Environmental Assessment Act  
Loi sur les évaluations environnementales

ONTARIO REGULATION 664/92

EXEMPTION — THE CORPORATION OF THE TOWNSHIP OF BRANTFORD — BRAN-TP-1

**Consolidation Period:** From November 6, 1992 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 Township of Brantford (Township) that an undertaking, namely:

The proposals to alter the approved final contours of the existing Biggar’s Lane Landfill Site, located on part of Lot 1, Second Range East of Mount Pleasant Road (2 E.E.M.P.R.), in the Township of Brantford, and to extend the service area of the said landfill to include domestic, commercial and non-hazardous solid industrial waste from the whole of the Township of Brantford and from the Townships of Burford and Oakland,

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

Having been advised by the Township 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 Township will be subject to delay and expense if it is required to prepare an environmental assessment for the undertaking.

B. The Township will be subject to unnecessary delay and expense in implementing its long-term waste diversion strategy.

C. The residents of the Townships of Burford and Oakland and parts of the Township of Brantford will be without a municipal waste disposal facility after the expiry of the current Emergency Provisional Certificate of Approval.

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 Township has permitted the Townships of Burford and Oakland to use the landfill since 1980. Initial permission was granted at the request of the Ministry of the Environment and facilitated the early and proper closure of two other environmentally inferior landfill sites.

B. Alternatives have been investigated and there are no reasonable alternatives to the proposed altered final contours or the expansion of the service area.

C. A mandatory public hearing under Part V of the Environmental Protection Act for approval of the altered final contours and extension of the service area will be held, thereby permitting the public and government agencies the opportunity to review the proposed changes to the site.

D. It is the intention of the Townships of Brantford, Burford and Oakland to prepare and implement a waste diversion strategy, in order to address the provincial target of at least 50 per cent diversion of waste from the site by the year 2000.

This exemption 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. Waste shall not be disposed of pursuant to this order after September 30, 1993, unless application for a certificate of approval under Part V of the Environmental Protection Act for the undertaking has been submitted to the Director of the Approvals Branch of the Ministry of the Environment.

4. The Township shall prepare and implement a long-term waste diversion strategy, in conjunction with the Townships of Burford and Oakland, to address the Minister of the Environment’s target of at least 50 per cent diversion of waste from the site by the year 2000. O.Reg. 664/92.

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