the taste of water than the taste of feed. They are also sensitive to minerals and prefer the water to be slightly acid. Chlorinated water should be used for poultry. Waterers should be washed and sanitized daily. They usually get washed daily and disinfected weekly.

The tolerance to minerals (total salts) in mg/L is for poultry — 2900; swine — 4300; horses — 6400; dairy cow — 7200; beef cow — 10,000; sheep — 13,000. Sulfates over 1,000 mg/L may create weakness in cattle.

NOTE: All quantities are in U.S. gallons. One U.S. gallon weighs 8.33 pound.