

AMENDMENT NO. X
OF THE OFFICIAL PLAN
FOR THE
COUNTY OF SIMCOE

Waste Management Policies and Schedules

CERTIFIED that the attached is a true copy of Official Plan Amendment No. X as adopted and passed by By-law No. _____ by the Council of the Corporation of the County of Simcoe on the ___ day of _____, 2020.

Clerk

THE CORPORATION OF THE COUNTY OF SIMCOE

BY-LAW NO. _____

A By-law to Adopt Official Plan Amendment No. **X** to the
Official Plan for the County of Simcoe

**THE COUNCIL OF THE CORPORATION OF THE COUNTY OF SIMCOE IN ACCORDANCE WITH
PROVISIONS OF THE PLANNING ACT, HEREBY ENACTS AS FOLLOWS:**

1. Amendment No. **X** to the Official Plan for the County of Simcoe, is hereby adopted.

The Clerk is hereby authorized and directed to make application to The Ministry of Municipal Affairs and Housing for approval of the aforementioned Amendment No. **X** to the Official Plan for the County of Simcoe.

This By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS ___ DAY OF _____, 2020.

READ A THIRD TIME AND PASSED THIS ___ DAY OF _____, 2020.

Warden

Clerk

OFFICIAL PLAN

FOR
THE COUNTY OF SIMCOE
OFFICIAL PLAN AMENDMENT NO. X

The attached explanatory text constitutes Amendment No. X to the Official Plan for the County of Simcoe.

This amendment was prepared and adopted by the Council of The Corporation of the County of Simcoe by By-law No. _____ in accordance with Sections 17 and 21 of the Planning Act, R.S.O., 1990, c.P.13, as amended, on the ____ day of _____, 2020.

Warden

Clerk

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TO THE OFFICIAL PLAN
FOR THE COUNTY OF SIMCOE
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THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan for the County of Simcoe consists of two parts.

PART A – THE PREAMBLE consists of the purpose, location and basis for the Amendment and does not constitute part of the actual Amendment.

PART B – THE AMENDMENT sets out the actual Amendment along with the specific policies to be added to the County of Simcoe Official Plan.

PART A - THE PREAMBLE

TITLE

The title of this Amendment is “Official Plan Amendment No. X to the Official Plan for the County of Simcoe”, herein referred to as Amendment No. X.

PURPOSE

The Amendment proposes to amend Section 4.9 of the Official Plan by adding references to waste management systems, providing a new policy with regard to a new waste disposal site or expansion of a waste disposal site, and providing a new section with regard to mapping of waste disposal sites. The policies provide for a broader range of activities at waste management sites and clarify requirements for D-4 Assessment Areas and land use compatibility.

The Amendment further amends Section 5.8 of the Official Plan by providing modified definitions for ‘Buffer Area,’ ‘Guideline D-4,’ ‘Infrastructure,’ ‘Waste,’ and ‘Waste Disposal Site,’ and further by providing a new definitions in accordance with the policy revisions.

The associated waste management map schedules, Schedule 5.6.1 and 5.6.2, are proposed to be updated by revising the content of the schedules in accordance with the revised policies and waste management system approach.

Please note that the amendment is not proposing any new waste management sites.

LOCATION

Official Plan Amendment No. X is a textual and mapping amendment and the policies apply to all lands located within County of Simcoe.

BASIS

During a review of existing operations and new initiatives for diversion activities at waste management sites, it became apparent that the Simcoe County Official Plan schedules and policy required clarification with respect to waste transfer activities and other non-landfilling activities, which would be desirable for all County operated waste management sites.

It was also apparent that County operations had evolved significantly over the time period between the original development of policy and the ultimate approval date of those policies. County waste management activities have expanded in regard to waste diversion whereas the original policy development focused to a large degree on landfill operations and associated policies with regard to D-4 guidelines.

As there was an apparent need to amend the County policies to deal with the waste diversion activities for existing waste management sites, a review of County policies and potential appropriate amendments were sought.

To guide the policy review and proposed amendments the following objectives were established:

- To recognize that waste management has evolved since the County Official Plan policies were first developed and that waste diversion is now a major component of operations;
- To provide maximum flexibility for waste management operations and activities at all County waste management sites;
- To continue to distinguish between various waste management activities, including active and non-active landfill activities, for the purposes of the application of the D-4 policies and related land use compatibility studies;
- To allow for the establishment and relocation of non-landfilling related waste management activities on County waste management sites without the necessity of individual official plan amendments; and,
- To provide consistency in the policy approach and related definitions for waste management activities.

In order to achieve these objectives, a County Official Plan amendment has been prepared.

PART B - THE AMENDMENT

1.0 INTRODUCTION

Part B – The Amendment, provides the following text amendments and map Schedules ‘A’ and ‘B’ constitute Amendment No. X to the Official Plan for the County of Simcoe.

2.0 DETAILS OF THE AMENDMENT

The text of the Official Plan for the County of Simcoe is hereby amended as follows:

2.1 In the existing **Section 4.9** ‘Waste Management,’ the following policies are modified:

2.1.1 **Policy 4.9.1** is hereby amended by: replacing the word “*systems*” with the word “*sites*”; adding the words “as part of the *County’s waste management system*” immediately following the word “requirements”; and adding the words “which adapt to the constant evolution of new technologies and approaches becoming available and advances in environmental protection and governing legislation, such as the *Environmental Protection Act*” immediately after the word “objectives”.

2.1.2 **Policy 4.9.2** is hereby amended by: removing the word “convenience”; and, adding the words “conducted at *waste management sites*” immediately following the word “activities”.

2.1.3 The section heading **Regulation of Waste Disposal Sites** is hereby amended by replacing the word “Disposal” with the word “Management”.

2.1.4 **Policy 4.9.3** is hereby amended by: replacing the word “*disposal*” with the word “*management*” in the first sentence; replacing the words “Ministry of the Environment” with “*provincial*” in the second sentence; replacing the word “from” with the word “over” immediately following the word “diversion” in the third sentence; and, removing the last sentence.

2.1.5 A new **Policy 4.9.4** is added by inserting the following text immediately after Policy 4.9.3:

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

2.1.6 Existing **Policy 4.9.4** is renumbered to **Policy 4.9.5** and is hereby amended by: replacing the word “a” with “the” following the word “operation”; replacing the word “*disposal*” with the word “*management*”; adding the letter “s” to the word “*site*” following the word “management”; and, replacing the word “its” with the word “their”.

- 2.1.7 Existing **Policy 4.9.5** is renumbered to **Policy 4.9.6** and is hereby amended by: adding the word “the” immediately following the word “of”; and, by replacing the word “*disposal*” with the word “*management*”.
- 2.1.8 Existing **Policy 4.9.6** is renumbered to **Policy 4.9.7** and is hereby amended by replacing the word “*disposal*” with the word “*management*” immediately following the word “*waste*.”
- 2.1.9 Existing **Policy 4.9.7** is renumbered to **Policy 4.9.8** and is hereby amended by replacing the word “*disposal*” with the word “*management*” immediately following the word “*waste*.”
- 2.1.10 Existing **Policy 4.9.8** is renumbered to **Policy 4.9.9** and is hereby amended by: replacing the word “*disposal*” with the word “*management*” immediately following the word “*waste*”; adding the words “or expanded” immediately after the word “established”; and, replacing the word “disposal” with the word “management” at the end of the sentence.
- 2.1.11 A new **Policy 4.9.10** is added by inserting the following text immediately after **Policy 4.9.9**:

“New Waste Management Site or Expansion of a Waste Management Site

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

A new *waste management site* or the expansion of an existing *waste management site* for the purposes of non-landfilling activities including, but not limited to, the transfer of materials, management of recyclable materials, or processing of organics, will not require an amendment to this *Plan*.

An amendment to the *local municipal* official plan may be required for a new *waste management site* or expansion of an existing *waste management site* of the purposes of non-landfilling activities.

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

- 2.1.12 The heading “**D-4 Assessment Areas**” is removed and the heading “**Mapping of Waste Management Sites**” is inserted immediately following the new **Policy 4.9.10**.
- 2.1.13 Existing **Policy 4.9.9** is renumbered **Policy 4.9.11** and is hereby amended by: replacing the word “*disposal*” with the word “*management*” in the first sentence; adding the sentence “The boundaries of the *County* owned and operated *waste management sites* are the property boundaries of the lands owned by the *County* on which *waste management site* activities occur.” immediately after the first sentence; inserting the words “and *provincially*” immediately after the word “municipality”; replacing the word “*disposal*” with the word “*management*” immediately following the word “*waste*”; removing the words “The locations of all *waste disposal sites* within each *local municipality* will be mapped in respective *local municipal* official plans.” From the second paragraph; adding the words “Information regarding the sites identified on Schedule 5.6.2, is to be obtained from the Ministry of Environment, Conservation and Parks” to the second paragraph; adding a third paragraph stating “The locations of all *waste management sites* shown on Schedules 5.6.1 and 5.6.2 within each *local municipality* will be mapped in the respective *local municipal* official plans.”; and adding a fourth and fifth paragraph which state “Where the applicable *provincial* ministry approves the addition or removal of a *waste management site* from the schedules to this

Plan, amendments to this *Plan* and to the *local municipal plan* are not required” and “Where policy requires that an amendment to this *Plan* is required to remove or add a *waste management site*, a mapping change will occur as part of that amendment. Any such amendment requires approval from the Ministry of Municipal Affairs and Housing”.

- 2.1.14 A heading “**D-4 Assessment Areas**” is inserted immediately after policy 4.9.11.
- 2.1.15 Existing **Policy 4.9.10** is renumbered to **Policy 4.9.12** and is hereby further amended by: replacing the word “*disposal*” with the word “*management*” immediately following the word “*waste.*”; replacing the words “Ministry of Environment” with the word “*Province’s*” immediately following the word “the”; adding the words “a *Fill Area* on” immediately before the words “on a *waste*”; adding “ing” to the word “*landfill*”; replacing the word “*disposal*” with the word “*management*” in the second sentence; adding the words “where the *Fill Area* is unknown” immediately before the words “or from the *Fill Area*”; removing the words “of the *waste for a closed site*”; and replacing the words “*Fill Area*” with the words “extent of *waste*”.
- 2.1.16 Existing **Policy 4.9.11** is renumbered to **Policy 4.9.13** and is hereby further amended by replacing the word “*disposal*” with the word “*management*”.
- 2.1.17 Existing **Policy 4.9.12** is renumbered to **Policy 4.9.14** and is hereby further amended by: replacing the word “*disposal*” with the word “*management*”; adding the words “with a *Fill Area*” immediately following the word “*sites*”; and, replacing the word “*MOE*” with “applicable *provincial ministry*” in all instances in which it occurs in this section.
- 2.1.18 Existing **Policy 4.9.13** is renumbered to **Policy 4.9.15** and is hereby further amended by revising “*MOE*” to “applicable *provincial ministry*” in all instances in which it occurs.
- 2.1.19 Existing **Policy 4.9.14** is renumbered to **Policy 4.9.16** and is hereby further amended by: replacing the word “*disposal*” with the word “*management*” and adding the words “which incorporates a *Fill Area*” immediately following the word “*site*”; and, adding the sentence “However, this shall be considered on a site-by-site basis in accordance with the results of investigations undertaken in accordance with policy 4.9.17” following the first sentence.
- 2.1.20 Existing **Policy 4.9.15** is renumbered to **Policy 4.9.17** and is hereby further amended by: replacing the word “*disposal*” with “*management*” immediately following the word “*waste*”; adding the words “which incorporates a *Fill Area*” immediately following the word “*site*”; removing the words “and their” and ending the sentence at this point; starting the next sentence with the word “Any”; and adding the sentence “Where appropriate, the *County* may scope the *D-4 Study* in accordance with the requirements of the *Guideline D-4* and any other applicable *provincial* standards or regulations.” to the end of this section.
- 2.1.21 Existing **Policy 4.9.16** is renumbered to **Policy 4.9.18** and is hereby further amended by replacing the word “*disposal*” with the word “*management*” immediately following the word “*waste.*”
- 2.1.22 Existing **Policy 4.9.17** is hereby deleted in its entirety.
- 2.1.23 A new heading is inserted immediately following Policy 4.9.18 titled “**Land Use Compatibility Study**”.
- 2.1.24 New **Policy 4.9.19** replaces deleted **Policy 4.9.17** and the following is added:

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

2.2 In the existing **Section 5.8 ‘Definitions,’** the following definitions are modified:

- 2.2.1 The definition of **BUFFER AREA** is hereby amended by: replacing the words “Waste Management Sites” with the words “the purposes of waste management”; replacing the word “for” with the word “in”; removing the words “no non-Waste Disposal Area related use can be made of the lands “ with the words “only *waste management site* uses other than landfilling may occur.”; replacing the words “Waste Disposal Site” with the words “*waste management site*”; and, replacing the words “Ministry of Environment” with the words “applicable *provincial* ministry.”
- 2.2.2 The definition of **D-4 APPROVAL AUTHORITY** is hereby amended by: replacing the word “*disposal*” with the word “*management*” in all instances where it occurs; and adding the words “with *Fill Areas*” immediately following with word “sites.”
- 2.2.3 The definition of **D-4 ASSESSMENT AREA** is hereby amended by: replacing the words “*waste disposal site*” with “*Fill Area*”; replacing the word “*disposal*” with “*management*” immediately following the word “waste” in the last sentence; and, adding the words “containing a *Fill Area*” immediately after the word “*sites*” in the last sentence.
- 2.2.4 The definition of **FILL AREA** is hereby amended by replacing the words “*waste disposal sites*” with “*waste management sites*” and adding the word “purposes” immediately following the word “landfilling.”
- 2.2.5 The definition of **GUIDELINE D-4** is hereby amended by replacing the word “*MOE*” with “*provincial*” immediately following the word “the.”
- 2.2.6 The definition of **INFRASTRUCTURE** is hereby amended by: adding the words “stormwater management systems, *waste management systems*” immediately after the words “sewage treatment systems”; replacing the words “electric generation” with “electricity power generation facilities”; and, adding the words “electricity transmission facilities, electricity transmission and distribution systems” immediately preceding the words “communications/telecommunications.”
- 2.2.7 A new definition of **LANDFILLING** is inserted as follows: “**LANDFILLING** means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals (R.R.O. 1990, Reg. 347: General - Waste Management).”
- 2.2.8 A new definition of **NON-LANDFILLING** is inserted as follows: “**NON-LANDFILLING** means any permitted use or activity in a *waste management site* other than *landfilling* and includes, but is not limited to, recycling facilities, transfer stations, and processing sites.”

- 2.2.9 The definition of **WASTE** is hereby amended by adding the sentence “For the purposes of this *Plan*, *waste* does not include liquid waste other than the capture and treatment of leachate.” at the end of the definition.
- 2.2.10 The definition of **WASTE DISPOSAL SITE** is hereby amended by renaming the defined term to **WASTE MANAGEMENT SITE** and by: deleting the words “includes the *Fill Area* and the *Buffer Area* of property which has been or is suspected to have been used as a landfill as well as property under *development* for landfilling and”; and adding the words “a site and facilities to accommodate solid *waste* from one or more municipality and includes one or more of the following activities or uses: (a) *landfilling* activities; (b) *non-landfilling activities*; (c) a *Fill Area* and the *Buffer Area* of a property which has been or is suspected to have been used for landfilling;”; re-numbering the remaining subsections accordingly; and revising the last subsection to read “clauses (a) to (d).” at the end of the sentence.
- 2.2.11 **Section 5.8** is hereby further amended by adding a new definition for **WASTE MANAGEMENT SYSTEM** as follows: “**WASTE MANAGEMENT SYSTEM** means a collection of *waste management sites*.”

3.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan for the County of Simcoe, as amended from time to time, regarding the implementation and interpretation of that Plan shall apply in regard to this Amendment.