

INTRODUCTION

The implementation section contains policies pertaining to the administration and implementation of the Official Plan. The Planning Act contains a number of tools that are intended to be used by municipalities to administer and implement an Official Plan. This section of the Plan contains the policies that set out how these tools are to be utilized by Council to meet the goals and objectives of this Plan.

G2 OFFICIAL PLAN ADMINISTRATION

This section of the Plan describes how the Official Plan will be administered, updated and amended, as required.

G2.1 AMENDMENTS TO THE PLAN

It is the intent of this Plan to serve as the basis for managing change in the Town until 2031.

It is therefore a policy of this Plan that this Plan should only be amended when the policies of this Plan have been found not to address issues, or alternatively, issues have been raised with respect to site-specific proposals that must be addressed in a comprehensive manner. However, where Official Plan Amendments are contemplated by the policies of this Plan, Council shall consider them.

Any Amendment shall conform to the overall intent of the Official Plan as set out in the:

- a) community vision, goals and strategic objectives;
- b) other relevant objectives and policies of this Plan; and,
- c) 'environment-first' philosophy that is enshrined within this Plan.

G2.2 OFFICIAL PLAN REVIEW PROCESS

The assumptions, objectives and policies of this Plan shall be reviewed at least once every five years at a meeting of Council, which shall be advertised in accordance with the Planning Act, as amended.

The five-year review shall consist of an assessment of:

- a) the effectiveness of the Plan in meeting the 'environment-first' objectives of the Plan;
- b) the effectiveness of the Plan in protecting water quality, heritage resources, natural resources and habitat and the general environment within the Town;
- c) the continuing relevance of the community vision that forms the basis of all policies found in this Plan;
- d) the degree to which the goal and objectives of this Plan have been met;
- e) the amount and location of lands available for urban development;
- f) whether the Town has realized a desirable balance of commercial and industrial assessment in relation to residential assessment;
- g) the Town's role within Halton Region and the Greater Toronto Area and its relationship with other municipalities;
- h) development trends in Halton Region and the Greater Toronto Area and their effect on development in the Town;

- i) any revisions to the Region of Halton Official Plan, the Niagara Escarpment Plan and the Provincial Policy Statement and their implications for the Town; and,
- j) the nature of any Greater Toronto Area – wide planning initiatives and their implications for the Town.

G2.3 GROWTH MANAGEMENT

As noted in Section A1 (The Community Vision) of this Plan, Council recognizes that the small town character and rural nature of the Town set it apart from other communities in the Region. It is the intent of this Plan to preserve and enhance that character and distinctiveness, while providing for growth and change in key locations.

In keeping with the Places to Grow Act (2005), municipal official plans must be brought into conformity with the Growth Plan for the Greater Golden Horseshoe within three years of the final approval of that Plan (June 16, 2009). Between 2006 and 2009, the Region of Halton completed a multi-year work program, entitled Sustainable Halton, to achieve Growth Plan conformity, as well as conformity with the Greenbelt Plan and 2005 Provincial Policy Statement. This planning exercise culminated in the selection of a Preferred Growth Option in June 2009, and the adoption of Regional Official Plan Amendment No. 38 in December 2009, implementing the Preferred Growth Option, as well as a number of other policy changes arising from the multi-faceted work program. In July 2011, the Region subsequently adopted Regional Official Plan Amendment No. 39, establishing Regional phasing of residential and employment development by Local Municipality within the Built Boundary and the Designated Greenfield Area to the 2031 planning horizon.

The Preferred Growth Option in the context of Halton Hills consisted of 20,000 population growth, 370 hectares of residential/mixed use area contiguous to the Georgetown Urban Area, and 340 hectares of employment land contiguous to the Premier Gateway Employment Area. In addition, a minimum intensification requirement of 5,100 units between 2015 and 2031 within the Built-up Areas of Acton and Georgetown was established. Through a series of amendments to the Halton Hills Official Plan, the Town has worked to achieve conformity with the Provincial Growth Plan and the Regional Official Plan, as amended by Amendment No. 38.

In addition to the requirements of the Regional Official Plan, the expansion of any urban boundary may only be considered provided that:

- a) the expansion area serves as a logical extension to the existing built up area;
- b) the expansion area can be easily integrated with the fabric of the existing built up area;
- c) the expansion area can be appropriately serviced;
- d) an appropriate housing mix, as determined by the Municipal Housing Statement, is provided for on the lands;
- e) new employment lands are an integral component of the expansion;
- f) the lands can be easily accessed by existing arterial roads and will not contribute to traffic congestion within the existing community;

- g) prime agricultural lands shall only be included if no reasonable alternative exists;
- h) the expansion area shall conform with the 'environment-first' objectives of this Plan;
- i) the lands are not located within the *Protected Countryside Area* designation; and,
- j) the scale of the expansion is in keeping with the Community Vision, Goals and Strategic Objectives of this Plan.

Notwithstanding the foregoing, an expansion to the Community of Acton shall not be considered until the ten-year review of the Province's Greenbelt Plan.

Expansions to the Hamlets of Glen Williams and Norval are prohibited.

Expansions to the Rural Clusters shall not be permitted in accordance with Section E4.2 of this Plan.

G2.4 PUBLIC PARTICIPATION

It is policy of this Plan that public participation be an integral component of any land use planning process. On this basis, before making any planning decisions, Council shall be satisfied that:

- a) Adequate public notice has been given;
- b) Enough information to enable a person to reasonably understand the nature of the proposal and its impact is available prior to any public meeting;
- c) All public and agency comments have been assessed and analyzed by staff; and,
- d) Their decision will appropriately balance the overall public interest against the private interest expressed in the application.

Proponents shall be encouraged to pre-consult with neighbouring landowners to obtain their views before a formal application is submitted.

Public Open Houses shall be required for major municipally-initiated planning programs and studies, such as Secondary Plans and Zoning By-law reviews.

Council may eliminate notice to the public and a public meeting for a minor Official Plan or Zoning By-law Amendment that:

- a) Changes the numbers of sections or the order of sections in the Plan or By-law, but does not add or delete sections;
- b) Consolidates previously approved Official Plan or Zoning By-law Amendments in a new document without altering any approved policies, provisions or maps;
- c) Corrects grammatical or typographical errors in the Plan or By-law that do not affect the intent of the policies, provisions, or maps; and,

- d) Rewords policies or provisions or re-illustrates mapping to clarify the intent and purpose of the Plan or By-law, without affecting the intent or purpose of the policies, provisions, or maps.

In all other instances, notification to the residents of the Town of public meetings held by Council shall be given a minimum of 20 days prior to the public meeting, unless additional notice is required at the discretion of the Town, in accordance with the following procedures:

- a) Notice of any privately initiated application requiring notice shall be provided through on-site signage, which is to be provided along each frontage of the subject lands so that it is visible from the street and is in a location that ensures safe sight lines. If posting a sign on the property is impractical, posting will be required at a nearby location chosen by the clerk of the municipality;
- b) Notice of any privately initiated application requiring notice shall be provided by prepaid mail to every owner of land, or condominium owner, and to those people who have requested notice, within 120 metres of the subject lands;
- c) Notice of any publicly initiated application requiring notice shall be provided through digital and online channels as appropriate, or other means as deemed appropriate by Town staff.

G3

SECONDARY PLANS AND MORE DETAILED PLANS

G3.1

SECONDARY PLANS

The purpose of any Secondary Plan is to establish a detailed development concept for infrastructure and land use in specific areas of the Town, such as new communities or the redevelopment of an existing community. More specifically, it shall be the intent of any Secondary Plan to:

- a) establish clear and appropriate boundaries for the new community or the redevelopment of an existing community;
- b) establish population, housing unit and employment capacity targets, including targets for affordable housing;
- c) establish the most appropriate mix of land uses that recognizes the location of the area and the goals and objectives of this Plan;
- d) ensure that the environment-first objectives of this Plan are met, including policies for the protection and enhancement of natural heritage features and ecological functions;
- e) ensure that the urban design objectives and policies of this Plan are met;
- f) ensure that adequate transportation networks are/or will be established and that the transportation network is adequately supported by the proposed development pattern;
- g) ensure that adequate water and wastewater servicing is established to serve the anticipated development and that they can be phased in a way that is cost-effective and efficient;
- h) ensure that appropriate Secondary Plan policies, including phasing, servicing and financing policies, are in place to clearly and effectively guide future development within the Secondary Plan Area;
- i) incorporate appropriate policies pertaining to the provision and location of utilities;
- j) establish land use patterns that promote mixed-use, compact, transit-supportive, walkable communities, including identifying the locations for social, cultural, recreational, educational and religious facilities;
- k) establish the location, types and density of residential and employment lands that contributes to the creation of healthy communities through: the appropriate mix and density of housing; strengthening live-work relationships through the balance of residential and employment land uses; the provision of local parks and open space; and promoting active transportation and the use of public transit;
- l) address land use compatibility in accordance with Regional and Ministry of Environment guidelines; and,
- m) establish overall development density for the area, and for areas within the Designated Greenfield Area, how this density will contribute to achieving the minimum development density specified in Section D6.2 and the Regional Phasing in Section F10.4 of this Plan.

Secondary Plans shall be adopted by an Amendment to this Plan and shall generally conform with and implement the intent of this Plan as set out in the Goals, Strategic Objectives and other relevant objectives and policies of this Plan. In the event of a conflict between the policies in this Plan and those contained in Secondary Plans, the Secondary Plan policies shall prevail to the extent of the conflict within the geographic area covered by the Secondary Plan.

New Secondary Plans shall be based on the following studies:

- a) a Subwatershed Study in accordance with Section C7 of this Plan;
- b) a Functional Servicing Plan that demonstrates the means by which the new community will be appropriately serviced;
- c) Urban Design Guidelines in accordance with Section F2 of this Plan;
- d) a detailed Transportation Study that determines the impact of the development on the surrounding road network and recommends necessary improvements to the transportation network consistent with the goals, objectives and policies of this Plan;
- e) a Fiscal Impact Analysis that demonstrates development shall not negatively impact the Town's financial position;
- f) a Market Impact Assessment that determines the need for additional commercial floorspace, having regard for the planned function of existing commercial designations established by this Plan;
- g) an Air Quality Impact Assessment based on Regional guidelines;
- h) a Community Infrastructure Plan, based on Regional guidelines, describing planning for the provision of public services for health, education, recreation, social and cultural activities, safety, security and the provision of affordable housing; and,
- i) an Agricultural Impact Assessment of the potential impact of urban development on existing agricultural operations, based on Regional guidelines including the requirement for compliance with the Minimum Distance Separation formulae where an agricultural operation is outside the Urban Area.

Additional studies may be identified as part of the Terms of Reference for a new Secondary Plan.

G3.2

BLOCK PLANS

Block Plans are detailed development plans for a defined area that are intended to further coordinate development for a defined area, such as but not limited to, a Secondary Plan area prior to the granting of zoning and subdivision approvals. Such an area may be in one, or a limited number of ownerships, where it is proposed to phase development over a period of time. Council may require the preparation of a Block Plan, in accordance with defined Terms of References and studies, to show:

- a) the various land uses and densities;
- b) the location, dimensions and intersection details of all existing and proposed roads;

- c) the location of existing and proposed water and wastewater servicing, stormwater management ponds and utilities;
- d) the location and the anticipated timing of any schools and community centres;
- e) location, dimensions and areas of lands to be conveyed to the Town for parks and open space purposes; and,
- f) the phasing of development.

Where Council has determined that a Block Plan is required to coordinate the development for a defined area, the approval of draft plans of subdivision and implementing zoning by-laws shall be considered premature. Prior to the completion of a Block Plan to the satisfaction of the Town in consultation with the relevant agencies, lands within the area under consideration may be placed in a Development Zone.

G3.3 COMPREHENSIVE DEVELOPMENT PLANS

Comprehensive Development Plans are detailed plans for a defined area within existing urban communities that are intended to provide an appropriate context for the consideration of infill, intensification and redevelopment proposals. Comprehensive Development Plans are intended to address matters such as appropriate distribution of uses, built form, urban design, access, parking, and streetscaping. These Plans may relate to one or a number of ownerships as appropriate and are to be approved by Council prior to the consideration of development applications pursuant to the Planning Act. More specific policies regarding Comprehensive Development Plans are found under the relevant designations set out in this Plan.

G4

ZONING BY-LAWS

Once this Official Plan is approved and in effect, no zoning by-law can be passed by Council that does not conform with this Plan. In order to ensure that the Official Plan is implemented appropriately, a new Comprehensive Zoning By-law that will apply to the entire Town, save and except for those lands subject to the Niagara Escarpment Development Control Area pursuant to Ontario Regulation 826/90, shall be prepared to implement this Plan. The intent of the new by-law will be to effectively control and regulate development in accordance with the intent of this Official Plan.

It is not the intent of this Plan to zone all lands in accordance with the land use designations until such time as the policies of this Plan can be met. However, lands may be pre-zoned in accordance with the land use designations provided that Council is satisfied that it will further the goals and strategic objectives, and other relevant objectives and policies of this Plan.

G4.1

TEMPORARY USE BY-LAWS

G4.1.1

PURPOSE OF A TEMPORARY USE BY-LAW

Council may pass by-laws permitting the temporary use of lands, buildings or structures, which may not conform to this Plan, subject to the criteria contained in Section G4.1.2. These temporary uses may be authorized for a specific time period up to three years and should be applied where it is considered inappropriate by the Town to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. A garden suite may be permitted on a property for up to 10 years. Subsequent by-laws granting extensions of up to three years (or 10 years for a garden suite) may be passed. However, once the by-law has lapsed, the use must cease or otherwise will be viewed as contravening the implementing Zoning By-law.

G4.1.2

CRITERIA

Prior to the approval of a temporary use Zoning By-law, Council shall be satisfied that:

- a) the proposed use is of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- b) the proposed use will not prejudice the long term intent of or the orderly development contemplated by the provisions and land use designations contained in this Plan;
- c) the proposed use is compatible with adjacent land uses and the character of the surrounding neighbourhood;
- d) the proposed use will not require the extension or expansion of existing municipal services;
- e) the proposed use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
- f) parking facilities required by the proposed use will be provided entirely on-site; and,
- g) the proposed use shall generally be beneficial to the neighbourhood or the community as a whole.

G4.2

HOLDING PROVISIONS

Council may pass a Zoning By-law that identifies a use of land, but prohibits the actual development of the land until a later date when identified conditions have been met. These conditions are set out in the policies applying to the land use designations in this Plan. The objective of utilizing a Holding Provision is to ensure that:

- a) the appropriate phasing of development or redevelopment occurs;
- b) development does not proceed until community services and facilities such as water and wastewater services, stormwater management and utilities are available to service the development;
- c) development does not proceed until adequate transportation facilities and/or access arrangements are available; and,
- d) agreements respecting the design of the proposed development and/or the services that are to be provided by Council and/or the Region are entered into.

Council, at any time, may designate any Zone or part of a Zone as a Holding Zone by placing an “H” in conjunction with the Zone symbol in order to meet one of the above-mentioned objectives. During the interim period, when the Holding Zone is in place, uses permitted on the affected lands are limited to existing uses only.

G4.3

HEIGHT AND DENSITY BONUSING

G4.3.1

BONUSING TRIGGERS

Council may pass a by-law pursuant to the Planning Act that increases the maximum density and/or height permitted by this Official Plan for medium and high-density residential development if the increase will result in the provision of a significant public benefit that would have not otherwise been realized. A significant public benefit could include the:

- a) provision of long-term care facilities or retirement homes;
- b) provision of needed community facilities;
- c) provision of parkland over and above what would be required by this Plan;
- d) dedication of lands that are the site of a natural heritage feature and related buffers;
- e) provision of public transit facilities;
- f) conservation/enhancement/restoration of a significant built heritage feature;
- g) provision of affordable or special needs housing;
- h) provision of public art in a key location; or,

- i) any other public benefit that has been identified in a Council-initiated study.

G4.3.2 CRITERIA

It is the intent of this Plan that there has to be a clear and measurable public interest served by the granting of a height and/or density bonus. Prior to granting a bonus, Council shall be satisfied that:

- a) the proposed development will conform with the development policies of the applicable designation of this Plan;
- b) the built form will contribute to the urban design policies of this Plan, as set out in Section F2;
- c) the use will be a positive addition to the urban landscape and contribute to the vibrancy of the urban area; and,
- d) the development of the use will potentially facilitate the development or establishment of other uses in the area, thereby furthering the objectives of this Plan.

It is the intent of this Plan that each request for a bonus shall be carefully considered on a case-by-case basis. The approval of one request by Council shall not be considered a precedent for other requests.

G4.3.3 IMPLEMENTATION

A site-specific zoning by-law passed by Council shall establish detailed development standards that would apply when a bonus is awarded and the relationship between these standards and the conditions that must be met.

In the granting of a height and density bonus, the Town may require the owner to enter into one or more agreements with the municipality dealing with facilities, services or other matters to be provided.

The maximum residential density and height permitted through the bonus provisions may exceed that which is permitted in the general Official Plan policies. Notwithstanding the foregoing, no bonus may be granted that:

- a) increases the density of development in the *Medium Density Residential Area* by more than 20 percent;
- b) increases building height in the *Medium Density Residential Area* by more than two storeys;
- c) increases the density of development in the *High Density Residential Area* by more than 50 percent; and,
- d) increases building height in the *High Density Residential Area* by more than four storeys.

In considering any bonusing request, Council shall have regard for the policies in Section D1 and D2 of this Plan.

G4.4 INTERIM CONTROL BY-LAWS

Council may pass interim control by-laws to restrict the use of land in a defined area for a period of up to one year in order to provide Council with the time to study a particular land use planning issue. The passage of such a By-law shall be preceded by the passage of a Council Resolution that identifies the land use planning issue and authorizes an appropriate review of the land use planning issue.

In the event that the review or study related to the Interim Control By-law has not been finalized within one year, Council may amend the Interim Control By-law in order to extend the period of time for which it is in effect, provided that the total period of time it is in effect does not exceed two years from the date of passing of the Interim Control By-law.

G4.5 DELEGATED AUTHORITY

- a) Council may, by by-law, delegate the authority to pass by-laws under Section 34 of the Planning Act, that are of a minor nature, to an individual who is an officer or employee of the Town (i.e., Commissioner of Planning & Development or designate).
- b) Delegation of authority to pass by-laws under Section 34 of the Planning Act shall be limited to:
 - i. a by-law to remove a holding “H” symbol;
 - ii. a by-law to authorize the temporary use of land, buildings, or structures subject to the criteria contained in Section G4.1.2 of this Plan; and
 - iii. minor zoning by-law amendments.
- c) The delegation of authority to pass a by-law to authorize the temporary use of land, buildings, or structures and to pass minor zoning by-law amendments is subject to the following criteria:
 - i. an Official Plan Amendment is not required, and the proposal maintains the general intent and purpose of the Town’s Official Plan, including its vision, goals, objectives, and policies;
 - ii. a Draft Plan of Subdivision is not required in accordance with Section F1.1 of the Town’s Official Plan; and
 - iii. any concerns raised by the public and/or staff during the application review and consultation process are resolved prior to the passing of the by-law.

G5 LEGAL NON-CONFORMING USES

G5.1 INTENT OF THE OFFICIAL PLAN

As a general rule, existing uses that do not conform with the designations and policies of this Plan should gradually be phased out so that the affected land use may change to a use that is in conformity with the Official Plan and the intent of the implementing Zoning By-law. Uses that were legally existing at the date of the adoption of this Plan, which do not conform to the designations and policies of this Plan, may be recognized in the implementing Zoning By-law. In some instances, it may also be appropriate and practical to allow the replacement, extension or enlargement of non-conforming uses in order to avoid unnecessary hardship. Council shall, therefore, have regard for the following principles:

- a) the feasibility of acquiring the property for holding, sale, lease or development by the Town for a more appropriate permitted use; and,
- b) the possibility of relocating the non-conforming use to another site.

If the property cannot be acquired or a building relocated, the Council may, without an amendment to this Plan, consider passing a Zoning By-law Amendment pursuant to the Planning Act to allow for an extension to a non-conforming use. Prior to such approval, Council shall be satisfied that:

- a) the size of the extension or enlargement of the established use is in proportion to the size of the use as it existed at the date of the enactment of the implementing Zoning By-law;
- b) the proposed extension is compatible with the character of the surrounding area in relation to noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation;
- c) the proposed extension will not prejudice the long term intent of or the orderly development contemplated by the provisions and designations contained in this Plan;
- d) site planning and design will minimize the impact of the proposed extension on neighbouring conforming uses and includes, where appropriate, measures such as fencing, landscaping, and setbacks through the use of Site Plan Control; and,
- e) adequate water and wastewater servicing is available.

G5.2 ROLE OF THE COMMITTEE OF ADJUSTMENT

When considering applications to expand or extend a legal non-conforming use pursuant to the Planning Act, the Committee of Adjustment shall be satisfied that the application conforms to the criteria identified in Section G5.1 of this Plan.

When considering applications for minor variances, the Committee of Adjustment shall be satisfied that the:

- a) the proposed variance meets the general intent and purpose of Official Plan;

- b) the proposed variance meets the general intent and purpose of the implementing Zoning By-law;
- c) the proposed variance will result in development or the use of land, buildings or structures that is appropriate; and,
- d) the proposed variance is minor in nature.

In determining whether a minor variance is appropriate, the Committee shall also consider whether:

- a) alternative building designs that would conform to the implementing Zoning By-law are not feasible or appropriate; and,
- b) an undesirable precedent will be established by the approval of the application.

NON-COMPLYING BUILDINGS, STRUCTURES OR LOTS

A non-complying building, structure or lot is such that it does not comply with the regulations of the implementing Zoning By-law. A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) does not further increase a situation of non-compliance;
- b) complies with all other applicable provisions of this Plan and the implementing Zoning By-law;
- c) does not increase the amount of floor area in a required yard or setback area;
- d) will not pose a threat to public health or safety; and,
- e) complies with the applicable policies and provisions of the relevant Conservation Authority, if located within an area regulated by the Conservation Authority.

A non-complying lot in existence prior to the effective date of the implementing Zoning By-law that does not meet the lot area and/or lot frontage requirements contained within the implementing Zoning By-law, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Plan and the implementing Zoning By-law, and the buildings or structures comply with all of the other provisions of the implementing Zoning By-law.

G7 COMMUNITY IMPROVEMENT PLANS

G7.1 PURPOSE OF COMMUNITY IMPROVEMENT PLANS

Community Improvement Plans identify the specific projects that need to be carried out in a particular area to improve the quality of life and the built environment in an area. Community Improvement Project Areas may be established by Council and designated by by-law, in accordance with the provisions of the Planning Act if:

- a) a number of the non-residential land uses conflict with residential uses in a predominantly residential area; or,
- b) a number of incompatible land uses conflict with commercial or industrial uses in a commercial or industrial area; or,
- c) the area contains a number of buildings in need of maintenance, repair or rehabilitation; or,
- d) there are deficiencies in the sanitary sewer, water or stormwater systems in the area; or,
- e) there are deficiencies in the road network and associated infrastructure in the area; or,
- f) there is a lack of appropriate parkland and other recreational facilities within the area; or,
- g) the potential exists to achieve economic growth in an area as a result of building improvement, repair and/or replacement; or,
- h) a number of environmental problems such as soil contamination exist in the area; or,
- i) there are a number of screening, buffering or landscaping deficiencies in the area; or,
- j) there are cultural heritage resources in an area warranting protection and/or enhancement; or,
- k) the area contains a number of vacant lots, vacant retail space or underutilized properties.

Based on the criteria outlined above, Council can designate a portion or the entire municipality as a Community Improvement Project Area.

G7.2 COMMUNITY IMPROVEMENT PLAN AREAS

On the basis of Section G7.1, and in accordance with the Town of Halton Hills Community Improvement Plan, this Plan establishes the entirety of the Town of Halton Hills as a Community Improvement Project Area, with the following eight Community Improvement Project Sub-Areas:

- Georgetown Community Node Sub-Area as shown on Schedule A5 to this Plan;
- Georgetown Downtown Sub-Area which includes lands within the Downtown Georgetown boundary on Schedule A3 of this Plan;
- Acton Downtown Sub-Area as shown on Schedule A7 to this Plan;
- GO Station Lands Sub-Area which includes lands within the GO Station Study Area Boundary on Schedule A3 to this Plan;

- South Acton Sub-Area which includes the lands designated as South Acton Special Study Area on Schedule A6 to this Plan;
- Agricultural Sub-Area which includes lands designated as *Agricultural Area*, *Niagara Escarpment Plan Area*, and *Protected Countryside Area* on Schedule A1 to this Plan;
- Acton Industrial Park Sub-Area which includes lands designated as *General Employment Area* on Schedule A6 to this Plan; and,
- Georgetown Industrial Park Sub-Area which includes lands designated as *General Employment Area* on Schedule A3 to this Plan.

Council may establish other Community Improvement Project Sub-Areas, as appropriate, in accordance with Section G7.1 of this Plan.

G7.3 COMMUNITY IMPROVEMENT PLAN IMPLEMENTATION

Council will utilize Community Improvement Plan programs at the appropriate time and circumstances to implement the policies of this Plan. In implementing the Town of Halton Hills Community Improvement Plan, Council will seek participation of the Region of Halton.

G8 SITE PLAN CONTROL

All areas of the Town are designated as proposed Site Plan Control areas under the provisions of the Planning Act. Specific uses subject to site plan control shall be identified in the Town's Site Plan Control By-law passed under the provisions of the Planning Act. Reference shall be made to the Town's Site Plan Manual and Development Manual for guidance on the site plan standards of the Town. Prior to the consideration of an application for Site Plan approval, the Commissioner of Planning & Development or designate shall be satisfied that the proposal conforms to Section 41(4) of the Planning Act, as amended" The intent of a Site Plan Agreement is to ensure that any proposed development is designed to be compatible with adjacent development, appropriately serviced and accessed and otherwise in conformity with the intent of this Plan. Any required site plan agreement shall deal with the following, as appropriate:

- a) road widenings;
- b) location of vehicular access points;
- c) loading, parking and driveway locations;
- d) the surfacing of loading, parking and driveway areas;
- e) the location and design of walkways and walkway ramps,
- f) the location, massing and conceptual design of any buildings and structures;
- g) the location and type of lighting and landscaping;
- h) the location and type of garbage storage;
- i) the location and nature of easements;
- j) the grade and elevation of the land;
- k) the type and location of storm, surface and wastewater disposal facilities;
- l) the location and type of snow removal facilities; and,
- m) the location of any natural heritage features and hazardous lands.

G9

CAPITAL WORKS

Council shall prepare a Capital Works Plan that shall be in conformity with this Plan. The intent of the Capital Works Plan will be to determine what short term and long term capital works expenditures will be required to implement the goals and objectives of this Plan.

G10 MAINTENANCE AND OCCUPANCY BY-LAWS (PROPERTY STANDARDS)

G10.1 MINIMUM STANDARDS

Council shall update or enact a Property Standards By-law in accordance with the Ontario Building Code Act, regarding minimum standards for the following:

- a) the physical condition of buildings and structures;
- b) the physical condition of lands;
- c) the adequacy of sanitation; and,
- d) the fitness of buildings and structures for occupancy.

G10.2 PROPERTY STANDARDS BY-LAW

The By-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of substandard property, and require the demolition and clearing of such property which the owner does not intend to repair and maintain. Upon passing a Property Standards By-law, Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law.

G10.3 PROPERTY STANDARDS COMMITTEE

Council shall also appoint a Property Standards Committee for the purpose of hearing appeals against an order issued by the Property Standards Officer.

G11

REGISTRATION BY-LAWS

Council shall require the registration with the Town of residential care facilities and dwelling units with an accessory apartment pursuant to by-laws passed under the Municipal Act.

In the event that a Residential Care Facility undergoes a change of use from one category of facility to another, re-registration of the facility shall be required.

G12 PRE-CONSULTATION AND COMPLETE APPLICATION REQUIREMENTS

G12.1 PRE-CONSULTATION

Prior to the submission of an Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent or Site Plan application, applicants, landowners or agents are required to pre-consult with the Town. Pre-consultation is encouraged for all other applications requiring Planning Act approval. The Region of Halton is encouraged to participate in the Town's pre-consultation process as appropriate.

The objective of pre-consultation is:

- a) for the Town, in consultation with the Region, other applicable agencies, and the proponent to determine the scale and scope of any required information or material necessary to ensure the submission of a complete application. The scale and scope are dependent on the nature of the proposal, its relationship to adjacent land uses, and the type of planning approval required; and
- b) for the Town, in consultation with the Region, and other applicable agencies to provide a proponent with preliminary comments on a pre-consultation proposal in order to inform the nature of any future Planning Act application submission so that that Council, or staff as delegated, is best positioned to make a decision on an application within the statutory timeframes set out under the Planning Act.

For Zoning By-law Amendment applications, including those filed in conjunction with an Official Plan Amendment and/or Plan of Subdivision application, the applicant is strongly encouraged to hold a public consultation meeting to obtain preliminary feedback from the community regarding the proposal in advance of filing the formal application.

G12.2 COMPLETE APPLICATIONS

Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent and Site Plan applications shall be supported by a complete application as set out in Section G12 of this Plan. The purpose of requiring a complete application is to ensure that Council, or staff as delegated, has the necessary information to make informed decisions on the aforementioned applications.

Prior to being processed, applications must be deemed to be complete in accordance with Section G12 of this Plan. The date on which an application is deemed to be complete is the date on which the processing time frames set out in the Planning Act begin. Incomplete applications will not be accepted or processed.

To be considered complete under the Planning Act, Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent and Site Plan applications must be accompanied by the following:

- a) a completed application form(s);
- b) any information or material prescribed by the Planning Act and relevant Ontario Regulations;
- c) prescribed application fee(s);

- d) a completed pre-consultation form setting out the applicable information requirements. For Zoning By-law Amendment applications, including those filed in conjunction with an Official Plan Amendment and/or Plan of Subdivision application, the completed pre-consultation form should also include documentation demonstrating that a public consultation meeting was held by the applicant prior to submission of the Zoning By-law Amendment application, if such meeting was held; and,
- e) the applicable information requirements set out in Section G12.3 of this Plan.

G12.3 SUPPLEMENTARY INFORMATION REQUIREMENTS

In addition to the requirements specified in Section G12.2 of this Plan, this section sets out the supplementary information or material in the form of studies that is required in support of an application for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent or Site Plan.

The supplementary information requirements shall include the following, unless otherwise determined not to be required by the Commissioner of Planning & Development or designate:

- a) Land Use Planning Report. The intent of such a report would be to describe the proposal in detail and provide an opinion on how the proposal will conform to the Community Vision, Goals and Strategic Objectives, and the relevant objectives and policies of this Plan. The report shall also provide an opinion on how the proposal conforms to the applicable Provincial Plans and Regional Official Plan and is consistent with the Provincial Policy Statement.
- b) Market Impact Study. The intent of such a report is set out in Section D2.3 of this Plan.
- c) Agricultural Impact Assessment (AIA). The intent of such an assessment is set out in Sections E1.4.9 and E2.4.4 of this Plan.
- d) Environmental Impact Study (EIS). The purpose, intent, and content of such a study is set out in Section C2 of this Plan.
- e) Hydrogeological Assessment. Such an assessment will be required to support development on private or partial services. Policies regarding hydrogeological issues are contained within Section C5 and C6 of this Plan.
- f) Stormwater Management Report. The study requirements for such a report are contained within Section C8 of this Plan.
- g) Servicing Study. The purpose of such a study is to identify specific sanitary and water supply needs for individual development proposals.
- h) Traffic Impact Assessment. Such an assessment may be required to determine what impact a development proposal will have on roads adjacent to a proposed development and roads in the general area.
- i) Archaeological Assessment. The requirements for carrying out such an assessment are contained within Section F5 of this Plan.

- j) Cultural Heritage Impact Statement. The requirements for preparing such a statement are contained within Section F5 of this Plan.
- k) Tree Preservation Plan/Study. The intent of such a Plan/Study is to inventory trees on a development site and make recommendations on how trees can be retained and/or replanted as a condition of development.
- l) Environmental Site Assessment (Phase I and II). The intent of a Phase I study is to determine whether or not a property is contaminated. In the event that a Phase I investigation shows evidence of contamination, a Phase II investigation that includes matters such as surface and subsurface soil sampling and groundwater and surface water sampling is required.
- m) Land Use Compatibility Assessment. The intent of such an assessment is to describe and review the potential impacts of proposed sensitive land uses on existing industrial uses or the impacts of existing industrial uses on proposed sensitive land uses, in terms of noise, dust, odour and similar items in accordance with Ministry of Environment Guidelines. Such an assessment may include a Noise Impact and Vibration Study. The requirements for carrying out such an assessment are contained within Section C14 of this Plan.
- n) Noise Impact and Vibration Study. The requirements for preparing such a study are contained within Section C15 of this Plan.
- o) Green Development Standards Checklist. The intent is to demonstrate that the development meets the goals of the Official Plan to provide for sustainable building and development and to be consistent with Section C18 of this Plan.
- p) Subwatershed Impact Study/Environmental Implementation Report. The purpose, intent, and content of such a study is set out in Sections C3, C7 and also partly in Section C2, of this Plan.
- q) Construction Management Plan. The intent of such a plan is to identify and document how on-site works associated with different phases of a development project, including demolition, site alteration and completion of construction, will occur in an efficient manner that minimizes and/or mitigates disruptions or impacts to municipal infrastructure, rights-of-way and neighbouring properties.
- r) Zoning By-law Amendment or Minor Variance approval. All zoning amendment or minor variance approvals identified as being required through a pre-consultation process to facilitate a proposed development shall be approved by Council or the Committee of Adjustment for the Town of Halton Hills prior to submission and acceptance of a Site Plan application.

The list of information or material specified in this section is not intended to be exhaustive. Other information or material may be required by the Town, in consultation with the Region, and other applicable agencies in response to a particular development proposal. All studies shall be:

- a) prepared in accordance with approved terms of reference, where applicable or required by the Commissioner of Planning & Development or designate, to help guide the quality of a study in order to influence the best outcome for an application; and,
- b) carried out by qualified professional consultants retained by and at the expense of the proponent; the qualified professional consultant must apply their signature or seal to any such study. The Town shall require peer reviews of the studies by an appropriate public agency or by

a professional consultant retained by the Town at the proponent's expense; or carried out by a qualified professional consultant retained by the Town at the expense of the proponent.

All study recommendations shall be implemented by the proponent to the satisfaction of the Town, the Region, and other applicable agencies.

G12.4

FLEXIBILITY

Given that applications submitted pursuant to the Planning Act can vary considerably in terms of scale, relationships to adjacent land uses, and the type of planning approval required, it is anticipated that the information required to properly evaluate development proposals will vary accordingly. The scale and scope of required information or material necessary to ensure the submission of a complete application shall be determined as part of the preconsultation process by the Town, in consultation with the Region, other applicable agencies, and the proponent.

G13 INTERPRETATION

G13.1 GENERAL

This Plan is a statement of policy. It sets out Council's land use policy direction, however, some flexibility in interpretation may be permitted provided that the intent is maintained. The Official Plan is more than a set of individual goals, objectives and policies. The Plan is intended to be read in its entirety and the relevant policies are to be applied to each situation. While specific policies sometimes refer to other policies, these cross-references do not take away from the need to read the Official Plan as a whole.

G13.2 INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES

The external boundaries of the Urban Areas, *Hamlet Areas* and *Rural Cluster Areas* designations as shown on the Schedules to this Plan are fixed and inflexible. Expansions to Urban Areas and *Hamlet Areas* shall only occur in accordance with the policies of this Plan.

The boundaries between land uses designated on the Schedules to this Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases, are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require an amendment to this Plan.

It is recognized that the boundaries of the *Greenlands A* and *B* designations may be imprecise and subject to change. The Town shall determine the extent of the environmental areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the *Greenlands A* and *B* designations shall not require an Amendment to this Plan.

Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

G13.3 STATED MEASUREMENTS AND QUANTITIES

The interpretation of numerical figures, including densities, can be varied by 5 percent of the figures in the text and such minor variation will not require an amendment to this Plan provided that the intent of the Plan is maintained.

G13.4 ROAD LOCATIONS

The location of the roads as indicated on Schedule B1 and B2 shall be considered as approximate. Amendments to this Plan will not be required in order to make minor adjustments or deviations to the locations of roads provided that the general intent of the Plan is maintained.

G13.5 LEGISLATION

Where this Plan makes reference to a Provincial Act or Ontario Regulation, to the minimum distance separation formulae or the Provincial Policy Statement, such reference shall include any subsequent amendments or replacements.

G13.6 ACCESSORY USES

Whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

G13.7 GLOSSARY

The following terms are defined to assist in understanding the intent of this Plan.

ACCESSORY APARTMENT

Means a self-contained apartment within a single detached, semi-detached, or townhouse dwelling unit.

ACCESSORY BUILDING OR STRUCTURE

Means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to the principal use or building, and located on the same lot and that is not used for human habitation.

ACCESSORY USE

Means a use, customarily and normally subordinate to, incidental to and exclusively devoted to the principal use and located on the same lot.

ACTIVE TRANSPORTATION

Means non-motorized or lightly-motorized travel, including walking, cycling, roller-blading and movements with mobility devices. The active transportation network includes sidewalks, crosswalks, designated road lanes and off-road trails to accommodate active transportation.

ADJACENT LANDS

Means:

- a) those lands, contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area; or,
- b) those lands contiguous to a protected heritage property.

ADULT ENTERTAINMENT USE

Means a use that includes an adult entertainment parlour, adult video store, adult specialty store, and/or body rub parlour, whether such use is a primary or accessory use.

ADULT ENTERTAINMENT PARLOUR

Means a building or structure or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services or entertainment appealing to or designed to appeal to erotic or sexual appetites or inclinations.

ADULT SPECIALTY STORE

Means a building or structure or part thereof specializing in the sale of materials and products, such as clothing and accessories, appealing to, or designed to appeal to, erotic or sexual appetites or inclinations. An adult specialty store may, as an accessory use, sell or rent pre-recorded video tapes, video discs, films and or slides appealing to, or designed to appeal to, erotic or sexual appetites or inclinations.

ADULT VIDEO STORE

Means a building or structure or part thereof where pre-recorded video tapes, video discs, films and/or slides appealing to, or designed to appeal to, erotic or sexual appetites or inclinations, or depicting sexual acts, are offered for rent or sale. An adult video store shall not include facilities for the screening or viewing of such products.

ADVERSE EFFECTS

Means, pursuant to the Environmental Protection Act one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment or normal use of property; and,
- h) interference with normal conduct of business.

Appealing to, or designed to appeal to, erotic or sexual appetites or inclinations, when used to describe services or entertainment, includes,

- a) services or entertainment of which a principal feature or characteristic is the nudity or partial nudity of any person; and,
- b) services or entertainment in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word, picture, symbol or representation having like meaning or implication is used in any advertisement.

AFFORDABLE HOUSING

Means housing with market price or rent that is affordable to households of low and moderate income spending 30 percent of their gross household income without government subsidies. Such households would be able to afford, at the low end, at least three out of ten rental properties on the market, and at the high end, ownership housing with sufficient income remaining, after housing expenses, to sustain a basic standard of living.

AGRICULTURAL USE OR AGRICULTURAL OPERATION

Means an activity consisting of animal husbandry, horticulture, beekeeping, dairying, field crops, fruit farming, fur farming, market gardening, pasturage, poultry keeping, mushroom farming, aquaculture, agro-forestry or any other farming activity and may include growing, raising, small scale packing and storage of produce on the building, structure or part thereof and other similar activities customarily carried out in the field of general agriculture.

AMENITY AREA

Means an interior area within a residential building or an outdoor area exterior to the residential building that is designed and intended primarily for the leisure and recreation of the occupants of the dwelling.

ANIMAL KENNEL

Means a building or structure or part thereof used for the raising or boarding of dogs, cats, or other household pets.

ARCHAEOLOGICAL RESOURCE

Includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork in accordance with the Ontario Heritage Act.

AREAS OF ARCHAEOLOGICAL POTENTIAL

Means areas with the likelihood to contain archaeological resources. Archaeological potential is confirmed through archaeological fieldwork in accordance with the Ontario Heritage Act.

AREA OF NATURAL AND SCIENTIFIC INTEREST

Means an area of land and water containing natural landscapes or features that has been identified as having earth or life science values related to protection, scientific study or education. See Provincially Significant Area of Natural and Scientific Interest and Regionally Significant Area of Natural and Scientific Interest.

ASPHALT PLANT

Means a facility which produces and/or recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix mineral aggregate with bitumen and/or tar, and includes the stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the premises and the storage and maintenance of equipment.

ASSISTED HOUSING

Means housing that is available to low and moderate income households for rent or purchase where part of the housing cost is subsidized through a government program.

AUTOMOTIVE COMMERCIAL

Means retail uses involving the sale of automobiles and service commercial uses involving the repair and maintenance of automobiles and the sale of gasoline or similar products and includes motor vehicle dealerships, repair garages, car washes and motor vehicle service stations.

BED AND BREAKFAST ESTABLISHMENT

Means a single detached dwelling in which a maximum of three rooms are provided with or without meals for hire or pay for the traveling public.

BODY RUB

Means the kneading, manipulating, rubbing, massaging, touching or stimulating, by any means, of a person's body or part thereof but does not include:

- a) medical or therapeutic treatment given by a person duly qualified, licensed or registered to do so under the laws of the Province of Ontario; and,
- b) alternative health care services, such as shiatsu and reflexology, given by a person duly qualified to provide such services through completion of formal courses and education and training in the provision of such service offered by an organization or institution that has the qualifications to provide such services.

BODY RUB PARLOUR

Means a building or structure or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but shall not include:

- a) any building or structure or part thereof where body rubs are performed for the purpose of medical or therapeutic treatment and are performed by persons duly qualified, licensed or registered to do so under the laws of the Province of Ontario; and,
- b) any building or structure or part thereof where body rubs are performed for the purpose of alternative health care services, such as shiatsu and reflexology, given by a person duly qualified to provide such services through completion of formal courses and education and training in the provision of such service offered by an organization or institution that has the qualifications to provide such services.

BROWNFIELD SITES

Means undeveloped or previously developed properties that may be contaminated. These are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

BUILT BOUNDARY

Means the limits of the developed urban area as identified in the Provincial Paper, Built Boundary for the Growth Plan for the Greater Golden Horseshoe, 2006 (2008), as shown on Schedules A3 and A6 to this Plan.

BUILT HERITAGE

Means an individual or group of significant buildings, structures, monuments, installations, or remains, which are associated with architectural, cultural, social, political, economic, or military history and identified as being important to a community. These resources may be designated or subject to a conservation easement under the Ontario Heritage Act, or listed by the federal or provincial governments or the Town.

BUILT-UP AREA

Means all lands within the Built Boundary.

BUSINESS OFFICE

A service commercial use where the affairs of businesses, professions, services, industries, governments, non-profit organizations or the like activities are conducted, and in which the chief product of labour is the processing and storage of information rather than the production and distribution of goods.

CHARACTER

- a) Means the aggregate of the distinct features that work together to identify a particular area. The distinct features may include the built and natural elements of an area.
- b) Means, with respect to residential neighbourhoods, including Mature Neighbourhood Areas, the collective physical qualities and characteristics that are prevalent in a neighbourhood, and which define its distinct identity. These qualities and characteristics may include such features as street network and design, lot pattern and configuration, lot area, lot frontage, location and orientation of buildings on a lot in relation to surrounding lots, building setbacks, building height, massing, scale and design, façade articulation and materials, trees, vegetation, cultural heritage resources, and age of buildings.

COMMERCIAL FARM

Means a farm, which is deemed to be a viable farm operation and which normally produces sufficient income to support a farm family.

COMPATIBLE

Means the development or redevelopment of uses as well as new housing, replacement housing, additions, or alterations, which may not necessarily be the same as or similar to the existing development, but can coexist with the surrounding area without negative impact.

Means in context of the *Niagara Escarpment Plan Area* where the building, structure, activity or use blends, conforms or is harmonious with the Escarpment's ecological, physical, visual or cultural environment.

COMPLETE COMMUNITIES

Means communities that meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community

infrastructure including affordable housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided.

CONNECTIVITY

Means the degree to which natural heritage features, including Key Natural Heritage Features or Key Hydrologic Features in lands subject to the Greenbelt Plan, are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

CONSERVATION AUTHORITY

Means Credit Valley Conservation, the Grand River Conservation Authority, or the Halton Region Conservation Authority (Conservation Halton).

CONSERVATION USE

Means an area of land that is generally left in its natural state and which is used to preserve, protect and/or improve components of the Natural Heritage System of other lands for the benefit of man and the natural environment and which may include, as an accessory use, hiking trails and/or cross country ski trails, buildings and structures such as nature interpretation centres and public information centres.

CONSERVED

Means the identification, protection, use and/or management of cultural heritage resources in a manner that retains their heritage values, attributes and integrity.

CONTAMINATED SITE

Means property or lands that have not been rehabilitated and for reasons of public safety or environmental quality, are unsafe for use as a result of human activities, particularly those activities that have left a chemical or radioactive residue.

CONTRACTORS ESTABLISHMENT

Means the use of land, building or structure, or parts thereof, by any general contractor or builder where equipment and materials are stored, or where a contractor and/or tradesman performs shop and assembly work, and/or offers a trade or service, including, but not limited to landscaping services, general construction services, cabinetry services, plumbing services and welding services, or other similar services but does not include any other use as defined by this by-law.

COTTAGE INDUSTRY

Means an activity conducted as an accessory use within a single detached dwelling by one or more of its residents. A cottage industry may include activities such as dressmaking, upholstering, weaving, baking, ceramic making, painting, sculpting and the repair of personal effects.

COUNCIL

Means the Municipal Council of the Corporation of the Town of Halton Hills.

CULTURAL HERITAGE LANDSCAPE

Means a defined geographical area of heritage significance that has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts.

CULTURAL HERITAGE RESOURCES

Means those things left by a people of a given geographic area, and includes:

- a) built heritage, such as buildings, structures, monuments or remains of historical, cultural or architectural value, and including protected heritage property;
- b) cultural heritage landscapes, such as rural, hamlet or urban uses of historical or scenic interest; and,
- c) archaeological resources.

DAY NURSERY

Means a building or structure or part thereof where more than 5 children are provided with temporary care and/or guidance for a continuous period, not exceeding twenty-four hours and are licensed in accordance with the Day Nurseries Act.

DEPARTMENT STORE

Means a retail store that sells the following general lines of merchandise:

- a) family clothing and apparel – at least six commodity lines in this group, comprising at least 20 percent of the outlet's total sales;
- b) furniture appliances and home furnishings – at least four commodity lines in this group, comprising at least 10 percent of the outlet's total sales; and,
- c) all other – at least three commodity lines in this group, comprising at least 10 percent of the outlet's total sales.

DEPARTMENT STORE TYPE MERCHANDISE (DSTM)

Means merchandise such as apparel and accessories, household furnishings, drugs and cosmetics, and durables and semi-durables that are displayed, rented or sold directly to the general public in a department store, or a retail store or part thereof. This may also include such merchandise displayed and sold to members of a warehouse membership club.

DESIGNATED AND AVAILABLE

Means lands designated in this Plan for urban and hamlet residential use.

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, but does not include:

- a) activities that create or maintain infrastructure authorized under an environmental assessment process; and,
- b) works subject to the Drainage Act.

DEVELOPMENT DENSITY

Means the number of residents and jobs combined per gross hectare. Areas of the Greenlands System are excluded from the calculation of this density.

DRIVE-THROUGH SERVICE FACILITY

Means a building or structure or part thereof where goods or services are offered to the public within a parked or stationary vehicle by way of a service window.

ECOLOGICAL FEATURES

Means naturally occurring land, water and biotic features that contribute to ecological and hydrological integrity.

ECOLOGICAL FUNCTIONS

Means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical, and socio-economic interactions.

ECOLOGICAL VALUE

Means, in the context of lands subject to the Greenbelt Plan, the value of vegetation in maintaining the health of the Key Natural Heritage or Key Hydrologic Feature and the related ecological features and ecological functions, as measured by factors such as the diversity of species, the diversity of habitats, and the suitability and amount of habitats that are available for rare, threatened and endangered species.

ECOLOGICAL INTEGRITY

Means the condition of ecosystems in which:

- a) the structure, composition, and function of the ecosystems are protected, enhanced or restored;
- b) natural ecological processes are protected, enhanced or restored; and,
- c) the ecosystems generally evolve naturally.

ECOSYSTEM

Means systems of plants, animals, and micro-organisms, together with the non-living components of their environment and related ecological processes, critical for the functioning of the biosphere in all its diversity.

EMERGENCY HOUSING

Means emergency shelters or facilities that accommodate not less than three and not more than ten residents, and provide temporary lodging, board, and/or personal support services to homeless individuals in a 24-hour supervised setting, for up to 30 days.

EMPLOYMENT AREA

Means 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.

ENDANGERED SPECIES

Means a species that is listed or categorized an endangered species on the Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

ENHANCE

Means, as applied to the natural heritage/environmental policies of this Plan, strengthening the components of a natural area through management measures to increase stability, biodiversity and long-term viability.

Means, in other respects, to complement and strengthen the character of the Town, community, neighbourhood, site or structure.

ENVIRONMENTALLY SENSITIVE AREAS (ESAS)

Means land or water areas or a combination of both containing natural features or ecological functions of such significance as to warrant their protection.

ENVIRONMENTAL IMPLEMENTATION REPORT (EIR)

Means a report prepared at the scale of a subcatchment or tributary, the purpose of which is to ensure that the goals and objectives of an approved Subwatershed Study are met, when land use change is proposed.

EQUIVALENT POPULATION

Means a figure expressing the capacities of water and wastewater services, in terms of residential population, with a commensurate proportion of non-residential development.

EROSION HAZARD

Means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100-year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

ESCARPMENT BROW

Means the uppermost point of the escarpment slope or face. It may be the top of a rock cliff, or where the bedrock is buried, the most obvious break in the slope associated with the underlying bedrock.

ESSENTIAL

Means that which is deemed necessary to the public interest after all alternatives have been considered.

FARM RELATED TOURISM ESTABLISHMENT

Means a commercial farm that provides, as an accessory use, educational and active opportunities to experience the agricultural way of life in the Town. Such activities may include farm machinery and equipment exhibitions, farm-tours, petting zoos, hay rides, sleigh rides, processing demonstrations, pick your own produce, farm theme playground for children and small scale educational establishments that focus on farming instruction. Overnight camping, amusement parks and recreational uses are not permitted.

FISHERIES MANAGEMENT

Means the management of fish habitat and fish population for the purpose of sustaining and improving the quality and quantity of fish.

FISH HABITAT

Means the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly to carry out their life processes.

FLOODPLAIN

Means the area, usually lowlands, adjoining the channel of a river, stream, or watercourse, which has been or may be covered by floodwater during a regional flood or a one-in-one hundred year flood, whichever is greater. See also Regulatory Floodplain.

FOOD AND CONVENIENCE TYPE MERCHANDISE (FCTM)

Means merchandise such as groceries, baked goods, fresh fruit and vegetables, canned goods, dairy products, frozen foods, and fresh and frozen meats that are displayed and sold to the general public in a supermarket, or specialty food store. This may also include such merchandise displayed and sold to members of a warehouse membership club.

FOREST MANAGEMENT OR FORESTRY

Means the management of woodlands, including accessory uses such as the construction and maintenance of forest access roads and maple syrup production facilities:

- a) for the production of wood and wood products, including maple syrup;
- b) to provide outdoor recreation opportunities;
- c) to maintain, and where possible improve or restore, conditions for wildlife; and,
- d) to protect water supplies.

GARDEN SUITE

Means a self-contained detached residential structure that is accessory to a single detached dwelling unit and that is designed to be portable.

GATEWAY

Means an entrance into the Town, Community or other specifically defined area, such as the *Downtown Area*, that includes special signage, landscaping and banners and is designed to project a positive image for the Town.

GREYFIELD SITES

Means developed properties that are not contaminated. They are usually, but not exclusively, commercial properties that may be under-utilized, derelict or vacant.

GROSS LEASABLE FLOOR AREA

Means the total floor area occupied by a commercial facility for its exclusive use, including basements, mezzanines, upper storey areas and integral storage areas but, in a shopping centre, not including public or common areas such as malls, corridors, stairways, elevators or machine or equipment rooms.

GROSS RESIDENTIAL HECTARE

Means the area of land measured in hectares for residential dwelling units and consists of only the residential lots and blocks, local and collector roads, local institutional uses such as elementary schools, local commercial uses, local parkland, stormwater management ponds and walkways. This area excludes Arterial Roads and required widenings thereto and lands that are designated *Greenlands* by this Plan.

GROUNDWATER DISCHARGE

Means water that travels from under the ground to the surface and which forms part of the base flow of rivers and streams.

GROUNDWATER RECHARGE

Means the replenishment of subsurface water:

- a) resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetlands; and,
- b) resulting from human intervention, such as the use of stormwater management systems.

GROUNDWATER RESOURCES

Means water from underground that is required to sustain ecological features and provide drinking water for humans and animals.

GROUP HOME TYPE 1

Means a single detached dwelling unit occupied by not less than six and not more than ten persons exclusive of staff and/or receiving family, who live under supervision as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care and which is licensed, approved and/or supervised by the Province of Ontario under any general or special Act.

GROUP HOME TYPE 2 (CORRECTIONAL)

Means a single detached dwelling unit occupied by not less than six and not more than ten persons exclusive of staff, who live under supervision as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care and which is licensed, approved, supervised or contracted by the Province of Ontario or the Federal Government under any general or special Act, and which shall be maintained and operated primarily for:

- a) persons who have been placed on probation under the Youth Criminal Justice Act, the Probation Act, the Criminal Code (Canada) as amended or any Act passed to replace the foregoing Acts;
- b) persons who have been released on parole under the Ministry of Correctional Services Act or the Parole Act (Canada) as amended or any Act passed to replace the foregoing Acts; and,
- c) persons who have been charged under the Youth Criminal Justice Act.

HAZARDOUS LANDS

Means property or lands that could be unsafe for development due to naturally occurring processes.

HERITAGE ATTRIBUTES

Means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.

HERITAGE CONSERVATION DISTRICT

Means an area defined by the Town to be of unique character to be conserved through a designation By-law pursuant to Part V of the Ontario Heritage Act.

HOME INDUSTRY

Means a small-scale industrial use, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the rural farming community and which is an accessory

use to an agricultural use or a single detached dwelling. For the purpose of this By-law, the repairing of motor vehicles or paint shop, mobile homes and/or trailers is not a home industry.

HOME OCCUPATION

Means an occupation that provides a service as an accessory use within a dwelling unit performed by one or more of its residents. Such activities may include services performed by an accountant, architect, auditor, dentist, medical practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser or a provider of private home daycare, but shall not include an adult entertainment use.

HYDROLOGICAL FUNCTIONS

Means the functions of the hydrological cycle that include the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

HYDROLOGICAL INTEGRITY

Means the condition of ecosystems in which hydrological features and hydrological functions are protected, enhanced or restored.

HYDROLOGICALLY SENSITIVE FEATURE

Means a hydrological feature that is potentially sensitive to changes in surface and groundwater flow that may result from development.

INDUSTRIAL USE

Means a building or structure or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental storage of goods and materials and may include accessory sales and distribution of such products.

INFILL

Means development on vacant lots or through redevelopment to create additional new residential units.

INFRASTRUCTURE

Means physical structures that form the foundation for development. Infrastructure includes sewage and water works, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

INSTITUTIONAL USE

Means a use that caters to the social, educational and/or religious needs of humans.

INTENSIFICATION

Means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or under-utilized lots within previously developed areas;
- c) infill development; or,
- d) the expansion or conversion of existing buildings.

INTENSIFICATION AREAS

Means lands identified in this Plan within the Urban Area that are to be the focus for accommodating intensification, including Major Transit Station Areas, and Intensification Corridors.

INTENSIFICATION CORRIDOR

Means Intensification Areas identified along major roads, arterials or higher order transit corridors that have the potential to provide a focus for higher density mixed-use development consistent with planned transit service levels.

KEY HYDROLOGIC FEATURE

Means a Key Hydrologic Feature as identified in Section E2.5.3.2 of this Plan.

KEY NATURAL HERITAGE FEATURE

Means a Key Natural Heritage Feature as identified in Section E2.5.3.1 of this Plan.

LAKE

Means any inland body of standing water, usually fresh water, larger than a pool or pond or a body of water filling a depression in the earth's surface.

LANDFILL SITE

Means a waste disposal site used for the purpose of landfilling.

LANDFORM FEATURES

Means distinctive physical attributes of land such as slope, shape, elevation and relief.

LIVE-WORK RELATIONSHIP

Means the place of residence relative to the place of employment.

LONG TERM CARE FACILITY

Means a building or structure or part thereof used to provide health care under medical supervision for twenty-four or more consecutive hours, to two or more persons.

MATURE NEIGHBOURHOOD AREAS

Means older established residential neighbourhoods within the Low Density Residential Area designation, characterized by predominantly single-detached housing stock on larger lots as identified in the implementing Zoning By-law by a Mature Neighbourhood (MN) Suffix on certain areas within the LDR1 zone.

MAJOR TRANSIT STATION AREA

Means the area including and around any existing or planned higher order transit station within the Urban Area; or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500m radius of a transit station, representing about a 10-minute walk.

MAJOR VALLEY/WATERCOURSE

Means a watercourse and its associated valley system that typically has valley walls 5 metres or greater in height.

MEDICAL OFFICE

Means a building or structure or part thereof used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics operated by a number and/or variety of medical professionals, but does not include a public or private hospital or office located in the medical professional's residence.

MINOR VALLEY/WATERCOURSE

Means a watercourse and its associated valley system or stream corridor that typically has valley walls less than 5 metres in height.

MINERAL AGGREGATE RESOURCES

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, granite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

MINERAL AGGREGATE OPERATION

Means:

- a) Lands under license or permit, other than for a wayside pit or quarry, issued in accordance with the Aggregate Resources Act, or successors thereto; and,
- b) Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources, or in the production of secondary related products.

MINIMUM DISTANCE SEPARATION (MDS)

Means the tool to determine a recommended distance between livestock and manure storage facilities and non-agricultural uses to prevent land use conflicts and minimize nuisance complaints from odour. MDS One provides minimum distance separation for new development from existing livestock facilities. MDS Two provides minimum distance separation for new or expanding livestock facilities from existing or approved development.

MOTOR VEHICLE BODY SHOP

Means a building or structure or part thereof used for the painting and/or repairing of the interior and/or exterior and/or the undercarriage of motor vehicle bodies. Car washes are not an accessory use.

MOTOR VEHICLE REPAIR ESTABLISHMENT

Means a building or structure or part thereof used for the repairing of motor vehicles, but shall not include the sale of motor vehicle fuels. Car washes are not an accessory use.

MUNICIPAL COMPREHENSIVE REVIEW

Means an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Provincial Growth Plan, except as it applies to Section D7 of this Plan, in which case such a review will be focused on the need for employment lands in order to achieve the employment targets of Table A1A of this Plan, as established by the Regional Official Plan.

NATURAL HERITAGE FEATURES

Means features and areas, including significant wetlands, fish habitat, significant woodlands, significant valleylands, significant habitat of endangered and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest that are important for their environmental and social values as a legacy of the natural landscapes of an area.

NATURAL HERITAGE SYSTEM

- a) Means a system made up of natural heritage features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.
- b) Within the Protected Countryside of the Greenbelt Plan, means areas with the highest concentration of the most sensitive and/or significant natural features and functions.

NATURAL SELF-SUSTAINING VEGETATION

Means vegetation dominated by native species that can grow and persist without direct human management, protection, or tending.

NEGATIVE IMPACT

- a) In respect to natural heritage features and areas, means degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities. In regard to fish habitat, the term means the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity. In regard to water, degradation to the quality and quantity of water, sensitive surface water features and sensitive groundwater features, and their related hydrologic functions due to single, multiple or successive development or site alteration activities.
- b) In respect to cultural heritage resources, means but is not limited to:
 - i) destruction of any, or part of any, heritage attributes or features;
 - ii) alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;
 - iii) shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;
 - iv) isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
 - v) direct or indirect obstruction of significant views or vistas within, from, or of built and natural features; and,
 - vi) land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.
- c) In respect of the commercial hierarchy in this Plan, means a detrimental effect on planned function that leads to or contributes to urban blight.
- d) In all other respects, means a deleterious effect or result on an adjacent use, the enjoyment of a neighbouring property or on the public realm that cannot be reasonably mitigated through the use of planning controls such as setbacks, buffering, fencing, and landscaping.

NET RESIDENTIAL HECTARE

Means for detached, semi-detached, duplex, street townhouses and other dwelling types with individual frontages on a public street, the area of land measured in hectares for residential dwelling units and consists of only the residential lots and blocks and local roads on which the lots and blocks front.

Means for cluster or group housing and apartment blocks, the area of land measured in hectares for residential units, private internal roads and parking, landscaped areas, and other associated amenities.

NORMAL FARM PRACTICES

Means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.

ONE ZONE CONCEPT

Means the approach whereby the entire floodplain, as defined by the regulatory flood, is treated as one unit and all development is prohibited or restricted.

OUTDOOR STORAGE

Means an area of land used in conjunction with a business located within a building or structure on the same lot, for the storage of goods and materials.

PARTIAL SERVICES

Means municipal water services and individual on-site sewage services.

PLACE OF ENTERTAINMENT

Means a motion picture or live theatre, arena, auditorium, planetarium, concert hall and other similar uses, but shall not include an adult entertainment use, any use entailing the outdoor operation or racing of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or other gaming activities, wagering or betting, video lottery or gaming machines or any other similar type of gambling use.

PLACE OF WORSHIP

Means a building or structure or part thereof used by a charitable religious group(s) for the practice of religious rites.

PORTABLE ASPHALT PLANT

Means a facility:

- e) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
- f) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

PORTABLE CONCRETE PLANT

Means a building or structure:

- g) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and,
- h) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

PRIME AGRICULTURAL AREA

Means an area where prime agricultural land predominates. This includes: areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of on-going agriculture.

PRIME AGRICULTURAL LAND

Means land that includes specialty crop lands and/or Canada Land Inventory Classes 1, 2 and 3 soils, in this order for priority protection.

PRIVATE HOME DAYCARE

Means the use of a dwelling unit for the temporary care and custody of not more than five children who do not live in the dwelling unit and who are under ten years of age for reward or compensation for a continuous period not exceeding twenty-four hours.

PROTECTED HERITAGE PROPERTY

Means designated real property and heritage conservation easement property under the Ontario Heritage Act and property that is subject to a covenant or agreement between the property owner and a conservation body or level of government, registered on title, with the primary purpose of conserving a cultural heritage resource or preventing its destruction, demolition or loss.

PROVINCIALY SIGNIFICANT AREA OF NATURAL AND SCIENTIFIC INTEREST

Means areas of land and water containing natural landscape features identified as provincially significant by the Ministry of Natural Resources, using evaluation procedures established by that Ministry, as amended from time to time.

PROVINCIALY SIGNIFICANT WETLAND

Means a wetland classified as provincially significant by the Ministry of Natural Resources based on the Ontario Wetland Evaluation System 1994 Southern Manual, as amended from time to time.

PUBLIC OR QUASI-PUBLIC USES

Means:

- a) uses carried out by Federal or Provincial ministries or companies subject to Federal and Provincial control;

- b) uses carried out by the Region of Halton and the Town of Halton Hills;
- c) public roads and railway lines;
- d) water supply, sewage and storm water management facilities; and,
- e) gas, telephone and cable transmission lines.

QUALITY AND QUANTITY OF WATER

Means as measured by indicators such as minimum base flow, oxygen levels, suspended solids, temperature, bacteria, nutrients, hazardous contaminants and hydrologic regimes.

REDEVELOPMENT

Means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield and greyfield sites.

REGION OR REGIONAL

Means the Region of Halton.

REGIONALLY SIGNIFICANT AREA OF NATURAL AND SCIENTIFIC INTEREST

Means areas identified by the Ministry of Natural Resources, Conservation Authorities, municipalities and other agencies as having ecological or geological/ geomorphological value at the regional level.

REGIONALLY SIGNIFICANT WETLAND

Means a wetland classified as “Other Wetlands” by the Ontario Ministry of Natural Resources based on the Ontario Wetland Evaluation System 1994 Southern Manual, as amended from time to time.

REGULATORY FLOODPLAIN

Means the limit of the floodplain for regulatory purposes, defined by the application of the approved standards, a regional flood or a one-in-one hundred-year flood, used in a particular watershed.

RESIDENTIAL CARE FACILITIES

Residential facilities in which residents who have a range of emotional, psychiatric, physical, developmental, or social disadvantages or problems live in a 24-hour supervised setting, and receive both room and board and support with daily living, including:

- a) Group Home Type 1;
- b) Group Home Type 2;
- c) Second Level Lodging Homes; and,
- d) Treatment Centres.

RESIDENTIAL INTENSIFICATION

Means the development of a property or site that results in a net increase in residential units. It includes redevelopment or development within existing communities where demolition of the previous structures is to take place or has taken place, including the development of brownfield and greyfield sites; infill development or development on vacant lots or redevelopment within a built up area; conversion, or the change of use of an existing industrial, commercial or institutional structure or land use to residential use; and the creation of accessory apartments or rooming, boarding and lodging accommodation in houses.

RETAIL USE

Means a use conducted in a building or structure or part thereof in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public but does not include a supermarket, a department store, a specialty food store, an automotive commercial use, an adult specialty store or an adult video store.

RETIREMENT HOME

Means a building or structure or part thereof providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided.

REVERSE FRONTAGE RESIDENTIAL LOTS

Means residential lots adjacent to a major arterial, minor arterial, multi-purpose arterial or collector road that front onto an internal street, while the rear yard faces onto and is typically fenced from the arterial or collector road. Road access onto the arterial or collector is prohibited.

SCHOOL, COMMERCIAL

Means a building or structure or part thereof used as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics, business or trade school and any other such specialized school.

SCHOOL, PRIVATE

Means a building or structure or part thereof used as an academic school which secures the major part of its funding from sources other than government agencies.

SECONDARY USES

Means uses secondary to the principal use of the property, including home occupations, home industries and uses that produce value-added agricultural products from the farm operation on the property.

Means, in reference to employment areas, uses secondary to the main permitted uses provided for under the applicable designation. Secondary uses may be permitted either as a standalone use on a lot or in conjunction with a principal use, subject to criteria established by this Plan.

SECOND LEVEL LODGING HOME

Means a single detached dwelling which has been converted as a lodging or rooming house and is occupied by not less than eleven persons and not more than twenty persons exclusive of staff, who live under supervision as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care.

SELECTED BEDROCK RESOURCE AREA

Means an area identified by the Ontario Geological Survey in the Aggregate Resource Inventory Paper, 1996 in which a major bedrock resource is known to exist and is of primary significance for potential extraction.

SELECTED SAND AND GRAVEL RESOURCE AREA

Means an area identified by the Ontario Geological Survey in the Aggregate Resource Inventory Paper, 1996 in which a major sand and gravel resource is known to exist and is of primary or secondary significance for potential extraction.

SENIORS HOUSING

Means housing designed and targeted to seniors, and includes privately owned developments marketed to seniors and assisted housing for seniors, as well as special needs housing such as retirement homes and long-term care facilities. See also Special Needs Housing.

SENSITIVE LAND USE

Means buildings or structures or parts thereof, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a major nearby facility. Sensitive land uses may be part of the natural or built environment. Examples include residences, day nurseries and educational and health facilities.

SERVICE COMMERCIAL USE

Means a building or structure or part thereof where clerical, business, professional and administrative services such as banking, accounting, insurance, investment and financial planning, land use planning, engineering or architectural services or the services of other consultants are provided and may include personal service uses such as florists, dry cleaning, tailors, travel agents, hair salons, diet centres, day spas, tanning parlours, shoe repair and video stores, but shall not include any adult entertainment use.

SERVICES OR ENTERTAINMENT

Means activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the Theatres Act.

SHOPPING CENTRE

Means a commercial development, designed and functioning as a unit with common parking facilities and access points. The predominant use shall be retail, including department stores, specialty food stores and supermarkets where permitted by the policies of this Plan, and service commercial within one

building unit, however, free standing buildings may also be developed in conjunction with the centre, provided that they are compatible with the design and accessibility of the centre itself.

SIGNIFICANT

Means:

- a) in regards to wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) in regards to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered and threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c) in regards to other features and areas identified in Section B1.3.2 of this Plan, excluding woodlands, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or Natural Heritage System. Criteria for determining significance may be recommended by the Province, but municipal approaches that achieve the same objective may also be used;
- d) in regard to cultural heritage, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people; and,
- e) in regard to other matters, important in terms of amount, content, representation or effect.

Deferred, as it relates to lands identified as D4, D5, and D6 on Schedule A2

SIGNIFICANT WOODLAND

Means a woodland 0.5 ha or larger, determined through a Watershed Management Plan, a Subwatershed Study or a site-specific Environmental Impact Study, to meet one or more of the following four criteria:

- a) the woodland contains forest patches over 99 years old;
- b) the patch size of the woodland is 2 hectares or larger if it is located in an Urban Area, 4 hectares or larger if located outside an Urban Area but below the escarpment brow, or 10 hectares or larger if located outside an Urban Area but above the escarpment brow;
- c) the woodland has an interior core area of 4 hectares or larger, measured 100 metres from the edge of the woodland; or
- d) the woodland is wholly or partially within 50 metres of a major creek or certain headwater creek, or within 150 metres of the escarpment brow.

SITE ALTERATION

Means activities, such as the placement of fill, grading and excavation that would change the landform and natural vegetative characteristics of a site.

SPECIAL CONCERN SPECIES

Means a species that is listed or categorized as a special concern species on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

SPECIAL NEEDS HOUSING

Means any housing, including dedicated facilities, that is used by people who have specific needs beyond economic needs, including but not limited to mobility requirements or support functions required for daily living, and includes housing for persons with disabilities such as physical, sensory or mental health disabilities, long term care facilities and retirement homes, where varying degrees of support services are provided including meal preparation, laundry, housekeeping, respite care and attendant services; emergency housing; and residential care facilities.

SPECIALTY FOOD STORE

Means a building or structure or part thereof specializing in a specific type or class of foods such as an appetizer store, bakery, butcher, delicatessen, fish, gourmet and similar foods.

STABLE TOP OF BANK

Means the line which defines the transition between tableland and sloping ground at the crest of a slope associated with a watercourse, as determined by an approved Geotechnical Study and/or by the appropriate Conservation Authority.

STREAM CORRIDOR

Means an area of land on both sides of a stream that contribute to the ecological functions of the stream.

SUPERMARKET

Means a building or structure or part thereof, containing a complete departmentalized food store selling a comprehensive line of groceries, baked goods, fresh fruit and vegetables, canned goods, dairy products, frozen foods, and fresh and frozen meats. Other accessory lines may include confectionary, drugs and cosmetics, household supplies, hardware, commercial service uses such as dry cleaning and financial services, and a seasonal garden centre.

THEATRE

Means a building or structure or part thereof that is used for the showing of motion pictures or for dramatic, musical or live performances. For the purposes of this definition, an adult entertainment parlour or an adult video store are not considered to be a theatre.

THREATENED SPECIES

Means a species that is listed or categorized as a threatened species on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

TOTAL DEVELOPABLE AREA

Means the total area of the property less the area occupied by Key Natural Heritage Features and Key Hydrologic Features, including any related vegetation protection zone.

TRANSPORT TERMINAL

Means the use of land for the purpose of storing, servicing, washing, repairing or loading of trucks and/or transport trailers with materials or goods that are not manufactured, assembled, warehoused, or processed on the same lot.

TREATMENT CENTRE

Means a single detached dwelling which is occupied by not more than 20 persons exclusive of staff, who live under supervision as a single housekeeping unit, and require 24-hour residential, sheltered, specialized or group care, and treatment and rehabilitation for addiction to drugs or alcohol.

A Treatment Centre shall be limited to not less than three and not more than ten persons in the Urban Area, Hamlet Area, Rural Cluster Area and the Niagara Escarpment Plan Area, and not more than twenty persons in the Agricultural Area and Protected Countryside Area, exclusive of staff.

UNIVERSAL PHYSICAL ACCESS

Means housing designs that incorporate the following principles and features:

- a) universality – same means for all users;
- b) flexibility – providing choice in methods of use and adaptable to the needs of the user;
- c) low physical effort – usable with a minimum of effort and fatigue;
- d) accessibility – providing for adequate sight lines, reach, hand grip and use of helpful devices;
- e) safety – minimal consequences of errors with fail-safe features;
- f) simplicity – minimal complexity and accommodating a wide range of skills and abilities; and,
- g) perceptible information – communicating necessary information effectively and in various ways.

VALLEY OR VALLEYLANDS

Means a natural area that occurs in a landform depression that has water flowing through or standing for some period of the year and is defined by the primary top of bank. See also Major Valley/Watercourse and Minor Valley/Watercourse.

VEGETATION PROTECTION ZONE

Means a vegetated buffer area surrounding a Key Natural Heritage Feature or Key Hydrologic Feature within which only those land uses permitted within the feature itself are permitted. The width of the vegetation protection zone is to be determined when new development or site alteration occurs within 120 metres of a Key Natural Heritage Feature or Key Hydrologic Feature, and is of sufficient size to protect the feature and its functions from the impacts of the proposed change and associated activities that will occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function.

WASTE DISPOSAL SITE

Means any land upon, into or through which, a building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed and includes an operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing of waste.

WATERCOURSE

Means a natural depression in which is situated a continuous or intermittent flow of water sufficient to form and maintain a defined channel, with bed and banks; but generally not including wetland flow or modified/constructed drainage features such as swales, agricultural drains or roadside ditches. See also Major Valley/Watercourse and Minor Valley/Watercourse.

WAYSIDE PIT OR QUARRY

Means a temporary pit or quarry opened and used by or for a public authority solely for purpose of a particular project or contract of road construction and which is not located within the right-of-way of a public street.

WETLAND

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water-tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. See also Provincially Significant Wetland and Regionally Significant Wetland.

Periodically soaked or wetlands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for purposes of this definition.

WILDLIFE HABITAT

Means areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space to sustain their populations. Specific wildlife habitats of concern, may include areas where a species concentrate at a vulnerable point in their annual or life cycle and an area that is important to a migratory or non-migratory species.

WILDLIFE MANAGEMENT

Means management of wildlife habitats for the purposes of sustaining the quantity and quality of wildlife.

WOODLAND

Means land with at least 1000 trees of any size per ha, or 750 trees over 5 cm in diameter per ha, or 500 trees over 12 cm in diameter per ha, or 250 trees over 20 cm in diameter per ha, but does not include an active cultivated fruit or nut orchard, a Christmas tree plantation, a plantation certified by the Region, a tree nursery, or a narrow linear strip of trees that defines a laneway or a boundary between fields. For the purpose of this definition, all measurements of the trees are to be taken at 1.37 m from the ground, and trees in regenerating fields must have achieved that height to counted.

