

1992

c Pr15 Caledon (Town of) Act, 1992

Ontario

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CHAPTER Pr15

An Act respecting the Town of Caledon

Assented to June 25th, 1992

Preamble

The Corporation of the Town of Caledon, referred to in this Act as the Corporation, has applied for special legislation to prohibit or regulate the dumping of fill.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

By-law respecting dumping of fill

1. The council of the Corporation may pass by-laws,

- (a) for prohibiting or regulating the placing or dumping of fill in any defined areas in the Town of Caledon, other than those areas subject to regulations made under clause 28 (1) (f) of the *Conservation Authorities Act* and those areas designated by regulations made under section 22 of the *Niagara Escarpment Planning and Development Act*;
- (b) for requiring that a permit be obtained for the placing or dumping of fill in the regulated areas;
- (c) for prescribing conditions under which the placing or dumping of fill may be carried out under a permit issued pursuant to a by-law passed under this section; and
- (d) for requiring that fill dumped or placed contrary to a by-law passed or permit issued under this section be removed by the person who dumped or placed it or who caused or permitted it to be dumped or placed.

By-law ceases to have effect

2.—(1) If a regulation is made under clause 28 (1) (f) of the *Conservation Authorities Act* respecting the placing or dumping of fill in any area of the Town of Caledon, a by-law passed under section 1 ceases to have effect in that area upon the coming into force of the regulation.

Idem

(2) If a development permit is issued by the Niagara Escarpment Commission under section 24 of the *Niagara Escarpment Planning and Development Act* for the placing or dumping of fill in any area of the Town of

Caledon, a by-law passed under section 1 ceases to have effect in those areas designated under section 22 of that Act upon the issuance of the permit.

3. A by-law passed under section 1 does not apply to,

By-law not applicable

- (a) the use, operation, establishment, alteration, enlargement or extension of a waste management system or waste disposal site within the meaning of Part V of the *Environmental Protection Act*;
- (b) a waste, waste disposal site or waste management system that is exempted by regulation from Part V of the *Environmental Protection Act*;
- (c) the construction, extension, alteration, maintenance or operation of works under section 26 of the *Public Transportation and Highway Improvement Act*;
- (d) the activities of the Corporation, The Regional Municipality of Peel, conservation authorities, school boards, Crown agencies as defined in the *Crown Agency Act* and Ontario Hydro; or
- (e) persons operating a pit or quarry who are in possession of a valid licence or permit issued under the *Aggregate Resources Act*.

4. If there is a conflict between a by-law passed under section 1 and a by-law passed by the Regional Council of The Regional Municipality of Peel under paragraph 135 of section 210 of the *Municipal Act*, the by-law of The Regional Municipality of Peel prevails.

Conflicting by-laws

5.—(1) If the Corporation refuses or neglects to issue a permit under clause 1 (b) within forty-five days after the application is received by the clerk of the Corporation or the owner objects to a condition in the permit, the owner may appeal to the Ontario Municipal Board within 180 days from the expiration of the forty-five

Appeal

days, or the issuance of the permit, as the case may be.

6. This Act comes into force on the day it receives Royal Assent. Commencement

Decision final

(2) The decision of the Board is final.

No petition to L.G.C.

(3) Section 95 of the *Ontario Municipal Board Act* does not apply to a decision of the Board under subsection (1).

7. The short title of this Act is the *Town of Caledon Act, 1992.* Short title