



**PARTE**

**AGRICULTURAL/RURAL  
LAND USE POLICIES**

## **E1 AGRICULTURAL AREA**

### **E1.1 OBJECTIVES**

It is the objective of this designation to:

- a) recognize agriculture as the primary activity and land use;
- b) maintain and preserve the agricultural resource base of the Town;
- c) protect land suitable for agricultural production from fragmentation, development and land uses unrelated to agriculture;
- d) promote the agricultural industry and associated activities and enhance their capacity to contribute to the economy of the Town;
- e) preserve and promote the agricultural character of the Town and the maintenance of the countryside as an open space area; and,
- f) to provide for the designation of new *Mineral Resource Extraction Areas* which can be accommodated in accordance with the policies of this Plan and by an amendment to the Region of Halton Official Plan and this Plan.

### **E1.2 LOCATION**

The *Agricultural Area* designation as shown on Schedule A1 to this Plan applies to lands generally located south and east of the lands within the *Protected Countryside Area* designation that are predominantly utilized for agricultural purposes and which have an agricultural character. The *Agricultural Area* primarily consists of lands that are Class 1, 2 or 3 soils according to the Canada Land Inventory. The lands within this designation are considered by this Plan to form a major component of the Town's Prime *Agricultural Area*.

### **E1.3 PERMITTED USES**

The principal use of land in the *Agricultural Area* designation shall be agriculture. Additional permitted uses are limited to:

- a) single detached dwellings on existing lots;
- b) accessory residential uses on farm properties subject to Section E1.4.2 of this Plan;
- c) bed and breakfast establishments subject to Section E1.4.3 of this Plan;
- d) home occupations and cottage industries subject to Section E1.4.4 of this Plan;
- e) home industries located on a commercial farm subject to Section E1.4.5 of this Plan;
- f) forest, wildlife and fisheries management;
- g) watershed management and flood and erosion control projects carried out or supervised by a public agency;

- h) existing public uses;
- i) transportation and utility facilities;
- j) commercial uses on a commercial farm subject to Section E1.4.6 of this Plan;
- k) passive non-motorized recreational uses, such as nature viewing and pedestrian trail activities, only on publicly owned lands or on the Bruce Trail;
- l) archaeological activities;
- m) farm-related tourism establishments on a commercial farm subject to Section E1.4.7 of this Plan;
- n) residential care facilities, excluding Treatment Centres, subject to E1.4.8 of this Plan; and,
- o) wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts, subject to the requirements of the Ministry of Natural Resources and the Ministry of Environment.

All uses in the *Agricultural Area* designation shall be designed, located and managed to not detract from the primary role of the *Agricultural Area* as set out in Sections A1 and E1.1 of this Plan.

## **E1.4 LANDUSE POLICIES**

### **E1.4.1 THE CREATION OF NEW LOTS**

In accordance with the intent of this Plan to maintain and protect the agricultural resources and rural character of the Town, lot creation is prohibited unless specifically provided for in Section F1.2 of this Plan.

### **E1.4.2 ACCESSORY RESIDENTIAL USES ON FARM PROPERTIES**

The establishment of additional dwelling unit(s) on a commercial farm for bona fide farm help is permitted, provided the lands are appropriately zoned. Prior to considering an application for re-zoning, and/or site plan approval in accordance with Section G8 of this Plan, Council shall be satisfied that the second dwelling unit:

- a) is required for farm help as set out in a detailed submission addressing matters such as labour requirements related to the size and nature of the farm operation, and an assessment of the available residential accommodation on the farm;
- b) will be located within the existing farm-building cluster;
- c) can be serviced by appropriate sewage and water services; and,
- d) will be designed and/or located to be compatible or otherwise blend in with the farm operation.

Accessory residential uses on farm properties within the *Escarpment Protection Area* and the *Escarpment Rural Area* shall be in accordance with the appropriate development criteria contained in the Niagara Escarpment Plan.

### **E1.4.3 BED AND BREAKFAST ESTABLISHMENTS**

Bed and breakfast establishments are permitted in a single detached dwelling subject to Site Plan Control in accordance with Section G8 of this Plan. Prior to approving a Site Plan Application, Council shall be satisfied that:

- a) the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- b) the use is clearly secondary to the primary residential use in terms of floor space utilization and is compatible with surrounding uses;
- c) the bed and breakfast establishment is the principal residence of the owner and operator;
- d) the character of the dwelling as a private residence is preserved;
- e) adequate parking facilities are available on the lot for the proposed use;
- f) no more than three rooms are available for guests;
- g) the use will not cause a traffic hazard;
- h) the use can be serviced with an appropriate water supply and an appropriate means of sewage disposal; and,
- i) the signage advertising the use is to be designed and located in accordance with the Town's sign by-law and where applicable the development criteria contained in the Niagara Escarpment Plan.

The implementing Zoning By-law shall further detail appropriate performance standards for bed and breakfast establishments.

### **E1.4.4 HOME OCCUPATIONS AND COTTAGE INDUSTRIES**

Home occupations and cottage industries are permitted in a single detached dwelling, subject to the following criteria:

- a) the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- b) the use is clearly secondary to the primary residential use in terms of floor space utilization and is compatible with surrounding uses;
- c) the use is completely located in the principal residence of the person conducting the home occupation or cottage industry;
- d) the character of the dwelling as a private residence is preserved;

- e) adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use on the property, and such parking is provided in locations compatible with surrounding land uses;
- f) the use will not cause a traffic hazard;
- g) the use can be serviced with an appropriate water supply and an appropriate means of sewage disposal; and,
- h) the signage advertising the use is to be designed and located in accordance with the Town's sign by-law and where applicable the development criteria contained in the Niagara Escarpment Plan.

The implementing Zoning By-law shall further detail appropriate performance standards for home occupations and cottage industries.

Home occupations and cottage industries shall not exceed 25 percent of the gross floor area of a single detached dwelling, to a maximum gross floor area of 100 square metres.

#### **E1.4.5 HOME INDUSTRIES**

Home industries are permitted subject to Site Plan Control in accordance with Section G8 of this Plan. Prior to approving a Site Plan Application, Council shall be satisfied that:

- a) the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- b) the use is clearly secondary to the primary residential use or agricultural use on the lot and is compatible with surrounding uses;
- c) the character of the area is preserved;
- d) adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use on the property, and such parking is provided in locations compatible with surrounding land uses;
- e) the use will not cause a traffic hazard;
- f) the use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
- g) the signage advertising the use is to be designed and located in accordance with the Town's sign by-law and where applicable the development criteria contained in the Niagara Escarpment Plan;
- h) the building housing the proposed use is located within the existing farm-building cluster and shall utilize a common driveway with the principal use of the property,
- i) the use does not have a gross floor area in excess of 200 square metres in an accessory building;
- j) the proposed use is set back from all lot lines by at least 30 metres;

- k) where permitted, open storage associated with the proposed use shall be screened from view and located within a fenced compound;
- l) the use has a limited number of employees; and,
- m) retail sales shall be limited to goods or products produced on the property.

Home industries shall not exceed 200 square metres of gross floor area. Home industries within accessory buildings in the *Escarpment Protection Area* and the *Escarpment Rural Area* shall not exceed 100 square metres gross floor area in accordance with the appropriate development criteria contained in the Niagara Escarpment Plan.

The implementing Zoning By-law shall further detail appropriate performance standards for Home Industries.

#### **E1.4.6 COMMERCIAL USES ON FARM PROPERTIES**

Secondary commercial uses on farm properties are permitted subject to Site Plan Control in accordance with Section G8 of this Plan. Prior to approving such an application, Council shall be satisfied that:

- a) the use is clearly associated with and located on a commercial farm;
- b) the retail component has a gross floor area of no more than 500 square metres; and,
- c) the majority of the products offered for sale, in terms of monetary value, are produced or manufactured on the farm property.

The implementing Zoning By-law shall further detail appropriate performance standards for secondary commercial uses on farm properties.

#### **E1.4.7 FARM RELATED TOURISM ESTABLISHMENTS**

Given the proximity of the Town to growing urban areas, the Town supports the development of uses that highlight the importance and value of the agricultural economy. On this basis, uses such as farm machinery and equipment exhibitions, farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick your own produce, small-scale farm theme playgrounds for children and small-scale educational establishments that focus on farming instruction are permitted in the *Agricultural Area* designation as an accessory use on a commercial farm subject to Site Plan Control in accordance with Section G8 of this Plan. Prior to approving such an application, Council shall be satisfied that:

- a) the proposed use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- b) adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use on the property, and such parking is provided in locations compatible with surrounding land uses;
- c) the proposed access to the site will not cause a traffic hazard;

- d) the proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
- e) the proposed use enhances the rural and open space character of the Town through the preservation of older barns and/or the establishment of a built form that is compatible with the rural surroundings;
- f) the building housing the proposed use is located within the existing farm-building cluster where possible and shall utilize a common driveway with the principal use of the property, and,
- g) the signage advertising the use is to be designed and located in accordance with the Town's sign by-law and where applicable the development criteria contained in the Niagara Escarpment Plan.

Farm related tourism uses shall not exceed 250 square metres of gross floor area. The implementing Zoning By-law shall further detail appropriate performance standards for the farm-related tourism establishments.

#### **E1.4.8 RESIDENTIAL CARE FACILITIES**

Residential care facilities are permitted in single detached dwellings subject to the requirements of the implementing Zoning By-law and Section G11 of this Plan, including:

- a) a minimum separation between facilities; and,
- b) a minimum floor space per resident.

The establishment of residential care facilities in other suitable locations, which are not permitted by the implementing Zoning By-law, may be permitted through site-specific amendment to the applicable Zoning By-law provided Council is satisfied with respect to:

- a) the adequacy of the separation distance between the proposed facility and all other residential care facilities;
- b) the suitability of the dwelling size and lot size, in relation to the number of residents to be accommodated; and,
- c) the adequacy and proximity of transportation and community support services, including medical and educational services, required by the residents.

#### **E1.4.9 RECREATIONAL AND OTHER NON-AGRICULTURAL USES**

The development of new recreational uses and expansions to existing recreational uses, such as golf courses and driving ranges, and cemeteries is not permitted on lands designated *Agricultural Area* by this Plan since it is the intent of this Plan to protect lands which are suitable for agricultural uses for as long as possible. However, Official Plan and Zoning By-law applications to develop such uses may be considered subject to the submission of appropriate studies, including an Agricultural Impact Assessment, that demonstrates to the satisfaction of the Town and the Region of Halton that:

- a) there is a need within the planning horizon of this Plan for the proposed use;

- b) there are clearly no other reasonable alternatives that are outside of Prime *Agricultural Areas*;
- c) there are no reasonable alternative locations in Prime *Agricultural Areas* with lower priority agricultural lands;
- d) the proposed use will not be located in an area that may have an impact on the efficient and logical expansion of nearby urban areas; and,
- e) the proposed use conforms to the applicable criteria set out in Section E2.4.4 of this Plan.

Residential dwelling units and overnight accommodation uses shall not be permitted as part of a proposed recreational use.

## **E1.5 IMPLEMENTING ZONING BY-LAW**

All lands in the *Agricultural Area* designation shall be placed in an Agricultural or Rural Zone in the implementing Zoning By-law.

## **E1.6 SPECIAL POLICY AREAS**

Special Policy Areas apply to those lands within the *Agricultural Area* that are subject to a land use policy that is specific to a property or area. All other relevant policies of this Plan are applicable unless otherwise modified or exempted by the provisions applicable to each Special Policy Area.

### **E1.6.1 SPECIAL POLICY AREA 1**

The following uses shall be permitted on lands designated as *Agricultural Area* and identified as Special Policy Area 1, as shown on Schedule A1 of this Plan:

- a) agricultural activities located on the northern and southern portions of the property;
- b) a place of worship and accessory assembly area including an accessory rectory/residence and administrative office;
- c) a private park that includes social, cultural, athletic and/or recreational activities;
- d) storage facilities necessarily incidental to the place of worship and private park; and,
- e) accessory uses excluding a cemetery, a mausoleum, a crematorium, a school, a campground and any residential use other than a rectory accessory to the place of worship.

In addition to the above, the commercial use of the private park is prohibited and the location of the non-agricultural uses shall be restricted to the central 29 hectares of the property. The site shall also be serviced with municipal water from the Region of Peel. The property is also subject to Site Plan Control.



## E1.6.2

### SPECIAL POLICY AREA 2

A day use activity centre and a commercial driving range is permitted on lands designated as *Agricultural Area* and identified as Special Policy Area 2, as shown on Schedule A1 of this Plan. In addition, permitted uses on the eastern and western portions of the property shall be limited to agricultural uses and a permanent second non-farm residence. The precise location of the day use activity centre and the commercial driving range shall be delineated in the implementing Zoning By-law.

## E1.6.3

### SPECIAL POLICY AREA 3

A place of worship not exceeding 1250 square metres of gross floor area with accessory uses is permitted on lands designated as *Agricultural Area* and identified as Special Policy Area 3, as shown on Schedule A1 of this Plan. The place of worship shall be located in the southeast corner of the property and shall be more precisely defined in the implementing Zoning By-law. Permitted uses on the balance of the lands subject to Special Policy Area 3 shall be in accordance with Section E1.3 of this Plan.

## E1.6.4

### SPECIAL POLICY AREA 4

Permitted uses on lands designated as *Agricultural Area* and identified as Special Policy Area 4, as shown on Schedule A1 of this Plan, shall be limited to existing uses pending the completion of a secondary planning exercise for the *Phase 1B Employment Area* as specified in Section D3.5.4.4.3 of this Plan.

## **E2 PROTECTED COUNTRYSIDE AREA**

### **E2.1 OBJECTIVES**

It is the objective of this designation to:

- a) protect against the loss and fragmentation of the agricultural land base;
- b) support agriculture as the predominant land use;
- c) promote the agricultural industry and associated activities and enhance their capacity to contribute to the economy of the Town;
- d) give permanent protection to the natural heritage and water resource systems that sustain ecological and human health;
- e) provide for a diverse range of economic and social activities associated with rural communities, agricultural, tourism and recreation and resource uses;
- f) to protect, maintain and enhance natural heritage, hydrologic and landform features and functions, including protection of habitat for flora and fauna and particularly species at risk;
- g) protect, improve or restore the quality and quantity of ground and surface water and the hydrologic integrity of watersheds;
- h) preserve the open space character of the rural landscape; and,
- i) recognize the benefits of protecting renewable and non-renewable natural resources.

### **E2.2 LOCATION**

The *Protected Countryside Area* designation as shown on Schedule A2 to this Plan applies to lands within the Greenbelt Plan established by the Province of Ontario, excluding the *Niagara Escarpment Plan Area*, that are the site of agricultural and rural land uses. Lands within the *Protected Countryside Area* designation that are south and east of the *Niagara Escarpment Plan Area* are considered to form part of the Town's *Prime Agricultural Area*.

### **E2.3 PERMITTED USES**

Permitted uses in the *Protected Countryside Area* designation are limited to:

- a) agricultural operations;
- b) single detached dwellings on existing lots;
- c) bed and breakfast establishments subject to Section E1.4.3 of this Plan;
- d) home occupations and cottage industries subject to Sections E1.4.4 of this Plan;
- e) home industries subject to Section E1.4.5 of this Plan;

- f) accessory residential uses on farm properties subject to Section E1.4.2 of this Plan;
- g) veterinary clinics serving the agricultural community on lands north and west of the *Niagara Escarpment Plan Area*;
- h) commercial animal kennels on lands north and west of the *Niagara Escarpment Plan Area* subject to Section E2.4.2 of this Plan;
- i) passive non-motorized recreational uses, such as nature viewing and pedestrian trail activities, only on publicly owned lands or on the Bruce Trail;
- j) forest, wildlife and fisheries management;
- k) watershed management and flood and erosion control projects carried out or supervised by a public agency;
- l) archaeological activities;
- m) small scale public uses on lands north and west of the *Niagara Escarpment Plan Area*;
- n) cemeteries on lands north and west of the *Niagara Escarpment Plan Area* subject to Section E2.4.3 of this Plan;
- o) transportation and utility facilities;
- p) commercial uses on farm properties subject to Section E1.4.6 of this Plan;
- q) farm-related tourism establishments subject to Section E1.4.7 of this Plan;
- r) residential care facilities subject to Section E1.4.8 of this Plan;
- s) wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts, subject to the requirements of the Ministry of Natural Resources and the Ministry of Environment;
- t) berming, screening, temporary stockpiling of earthen material, accessory structures and facilities normally associated with a mineral extraction operation, and facilities and servicing for, the water management and monitoring system and associated infrastructure for the quarry extension, on lands forming the buffer and setback for the Mineral Resource Extraction Area, which may be included within the license area approved under the Aggregate Resources Act, in Part of Lots 20, 21, and 22, Concession 3, in the Town of Halton Hills, Regional Municipality of Halton. Extraction shall be prohibited in this area;
- u) development related to the installation of, access to, facilities and servicing for, the water management and monitoring system within the Greenbelt Greenlands, associated with the mineral aggregate operation located in the Mineral Resource Extraction Area, in Part of Lots 20, 21, and 22, Concession 3, in the Town of Halton Hills, Regional Municipality of Halton; and,
- v) development related to the installation of, access to, facilities and servicing for, the water management and monitoring system within the mineral aggregate operation

located in the Mineral Resource Extraction Area, in Part of Lots 20 and 21, Concession 3, in the Town of Halton Hills, Regional Municipality of Halton

## **E2.4 LANDUSE POLICIES**

### **E2.4.1 THE CREATION OF NEW LOTS**

In accordance with the intent of this Plan to maintain and protect the agricultural resources and rural character of the Town, lot creation is prohibited unless specifically provided for in Section F1.2 of this Plan.

### **E2.4.2 COMMERCIAL ANIMAL KENNELS**

Commercial animal kennels may be permitted in the *Protected Countryside Area* designation subject to an amendment to the implementing Zoning By-law. Before considering such an amendment, Council shall be satisfied that:

- a) the size of the proposed animal kennel is appropriate for the area;
- b) the building housing the animal kennel and the associated animal runs is set back at least 100 metres from lot lines;
- c) the use is located at least 500 metres from lands within the *Urban Area*, *Rural Cluster Area*, *Hamlet Area* and *Country Residential Area* designations;
- d) the noise emanating from the kennel will not have an a negative impact on adjacent properties;
- e) an appropriate animal waste management plan is put in place;
- f) an undue concentration of animal kennels does not already exist in the general vicinity of the proposed kennel; and,
- g) where applicable, the use conforms with Section E2.5 of this Plan.

A new animal kennel shall also be subject to a Site Plan Agreement in accordance with Section G8 of this Plan. Notwithstanding the foregoing, a commercial animal kennel shall not be permitted on lands within the *Protected Countryside Area* that are below the *Niagara Escarpment Plan Area*.

### **E2.4.3 CEMETERIES**

Cemeteries may be permitted in the *Protected Countryside Area* designation subject to an amendment to the implementing Zoning By-law. A cemetery may include, as an accessory use, a mausoleum and/or a crematorium. Before considering such an amendment, Council shall be satisfied that:

- a) the size of the cemetery and the accessory uses are appropriate for the area;
- b) no lands are available for a cemetery in the urban areas;

- c) the cemetery will not create the need to develop other uses, such as a place of worship, on the site in the future;
- d) appropriate hydrogeological studies have been completed which indicate that the use will not have a negative impact on the quantity and quality of groundwater and surface water;
- e) the proposed use can be accessed by roads that are designed to accommodate high volumes of traffic in short periods of time; and,
- f) where applicable, the use conforms with Section E2.5 of this Plan.

Notwithstanding the foregoing, a cemetery shall not be permitted on lands within the *Protected Countryside Area* that are below the *Niagara Escarpment Plan Area*.

#### **E2.4.4 RECREATION USES**

The development of any new recreational uses and expansions to existing recreational uses, such as golf courses and driving ranges, shall require an Amendment to the Official Plan and implementing Zoning By-law and shall be subject to Site Plan Control. Residential dwelling units and overnight accommodation uses shall not be permitted as part of a proposed recreational use. New and expanding recreational uses shall not be considered for lands below the *Niagara Escarpment Plan Area*.

Before approving an amendment to the Official Plan and Zoning By-law, Council shall be satisfied through the submission of appropriate studies that:

- a) there is a need within the planning horizon for the proposed use;
- b) the agricultural capability of the subject lands has been evaluated and it is demonstrated that the proposed use will not have a negative impact on adjacent agricultural uses and is compatible with normal farm practices;
- c) the proposed use is located on a Provincial highway or arterial road, where traffic impacts on the rural character of the area would be less;
- d) the proposed use can be designed and sited to blend in with surrounding land uses such that the rural character of the area is maintained;
- e) there will be no negative impacts on any natural heritage features and related ecological functions;
- f) where appropriate the proposed use can be appropriately buffered from adjacent uses;
- g) there will be no negative impact on the quality and quantity of groundwater and surface water; and,
- h) an appropriate vegetation enhancement plan that incorporates planning, design, landscaping and construction measures has been prepared that:

- i) maintains or where possible enhances the amount of natural self-sustaining vegetation on the site and the connectivity between adjacent Key Natural Heritage Features or Key Hydrologic Features as defined in Section E2.5;
- ii) wherever possible, keeps intermittent stream channels and drainage swales in a free to grow, low maintenance condition;
- iii) minimizes the application and use of pesticides and fertilizers; and,
- iv) locate new natural self-sustaining vegetation in areas that maximizes the ecological value of the area.

Any application to expand or establish a golf course or private recreational use shall be accompanied by a Conservation Plan demonstrating how water use and nutrient biocide will be kept to a minimum, including the establishing and monitoring of targets.

## **E2.5 NATURAL SYSTEM**

### **E2.5.1 BASIS**

The *Protected Countryside Area* designation contains a Natural System that provides a continuous and permanent land base necessary to support human and ecological health in the Greenbelt and beyond. The Natural System policies are intended to protect areas of natural heritage, hydrologic and/or landform features, which are often functionally inter-related and which collectively support bio-diversity and overall ecological integrity. The Natural System is made up of a Natural Heritage System and a Water Resource System that often coincide given ecological linkages between terrestrial and water-based functions.

The Natural Heritage System as identified by the Province is shown as an overlay on Schedule A2 to this Plan. Included within the Natural Heritage System are Key Natural Heritage Features and Key Hydrologic Features which have been designated as *Greenbelt Greenlands* by this Plan. The Natural Heritage System may be further refined following the completion of a more detailed Greenbelt Plan implementation exercise to be undertaken by the Region of Halton, in consultation with the Town of Halton Hills.

### **E2.5.2 NATURAL HERITAGE SYSTEM POLICIES**

- a) New buildings or structures for agriculture, agricultural-related and secondary uses are not subject to the Natural Heritage System policies below, but are subject to the policies on Key Natural Heritage Features and Key Hydrologic Features in Section E2.5.3.
- b) New development or site alteration in the Natural Heritage System (as permitted by the policies of this Plan) shall demonstrate that:
  - i) there will be no negative impacts on Key Natural Heritage Features or Key Hydrologic Features or their functions;

- ii) connectivity between Key Natural Heritage Features and Key Hydrologic Features is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape;
  - iii) the removal of other natural features not identified as Key Natural Heritage Features and Key Hydrologic Features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible; and,
  - iv) the disturbed area of any site does not exceed 25 percent, and the impervious surface does not exceed 10 percent, of the total developable area, except for recreational and mineral aggregate. With respect to golf courses, the disturbed area shall not exceed 40 percent of the site; and
- c) Where non-agricultural uses requiring an amendment to this Plan and/or the implementing zoning by-law or site plan approval are proposed within the Natural Heritage System, applicants shall demonstrate that:
- i) at least 30 percent of the total developable area of the site will remain or be returned to natural self-sustaining vegetation;
  - ii) connectivity along the system and between Key Natural Heritage Features or Key Hydrologic Features located within 240 metres of each other is maintained or enhanced; and,
  - iii) buildings or structures do not occupy more than 25 percent of the total developable area and are planned to optimize the compatibility of the project with the natural surroundings.

## **E2.5.3 KEY NATURAL HERITAGE FEATURES AND KEY HYDROLOGIC FEATURES POLICIES**

### **E2.5.3.1 Key Natural Heritage Features include:**

- significant habitat of endangered species, threatened species and special concern species;
- fish habitat;
- wetlands;
- Life Science Areas of Natural and Scientific Interest (ANSIs);
- significant valleylands;
- significant woodlands;
- significant wildlife habitat;
- sand barrens, savannahs and tall grass prairies; and,
- alvars.

Some Key Natural Heritage Features are within the *Greenbelt Greenlands* designation as shown on Schedule A2. The incorporation of additional Key Natural Heritage Features will occur following the completion of a more detailed Greenbelt Plan implementation exercise to be undertaken by the Region of Halton, in consultation with the Town of Halton Hills.

E2.5.3.2 Key Hydrologic Features include:

- permanent and intermittent streams;
- lakes (and their littoral zones);
- seepage areas and springs; and
- wetlands.

Some Key Hydrologic Features are within the *Greenbelt Greenlands* designation as shown on Schedule A2. The incorporation of additional Key Hydrologic Features will occur following the completion of a more detailed Greenbelt Plan implementation exercise to be undertaken by the Region of Halton, in consultation with the Town of Halton Hills.

E2.5.3.3 Policies

For lands within a Key Natural Heritage Feature or a Key Hydrologic Feature the following policies shall apply:

- a) Development or site alteration is not permitted in Key Hydrologic Features and Key Natural Heritage Features within the Natural Heritage System, including any associated vegetation protection zone, with the exception of:
  - i) forest, fish and wildlife management;
  - ii) conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered; or
  - iii) infrastructure subject to Section E2.6 of this Plan;
  - iv) single detached dwellings and accessory uses on existing lots of record if it is demonstrated that:
    - there is no alternative and the expansion, alteration or establishment is directed away from the feature to the maximum extent possible; and,
    - the impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible;

Notwithstanding the foregoing, single detached dwellings shall not be permitted on those portions of the lot containing provincially significant wetlands, significant habitat of endangered and threatened species and the Regulatory Floodplain;



- v) existing agricultural operations and expansions to existing agricultural buildings and structures and accessory uses within Key Natural Heritage Features and Key Hydrologic Features if it demonstrated that:
  - there is no alternative and the expansion, alteration or establishment is directed away from the feature to the maximum extent possible; and,
  - the impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible; and,
- vi) mineral aggregate extraction operations subject to Section E6.5 of this Plan.
- b) Beyond the Natural Heritage System within the *Protected Countryside Area*, as shown on Schedule A2 to this Plan, Key Hydrologic Features are defined by and subject to the natural features policies of section E2.5.3.
- c) In the case of wetlands, seepage areas and springs, fish habitat, permanent and intermittent streams, lakes, and significant woodlands, the minimum vegetation protection zones shall be a minimum of 30 metres wide measured from the outside boundary of the Key Natural Heritage Feature or Key Hydrologic Feature.
- d) A proposal for new development or site alteration within 120 metres of a Key Natural Heritage Feature within the Natural Heritage System or a Key Hydrologic Feature anywhere within the *Protected Countryside Area* designation requires an Environmental Impact Study, including a natural heritage evaluation and hydrological evaluation, which identify a vegetation protection zone which:
  - i) is of sufficient width to protect the Key Natural Heritage Feature or Key Hydrologic Feature and its functions from the impacts of the proposed change and associated activities that may occur before, during and after, construction, and where possible, restore or enhance the feature and/or its function; and,
  - ii) is established to achieve, and be maintained as natural self-sustaining vegetation.
- e) Notwithstanding the natural features policies of section E2.5.3 of this Plan, new buildings and structures for agricultural uses will be required to provide a 30 metre vegetation protection zone from a Key Natural Heritage Feature or Key Hydrologic Feature, but may be exempted from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be, used for agricultural purposes. Despite this exemption, agricultural uses should pursue best management practices to protect and/or restore Key Hydrologic Features and functions.

## E2.6

## INFRASTRUCTURE

### E2.6.1

### GENERAL INFRASTRUCTURE POLICIES

The following policies shall apply:

- a) All existing, expanded or new infrastructure subject to and approved under the Canadian Environmental Assessment Act, the Environmental Assessment Act, the Planning Act, the Aggregate Resources Act, the Telecommunications Act or by the National or Ontario Energy Boards, or which receives a similar environmental approval, is permitted within the *Protected Countryside Area*, subject to the policies of this section and provided it meets one of the following two objectives:
  - i) It supports agriculture, recreation and tourism, rural settlement areas, resource use or the rural economic activity that exists and is permitted within the Greenbelt; or
  - ii) It serves the significant growth and economic development expected in Southern Ontario beyond the Greenbelt by providing for the appropriate infrastructure connections among urban growth centres and between these centres and Ontario's borders.
- b) The location and construction of infrastructure and expansions, extensions, operations and maintenance of infrastructure in the *Protected Countryside Area*, are subject to the following:
  - i) Planning, design and construction practices shall minimize, wherever possible, the amount of the Greenbelt, and particularly the Natural Heritage System, traversed and/or occupied by such infrastructure;
  - ii) Planning, design and construction practices shall minimize, wherever possible, the negative impacts and disturbance of the existing landscape, including, but not limited to, impacts caused by light intrusions, noise and road salt;
  - iii) Where practicable, existing capacity and coordination with different infrastructure services is optimized so that the rural and existing character of the *Protected Countryside Area* and the overall urban structure for southern Ontario established by Greenbelt and any provincial growth management initiatives are supported and reinforced;
  - iv) New or expanding infrastructure shall avoid Key Natural Heritage Features or Key Hydrologic Features unless need has been demonstrated and it has been established that there is no reasonable alternative; and,
  - v) Where infrastructure does cross the Natural Heritage System or intrude into or result in the loss of a Key Natural Heritage Feature or Key Hydrologic Feature, including related landform features, planning, design and construction practices shall minimize negative impacts and disturbance on the features or their related functions and where reasonable, maintain or improve connectivity.

- c) Infrastructure serving the agricultural sector, such as agricultural irrigation systems, may need certain elements to be located within the vegetation protection zone of a Key Natural Heritage Feature or Key Hydrologic Feature. In such instances, these elements of the infrastructure may be established within the feature itself or its associated vegetation protection zone but all reasonable efforts shall be made to keep such infrastructure out of Key Natural Heritage Features or Key Hydrologic Features or the vegetation protection zones.

## **E2.6.2 STORMWATER MANAGEMENT INFRASTRUCTURE POLICIES**

In addition to the above general infrastructure policies the following policies apply to stormwater management infrastructure proposals:

- a) Stormwater management ponds are prohibited in Key Natural Heritage Features or Key Hydrologic Features or their vegetation protected zones, except for those portions of the *Protected Countryside Area* that define the major river valleys that connect the Niagara Escarpment to Lake Ontario. In these areas, naturalized stormwater management ponds are permitted provided they are located a minimum of 30 metres away from the edge of the river/stream and in the vegetation protection zones of any abutting Key Natural Heritage Features or Key Hydrologic Features.
- b) Applications for development and site alteration in the *Protected Countryside Area* shall be accompanied by a stormwater management plan which demonstrates that:
  - i) planning, design and construction practices will minimize vegetation removal, grading and soil compaction, sediment erosion and impervious surfaces;
  - ii) where appropriate, an integrated treatment approach shall be used to minimize stormwater management flows and structures through such measures as lot level controls and conveyance techniques such as grass swales; and,
  - iii) applicable recommendations, standards or targets within watershed plans and water budgets are complied with.
- c) The objectives of a stormwater management plan are to avoid, minimize and/or mitigate stormwater volume, contaminant loads and impacts to receiving watercourses in order to:
  - i) maintain groundwater quality and flow and stream baseflow;
  - ii) protect water quality;
  - iii) minimize the disruption of pre-existing (natural) drainage patterns wherever possible;
  - iv) prevent increases in stream channel erosion;
  - v) prevent any increase in flood risk; and,
  - vi) protect aquatic species and their habitat.

## E2.7

### IMPLEMENTING ZONING BY-LAW

All lands within the *Protected Countryside Area* designation shall be placed in a Protected Countryside Zone in the implementing Zoning By-law. Key Natural Heritage Features and Key Hydrologic Features and related vegetation protection zones shall be placed in a series of Environmental Protection Zones in the implementing Zoning By-law.

## E3 HAMLET AREA

### E3.1 OBJECTIVES

It is the objective of this designation to:

- a) recognize the Hamlets of Glen Williams and Norval as unique and historic communities that provide a transition between the Georgetown Urban Area and the surrounding agricultural and rural landscape;
- b) carefully control new residential development in the Hamlets in order to maintain the character and scale of Glen Williams and Norval;
- c) provide opportunities for small-scale commercial and tourism related uses that are compatible with the character and scale of the Hamlets; and,
- d) ensure that all development in the Hamlets is serviced by appropriate sewer and water services that reflect the location of each Hamlet, the amount of planned development in each and its character.

### E3.2 LOCATION

The *Hamlet Area* designation as shown on Schedule A1 to this Plan applies to the communities of Glen Williams and Norval, adjacent to the Georgetown Urban Area. The establishment of new Hamlets is not permitted by this Plan. The *Hamlet Area* designation is generally intended to be comprised of the following designations:

- *Hamlet Residential Area;*
- *Hamlet Community Core Area;*
- *Institutional Area;*
- *Open Space Area;* and,
- *Greenlands.*

Additional designations may be established through the preparation of Hamlet Secondary Plans.

### E3.3 LANDUSE POLICIES

#### E3.3.1 SECONDARY PLAN CONFORMITY

All development within *Hamlet Areas* is subject to the policies included within approved Hamlet Secondary Plans and the other relevant policies of this Plan. In the event of a conflict between the policies contained 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. Secondary Plans for the Hamlets of Glen Williams and Norval are contained within Section H of this Plan.

### **E3.3.2 HAMLET AREA EXPANSIONS**

At the time of the adoption of this Plan, the Town had completed Secondary Plans for the Hamlets of Norval and Glen Williams. As part of the Norval Secondary Plan process, it was determined that an expansion to the Hamlet of Norval was not appropriate. Subsequent to the approval of the Secondary Plan, the Hamlet of Norval was included within the Greenbelt Plan. A modest expansion to the Hamlet of Glen Williams was approved flowing from the results of the Glen Williams Integrated Planning Project. The Hamlet of Glen Williams is largely confined by the *Protected Countryside Area* of the Greenbelt Plan and the Georgetown Urban Area. On this basis, further expansions to the Hamlets of Glen Williams and Norval are prohibited by this Plan.

### **E3.3.3 SERVICING**

Existing and limited infill development within Hamlets is generally intended to be serviced on the basis of either private, individual on-site water services or municipal water supply and private, individual on-site sewage services. The Region of Halton has reserved a 2,600 equivalent population in the Georgetown Wastewater Pollution Control Plant to service the Hamlets when the Region, in consultation with the Town, determines it to be prudent and feasible. The Secondary Plans for the Hamlets shall provide more detailed policy direction regarding servicing.

### **E3.3.4 MINIMUM LOT SIZE**

The minimum lot size for new residential development serviced by either private, individual on-site water services or municipal water supply and private individual on-site sewage services shall be 1,900 square metres or larger and must meet minimum criteria set forth by the Regional Medical Officer of Health. Multi-lot residential development shall require the preparation of a hydrogeological study satisfactory to the Town and the Region of Halton. The minimum lot size for new development on full urban services shall be 929 square metres. Larger lot sizes may be established in Secondary Plans to reflect the character of established hamlet residential neighbourhoods.

### **E3.3.5 NEW RESIDENTIAL LOTS BY CONSENT**

The creation of new lots for a residential use by consent to sever is permitted, provided a Plan of Subdivision is not required in accordance with Section F1.1 (Preferred Means of Land Division). The creation of new lots for residential purposes shall comply with Sections E3.3.4 and F1.2 (New Lots By Consent) of this Plan.

### **E3.3.6 MAXIMUM NON-RESIDENTIAL FLOOR AREA**

The maximum size of a permitted non-residential use shall be 500 square metres of gross floor area and may require a hydrogeological study to the satisfaction of the Town and the Region of Halton.

### **E3.3.7 RELATIONSHIP BETWEEN USES**

Where a proposed non-residential use abuts or is in close proximity to an existing residential use, fencing, landscaping or berming, or a combination of these features shall be utilized to ensure that there is adequate screening between the uses.

### **E3.3.8 USE OF SITE PLAN CONTROL**

The establishment of a new permitted non-residential use or an expansion to an existing non-residential use shall be subject to Site Plan Control in accordance with Section G8 of this Plan.

## **E3.4 DESIGNATIONS**

### **E3.4.1 HAMLET RESIDENTIAL AREA**

Permitted uses in the *Hamlet Residential Area* designation are limited to:

- a) single detached dwellings;
- b) bed and breakfast establishments subject to Section E1.4.3 of this Plan;
- c) home occupations and cottage industries subject to Section E1.4.4 of this Plan; and,
- d) residential care facilities meeting the definition of a Group Home Type 1, subject to the requirements of the implementing Zoning By-law and Section G11 of this Plan.

### **E3.4.2 HAMLET COMMUNITY CORE AREA**

Permitted uses in the *Hamlet Community Core Area* designation are limited to:

- a) retail and service commercial uses;
- b) restaurants;
- c) institutional uses;
- d) open space uses;
- e) public parking uses;
- f) single detached dwellings;
- g) bed and breakfast establishments subject to the provisions of Section E1.4.3 of this Plan;
- h) home occupations and cottage industries subject to Section E1.4.4 of this Plan; and,
- i) residential care facilities meeting the definition of a Group Home Type 1, subject to the requirements of the implementing Zoning By-law and Section G11 of this Plan.

### **E3.4.3 INSTITUTIONAL AREA**

Permitted uses in the *Institutional Area* designation are limited to public and private institutional uses including schools, place of worship, community centres, nursing homes, funeral homes, public utilities and day care centres.

### **E3.4.4 MAJOR PARKS AND OPEN SPACE AREA**

Permitted uses and applicable policies in the *Major Parks and Open Space Area* designation shall be in accordance with Section B2 and Section F7 of this Plan.

### **E3.4.5 PRIVATE OPEN SPACE AREA**

Permitted uses and applicable policies in the *Private Open Space Area* designation shall be in accordance with Section B3 of this Plan.

### **E.3.4.6 GREENLANDS A AND GREENLANDS B**

Permitted uses and applicable policies in the *Greenlands A* and *Greenlands B* designations shall be in accordance with Section B1 of this Plan.

### **E3.5 IMPLEMENTING ZONING BY-LAW**

All lands that are used for residential purposes shall be placed in a Residential Zone in the implementing Zoning By-law. Lands that are used for existing non-residential uses shall be placed in appropriate zones that recognize the use. All undeveloped land that is designated *Hamlet Residential Area* and *Hamlet Community Core Area*, may be placed in a Development Zone until a development application is approved by Council. Permitted uses in the Development Zone shall be restricted to uses that existed on the date the implementing Zoning By-law comes into effect.



## **E4 RURAL CLUSTER AREA**

### **E4.1 OBJECTIVES**

It is the objective of this designation to:

- a) provide opportunities for residential and other non-farm development in the rural area;
- b) recognize existing and identifiable communities within the Agricultural/Rural Area and the *Niagara Escarpment Plan Area*;
- c) ensure that Rural Clusters are developed in a logical and cost-effective manner; and,
- d) ensure that all new development contributes to and enhances the character of the rural area.

### **E4.2 LOCATION**

The *Rural Cluster Area* designation as shown on Schedules A1 and A2 applies to the communities of Ashgrove, Ballinafad, Bannockburn, Crewsons Corners, Henderson's Corners, Limehouse, Silvercreek, and Terra Cotta.

The precise boundaries of each of the Rural Clusters are shown on **Schedules A9 to A16** inclusive. The expansion of the Rural Clusters beyond the boundaries established by the Plan shall not be permitted. In addition, the establishment of new Rural Clusters shall not be permitted.

### **E4.3 PERMITTED USES**

Permitted uses in the *Rural Cluster Area* designation are limited to:

- a) single detached dwellings;
- b) small scale commercial uses that serve the needs of the *Rural Cluster Area* and/or the surrounding rural area subject to Section E4.4.3 of this Plan;
- c) commercial uses that serve the traveling public, such as convenience stores and gas stations subject to Section E.4.4.3 of this Plan;
- d) small scale industrial operations including an accessory retail component that serve the needs of the *Rural Cluster Area* and/or the surrounding rural area subject to Section E4.4.3 of this Plan;
- e) institutional uses such as schools, places of worship, community centres, libraries and similar uses that serve the needs of the *Rural Cluster Area* and/or the surrounding rural area subject to Section E4.4.3 of this Plan;
- f) bed and breakfast establishments subject to Section E1.4.3 of this Plan;
- g) home occupations and cottage industries subject to Section E1.4.4 of this Plan;

- h) local parkland that serves the needs of the *Rural Cluster Area* and/or the surrounding rural area subject to Section F7 of this Plan; and,
- i) residential care facilities meeting the definition of a Group Home Type 1, subject to the requirements of the implementing Zoning By-law and Section G11 of this Plan.

## **E4.4 LANDUSE POLICIES**

### **E4.4.1 SERVICING**

All development in a *Rural Cluster Area* shall be serviced by private, individual on-site water services and private, individual on-site sewage services.

### **E4.4.2 NEW RESIDENTIAL LOTS BY CONSENT**

The creation of new lots for a residential use by consent to sever is permitted, provided a Plan of Subdivision is not required in accordance with Section F1.1. The creation of new lots for residential purposes shall comply with Section F1.2 (General Consent Policies) of this Plan. The minimum lot size shall be 1,900 square metres or larger and must meet minimum criteria set forth by the Regional Medical Officer of Health.

### **E4.4.3 NEW NON-RESIDENTIAL USES**

The predominant use of land within the *Rural Cluster Area* designation shall be residential. New non-residential uses may be permitted in the *Rural Cluster Area* designation subject to an amendment to the implementing Zoning By-law or, where applicable, the issuance of a development permit from the Niagara Escarpment Commission. New non-residential uses shall also be subject to Site Plan Control. Before approving an amendment to the Zoning By-law to permit any of the uses listed in Section E4.3 (Permitted Uses), Council shall be satisfied that:

- a) the proposed use is compatible with the character of the *Rural Cluster Area*;
- b) the proposed use has frontage and direct access onto an arterial road as shown on Schedule B1 to this Plan;
- c) the proposed use serves the needs of the *Rural Cluster Area* and/or the surrounding rural area;
- d) the proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
- e) the proposed use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- f) adequate parking and loading facilities and landscaping can be provided on the site;
- g) any outdoor storage is accessory to the proposed use and shall be located in the rear and side yards and screened from public view or views from adjacent properties using fencing, landscaping, berming or a combination of these features; and,

- h) where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these features shall be utilized to ensure that there is adequate screening between the uses.

The maximum size of a permitted non-residential use shall be 500 square metres of gross floor area and may require a hydrogeological study to the satisfaction of the Town and the Region of Halton.

#### **E4.5 IMPLEMENTING ZONING BY-LAW**

All lands that are used for residential purposes shall be placed in a Residential Zone in the implementing Zoning By-law. Lands that are used for existing non-residential uses shall be placed in appropriate zones that recognize the use. All undeveloped land that is designated *Rural Cluster Area* may be placed in a Development Zone. Permitted uses in the Development Zone shall be restricted to uses that existed on the date the implementing Zoning By-law comes into effect.

#### **E4.6 SPECIAL POLICY AREAS**

Special Policy Areas apply to those lands within the *Rural Cluster Area* that are subject to a land use policy that is specific to a property or area. All other relevant policies of this Plan are applicable unless otherwise modified or exempted by the provisions applicable to each Special Policy Area.

##### **E4.6.1 SPECIAL POLICY AREA 1**

A commercial automobile dealership is permitted with a maximum floor area of 2,972 square metres on lands designated as *Rural Cluster Area* and identified as Special Policy Area 1, as shown on **Schedule A13** of this Plan. Enclosed self-storage, outdoor self-storage and a caretaker suite that serves the self-storage facility is also permitted on the above subject lands, subject to the following:

- a) the maximum building floor area is limited to 3,716 square metres (40,000 square feet) for all buildings and structures;
- b) all buildings and structures are subject to site plan and architectural control to maintain the character of the *Rural Cluster Area*;
- c) all outdoor storage areas are screened from views off Highway 7, including views through abutting properties; and,
- d) that outdoor storage has a maximum height of 6 metres.

##### **E4.6.2 SPECIAL POLICY AREA 2**

The uses identified under Section E4.3 are permitted on lands designated as *Rural Cluster Area* and identified as Special Policy Area 2, as shown on **Schedule A13** of this Plan, subject to the following criteria:

- a) the uses shall serve the local community;

- b) accessory outdoor storage may be permitted provided that it is setback a minimum of 6.1 metres from any property line and/or the defined limit to this Special Policy Area and shall have a maximum height of 6.0 metres; and,
- c) the compatibility, site design and servicing requirements of any proposed use may be further reviewed and assessed through a Niagara Escarpment development permit application and may be subject to Site Plan Approval in accordance with the Planning Act.

#### **E4.6.3**

#### **SPECIAL POLICY AREA 3**

A commercial use is permitted within a building or structure having a maximum floor area of 929 square metres on lands designated as *Rural Cluster Area* and identified as Special Policy Area 3, as shown on [Schedule A9](#) of this Plan.

#### **E4.6.4**

#### **SPECIAL POLICY AREA 4**

In addition to the uses permitted in Subsection E4.3 of the Official Plan, two (2) existing second storey apartment dwelling units are permitted within the existing building on lands designated as *Rural Cluster Area* and identified as Special Policy Area 4, as shown on [Schedule A11](#) of this Plan.

## **E5 COUNTRY RESIDENTIAL AREA**

### **E5.1 OBJECTIVE**

It is the objective of this designation to only recognize existing estate and country residential developments in the Town.

### **E5.2 LOCATION**

The *Country Residential Area* designation as shown on Schedule A2 to this Plan applies to developed, Draft Approved or approved through a site-specific Official Plan Amendment prior to the adoption of this Plan for large estate lot development serviced by private, individual on-site water services and private, individual on-site sewage services.

### **E5.3 PERMITTED USES**

Permitted uses on lands designated *Country Residential Area* are limited to:

- a) single detached dwellings;
- b) bed and breakfast establishments subject to Section E1.4.3 of this Plan;
- c) home occupations and cottage industries in accordance with Section E1.4.4 of this Plan;
- d) transportation and utility facilities; and,
- e) residential care facilities meeting the definition of a Group Home Type 1, subject to the requirements of the implementing Zoning By-law and Section G11 of this Plan.

### **E5.4 PROHIBITED USES**

The development of new country or estate residential subdivisions on lands that are not designated *Country Residential Area* on Schedule A2 is prohibited by this Plan consistent with policies contained in the Regional Official Plan that prohibit estate residential development outside of Hamlets and Rural Clusters. In addition, the creation of new lots for residential use within existing subdivisions is prohibited.

### **E5.5 IMPLEMENTING ZONING BY-LAW**

All lands designated *Country Residential Area* and located within a Registered Plan of Subdivision shall be placed in an appropriate Residential Zone in the implementing Zoning By-law.

### **E5.6 SPECIAL POLICY AREAS**

Special Policy Areas apply to those lands within the *Country Residential Area* that are subject to a land use policy that is specific to a property or area. All other relevant policies of this Plan

are applicable unless otherwise modified or exempted by the provisions applicable to each Special Policy Area.

**E5.6.1 SPECIAL POLICY AREA 1**

The maximum permitted number of lots is twenty (20) with a minimum lot size of 0.787ha on lands identified as Special Policy Area 1, as shown on Schedule A2 of this Plan.

**E5.6.2 SPECIAL POLICY AREA 2**

The maximum permitted number of lots is twenty-three (23) with a minimum lot size of 0.86ha on lands identified as Special Policy Area 2, as shown on Schedule A2 of this Plan.

## E6 MINERAL RESOURCE EXTRACTION AREA

### E6.1 OBJECTIVES

It is the objective of this designation to:

- a) recognize existing pits and quarries and protect them from activities that would preclude or hinder their continued use or expansion;
- b) protect known aggregate deposits and areas of high potential mineral aggregate resources for potential future extraction;
- c) ensure that new pits and quarries will not have a negative impact on significant natural heritage features and related ecological functions in keeping with the principle of net environmental gain;
- d) ensure that the haul routes used are appropriate;
- a) ensure that extractive activities are carried out in a manner that minimizes environmental and social impacts;
- e) ensure that aggregate extraction operations are designed to minimize visual impacts on the open space character of the rural landscape; and,
- f) ensure the progressive rehabilitation of pits and quarries to an appropriate after use.

### E6.2 LOCATION

The *Mineral Resource Extraction Area* designation shown on Schedule A2 to this Plan applies to mineral aggregate operations that are licensed in accordance with the Aggregate Resources Act and for lands within Part of Lot 13 and 14, Concession 1 (Esquesing), the areas defined as the area to be extracted by a valid license pursuant to the Aggregate Resources Act as shown on Schedule A2. Once a license has been surrendered or revoked, the Town will take steps to redesignate the subject lands from the *Mineral Resource Extraction Area* designation to another appropriate designation.

### E6.3 PERMITTED USES

Permitted uses on lands designated *Mineral Resource Extraction Area* are limited to:

- a) mineral aggregate operations;
- b) agricultural operations;
- c) essential transportation and utility facilities;
- d) watershed management and flood and erosion control projects carried out or supervised by a public authority;
- e) forestry and resource management uses;

- f) archaeological activities;
- g) non-intensive recreation uses such as nature viewing and pedestrian trail activities;
- h) recreation uses including golf course only on lands above the escarpment brow and subject to the following:
  - i) the proposed use will not have a negative impact on adjacent agricultural uses and is compatible with normal practices as set out in an Agricultural Impact Assessment to the satisfaction of the Town and the Region;
  - ii) the proposed use will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;
  - iii) the proposed use can be designed and sited to blend in with surrounding land uses such that the rural character of the area is maintained;
  - iv) where necessary the proposed use can be appropriately buffered from adjacent uses;
  - v) there is no overnight accommodation for users or guests of the facility;
  - vi) there will be no negative impacts on any significant natural heritage features and related ecological functions;
  - vii) there will be no negative impact on the quality and quantity of groundwater and surface water; and,
  - viii) where applicable the criteria referenced in Section E2.4.4 of this Plan; and,
- i) wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts in the area with the exception that in designated *Mineral Resource Extraction Areas* within lands subject to the Niagara Escarpment Plan, asphalt plants of any kind shall not be permitted.

The establishment of permanent concrete batching plants or asphalt plants on lands within the *Mineral Resource Extraction Area* designation is not permitted.

## **E6.4 LANDUSE POLICIES**

### **E6.4.1 RELATIONSHIP BETWEEN THE TOWN AND THE MINISTRY OF NATURAL RESOURCES**

It is recognized that the Ministry of Natural Resources licenses and regulates mineral aggregate operations under the Aggregate Resources Act. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate Provincial Ministries and agencies, the proponent of the mineral aggregate operation and the Town before licenses are issued or modified, in order to ensure that new mineral aggregate operations or expansions of existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan.



## **E6.4.2 DEVELOPMENT ADJACENT TO LANDS IN MINERAL AGGREGATE RESOURCES DESIGNATION**

When new development requiring a Planning Act approval is proposed within 300 metres of a pit or 500 metres of a quarry within the *Mineral Resource Extraction Area* designation, Council shall be satisfied that the proposed use is compatible with the current and future operation of the pit or quarry. In some cases, setbacks between the uses may be required to minimize conflicts. In order to determine if a new use is compatible, the development proponent will be required to demonstrate that the proposed use shall provide for the necessary mitigation of impacts arising from the existing pit or quarry, including future phases that are under license but are yet to be extracted, to meet applicable Provincial standards, regulations and guidelines. The Town may require the submission of noise, traffic and other studies to demonstrate that this policy is met.

## **E6.4.3 NEW MINERAL AGGREGATE OPERATIONS OR EXPANSIONS TO EXISTING OPERATIONS**

### **E6.4.3.1 Introduction**

All new mineral aggregate operations and/or expansions to existing mineral aggregate operations onto lands that are not designated *Mineral Resource Extraction Area* shall require an Amendment to the Official Plan and, where applicable, the Niagara Escarpment Plan. Notwithstanding the foregoing, an Official Plan Amendment will not be required for the proposed expansion of an existing sandstone quarry located on Part of Lot 21, Concession 5.

### **E6.4.3.2 Locational Criteria**

It is the policy of this Plan:

- a) to direct new or expanded mineral aggregate operations to locate in the *Agricultural Area*, the *Escarpment Rural Area* and the *Protected Countryside Area*;
- b) to prohibit new or expanded mineral aggregate operations from locating in the *Escarpment Natural Area*, *Escarpment Protection Area*, *Urban Area*, *Hamlet Area* and *Rural Cluster Area*; and,
- c) to only permit new or expanded mineral aggregate operations within the Greenlands System where it can be demonstrated that there will be no negative impact on significant natural heritage features and related ecological functions in keeping with the principle of net environmental gain in accordance with Section E6.4.3.5 of this Plan.

### **E6.4.3.3 Mineral Aggregate Operations in Prime Agricultural Areas**

In Prime *Agricultural Areas*, on prime agricultural land, extraction of mineral aggregates is permitted as an interim use, subject to Section E6.4.3.1 of this Plan, provided that rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored. On these prime agricultural lands, complete agricultural rehabilitation is not required if:

- a) there is a substantial quantity of mineral aggregates below the water table warranting extraction; or,

- b) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- c) other alternatives, including resources in areas of Canada Land Inventory Class 4 to 7 soils and resources on prime agricultural lands where rehabilitation is feasible, have been considered by the applicant and found unsuitable; and,
- d) agricultural rehabilitation in remaining areas will be maximized.

#### E6.4.3.4 Application Requirements

Any application for Amendment to the Official Plan and/or the zoning by-law shall be supported by studies that are based on predictable, measurable, objective effects on people and the environment. Such studies will be based on Provincial standards, regulations and guidelines, where they exist and will consider and identify methods of addressing the anticipated impacts in the area affected by the extractive operation. All applications shall be supported by information that address:

- a) the impact of the operation of the mineral aggregate resource use on:
  - i) the natural heritage features and ecological functions on the site and in the area;
  - ii) nearby communities;
  - iii) agricultural resources and activities;
  - iv) the quality and quantity of groundwater and surface water;
  - v) the built or cultural heritage resources in the area;
  - vi) significant geologic formations on the site and in the area;
  - vii) the groundwater recharge and discharge functions on the site and in the immediate area;
  - viii) surface water features in the area; and,
  - ix) nearby wells used for drinking water purposes;
- b) the effect of the additional truck traffic on the ability of an existing haul route to function as a safe and efficient haul route considering among other matters the following:
  - i) the types of operations proposed;
  - ii) current road standards and an assessment of the proposed haul route relative to those standards;
  - iii) anticipated type of truck traffic; and,
  - iv) increases in background traffic levels together with current levels of truck traffic and other traffic;

- c) the suitability of any new haul route. It is a policy of this Plan to encourage the establishment of new aggregate operations on established haul routes. If a new haul route is proposed, it shall only be approved if it has been demonstrated that:
  - i) the new haul route is, or can be made, safe and capable of handling the volume of traffic proposed;
  - ii) the selection and design of the proposed haul route has taken into consideration and addressed impacts on existing and permitted sensitive land uses along the proposed haul route;
  - iii) the design of the new haul route has taken into consideration the existing road right-of-way characteristics including existing trees and vegetation within the road right-of-way, wood, wire, stump and stone fence lines within or adjacent to the right-of-way or other historical landscape remnants and where practical has identified means by which such features will be retained in order to minimize the impacts on the character of the area;
  - iv) the design of the new haul route has taken into consideration the physical characteristics of the potential route including road classification, load limits, road surfacing and the identification of any physical constraints to heavy truck traffic, such as vertical or horizontal curves, sight lines or shoulders and the means to address any deficiencies; and,
  - v) The design of the haul route has taken into consideration the traffic impacts (both operational and physical) resulting from the truck traffic generated by the proposed operation, including impacts on road structure, traffic flow and safety and the mitigation measures that will be employed to address these impacts;
- d) the impact of the noise, odour, dust and vibration generated by the proposed use on adjacent land uses;
- e) how the policy of no negative impact on significant natural heritage features and related ecological functions on the site and in the area can be satisfied taking into account the net environmental gain provisions of this Plan. This may be achieved, for example, through the progressive rehabilitation or design of a pit or quarry;
- f) how the impacts from the proposed pit or quarry on adjacent uses will be mitigated in order to lessen those impacts;
- g) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed; and,
- h) how the visual impacts of the proposed aggregate extraction operation will be minimized through the preparation of appropriate studies that considers potential visual impacts from adjacent roads and from those properties that may be potentially impacted.

Some of the above information shall be contained in an Environmental Impact Study that is prepared in accordance with Section C2 of this Plan.

#### E6.4.3.5 Assessment of Impacts

Where a policy in this Plan requires that mineral aggregate extraction not have a negative impact on a significant natural heritage feature or related ecological function in accordance with the principle of net environmental gain, the Town shall consider compensation and enhancements to be initiated by the proponent prior to and/or during extraction and the proposed progressive and final rehabilitation of the site.

In addition to the above, the required studies for a proposed pit or quarry, that address the matters identified in Section E6.4.3.4 of this Plan shall take into account the impacts from pits or quarries that are operating or undergoing rehabilitation in the area.

In considering the added impact of a new pit or quarry licence to existing impacts, Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required.

#### **E6.4.4 CRITERIA FOR APPROVAL**

Prior to the approval of an Official Plan Amendment and/or Zoning By-law for a new or expanded mineral aggregate operation the applicant shall demonstrate that:

- a) the quality of sensitive groundwater and sensitive surface water features in the area will be protected, improved or restored taking into account any mitigative measures initiated by the proponent prior to and/or during extraction and the proposed rehabilitation plan, in accordance with the recommendations of appropriate studies;
- b) the quantity of water available for other uses in the area and as base flow for sensitive surface water features will be protected, improved or restored taking into account any mitigative measures that are initiated by the proponent prior to and/or during extraction and the proposed rehabilitation plan, in accordance with the recommendations of appropriate studies;
- c) there is no negative impact on significant natural heritage features or related ecological functions in accordance with the principle of net environmental gain taking into account any compensation and enhancements that are recommended in an EIS and initiated by the proponent prior to and/or during extraction and the proposed progressive and final rehabilitation of the site;
- d) as much of the site as possible will be rehabilitated by establishing or restoring natural self-sustaining vegetation; and,
- e) other environmental and social impacts such as noise, dust, odour and visual impacts are minimized.

#### **E6.4.5 HIGH POTENTIAL MINERAL AGGREGATE RESOURCE AREAS**

High potential mineral aggregate resource areas, include selected bedrock/shale resource areas and primary and secondary sand and gravel resource areas, exclusive of the Urban Areas, *Hamlet Areas*, *Rural Cluster Areas*, and the *Escarpment Natural Areas* and *Escarpment Protection Areas* and provincially significant wetlands. These high potential mineral aggregate resource areas are shown on Appendix X2 to this Plan for information purposes only.

It is the policy of this Plan that the high potential mineral aggregate resource areas be protected from uses and/or activities that may preclude or hinder the effective and/or economical extraction of aggregate in the future. To this end, it is the policy of this Plan to require that Official Plan Amendment, Zoning By-law Amendment and consent applications on lands that are wholly or partially within 300 metres of a sand and gravel deposit or 500 metres of a selected bedrock and shale resource, and that has the potential to preclude or hinder continued extraction or expansion to existing operations or the establishment of new operations or access to mineral resources, be accompanied by appropriate studies that demonstrate to the satisfaction of Council that:

- a) resource use would not be feasible;
- b) the proposed land uses or development serves a greater long term public interest; and,
- c) issues of public health, public safety and environmental impact have been addressed.

#### **E6.4.6 AFTERUSES**

It is intended that the Official Plan will be amended after a license has been surrendered or revoked to provide for an after-use that is compatible with and has minimal impacts on the surrounding natural environment, vistas and views and existing uses.

The determination of the appropriate designation of the lands for an after use will be made at the time an application is submitted. Factors to consider include:

- a) the use and designation of the land before the extraction commenced;
- b) the land uses and designations on adjacent properties;
- c) the proximity of the lands to agricultural lands and activities;
- d) the character of the area;
- e) the accessibility of the property;
- f) the recreational opportunities that the site may afford;
- g) the opportunities that may be available to enhance natural heritage features and functions in the area;
- h) the nature and cost of any long-term monitoring required on the site;
- i) if the lands are subject to the Niagara Escarpment Plan, as determined through the criteria for designation contained in the Niagara Escarpment Plan; and,
- j) opportunities for public ownership.

#### **E6.4.7 REHABILITATION**

It is the policy of this Plan to encourage the progressive rehabilitation of all pits and quarries within the Town. Council will work with pit and quarry operators and the Ministry of Natural Resources to ensure that all new licenses have appropriate progressive rehabilitation plans. If

the site to be rehabilitated is in the area of the *Niagara Escarpment Plan Area*, rehabilitation shall take place in accordance with the objectives of the applicable re-designation of the Niagara Escarpment Plan. The rehabilitation measures taken will be compatible with, and have minimal impact upon, the surrounding natural and visual environment and existing uses.

If a site is to be rehabilitated to a natural state, it is the policy of this Plan that natural self-sustaining vegetation and, where possible, hydrologic features be established and restored. The rehabilitation of prime agricultural lands shall be in accordance with Section E6.4.3 of this Plan.

## **E6.5 EXTRACTION IN THE PROTECTED COUNTRYSIDE AREA**

### **E6.5.1 GENERAL POLICIES**

Notwithstanding any provisions of this Plan to the contrary, within the Natural Heritage System, the relationship between mineral aggregate operations, and Key Natural Heritage Features and Key Hydrologic Features is as follows:

- a) No new mineral aggregate operation and no wayside pits and quarries, or any ancillary or accessory use thereto will be permitted in the following Key Natural Heritage Features and Key Hydrologic Features:
  - i) Significant wetlands;
  - ii) Significant habitat of endangered species and threatened species; and,
  - iii) Significant woodlands unless the woodland is occupied by young plantation or early successional habitat (as defined by the Ministry of Natural Resources). In this case, the application must demonstrate that the specific provisions of Sections E6.5.3 (c), (d), and E6.5.4 (c) have been addressed, and that they will be met by the operation.
- b) An application for a new mineral aggregate operation or new wayside pits and quarries may only be permitted in other Key Natural Heritage Features and Key Hydrologic Features not identified in Section E6.5.1 (a) and any vegetation protection zone associated with such other feature where the application demonstrates:
  - i) How the Water Resources System will be protected or enhanced; and,
  - ii) That the specific provisions in Section E6.5.3 (c), (d) and E6.5.4 (c) have been addressed, and that they will be met by the operation.
- c) Any application for a new mineral aggregate operation, or the expansion of an existing mineral aggregate operation shall be required to demonstrate:
  - i) How the connectivity between Key Natural Heritage Features and Key Hydrologic Features will be maintained before, during and after the extraction of mineral aggregates;

- ii) How the operator could immediately replace any habitat that would be lost from the site with equivalent habitat on another part of the site or on adjacent lands; and,
  - iii) How the Water Resource System will be protected or enhanced.
- d) An application for the expansion of an existing mineral aggregate operation may be permitted in the Natural Heritage System, including Key Natural Heritage Features and Key Hydrologic Features, and in any associated vegetation protection zone only if the related decision is consistent with the Provincial Policy Statement.

### **E6.5.2 CONDITIONS OF APPROVAL**

The Ministry of Natural Resources will pursue the following under the Aggregate Resources Act, for all mineral aggregate operations, including wayside pits and quarries within the *Protected Countryside Area*:

- a) Rehabilitated area will be maximized and disturbed area minimized on an ongoing basis during the life cycle of an operation;
- b) Progressive and final rehabilitation efforts will contribute to the goals of the Greenbelt Plan;
- c) The Ministry of Natural Resources will determine the maximum allowable disturbed area of each mineral aggregate operation. Any excess disturbed area above the maximum will be required to be rehabilitated. For existing operations this shall be completed within 10 years of the date of approval of the Greenbelt Plan, and 50% completed within six years. For new operations, including expansions, the total disturbed area shall not exceed an established maximum allowable disturbed area; and,
- d) An application for a mineral aggregate operation or wayside pits and quarries may be permitted only where the applicant demonstrates that the quantity and quality of groundwater and surface water will be maintained as per Provincial Standards under the Aggregate Resources Act.

### **E6.5.3 REHABILITATION**

When operators are undertaking rehabilitation of mineral aggregate operation sites in the *Protected Countryside Area*, the following provisions apply:

- a) the aggregate industry will work with the Ministry of Natural Resources to consider the development and implementation of comprehensive rehabilitation plans in areas of high concentration of mineral aggregate operations;
- b) The disturbed area of a site will be rehabilitated to a state of equal or greater ecological value, and for the entire site, long-term ecological integrity will be maintained or restored, and to the extent possible, improved;
- c) If there are Key Natural Heritage Features or Key Hydrologic Features on the site, or if such features existed on the site at the time of application:

- i) The health, diversity and size of these Key Natural Heritage Features and Key Hydrologic Features will be maintained or restored and, to the extent possible, improved to promote a net gain of ecological health; and,
- iii) Any permitted extraction of mineral aggregated that occurs in a feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation;
- e) Aquatic areas remaining after extraction are to be rehabilitated to aquatic enhancement, which shall be representative of the natural ecosystem in that particular setting or eco-district, and the combined terrestrial and aquatic rehabilitation shall meet the intent of Section E6.5.3 (c); and,
- f) Outside the Natural Heritage System and except as provided in Section E6.5.3 (b), (c) and (d), final rehabilitation will appropriately reflect the long-term land use of the general area, taking into account applicable policies of this Plan and, to the extent permitted under this Plan, existing municipal and provincial policies.

#### **E6.5.4 FINAL REHABILITATION**

Final rehabilitation in the Natural Heritage System will meet these additional provisions:

- a) Where there is no underwater extraction, an amount of land equal to that under natural vegetated cover prior to extraction and no less than 35% of each license, is to be rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict;
- b) Where there is underwater extraction, no less than 35% of the non-aquatic lands of each license is to be rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict; and,
- c) Rehabilitation will be implemented so that the connectivity of the Key Natural Heritage Features and the Key Hydrologic Features on the site and on adjacent lands will be maintained or restored, and to the extent possible, improved.

#### **E6.5.5 OTHER CRITERIA**

All other relevant criteria in Sections E6.4.3, E6.4.4 and E6.4.5 shall also be considered unless specifically modified by the policies of Section E6.5, when considering an application for a new or expanded pit or quarry.

#### **E6.6 IMPLEMENTING ZONING BY-LAW**

The implementing Zoning By-law shall place all existing mineral aggregate operations in a zone that permits quarries, sand and gravel extraction operations and wayside pits and portable asphalt plants for road works in the area. The implementing Zoning By-law shall only permit mineral aggregate operations as defined by this Plan on lands that are zoned to implement this section of the Official Plan. The implementing Zoning By-law shall also clearly indicate that aggregate related uses are not permitted on a site once a license has been surrendered or revoked in accordance with the Aggregate Resources Act.



## **E7 MAJOR INSTITUTIONAL AREA**

### **E7.1 OBJECTIVE**

It is the objective of this designation to recognize an existing major institutional complex adjacent to the Georgetown Urban Area.

### **E7.2 LOCATION**

The *Major Institutional Area* designation as shown on Schedule A1 to this Plan applies to a major institutional complex located in Part of Lot 21, Concession 8 adjacent to the Georgetown Urban Area.

### **E7.3 PERMITTED USES**

Permitted uses on lands designated *Major Institutional Area* are limited to:

- a) a building or buildings used for educational/religious instruction and administrative offices;
- b) a building or buildings for the preparation, production, distribution and storage of literature and programs; and,
- c) complementary uses limited to:
  - i) a place of worship;
  - ii) residential accommodation for persons carrying out a permitted use;
  - iii) manufacturing, assembly and servicing of goods and equipment to carry out a permitted use;
  - iv) accessory uses; and,
  - v) utility facilities.

### **E7.4 LAND USE POLICIES**

The development of additional *Major Institutional Areas* outside of the Urban Area designation is not permitted by this Plan.

### **E7.5 IMPLEMENTING ZONING BY-LAW**

Lands within the existing *Major Institutional Area* designation shown on Schedule A1 to this Plan shall be zoned in accordance with existing uses in the implementing Zoning By-law.