

**5.31 WASTE MANAGEMENT INDUSTRIAL (M5) ZONE**

No person shall within any Waste Management Industrial (M5) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

**5.31.1 Uses Permitted**

**a) Residential Uses**

- Prohibited.

**b) Non-Residential Uses**

- Public use in accordance with the General Provisions of this By-law;
- Waste management facility;
- Septage facility;
- Sewage treatment facility.

**c) Accessory Uses**

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law, including Shipping Containers.

(By-law No. 2020-0016)

**5.31.2 Regulatory Provisions**

**a) Landfill area and Leachate Control and Treatment Works**

- i) Yards (minimum):
  - Front ..... 100 metres
  - Exterior Side..... 100 metres
  - Interior Side..... 100 metres
  - Rear ..... 100 metres
- ii) Setback from Street Centreline:
  - In accordance with the General Provisions of this By-law.
- iii) Lot Coverage (maximum): Landfill Area..... 40 percent of the total lot area.

**b) Buildings and Structures**

- i) Yards (minimum):
  - Front ..... 30 metres
  - Exterior side ..... 30 metres
  - Interior side ..... 15 metres
  - Rear ..... 15 metres
- ii) Setback from Street Centreline:
  - In accordance with the General Provisions of this By-law.

- iii) Lot Coverage (maximum) ..... 20 percent
- iv) Height of Building (maximum) ..... 12 metres
- v) Fencing:
  - In accordance with the municipal By-law and Certificate of Approval under the Environmental Protection Act
- c) Borrow Pit Operations and Storm Water Management Facilities
  - i) Yards (minimum)
    - Front.....30 metres
    - Exterior side.....30 metres
    - Interior side.....15 metres
    - Rear.....15 metres
  - ii) Setback from Street Centreline:
    - In accordance with the General Provisions of this By-law.
- d) Landscaped Open Space (minimum)..... 20 percent

### 5.31.3 Separation Distances

- a) Septage Lagoons
  - In accordance with the Distance Separation Requirements of the General Provisions of this By-law.
- b) Waste Management Facilities
  - In accordance with the Distance Separation Requirements of the General Provisions of this By-law.

### 5.31.4 Planting Requirements

- a) Notwithstanding any other provision of this By-law to the contrary, where a portion of a Waste Management Industrial (M5) Zone abuts an improved public street or road, or a limited service street or road, a planting strip, having a minimum width of 10 metres, uninterrupted except for ingress and egress driveways, shall be provided within the required front, exterior side and/or rear yards immediately adjacent the property line abutting the road or street.
- b) A required planting strip may be supplemented by an earthen berm which shall be located in the same location as the required planting strip provided that the maximum gradient of the side slopes of such earthen embankment do not exceed 2.5 to 1, provided further that such earthen berm is graded with provision for proper drainage and seeded with perennial grass.
- c) A required planting strip may be interrupted where the lands are used in association with an

easement for a public use or other similar utility or works.

#### **5.31.5 Existing Certificates of Approval**

Notwithstanding any other provision of this By-law to the contrary, where a certificate of approval has been issued to the owner and/or operator of a waste management facility in accordance with the provisions of the Environmental Protection Act, prior to the adoption of this By-law, no provision of this By-law shall apply to restrict and/or prohibit the continued use of the lands for waste management purposes in accordance with the Certificate of Approval.

#### **5.31.6 General Provisions**

In accordance with Section 4, General Provisions, of this By-law.

#### **5.31.7 Exception Provisions - Waste Management Industrial (M5) Zone**

##### **5.31.7.1 Waste Management Industrial Exception One (M5-1) Zone**

(Part of Lots 1 to 3, Concession 4, in the Geographic Township of Richmond)

Within the M5-1 Zone, the following provisions apply:

a) Definition of a Waste Management Facility

“WASTE MANAGEMENT FACILITY” means an area to which solid, non-hazardous waste, garbage, refuse, exclusive of liquid industrial waste, is transferred to, transferred out of or deposited, for handling, processing, separation, storage, treatment, recycling, recovery, composting and disposal, and, for the purposes of this By-law may include landfill operations, a composting facility for leaf and yard wastes, an organic composting facility, a soil recovery and recycling facility, a material recovery facility and landfill reclamation together with such other ancillary uses and activities as administrative offices, weigh scales and scale house, equipment maintenance depots and storage buildings, borrow pit operations for landfill cover material, leachate collection and treatment facilities, landfill gas collection and treatment facilities inclusive of co-generation facilities, storm water management facilities, and, air monitoring facilities, but, for the purposes of this By-law shall not include a salvage yard.

b) Uses Permitted

Uses are restricted to:

- a public use in accordance with the General Provisions of this By-law;
- a solid, non-hazardous waste management facility in accordance with the Certificates of Approval issued by the Ministry of the Environment under the Environmental Protection Act, and/or other applicable statutes.

c) Height Exceptions

A building or structure permitted within the M5-1 Zone may exceed 12 metres in height provided that such building or structure, or portion thereof, is set back from the front, side or rear lot line, as the case may be, an additional metre for each metre, or fraction thereof, by which such building or structure, or portion thereof, exceeds 12 metres in height.

d) Landfill Area and Leachate Control and Treatment Works

Yards (minimum )

- Front .....100 metres
- Exterior Side.....100 metres
- Interior Side.....30 metres
- Rear .....30 metres

e) Special Yard Provisions

Notwithstanding the provision of this By-law to the contrary, no portion of a landfill or leachate control and treatment works shall be permitted within 150 metres of any residential dwelling existing prior to August 1, 1994.

f) Setback from County Road No. 11.....538 metres

g) Borrow Pit Location

- No borrow pit operation is permitted within 45 metres of lands zoned Community Facility (CF).

h) Fencing Requirements

The owner or operator of a waste management facility shall erect and maintain a fence, having a minimum height of 1.2 metres, which shall follow the contours of the surface of the ground along the perimeter of the lot or that portion of the lot to be used for the purposes of landfilling or other waste management activities.

i) Setback From Boundary of Environmental Protection (EP) Zone

Where lands zoned Waste Management Industrial Exception One (M5-1) Zone are adjacent an area zoned Environmental Protection (EP) Zone, no building or structure shall be located closer than 10 metres and no portion of a landfill area or leachate control and treatment system shall be located closer than 15 metres to the boundary of the Environmental Protection (EP) Zone provided that the minimum yard requirement from the lot line is complied with.

**5.31.7.2 Waste Management Industrial Exception Two (M5-2) Zone**

(Part of Lot 6, Concession 4, in the Geographic Township of Richmond)

Within the M5-2 Zone, the following provisions apply:

a) Uses Permitted

Within the M5-2 zone the uses permitted are restricted to:

Residential Uses

- Prohibited.

Non-Residential Uses

- sewage lagoons to be used only for the storage of hauled sewage as defined by a Provisional Certificate of Approval issued by the Ministry of Environment and Climate Change under the Environmental Protection Act;
- uses, buildings and structures accessory to the principal permitted uses;
- Public uses in accordance with the General Provisions of By-law 02-22.

a) Zone Provisions

i) Area and Frontage

- Lot area (minimum)..... 10 hectares
- Lot frontage (minimum).....380 metres
- ii) Sewage Lagoons – Regulatory Provisions
  - Front yard abutting the Johnsons Side Road (minimum).....180 metres
  - Yard abutting Environmental Protection (EP) Zone (minimum) .....90 metres
  - Interior side yard abutting southerly lot boundary (minimum) .....100 metres
  - Rear yard measured to the line separating Lot 4 form Lot 5 in Concession 4 (minimum).....450 metres
  - Lot coverage (maximum) ..... 25 percent  
(By-law No. 02-75)

**5.31.7.3 Waste Management Industrial Exception Three (M5-3) Zone**

(Part of Lot 1, Concession 1, in the Geographic Township of Richmond)

Within the M5-3 Zone, the uses permitted are restricted to:

- solid, non-hazardous waste management site for the disposal of brush;
- and yard wastes in accordance with the provisional Certificate of Approval No. A371204 issued by the Ministry of Environment;
- uses, building and structures considered incidental and subordinate thereto.

**5.31.7.4 Waste Management Industrial Exception Four (M5-4) Zone**

(Sewage Treatment facility in part of Lot 19, Concession 1, in the Geographic Township of Richmond)

Within the M5-4 Zone, the uses permitted are restricted to a sewage treatment facility.

**5.31.7.5 Waste Management Industrial Exception Five (M5-5) Zone**

(Part of Lot 21, Concession 7, in the Geographic Township of Richmond)

Within the M5-5 Zone, the following provisions apply:

a) Uses Permitted

Uses permitted restricted to:

- Contractor’s yard inclusive of facilities for the receipt, transfer, sorting, separation, processing and stockpiling of non-hazardous, solid waste construction, where such waste processing facilities in accordance with a Certificate of Approval issued by the Ministry of Environment and Climate Change;
- A transfer station for the purpose of transferring putrescible waste from one vehicle to another for transportation to another waster disposal site. The uses include facilities for the receipt, transfer, sorting, separation, and stockpiling of non-hazardous putrescible waste in accordance with a Certificate of Approval issued by the Ministry of Environment and Climate Change.
- Uses normally considered incidental and subordinate to the principal use.

b) Regulatory Provision for Transfer Station and Waste Processing Facilities

i) Yards	(Minimum):
Front.....	30 metres
Exterior... ..	30 metres
Interior... ..	30 metres

- Rear... ..... 30 metres
- ii) Land Area for waste processing facilities (maximum)..... 2 hectares
- iii) Setback to lands zoned Environmental Protection (EP) Zone minimum.....20 metres
- iv) Disposal of any other wastes ..... prohibited.  
(By-law No. 04-05)