

Appendix I-6

**Land Use Detailed Impact Assessment
Report**



LAND USE DETAILED IMPACT ASSESSMENT – DRAFT

PREPARED FOR:

**Walker South Landfill Phase 2
Environmental Assessment**
Walker Environmental Group

File no. 9811BM

Updated: June, 2026

Your Vision

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1.0 Introduction

This report documents the Land Use impact assessment of the Preferred Method for the Environmental Assessment (EA) to develop the next phase of the existing South Landfill (i.e., South Landfill Phase 2) located at the Walker Resource Management Campus (Campus). The proposed South Landfill Phase 2 will add approximately 19.8 million cubic metres (m³) of landfill capacity over a 20-year period.

In the preceding Alternative Methods phase of the EA, net effects analyses as well as a comparative evaluation of three Alternative Landfill Configuration Options and two Leachate Management Options were carried out in order to identify a Preferred Landfill Footprint and a Preferred Leachate Management Option. The three Alternative Landfill Configuration Options and two Leachate Management Options presented in the Alternative Methods phase were developed to a conceptual level of design and documented in a Conceptual Design Report (CDR). The potential environmental effects, preliminary impact management measures to address the potential adverse environmental effects, and the remaining net effects following the application of the impact management measures were identified for all three Alternative Landfill Configuration Options and both Leachate Management Options. The Preferred Landfill Configuration Option was determined to be Option A (*Same Height and Slopes as Current South Landfill Phase 1*¹) and the Preferred Leachate Management Option was determined to be Option A (*Continued and Expanded Use of the Municipal Wastewater Treatment System*), hereafter collectively referred to as the Preferred Method.

At the detailed impact assessment phase, additional details are developed for the Preferred Method from a design and operations perspective, as documented in a Facilities Characteristics Report (FCR), so that potential environmental effects, preliminary impact management and compensation measures, and resultant net effects described at the Alternative Methods stage can be reviewed and more accurately defined, as required, along with enhancement opportunities and approval requirements. Specifically, the following can be accomplished:

- Potential environmental effects can be identified with more certainty.
- More site-specific impact management measures can be developed for application.
- Additional mitigation and impact management measures can be identified, as required.
- Net environmental effects can be identified with more certainty.
- Appropriate monitoring requirements can be clearly defined.
- Specific approval/permitting requirements for the proposed undertaking can be identified.

¹ Following consultation on the comparative evaluation of the alternative methods, the Preferred Landfill Configuration Option was refined based on public, stakeholder and Government Review Team (GRT) comments and feedback received. Specifically, the proposed maximum height was decreased to reduce visual impact, the proposed Limit of Fill was adjusted in several areas to avoid sensitive natural features and to accommodate necessary infrastructure within the buffer, and slopes were adjusted to maximize compatibility with an agricultural end use, all of which resulted in a slightly reduced waste capacity.

Climate change mitigation and adaptation measures are also reviewed as part of the detailed site design established for the Preferred Method. In addition, during the impact assessment stage of the South Landfill Phase 2 EA, Walker has committed to completing an assessment of the cumulative effects of the proposed undertaking and other non-Walker projects and activities that are existing, planned/approved or reasonably foreseeable within the Study Area.

The discipline-specific work plans developed during the Terms of Reference (ToR) outlined how impacts associated with the Preferred Method would be assessed. The results of these assessments are documented in 13 stand-alone Detailed Impact Assessment Reports:

- Geology and Hydrogeology
- Surface Water Resources
- Noise and Vibration
- Air Quality
- Terrestrial and Aquatic Environment
- Land Use
- Agriculture
- Transportation
- Social Environment
- Economic Environment
- Built Heritage and Cultural Heritage Landscapes
- Archaeology
- Visual

1.1 Description of the Preferred Landfill Configuration Option

Landfill Configuration Option A was originally selected as preferred due to its long-term benefits, including the largest waste capacity, longest operational lifespan, and associated economic and employment advantages. Following its selection, the design of Landfill Configuration Option A was refined in response to feedback received during consultation to reduce its visual impact and improve compatibility with a future agricultural end use. Furthermore, the Limit of Fill boundaries were adjusted to avoid natural features and to accommodate necessary infrastructure within the buffer. These refinements included a reduction in peak elevation to 211 metres above mean sea level (mAMSL) at the top of waste (TOW; 211.75 mAMSL at the top of cap), and adjustments to slope gradients, now designed to a maximum steepness of 3:1 (horizontal:vertical) for below-ground slopes and between 16:1 and 3.5:1 for above-ground slopes, improving the area compatible with an agricultural end use. These changes bring Option A closer in form to the Options B and C while preserving its advantage of a higher overall waste capacity. The refined Option A design would provide approximately 19.8 million m³ of expanded landfill capacity and include 44 hectares (ha) of land compatible with an agricultural end use. From the land use perspective, these adjustments help

to maximise the agricultural end use from 36.7 ha to 44 ha, while protecting natural heritage features and minimize potential visual impacts.

1.2 Description of the Preferred Leachate Management Option

Leachate Management Option A builds upon the pre-existing leachate management system and approach while including the necessary expansion of the system capacity as South Landfill Phase 2 is expected to generate approximately 131,000 m³ of additional leachate per year at the time of closure (2050) and approximately 147,000 m³ of additional leachate per year in 2070 when considering climate change. The expansion of the leachate management system would include a leachate sump, including a pump station equipped with the needed metering equipment and controls for monitoring and contingency purposes, a forcemain to transport the leachate from the pump station to the lagoon area, where two new lagoons will be added adjacent to the existing lagoons, for pretreatment.

Once pretreated at the on-site lagoons, leachate will be conveyed via an existing force/gravity main to the Niagara-on-the-Lake sanitary sewer system for final treatment at the Region of Niagara's Port Weller Wastewater Treatment Plant. The need to upgrade the private sewer that connects to the Niagara-on-the-Lake sanitary sewer system has been identified and will be considered in the assessment.

1.3 Facility Characteristic Report for the Preferred Method

The Facility Characteristics Report (FCR) presents preliminary design and operations information for the Preferred Method and provides information on all main aspects of landfill design and operations including:

- Site layout design, including existing and proposed Site characteristics;
- stormwater management;
- leachate management;
- landfill gas management; and,
- landfill development sequence and daily operations.

The FCR also provides estimates of parameters relevant to the detailed impact assessment, including estimates of leachate generation, landfill liner performance, landfill gas generation, and traffic levels associated with waste and construction materials haulage.

2.0 Study Area

From a land use perspective, the characterization of impacts within the following study areas are appropriate to this EA:

- Site Study Area (SSA): The SSA is consistent across all technical disciplines and encompasses a total of 81.30 ha of land owned and operated by Walker. The SSA includes the current quarry extraction limit, and encompasses the proposed limit of fill, the buffer area, and aligns with the proposed Waste Disposal Site Limit Boundary. While the SSA captures the core area of the proposed landfill development, certain ancillary features related to the landfill are proposed to be located outside the SSA. These features will be addressed within the broader Local Study Area.
- Local Study Area (LSA): For the purposes of this Report, the Local Study Area was based primarily on the D-Series Guidelines (in particular, the D-4 Guidelines for Land Use On or Near Landfills and Dumps) and includes all lands within a 1 km radius of the limit of fill boundaries. This includes a 500m radius boundary to reflect the D-4 Guidelines recommended minimum separation distance from the fill area.
- Other Study Area (OSA): In addition to the SSA and LSA, two areas beyond the LSA are included in the Land Use existing conditions study area.
- Other Study Areas: including lands beyond the LSA that were requested and agreed to be reviewed as part of the Approved Terms of Reference and includes lands within the boundaries of the Northwest Secondary Plan and the Glendale Secondary Plan (collectively, “Other Study Areas” and separately “Northwest Study Area” and “Glendale Study Area”).

The land use study areas are illustrated in Figure 1.

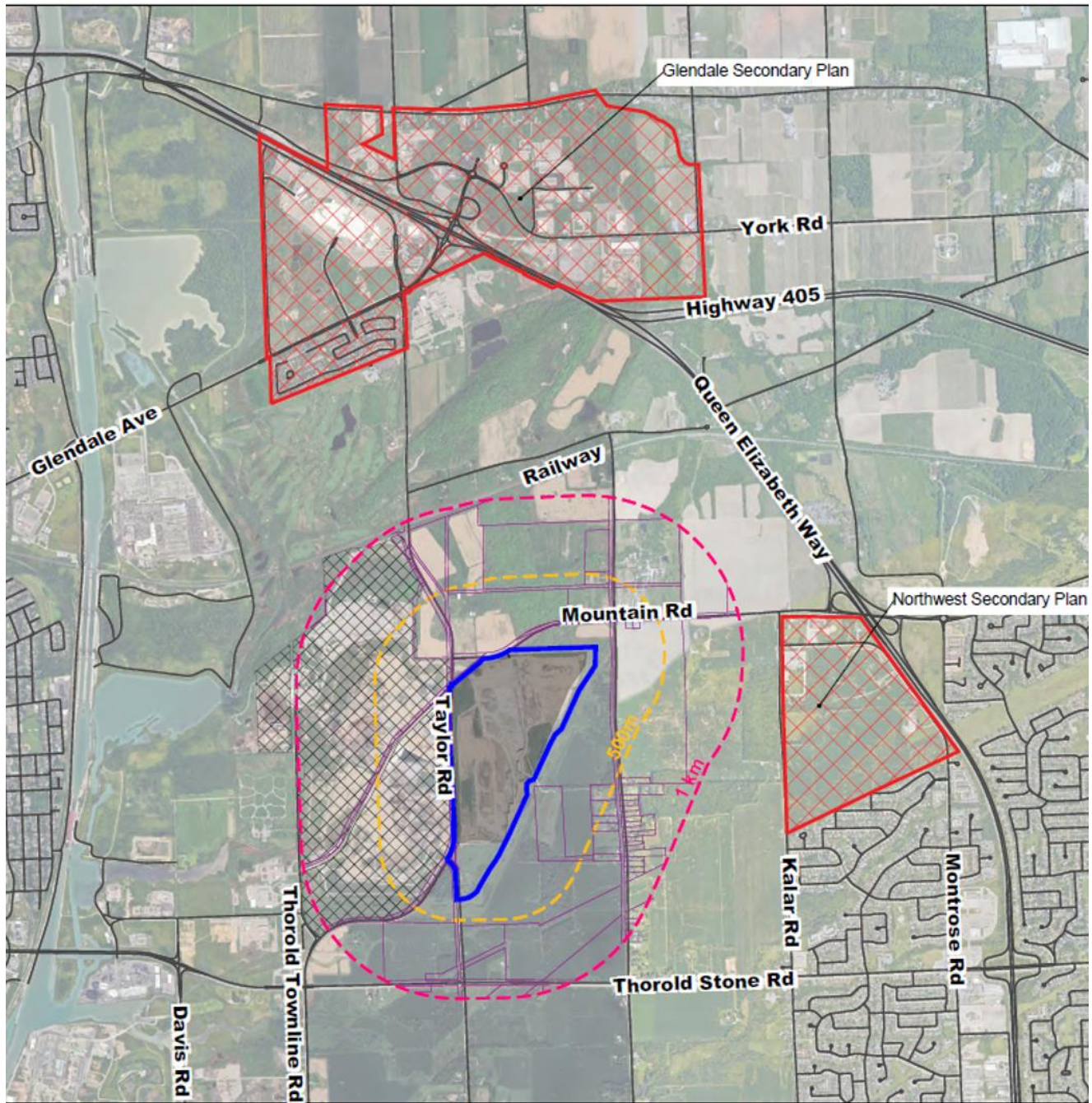


Figure 1- Other Study Areas and Walker Resource Management Campus Context Map

LEGEND

- | | |
|---|--|
|  Site Study Area |  Walker Resource Management Campus |
|  500m Radius from Limit of Fill (MECP D-4 Recommended Minimum Separation Distance) |  Property Boundary |
|  1 km Local Study Area |  Road Network |
|  Limit of Fill |  Other Areas Considered as per Terms of Reference |



3.0 Methodology

3.1 Assessment Approach and Confirmation of Effects

The assessment of impacts associated with the Preferred Method was undertaken through a series of steps that were based, in part, on a number of previously prepared reports (Land Use Existing Conditions Report, Land Use Comparative Evaluation Technical Memorandum). The net effects associated with the three Alternative Landfill Configuration Options and two Alternative Leachate Management Options identified during the Alternative Methods phase of the EA were based on conceptual designs. These effects were reviewed within the context of the preliminary design plans developed for the Preferred Method, as identified in the FCR, to determine the type and extent of any additional investigations required to ensure a comprehensive assessment of net effects. Additional investigations were then carried out, where necessary, in order to augment the previous work undertaken. Feedback previously received from the EA consultation process was incorporated into the assessment approach, where appropriate.

With these additional investigations in mind, the potential impacts on the land use environment of the Preferred Method were documented.

With a more detailed understanding of the potential impact from the preliminary landfill and leachate treatment designs on the land use environment, the previously identified potential effects and recommended mitigation or compensation measures associated with the Preferred Method (documented in the Land Use Comparative Evaluation Technical Memorandum) were reviewed to ensure their accuracy. Based on this review, the potential effects, mitigation or compensation measures, and net effects associated with the Preferred Method were confirmed and documented. In addition to identifying mitigation or compensation measures, potential enhancement opportunities associated with the preliminary design for the Preferred Method were also identified, where possible.

Following this confirmatory exercise, the requirement for monitoring in relation to net effects was identified, where appropriate. Finally, any land use and licence approvals required as part of the implementation of the Preferred Method were identified.

3.2 Additional Investigations

Upon completion of the preliminary design for the Preferred Method as documented in the FCR, the environmental characteristics of the Study Area were reviewed to verify the accuracy of the assessment of net effects from the Preferred Method. From this review, it was determined that no additional investigation was necessary as the Limit of Fill did not increase in area and thus the Study Area did not increase.

With that said, the South Landfill Phase 2 Project proposes to utilize areas of the Walker Campus for Ancillary Infrastructure and an Employee / Maintenance Office, associated with the Project which are proposed to be situated outside of the Site Study Area and within the Local Study Area (shown on Figure 6 of the FCR), including:

1. Proposed Ancillary Infrastructure, including:
 - a. Proposed Tunnel under Taylor Road
 - b. Proposed Maintenance Road around portions of the Limit of Fill perimeter
 - c. Proposed Stormwater Management North and South Ponds
 - d. Proposed Leachate Pump Station & Force Main (and utilization of Existing Lagoons on the Walker Brother Quarry lands for Leachate Pre-Treatment)
2. Proposed Employee Office and Maintenance Shop including:
 - a. A 30 m x 20 m office building
 - b. A 30 m x 20 m maintenance shop
 - c. Site trailers and
 - d. Associated parking and entrance off of Taylor Road

The Proposed Ancillary Infrastructure and Proposed Employee / Maintenance Office approvals are ancillary to the landfill extension but as stand alone uses would not on their own trigger the need for an Environmental Assessment. Therefore, these ancillary uses are considered in this Land Use Detailed Impact Assessment (Please see Section 5.1.3 and Section 10).

4.0 Description of the Environment Potentially Affected

In this section, a description of the land use environment is presented. The information is extracted from the Land Use Existing Conditions Report, and a more detailed description and list of reference sources can be found in that report.

4.1 Planned Land Uses: Planned Legislation and Policy Overview

The SSA is currently utilized predominantly as an active quarry operation, under a licence (Licence 11175) regulated by the Ministry of Natural Resources under the *Aggregate Resources Act*. The southern portion of the SSA beyond the licenced area comprises of vacant / undeveloped lands. Within the licensed boundaries, the operation includes an extraction area where aggregate materials are excavated, stockpiled and processed for use and hauled to the local asphalt, concrete and road construction markets. The existing quarries utilize entrances to the north from Taylor Road respectively. Landscaped berms and vegetation planting are situated around the western, southern, northern and portions of the eastern perimeters of the site for screening purposes.

The lands surrounding the South Landfill Phase 2 lands within the LSA are characterized by a mix of industrial uses (including other aggregate operations (under Licence 4437) and waste management operations as part of the Walker Resource Management Campus), and agricultural uses, with a limited number of residential uses.

Under the existing Licenses, any change to the site plan, or surrender of the license, will require approval through the Ministry of Natural Resources (MNR).

A large portion of the LSA, that is not situated within the Walker Resource Management Campus, consists of agricultural lands and uses, with some farm parcels containing dwellings associated with farmland. A number of properties containing residential uses (primarily rural residential lots with dwellings fronting Garner Road east of the Site Study Area) were also identified in the LSA, which are considered as sensitive land uses according to the Provincial Planning Statement (PPS) and D-Series Guidelines.

Utility uses are also situated within the LSA, including a Trans Canada Pipeline that runs in a southwest to northeast direction adjacent to the east of Site Study Area Boundary. A TransCanada Energy Meter Station is also located towards the northeast of the LSA along Mountain Road.

In addition to the Walker Resource Management Campus, Walker owns a significant amount of land within the Local Study Area, which accumulates to approximately 462.5 ha or 69.5% of the LSA (~665.6 ha). A majority of the lands owned by Walker, except for the Walker Resource Management Campus, are undeveloped and are primarily agricultural lands.

4.2 “Future” Existing Conditions (Do Nothing Option)

The majority of the Site Study Area is currently a licenced mineral aggregate operation as described in Section 4.1. The ARA Licence is subject to rehabilitation requirements set out by the approved site plans (dated September 1989, updated March 2005 and last revised March 2008) under the *Aggregate Resources Act* (“ARA Site Plans”). According to the ARA Site Plans, the total area to be rehabilitated is 65.4 ha. The ARA Site Plans currently require the licensee to rehabilitate lands within the SSA as follows:

- 14.8 ha side slopes
- 48.2 ha agriculture
- A 2.4 ha pond

The lands outside of ARA Licence 11175 are also owned by Walker and include the remaining area of 3.9 ha, currently used as natural area. These lands also previously contained a building which has been removed and no longer exists.

Given the current rehabilitation obligations as established under the ARA, the above description is considered the “Future Existing Condition” for the purpose of this impact assessment.

Table 4.1 below describes how the future existing condition (do nothing option) would differ from the existing condition in the context of the land use evaluation criteria and indicators.

Table 4.1 – Existing Condition and Future Existing Condition Comparison			
Criteria	Indicators	Existing Condition	Future Existing Condition
Effect on existing and proposed planned future land uses and associated infrastructure	- Current and planned future land use	- The existing condition comprises primarily of an active quarry operating under a licence (Licence 11175) regulated by the Ministry of Natural Resources under the Aggregate Resources Act.	- The future existing condition (Do nothing option) includes a rehabilitated landform primarily comprising of agricultural lands.
	- Proximity to off-site sensitive land uses (e.g., dwellings, churches, parks)	- The existing mineral aggregate operation would be permitted to continue under the existing aggregate licence and therefore	- Upon the rehabilitation of the quarry operation to the use described in Section 4.2, the licence would be surrendered

Table 4.1 – Existing Condition and Future Existing Condition Comparison

Criteria	Indicators	Existing Condition	Future Existing Condition
		<p>would not require further planning approvals to continue operations.</p> <ul style="list-style-type: none"> - The existing quarry operation is located beside existing industrial uses including waste management and further mineral aggregate operations. Further, the quarry is an established land use and will continue to operate in accordance with the ARA site plans and have regard for nearby sensitive uses (and nearby sensitive zoned lots) through the applicable provincial regulations and standards. - There are a number of vacant properties within the LSA which permit sensitive land uses but have not yet been developed. As such, further sensitive lands uses may be introduced into the LSA, which may be subject to potential nuisance impacts from existing quarry operations. Notwithstanding this, quarry operations will be required to meeting provincial standards and requirement for both existing sensitive land uses and for new sensitive lands uses that may be introduced into the LSA where currently permitted as of right in the zoning by-law. - Any proposed land uses within the LSA that goes beyond current land use designation and / or zoning permissions would required an OPA / ZBA to 	<p>subject to MNR requirements. After surrendering the licence, the lands may be subject to an OPA and / or ZBA to redesignate the lands to reflect the rehabilitated site conditions. This may occur through a privately initiated OPA / ZBA application process or through a municipal official plan and zoning review.</p> <ul style="list-style-type: none"> - The Future Existing Condition (as shown on the current ARA site plans) will primarily comprise of an agricultural use and therefore no negative impacts are expected with respect to existing and planned land uses within the LSA. - Any proposed land uses within the LSA that goes beyond current land use designation and / or zoning permissions would require an OPA / ZBA to permit such uses. Any OPA or ZBA application proposing a new land use that would potentially impact on agricultural lands / uses would need to demonstrate how the proposal meets provincial policies and guidelines regarding the protection of agricultural lands.

Table 4.1 – Existing Condition and Future Existing Condition Comparison

Criteria	Indicators	Existing Condition	Future Existing Condition
		<p>permit such uses. Any OPA or ZBA application proposing a new sensitive land use would need to demonstrate compatibility with the quarry use and other surrounding land uses as part of the planning approval process to ensure both uses can co-exist.</p>	
	<ul style="list-style-type: none"> - Proximity to features (e.g., wetlands, woodlots, etc.) 	<ul style="list-style-type: none"> - From a land use perspective, no potential effects to natural features are expected. Furthermore, natural features present prior to the quarry operation would have been addressed through the ARA and Planning Act approval requirements in permitting the quarry. 	<ul style="list-style-type: none"> - From a land use perspective, no potential effects to natural features are expected.

5.0 Land Use Net Effects

As described in Section 1, following the confirmation of the Preferred Landfill Configuration Option and the Preferred Leachate Management Option, these components, together with all other project elements that were consistent across the previously assessed alternative methods, collectively formed the "Preferred Method." The potential effects and associated mitigation or compensation measures identified were re-evaluated to confirm their validity in the context of the preliminary design. This review incorporated the refined engineering design details described in the FCR.

Ancillary Infrastructure and Employee / Maintenance Office approvals are proposed as ancillary components to the landfill extension. However, as stand alone uses, these ancillary uses would not on their own trigger the need for an Environmental Assessment. Notwithstanding this, these ancillary components were assessed from a land use approvals perspective and are detailed below and in Section 10.

The updated assessment of predicted potential effects, recommended impact management measures, and resulting net effects is provided in Table 5.1 and further elaborated upon in the subsections that follow.

5.1 Potential Effects on Land Use

5.1.1 Potential Effect of Preferred Method

The following describes the potential effects of the Preferred Method:

1. Lands to the west of the SSA are used and designated for employment / industrial uses. The proposed change to the interim land use of the SSA will be compatible with existing industrial uses to the west and will consolidate waste facilities for public benefit that allows for waste management close to source.
2. Other surrounding lands to the south, north, and east of the site are currently primarily used and designated for agriculture, with portions also containing natural open space areas.
3. There is potential effect to existing sensitive land uses within the LSA and sensitive zoned lots within the LSA.
4. 29 properties containing residential uses (not owned by Walker) are situated within the LSA to the north, east and south of the SSA, with the closest privately owned land situated approximately 492 m from the SSA.

5. The LSA also contains 14 other sensitive zoned lots (not owned by Walker) that are currently vacant but zoned to permit sensitive land uses as-of-right under the City of Niagara Falls Zoning By-law. Please see **Appendix A** for a detailed breakdown of use permissions that fall under the sensitive land use categories, as defined by the D1-3 Guidelines. As such, these properties have the potential to introduce new sensitive land uses lawfully permitted by the Zoning By-law regardless of the existence of industrial uses and have been examined in other Assessments for this Project as necessary according to provincial standards and guidelines. These properties are as follows:

Property Ref.	Distance from SSA	Zoning	Sensitive Land Use Category of Permitted Use in Zone in accordance with D-Series Guidelines*
Ag1	428m	HL	<ul style="list-style-type: none"> - Certain agricultural operations - Residencies or facilities where people sleep (only applies to existing dwelling in the case of the HL Zone) - Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive
Ag2	860m	HL	<ul style="list-style-type: none"> - Certain agricultural operations - Residencies or facilities where people sleep (only applies to existing dwelling in the case of the HL Zone) - Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive
Ag 3	222m	HL	<ul style="list-style-type: none"> - Certain agricultural operations - Residencies or facilities where people sleep (only applies to existing dwelling in the case of the HL Zone) - Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive
Ag4	650m	HL	<ul style="list-style-type: none"> - Certain agricultural operations - Residencies or facilities where people sleep (only applies to existing dwelling in the case of the HL Zone)

			<ul style="list-style-type: none"> - Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive
Ag5	945m	HL	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep (only applies to existing dwelling in the case of the HL Zone) - Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive
AgC1	675m	HL	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep (only applies to existing dwelling in the case of the HL Zone) - Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive
Ag11	618m	AT1, AT2	<ul style="list-style-type: none"> - Residences or facilities where people sleep - Certain agricultural operations - Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive - A permanent structure for non-facility related use, particularly of an institutional nature
Ag12	695m	A	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep
Ag13	815m	R, A	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep - Certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive
Ag15	565m	A	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep

Ag20	842m	A	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep
Ag21	998m	A	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep
Ag23	940m	A	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep
Ag24	980m	A	<ul style="list-style-type: none"> - Certain agricultural operations - Residences or facilities where people sleep

Although sensitive land uses are permitted as-of-right on the above noted properties, any proposed significant changes to land uses in the surrounding area beyond what is currently permitted in either the Official Plan designation and/or the zoning of the lands would be subject to an OPA and/or ZBA to implement the change of land use. In these cases, once landfill approvals are in place, any OPA or ZBA application proposing a new sensitive land use would need to demonstrate compatibility with the landfill use and other surrounding land uses as part of the planning approval process to ensure both uses can co-exist.

6. The Preferred Method will be capable of accommodating an agricultural end use but will change the interim land use from a mineral aggregate operation to a landfill operation. Therefore, the Preferred Method will require the following additional Planning Act approvals to implement the Preferred Method determined through the EA application within local policy and regulatory documents, including:
 - a. An amendment to the Niagara Region Official Plan will be required as the SSA is largely designated Prime Agricultural Area on Schedule F and is identified as a Licenced Aggregate Operation on Schedule H of the Niagara Region Official Plan, which does not permit a landfill as an interim use.
 - b. An amendment to the City of Niagara Falls Official Plan will be required as the SSA is primarily designated Extractive Industrial on Schedule A and the area south of ARA Licence 11175 is designated Good General Agriculture on Schedule A in the City of Niagara Falls Official Plan. Neither of these land use designations permit a landfill as an interim use.
 - c. An amendment to the City of Niagara Falls Zoning By-law 79-200 as the SSA is zoned Extractive Industrial Zone (EI), which does not permit a landfill as an interim use.

7. Further to the additional Planning Act approvals noted above, the Preferred Method will also require ARA approvals from MNR to implement and reflect the Preferred Method within ARA instruments for Licence 11175. For example, the ARA approvals will recognize the change in the interim land use from a mineral aggregate operation to a landfill operation but also the phasing / overlap of these

operations lifespans (i.e. the landfill operation will start while the aggregate operations are nearing an end but not fully completed).

8. The Preferred Method also provides for additional leachate treatment infrastructure on lands owned by Walker that are currently approved and licenced for a mineral aggregate operation (ARA Licence 4437). The ARA Licence is subject to rehabilitation requirements set out by the approved site plans (dated September 1989, updated March 2005 and last revised March 2008) under the Aggregate Resources Act ("ARA Site Plans"). Two leachate ponds currently exist within the licence boundary, with a third pond identified on the approved site plans that has not yet been established. According to the ARA Site Plans, the area of the proposed infrastructure is to be rehabilitated to either agriculture or a light industrial use.
9. Other approvals that will be triggered to implement this Preferred Method, include but are not limited to:
 - i) Approvals under the Niagara Escarpment Planning and Development Act.
 - ii) Approvals under the Aggregate Resources Act.
 - iii) Approvals under the Planning Act.

Please also see Section 5.1.2 below for further details.

5.1.2 Other Approvals for Preferred Method (Landfill Ancillary Uses)

As noted in Section 3.2, the South Landfill Phase 2 Project proposes to utilize areas of the Walker Campus for Ancillary Infrastructure and an Employee / Maintenance Office, associated with the Project which are proposed to be situated outside of the Site Study Area and within the Local Study Area (shown on Figure 6 of the FCR).

The Proposed Ancillary Infrastructure and Employee / Maintenance Office approvals are ancillary to the landfill extension but as stand alone uses would not on their own trigger the need for an Environmental Assessment. Notwithstanding this, these uses would be subject other planning approvals as detailed in the following analysis of provincial and municipal planning instruments:

Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA) Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (OMAFRA Guidelines)

Given that the lands that the proposed ancillary uses are located on are identified as Speciality Crop Area (only where the Niagara Escarpment Plan applies) and Prime Agricultural Area, consideration should be given to OMAFRA Guidelines. The Guideline provides direction on limited non-agricultural uses in prime agricultural areas" (PPS Policy 4.3.5.1) and the "impacts from new or expanding non-agricultural uses are to be avoided, or where avoidance is not possible, minimized and mitigated" (PPS Policy 4.3.5.2).

In our opinion, the proposed ancillary infrastructure and associated office facility would fall under the definitions of "Infrastructure" (and Waste Management Systems) under the Provincial Planning Statement (2024), which is:

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, **waste management systems**, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, *active transportation systems*, oil and gas pipelines and associated facilities.

Waste Management Systems: means sites and facilities to accommodate waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

The Guidelines do not include any specific provisions or contemplate infrastructure projects.

The Guidelines (as well as the PPS) define "Development" as follows:

- Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, 1990, **but does not include:**
 - a) activities that create or maintain infrastructure authorized under an environmental assessment process;**
 - b) works subject to the Drainage Act, 1990; or
 - c) for the purposes of PPS Policy 2.1.4(a), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act, 1990. Instead, those matters shall be subject to PPS Policy 2.1.5(a).

We note that the term "activities" is not defined" and is applied in this case instead of the term "use". When looking at the definition of "Employment Area" in the Guidelines and the PPS, it applies the term "activities: as follows:

Employment area: means those areas designated in an official plan for clusters of business and economic **activities** including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Therefore, in our opinion, the proposed ancillary uses would be considered as "infrastructure" and if authorized under the ongoing EA process would not be considered "development" under the OMAFA Guidelines.

As such, the PPS deals with infrastructure (section 3.1), which does not limit infrastructure in Prime Agricultural Areas, and the OMAFA Guidelines would not apply in this instance.

Notwithstanding the above, if it is determined that the proposed ancillary uses are not included within the definition of Infrastructure and are considered as a "change in land use" then section 3.2 (Limited Non-Agricultural Uses in Prime Agricultural Areas) of the Guidelines would need to be considered, which provides guidance on the implementation of PPS Policy 2.3.6 (now PPS Policy 4.3.5), addressing limited non-agricultural uses in prime agricultural areas, as follows:

PPS Policy 4.3.5 states:

- 1. Planning authorities may only permit non-agricultural uses in prime agricultural areas for:
 - a) extraction of minerals, petroleum resources and mineral aggregate resources; or
 - b) limited non-residential uses, provided that all of the following are demonstrated:
 - 1. the land does not comprise a specialty crop area;
 - 2. the proposed use complies with the minimum distance separation formulae;

3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid prime agricultural areas; and
 - ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.
- 2. Impacts from any new or expanding non-agricultural uses on the agricultural system are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance.

The Guidelines further notes that a “Rigorous assessment of need, evaluation of alternative locations and mitigation of impacts should be required by municipalities as part of a complete application for non-agricultural uses in the prime agricultural area”. **As such, if the EA process captures these activities and demonstrates consistency with PPS policy section 4.3.5 (out of an abundance of caution), then a detailed analysis / agricultural impact assessment may be clearly avoided at the time of a future Planning Act application needed to implement the EA and permit the ancillary uses on either the Subject Lands or the Southeast Lands.**

Niagara Escarpment Plan

Some of the proposed ancillary uses fall within the jurisdiction of the Niagara Escarpment Plan (NEP) (please see **Figure 2** below) and are designated as follows:

- The Proposed Tunnel under Taylor Road (Escarpment Protection Area)
- The Proposed Leachate Forcemain (Escarpment Protection Area and Mineral Resource Extraction Area)
- The Proposed Leachate Pre-treatment Lagoons (Mineral Resource Extraction Area)
- The Existing Maintenance Road – currently forms part of the Licence 4437 and is proposed to be used for landfill expansion also when operating (Mineral Resource Extraction Area)

Given the nature of the proposed ancillary uses, the following definitions contained in the NEP have been considered:

Accessory: Naturally and normally incidental, subordinate and exclusively devoted to the principal use located on the same lot.

Accessory facility: A detached building, structure or other installation that is not used for human habitation, the use of which is naturally and normally incidental, subordinate, and exclusively devoted to the principal use located on the same lot.

Accessory use: The use of any land, building, structure or facility that is naturally and normally incidental, subordinate, and exclusively devoted to the principal use located on the same lot.

Infrastructure: The physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes *green infrastructure* and *utilities* as defined in this Plan, in addition to transportation corridors and facilities, including rights-of-way for the movement of people and goods.

Waste disposal site: Any land, water, building or structure where waste is deposited, stored, or processed, including such sites defined and classified in regulations under the Environmental Protection Act, any derelict motor vehicles sites, transfer or container stations or incineration sites. It does not include:

- a) a structure that is wholly utilized for the temporary collection of waste (e.g., commercial and industrial dumpsters associated with an existing use);
- b) domestic storage and composting of waste sites;
- c) existing hospital incinerators;
- d) agricultural waste sites (e.g., agricultural manure and disposal);
- e) on-site incinerators at the site of a crematorium within the meaning of the Cemeteries Act;
- f) on-site incinerators at the site of a veterinary hospital/clinic;
- g) recycling depots for paper, glass and cans etc., serving the local community; and
- h) disposal of domestic sewage sludge on farmland.

Although the proposed ancillary uses would generally be considered as accessory to the proposed principal use, under the definitions relating to accessory uses in the NEP, such uses need to be located on the same lot as the principal use. The proposed ancillary uses are not located on the same lot as the landfill expansion in this instance and therefore do not fall under an accessory use / facility.

Further, the proposed ancillary uses do not meet the definition of infrastructure within the NEP. According to the definition, infrastructure only includes green infrastructure and utilities, neither of which include waste management systems and associated facilities.

As such, the proposed ancillary components are considered to fall under a waste disposal site as defined above. Notwithstanding this, the NEP states the following regarding waste related facilities under Section 2.3 – Existing Uses:

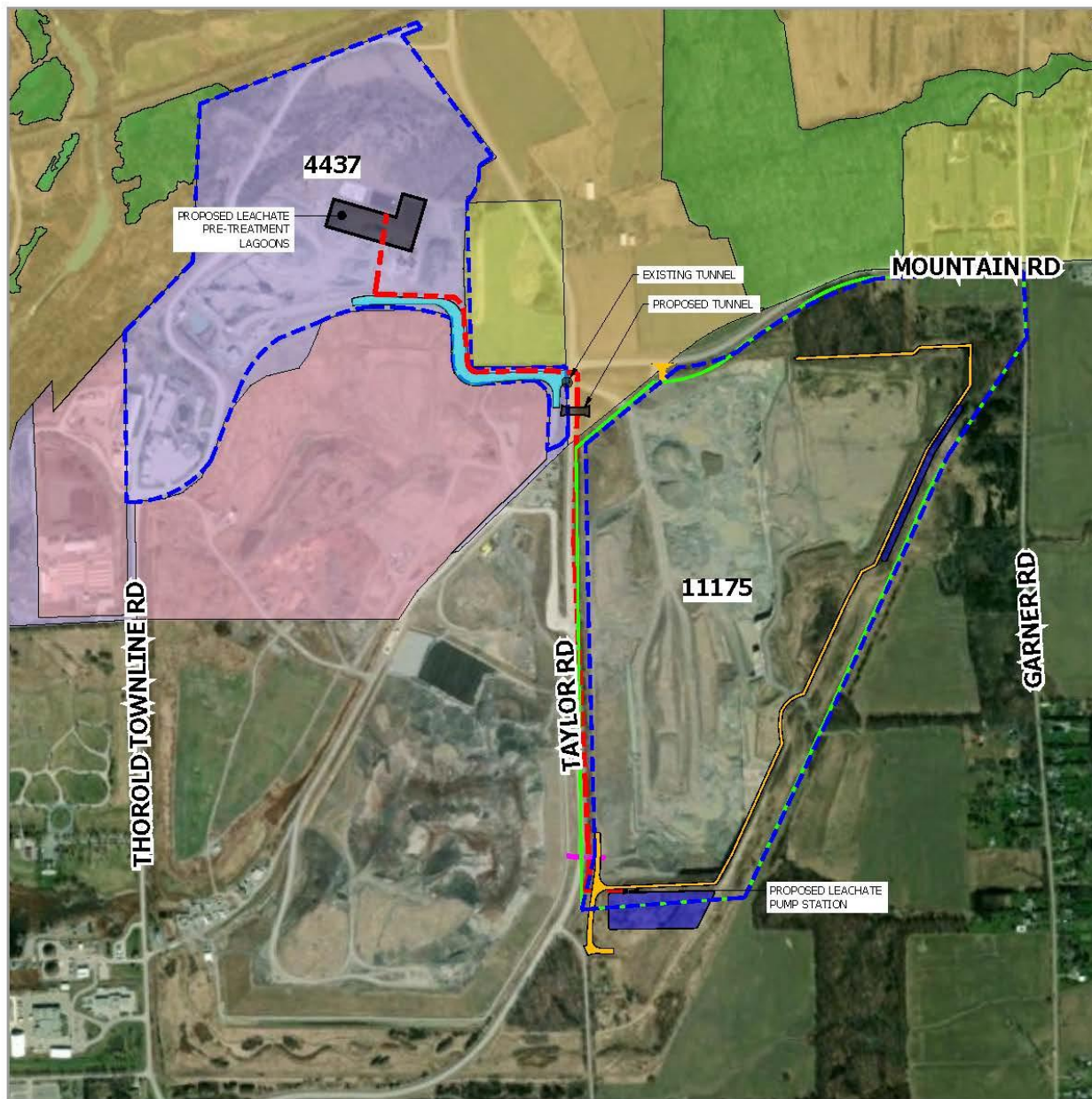
Existing Waste Related Facilities

5. On existing waste disposal sites in the Escarpment Natural, Escarpment Protection, Escarpment Rural Areas and Mineral Resource Extraction Area designations, the following municipal waste-related facilities may be permitted:

- a) recycling and/or compost facilities, serving the local community;
- b) temporary storage of household wastes (paint, etc.) serving the local community;
- c) containers and weight scales; and
- d) other accessory uses normally associated with the waste disposal site, serving the local community.

But the following are not permitted:

- e) **any expansion or alteration to an existing waste disposal site from what has been approved under the Niagara Escarpment Planning and Development Act and the Environmental Protection Act and/or the Environmental Assessment Act (including any expansion in area or height of a landfill or any change in the type of waste material being disposed of, such as a change from non-hazardous solid industrial waste to municipal waste)**



Data Source: King's Printer for Ontario, 2023

Figure 2 - Ancillary Infrastructure - Niagara Escarpment Plan

- | | |
|---|---------------------------------------|
| Licensed Mineral Aggregate Operation Boundary | Existing Maintenance Road |
| Escarpment Natural Area | Proposed Maintenance Road |
| Escarpment Protection Area | Proposed Stormwater Management Pond |
| Escarpment Rural Area | Proposed Leachate Forcemain |
| Mineral Resource Extraction Area | Proposed Landfill Gas Booster Station |
| Urban Area | |



Escarpment Protection Area

The proposed tunnel under Taylor Road is primarily designated as Escarpment Protection Area.

Permitted uses are outlined in Section 1.4.3 and include:

1. Agricultural uses.
2. Agriculture-related uses and on-farm diversified uses, in prime agricultural areas.
3. Existing uses.
4. Single dwellings.
5. Mobile or portable dwelling unit(s) accessory to agriculture.
6. Non-motorized trail activities and snowmobiling, outside of prime agricultural areas.
7. Unserviced camping on public and institutional land, outside of prime agricultural areas.
8. Forest, wildlife and fisheries management.
9. Licensed archaeological fieldwork.
10. Infrastructure.
11. Accessory uses (e.g., a garage, swimming pool, tennis court, ponds or signs).
12. Institutional uses, outside of prime agricultural areas.
13. Uses permitted in the Parks and Open Space System Master/ Management Plans that are not in conflict with the Niagara Escarpment Plan.
14. Home occupations and home industries.
15. Watershed management and flood and erosion control projects carried out or supervised by a public body.
16. The Bruce Trail corridor, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges, boardwalks), overnight rest areas and Bruce Trail access points.
17. Recycling depots for paper, glass and cans etc., serving the local community.
18. Bed and breakfast.
19. Nature preserves owned and managed by an approved conservation organization.
20. Agricultural Purposes Only lot (APO lot).

Mineral Resource Extraction Area

An existing quarry licenced under the *Aggregate Resources Act* (Licence 4437) is situated within the Walker Resource Management Campus and designated a Mineral Resources Area in the NEP. The proposed tunnel under Taylor Road will connect the proposed landfill to the existing licenced operation and existing internal maintenance / haul roads. Further, the proposed Leachate Forcemain and Leachate Pre-treatment Lagoons are also located within the Mineral Resource Extraction Area and Licence 4437.

In terms of permitted uses within the Mineral Resource Extraction Area, Section 1.9.3 states that subject to conformity with Part 2, Development Criteria, official plans and where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, the following uses may be permitted:

1. Agricultural uses.
2. Agriculture-related uses and on-farm diversified uses.
3. Existing uses.
4. Mineral aggregate operations licensed pursuant to the Aggregate Resources Act but not including associated facilities unless they are permitted as an accessory use.
5. Forest, wildlife and fisheries management.
6. Licensed archaeological fieldwork.
7. Recreational uses.
8. Infrastructure.
9. Watershed management, and flood and erosion control projects carried out or supervised by a public body.
10. Accessory uses normally associated with the mineral aggregate operation, such as temporary offices serving the subject site, signage, crushing and washing facilities, or facilities for recycling and re-processing of mineral aggregate resources. Asphalt plants, concrete plants, brick manufacturing plants and other similar manufacturing uses shall not be permitted.
11. Uses permitted in the Parks and Open Space Master/Management Plans that are not in conflict with the Niagara Escarpment Plan.
12. The Bruce Trail corridor, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges and boardwalks), overnight rest areas and Bruce Trail access points.
13. Nature preserves owned and managed by an approved conservation organization.

Based on the above provisions, a site-specific amendment to the NEP and other approvals under Niagara Escarpment Planning and Development Act (development permits) will be required to permit the proposed ancillary components as the landfill use and ancillary components are not currently permitted in either the Escarpment Protection Area or Mineral Resource Extraction Area.

Further, the existing mineral aggregate licence will also be subject to a Site Plan Amendment to reflect the proposed ancillary uses located within licence area as necessary (i.e. the proposed tunnel, force main and leachate lagoons).

Notwithstanding the requirement for these amendments, the proposed ancillary uses will be considered under the EA process and will largely utilize existing developed / disturbed lands which are already primarily occupied by existing industrial uses.

Niagara Region Official Plan (NROP)

The NROP applies to the proposed ancillary uses. The ancillary use components located within the NEP boundary are also identified as Speciality Crop Area in the NFOP, whereas the remaining ancillary uses are shown to be located in Prime Agricultural Area in the NFOP.

Despite the Prime Agricultural Area and Specialty Crop Area designation, the NROP contains more specific policy related to *waste management* facilities, including Policy 5.2.1.22 which states:

"5.2.1.22 *Waste management* systems shall be located and designed in accordance with Provincial legislation and standards.

Waste management is defined as:

Waste Management: The activities and actions required to manage waste from its inception to its final disposal. This includes the collection, transport, treatment, and disposal of waste, together with monitoring and regulation of the waste management process.

Again, we note that the terminology applied in this definition refers to "activities" and "actions" and not "uses". In our opinion, the ancillary infrastructure would be considered activities that are required to manage waste in accordance with this definition. Therefore, as per Policy 5.2.1.22, such activities shall be located and designed in accordance with Provincial legislation and standards (addressed above).

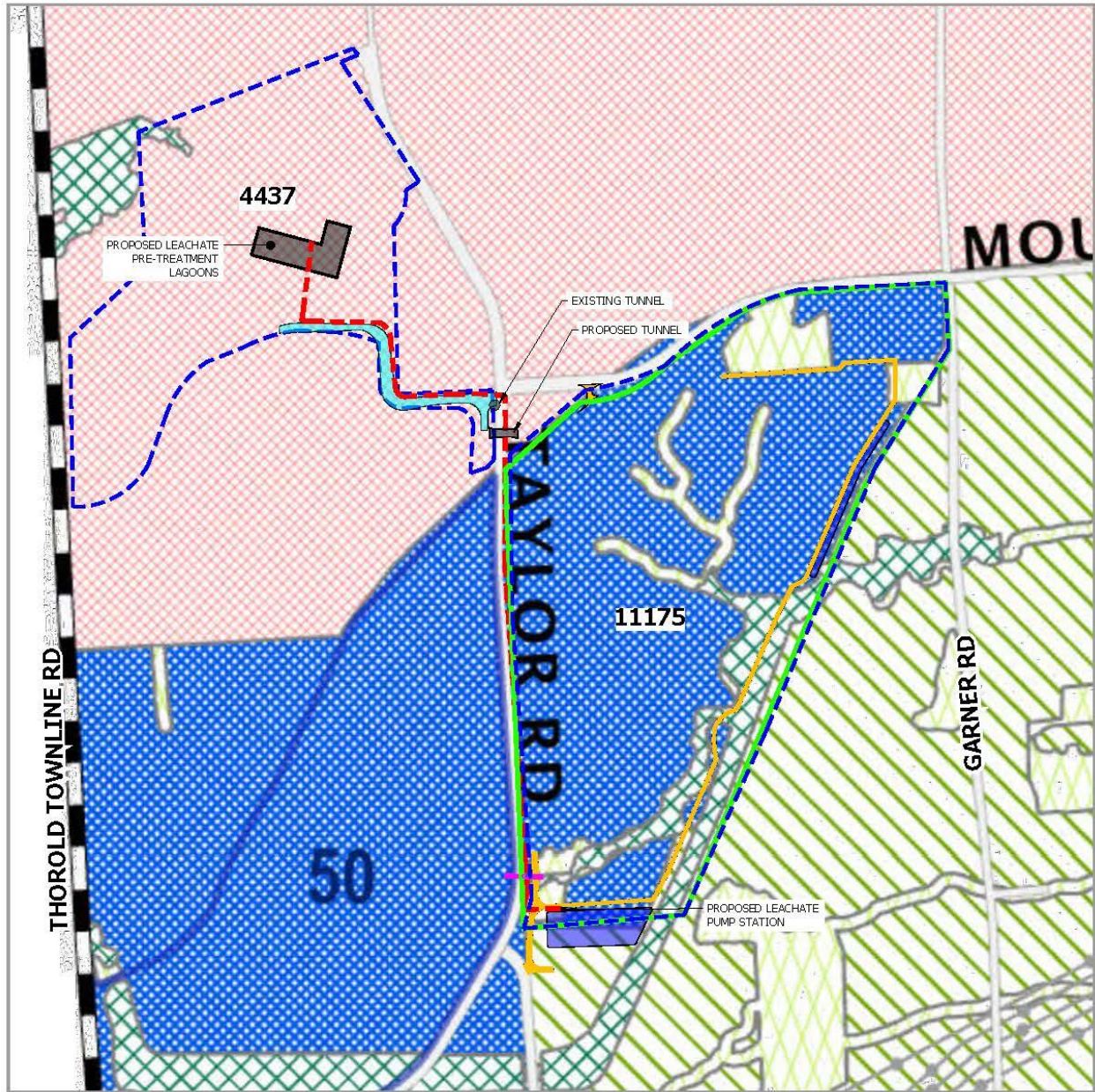
Furthermore, upon review of the Prime Agricultural Area and Specialty Crop Area policies given the applicable land use designations and the proposed ancillary infrastructure / office components are not prohibited outright in their respective locations.

Niagara Falls Official Plan (NFOP)

The proposed ancillary uses are designated as follows under the NFOP (please see **Figure 3**):

- **Environmental Conservation Area (ECA):** Proposed Maintenance Road partially designated as ECA
- **Environmental Protection Area (EPA):** Proposed Maintenance Road partially designated as EPA
- **Extractive Industrial (EI):** North Stormwater Management Pond, South Stormwater Management Pond (partially designated EI), Proposed Maintenance Road (partially designated EI), Proposed Leachate Forcemain (partially designated EI)
- **Good General Agriculture:** Employee / Maintenance Office and Shop, South Stormwater Management Pond (partially designated Good General Agriculture), Proposed Maintenance Road (partially designated Good General Agriculture)

Niagara Escarpment Plan: Please refer to NEP analysis



Data Source: Niagara Falls Official Plan Schedule A

Figure 3 - Ancillary Infrastructure - Niagara Falls Official Plan Schedule A Future Land Use

- | | |
|---|---------------------------------------|
| Licensed Mineral Aggregate Operation Boundary | Existing Maintenance Road |
| Environmental Conservation Area | Proposed Maintenance Road |
| Environmental Protection Area | Proposed Stormwater Management Pond |
| Extractive Industrial | Proposed Leachate Forcemain |
| Good General Agriculture | Proposed Landfill Gas Booster Station |
| Niagara Escarpment Plan | |



Notwithstanding the above, Section 1.4 of the NFOP provides policy specifically for Waste Disposal as follows:

- 1.4.1 It is recognized that the management of solid waste is the responsibility of the Niagara Region². Proposals for new, or expansions to existing, waste disposal sites will require amendments to the Official Plan and Zoning Bylaw.
- 1.4.2 In the selection and approval of sites for landfill use, the City will require that certain items be examined and reported on such as the social, economic and environmental effects of the creation of such landfill sites, assessment of alternatives to landfill uses and views of affected citizens. These items will be in keeping with the Environmental Assessment Act and requirements of the City.

Environmental Conservation Area (ECA)

Section 11.2 provides policy for ECA areas as follows:

- 11.2.22 The Environmental Conservation Areas designation contains significant woodlands, significant valleylands, significant wildlife habitat, fish habitat, significant Life and Earth Science ANSIs, sensitive ground water areas, and locally significant wetlands or NPCA wetlands less than 2ha in size.
- 11.2.23 Permitted uses within the ECA designation shall include: a) forest, fish and wildlife management; b) conservation and flood or erosion projects where it has been demonstrated that they are necessary in the public interest and other alternatives are not available; c) small scale, passive recreational uses and accessory uses such as trails, board walks, footbridges, fences, docks and picnic facilities that will not interfere with natural heritage features or their functions; d) uses ancillary to the uses listed above including: parking areas, interpretive centres, conservation area shelters, essential utility structures and other related uses that are compatible with the ECA designation;

where such works have been approved by the Niagara Peninsula Conservation Authority or other appropriate authority.

Environmental Protection Area (EPA)

Section 11.2 provides policy for EPA areas as follows:

- 11.2.13 The EPA designation shall apply to Provincially Significant Wetlands, NPCA regulated wetlands greater than 2ha in size, Provincially Significant Life ANSIs, significant habitat of threatened and endangered species, floodways and erosion hazard areas and environmentally sensitive areas.
- 11.2.14 Development or site alteration shall not be permitted in the EPA designation except where it has been approved by the Niagara Peninsula Conservation Authority or other appropriate authority,

² Note: To further clarify, only residential waste is the responsibility of the Niagara Region under the Municipal Act.

for the following: a) forest, fish and wildlife management; b) conservation and flood or erosion projects where it has been demonstrated that they are necessary in the public interest and other alternatives are not available; c) small scale, passive recreational uses and accessory uses such as trails, board walks, footbridges, fences, docks and picnic facilities that will not interfere with natural heritage features or their functions.

Extractive Industrial

Section 9 provides policy on the Extractive Industrial designation as follows:

- **9.1 The predominant use of land within the Extractive Industrial designation will be for the extraction and processing of mineral aggregates such as clay, sand, gravel and quarry stone. Extractive industrial operations may also include storing, refining and further processing of mineral aggregates and other ancillary uses.**
- 9.6 A progressive rehabilitation program shall be encouraged during the period that aggregate is being extracted. Final rehabilitation for all extractive industrial sites will be required following the expiration of any licensed site or extraction of material has been exhausted. Rehabilitation will be required in accordance with a Ministry of Natural Resources approved rehabilitation plan. Development on, or adjacent to, former mineral mining or aggregate operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under way or have been completed. The City will encourage the rehabilitation that will restore and create compatible land uses with adjacent properties and their occupants. **An Official Plan and Zoning By-law amendment shall be required to consider new uses within extractive industrial sites that are not agriculturally related.**

Good General Agriculture

Section 7 provides policy for Good General Agricultural areas as follows:

- 7.1 - The predominant use of land in the Good General Agriculture Area will be for agriculture of all types including crop farming, tender fruit and vineyards, dairy farming, livestock operations including equestrian activities, nurseries, and intensive greenhouse as well as agricultural value retention uses, forestry, conservation uses and farm related residential dwellings. **Uses of land not related to agricultural uses will not be permitted in the Good General Agriculture Area except as provided for in this Plan.**
- 7.4 **Uses of land and the creation of lots not related to agricultural uses are not permitted in the Good General Agriculture Area. However, Council may consider a site specific amendment to this Plan to remove land from the Good General Agriculture designation for a non-agricultural use where it has been demonstrated that the use cannot be accommodated in a non-agricultural designation.** In addition, the siting of a non-agricultural use shall be supported by qualified evidence demonstrating

matters of need for the proposed use over the next 20 years, poor soil capability, suitability of the site for the proposed development, no disruption of natural areas, effects on adjacent properties and financial impact on the City. The requirements of the Provincial Policy Statement and the Regional Niagara Policy Plan also shall be satisfied.

All non-agricultural uses satisfying these policy requirements shall be subject to site plan review to regulate the extent of the use and mitigate any impact the use may have on adjacent lands.

Given the limitations on the permitted uses in the above-noted designations, a site-specific amendment to the NFOP will be required. The additional ancillary activities would be addressed as part of the amendment for the primary landfill expansion as both the landfill use and ancillary activities including the proposed ancillary infrastructure and employee / maintenance office / shop components are not currently permitted within the above designations.

Draft Niagara Falls Official Plan – Released April 2026

The first draft of the new Niagara Falls Official Plan was released April 2026. The draft plan is currently under consultation with draft policy and schedules subject to change based on feedback gained through the consultation process. The draft plan will continue to be monitored throughout the EA process, with consideration of future Planning Act approvals for the landfill and ancillary components as necessary.

Niagara Falls Zoning By-law No.79-200

The City of Niagara Falls Zoning By-law No. 79-200 (Zoning By-law) applies to proposed ancillary uses (infrastructure and (please see **Figure 4**), which are zoned as follows:

1. Agricultural Zone (A)
2. Extractive Industrial Zone (EI) (Exemptions No's. 304, 1098)
3. Hazard Land Zone HL

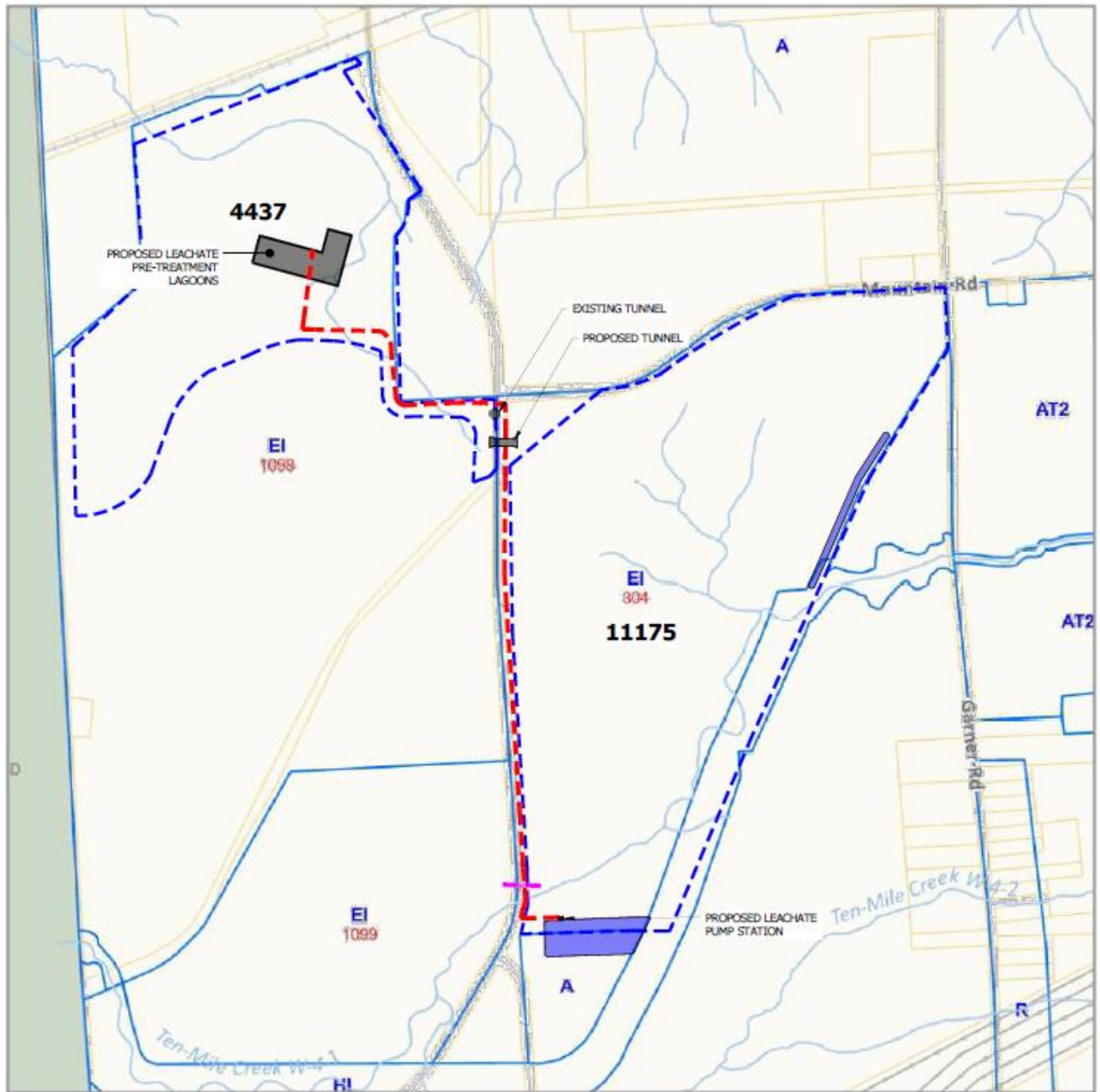
Agricultural Zone

Section 12 of the Zoning By-law sets out the permitted uses and regulations applicable to the A Zone.

The following uses are permitted on lands zoned A:

- (a) Agricultural including the growing of field, berry, bush or tree crops; truck gardening; flower gardening; nurseries; orchards; commercial greenhouses; aviaries, apiaries, mushroom farms, farms devoted to the hatching, raising and marketing of chickens, turkeys, or other poultry, fowl, rabbits or other fur-bearing animals and fish; farms or ranches for grazing of farm animals; breeding, raising or training of horses or cattle; goat or cattle dairies; the raising of sheep or goats; the raising of swine; dog kennels or the breeding and sale of dogs and other domestic animals
- (b) Commercial forestry

- (c) Commercial riding stable
- (d) Accessory buildings and accessory structures which are accessory to any of the foregoing uses, including:
 - (i) storage buildings, including cold storage
 - (ii) farm produce outlet, subject to the provisions of section 4.36 \
 - (iii) no more than 1 detached dwelling which is on the same lot as and is accessory to a use permitted in clauses (a) to (c) of this section and which is occupied as a residence by the owner of such lot or the principal operator of the use being conducted on such lot. (2016-105, 81-79, #19)
 - (iv) accessory buildings and accessory structures which are accessory to the dwelling units described in subclause (iii) of this clause (d)
- (e) A bed and breakfast in a detached dwelling, that complies with the provisions set out in section 4.37 (2018-91)
- (f) An additional dwelling unit subject to the provisions of Section 4.45 (2023-110)



Data Source: City of Niagara Falls Zoning Bylaw 79-200

Figure 4 - Ancillary Infrastructure - Zoning Bylaw 79-200

- Licensed Mineral Aggregate Operation Boundary
- Proposed Stormwater Management Pond
- Proposed Leachate Forcemain
- Proposed Landfill Gas Booster Station



Extractive Industrial Zone

Section 11.6 of the Zoning By-law sets out the permitted uses and regulations applicable to the EI Zone.

The following uses are permitted on lands zoned EI:

- (a) A pit or quarry licensed under The Pits and Quarries Control Act, 1971
- (b) Processing of natural materials removed from the site including crushing, screening, mixing, washing and storing of such materials
- (c) Concrete or asphalt mixing plant
- (d) Accessory buildings and accessory structures
- (e) A use, building or structure permitted in any one or more of clauses (a) to (d) inclusive or section 12.1

Further to the above permitted uses, the following site specific zoning exemptions also apply:

- EI-304: Sheets A2 and A3 of Schedule "A", to By-law 79-200, as amended, are amended by rezoning lands from Agricultural (A) and Hazard Land (HL) to Extractive Industrial and numbering 304 (EI-304) and Hazard Land (HL), the land being Part Lots 49 and 50 and Lot 66, former Township of Stamford, now the City of Niagara Falls, as contained in By-law 92.21 and By-law 92-289.91-274
- EI-1098: The permitted uses shall be:
 - (i) The uses permitted in an EI zone
 - (ii) Waste disposal site, landfill

For the purpose of this by- law:

waste disposal site, landfill" means a waste management facility which has a Provisional Certificate of Approval for such purposes under The Environmental Protection Act, where non -hazardous waste material is placed and covered with earth.

For further clarity, zoning exemption EI-304 applies to the existing quarry licence 11137 while as EI-1098 applies to existing aggregate licence 4437.

Hazard Land Zone

Section 16 of the Zoning By-law sets out the permitted uses and regulations applicable to the HL Zone.

The following uses are permitted on lands zoned HL:

- (a) A use permitted in any one or more of clauses (a) to (d) inclusive of section 12.1 except a dwelling, dwelling unit or any other building or structure
- (b) A dwelling existing at the date of the passing of this By-law, but not the conversion, extension or enlargement thereof
- (c) Parks, playgrounds, tennis courts, lawn bowling greens, outdoor natural rinks, athletic fields, golf courses, picnic areas and boat launching ramps, boat shelters and docking facilities and accessory structures but not including any dwelling or dwelling unit

The proposed ancillary uses does not fall under Agricultural Zone, Hazard Lands Zones, or the Extractive Industrial / E1-304 Zone permitted uses shown above. Therefore, a zoning by-law amendment (ZBA) will be required to permit these uses and would be addressed at the same time as a future ZBA following the EA. Notwithstanding this, the ancillary uses located within the EI-1098 zone would likely be permitted as part of a "Waste disposal site, landfill" subject to approval under the Environmental Protection Act and any NEP approvals.

The previous zoning by-law amendment which resulted in site specific EI Zone 1098 permitted a waste disposal site (landfill) that entailed a waste management facility which has a Provisional Certificate of Approval for such purposes under The Environmental Protection Act. As such, this zoning amendment allowed for a landfill operation in the EI Zone upon gaining the applicable provincial approvals. Such planning approvals will also be required for the proposed South Landfill Phase 2.

The approval requirements identified in this section are summarized in Section 10.

5.2 Planned Land Uses: Planned Legislation and Policy Overview

The proposed mitigation and compensation measures regarding land use are shown in Table 5.1 and Table 5.2 below.

For the purposes of land use, mitigation and compensation measures have been considered for two (2) scenarios for the preferred landfill option which are as follows:

1. The Interim Waste Management Facility Use; and
2. The Agricultural End Use.

In considering current and planned future land use and proximity to off-site sensitive land uses, the mitigation and compensation measures applied through other environmental aspects, as well as best operation management practices, will allow the proposed landfill to comply with the relevant provincial standards and mitigate nuisance impacts on sensitive land uses.

No mitigation measures are proposed with regard to the agriculture end use.

Furthermore, no mitigation or compensation measures are proposed for the preferred leachate management option with regard to current and planned future land use and proximity to off-site sensitive land uses.

In terms of proximity to natural features, potential effects on these features will be addressed through measures from other environmental components. Notwithstanding, restoration / enhancement opportunities should be considered for these features where necessary.

5.3 Net Effects

The net effects of the Preferred Method regarding land use are shown in Table 5.1 below.

For the leachate management component of the Preferred Method, there are no land use related effects expected. This is largely due to the proposed leachate treatment occurring off-site and utilizing existing

leachate infrastructure features within the existing industrial area (the Walker Resource Management Campus), therefore consolidating these uses.

With regard to the landfill component of the Preferred Method, there is expected to be a low net effect. This is due to the potential for nuisance impacts to occur even though the proposed landfill operation will be required to operate in accordance with provincial standards. The proposed agricultural end use is expected to have no effects on land use as it is compatible with surrounding land uses.

Table 5.1 Land Use Potential Environmental Effects, Proposed Impact Management Measures, and Net Effects - Preferred Method

Criteria	Indicators	Potential Effects	Impact Management Measures	Net Effects
<p>Effect on existing and proposed planned future land uses and associated infrastructure</p>	<ul style="list-style-type: none"> - Current and planned future land use 	<p>Interim Waste Management Facility Use:</p> <ul style="list-style-type: none"> - Within the Site Study Area (SSA), the interim land use will change from a mineral aggregate operation to a landfill operation, requiring amendments to regional and local official plans, and zoning by-law amendment. - Within the Local Study Area (LSA), there is potential for nuisance impacts on nearby sensitive uses (or nearby sensitive zoned lots). - There are a number of vacant properties within the LSA which permit sensitive land uses but have not yet been developed. As such, further sensitive lands uses may be introduced into the LSA, which may be subject to potential nuisance impacts (please see section 5.1.1). 	<p>Interim Waste Management Facility Use:</p> <ul style="list-style-type: none"> - All applicable provincial standards will be complied with through the implementation of mitigation measures across other environmental components with regard to change of land use within the Site Study Area. - Potential nuisance impacts to sensitive uses (or sensitive zoned lots) can be further mitigated through application of landfill operation best management practices and impact management measures from other environmental components (i.e., noise, dust, traffic) <p>Agricultural End Use:</p> <ul style="list-style-type: none"> - No mitigation measures proposed with regard to loss of potential agriculture land. 	<p>Interim Waste Management Facility Use:</p> <p>Even though provincial standards will be met, there is potential for nuisance impacts. Through the implementation of best management practices, it is expected that the potential for nuisance impact would be low on nearby existing sensitive land uses or sensitive zoned lots.</p> <p style="text-align: center;">LOW NET EFFECT</p> <p>Agricultural End Use:</p> <p>The proposed end use represents a smaller quantity of agricultural lands relative to the currently approved agricultural rehabilitation plan for the quarry. However, there will no effect from a land use perspective, as the end use is compatible with surrounding land uses.</p> <p style="text-align: center;">NO NET EFFECT</p> <p>Leachate Management Infrastructure:</p> <p>There are no land use related effects expected as a result of implementing the proposed leachate management infrastructure</p>

Criteria	Indicators	Potential Effects	Impact Management Measures	Net Effects
		<ul style="list-style-type: none"> - It is noted that any proposed significant changes to land uses in the LSA beyond what is currently permitted in Official Plan designation and/or in the zoning by-law would be subject to an OPA and/or ZBA to implement the change of use. In these cases, any OPA or ZBA proposing new sensitive land uses may be restricted due to the presence of the landfill and would need to demonstrate compatibility as part of the planning approval process to ensure both uses can co-exist. - This assessment only takes into consideration of land uses situated in the LSA that exist or are planned by the Official Plan and/or permitted by the Zoning By-law. <p>Agricultural End Use:</p> <ul style="list-style-type: none"> - The Preferred Method has a peak elevation (211 masl to the top of waste). Therefore, the end use of the SSA could be up to 44 ha, of agricultural use, 		<p>set out in the Preferred Method.</p> <p style="text-align: center;">NO NET EFFECT</p>

Criteria	Indicators	Potential Effects	Impact Management Measures	Net Effects
		<p>resulting in a potential loss of 4.2 ha of rehabilitated agricultural lands relative to the currently approved agricultural rehabilitation plan for the quarry.</p> <p>Leachate Management Infrastructure:</p> <ul style="list-style-type: none"> - The Preferred Method would require minimal land area for additional leachate management infrastructure and would largely utilize existing infrastructure features (i.e. leachate ponds). Leachate treatment is largely managed off-site within an existing industrial area and consolidated with municipal treatment. - The Preferred Method takes capacity and growth projections into account. Under leachate flow projections and 2051 flows for high-density growth projections within the Glendale Secondary Plan area, the Municipal-owned sewers have sufficient capacity to 		

Criteria	Indicators	Potential Effects	Impact Management Measures	Net Effects
		<p>safely convey the 10-year design storm.</p> <ul style="list-style-type: none"> - Given the location and change in use of the lands, approvals will be triggered to implement the Preferred Method, including but are not limited to: <ul style="list-style-type: none"> ▪ Approvals under the Niagara Escarpment Planning and Development Act. ▪ Approvals under the Aggregate Resources Act. ▪ Approvals under the Planning Act, if the aggregate licence is surrendered. - With these considerations, no land use related effects are expected on current and planned future land uses as well as off-site sensitive land uses as a result of implementing the Preferred Method. 		
	<ul style="list-style-type: none"> - Proximity to off-site sensitive land uses (e.g., 	<ul style="list-style-type: none"> - Sensitive uses within the Local Study Area include rural residential 	<ul style="list-style-type: none"> - All applicable provincial standards will be complied with through 	Interim Waste Management Facility Use:

Criteria	Indicators	Potential Effects	Impact Management Measures	Net Effects
	<p>dwelling, churches, parks)</p>	<p>and farms containing detached dwellings (33 in total, the closest of which not owned by Walker is located approximately 490m from the SSA).</p> <ul style="list-style-type: none"> - The LSA also contains other properties (not owned by Walker) that are currently vacant but are zoned to permit sensitive land uses as-of-right under the City of Niagara Falls Zoning By-law. There are 14 of these properties in total, the closest of which is located 222m from the SSA. - Within the Local Study Area (LSA), there is potential for nuisance impacts on nearby sensitive uses. - Leachate management associated with the Preferred Method is also expected to have no potential effect on off-site sensitive land uses, as treatment is largely managed off-site within an existing industrial area and consolidated with municipal treatment. 	<p>the implementation of mitigation measures across other environmental components with regard to change of land use within the Site Study Area.</p> <ul style="list-style-type: none"> - Potential nuisance impacts to sensitive uses (or sensitive zoned lots) can be further mitigated through application of landfill operation best management practices and impact management measures from other environmental components (i.e., noise, dust, traffic) 	<p>Even though provincial standards will be met, there is potential for nuisance impacts. Through the implementation of best management practices, it is expected that the potential for nuisance impact would be low on nearby existing sensitive land uses or sensitive zoned lots.</p> <p style="text-align: center;">LOW NET EFFECT</p> <p>Agricultural End Use: There will be no effect from a land use perspective, as the end use is compatible with surrounding land uses.</p> <p style="text-align: center;">NO NET EFFECT</p> <p>Leachate Management Infrastructure: There are no land use related effects expected as a result of implementing the proposed leachate management infrastructure set out in the Preferred Method.</p> <p style="text-align: center;">NO NET EFFECT</p>

Criteria	Indicators	Potential Effects	Impact Management Measures	Net Effects
	<ul style="list-style-type: none"> - Proximity to features (e.g., wetlands, woodlots, etc.) 	<ul style="list-style-type: none"> - Potential effects to natural features will be assessed within the Terrestrial and Aquatic Environment component. - According to the Niagara Region Official Plan (Schedule C2), the following natural heritage features are located in the LSA in proximity to the SSA: <ul style="list-style-type: none"> • Significant Woodlands (0m from Fill Area and Waste Disposal Site Boundary Limits) • Other Woodlands (50m from Fill Area and 20m from Waste Disposal Site Boundary Limits) • Other Evaluated / Non-Provincially Significant Wetlands (0m from Fill Area and Waste Disposal Site Boundary Limits) • Permanent and Intermittent Streams (41m from Fill Area and 	<ul style="list-style-type: none"> - Potential effects to natural features can be mitigated through application of landfill operation best management practices and impact management measures from other environmental components. - Consider opportunities to restore/enhance connectivity whether through design of vegetative screening or otherwise and prioritize locally native species in any plantings. 	<p>Interim Waste Management Facility Use: Natural heritage features are located within the LSA in proximity to the SSA. Mitigation measures will minimize potential impacts to these features through assessment and implementation from other environmental disciplines. As such, no effect is anticipated from a land use perspective.</p> <p style="text-align: center;">NO NET EFFECT</p> <p>Agricultural End Use: The proposed end use represents a similar end—use to the currently approved agricultural rehabilitation plan for the quarry. As such, there will no effect from a land use perspective.</p> <p style="text-align: center;">NO NET EFFECT</p>

Criteria	Indicators	Potential Effects	Impact Management Measures	Net Effects
		<p>11m from Waste Disposal Site Boundary Limits)</p> <ul style="list-style-type: none"> • Linkages (269m from Fill Area and 239m from Waste Disposal Site Boundary Limits) <p>- From a land use perspective, no potential effects to natural features are expected.</p>		

6.0 Cumulative Impact Analysis

As part of the approved Terms of Reference (ToR), Walker committed to undertaking an assessment of the cumulative effects of the landfill and other Campus components/facilities and other non-Walker projects that are existing, planned, approved or reasonably foreseeable. The following were considered in the assessment of cumulative impacts:

- i) Walker Activities / Projects on Campus
 - Ongoing quarry operations
 - New Residential Drop Off Facility
 - RNG 2 – expansion of existing renewable natural gas facilities
- ii) Walker Projects off Campus
 - Uppers Quarry
- iii) Non-Walker Projects
 - Garden City Bridge Twinning
 - Glendale Secondary Plan Area development
 - Development at Niagara College’s Niagara-on-the-Lake Campus
 - Northwest Secondary Plan Area development
 - Golf course/agro-tourism development to east of the Walker Campus
 - Garner West Secondary Plan Area development
 - Welland Thorold Power Line Project

The following provides a cumulative impact analysis in consideration of the above noted projects from a land use perspective.

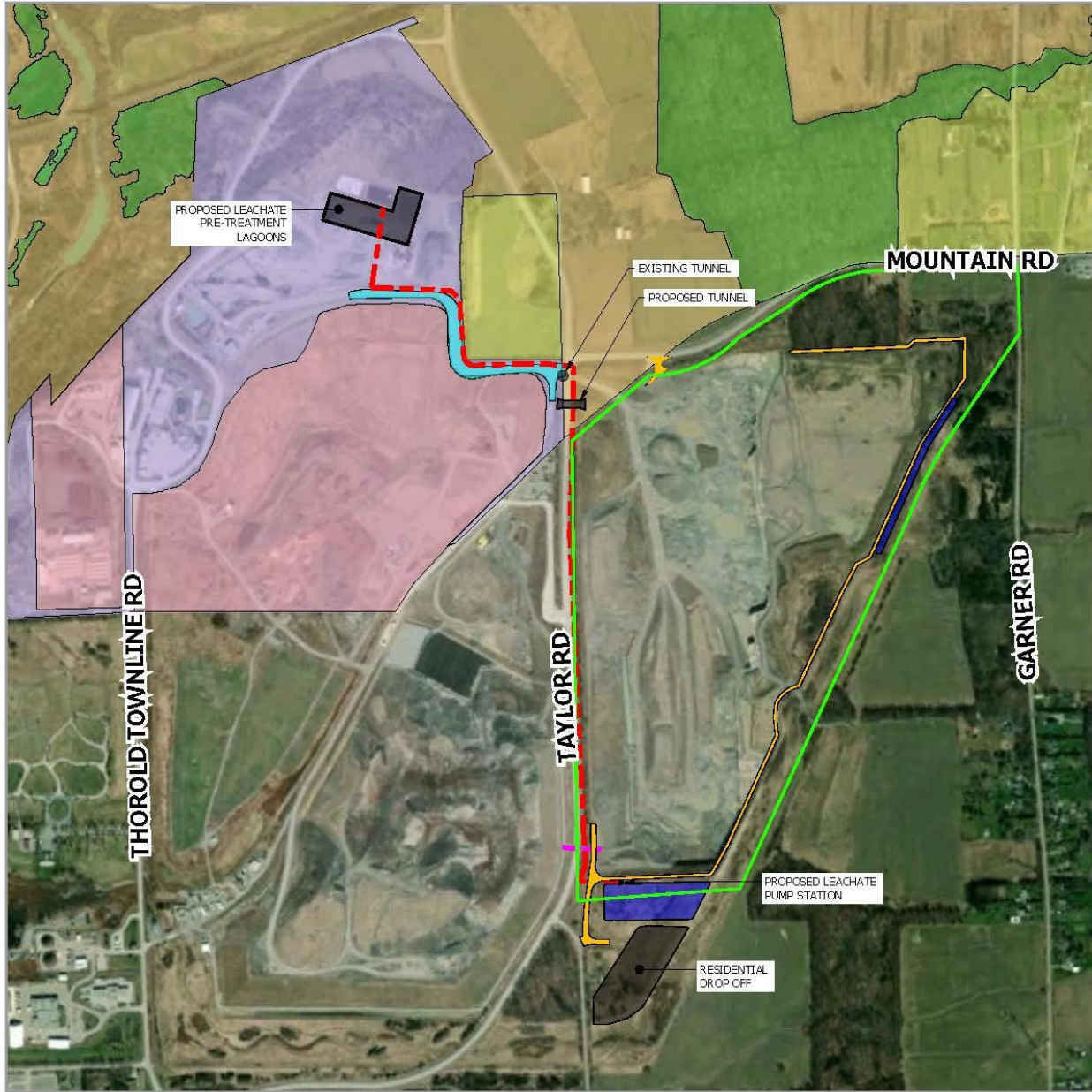
Walker Activities / Projects on Campus

No cumulative impact is expected from a land use perspective with regard to the Walker Activities / Projects on Campus. The ongoing quarry operations are permitted and must operate in accordance with the approved site plans and applicable provincial standards. Future activities / projects on the Campus will also be assessed from the perspective of applicable environmental aspects (air, noise etc.) to determine if they are appropriate and compatible with surrounding land uses and can operate in compliance with provincial standards.

Furthermore, the consolidation of industrial / major facilities can be beneficial from a land use perspective as it allows for these uses to be concentrated in a particular area where such uses are already in existence, rather than being dispersed across a wider area, therefore maintaining and allowing these uses to operate within existing influence areas.












Once the landfill is established, Walker will be seeking further approval to permit a Proposed Residential Drop-Off (RDO) Facility in proximity to the landfill and within the Walker Campus, including:

- a. Check-in / scale area
- b. Operations / support buildings, and other ancillary site features. The buildings would be non-permanent structures, one as a scale office and the other as an enclosed area for site staff. The dimensions of the non-permanent structures would be approximately 10 ft x 40 ft (400ft²) (approx. 37m²). See **Figure 5** below for the future Proposed RDO Facility.



Data Source: King's Printer for Ontario, 2023

Figure 5 - Future Residential Drop Off Facility Area

- | | | | |
|---|----------------------------------|---|---|
|  | Escarpment Natural Area |  | Existing Maintenance Road |
|  | Escarpment Protection Area |  | Proposed Maintenance Road |
|  | Escarpment Rural Area |  | Proposed Stormwater Management Pond |
|  | Mineral Resource Extraction Area |  | Proposed Leachate Forcemain |
|  | Urban Area |  | Proposed Landfill Gas Booster Station |
| | |  | Future Residential Drop Off Facility Area |



Walker Projects off Campus

Uppers Quarry is located outside of the LSA and approximately 2.15 km south of the SSA, therefore, no cumulative impact is expected from a land use perspective.

Non-Walker Projects

The Approved TOR included consideration of Northwest Secondary Plan Area (NWSP) and Glendale Secondary Plan, both of which are located outside the LSA. Notwithstanding this, no cumulative impacts are expected from a land use perspective given provincial standards will be met and through the implementation of best management practices for landfill operations. Further, policy provisions are proposed in the Draft NWSP which require new development proposals within the NWSP area to undertake land use compatibility studies to take account of the landfill expansion if approved.

Further, cumulative impacts are not expected from a land use perspective regarding the golf course / agri-tourism development located to the east of the Walker Campus, however, there is a potential for nuisance impacts to occur. As such, given the sensitive land uses permitted by the Zoning By-law, this use has been examined in other Assessments for this Project as necessary according to provincial standards and guidelines.

7.0 Climate Change Considerations

In accordance with the Minister-approved ToR, the detailed impact assessment is to include consideration of climate change. In support of the province of Ontario's Climate Change Action Plan, the Ministry of the Environment, Conservation and Parks (MECP) developed a Guide entitled "Consideration of Climate Change in Environmental Assessment in Ontario" (the Guide) to aid proponents in considering climate change as part of EAs for infrastructure and facilities (MECP 2016).

The Guide outlines the Ministry's expectations for considering climate change throughout the EA process. As stated in Section 3 of the Guide, consideration is to include:

1. Greenhouse gas (GHG) emissions
2. Effects of a project on climate change
3. Effects of climate change on a project
4. How the project will minimize identified negative effects on climate change.

The preceding was considered as part of the South Landfill Phase 2 EA in addressing the potential climate risks to the Alternative Methods. During the impact assessment, the climate change adaptation and mitigation analysis undertaken for the Alternative Methods stage was used and augmented, as needed, to develop climate change mitigation and adaptation measures for the Preferred Method. Climate change considerations relevant to Land Use are documented in the following subsections.

7.1 Potential effects of the Undertaking on Climate Change

There are no effects anticipated from the Preferred Method on climate change from a land use perspective given compliance with provincial standards and the implementation of best management practices.

7.2 Potential effects of Climate Change on the Undertaking

Climate change is not anticipated to affect land use as it relates to the proposed undertaking, and as a result, should not have negative impacts in that regard

8.0 Environmental Monitoring

There are none to low net effects of the Preferred Method from a Land Use perspective with the implementation of mitigation measures across other environmental components. Therefore, no environmental monitoring is required. Further, no compliance monitoring is required for the construction, operation, and maintenance of the landfill.

9.0 Commitments

No commitments have been proposed as there are no mitigation or compensation measures and monitoring requirements needed from a land use perspective as part of the construction, operation, and maintenance of the landfill.

10.0 Land Use Approvals Required for the Undertaking

The following approvals are required for Land Use-related components for the proposed undertaking:

Niagara Region:

- An amendment to the Niagara Region Official Plan will be required as the SSA is largely designated Prime Agricultural Area on Schedule F and is identified as a Licenced Aggregate Operation on Schedule H of the Niagara Region Official Plan, which does not permit a landfill or the ancillary uses as an interim use.

City of Niagara Falls:

- An amendment to the City of Niagara Falls Official Plan will be required as the SSA is primarily designated Extractive Industrial on Schedule A and the area south of ARA Licence 11175 is designated Good General Agriculture on Schedule A in the City of Niagara Falls Official Plan. Neither of these land use designations permit a landfill or the ancillary uses as an interim use.
- An amendment to the City of Niagara Falls Zoning By-law 79-200 as the SSA is zoned Extractive Industrial Zone (EI), which does not permit a landfill or the ancillary uses as an interim use.

Niagara Escarpment Commission:

- Although the preferred leachate management option utilizes the existing leachate infrastructure, approvals will be required under the Niagara Escarpment Planning and Development Act and include a site-specific amendment and / or development permit to implement the proposed changes including the necessary expansion of the system capacity.

Ministry of Natural Resources:

An amendment to the ARA Site Plans for Licences 11175 and 4437 from MNR will be required to implement and reflect the Preferred Method.

11.0 References

- Planning Act, Section 2; Online source available at: <https://www.ontario.ca/laws/statute/90p13>. Accessed: May 2026.
- Provincial Planning Statement; Online source available at: <https://www.ontario.ca/page/provincial-planning-statement-2024> Accessed: May 2026.
- D-Series Guidelines; Online source available at: <https://www.ontario.ca/page/environmental-land-use-planning-guides> Accessed: May 2026.
- 2022 Niagara Official Plan; Online source available at: <https://www.niagararegion.ca/official-plan/final.aspx>. Accessed: May 2026.
- City of Niagara Falls Official Plan; Online source available at: <https://niagarafalls.ca/building-planning-and-business/planning-and-development/long-range-plans-and-studies/official-plan/> Accessed: May 2026.
- Draft City of Niagara Falls Official Plan; Online source available at: https://letstalk.niagarafalls.ca/nfplan?_gl=1*_lh1zkg*_ga*ODYwNjYwNjg3LjE3MzQzODIzODg.*_ga_G6QPL58N6M*cze3NzkzMDU3OTMkbzg5JGcxJHQxNzc5MzA1OTgwJGo2MCRsMCRoMA.. Accessed: May 2026
- City of Niagara Falls Zoning By-law No. 79-200; Online source available at: <https://niagarafalls.ca/building-planning-and-business/planning-and-development/zoning/> Accessed May 2026.
- Northwest Secondary Plan Webpage; <https://letstalk.niagarafalls.ca/northwest-secondary-plan> Accessed: May 2026.
- Glendale Secondary Plan; <https://www.notl.com/business-development/projects-initiatives/glendale-secondary-plan> Accessed: January 2025.
- Greenbelt Plan (2017); Online source available at: <https://files.ontario.ca/greenbelt-plan-2017-en.pdf>. Accessed May 2026.
- Niagara Escarpment Plan (2017); Online source available at: https://files.ontario.ca/appendix_-_niagara_escarpment_plan_2017_-_oc-10262017.pdf. Accessed May 2026.
- Aerial Photographic Mapping:
 - Google Maps; <https://www.google.com/maps/> Accessed: May 2026.
 - VUMAP (First Base Solutions Inc.); <https://vmapadmin.firstbasesolutions.com/> Accessed, May 2026.

- Niagara Falls online GIS mapping;

https://map.niagarafalls.ca/Viewer/Index.html?viewer=LandRegulation&runWorkflow=Turn_on_Zoning_Layers&_gl=1*1ht4me1*_ga*ODYwNjYwNjg3LjE3MzQzODIzODg.*_ga_G6QP_L58N6M*MTc0MDY4OTEzMy4yNy4wLjE3NDA2ODkxMzMumc4wLjA. Accessed: May 2026.

- OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas; Online Source available at: <https://www.ontario.ca/files/2024-04/omafra-publication-851-guidelines-on-permitted-uses-in-ontarios-prime-agricultural-areas-en-04-02-2024.pdf> Accessed: May 2026.
- Find Pits and Quarries; <https://www.ontario.ca/page/find-pits-and-quarries> Accessed: May 2026.

Appendix **A**

Appendix A – Categorization of Sensitive Land Uses Permitted under Zoning in Accordance with the D-Series Guidelines

The D-Series Guidelines defines “Sensitive Land Use” as follows:

“A building, 'amenity area' or outdoor space where routine or normal activities occurring at reasonably expected times would experience 1 or more 'adverse effect(s)' from contaminant discharges generated by a nearby 'facility'. The 'sensitive land use' may be a part of the natural or built environment. Depending upon the particular 'facility' involved, a sensitive land use and associated activities may include one or a combination of:

- i. residences or facilities where people sleep (e.g. single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.). These uses are considered to be sensitive 24 hours/day.
- ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).
- iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).
- iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).
- v. bird/wildlife habitats or sanctuaries.”

The following charts outline which uses permitted under the zoning by-law are considered to be “Sensitive Lands Uses” according to the above-noted definition (specifically under sections i. to v. of the definition).

Zone: Hazard Lands Zone (HL)

Note:

- N/A – Not Applicable
- X – Section of Definition of Sensitive Land Use in D-Series Guidelines that applies to Permitted Use in Zoning

Permitted Use in HL Zone:	Sensitive Land Use and Associated Activities (D-Series)				
	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird/wildlife habitats or sanctuaries.
(a) A use permitted in any one or more of clauses (a) to (d) inclusive of section 12.1 except a dwelling, dwelling unit or any other building or structure:					
Agricultural including the growing of field, berry, bush or tree crops; truck gardening; flower gardening; nurseries; orchards; commercial greenhouses; aviaries, apiaries, mushroom farms, farms devoted to the hatching, raising and marketing of chickens, turkeys, or other poultry, fowl, rabbits or other fur-				X Contains uses possibly considered as sensitive land uses under this section of definition (depending on type of agricultural use).	

	Sensitive Land Use and Associated Activities (D-Series)				
Permitted Use in HL Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird/wildlife habitats or sanctuaries.
bearing animals and fish; farms or ranches for grazing of farm animals; breeding, raising or training of horses or cattle; goat or cattle dairies; the raising of sheep or goats; the raising of swine; dog kennels or the breeding and sale of dogs and other domestic animals					
Commercial forestry					
Commercial riding stable				X Possibly a sensitive land use under this section of definition	
Accessory buildings and accessory structures which are accessory to any of the foregoing uses, including: (i) storage buildings, including cold storage (ii) farm produce outlet, subject to the provisions of section 4.36					

	Sensitive Land Use and Associated Activities (D-Series)				
Permitted Use in HL Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird/wildlife habitats or sanctuaries.
(b) A dwelling existing at the date of the passing of this By-law, but not the conversion, extension or enlargement thereof	X Sensitive land use under this section of definition				
(c) Parks, playgrounds, tennis courts, lawn bowling greens, outdoor natural rinks, athletic fields, golf courses, picnic areas and boat launching ramps, boat shelters and docking facilities and accessory structures but not including any dwelling or dwelling unit			X Contains uses possibly considered as sensitive land uses under this section of definition (depending on type of recreational use).		

Zone: Agricultural Zone (A)

Note:

- N/A – Not Applicable
- X – Section of Definition of Sensitive Land Use in D-Series Guidelines that applies to Permitted Use in Zoning

Permitted Use in A Zone:	Sensitive Land Use and Associated Activities (D-Series)				
	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
(a) Agricultural including the growing of field, berry, bush or tree crops; truck gardening; flower gardening; nurseries; orchards; commercial greenhouses; aviaries, apiaries, mushroom farms, farms devoted to the hatching, raising and marketing of chickens, turkeys, or other poultry, fowl, rabbits or other fur-bearing animals and fish; farms or ranches for grazing of farm animals; breeding, raising or training of horses or cattle; goat				X Contains uses possibly considered as sensitive land uses under this section of definition (depending on type of agricultural use).	

	Sensitive Land Use and Associated Activities (D-Series)				
Permitted Use in A Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
or cattle dairies; the raising of sheep or goats; the raising of swine; dog kennels or the breeding and sale of dogs and other domestic animals					
(b) Commercial forestry					
(c) Commercial riding stable				X Possibly a sensitive land use under this section of definition	
(d) Accessory buildings and accessory structures which are accessory to any of the foregoing uses, including: (i) storage buildings, including cold storage (ii) farm produce outlet, subject to the provisions of section 4.36 (iii) no more than 1 detached dwelling which is on the same lot as and is	X Detached dwelling considered a sensitive land use under this section of definition				

	Sensitive Land Use and Associated Activities (D-Series)				
Permitted Use in A Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
accessory to a use permitted in clauses (a) to (c) of this section and which is occupied as a residence by the owner of such lot or the principal operator of the use being conducted on such lot. (2016-105, 81-79, #19) (iv) accessory buildings and accessory structures which are accessory to the dwelling units described in subclause (iii) of this clause (d)					
(e) A bed and breakfast in a detached dwelling, that complies with the provisions set out in section 4.37 (2018-91)	X Considered a sensitive land use under this section of definition				
(f) An additional dwelling unit subject to the provisions of	X Considered a sensitive land use				

	Sensitive Land Use and Associated Activities (D-Series)				
Permitted Use in A Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
Section 4.45 (2023-110)	under this section of definition				

Zone: Rural Zone (R)

Note:

- N/A – Not Applicable
- X – Section of Definition of Sensitive Land Use in D-Series Guidelines that applies to Permitted Use in Zoning

Permitted Use in R Zone:	Sensitive Land Use and Associated Activities (D-Series)				
	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
(a) A use, building or structure permitted in any one or more of clauses (a) to (d) inclusive of section 12.1:					
Agricultural including the growing of field, berry, bush or tree crops; truck gardening; flower gardening; nurseries; orchards; commercial greenhouses; aviaries, apiaries, mushroom farms, farms devoted to the hatching, raising and marketing of chickens, turkeys, or other poultry, fowl, rabbits or other fur-bearing animals and fish; farms or ranches for				X Contains uses possibly considered as sensitive land uses under this section of definition (depending on type of agricultural use).	

	Sensitive Land Use and Associated Activities (D-Series)				
Permitted Use in R Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
grazing of farm animals; breeding, raising or training of horses or cattle; goat or cattle dairies; the raising of sheep or goats; the raising of swine; dog kennels or the breeding and sale of dogs and other domestic animals					
Commercial forestry					
Commercial riding stable				X Possibly a sensitive land use under this section of definition	
Accessory buildings and accessory structures which are accessory to any of the foregoing uses, including: (i) storage buildings, including cold storage (ii) farm produce outlet, subject to the provisions of section 4.36 (iii) no more than 1 detached dwelling which	X Detached dwelling considered a sensitive land use under this section of definition				

	Sensitive Land Use and Associated Activities (D-Series)				
Permitted Use in R Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
<p>is on the same lot as and is accessory to a use permitted in clauses (a) to (c) of this section and which is occupied as a residence by the owner of such lot or the principal operator of the use being conducted on such lot. (2016-105, 81-79, #19)</p> <p>(iv) accessory buildings and accessory structures which are accessory to the dwelling units described in subclause (iii) of this clause (d)</p>					
<p>(b) A detached dwelling on a separate lot, the location of which complies with the Minimum Distance Separation formula issued by the Ministry of Agriculture, Food and Rural Affairs. (2007-156)</p>	<p>X Considered a sensitive land use under this section of definition</p>				

	Sensitive Land Use and Associated Activities (D-Series)				
Permitted Use in R Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
(c) Accessory buildings and accessory structures which are accessory to the use described in clause (b)	X Possibly considered a sensitive land use under this section of definition (depending on nature of accessory use)		X Possibly considered a sensitive land use under this section of definition (depending on nature of accessory use)		
(d) Farm produce outlet, subject to the provisions of section 4.36. (2016-105)					
(e) A bed and breakfast in a detached dwelling, that complies with the provisions set out in section 4.37 (2018-91)	X Considered a sensitive land use under this section of definition				
(f) An additional dwelling unit subject to the provisions of Section 4.45 (2023-110)	X Considered a sensitive land use under this section of definition				

Zone: Agri-Tourism Zone 1 (AT1)

Note:

- N/A – Not Applicable
- X – Section of Definition of Sensitive Land Use in D-Series Guidelines that applies to Permitted Use in Zoning

Permitted Use in AT1 Zone:	Sensitive Land Use and Associated Activities (As Defined in D-Series)				
	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
(a) the uses permitted in the Agricultural Zone (A Zone) as set out in section 12.1 of the Zoning By-Law;	X See Agricultural Zone (A) Table				
(b) an estate winery;				X Possibly considered as a sensitive land use under this section of definition	
(c) a farm winery;				X Possibly considered as a sensitive land use under this section of definition	
(d) a golf course;			X Possibly considered as a sensitive land use under this section of definition		

	Sensitive Land Use and Associated Activities (As Defined in D-Series)				
Permitted Use in AT1 Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
(e) a hotel;	X Considered a sensitive land use under this section of definition				
(f) an assembly hall;		X Possibly considered a sensitive land use under this section of definition			
(g) recreational uses;			X Possibly considered as sensitive land uses under this section of definition (depending on type of recreational use).		
(h) a restaurant;					
(i) a retail store;					
(j) a spa;			X Possibly considered as sensitive land uses under this section of definition		
(k) a villa; and	X Considered a sensitive land use				

	Sensitive Land Use and Associated Activities (As Defined in D-Series)				
Permitted Use in AT1 Zone:	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
	under this section of definition				
(I) accessory uses.	X Possibly considered a sensitive land use under this section of definition (depending on nature of accessory use)		X Possibly considered a sensitive land use under this section of definition (depending on nature of accessory use)		

Zone: Agri-Tourism Zone 2 (AT2)

Note:

- N/A – Not Applicable
- X – Section of Definition of Sensitive Land Use in D-Series Guidelines that applies to Permitted Use in Zoning

Permitted Use in AT2 Zone:	Sensitive Land Use and Associated Activities (D-Series)				
	i. residences or facilities where people sleep.	ii. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).	iii. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).	iv. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).	v. bird /wildlife habitats or sanctuaries.
(a) the uses permitted in the Agricultural Zone (A Zone) as set out in section 12.1 of the Zoning By-Law;	X See Agricultural Zone (A) Table				
(b) a golf course, including any associated maintenance buildings and fairway structures.			X Possibly considered as a sensitive land use under this section of definition		