

Section 24 –Waste Disposal (WD)

24.1 Preamble

Within a Waste Disposal Zone (WD), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure of any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

24.2 24.2.1. Permitted Principal Uses

- a) Agricultural, open space, conservation and forestry uses, excluding dwellings;
- b) A salvage yard;
- c) A sanitary landfill site;
- d) A sewage lagoon;
- e) A sewage treatment plant;
- f) A waste processing facility including the recycling and processing of waste materials into new products; and/or
- g) A waste transfer station.

24.2.2. Permitted Accessory Uses

- a) Accessory buildings or uses to the above uses; and/or
- a) Shipping containers where a building permit has been issued.

24.3 Zone Regulations

24.3.1. For Agricultural, Conservation and Forestry Uses

- a) The zone regulations of Section 7 of this By-law shall apply.

24.3.2. For Open Space Uses

- a) The zone regulations of Section 26 of this By-law shall apply.

24.3.3. For a Salvage Yard

- a) No land shall be used for the storage or mechanized processing of goods, wares, merchandise, articles or things within 300 metres (984.3 feet) of any residential or commercial zone or use, nor closer than 100 metres (328.1 feet) to a lot line or a street line. Without limiting the generality of this subsection, mechanized processing includes the use of machinery or equipment to crush, compact, separate, refine, incinerate or similarly treat goods, wares, merchandise, articles or things;
- b) A strip of land not less than 15 metres (49.2 feet) in width shall be reserved for landscaping purposes between any salvage yard site and any adjacent community facility, commercial or industrial zone or use, and along any adjacent street line or adjoining lot line. Where a salvage yard site abuts a residential zone or use or a roadway is the only separation between two such areas, then no salvage yard use of any kind shall be made within 30 metres (98.4 feet) of the adjacent lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees and shrubs and maintained as part of the normal operation of the salvage yard activity;

- c) The salvage yard site shall be sufficiently screened by a fence, a berm or a combination of the two so that waste materials being stored or processed on the site are not visible from adjacent roads. The screening shall extend a minimum of 3 metres (9.8 feet) above grade or to a height equal to that of the goods, wares, merchandise, articles or things being stored or processed within the salvage yard site, whichever is the greater. All fences shall be constructed of an opaque material and shall be painted or otherwise preserved and kept painted from time to time, to maintain the fences in good condition;
- d) An accessory weighing scale and recording office shall be permitted no closer than 30 metres (98.4 feet) to a street line;
- e) A salvage yard site shall not be located on land covered by water or subject to flooding and shall be so located that no direct drainage leads to a watercourse;
- f) No open burning shall be permitted; and
- g) Prior to the storage or processing of any goods, wares, merchandise, articles or things all fluids shall be drained and disposed of in a manner approved by the Ministry of the Environment if they are not stored for the purposes of resale.

24.3.4. For All Other Waste Disposal Uses

- a) No person, including the Township of Hamilton, shall establish, alter, enlarge or extend a sanitary landfill site, a sewage treatment plant, a sewage lagoon, a transfer station, or a waste processing facility unless a Provincial Certificate of Approval has been issued by the Ministry of the Environment and Energy;
- b) All waste disposal sites shall be established and operated in accordance with the requirements of the Environmental Protection Act and the Environmental Assessment Act; and
- c) A strip of land not less than 15 metres (49.2 feet) in width shall be reserved for landscaping purposes between any sanitary landfill site, sewage treatment plant, sewage lagoon, transfer station or waste processing facility and any adjacent commercial, community facility or industrial zone or use and along any adjacent street line or adjoining lot line. Where such uses abut a residential zone or an existing residential use or a roadway is the only separation between two such areas, then no waste disposal use shall be made of any kind within 30 metres (98.4 feet) of the abutting lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees, and shrubs and maintained as part of the normal operation of the waste disposal activity.

24.4 General Provisions

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the Waste Disposal Zone (WD).