

- i) Explore all opportunities to convert segments of areas where development is not proposed, or where connecting trails have not been created, into trail corridors and parkland;
- ii) Require all new development proposals to outline the need, form, location and extent of a trail extension/link, as part of said development, to the overall network;
- iii) Link corridors and parkland to Community Facilities such as arenas and playing fields, where possible.

4.12.4 Parking Facilities

Where recreation areas are designed for public or private use, adequate motor vehicle parking areas shall be established. Access points to parking areas and to all recreational areas shall be designed in a manner that minimizes potential conflicts between vehicles and pedestrians.

4.12.5 Zoning By-law Provisions

Community Facilities may be zoned in a separate classification in the implementing Zoning By-law.

4.13 WASTE DISPOSAL AREA

The Waste Disposal Area designation recognizes existing solid waste landfill sites that are located within the Municipality of Brighton. The Waste Disposal Area designation applies to both active and closed landfill sites.

4.13.1 Permitted Uses

Permitted uses shall include solid waste landfill sites as authorized by the Municipality and approved (as necessary) by the Ministry of the Environment.

4.13.2 Waste Disposal Area Designation

Solid waste landfill sites shall be designated as indicated by the symbol ⊗ on Schedule “A” to this Official Plan. The symbols shall indicate the actual location of the solid waste landfill site. It is understood that the area of influence encompasses all lands within a 500 metre radius of the perimeter of the waste cell. The solid waste landfill site’s area of influence shall be subject to

the policies of Section 4.13.10 where development of such lands is considered, and where Waste Disposal areas are considered for re-designation.

4.13.3 Development Policies

Development proposals for new Waste Disposal areas shall be considered with regard to the following concerns:

- i) The physical suitability of the site for the proposed use;
- ii) The compatibility of the proposed use with surrounding land uses; and
- iii) The ability of roads accessing the proposed disposal industrial site to carry traffic volumes projected to be generated by the proposed development, and the suitability of the proposed access points to the maintenance of a constant traffic flow pattern.

Prior to the designation of any new Waste Disposal area, Council, in consultation with the Ministry of the Environment, may require the preparation of background studies to address the above noted issues. Such studies shall be undertaken by qualified individuals and shall be to the satisfaction of Council and all applicable agencies.

Any new Waste Disposal area shall front on an assumed public road, which is currently maintained on a year-round basis by the Municipality of Brighton, the County of Northumberland, or the Ministry of Transportation.

Waste Disposal uses shall not be located within close proximity to any established or approved residential or other sensitive land use.

Any proposal for a new Waste Disposal area shall be carefully reviewed from an environmental perspective to ensure that the proposed use will have no detrimental effect on the existing environment.

4.13.4 Development Plan

Prior to the development of Waste Disposal lands, an overall development plan shall be required to ensure the proper integration of adjacent uses. The development plan shall include the following information:

- i) A survey of the entire property including contours, dimensions, watercourses, existing public roads, existing easements or rights-of-way, and all existing land uses and structures within 125 metres of the property boundary on which the Waste Disposal development is proposed.
- ii) A description of the location, height, dimension, and use of all buildings or structures proposed to be erected on the property, as well as setbacks, drainage provisions, proposed entrances, exits and parking areas, landscaping, final landfill contours, and proposed truck routes to and from the site.

4.13.5 Access Points

Access points to the Waste Disposal area shall be limited in number, and designed in such a manner so as to minimize the danger of traffic congestion due to vehicular turning while accessing and exiting the subject site.

4.13.6 Ministry of the Environment

The Ministry of the Environment shall be consulted prior to the approval of an application for an Official Plan Amendment to designate land as Waste Disposal.

4.13.7 Buffering

Adequate buffering, to include noise attenuating and visual screening measures shall be provided in accordance with Section 3.16.3 of this Plan for the purpose of reducing or eliminating the adverse effects of a Waste Disposal use on existing or proposed adjacent land uses.

The buffer may take the form of a berm, a wall, a fence, or vegetation plantings, or a combination of these features, which would be most suitable in achieving its intended purpose.

4.13.8 Lots of Record

The policies of this section shall not be applied to prevent development nor necessitate studies referred to herein on existing lots of record within the 500 metre area of influence, which are in land use designations other than Waste Disposal. No lot shall be created by plan of subdivision or consent to land severance, nor shall any Zoning By-law amendment to permit a change in

land use be enacted by Council in the area of influence, except where all applicable policies of this section are addressed to the satisfaction of the Municipality.

4.13.9 Zoning By-law Provisions

Waste Disposal uses shall be zoned in a separate zone classification in the Comprehensive Zoning By-law. Such zone classification shall include setback requirements in accordance with the appropriate guidelines and regulations of the Ministry of the Environment. A Holding Provision (H) may be applied to lands within the 500 metre area of influence, until it can be demonstrated to the satisfaction of the MOE and the Municipality that the lands are not impacted by effluent plumes or other forms of contamination from the waste disposal area.

4.13.10 Development Near Open or Closed Waste Disposal Sites

Open waste disposal sites are identified on Schedule 'A' to this Plan. Former (closed) solid waste landfill sites shall be indicated as such by the symbol Ø on Schedule "A" of this Plan, and shall be zoned in a Holding "H" zone classification in the implementing Zoning By-law. These sites and (where no site related environmental information is available) lands within a 500 metre radius of the perimeter of the waste cell are identified as waste disposal assessment areas for study purposes. Such lands may be used for the purposes permitted in the applicable designation without an Official Plan amendment provided the Municipality in consultation with the Ministry of the Environment is satisfied that the following concerns, where applicable, have been dealt with in an appropriate manner:

- i) Studies have been carried out to the satisfaction of the Municipality and the Ministry of the Environment that show that the development is compatible and can safely take place;
- ii) The Municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- iii) A qualified engineer shall carry out studies of gas, leachate and hydrogeology;
- iv) The Municipality shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any structure;

- v) Notwithstanding the land use designations on Schedule “A”, development will not be allowed to proceed in areas identified by this section as containing waste until the requirements of the Ministry of the Environment are satisfied.

When the above described concerns have been satisfied, a former solid waste landfill site shall be rezoned in an appropriate zone classification reflecting the proposed use of the property, removing a Holding “H” zone provision.

Section 46 of the Environmental Protection Act applies to the lands where waste was deposited (i.e., lands within the perimeter of the fill area). Section 46 states that “No use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be used unless the approval of the Minister for the proposed use has been given.

4.14 ENVIRONMENTAL PROTECTION

Lands designated as Environmental Protection on Schedules “A” are environmentally sensitive and include lands subject to natural hazards, natural heritage features and areas, and areas of groundwater or surface water discharge and recharge. Lands designated as Environmental Protection are primarily intended for preservation and conservation of the natural land and/or environment, and should be managed in such a fashion as to protect these features and areas from incompatible development. Conversely these policies serve to ensure that new development is protected from physical hazards. The environmental hazards and/or values associated with such lands act as constraints for development. Where possible, the approximate extent and location of environmentally sensitive areas have been identified and designated as “Environmental Protection” on Schedule “A” ”.

4.14.1 Other Sensitive Lands That Are Not Designated As “Environmental Protection”

Not all lands having environmentally sensitive features are designated as “Environmental Protection” on the Land Use Plan – Schedule “A” ”, due to the size and/or sensitivity of the feature, the degree of hazard it creates, or a lack of information. During the review of development proposals lands with sensitive features may be identified. Depending on their significance and/or hazardous nature, such features shall be protected. An application to