Environmental Assessment Act  
Loi sur les évaluations environnementales

ONTARIO REGULATION 148/91

EXEMPTION — THE CORPORATION OF THE CITY OF GUELPH — GUEL-C-1

**Consolidation Period:** From April 5, 1991 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

No amendments.

This Regulation is made in English only.

Having received a request from The Corporation of the City of Guelph (the “City”) that an undertaking, namely:

The continued operation, as an interim measure, and closure of the existing and approved, City of Guelph Eastview Road Sanitary Landfill Site, situated on the south half of lots 4 and 5, Concession 5, Division “C”, City of Guelph and the north half of lots 4 and 5, Concession 5, Division “C”, Township of Guelph, for the disposal of municipal, commercial and solid non-hazardous industrial waste, with the changes as described in the Report entitled “The City of Guelph Request for a Section 29 Exemption from the Environmental Assessment Act For the Continued Operation and Closure of the Eastview Road Sanitary Landfill”, dated February, 1990, prepared by Gartner Lee Limited,

be exempt from the application of the Act pursuant to section 29; and

Having been advised by the City that if the undertaking is subject to the application of the Act, the following injury, damage or interference with the persons and property indicated will occur:

A. The City will be subject to delay and expense if it is required to prepare an environmental assessment for the interim undertaking.

B. The Corporation of the County of Wellington and the City will be subject to unnecessary delay and expense in implementing their long-term waste management program.

C. The current users of the site who are located in the City, the Town of Fergus, the Village of Elora and the townships of Guelph, Eramosa, Erin, Nichol, Peel and Pilkington will be without a municipal waste disposal facility.

Having weighed such injury, damage or interference against the betterment of the people of the whole or any part of Ontario by the protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the undertaking is exempt from the application of the Act for the following reasons:

A. The continued operation of the existing landfill is clearly an interim measure for which there are no other reasonable waste management alternatives which can be implemented within the necessary time frame.

B. Alternatives have been investigated.

C. A public hearing under Part V of the Environmental Protection Act for the approval of the continued operation will be held.

D. It is the intention of the proponent that a long-term waste management program be pursued in accordance with applicable legislation and that sufficient elements of the program will be implemented prior to the conclusion of the exempt undertaking.

This exemption order is subject to the following terms and conditions:

1. Where any activity which otherwise would be exempt under this order is being carried out as or is part of an undertaking for which an environmental assessment has been accepted and approval to proceed received, the activity shall be carried out in accordance with any terms or conditions in the approval to proceed as well as the conditions of this Order.

2. Where any activity which is the subject of this order is being carried out as or is part of another undertaking which is the subject of an exemption order under the Act, the activity exempt under this order shall be carried out in accordance with any terms or conditions in the other exemption order as well as the conditions in this Order.

3. No waste shall be deposited at the Eastview Road landfill pursuant to this order more than five years after the date of the first Provisional Certificate of Approval or Certificate of Approval is issued for the purpose of this Order.

4. The City proceed expeditiously to complete and obtain all necessary approvals for the implementation of a long-term waste management program in accordance with applicable legislation within the interim period specified in condition 3.

5. The City shall file an annual report to the Director, West Central Region, Ministry of the Environment, outlining the City’s progress in achieving leachate abatement at the existing site and progress in implementing a long-term waste management program; a copy of the reports shall also be given to the Director, Approvals Branch, Ministry of the Environment.

6. In preparing material and carrying out studies for its application under Part V of the Environmental Protection Act, the City shall consult with any public authorities and groups who express an interest therein and provide them with copies of all relevant material. O. Reg. 148/91.

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