



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 327 - 2007

To Amend Zoning By-law 270-2004, as amended, to implement the Incineration and Waste Processing, Transfer and Disposal Study.

The Council of the Corporation of the City of Brampton ENACTS as follows:

1. By-law 270-2004, as amended, is hereby further amended:
 - 1) Section 5.0 Definitions is amended by adding the following definitions:

"Hazardous Waste" shall mean wastes that include:

 - i) "Severely Toxic Waste" shall mean commercial chemical products or manufacturing intermediates defined as Severely Toxic Waste under O.Reg. 347 of the *Environmental Protection Act*, however it shall not include Pharmaceutical Waste.
 - ii) "Hazardous Waste Chemicals or Manufacturing Intermediaries" shall mean hazardous wastes that include: Hazardous Industrial Waste, Acute Hazardous Waste Chemicals, Hazardous Waste Chemicals, Ignitable Waste, Corrosive Waste, Reactive Waste and Leachate Toxic Waste; but does not include: Medical, Veterinary or Pathological Waste, Severely Toxic Waste, Radioactive Waste and PCB Waste as defined by O.Reg. 347 of the *Environmental Protection Act*,.
 - iii) "Medical, Veterinary or Pathological Waste" shall mean any waste items generated through medical treatment, such as parts of the human body, including tissues and bodily fluids, or any part of the carcass of an animal, and includes Pharmaceutical Waste.
 - iv) "PCB Waste" shall mean PCB Waste as defined by O.Reg. 362 of the *Environmental Protection Act*, such as PCB equipment, PCB liquid or PCB material but excluding decontaminated PCB material or equipment, or equipment with PCB at levels below the definition of PCB waste in Provincial regulations.
 - v) "Radioactive Waste" shall mean waste is required to be licensed to permit handling under the federal *Nuclear Safety and Control Act*.

“Mechanical Sterilization” shall mean the destruction of microbes in medical, veterinary and pathological waste through the use of high pressure steam.”

“Pharmaceutical Waste” shall mean a waste that is derived from medicines, pharmaceuticals and instruments used to administer medicines or pharmaceuticals.”

“Power Generation (Fuel Combustion) Use” shall mean a facility that, by means of combustion of a fuel, converts thermal energy to electricity through a series of turbines and generators. This excludes centralized heating plants and localized district energy facilities that do not sell power to the provincial electrical distribution system.”

“Sanitary Landfill Site” shall mean a waste disposal use used for the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, including compaction of waste into a cell and covering the waste with cover materials at regular intervals.”

“Non-hazardous Solid Waste Processing Use” shall mean a Waste Disposal Use that manages or prepares waste for subsequent reuse or disposal. Non-hazardous Solid Waste Processing Use typically include material recovery facilities (MRFs) and compost facilities (i.e., for municipal waste). The waste handled at a Non-hazardous Waste Solid Processing Use is not liquid industrial waste and is not hazardous waste, both as defined by O.Reg. 347 of the *Environmental Protection Act*.”

“Non-hazardous Solid Waste Transfer Use” shall mean a Waste Disposal Use used for the purpose of transferring waste from one vehicle to another for transport to another Waste Disposal Use. Some limited degree of processing (e.g., compaction) of the waste may take place at a Non-hazardous Solid Waste Transfer Use. The waste handled at a Non-hazardous Solid Waste Transfer Use is not liquid industrial waste and is not hazardous waste, both as defined by O.Reg. 347 of the *Environmental Protection Act*.”

“Thermal Degradation” shall mean a Waste Disposal Use that treats non-hazardous waste and Hazardous Waste by thermal means, including incineration, gasification, pyrolysis or plasma arc treatment, and includes:

- i) “Thermal Degradation (Energy from Waste) Use” shall mean a Waste Disposal Use that treats non-hazardous waste by Thermal Degradation and is accompanied by the generation of electricity, in which case the waste is used as a fuel source for the production of energy and/or heat. It shall not include the thermal degradation of hazardous wastes.
- ii) “Thermal Degradation (Non-Energy Producing) Use” shall mean a Waste Disposal Use designed and operated for the degradation or destruction of non-hazardous waste by Thermal Degradation. For the purposes of this category, Thermal Degradation of waste shall not include the generation of electricity. It shall not include the Thermal Degradation of Hazardous Wastes.
- iii) “Thermal Degradation (Hazardous Waste) Use” shall mean a Waste Disposal Use that treats hazardous waste by Thermal

Degradation. Thermal Degradation shall not include mechanical sterilization.”

“Waste Disposal Use” shall mean:

- (a) any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and,
- (b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a); and,
- (c) notwithstanding clause (a) and (b), it does not include any product, returned to a manufacturer or supplier of the product for reprocessing, repackaging or resale for any reason, including that the product, substance or organism is:
 - (i) defective or otherwise not usable for its original purpose, or
 - (ii) in surplus quantities but still usable for its original purpose.
- (d) notwithstanding clause (c), it does not apply to Severely Toxic Waste, Hazardous Waste Chemicals or Manufacturing Intermediaries, Radioactive Waste, or PCB Waste; and,
- (e) notwithstanding clause (a) and (b), it does not include the temporary storage of spent or surplus material inputs or by-products of a manufacturing use that are temporarily stored at a manufacturing facility until such time as they are removed from the facility for disposal.”

“Hazardous Waste Transfer Use” shall means a Waste Disposal Use used for the purpose of transferring hazardous waste as defined by O.Reg. 347 of the *Environmental Protection Act*, from one vehicle to another for transport to another Waste Disposal Use. Some limited degree of processing (e.g., compaction) of the waste may take place at a Hazardous Waste Transfer Use.”

“Hazardous Waste Processing Use” shall mean a Waste Disposal Use that manages or prepares hazardous waste for subsequent reuse or disposal, that handles hazardous waste, either solid or liquid, that is defined as hazardous waste by O.Reg. 347 of the *Environmental Protection Act*, but shall not include the thermal degradation of hazardous waste, nor shall it include mechanical sterilization.”

- 2) Section 5.0 Definitions is amended by adding the following to the definition of “Waste Processing Station”, between the words “shall mean” and “a facility”:

“for the purposes of Sections 948, 1228, 1794, 1795 and 2719,”

- 3) Section 5.0 Definitions is amended by adding the following to the definition of “Waste Transfer Station”, between the words “shall mean” and “a facility”:

“for the purposes of Sections 948, 1228, 1794, 1795 and 2719,”

- 4) Section 5.0 Definitions is amended by adding the following to the definition of "Public Use", between the words "health care, protection," and "utility":

"waste disposal,"

2. By-law 270-2004, as amended, is hereby further amended by deleting Section 30.9 and replacing it with the following:

"(30.9) Waste Disposal Use

A Waste Disposal Use shall only be permitted in Industrial Two – M2, Industrial Three – M3 and Industrial Three A – M3A zones in accordance with Sections 32.1, 33.1 and 33.2 respectively. Notwithstanding the Industrial Two – M2, Industrial Three – M3 and Industrial Three A – M3A zone provisions to the contrary, no outside storage associated with a Waste Disposal Use shall be permitted, unless such storage is located within enclosed bins or containers and conforms to all the provisions of the zone respecting outside storage.

Waste Disposal Uses, including those involving hazardous waste, owned, operated or managed by or used for the purposes of a waste program administered by the City of Brampton or the Regional Municipality of Peel are permitted in Industrial Two – M2, Industrial Three – M3 and Industrial Three A – M3A zones, provided that yard, outside storage, parking, and coverage regulations required for the zone where the lands are located are complied with."

3. By-law 270-2004, as amended, is hereby further amended by adding the following uses as permitted uses in Section 32.1 Industrial Two – M2 as Section 32.1.1 (a) (7), (8), (9) and (10):

"(7) Non-hazardous Solid Waste Processing Use, Non-hazardous Solid Waste Transfer Use, Power Generation (Fuel Combustion) Use, or Hazardous Waste Transfer Use for Hazardous Waste Chemicals or Manufacturing Intermediaries or Medical, Veterinary or Pathological Waste, or Mechanical Sterilization, provided such uses are located a minimum of 300 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.

(8) Hazardous Waste Processing Use for Hazardous Waste Chemicals or Manufacturing Intermediaries or Medical, Veterinary or Pathological Waste, provided such uses are located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.

(9) Thermal Degradation (Non-Energy Producing) Use and Thermal Degradation (Energy from Waste) Use, provided such use is located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2."

(10) Thermal Degradation (Hazardous Waste) Use for Medical, Veterinary or Pathological Waste, provided such use is located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2."

4. By-law 270-2004, as amended, is hereby further amended by adding the following uses as a permitted accessory use in Section 32.1 Industrial Two –M2 as Section 32.1.1 (c) (5):

“(5) Thermal Degradation (Energy from Waste) Use provided that the source of waste input into the energy generation is a by-product of the primary use of the site and is not a Hazardous Waste.”

5. By-law 270-2004, as amended, is hereby further amended by adding the following uses as permitted uses in Section 33.1 Industrial Three - M3 as Section 33.1.1 (a) (6), (7) (8) and (9):

“(6) Non-hazardous Solid Waste Processing Use, Non-hazardous Solid Waste Transfer Use, Power Generation (Fuel Combustion) Use, or Hazardous Waste Transfer Use for Hazardous Waste Chemicals or Manufacturing Intermediaries or Medical, Veterinary or Pathological Waste, or Mechanical Sterilization, provided such uses are located a minimum of 300 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.

(7) Hazardous Waste Processing Use for Hazardous Waste Chemicals or Manufacturing Intermediaries or Medical, Veterinary or Pathological Waste; provided such uses are located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.

(8) Thermal Degradation (Non-Energy Producing) Use and Thermal Degradation (Energy from Waste) Use, provided such use is located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.”

(9) Thermal Degradation (Hazardous Waste) Use for Medical, Veterinary or Pathological Waste, provided such use is located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.”

6. By-law 270-2004, as amended, is hereby further amended by adding the following uses as a permitted accessory use in Section 33.1 Industrial Three -M3 as Section 33.1.1 (c) (5):

“(5) Thermal Degradation (Energy from Waste) Use provided that the source of waste input into the energy generation is a by-product of the primary use of the site and is not a Hazardous Waste.”

7. By-law 270-2004, as amended, is hereby further amended by adding the following uses as permitted uses in Section 33.2 Industrial Three A - M3A as Section 33.2.1 (a) (6), (7), (8) and (9):

“(6) Non-hazardous Solid Waste Processing Use, Non-hazardous Solid Waste Transfer Use, Power Generation (Fuel Combustion) Use, or Hazardous Waste Transfer Use for Hazardous Waste Chemicals or Manufacturing Intermediaries or Medical, Veterinary or Pathological Waste, or Mechanical Sterilization, provided such uses are located a minimum of 300

metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.

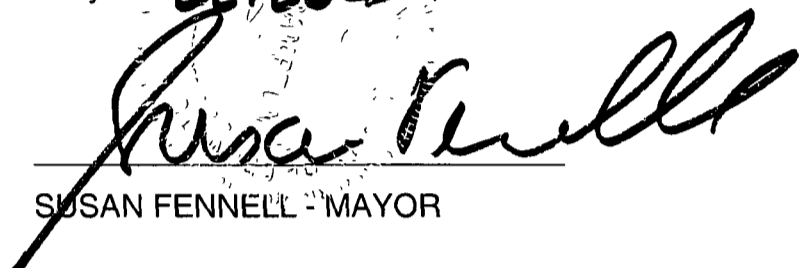
- (7) Hazardous Waste Processing Use for Hazardous Waste Chemicals or Manufacturing Intermediaries or Medical, Veterinary or Pathological Waste, provided such uses are located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.
 - (8) Thermal Degradation (Non-Energy Producing) Use and Thermal Degradation (Energy from Waste) Use, provided such use is located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.”
 - (9) Thermal Degradation (Hazardous Waste) Use for Medical, Veterinary or Pathological Waste, provided such use is located a minimum of 1,000 metres from all Residential Zones, Open Space Zone - OS, Institutional One Zone – I1 and Institutional Two Zone – I2.”
8. By-law 270-2004, as amended, is hereby further amended by adding the following uses as a permitted accessory use in Section 33.2 Industrial Three A - M3A as Section 33.2.1 (c) (5):
- “(5) Thermal Degradation (Energy from Waste) Use, provided that the source of waste input into the energy generation is a by-product of the primary use of the site and is not a Hazardous Waste.”
9. By-law 270-2004, as amended, is hereby further amended by adding the following to Section 30.0 General Provisions for Industrial Zones, as Section 30.16:
- “30.16 Mechanical Sterilization
- Mechanical Sterilization shall be permitted as an accessory use to Animal Hospitals, Private or Public Hospitals, Institutional Uses, Nursing Homes, and Public Uses wherever those uses are permitted in this By-law.”
10. By-law 270-2004, as amended, is hereby further amended by adding the following to M3-Section 1678, Section 1678.2, before the word “shall”:
- “notwithstanding the provisions of Section 33.1.1 (a) (6), the lands”
11. By-law 270-2004, as amended, is hereby further amended by adding the following to M1-Section 2554, Section 2554.2, before the word “shall”:
- “notwithstanding the provisions of Section 30.9, the lands”
12. By-law 270-2004, as amended, is hereby further amended by amending Schedule “A” of By-law 270-2004 to zone the lands known municipally as 8 Bramwin Court, and described as Part of Lot 2, Concession 6, E.H.S, as M3A-Section 1396 as shown on Schedule “A” attached to this By-law.
13. By-law 270-2004, as amended, is hereby further amended by adding the following as M3A-Section 1396:

"1396 The lands designated M3A-Section 1396 on Schedule A to this by-law:

1396.1 notwithstanding the provisions of 33.2.1 (a) (6), in addition to the uses permitted in the M3A Zone, the lands may be used for a Non-Hazardous Waste Solid Waste Processing Use with no outdoor storage."

14. This By-law shall not come into effect until Official Plan Amendment OP~~93~~ - ~~288~~ comes into force and effect.

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL, this 10 day of October, 2007.

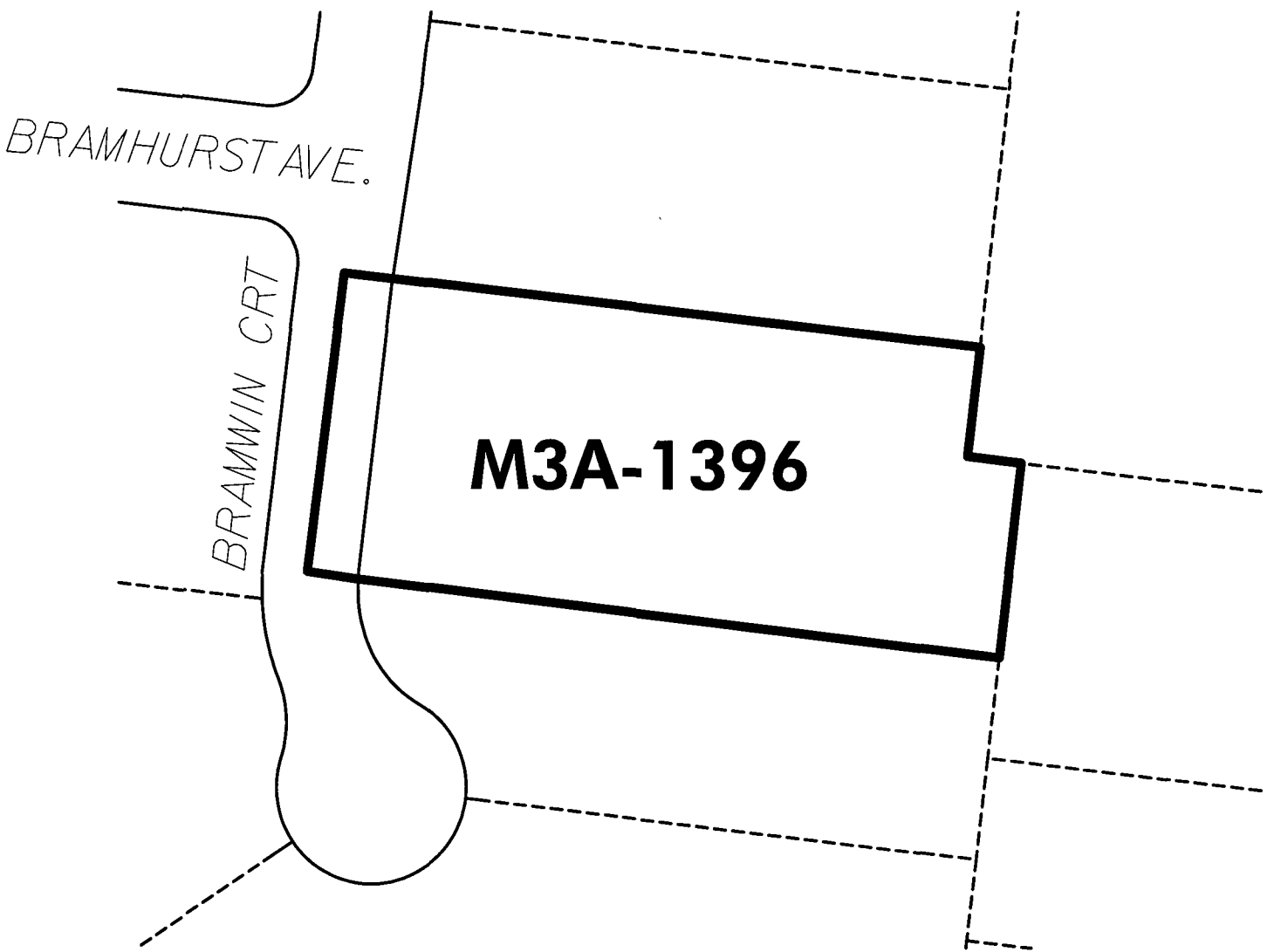

SUSAN FENNELL - MAYOR


KATHI JAMMIT - CITY CLERK

Approved as to Content

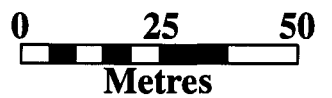

Adrian Smith, MCIP, RPP
Director, Planning &
Land Development Services

APPROVED AS TO FORM LAW DEPT. BRAMPTON
CG
DATE 04 10 07



LEGEND

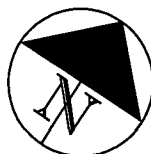
— ZONE BOUNDARY



PART LOT 2, CONCESSION 6 E.H.S.

By-Law 327 - 2007

Schedule A



CITY OF BRAMPTON
Planning, Design and Development

Date. 2007 09 26

Drawn by CJK

File no. 8bramwinzbla

Map no. -

In the matter of the *Planning Act, R.S.O. 1990*, as amended, sections 17 and 34:

And in the matter of the City of Brampton By-law 326-2007 being a by-law to adopt Official Plan Amendment OP93-288 and By-law 327-2007 to amend Zoning By-law 270-2004, as amended - City's Incineration and Waste Processing Transfer and Disposal Study - File N20

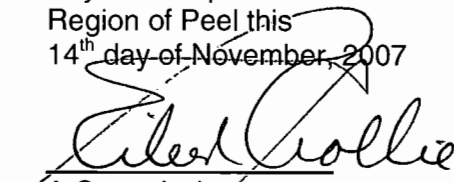
DECLARATION


I, Peter Fay, of the City of Mississauga, in the Region of Peel, hereby make oath and say as follows:

1. I am the Deputy Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared:
2. By-law 326-2007 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 10th day of October, 2007, to adopt Amendment Number OP93-288 to the 1993 Official Plan;
3. By-law 327-2007 was passed by the Council of the Corporation of the City of Brampton at its meeting held on the 10th day of October, 2007, to amend Zoning By-law 270-2004, as amended.
4. Written notice of By-law 326-2007 as required by section 17(23) and By-law 327-2007 as required by section 34(18) of the *Planning Act* was given on the 119th day of October, 2007, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act, R.S.O. 1990* as amended.
5. No notice of appeal was filed under section 17(24) and section 34(19) of the *Planning Act* on or before the final date for filing objections.
6. In all other respect the Official Plan Amendment and Zoning By-law have been processed in accordance with all of the *Planning Act* requirements including regulations for notice.
7. OP93-288 is deemed to have come into effect on the 9th day of November, 2007, in accordance with Section 17(27) of the *Planning Act, R.S.O. 1990*, as amended.
8. Zoning By-law 327-2007 is deemed to have come into effect on the 10th day of October, 2007, in accordance with Section 34(19) of the *Planning Act, R.S.O. 1990*, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the)
City of Brampton in the)
Region of Peel this)
14th day of November, 2007)


A Commissioner, etc.


Peter Fay

EILEEN MARGARET COLLIE, A Commissioner
etc., Regional Municipality of Peel for
The Corporation of The City of Brampton
Expires February 2, 2008.